



Statement by
H.E. Sheikh Mohammed Belal, Ambassador of the People's Republic of
Bangladesh to the Kingdom of the Netherlands, at the Sixteenth Session of the
Assembly of States Parties to the Rome Statute

New York, 7 December 2017

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Mr. Vice President,
Excellencies,

Bangladesh congratulates Mr. O-Gon Kwon on his election as President of the 16th session of the Assembly of State Parties to the Rome Statute on the International Criminal Court (ICC). We assure him and other Bureau members of my delegation's full cooperation.

We remain grateful to Mr. Sidika Kaba for his able stewardship of the Assembly in the last three years. We appreciate the vision and insights shared by the UN Secretary General, ICC President and Prosecutor at the commencement of this session.

Bangladesh felicitates the six new judges elected to the Court this week, and looks forward to the Court's independence and credibility further strengthened through their proven expertise and commitment. My delegation would also like to felicitate Vice President H.E. Ambassador Sergio Ugalde of Costa Rica for his professional conduct of the session.

Mr. Vice President,

On the eve of the 20th anniversary of the Rome Statute's landmark adoption, the importance of its universalization remains as relevant and urgent as ever. We take careful note of the suggestions made in the Report of the Bureau on the Plan of Action of ASP for achieving universality and full implementation of the Rome Statute, and commit to do our part.

We would reasonably expect that State Parties to the Rome Statute would not oppose any constructive initiative to fight impunity for atrocity crimes under the excuse of ‘politicization’. We can only expect that State Parties to the Rome Statute would join in principle the call for restricting the exercise of veto in the Security Council in the face of atrocity crimes.

Mr. Vice President,

We have once again witnessed the devastating consequences of a prevalent culture of impunity in our immediate neighbourhood in Myanmar’s Rakhine State. Since 25th August, nearly 640,000 people, mostly Rohingya, have entered our territory to flee from what the UN Special Advisers on the Prevention of Genocide and Responsibility to Protect have termed as atrocity crimes, and the UN High Commissioner for Human Rights as a ‘text book example of ethnic cleansing’.

In parallel with massive humanitarian efforts, Our Government is working in good faith with the Myanmar authorities to facilitate the voluntary return of these forcibly displaced people to their homes in safety, security and dignity. In their conversations with UN and civil society representatives on various occasions, these people have particularly underscored the need for bringing to justice those responsible for the commission of such heinous crimes against them in order for them to regain the trust and confidence to return to Myanmar.

We regret that the Myanmar authorities have not given access to the Human Rights Council’s Fact Finding Mission, and instead conducted an investigation by its own military that exonerated the security forces from any responsibility or wrongdoing. The political leadership in Myanmar may consider becoming a State Party to the Rome Statute with the objective of restraining the military and local extremist elements from repeatedly committing such atrocity crimes in near impunity.

Mr. Vice President,

In Bangladesh, our ongoing efforts to bring to justice those who had committed genocide and crimes against humanity during our War of Liberation in 1971 are premised on the complementarity principle of the Rome Statute. A number of verdicts emanating from the concerned courts, including the apex court of the land serving as the appellate body, have referred to ICC judgments and practices. In course

of the trials, there have been continued efforts to invite and accommodate suggestions with regard to making the proceedings further compliant with relevant international standards, including those exemplified by ICC's judicial and prosecutorial activities.

Our Government remains open to constructive suggestions to further strengthen our existing national law in conformity with our obligations under the Rome Statute. From this perspective, we continue to attach importance to institutional arrangements for disseminating ICC's norms and practices with interested national jurisdictions for further strengthening complementarity, bearing in mind the varied contexts of national jurisdictions.

Mr. Vice President,

Bangladesh remains committed to work on preventing sexual and gender based violence during armed conflicts. We reaffirm our readiness to share our national experience in ensuring justice for victims of sexual and gender-based violence, and the judicial and administrative efforts made to ensure due recognition and reparation for such victims.

Bangladesh stands in favour of activating the Court's jurisdiction over the crime of aggression as per the consensus reached at the Kampala Review Conference in 2010. Even as we continue to deliberate on joining the Kampala amendment concerning the crime of aggression, we underscore the need for activating the Court's jurisdiction over this fourth Rome Statute crime, and thus strengthen the prohibition of the use of force as enshrined in the UN Charter. We urge all State Parties to build on the constructive discussions being held in the concerned Working Group and find a constructive way forward to deliver on the commitment made in Kampala.

Mr. Vice President,

We acknowledge the critical importance of timely, consistent and strong cooperation from State Parties and other relevant stakeholders in allowing the Court to fulfil its mandate effectively and efficiently. We commend the seven challenges and priorities identified by the Court to the attention of all concerned, and look forward

having sustained dialogue with the Court in order to enhance our own cooperation in response to the specific challenges.

We encourage States Parties and potential donors to provide enhanced and predictable resources to the Trust Fund for Victims. We appreciate the Trust Fund's work on draft implementation plans for reparations in two cases pertaining to the Democratic People's Republic of Congo and Mali.

Our delegation appreciates the Court's innovative initiatives to ensure equitable geographical representation and gender balance in the recruitment of staff of the Court. We hope that all possible means would be undertaken to ensure fair geographical representation in the recruitment of staff as early as possible. We also underscore the Court's efforts to promote the participation of nationals of under-represented and non-represented countries in the internship, Visiting Professionals and Junior Professional Officer Programmes.

Mr. Vice President,

Bangladesh remain committed towards seeking a world which is more just, a world committed more for a cosmopolitan world order than preoccupied only with own narrow interests. If our Prime Minister Sheikh Hasina, whom the world came to know as Mother of Humanity, remain occupied only with our own interests she would have never had found space for a million Rohingyas. Despite all odds as we decided to do what is right and urge you all to do your part on the side of humanity.

I thank you.

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