

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

**The Hague, 2-7 December 2019**

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H.E. Mr. O-Gon Kwon  
President of the Assembly of States Parties  
Vice Chairs Ambassador Jens-Otto Horslund (Denmark), and  
Ambassador Michal Mlynár (Slovakia)  
Hon'ble President of the ICC and Hon'ble Judges  
Madame Prosecutor  
Registrar of the ICC  
Chair of the Board of Directors of Trust Fund for Victims  
Observer States and the States not party but present here  
Excellencies  
Distinguished Delegates  
Ladies and Gentlemen,

We would like to welcome Mr O-Gon Kwon as the President of the Eighteenth Session of the Assembly of States Parties to the Rome Statute. We assure him, Vice-Presidents of the Assembly of States Parties and other Bureau members of my delegation's full cooperation.

My delegation would also like to register our appreciation to the Presidency, Office of the Prosecutor, and Registry of the International Criminal Court (ICC) and the Board of Directors of the Trust Fund for Victims for their hard work and dedicated service for the Court, for the pursuit of international justice, and for the victims of atrocity crimes. I also take the opportunity to register our admiration for the dedicated works of all members of the Bureau and the Working Groups in The Hague and New York.

Bangladesh welcomes the return of the State of Palestine to the Bureau. We express our profound gratitude to the States Parties, particularly to all our Asia-Pacific partners, for making room for us to serve the Bureau with Japan and the State of Palestine with split terms.

Mr. President,

Just last year, we celebrated the 20th Anniversary of the adoption of the Rome Statute. We understand that 20 years may not be enough in the evolving landscape of international criminal justice. However, after long 20 years since the adoption of the Rome Statute, we believe that it is very reasonable for all of us to see that culture of impunity is no more anywhere in the world. With

this spirit, we also believe that the importance of the universalization of the Rome Statute remains as urgent as ever. In this regard, we whole heartedly welcome the accession of the Rome Statute by the Republic of Kiribati on 26 November 2019. We hope Kiribati's accession would encourage other States, not yet Party to the Rome Statute, to join the ICC as soon as possible.

My delegation is appreciative of the role of the Budget Facilitator and the Committee on Budget and Finance for their rigorous work to prepare the budget of the Court. However, we would also like to request the States Parties to consider providing necessary resources to the Court so that the task that we entrust may be done with speed and in the spirit it deserves. For example, a large part of our efforts for universality depends on how the Presidents of the Assembly and the Court could make travels to places so that much needed persuasion for universality and more innovative complimentary approaches could be pursued. The tricky part of this budgeting is that the Presidents would hardly ask for it by themselves unless we, the States Parties, assign this duty which, we believe, will be willing to do happily.

Bangladesh would reasonably expect that States, whether Parties to the Rome Statute or not, would not oppose any constructive initiative to fight impunity for atrocity crimes under any circumstances. Bangladesh joins the call for upholding and defending the independence of the Court, and reaffirms the importance of supporting all those cooperating with the Court, including States and relevant international organisations and bodies towards fulfilling the ICC's critical mandate.

Mr. President,

We are all here to express our unflinching commitment to the Rome Statute and the ICC and act to put an end to impunity and ensure that the perpetrators of the world's most heinous crimes are brought to justice. Despite our steadfast commitment, unfortunately, the world once again witnessed the devastating consequences of a prevalent culture of impunity in our neighbouring State, Myanmar. Since 25<sup>th</sup> August 2017 alone, more than 700,000 Rohingyas - majority of whom are women and children - have entered into our territory to flee from what the UN Special Adviser on the Prevention of Genocide and Responsibility to Protect termed as atrocity crimes, and the UN High Commissioner for Human Rights as a "text book example of ethnic cleansing". In total, over 1.1 million Rohingyas are now staying in Bangladesh fleeing gross human rights violations and atrocity crimes in the Rakhine State by Myanmar authorities. I would like to refer the meeting at the UN Security Council on 28 August 2018, where UN Secretary General António Guterres called for ensuring accountability for the "horrendous persecution" of Rohingyas in Myanmar and said there could be no excuse for delaying the search for dignified solutions that would allow Rohingyas to return home in safety and dignity.

