



# MALAYSIA

PERMANENT MISSION TO THE UNITED NATIONS



CANDIDATE  
to the  
UNITED NATIONS  
SECURITY COUNCIL  
for the term 2015-2016

*(Please check against delivery)*

**STATEMENT BY  
H.E. AMBASSADOR HUSSEIN HANIFF  
PERMANENT REPRESENTATIVE OF MALAYSIA  
TO THE UNITED NATIONS**

**ON AGENDA ITEM 85 ENTITLED  
“RULE OF LAW AT THE NATIONAL AND INTERNATIONAL LEVELS”  
AT THE SIXTH COMMITTEE OF THE SIXTY-EIGHTH SESSION OF  
THE UNITED NATIONS GENERAL ASSEMBLY  
NEW YORK, 9 OCTOBER 2013**

Mr. Chairman,

Malaysia wishes to align itself with the statement made by Iran on behalf of the Non-Aligned Movement (NAM) and by Lao People’s Democratic Republic on behalf of the Association of Southeast Asian Nations (ASEAN). We extend our appreciation to the UN Secretary General for his report on strengthening and coordinating United Nations rule of law activities as contained in document A/68/213.

Mr. Chairman,

2. The Declaration of the High-level Meeting of the General Assembly on the Rule of Law at the National and International Levels which was adopted last year marked a significant achievement as the international community collectively resolved to strengthen an international order based on the rule of law in the pursuit of a just and lasting peace. We rightly recognize the interconnection between the rule of law and peace and security, human rights and development, where all the three elements are protected and advanced through strong legal foundations. In strengthening the rule of law, Malaysia also wishes to emphasize the importance of the principles of sovereign equality, territorial integrity, non-interference and the equal application of international law on all states.

3. The theme of this year’s deliberations, “The Rule of Law and the Peaceful Settlement of International Disputes” is apt and timely indeed, especially in these times of strife. Malaysia views that adherence to principles of the rule of law can and does provide peaceful means to resolving often difficult and contentious disagreements for the benefit of all parties involved. In resolving international disputes and in accordance with principles of the UN Charter, Malaysia strongly upholds that States have a duty to refrain from the threat or use of force. International law mechanisms provide numerous

avenues for the peaceful settlement of disputes. These include, among others, judicial settlement, mediation, negotiation and arbitration, which must be the preferred solution for all.

Mr. Chairman,

4. Malaysia's commitment to the pacific settlement of international disputes is clearly demonstrated through our reliance on the International Court of Justice (ICJ) in resolving disputes peacefully with our neighboring countries. This we have done so on two occasions in which all parties accepted and abided by the ruling of the Court. Malaysia values the Court's adherence to its prescribed mandates and observance to the rule of law, which boost confidence in the Court's effectiveness in fulfilling its role as the principal judicial organ of the UN. We believe that others could also turn to the ICJ or other various legal mechanisms in reaching a resolution.

Mr. Chairman,

5. We have seen that where there is sincere commitment to bring an end to situations of conflict which have brought pain and suffering to countless lives, peace can be achieved. On our part, Malaysia has been playing a leading role in mediation efforts in the region. For example, Malaysia is honored to facilitate the peace talks between the Government of the Philippines and the Moro Islamic Liberation Front, which has culminated in an historic peace framework agreement to bring to an end a conflict that has been running for four decades. Although some work remains towards concluding the peace talks and realizing durable peace, the framework agreement is a testament to the rule of law in action in the peaceful settlement of disputes. Malaysia is also supportive of the dialogue process in Southern Thailand towards achieving durable peace, stability and prosperity.

Mr. Chairman,

6. Malaysia strongly believes that double standards and selectivity should be avoided at all costs. The peaceful resolution of international disputes is made difficult if not impossible when the rule of law is applied asymmetrically between two parties at dispute. We reiterate our call for responsible parties to be held accountable for violations of international law, including human rights and humanitarian law. These violations obstruct attempts towards finding a peaceful solution to long-running international disputes.

7. In addition, we observe that there is great enthusiasm when it comes to pointing out alleged atrocities that take place in one situation, while completely ignoring those taken in another. Hence, we need to demonstrate that we are consistent in the observance and application of law. Practicing double standards and selectivity will only undermine the credibility of the international justice system in resolving disputes.

Mr. Chairman,

8. The role of the UN is paramount in creating an environment for the peaceful resolution of disputes, both through the instrumental role of the ICJ as well as through the rule of law strengthening activities undertaken by the UN and its entities. However, its efforts towards peaceful settlement are hampered by the outmoded configuration of the Security Council. This has resulted in its inability to respond effectively to pressing conflict situations that arise. Malaysia reiterates its call for the reform of the composition and work procedure of the Security Council in keeping with the realities of the present day.

Mr. Chairman,

9. Malaysia firmly believes that the principle of moderation has a role to play in achieving the peaceful settlement of disputes. The principle of moderation contributes to promoting trust, confidence building and mutual understanding which pave the way for the peaceful resolution of any discord. To this end, Malaysia calls for moderation to be applied in searching for solutions to disputes and invites the international community to push for this approach.

10. To conclude, we look forward to working closely with the UN and the international community as we continue to strengthen a rules-based international order, and I wish to assure you, Mr. Chairman, of my delegation's commitment and cooperation towards this end.

I thank you.