

Item 3: Resolution Entitled "Integrity of the judicial system," A/HRC/25/L.5

Explanation of Vote by the Delegation of the United States of America

**Delivered by Paula G. Schriefer
Human Rights Council 25th Session
Geneva, March 27, 2014**

The United States remains fully committed to the goals of promoting and strengthening the integrity of the judicial system in every nation. Within the United States, we have long had an independent judiciary that is supported by laws, regulations, and ethical codes that work in concert to ensure the judiciary remains impartial, competent, and not subject to improper influences. Moreover, our military tribunals follow established judicial procedures and applicable international law and are integrated into the civilian judicial system through the opportunity for appeal and judicial review at the highest levels of our independent judiciary.

We must highlight several major concerns with respect to the text of the resolution. Despite the resolution's overarching goal of promoting the integrity of the judicial system throughout the world, sensible requests to expand the focus of the text beyond military tribunals to the broader issues related to judicial independence and separation of powers have been refused. These requests included small wording revisions proposed by the United States and others to correct problematic language describing the relationship between military and civilian tribunals. The refusal to seriously consider these revisions calls into question whether ~~Russia~~ ^{lead sponsor} was ~~at any point~~ negotiating in good faith. Furthermore, despite many states' concerns about the program budget implications, the resolution mandates a large, expensive consultation that will cost the UN

\$291,700, even though it is unnecessary and does not address the interests of many states because of its narrow focus. After first offering to fund the cost of the consultation, ^{lead sponsor} ~~Russia~~ has backed off this offer and refuses to consider less expensive alternatives.

Finally, we must note that we are surprised to see ^{Member State} ~~Russia~~ ^{the Russian} sponsor a resolution touting the rule of law immediately following its blatant violation of international law and of Ukrainian sovereignty and territorial integrity.

For these reasons we cannot support this resolution. We will call a vote, and vote no.