



MYANMAR

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Statement

by

H.E. U Kyaw Myo Htut,

Myanmar Ambassador to the United Kingdom

and member of the Myanmar Delegation

on Agenda Item 83

“The Rule of Law at the National and International Levels”

Before the Sixth Committee of the

67th Session of the United Nations General Assembly

(New York, 10 October 2012)

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Mr. Chairman,

My delegation associates itself with the statement made by Vietnam on behalf of the Association of South East Asian Nations (ASEAN) and also with the statement made by Iran on behalf of the Non-Aligned Movement (NAM) under this agenda item.

Mr. Chairman,

The United Nations has marked yet another important milestone this year, as the General Assembly successfully held its first ever High Level Meeting on the Rule of Law at the National and International Levels. We wish to thank the Secretary General for his report on “Delivering Justice” which laid down the programme of action to strengthen the rule of law. It is also encouraging to witness the voluntary pledges made by a large numbers of Member States expressing their genuine wish to strengthen the rule of law mechanisms.

Mr. Chairman,

We are of the view that the assistance for rule of law rendered by the United Nations is lending a helping hand to the Member States in their national efforts in reforming their administration of Justice. Myanmar therefore welcomes the establishment of the Rule of Law Coordination and Resource Group chaired by the Deputy Secretary-General of the United Nations. It is also hoped that the rule of law Unit which has been established within the Secretariat of the United Nations will play an active and effective role in coordinating and rationalizing the activities of the rule of law.

Mr. Chairman,

My delegation believes that regional frameworks can also play an important role in promoting the rule of law internationally. Thus, we attach

importance to the rule of law provisions embedded in the ASEAN Charter which further reinforces measures taken by ASEAN in strengthening the rule of law activities.

Mr. Chairman,

In Public International Law, the rule of law rests on commonly agreed international principles by the member States. These principles are enshrined in the Charter of the United Nations which serves as a fundamental basis of modern international law. There can be neither peace and security nor economic development in a member State without abiding by the Charter principles.

Mr. Chairman,

We noted with great concern that the rule of law has not been fully established in the international community to date, as we are still witnessing numerous threats, tensions and challenges in many parts of the world. It is of paramount importance to find ways and means to effectively tackle these issues based on the rule of law. Moreover, peaceful settlement of international disputes in accordance with existing international laws and making use of mechanisms such as international courts and tribunals would bring about fruitful and impartial results. A case in point is the recent maritime delimitation between Myanmar and its neighbour Bangladesh which was peacefully and even-handedly settled in accordance with international laws through the wisdom of International Tribunal for the Law of the Sea (ITLOS).

Mr. Chairman,

At the national level, the rule of law as well as peace and stability have occupied a place of higher priority in the on-going reform process of the Government of the Republic of the Union of Myanmar. One of the prominent Committees established by the Pyithu Hluttaw (Lower House of the Parliament) in Myanmar is the "*Rule of Law and Stability Committee*" headed by the Chairperson of NLD Party and now a Member of Parliament, Nobel Laureate Daw Aung San Suu Kyi.

Mr. Chairman,

Myanmar's political reform is also accompanied by reform in legal sector with an aim to ensuring the rule of law. A number of existing laws have been reviewed and new laws have been enacted to be in line with the provisions of the State Constitution and in commensurate with today's prevailing realities. New laws have also been passed to allow trade union activities and guaranteeing freedom of assembly and peaceful demonstrations. Media censorship has been

abolished to grant greater freedom to the media which had long been under strict control of the Government.

Mr. Chairman,

Myanmar is fully cognizant of the need to adjust all the national laws to be in conformity with the international law and its applicable international legal instruments. However, due to lack of adequate human capacity and legal expertise, incorporation of international and regional treaties into the State's domestic legal systems remained a major challenge for a country of rapid transition like Myanmar. Provision of capacity-building and technical assistance in this area would facilitate and expedite this complicated process.

Mr. Chairman,

Myanmar joins others in welcoming the outcome document on the rule of law which was unanimously adopted at the high-level session. Myanmar wishes to reaffirm our willingness to cooperate with the United Nations and other Member States in promoting of the rule of law activities at the national and international levels. At the national level, it is a prerequisite for member States to develop strong institutions based on the rule of law. At the international level, strict observance by all member States of the provisions and obligations enshrined in the UN Charter and other relevant international instruments would obviously address emerging threats and challenges. In such a way, together we can make the world a safer and better place through no other means but rule of law.

I thank you Mr. Chairman.
