

Statement by H.E. Muhammad Abdul Muhith, Ambassador & Permanent Representative of Bangladesh to the United Nations in New York on “Crimes against Humanity” at the 77th Session of the United Nations General Assembly Sixth Committee, 10 October 2022, Trusteeship Council, 10 October 2022

Madam Chair,

I thank you for giving me the floor.

Crimes against humanity is a despicable affront to human civilization. Bangladesh itself has experienced occurrence of this crime during its liberation war in 1971. Around three million innocent civilians lost their lives in a nine-month long war, while over two hundred thousand women were subjected to sexual violence.

Owing to our commitment to ‘never again,’ we ratified the Rome Statute in 2010 - the first country in South Asia to take such a historic step. Taking benefit of principle of ‘complementarity’ enshrined in the Rome Statue, the Government of Bangladesh established the International Crimes Tribunals to try and punish the perpetrators of the crimes against humanity committed in our territory in 1971. The Tribunal has created a good example of trying internationally defined atrocity crimes through effective national criminal justice system.

We are also providing cooperation to the International Criminal Court in its efforts to ensure justice to the Rohingya people who have been subjected to ‘forced deportation’ from Myanmar to Bangladesh.

Madam Chair,

As you are aware the Rohingyas have faced multiple forms of atrocities and human rights violations in Myanmar, all of which need to be accounted for. In that spirit, we are extending full support to all other accountability mechanisms, including the Independent Investigative Mechanism on Myanmar established by the Human Rights Council.

We believe ensuing justice and accountability for the perpetration of the crimes hold the key to sustainable resolution of this complex and tragic crisis.

Madam Chair,

We believe, in the absence of full universalization of the Rome Statute, a dedicated international instrument will create an opportunity to unify all global efforts in the fight against impunity of the crime against humanity. In this regard, we thank the International Law Commission for drafting articles on the prevention and punishment of crimes against humanity in 2019 and submission of those articles to the General Assembly for consideration.

However, we regret that three years have passed and this committee is yet to reach consensus to establish a mechanism to facilitate the negotiation of the draft articles of the ILC. As a strong advocate of the prevention and punishment of crimes against humanity, we underscore the importance of having a structured mechanism to negotiate the draft articles of ILC at the soonest.

In this regard, we are delighted to be one of the main sponsors of this year's draft resolution proposing the establishment of an Adhoc Committee to discuss the draft articles of ILC.

We call upon all member States to support this year's draft resolution proposing the establishment of an Ad-hoc Committee to discuss the draft articles of ILC and constructively engage in the negotiations of the resolution.

Madam Chair,

Before I conclude allow me to highlight three specific points:

First, the primary responsibility of protection of its people from crimes against humanity lies with the state itself. A state must take necessary measures to prevent crimes against humanity within its own jurisdiction. The States also need to develop necessary legal framework to punish such crimes, when it occurs.

Second, crimes against humanity threatens international peace and security. The Security Council has the primary responsibility under UN Charter to restore and maintain international peace and security. It should, therefore, resolutely play its part to prevent and address this heinous crime including, where applicable, by making use of existing legal avenues, such as, the International Criminal Court.

Third: No international mechanism would be enough to prevent and address crimes against humanity if the member States are not willing to support them or cooperate with them. We call upon member States to demonstrate genuine political will in

addressing impunity and cooperate with the relevant international justice mechanisms at all stages of investigation, trial and execution of verdicts.

I thank you all.