



BANGLADESH

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Statement by  
H.E. Dr. A. K. Abdul Momen, Ambassador and Permanent Representative of Bangladesh to the  
UN in New York at the  
Tenth Session of the Assembly of States Parties of the Rome Statute  
New York, 14 December 2011

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Madam President,

Let me felicitate you on your stewardship of the tenth session of the Assembly of States Parties to the Rome Statute. We are confident that under your able guidance, the deliberations will come to a successful conclusion. We pledge full support to you and the members of your bureau in the discharge of your responsibilities.

We congratulate the judges that have been elected during the current session. Their responsibility is great as their work, decisions and contributions will in broad strokes draw much of the evolving landscape of international criminal law.

Madam President,

This is our first participation at the general debate of the Assembly of States Parties since we have become a member last year. Let me reiterate, on this occasion, how deeply Bangladesh is committed to the purpose and principles of the Rome Statute. We had been intimately involved in the negotiations of the statute during the whole span from 1995 to 1998. We were in favour of adoption at the dramatic midnight call for vote in Rome on 17 July 1998 that led to the historical breakthrough in favour of the ICC statute.

Bangladesh had since been at the forefront of the global campaign for the early adoption of the Statute and the establishment of an International Criminal Court. Naturally, we also counted ourselves among the first who would ratify, and thus become a founder member of the ICC, even if we were a lone voice from our greater sub-region. With this intent, the Hon'ble Prime Minister of Bangladesh herself signed the treaty on 16 September 1999 in New York. However, the change in political leadership in our country coupled with an adverse international climate prevented us from ratifying the Statute at an early date. But this is past, and we are a full and committed member now.

We deeply identify ourselves to the collective conscience of mankind that led to the elaboration of the Rome Statute and the creation of the International Criminal Court. We are not unaware of the criticism that the international community feels more compelled to take concerted action against certain instances, while at the same time is much less responsive to others which are equally atrocious. This observation, not far from fact in many instances, should not prevent us from seeking global solidarity, and to stand up against perpetrators. We can only overcome such unrealities with sustained effort and through establishment of justice. When a sufficient number of cases have been dealt with objectively and fairly, an irreversible trend against crimes will be established. This will lead to a tradition where uneven responses

of the international community to sequential breaches of law hopefully will be minimized and may be eliminated in due course.

Our conviction to such a mechanism has been as old as the struggle that led to our independence 40 years ago. Our ongoing effort to bring to justice those who committed war crimes and crimes against humanity during the 1971 War of Liberation of Bangladesh is a natural expression of our intention to end the culture of impunity to crimes against humanity. We believe that such atrocities destroy harmony, tear apart the social fabric, and give rise to wounds that do not heal easily. There should be a solid national response to such crimes. And there should be a sound international mechanism to address and prevent any such future instances. This will consolidate people's confidence that crime against humanity is no longer immune, even if perpetrated by the mighty. The collective consciousness of mankind leads to definitive consequences and the rule of law transcend as well as a specific time limit.

Madam President,

We saw despicable war crimes being committed in Bangladesh. Innocent and unarmed people have been murdered and raped; the intellectual and professional community has been systematically killed; wanton damage and willful destruction have been done to property. The extent of the crime had been so massive that the wound has not healed even four decades of our independence. May I recall that on this day, 14<sup>th</sup> December 1971, prior to the fall of the occupation army on 16<sup>th</sup> December, university professors, renowned medical professionals, journalists, intellectuals and think-tanks were picked up from their homes at dead of night and were mercilessly murdered in groups.

In order to bring the perpetrators to justice, we have set up in March 2010 an International Crimes Tribunal to "try and punish any individual or group of individuals, or any member of any armed, defence or auxiliary forces, irrespective of his nationality" who committed crimes against humanity, genocide, and war crimes, among other things, in 1971. This emanates from our firm belief that peace and justice are mutually complementary, and full enjoyment of peace is not possible without a mechanism to ensure sound justice.

We have been taking every step to ensure that our national process conforms to the international standards. This is why leading judicial personnel of the tribunal that we set up in Bangladesh have visited The Hague. They have been keenly following the work of the Court, including its collection of evidences, the process of assessing their veracity, investigation of gender crimes, and other war crimes. We are committed to achieve the highest international standard in our tribunal. We hope that our trial will be exemplary in ending impunity while also cement national reconciliation. These trials are important not only for us, but their outcome is equally important to the international community and to our future generation. The process will send strong message to others who would commit these crimes anywhere in the world. It will show that it is possible for a national system of a developing country to bring to justice those who are responsible for war crimes even long after the event.

Madam President,

Bangladesh expresses its unequivocal commitment to the International Criminal Court and the evolving system of international criminal justice. We are delighted that the actions of the ICC have been gathering momentum. All those in power from now on can no longer ignore the long shadow of international and criminal justice. From now on they will have to think that a permanent tribunal is now in existence that is capable of bringing the perpetrators of the world's most heinous crimes to justice. The days of reckless decision making in gross violations of human rights are now over.

I thank you, Madam President.