



'Mujib Year's Diplomacy, Friendship & Prosperity'

**Statement by
H. E. Mr M Riaz Hamidullah
Ambassador of the People's Republic of Bangladesh to the Kingdom of the Netherlands
at the Nineteenth Session of the Assembly of States Parties to the Rome Statute of the
International Criminal Court (ICC)**

The Hague, 14-16 December 2020

Mr O-Gon Kwon

President of the Assembly of States Parties

*Vice-Presidents Ambassador Jens-Otto Horslund (Denmark), and
Ambassador Michal Mlynár (Slovakia)*

Hon'ble President of ICC and Hon'ble Judges

Madame Prosecutor

Registrar

Chair and Members of the Board of Directors of Trust Fund for Victims

Excellencies

Ladies and Gentlemen,

Let me at the outset welcome Mr O-Gon Kwon as the President of the Nineteenth Session of the Assembly. My delegation is fully confident of your acumen and capabilities in steering the business of this session towards fruition. We assure you, Mr President, Vice-Presidents and other Bureau members, of our delegation's full cooperation.

We do appreciate Mr O-Gon Kwon for his able stewardship of the Assembly in the last three years. Our appreciation also to Vice-Presidents – Ambassador Jens-Otto Horslund of Denmark and Ambassador Michal Mlynár of Slovakia – for their significant contribution to the Assembly during the last three years. We would also register our appreciation for the dedicated work of all members in the Bureau and the Working Groups in The Hague and New York.

Bangladesh delegation would further place on record its appreciation to the Presidency, Office of the Prosecutor, and Registry of the Court and the Board of Directors of the Trust Fund for Victims for their diligent work and dedicated service to the Court in pursuance of international justice, indeed also for the victims of atrocity crimes.

Mr President,

The Resumed Session(s) of the Nineteenth Session of the Assembly is to elect six new Judges, the next Prosecutor as well as the new Bureau members, including the President and two

Vice-Presidents of the Assembly. Allow me to affirm our support and cooperation to the new Bureau in discharging their mandated responsibilities. In this context, Bangladesh would acknowledge the support of the States Parties, particularly to all our Asia-Pacific partners, for allowing us to serve the present Bureau with Japan and the State of Palestine, with split terms. Bangladesh wishes to serve the next Bureau as well with the support of States Parties.

The Rome Statute was adopted just 22 years back. For an institution as ICC, mere 22 years should not be enough within the evolving landscape of international criminal justice. Yet, after its two decades of functioning, it is just fair to expect that the Court's continuing work should serve as a deterrent to the culture of impunity, everywhere.

Bangladesh would affirm the importance of universalization of the Rome Statute as an urgent imperative. We would urge all the States that are yet to be Party to the Rome Statute, to join ICC as at the earliest possible.

As a state party to the Rome Statute, Bangladesh reiterates its full commitment to the principle of justice and accountability in respect of the most serious crimes of international concern. Our support to the Court as an independent and impartial judicial institution has been unwavering as it has been making significant contributions in ending impunity for all atrocity crimes. We do stand by all those working for the Court in fulfilling its mandate, in accordance with the values and principles of the Rome Statute. Bangladesh therefore 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 the States and relevant international organisations and bodies towards fulfilling the ICC's critical mandate.

Mr President,

We are certain about the unflinching commitment of all of us present in this room - representing States and the civil society organizations - towards the Rome Statute and ICC and in ensuring that the perpetrators of the humanity's most heinous crimes are brought to justice. However, despite our resolute commitment, unfortunately international community had to witness time and again the shocking consequences of a culture of impunity in Myanmar for clearly evidenced genocidal acts against the Rohingya population in the Rakhine State that forced over 1.1 million of them to flee to Bangladesh.

Bangladesh would, once again, welcome the Pre-Trial Chamber III's Decision of 14 November 2019 authorizing commencement of an investigation into the situation in Bangladesh/Myanmar, pursuant to Article 15 of the Rome Statute. We also welcome the Prosecutor's Statement of 22 November 2019 wishing to seek to uncover the truth and ensure the pursuit and success of its independent and impartial investigation into the situation in Bangladesh/Myanmar. We look forward to bringing to justice those responsible for large-scale deportation of the Rohingya people to Bangladesh from the Rakhine State and making them accountable. We also look forward to preventing atrocity crimes against the Rohingya people in Myanmar.

