



Statement

By

M. I. C. F.

Denmy Fern

United Nations

At the

General Ass

Agenda Item.

New York

5

Mr. Chairman,

Since this is my first time to take the floor, I have the opportunity to congratulate you as the new chair of the 6th Committee. My congratulations also extend to all members of your Bureau. I have the confidence that you will provide the necessary leadership which will enable this committee to cover its set agendas successfully. You can count on my delegation in support and cooperation. My wife and family warmly greet you.

Mr. Chairman, my delegation aligns itself with the statements made by South Africa and the Islamic Republic of Iran on behalf of the Organization of Islamic Movement respectively. I would like to make a few remarks in my national name.

Mr. Chairman, the agenda item under discussion is of great importance to my country. Malawi has been independent for 50 years now and has a young democracy that is only 22 years old. Our resolve and commitment to principles of democracy, the rule of law, respect for human rights, and the protection of the environment is unequivocal. Having lived through 20 years of independence as a multiparty state, Malawians cherish a national referendum in 1994 and have expressed their desire for democracy characterized by the rule of law.

Mr. Chikwira, Malawi's first Vice President, has said that the aspirations of its people by strengthening its rule of law programmes and effecting necessary reforms that anchor all peacefully settlements of disputes, respect for human rights and fundamental freedoms, exercise dialogue and co-operation amongst stakeholders, simultaneously and ownership of such rule of law programmes.

Malawi has found it pertinent to encourage the government consistently adheres to the constitution with placed emphasis on ensuring that the judiciary is separate and independent. Since the 1990s, the separation of powers has been jealously protected. In guaranteeing the independence of the judiciary, the government set up an independent Judicial Service Commission that is responsible for the appointment of all judges.

Mr. Chikwira, this has also seen the creation of institutions tasked with the promotion of the rule of law. For example, the Directorate of Public Prosecutions makes independent decisions in the execution of its prosecutorial decisions. So would be the Malawi Human Rights Commission and the Malawi Anti-Corruption Commission, they are given the space to conduct their constitutionally enshrined duties and functions.

Malawi also has a very vibrant media sector that has served to ensure that all legal provisions are implemented independently. We have also seen the establishment of a constitutional watchdog that constantly monitors the government to ensure that it remains within the bounds of the constitution.

justice, providing legal assistance to the public, and in the
our desire to be effective and efficient in our delivery of
service and to stem out any delay in the
handling and processing of cases.

Mr. Chairman, it belongs to Parliament that is burdened with the
responsibility of making laws that conform
of the Constitution. In the 22 years of the
dispensation the Legislative
efficiency

Malawi also has other key constitutional institutions. The
Malawi Police
executive that was established to serve and protect the
people and ensure public safety. The
government is involved in po
balance the fulfillment of
country's peace and
people fully enjoyed their rights and freedoms. The
intrinsic balance that
committed to attain. Amongst such
establishment of a professional standards unit, an internal
disciplinary committee and the training of
modern public order management systems.

The Malawi
is the investigation of alleged violations of those
constitutionally entrenched human rights
protection of individual
responsibility to make reasonable recommendations.

necessary for the judiciary to fulfill its role. It has since 1994 played an essential role in promoting human rights in the country. It is recommended that the

Mr. Chairman, the Constitutional Commission of Malawi, carries out investigations and litigations on government abuses or legal violations on behalf of individuals. The Malawi Law Commission is charged with the power to review laws of Malawi so as to ensure their accordance with the constitution and other laws.

Mr. Chairman, Malawi is committed to fulfill international legal obligations, including human rights and regional obligations. At the same time, it has received support from the United Nations and other international co-operating partners to strengthen its efforts to promote the rule of law and human rights. We need support in the implementation of reforms that include the strengthening of judicial independence, the independence of the legal profession and institutions, and the provision of appropriate training for the police and judicial officers.

Our media and civil society also need to be assisted to provide coherent and accurate reports and analysis of violence, human rights violations and the state of the law in the country.

Mr. Chairman, let me say I believe that the rule of law is not a luxury and that justice is not a side issue. Indeed, we need to take a comprehensive approach to justice and the rule of law, to ensure good governance and legitimate governmental authority. It is our commitment to ensure that our justice system provide the foundation for individuals and communities as laid down in international instruments.

I thank you.