Bangladesh welcomes the Pre-Trial Chamber III's 14 November 2019 Decision authorizing the commencement of an investigation into the situation in Bangladesh/Myanmar pursuant to Article 15 of the Rome Statute. We believe that the perpetrators of the widespread and systematic acts of violence committed against the Rohingya civilian population, including murder, imprisonment, torture, rape, sexual violence, as well as other coercive acts, resulting in their large-scale deportation to Bangladesh from the Rakhine State would be brought to justice and be made accountable. Bangladesh looks forward to preventing atrocity crimes against Rohingyas in Myanmar.

We would like to reiterate that the Government of Bangladesh, under the leadership of Hon'ble Prime Minister Sheikh Hasina, whom the world came to know as "Mother of Humanity", is

firmly committed to the principle of voluntary repatriation and would return the forcibly displaced Myanmar nationals to the Rakhine State only when they are willing.

Mr. President,

Bangladesh had been at the forefront of the global campaign for the early adoption of the Rome Statute and the creation of the ICC. We deeply identify ourselves to the collective conscience of the global community to bring an end of the impunity to the atrocity crimes. Once again, we express our unequivocal support for the Rome Statute, to the ICC, and to the evolving international criminal justice.

Bangladesh has proudly joined the States Parties' efforts for the ongoing 'Review of the International Criminal Court and the Rome Statute system'. We support the establishment of a transparent, inclusive State Party-driven process to identify and implement measures to strengthen the Court and improve its performance.

Mr. President,

Bangladesh has been urging, but without much support, for more resources to the Court for discharging its duties under 'complementarity' principle of the Rome Statute. We believe, "complementarity" is a fundamental principle underlying the ICC's functioning as the Court of the last resort.

I would like to quote from the speech of the President of the ICC, Judge Chile Eboe-Osuji at the United Nations General Assembly on 4 November 2019, that "there can be no sustainable development, where conflicts, atrocities and fear reign supreme". The President of the ICC, in fact, underlined the importance and relevance of SDG 16 in furthering the Rome Statute for peaceful and inclusive societies. We would, therefore, particularly urge States Parties and regional and international organizations to come forward to further the 'complementarity' mandate of the Rome Statute.

Mr. President,

Bangladesh deeply values reparative justice along with retributive justice. The reparative role of the ICC is a matter of some solace to the victims of atrocity crimes. We would like to convey our sincere appreciation to the States and individuals who have contributed to the Trust Fund for Victims and urge States and individuals alike to do their human best to come to the aide of the unfortunate victims.

Bangladesh wishes to emphasize, once again, that legitimacy and fairness of the Court also depend on staffs that represent the international nature of the ICC's work. We believe that fair geographical representation in the recruitment of staff of the Court would complement the States Parties in their efforts in strengthening national judicial capacity to address atrocity crimes, and strengthen cooperation between the ICC and the States Parties.

While we highly appreciate the Court's efforts in ensuring almost gender balance in total, although not at the higher professional levels, we regret that the geographical representation is still heavily uneven. Our delegation appreciates the Registry's innovative initiatives to ensure equitable geographical representation and gender balance in the recruitment of staff of the Court. We believe that the Court, without further delay, would undertake all possible means to ensure fair geographical representation in the recruitment of staff as early as possible. We also hope that the Court will

strengthen its efforts to promote the participation of nationals of under-represented and non-represented countries in the internship, Visiting Professionals and Junior Professional Officer Programmes.

Before I conclude, let me reiterate that Bangladesh looks forward to working together with our common objective in mind - to put an end to impunity and ensure that the perpetrators of the world's most heinous crimes are brought to justice, wherever they are.

Mr. President,

As this will be my last statement to this august body before I move away from The Hague, I remain deeply grateful to all of you for your unbound support and encouragement to us. I would particularly like to register my gratitude to the leadership of the Court including our two Vice-Chairs here in The Hague and New York, Ambassador Jens-Otto Horslund of Denmark and Ambassador Michal Mlynár of Slovakia for their untiring but hugely inspiring works to keep the spirit of justice above and beyond.

The same goes to all our colleagues working in different working groups and thereby making the whole far bigger than the bits and pieces of us. It was both rewarding as well as inspiring as I cherish to sustain this spirit of humanity wherever I am. You would, however, hopefully see me around as a member of the Board of Directors of Trust Fund for Victims and make sure to stretch your hand and heart for the Trust Fund always.

I thank you, Mr. President.

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