



BANGLADESH

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Statement by

H.E. Dr. A.K. Abdul Momen

Ambassador and Permanent Representative of Bangladesh to the United Nations at the Plenary of the Sixth Committee of the 69th UNGA on the rule of Law at the national and international level (agenda item 82)

New York, October, 10, 2014

Mr. Chairman,

My delegation aligns itself with the statements delivered on behalf of the Non-Aligned Movement and the OIC respectively.

Mr. Chairman,

The rule of law refers to a principle of governance in which all persons, institutions and entities, public and private, including the State itself, are accountable to laws that are publicly promulgated, equally enforced and independently adjudicated, and which are consistent with international human rights norms and standards. It requires, as well, measures to ensure adherence to the principles of supremacy of just law, equality before the law, accountability to the law, fairness in the application of the law, separation of powers, participation in decision making, legal certainty, avoidance of subjectivity and arbitrariness and procedural and legal transparency.

Ensuring justice is a key to rule of law. Justice is vital for securing rights and dignity for all. However, many around the world - women, children and youths, migrants, ethnic and others - often struggle to gain access to it. Judicial System involves both empowering people to seek it, access it and establishing mechanisms to deliver it.

Mr. Chairman,

We believe that the establishment of rule of law both at the national and international levels constitute one of the core values and principles through the universal standard setting power of the General Assembly, the

enforcement power of the Security Council, and the judicial power of the International Court of Justice. The UN plays a vital role to promote and enhance the rule of law at the global level, and we believe that the corpus of international law developed at the United Nations provide the normative framework for promoting and preserving peaceful friendly relations among nations, and therefore they must be observed by all States, big and small, powerful and less powerful, rich and poor alike.

Mr. Chairman,

Bangladesh believes in peace and justice within the state, and state to state relations. The crux of our foreign policy as enunciated by the Father of our Nation Bangabandhu Sheikh Mujibur Rahman in 1974 at the UNGA is and I quote, 'friendship to all and malice to none'. As the world's seventh largest democracy, Bangladesh firmly believes that the rule of law is a necessity for promotion for sustainable peace, protection of human rights and overall social and economic development in any society. At the national level, we are committed to and steadfastly working towards the promotion of rule of law and justice, human rights and economic and social development in all spheres of lives. During the past few years, the present Government has undertaken much needed reforms in administration, judiciary and electoral systems in Bangladesh. Judiciary of Bangladesh is independent and separate from the executive organ of the Government. The Government has also strengthened the Anti-corruption Commission enabling independent constitutional body to act as the watchdog against all types of institutional and personal corruption. The present Government has also established a Human Rights Commission to safeguard rights of all citizens and to ensure human rights and personal freedom in the country. An Information Commission also has been set up to implement free access to public information by any citizen. The parliament of Bangladesh passed the Neuro Development Disabilities Act, 2013 to provide assistance to autistic children, their nurture, security and rehabilitation. Law on Protection of the Rights of the Persons with Disabilities, 2013 was passed with a view to ensuring the rights and dignity of persons with disabilities. The Torture and Custodial Death (Prevention) Act, 2013 has also been passed to ensure accountability of the Law Enforcing Agencies to common people under custody. The Domestic Violence (Resistance and Protection) Acts, 2010 is in force to protect women and children from family violation and discrimination.

Measures have also been taken to make sure that law enforcing institutions operate with accountability and work within the framework of international legal norms and principles. Any infraction of the laws especially by law-enforcing agencies are being dealt with severely.

Mr. Chairman,

Bangladesh is not only the top troop and police contributor to the UN Peacekeeping Missions but also a staunch supporter of resolution of conflicts through peaceful and non-military means. With a view to have long-term sustainable peace, security and stability, Bangladesh has been promoting 'Culture of Peace' resolution for years.

All violence, war and misunderstanding emanate from a mindset of intolerance and hatred. Therefore, to have sustainable peace and stability, it is indeed necessary to inculcate a mindset of tolerance, respect and love for others irrespective of creed, color, ethnicity and religion. If we can develop it, I have no doubt that we can achieve our dream and goal of a peaceful world for all. We all know that peace in our world today is threatened among others by civil wars, ethnic violence and cleansing, people's uprisings, religious intolerance and hatred, transnational crimes, drug wars, terrorism, piracy, greed for resources, climate change impacts, financial and energy crises. This necessitates more than ever the need to reaffirm our faith in the just, equitable and fair application of international laws, the UN Charter and its principles of justice and on the statute of the International Court of Justice for the peaceful settlement of disputes. We must not encourage 'double standard' or selective application of laws rather encourage mediation and constructive dialogues.

Mr. Chairman,

We fully support the efforts to uphold the sovereign equality of all States, to respect their territorial integrity and political ideology, to refrain from the threat or use of force in a manner inconsistent with the United Nations Charter and to uphold the peaceful resolution of disputes, in conformity with the principles of justice and international law. Given the strong interrelationship between the rule of law and development, advancing the rule of law at the national and international levels is essential for sustained and inclusive economic growth and that interrelationship should be considered and enshrined in the post-2015 international development agenda.

I thank you Mr. Chairman.