

CHECK AGAINST DELIVERY



STATEMENT

BY

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PERMANENT REPRESENTATIVE OF THE REPUBLIC
OF MOZAMBIQUE TO THE UNITED NATIONS**

BEFORE THE SIXTH COMMITTEE

ON AGENDA ITEM 85

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

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Mr. Chairman,

Since I am taking the floor for the first time, let me congratulate you on your assumption of the chairmanship of this Sixth Committee. Our congratulations also go to other members of the Bureau.

I would like to take this opportunity to assure you the full support of my delegation throughout the work of the Committee.

We are confident that this Committee will make outstanding contribution and progress under your able leadership.

My delegation aligns itself with the statement delivered by the representative of Egypt on behalf of the African Group and the Islamic Republic of Iran on behalf of the Non Aligned Movement.

Since we have not done so far, my delegation would also like to take this opportunity to express its deeply feeling of sorry and full solidarity with the Government and people of Kenya for the recent heinous terrorist attack at the Westgate Shopping Mall in Nairobi, Kenya.

Mr. Chairman,

Mozambique has been following this item with great interest and believes that this debate represents, is, indeed, a renewed political will to materialize the commitment made by the 2005 World Summit and highlighted by the High-Level Meeting on the Rule of Law at the National and International Levels, which took place during the 67th Session of the General Assembly.

Convening such a meeting was in itself a milestone and an important step in the United Nation's determination in the adherence to the principle of supremacy of the rule of law.

We would like to reiterate again our belief that a national and international order based on the rule of law is an essential foundation for countries' stability, peaceful coexistence, cooperation among states, respect of human rights and democracy, as well as, for sustained growth, development and for the eradication of poverty and hunger in whole world. Therefore, Mozambique will spare no efforts to continue its support aiming at ensuring that this important topic be placed in the annual agenda of the General Assembly of the United Nations.

Mozambique believes that adherence to the principles of supremacy of the law is cardinal in ensuring respect for the institutions vested with the power to enforce it and in the same vein it is a guarantee of accountability before the law.

Mozambique shares the view that the rule of law and development are intrinsically 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 merit the Secretary-General's report contained in document A/68/213. This report shows that the United Nations is deeply concerned and committed with the materialization of 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.

Mr. Chairman,

In its determination to promote adherence to the rule of law at national level, Mozambique's Constitution provides, inter alia, that all persons are equal before the law. To ensure this equality and the enjoyment of constitutional rights, Mozambique has established several oversight institutions such as the Constitutional Court, the Attorney General Office, The Anti-Corruption Office, the Parliament Complaints Commission, and most recently the Human Rights Commission.

In order to meet new challenges of democracy and to enhance the rule of law, my country is currently reviewing its Constitution. The main purpose of this exercise is to consolidate and deepen the fundamental guiding principles of Mozambique, by enshrining a true democratic rule of law, founded on freedom of expression, free political party affiliation, and respect of citizen's fundamental rights and freedoms.

Furthermore, and in view of strengthening individual guarantees and make the Government and the public administration more accountable, Mozambique has an *ombudsman office*.

Mr. Chairman,

We believe that corruption has a very negative impact in our development goals as it undermines public confidence, accountability, legitimacy, and transparency and therefore we want to stress the importance of the rule of law as an essential element in addressing and preventing corruption

Mozambique has therefore embarked on the fight against corruption and passed relevant legislation to this effect. In order to complement and strengthen existing anti-corruption laws the country has just passed a Public Probity Law aiming at preventing that public office holders or civil servants, including politicians, to misappropriate public funds or tax payer's money or profiting from their positions while serving public institutions. The law intends to combat corruption and to instill appropriate moral behaviour and consolidate good practices within the public administration service.

The constitutional, judicial and democratic reforms above mentioned were preceded by a process of public consultation which constituted an opportunity for citizens, politicians, NGOs and other stakeholders of civil society to participate in the search of solutions and by that way in the decision making process.

Mr Chairman,

At the international level, we continue to believe that the rule of law is 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.

In conclusion, Mr Chairman, my delegation would like to seize this opportunity to reaffirm once again the political commitment of Mozambique in upholding the rule of law at national and international levels and at the same time, we welcome the guiding role of the United Nations in promoting the rule of law at all spheres of life.

I thank you