



MALDIVES

Statement by:

Mr Jeffrey Salim Waheed, Deputy Permanent Representative to the United Nations

Agenda Item: 85 - The Rule of Law at the National and International Levels

New York, 9 October 2013

Excellency, Thank you for the floor.

Last year, the President of Maldives addressed the General Assembly at the high level meeting held on the rule of law and reaffirmed the commitment of the Republic of Maldives to ensuring and maintaining the rule of law within our borders and across the global community. We remain steadfast in our commitment to this ideal, and to propagating the related measures needed to ensure its viability. This principle, while being of particular national concern to us, is still inherently linked to the core purpose of this organization; peace and stability. Both at the national and international level, the United Nations was formed as the principle guarantor of peace and stability in the world. We sue for peace, fight for rights, and facilitate the socio-economic development of societies and nations with the underlining assumption that stability is present through a maintenance of the rule of law. This is the primary requisite upon which we build; the foundation upon which we move forward both as a community and in our own national capacities.

Mr Chairman,

For the last decade, the Maldives has walked a path towards democratisation. We began reforms that culminated in 2008 with a new democratic constitution that included the separation of powers and the creation of independent institutions of horizontal accountability. We had our first multi-party election the same year, and since then we have been tested by various incidents of tension between our branches of government. The resignation of our first democratically-elected President last year was as a result of such tension. Yet, through this shock, our democratic process was upheld and the safeguards put in place by the 2008 constitution, saw the country's Vice President take up the mantle of leadership. And finally, last month we held the first round of our second multi-party Presidential elections. Alas, following a petition filed by one of the candidates, the Supreme Court annulled the first round of the election due to voter fraud exceeding the difference in ballots between candidates, and has now called for a new election.

Mr Chairman,

In spite of this setback, I am happy to report that electoral process is once again back on track. Domestic stakeholders have accepted the Supreme Court's decision, and preparations for the election are underway. With the Supreme Court designated as the ultimate arbiter in cases of dispute arising from a presidential election, it is pleasing to know that the rule of law has been maintained and the constitution upheld. And while this is an achievement for the consolidation of our nascent democracy, we still have a way to go.

Mr Chairman,

We can only claim rule of law as the basis for democracy, when our societies are built upon democratic principles, when the fundamentals of human rights and minority rights are protected, and when the smallest and weakest of our citizens feel safe.

The rule of law, feeds inherently into peace and security, but also into development and human rights. The Maldives is a State party to eight of the nine core international human rights instruments. We are a party to the ILO's Eight Core Conventions on Fundamental Human Rights and we are a party to the UN Convention against Transnational Organised Crime. The Maldives is in the process of formulating a national strategy to strengthen our capacity to more effectively comply with these instruments. In addition to this, the Government is seeking the consent of the Parliament, to ratify or accede to other critically important international instruments, such as the International Convention for the Protection of all persons from Enforced Disappearance.

In strengthening our national capacity, the Government has announced a number of measures ranging from a five year plans to sector reform. Among the plans is a five year action plan for human resource development in the area of the rule of law, as well as a timeline to develop a dispute resolution mechanism. We have developed a plan for enhancing the institutional capacity of law enforcement agencies, strengthening both internal and external review and oversight mechanisms, such as the constitutionally created, independent Police Integrity Commission.

Protecting the most vulnerable in our community has been at the forefront of our democratic consolidation agenda. We have enacted laws safeguarding the rights of persons with disabilities as well as those against child abuse and domestic violence. We have strengthened our Family Protection Authority and created safe houses for victims of sexual abuse, domestic violence, and human trafficking.

Mr Chairman,

The most vulnerable in our community of nations, are the Small Island Developing States (SIDS). We face the greatest challenges and yet we will never graduate from being SIDS. Due to our uniquely inherent vulnerabilities, SIDS require differential treatment. Only by according a comprehensive definition for SIDS would can we be given full recognition within the global governance regimes, as well as multilateral and financial institutions. At the United Nations Human Rights Council, the Maldives has advocated and facilitated measures to increase participation by SIDS and Least Developed Country delegations. We have led a cross-regional group of countries to create a Trust Fund to build capacity amongst the most vulnerable so that SIDS and LDCs meet their reporting obligations.

As a serving member of the United Nations Human Rights Council, the Republic of the Maldives has remained consistent in its desire to meet the highest human rights standards. Our efforts both at home and abroad stand testament to this consistency. Though emerging from a traditionally conservative society, we believe that there exists certain inalienable rights that is shared across the vast spectrum of humanity. In this vision, we seek reelection to the Council this November and count upon our friends in this hall to see us through another term.

Mr Chairman,

The burden of maintaining the rule of law, extends beyond national governments to multilateral organizations. We, even as a community of nations, have a solemn duty to come together in agreeing to one definition as to what constitutes the rule of law. Without preying on the weak, nor disregarding the small, we must ensure that there are no double standards in the application of this principle. Though the most vulnerable requires differential treatment, the equality enshrined in the United Nations Charter, must be maintained for all.

The rule of law affects the very bedrock of our societies, and composes the foundation of this organization. We cannot sacrifice it for the sake of expediency. We cannot turn our back on the need for consensus on it. It is both our national and international responsibility to protect the vulnerable and ensure equality in the application of the rule of law. It is our hope, that this year, we will take positive steps in this direction.

Thank you