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Statement

By

His Excellency Mr. Virachai Plasai

**Ambassador and Permanent Representative of Thailand
to the United Nations**

before the Sixth Committee

of the 70th Session of the United Nations General Assembly

Agenda Item 85 : The rule of law at the national and international levels

New York, 14/15 October 2015

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Mr. Chairman,

At the outset, let me state that the Kingdom of Thailand aligns itself with the statements delivered by His Excellency the Permanent Representative of the Lao PDR on behalf of the Association of Southeast Asian Nations or ASEAN and by His Excellency the Permanent Representative of the Islamic Republic of Iran on behalf of the Non-Aligned Movement.

We welcome the opportunity to discuss the rule of law as a subtopic chosen for this year's consideration. We also thank the Secretary-General for his report contained in document A/70/206, which illustrates the constructive role of the United Nations in promoting, strengthening and supporting the rule of law at both the national and international levels.

Mr. Chairman,

Article 13 of the United Nations Charter entrusts the General Assembly with the important task of encouraging progressive development of international law and its codification. Through multilateral treaty processes developed over the years, the United Nations has succeeded in advancing in a significant manner the rule of law on the international plane.

Multilateral treaties help ensure the advent of the rule of law as they clarify the structure of international relations and provide legal clarity and certainty, resulting in a more predictable and fairer global order. We are thus of the view that the broader range of topics multilateral treaties cover, the more likely the international community can hope for a truly universal rule of law.

In this perspective, Thailand welcomes the adoption of UNGA resolution 69/292 on the development of an international legally binding instrument under UNCLOS on the conservation and sustainable use of marine biological diversity of

areas beyond national jurisdiction, which is a new, significant step towards bringing under the rule of law an area that has thus far remained unregulated, i.e. exploitation of marine resources in the High Seas.

We are also of the view that multilateral treaty-making processes must be inclusive and transparent, so as to ensure that the views of all States and relevant stakeholders are taken into account. This in turn will ensure wider acceptance of treaties that are the outcome of such processes.

Mr. Chairman,

The adoption by our leaders of the Sustainable Development Goals strengthens the Kingdom of Thailand's belief that rule of law and sustainable development are inter-related and mutually reinforcing. For the past three years, on the basis of that belief, we initiated through the Commission on Crime Prevention and Criminal Justice (CCPCJ), three consecutive General Assembly resolutions on rule of law, crime prevention and criminal justice. The resolutions call, inter alia, for inclusion of rule of law and human rights in the post-2015 development agenda. We therefore welcome SDG16 and hereby reiterate our full support to this important development goal.

At the same time, we have been focusing on particular needs of the more vulnerable groups of people. For us, it is of the utmost importance to ensure access of all individuals to justice, along with other fundamental opportunities such as education or medical care. No one should be marginalized when it comes to the rule of law.

In 2010, upon Thailand's initiative, the United Nations adopted the Rules for the Treatment of Women Prisoners and Non-Custodial Measures for Women Offenders, also known as "the Bangkok Rules". The Rules gives guidance to relevant authorities to meet specific needs of women in case of imprisonment as

well as in non-custodial measures in the prosecution process. Five years since its adoption by the General Assembly, we have been actively advocating implementation of the Rules in correctional facilities at national, regional and international levels. We are pleased that the Rules have been well received and widely accepted.

For the same reason, we support the Revised Nelson Mandela Rules, which is regarded as a significant way forward for the Standard Minimum Rules to improve the treatment and protection of the human rights of prisoners around the world, who risk abuse and ill treatment.

Mr. Chairman,

In a world increasingly without frontier that we live in, relationship between the rule of law at the national and international levels becomes more and more pronounced. The two levels are indeed complementary and interdependent.

Article 26 of the 1969 Vienna Convention on the Law of Treaties regarding *Pacta Sunt Servanda* and Article 27 of the same Convention, which stipulates that a party may not invoke its internal law as justification for its failure to perform a treaty, ensure that international rule of law, once accepted by a State, translates into national rule of law.

To illustrate this point, let me mention a few recent treaties resulting from the United Nations multilateral treaty process, which have significantly advanced rule of law on the international plane, and to which Thailand has become party, i.e. the United Nations Convention against Transnational Organized Crime (UNTOC) and the supplementing Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children.

To implement these treaties, the parties thereto need to ensure that through their respective municipal law they can observe and perform all the obligations

contained therein. Rule of law is thus ensured at both international and national levels through these international instruments.

In conclusion, Mr. Chairman, let me commend the role of the General Assembly, and in particular the Sixth Committee, in encouraging progressive development of international law and its codification. This has played an important role in advancing and promoting the rule of law. The Kingdom of Thailand remains indeed committed to working further with the Committee for this cause.

I thank you.
