



BANGLADESH

Statement under Agenda Item 86:

**The Rule of Law at the National and International Levels at the Sixth Committee
of the 73rd Session of the UN General Assembly**

Statement by: H E Mr. Masud Bin Momen, Ambassador and Permanent Representative

Date and venue: 9 October 2018, Trusteeship Council Chamber

Mr. Chair,

Under this agenda item, my delegation aligns itself with the statement delivered by the delegation of the Islamic Republic of Iran on behalf of Non-Aligned Movement (NAM).

We thank the Secretary General for his informative report, and the Assistant Secretary General for Strategic Coordination for his distilled briefing yesterday. We reaffirm the importance of balanced treatment of national and international dimension of the rule of law pertaining to the UN's work. We subscribe to the notion of the rule of law as a critical enabling factor for both sustaining peace and sustainable development.

It is useful to learn about the UN's wide-ranging capacity building engagements at the national level at the request of the concerned Member States. We support the importance attached to system-wide coordination and coherence, including through the global focal point arrangement on police, justice and corrections. We acknowledge the

need for enhanced programmatic resources for supporting the UN's rule of law related work, especially in transition stages of peace operations.

We take note of the Secretary General's observations about the general trends in the rule of law situation across the world. In our national context, we do admit certain outstanding gaps in our justice and accountability systems. But, we remain convinced that there is a sustained effort towards addressing those gaps, and thus realizing, in particular, the rule of law related targets under the Sustainable Development Goals (SDGs). In the process, particular attention is given to further consolidating the independence of the judiciary, broadening access to justice for vulnerable groups, making the entire legal framework attuned to eliminating all forms of discrimination and violence against women, and bringing about progressive legal reforms pursuant to relevant international obligations and evolving national aspirations and mindset.

Mr. Chair,

We wish to address five issues of our particular interest here:

First, in the aftermath of the recent Rohingya humanitarian crisis, Bangladesh had to take cognizance of the broad-based demand for justice and accountability for the atrocity crimes committed against the Rohingya in Rakhine State by the concerned Myanmar authorities. It is obvious that accountability for the serious international crimes the Rohingya had been subjected to would be crucial for facilitating their safe, dignified and voluntary return to their homes.

Along with the entire Rohingya population as well as rest of the international community, we would continue to observe the work of the Commission of Enquiry formed by the Myanmar government to address the alleged atrocity crimes. At the same time, we would continue to underline the importance of following up on the robust observations and recommendations made by the UN Human Rights Council's Fact-

Finding Mission. We welcome the Human Rights Council's adoption of the Resolution on "Situation of Human Rights of Rohingya Muslims and other Minorities in Myanmar" during its 39th regular session last month. We look forward to the Secretary General's appointment of the members of the independent mechanism mandated by the said Resolution to collect, consolidate, preserve and analyse evidence of the most serious international crimes and violations of international law committed in Myanmar since 2011. As a State Party to the Rome Statute, we shall continue to offer necessary support to the work of the Office of the Prosecutor of the International Criminal Court pursuant to the pre-trial chamber's ruling on the court's jurisdiction on forced deportation of the Rohingya from Myanmar to Bangladesh.

In this context, we would continue to urge Myanmar to demonstrate respect for the international rule of law and refrain from egregious provocative acts against the interest of Bangladesh. Only last week, following formal protest by Bangladesh, the Myanmar authorities rectified maps on some of their official websites, which had claimed the Saint Martin's Island under Bangladesh territory as part of Myanmar. One such website belongs to the Department of Population under the Ministry of Labour, Immigration and Population that is supported by the UN Population Fund (UNFPA), among others. We would urge all concerned UN entities to exercise caution against unwittingly getting associated with such provocative acts.

Second, Bangladesh remains committed to facilitating the rule of law mandates of UN peace operations, including through our active role in peacekeeping as a troop and police contributing country. We have consistently underscored the gender dimension in our support for implementing peacekeeping mandates and in support of the concerned host states. In recent years, we have started offering qualified personnel for correction and justice functions under certain UN peacekeeping missions. We continue to appreciate the exposure to the UN's rule of law standards for our personnel that help enhance their understanding, professionalism and accountability at the national level.

We remain deeply concerned over indiscriminate attacks against peacekeepers that are tantamount to serious international crimes. We urge the UN to continue supporting the judicial systems of the concerned host states in order to bring the perpetrators of such crimes to justice and shatter the culture of impunity that is regrettably becoming the norm in most cases.

Third, as a nation committed to a rule-based international legal order, Bangladesh attaches the highest priority to the UN's work on development and promotion of international instruments, norms, standards and rules. Bangladesh would actively support text-based work to adopt an international legally binding instrument for conservation and sustainable use of marine biodiversity in areas beyond national jurisdiction under the UN Convention on the Law of the Sea. We maintain our principled support for concluding the work on a Comprehensive Convention on International Terrorism, as discussed under the agenda item 111. We look forward to tangible progress with developing an international human rights instrument addressing the question of ageing.

Bangladesh takes particular interest in ensuring the application of relevant international law for an open, secure and inclusive cyberspace. We underscore the need for compliance with norms agreed through inter-governmental processes for regulating responsible State behaviour in cyberspace. We recognise the need for developing further norms and standards in this regard with the meaningful participation of all Member States and other concerned stakeholders. We would urge the Secretary General to give further attention to this issue in the context of the UN's future rule of law activities and reports.

Fourth, we have taken note of the Secretary General's observations and comments on the issue of death penalty in his report. While the issue is being addressed under the purview of the Third Committee, we would urge the Secretary General to avoid broad

generalizations without due regard to context specific realities, underpinned by the notion of sovereignty. In our national context, we have recently seen an instance when our National Parliament had to enact a law on road safety with provision for capital punishment under popular public demand. We consider the change in individual societal mindset to be an incremental process instead of being extraneously engineered.

Fifth, as regards possible sub-topics for discussions under this agenda item, Bangladesh takes good note of the Secretary General's suggestions and would flag its preference for "Promoting Accountability for Serious Crimes under International Law at the Domestic Level". We would, however, remain open to other suggestions, and would hope that the impasse we experienced last year in selecting a sub-topic would not be repeated.

I thank you.