



بِسْمِ اللّٰهِ الرَّحْمٰنِ الرَّحِیْمِ

MALDIVES

[CHECK AS DELIVERED]

Statement by

Saadhin Mohamed Rasheed

First Secretary

On The rule of law at the national and international levels: “The full, equal and equitable participation at all levels in the international legal system” at the Sixth Committee

Thank you, Chair.

1. At the outset, I would like to thank the Secretary-General for his report under this agenda item.
2. The Maldives recognizes the inherent value of the rule of law in both the domestic and international contexts. We appreciate the salient differences in the operation of the principle in light of the factors to which domestic and international laws are applicable.
3. Domestically, in efforts to improve governance and accountability, the Maldives in partnership with UN agencies, has taken significant steps to improve public access to applicable laws and regulations through the development of a digital repository.
4. In recent years we have seen a significant boom in both public and private digital platforms, which have improved individuals’ access to the applicable jurisprudence in our jurisdiction.
5. In the Maldives, a few scholars have taken the initiative to publish legal literature in Dhivehi, the national language, touching on the principle of the “Rule of law”, thereby further enriching public understanding of the principle.
6. The rule of law and sovereign equality of States, naturally entail equal participation of States within the international legal system.



7. The international legal regime was developed at a time when many states, including those that later fought for their independence, were absent from the process. Unity among nations is contingent on adherence to the principle itself. Without the rule of law, there would be no unity, and without unity, there would be no United Nations.
8. Perhaps if we were present at the genesis of the modern international legal system, we might have questioned the contradictory nature of Articles 2 and Article 27 of the UN Charter. In one breath, these articles espouse the sovereign equality principle while also enshrining the veto power, effectively limiting equal enforcement and representation in the international legal regime.
9. And while we have an equal vote in the General Assembly and within the legislative organ of the international legal regime, Small Island Developing States (SIDs) such as my own, are severely constrained by our lack of space for engagement within the international legislative regime on an equal footing with advanced nations.
10. In Resolution 78/112, we determined that in the seventy-ninth session, our subtopic would be “The full, equal and equitable participation at all levels in the international legal system”.
11. And while we may have agreed upon this sub-topic, any discussion on the rule of law would be lacking without a mention of the ongoing suffering of the Palestinians and a call for holding Israel accountable for its repeated breaches of international law.
12. The concepts of obligation and rights are intertwined, and the rule of law can only be said to be upheld if obligations are honored, and rights are respected.
13. While this is the case, the Palestinians, have not been able to obtain an effective redress within the international legal system, for the continuing violations of their human rights and international humanitarian law.
14. Their rights have been recognized by the ICJ and a clear instruction has been provided to Israel and all member states regarding compliance with international law. It is disappointing to see Israel persist in defying the orders of the world’s court.
15. The Security Council, which is the key enforcement mechanism of the United Nations, have failed to stop Israel’s breaches of international law.
16. While we welcome the State of Palestine’s inclusion among us in the General Assembly, where they have a voice, a voice that currently pleads for participation in and effective enforcement of the international legal system.



17. The starting point of restoring the rule of law in the United Nations begins by recognizing the State of Palestine as a member of the United Nations with the ability to engage in all levels of participation within the international law system.

18. I thank you.
