



## 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 70th UNGA on the rule of Law at the national and international level (agenda item 85)

New York, October, 14, 2015

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Mr. Chairman,

My Delegation aligns itself with the statements delivered on behalf of the Non-Aligned Movement.

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 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 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 other - often struggle to gain access to it. Judicial System involves both empowering people to seek it and establishing the mechanisms to deliver it.

Mr. Chairman,

We believe that the establishment of rule of law both at the national and international levels constitutes 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, 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, great and small, rich and poor alike.

Mr. Chairman,

Bangladesh believes in peace and justice within the state and state to state relations. As the world's eighth largest democracy, Bangladesh firmly believes that the rule of law is necessary for promotion for sustainable peace and development in any society. During the past few years, the 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 Government has also established a Human Rights Commission to safeguard rights of all citizens and to ensure the standard of human rights and personal freedom are protected in the country. Information Commission has been set forth to implement free access to public information by the people. The parliament of Bangladesh passed the Neuro Development Disabilities Act, 2013 to provide assistance to autistics, their nurture, security and rehabilitation. 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. The government made legal services affordable to the vulnerable and marginalized groups as women

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Mr. Chairman,

Bangladesh believes in peace and justice within the state and state to state relations. As the world's eighth largest democracy, Bangladesh firmly believes that the rule of law is necessary for promotion for sustainable peace and development in any society. During the past few years, the 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 Government has also established a Human Rights Commission to safeguard rights of all citizens and to ensure the standard of human rights and personal freedom are protected in the country. Information Commission has been set forth to implement free access to public information by the people. The parliament of Bangladesh passed the Neuro Development Disabilities Act, 2013 to provide assistance to autistics, their nurture, security and rehabilitation. 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. The government made legal services affordable to the vulnerable and marginalized groups as women

and minorities by enacting 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.

The most ever challenging aspect from national and international perspectives to ensure rule of law in Bangladesh is the initiation of the 'Trial of the War Criminals of 1971' to eliminate the "Culture of Impunity" and to establish the rule of law in the country. These War Criminals were involved in pre-mediated murder, rape, arson, killing, ethnic cleansing, looting of people's property and they committed 'crime against humanity'. Careful measures have been taken to ensure adherence to the principles of supremacy of law, equality before the law, accountability to the law, fairness in the application of the law.

Countering terrorism remains at the top of the national agenda of Bangladesh. In recent years, the government of Bangladesh has made sustained efforts to combat terrorism and financing of terrorism. It has maintained a zero tolerance to terrorism and taken a number of bold, pragmatic and concrete steps to ensure that the soil of Bangladesh is not to be used by the purveyors of terrorism against the interest of anyone, including neighboring countries, thereby making region safer and more secure. Formulation of Anti-Terrorism Act 2009 with amendments in 2012 and 2013 and the Money Laundering Prevention Act 2012, along with supporting legislations and strategies, monitoring and implementation mechanisms on countering terrorism has helped Bangladesh combat terrorism to a great extent. Initiatives have been taken to establish separate court for trail of counter terrorism cases in each district and employ separate judge with specialization. Simultaneously, seven courts will be set up in each divisional headquarters for trail of human trafficking related cases to ensure fair, speedy trail. To encounter Cyber Crime, information technology and social media based crime government enacted and implemented Information and Communication Technology Act, 2006.

Mr. Chairman,

Bangladesh is a staunch supporter of resolution of conflicts through peaceful, non-military means. 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. This rebalanced more than ever the need to reaffirm our faith in the just, equitable

and fair application of international law, the UN Charter and its principles of justice and on the statute of the International Court of Justice for the peaceful settlement of disputes.

Mr. Chairman,

We fully support 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 essential for sustained and inclusive economic growth and that interrelationship should be considered and enshrined the post-2015 international development agenda.

I thank you Mr. Chairman.