

CHECK AGAINST DELIVERY



REPUBLIC OF MOZAMBIQUE

STATEMENT

BY

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OF MOZAMBIQUE TO THE UNITED NATIONS**

BEFORE THE SIXTH COMMITTEE

ON AGENDA ITEM 83

**THE RULE OF LAW AT THE NATIONAL
AND INTERNATIONAL LEVELS**

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Mr. Chairman,

My delegation believes that the debate on the present topic is, indeed, a commendable step to materialize the commitment made by the 2005 World Summit and by the recent High-Level Meeting of the 67th Session of the General Assembly on the Rule of Law at the National and International Levels to an international order based on the rule of law as an essential foundation for peaceful coexistence, cooperation among states, political dialogue, respect of human rights, and democracy as well as for sustained growth, development and the eradication of poverty and hunger.

In this regard, we merit the Secretary-General's reports A/67/749 and A/67/290, materializing the General Assembly requests contained in its historic resolution 61/39 of 4 December 2006, addressing the imperative need of the whole international community to observe and apply the rule of law in all aspects of life.

My delegation is pleased to note that activities for the materialization of the rule of law are gaining a central role and recognised as an important tool to achieve the three main pillars upon which the United Nations is build.

Mozambique shares the view that the rule of law and development are necessarily interrelated and mutually reinforcing. We also believe that the rule of law, human rights and democracy are also interlinked and mutually reinforcing and that they should belong to the universal and indivisible core values and principles of the United Nations.

We also share the view that corruption has a very negative impact in our lives and development goals as it erodes public confidence, accountability, legitimacy and transparency and therefore stress the importance of the rule of law as an essential element in addressing and preventing corruption.

Mr. Chairman,

The previous Constitution of the Republic of Mozambique, adopted in 1990, paved the way for the first general multiparty elections in 1994, introduced a democratic rule of law, founded in the separation of powers among the judicial, legislative and executive branches and introduced a political pluralism system.

The Constitution now in force, adopted in 2004, following the third multiparty election, reaffirms, develops and deepens the fundamental guiding principles

of Mozambique, by enshrining a democratic rule of law founded on freedom of expression, free political party affiliation and respect of citizen's fundamental rights and freedoms.

Furthermore and having the imperative need of strengthening the individuals guarantees before the public abusive behaviours, the Constitution introduced a new legal entity- the *ombudsman*.

These constitutional reforms were only the first steps taken to consolidate the rule of law and multiparty democracy in the country. Later on, my country has embarked in legal and judicial reforms and a new program known as "*Vision of Justice*" is underway, being another step of paramount importance for the consolidation of peace, democracy and the respect for individual fundamental rights and freedoms.

Another step forward in the consolidation of the rule of law is the current process of reforming police force.

These reforms intended to enhance coordination among different institutions involved in the administration of justice, aiming at establishing and consolidating a judicial system that can decisively contribute for the rule of law and develop and uphold the constitutional principles above mentioned.

The constitutional and judicial reforms above mentioned were preceded by a process of public hearings which constituted an opportunity for citizens, politicians, NGOs and other stakeholders of the civil society to participate in the search of solutions to ensure better coordination among the different institutions in the system of administration of justice.

Mr Chairman,

At the international level the rule of law must be the foundation for cooperation and peaceful co-existence among sates based in the full respect of the principles of the Charter of the United Nations and of international law.

In this context, activities of the United Nations System must promote universal adherence to the said principles and to international law. These activities should mainly include wider promotion, dissemination and teaching of international law; wider participation of all states in the codification and progressive development of international law and building of national capacities for states to implement international legal instruments.

African leaders have adopted the African Peer Review Mechanism (APRM), a voluntary scheme aimed at enabling African countries to strengthen their democratic rule and governance structures by sharing and disseminating codes of best practices, good governance, transparency and accountability as they subject themselves to constructive peer scrutiny.

Despite various constraints, mainly, inadequate financial and institutional capacity, the number of countries acceding to APRM is growing and the confidence on the mechanism is also on the increasing.

In conclusion, Mr. Chairman, my delegation would like to seize this opportunity to reaffirm the political commitment of Mozambique in upholding the rule of law at national and international levels.

I thank you.