



**PERMANENT MISSION OF THAILAND  
TO THE UNITED NATIONS**

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**Statement**

**by**

**Her Royal Highness Princess Bajrakitiyabha Mahidol  
Chair of the Commission on Crime Prevention  
and Criminal Justice**

**at the High-Level Meeting on the Rule of Law**

**at the National and International Levels**

**New York**

**24 September 2012**

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**Statement of Thailand**  
by  
**Her Royal Highness Princess Bajrakitiyabha Mahidol**  
**at the High-Level Meeting on the Rule of Law at the National and International Levels**  
**on 24 September 2012, New York**

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Mr. President,  
Excellencies,  
Distinguished Delegates,  
Ladies and Gentlemen,

I have the honor of speaking on behalf of the ten nations of the Association of Southeast Asian Nations (ASEAN). Due to time constraints, the full statement is being distributed.

With the entry into force of the ASEAN Charter in 2008, ASEAN is now becoming a rules-based, people-centred community. The Charter clearly expresses the grouping's firm commitment to enhancing the rule of law, good governance, democracy, and constitutional government. Adherence to the rule of law is a core principle under this Charter that binds all ASEAN member states.

ASEAN leaders recognise the crucial role of the rule of law in ensuring justice, equality, stability, and sustainable prosperity, and at the international level, respect for the fundamental principles of international law, including those of sovereign equality of states.

ASEAN countries reiterate their commitment to implementing their obligations under international treaties to which they are party. The institutional and legal framework of ASEAN has been strengthened through the adoption of a number of legal documents and mechanisms.

ASEAN has strengthened its cooperation with the UN, through the adoption of the Joint Declaration on Comprehensive Partnership between ASEAN and the UN in 2011, aimed at expanding cooperation in areas including human rights, good governance, democracy, and the rule of law through consultation, information-sharing, and capacity-building.

I shall now deliver the following Thai national statement.

My delegation fully supports the inauguration of this High-Level Meeting, which demonstrates the international community's commitment to promoting the rule of law and the major role the UN plays on this important subject.

For Thailand, the rule of law is an indispensable foundation for a more peaceful, prosperous and just world as it provides an essential framework for our societies, domestically and internationally.

The Constitution of Thailand provides that the human dignity, rights and liberties as well as equality of the people shall be protected and that they are entitled to equal protection before the law, irrespective of race, gender or religion. In 2011, the Thai Government set up an Independent National Rule of Law Commission to ensure that all State organs perform their duties based on the rule of law.

In addition, Thailand reaffirms the importance of mainstreaming gender sensitivity and a rights-based approach into the criminal justice system. In too many societies, women are subject to discrimination, overt and subtle. That is why we believe it is important to integrate such an approach into criminal justice systems.

Two years ago, we launched the UN Rules for the Treatment of Women Prisoners and Non-Custodial Measures for Women Offenders or the "Bangkok Rules". Thailand is determined to implement these Rules in correctional facilities throughout the country. We hope to share our best practices with other countries for the benefit of female inmates around the world. We are also determined to implement the Updated Model Strategies and Practical Measures on the Elimination of Violence against Women in the Field of Crime Prevention and Criminal Justice.

At the international level, Thailand is firmly committed to complying with all treaties to which it is party, especially with respect to the seven major international human rights treaties.

Thailand recognizes the rule of law as an essential element in addressing issues of global concern, such as corruption, transnational organized crime, terrorism, drug trafficking, and trafficking in persons. We also attach importance to the promotion and protection of the rights of the child and access to effective remedies based on the rule of law. I am therefore pleased that at the Treaty Event tomorrow, Thailand will sign and ratify the Optional Protocol to the Convention on the Rights of the Child on the Communications Procedure.

Addressing the link between crime and development is important in promoting rule of law. Crime hinders sustainable development, but development can help reduce crime. Sustainable alternative development is one example: strengthening community capacity to develop alternative legitimate means of income has helped reduce opium cultivation. Rule of law and sustainable socio-economic development are thus two forces that work together for the betterment of society.

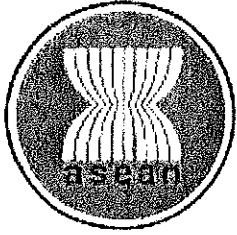
In this connection, Thailand invites all Member States to consider supporting the General Assembly draft resolution entitled "Strengthening the rule of law and the reform of criminal justice system institutions, particularly in the areas related to the United Nations system-wide approach to fighting transnational organized crime and drug trafficking". This will send a clear message that robust rule of law is needed to rid the world of crime while promoting sustainable development and peace.

