



High Level Event on “Rule of Law”

Address

by

Her Excellency **Sheikh Hasina**

Hon'ble Prime Minister

Government of the People's Republic
of Bangladesh.

The United Nations
General Assembly Hall

Monday

24 September 2012

Bismillahir Rahmanir Rahim

**Mr. President,
Mr. Secretary General,
Excellencies,
Ladies and Gentlemen,**

Assalamu Alaikum and Good Afternoon to you all.

1. I congratulate you, Mr. President and the organizers of this first ever High Level Meeting on the Rule of Law at the United Nations today. I also congratulate you, Mr. Secretary General for your excellent report, on the Rule of law.

Mr. President,

2. Peace in our world today is threatened, among others, by civil wars, people's uprisings, religious intolerance, transnational crimes, terrorism, piracy, climate change impacts, financial and energy crises. Thus has grown the need to reaffirm mankind's faith in the just, equitable and fair application of the rule of law, the UN Charter and its principles of justice and international law,

and on the Statute of the International Court of Justice for the peaceful settlement of disputes.

3. Bangladesh believes in peace and justice within the state, and in state to state relations. Bangladesh also believes in sovereignty, territorial integrity and non-interference in the internal affairs of other nations. These emanate from the philosophy of "Friendship towards all, malice towards none" of Bangabandhu Sheikh Mujibur Rahman, the Father of the Nation, who, 38 years ago at the UNGA, declared it as the foundation of our foreign policy along with the importance and the necessity of the rule of law and justice for all nations.

4. However, nations have diverse legal systems. Therefore, the ICJ Statute emphasizes on the representation of major civilizations and principal legal systems of the world in the composition of the Court. Unfortunately, given the current power structure and architecture of the global institutions, equitable applications of international law as per ICJ principles, and realization of a just global order based on rule of law for all, remain an illusion.

5. To have a just world order based on the rule of law, powerful nations must respect international legal systems, multilateral treaties, and support fair and just application of customary international law in the multilateral decision making process. Greater voice and representation of developing countries in major global institutions as the UN Security Council, the ICJ, the Bretton Woods Institutions, is vital to ensure the principle of equity. Multilateral institutions also must assist developing countries in their capacity building efforts for efficient implementation of the rule of law.

6. Our Constitution is the supreme law of the land. The Constitution pledges, quote: "it shall be a fundamental aim of the State to realize through the democratic process a socialist society, free from exploitation - a society in which the rule of law, fundamental human rights and freedom, equality and justice, political, economic and social, will be secured for all citizens," and thereby, it guarantees 18 fundamental rights, and limits legislature to pass any law inconsistent with these provisions.

It has also been the pledge of the Father of the Nation as well as me to uphold the rule of law without any discrimination in our national and foreign policy actions.

7. In our region, we signed with India the 30 year Ganges Water Sharing Treaty in 1996 and the 2011 Protocol to the 1974 Land Boundary Agreement resolving a 64 year old dispute. With our other neighbor, Myanmar, we settled this year the 41 year old maritime boundary dispute under the UN Convention on the Law of the Sea (UNCLOS). At home, we settled the 20 year conflict with the hilly ethnic communities through conclusion of the 1997 Chittagong Hill Tracts Peace Accord. Our respect for international law, the UN Charter and pacific settlement of disputes is reflected by our role as one of the top troop contributors to UN peacekeeping operations. It is also reflected in our being party to almost all international conventions on disarmament, nuclear non-proliferation, human rights, humanitarian law, counter-terrorism, transnational crimes, etc.

8. Bangladesh is the world's 8th largest democracy, promoting its secular and progressive aspirations based on the rule of law and justice. We believe this is a precondition for sustainable peace, development and attainment of MDGs and SDGs. Our government, in its tenure, through amendments restored secularism in our constitution and strengthened prevention of usurpation of state power by undemocratic forces. On the basis of the rule of law and justice, we have concluded trials of religious extremists and terrorists; held trials of the killers of the Father of the Nation after allowing them all defence rights; holding the trial of war criminals of our liberation war in 1971; and separated the judiciary from the executive to make it fully independent in delivering fair and equitable justice to all.

9. To ensure the rule of law, in our last term, we made legal services affordable to the vulnerable and marginalized groups as women and minorities by enacting the Legal Aid Services Regulation Act 2001. It led to a successful nationwide Legal Aid Services Organization. These services from the national, district, upazilla,

and even the union level provide free legal aid and access to justice through hotline services. Closely linked are the traditional, informal “Village Courts” or “Shalish” and family courts which complement the state led rural justice system.

10. These courts, formalized by the Village Court Act 2006, and the NGO organized Alternate Dispute Resolution Systems allow free of cost access to informal justice system at the grass root following local customs and traditions. They are active in all the 4,576 Unions and relieving the burden of pending cases from the formal justice system. In the last two years, 15,000 of 20,000 cases were solved in 6 months with US\$ 380 million given as compensation to the victims. It is an outstanding ADR and Rule of Law achievement. An International Arbitration Center was also established to deliver informal dispute resolution for businesses from all over the world.

11. To strengthen democracy and the rule of law, our government has also strengthened the Commissions on Information, Anti-Corruption, National Human Rights, Law, Energy Regulatory

and Election. A Citizen's Charter of Rights has been instituted in all public institutions to ensure that the government delivers the rule of law and public services to every citizen. I am particularly happy that we could deliver justice and rights to our women. Our membership to all 14 international treaties to counter-terrorism; amendments of existing national laws on counter-terrorism and anti-money laundering between 2009 to 2012 to make them at par with international treaties; following the Palermo Convention of 2011; adoption of Human Trafficking Act; adoption of Mutual Legal Assistance in Crimes Act 2012, the Anti-Terrorism Act; the Anti-Money Laundering Act 2012, all reflect our commitment to counter-terrorism, and the rule of law.

Mr. President,

12. Bangladesh is a responsible, peace loving nation and my government is a strong proponent of democracy, human rights, rule of law and secularism. I am personally committed to peace, justice, development and women empowerment and concentrating all efforts towards entrenching

the rule of law at home and elsewhere. I shall continue doing the same with the active moral, ethical, and technical capacity building support of all stakeholders to the “Rule of Law”, our people, judiciary, law enforcement forces, the civil society, NGOs, social and community groups and organizations, our international development partners and all international institutions particularly the United Nations, which I believe will lead to the creation of a better universe for our future generations.

I thank you all.

Khoda Hafez.

Joi Bangla, Joi Bangabandhu.

May Bangladesh Live Forever.