do. As a system of governance with direct effects on human welfare it deserves to be studied with open eyes and an empirical curiosity. It is unrealistic to assume that the international rule of law either is a neutral framework outside of politics or that it naturally produces substantively good outcomes. A more realistic approach would begin by acknowledging law’s implication with politics and proceed from there to consider in specific instances what interests are being served and how, and who is being disempowered or disadvantaged and in what ways.

**TREND OF DISCUSSIONS ON THE PROMOTION OF THE RULE OF LAW IN THE GLOBAL COMMUNITY/SHARING INFORMATION AND EXPERIENCES: THE UN PERSPECTIVE**

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**INTRODUCTION**

The Rule of Law (RoL) builds peace, contributes to sustainable development, and protects human rights. It is an always evolving outcome and all countries face challenges related to the RoL. After thirty years of international assistance in the field of RoL, results are mixed. We need to do better, and learn from experience. The following is a brief outline from the UN perspective why RoL assistance is important, how the international community is working now and what we have learned, to then advance some ideas on how RoL assistance needs to evolve to be more effective.

RoL builds peace, heals the wounds of the past, and prevents further conflicts. While it is difficult to show concrete results of RoL assistance, evidence shows that it is a condition to overcome conflict and poverty (as confirmed in Afghanistan and the Central African Republic). RoL also ensures sustainable development, specifically in the areas of migration, property rights, protecting the planet, fighting corruption, or post-disaster reconstruction as in Pakistan or Haiti. It protects human rights and ensures accountability for international crimes (for example in Guatemala); and it plays a central role for gender equality and the Women, Peace and Security (WPS) agenda.

the Sustainable Development Goals (SDGs), which enshrine RoL as Goal 16 of the post-2015 agenda, are the most recent outcome of this insight.

**UN AND INTERNATIONAL ASSISTANCE IN THE FIELD OF THE ROl—30 YEARS ON**

As of today, around one hundred countries have received RoL assistance in the shape of normative and operational support. The total cost of operations amounts to U.S.$1 billion through peace operations, development and specialized agencies, and different UN funds. Donor countries tend to privilege assistance in the areas of rule of law, human rights, and governance. The focus of RoL assistance has been traditionally on institution building, capacity development, access to justice and legal aid, and legal development.

But there are also challenges to RoL assistance—including looking for technical solutions to political and cultural problems; building institutions versus addressing people’s justice problems; generational change; the challenge of transnational or complex threats; informal justice systems; and reducing (gender) violence.

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THE FUTURE OF RoL ASSISTANCE

We need to acknowledge that capacity and institution building are necessary but not sufficient to make sustainable change. The international community needs to focus more consistently on people’s needs instead of institutions’ needs. This involves addressing the cultural aspects of the RoL, such as combatting corruption; improving justice actors’ behavior; establishing a public service spirit; altering popular values and behaviors; and creating a culture of lawfulness. It also involves addressing the political aspects of the rule of law: understanding political dynamics that affect the justice system; strengthening judicial independence; and challenging political leadership behavior contrary to the RoL.

The SDGs may prove the most powerful tool in this endeavor as they promote voluntary reporting and encourage planned implementation of the RoL. But we should also maximize the use of international tools that are already at hand, such as the human rights mechanisms (for example the Universal Periodic Review conducted under the auspices of the Human Rights Council; international human rights conventions) and use other international regulatory mechanisms as incentive (such as the International Labour Organization, international trade, the Paris Climate Change Agreement, and the Convention on the Elimination of all Forms of Discrimination Against Women).

As RoL practitioners, we need to put more effort into learning about our experience and the effectiveness of RoL assistance. Future RoL assistance needs to become more sophisticated in order to achieve better results; it needs to be politically smarter, addressing the deep elements impeding the (re)establishment of the RoL, looking at cultural aspects and strengthening a culture of lawfulness. In this respect, the SDGs create a once-in-a-generation opportunity that cannot be missed.

THE NEW DILEMMAS OF RULE OF LAW ASSISTANCE

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THE EXPANSION OF RULE OF LAW AS AN APPLIED CONCEPT

As we meet in 2018, it is nearly thirty years since the fall of the Berlin Wall in 1989; seventeen years have passed since the terrorist attacks in the United States of September 11, 2001; and it is nearly fifteen years since the United Nations promulgated its definition of rule of law in 2004.1

Contemporary rule of law projects have evolved within this period to be ambitious: they aim to do much more than improve the legislative framework or strengthen the judiciary or support efficient civil and criminal procedure in developing economies. Rule of law interventions extend from constitution drafting and election monitoring through to “access to justice,” “legal empowerment,” “efficient commercial law,” “security sector reform,” “international peacekeeping,” “international policing,” “transitional justice,” and applying the laws of armed conflict in peacekeeping settings.

An example of this extension is the way in which rule of law interventions now intersect with criminal justice, security and surveillance and punishment systems. Increasingly, rule of law assistance includes support to the target country’s law enforcement and counterterrorism agencies and

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