Mr. President,

Strengthening the rule of law is our common responsibility. Let us all work to fulfill this goal by promoting the rule of law at the national and international levels under the UN umbrella to bring about a just world.

Thank you.

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**Statement of the Association of Southeast Asian Nations (ASEAN)  
at the High-Level Meeting on the Rule of Law at the National and  
International Levels  
on 24 September 2012, New York**

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Mr. President,  
Excellencies,  
Distinguished Delegates,  
Ladies and Gentlemen,

It gives me great pleasure to speak on behalf of the ten Member States of the Association of Southeast Asian Nations or ASEAN: namely, Brunei Darussalam, Cambodia, Indonesia, Lao PDR, Malaysia, Myanmar, the Philippines, Singapore, Thailand and Viet Nam.

Mr. Chairman,

ASEAN welcomes this High-Level Meeting on the Rule of Law, a forum for member states to share views and best practices on how the rule of law can be promoted at both the national and international levels.

Any community, if it is to be durable, must be underpinned by certain fundamental principles – principles that allow its members to live together in peace and harmony. Rule of law is one such principle. For us, adherence to the rule of law means ensuring that justice is served through the application of just laws and principles, based on notions of non-discrimination and equality before the law.

Mr. President,

Over the past 45 years, ASEAN has evolved from a loose regional grouping to one that rests increasingly upon a firm legal foundation. With the entry into force of the ASEAN Charter in 2008, ASEAN sent a clear signal that it was moving towards becoming a rules-based, people-centred Community in 2015. In the Charter, ASEAN clearly expressed its firm and strong commitment to enhancing rule of law, good governance, democracy and constitutional government in terms akin to the use and definition of this expression by the UN. Adherence to the rule of law – and its now familiar linkage to human rights and democracy – is a core principle under this Charter, which all ASEAN member states have pledged to uphold. With more than 600 million people in the ASEAN community, the ASEAN leaders recognized that rule of law would play a crucial role in ensuring justice, equality, stability and sustainable prosperity for the members of the community. In this regards, to promote the rule of law at international level, it is essential to ensure the respect for the fundamental principles of international law, including those of sovereign equality of State, peaceful settlement of dispute and territorial integrity. ASEAN also believes that the rule of law would be an effective tool to overcome any differences, to strengthen friendship and to promote the cooperation and development for the common prosperity of the region and the whole world.

In becoming a rules-based Community, ASEAN countries have reiterated their commitment to promoting the implementation of their obligations under international treaties to which they are party. Moreover, they have developed and strengthened the institutional and legal framework of ASEAN by adopting a number of legal documents such as the Agreement on the Privileges and Immunities of ASEAN, the Protocol to the ASEAN Charter on Dispute Settlement Mechanisms, Rules of Authorization for Legal Transactions under Domestic Laws and Rules of Procedure for the Interpretation for the ASEAN Charter and Rules of Procedure for the Conclusion of International Agreements by ASEAN. Among many other mechanisms, the ASEAN Ministerial Meeting on Transnational Crime (AMMTC) was also established to meet once every two years to address concerns about the pernicious effects of transnational crime, such as terrorism, illicit drug trafficking, arms smuggling, money laundering, traffic in persons and piracy on regional stability and development, maintenance of the rule of law and the welfare of the region's peoples. These regional legal frameworks and mechanisms have helped ensure legal clarity and equality before the law, and contributed to the advancement of the rule of law within ASEAN. On the human rights front, rule of law provides a framework for reducing inequality and protecting the vulnerable in the region. ASEAN's collective commitment to human rights, rule of law and gender equality is reflected in a number of instruments and mechanisms: the Declaration on the Advancement of Women in ASEAN, the Declaration on Elimination of Violence against Women in the ASEAN Region, and the establishment of the ASEAN Intergovernmental Commission on Human Rights (AICHR) and the ASEAN Commission on the Promotion and Protection of the Rights of the Women and Children (ACWC).

ASEAN's efforts have also been strengthened further in its cooperation with the United Nations. By adopting the Joint Declaration on Comprehensive Partnership between the ASEAN and the UN in 2011, a comprehensive partnership between ASEAN and the UN has been established with a view to expanding and deepening cooperation in all areas, including on human rights, good governance, democracy and the rule of law through consultation, information-sharing and capacity-building, while respecting sovereign equality and the primacy of domestic jurisdiction enshrined in the UN Charter.

Mr. President,

As ASEAN evolves into a community, strict adherence to the rule of law will be increasingly indispensable to the region's continued dynamism and competitiveness. We look forward to closer cooperation within the region and with other partners, including the United Nations, to strengthen the rule of law at every level -- national, regional and international.

Thank you.

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