Bangladesh Government is engaged with the Myanmar authorities in good faith, transparency to facilitate voluntary return of these forcibly deported people to their homes in the Rakhine State in safety and security, with dignity. Yet, past three years, on so many occasions, the Rohingyas, Kofi Annan Commission as well as United Nations have all been underscoring the need

to bring to justice those responsible for such heinous crimes against them so that reasonable minimum confidence could be demonstrated for the hapless people languishing in the Camps to return to their homes.

Mr President,

Bangladesh's ongoing efforts to bring to justice to those committing genocide and crimes against humanity during our War of Liberation in 1971 are premised on the complementarity principle of the Rome Statute. Our Government remains open to constructive suggestions to further strengthen our existing national laws in conformity with our obligations under the Rome Statute. 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. We would like to particularly urge the States Parties and regional and international organizations to work towards effectively realising SDG 16 (Peace, justice and strong institutions) in furthering the complementarity mandate of the Rome Statute.

We join all States Parties in underscoring the criticality of Prosecutor as the lifeline of ICC in securing justice and accountability in respect of atrocity crimes. To Bangladesh, the ICC Prosecutor has to be the person possessing and demonstrating high moral character, integrity in his/her work, exceptional level of all rounded professional competence, political acumen and possess extensive relevant practical experience, as the Rome Statute stipulates. On that score, we express our sincere appreciation to the Presidency of the Assembly, Committee on the Election of Prosecutor and the Panel of Experts for their sincere efforts to date in spite of various constraints arising out of Covid-19 pandemic. As things stand till today, we are confident that the States Parties would be able to find the 'fitting candidate' forging consensus for election as the next Prosecutor during the Resumed Session.

Mr President,

Bangladesh had been at the forefront of the global campaign for the early adoption of the Rome Statute and creation of ICC. We join all State Parties in reiterating our commitment to strengthen the Court and improve its performance. That is why, Bangladesh values the ongoing process of 'Review of the International Criminal Court and the Rome Statute system'. We welcome the Report and recommendations of the Independent Expert Review in this regard; and support the establishment of a 'Review Mechanism'/ 'Co-Facilitation' for a transparent, inclusive, State Party-driven process to the assessment and implementation of the recommendations contained in the Report.

COVID-19 pandemic has hardly spared any entity, let alone ICC, in respect of implementation of its Programme Budget for 2020 as also its design for 2021. My delegation appreciates the role of the Budget Facilitator and the Committee on Budget and Finance for their rigorous work to prepare the 2021 Programme Budget of the Court. However, we would like to emphasise that all States Parties ought to adequately resource the Court so that the task that we entrust are accomplished with speed and to our desired satisfaction.

Bangladesh deeply values reparative justice along with retributive justice. The reparative role of ICC is a matter of some solace to the victims of atrocity crimes. We register our sincere appreciation to the States and individuals who have contributed to the Trust Fund for Victims.

Bangladesh would like to appeal to the States and individuals to step forward to the aid of the fateful victims of atrocity crimes worldwide.

The delegation of Bangladesh appreciates the Court's initiatives to ensure geographical diversity and gender balance in recruitment of the staff of the Court. As we heard, this is a lingering concern for many State Parties. All possible creative means need to be exhausted and undertaken to secure fair geographical diversity and gender balance in the staff-composition of ICC as early as possible. While we appreciate the Court's efforts to promote participation of nationals of under-represented and non-represented States Parties in Internship, Visiting Professionals and Junior Professional Officer Programmes of the Court, we do hope that the Court will strengthen its efforts in this regard.

Mr President,

As I conclude, let me reiterate Bangladesh's commitment in envisioning a just – inclusive – responsible – harmonious world. Our collective works must be geared towards ending impunity for the perpetrators of the world's most heinous crimes. Justice and accountability is not a matter of choice.

I thank you.

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