



SRI LANKA

Statement

by

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**Permanent Representative of Sri Lanka
To the United Nations**

at the

General Debate

of the

Sixth Committee

of the

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(Please check against delivery)

Mr. Chairman, as this is the first time my delegation is taking the floor, let me congratulate you on your appointment to the Chair of the Sixth Committee.

Sri Lanka aligns itself with the statement made by Iran on behalf of the Non-Aligned Movement under this agenda item.

In a rapidly changing world, the rule of law, at national and international levels, provides a reassuring framework for our societies to consolidate the rights of human beings and develop and maintain peace, stability, good order and dispense justice.

The rule of law, having evolved over the centuries, is ingrained in the culture of all nations. It does not belong to any single part of humanity. Our individual perceptions might differ when it comes to detail. But all societies have contributed to the evolution of the concept of the rule of law, from the laws of Manu, the laws of Hammurabi, to the United States Constitution, the Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights. Concepts of what is right and just go back to very early organized societies.

It is very important to remember and respect the diverse roots of the rule of law as we discuss it in the contemporary context. Internationally, there have been long-standing efforts by States to create an international community based on the rule of law. The UN Charter developed on the dying embers of the Second World War is one of humanity's seminal achievements. The General Assembly High-Level Meeting on "the Rule of Law at the National and International Levels" held this year was an important milestone in our efforts to develop a common understanding of the rule of law among Member States. Much more remains to be done. Sri Lanka hopes that the Sixth Committee, in co-ordination with the General Assembly and other relevant entities, will maintain its focus on the rule of law at the national and international levels, and contribute to our common understanding of this important issue.

Domestically, a strong adherence to the rule of law contributes to strengthening the institutional framework for the protection of the individual and his rights. The rule of law, has been a major contributing factor in advancing sustainable human development and the protection and empowerment of women, children and other vulnerable groups. The protection of minorities

and the advancement of their rights are an essential part of this framework. The legal system of Sri Lanka, which regulates a multi ethnic country, has evolved to accommodate the diverse cultural, ethnic and religious differences of our society. For example, each ethnic group in Sri Lanka is still governed by its own personal laws, resulting in an exciting overlay contributing to the presence of a rich and varied web of personal laws enforced by the highest courts of the land.

Sri Lanka has emerged from a 27 year long conflict with a terrorist group that has been proscribed in almost every democracy in the world and which challenged our treasured democratic institutions. My country takes the view that an essential pre-requisite to strengthening the rule of law is the enhancement of the supporting institutional mechanisms. Countries with strong democratic institutional foundations have developed the resilience and the capacity to continue and strengthen their institutions. Countries emerging from decades of conflict, must be given the much needed time and space to engage in a restorative process. The rule of law cannot be enforced from the outside or confirm to an external prescription that ignores domestic realities. Countries like Sri Lanka need support to strengthen their domestic institutions. Judgementative international interventions may actually be counterproductive.

At the international level, the many organs and agencies of the UN must play a role in contributing to the promotion and strengthening of the rule of law. Nevertheless, at a time of financial stress, duplication must be avoided. The principle of sovereign equality enshrined in the UN Charter, which is intrinsic to the international rule of law, must be respected as international rules are made and implemented. Equally important, is the maintenance of the principle of non-interference in the internal affairs of Member States, especially in situations that do not pose a threat to international peace and security. Specific circumstances may call for involvement, which should be based on the agreement of all States. The unilateral and selective application of international law principles must be avoided.

The codification of international law and legal obligations is an important aspect of the rule of law at the international level. The office of Legal Affairs of the United Nations plays a central role in this regard. Today, there is hardly an area of human activity that is not regulated by treaty law. Over 550 multilateral treaties are deposited with the Secretary-General. Domestic

compliance with treaty obligations is an area where the UN can play a crucial and helpful role, particularly in assisting States with capacity building. The UN's ability to encourage the teaching, study, dissemination and wider appreciation of international law will also contribute to the strengthening of the rule of law at the international level.

Increasingly, in addition to the United Nations, regional bodies have also played an important role in addressing the growing problem of transnational organised crime and terrorism which threaten the international order. In particular, piracy and drug trafficking have become associated with high levels of violent crime contributing to cross-border instability. International organized crime is now a funding source for terrorism and is becoming an economically and socially destabilizing factor. Grievances based on violations of economic and social rights have the capacity to spark violent conflict that could spill over borders. However, long-term solutions to transnational organised crime, terrorism and piracy will need to focus on the delivery of basic services by justice and security institutions, not forgetting relevant economic and social factors.

Strengthening of the rule of law is essential, not just to maintain peace and good order as it is traditionally understood, but also to enable sustained economic progress and the achievement of the Millennium Development Goals. While it is common to refer to it in the context of individual rights, we should not forget its application to environmental protection, economic advancement and social order. In maintaining a balance between sustainable economic progress, and environmental sustainability, the rule of law can play an important role, both at national and international levels.

During this year, we marked the 30th Anniversary of the UN Convention on the Law of the Sea, referred to as the constitution for the oceans, and the 20th anniversary of the Rio Declaration, among others. Both, designed to regulate actions of mankind and make the world a better place for all. This is an appropriate time to reflect on how our actions are impacting on nature, how environmental goods and services are valued and taken into account in decision-making, and the implications of the rule of law in this respect.

Thank You, Mr. Chairman.