



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

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The Permanent Mission of the People's Republic of Bangladesh to the United Nations presents its compliments to the United Nations Division for Ocean Affairs and the Law of the Sea and has the honour to refer to Note 531/10 of 22 February 2010 circulated by the Permanent Mission of the Republic of Kenya to the United Nations.

While Bangladesh is examining all the proposals contained in the Note circulated by Kenya, the attention of Bangladesh is drawn to paragraph 6 of the Note which proposes "Reallocation of resources and expertise from other bodies set up by the Convention and under the Division for Ocean Affairs and the Law of the Sea (DOALAS) such as the International Tribunal for the Law of the Sea (ITLOS)".

In regard to this proposal, Bangladesh wishes to observe that it has recently agreed with the Union of Myanmar to submit to ITLOS the dispute between the two States regarding the delimitation of their maritime boundaries in the Bay of Bengal, and that ITLOS has accepted jurisdiction over the dispute. Bangladesh considers ITLOS to be a particularly appropriate, expert and efficient forum for resolving disputes of this nature, and anticipates that more such disputes may be brought to ITLOS by other States.

As a State committed to the rule of law and the peaceful settlement of disputes according to international law, Bangladesh would consider it unhelpful to divert resources from the judicial organ that was established by the parties to the 1982 Convention to serve as a principal forum for resolving disputes arising under that Convention. Bangladesh is of the view that the parties to the Convention are especially obliged to assure that ITLOS is supplied with all of the resources it needs to carry out its important dispute resolution functions, and to encourage greater recourse to it in the settlement of disputes arising under the Convention. Bangladesh considers that the proposal reflected in paragraph 7 of Kenya's Note runs counter to these important objectives. Hence, Bangladesh cannot support it.

The Permanent Mission of Bangladesh wishes to request the Division that this Note be circulated to the States member to the United Nations.

The Permanent Mission of the People's Republic of Bangladesh to the United Nations avails itself of this opportunity to renew to the United Nations Division for Ocean Affairs and the Law of the Sea the assurances of its highest consideration.

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