

Please check against delivery



**Statement by**

**H.E. Mr. Reaz Rahman**

**Adviser (State Minister) Foreign Affairs  
Government of the People's Republic of Bangladesh  
and  
Leader of the Bangladesh Delegation**

**at the High Level Segment of the  
61<sup>st</sup> Session of the  
Commission on Human Rights  
16 March 2005**

**Permanent Mission of Bangladesh  
Geneva**

**Mr. Chairman,  
Madam High Commissioner,  
Excellencies, Ladies and Gentlemen.**

1. I warmly congratulate you and members of your bureau on your well-deserved election. Your long experience and knowledge will be invaluable in guiding our work to a successful conclusion. Deep thanks are due to your predecessor Ambassador Mike Smith for his outstanding contributions over the past year. We also join in the tributes paid to the High Commissioner Ms. Louis Arbour. We are confident that she will provide vibrant leadership to the work of her office in promoting and protecting human rights worldwide.
2. I represent a country where respect for individual liberty is deeply engrained and vigorously defended. We attach great importance to the work of this Commission and remain constructively engaged in the process in which the world seeks to give meaning and substance to human rights.
3. Summing up the key elements of Bangladesh's Human Rights posture, I would like to underscore four points;
  - ◆ First, Bangladesh believes in the indivisibility, universality, non-selectivity and inter-dependence of all Human Rights. We are party to more than 18 major human rights instruments. We have welcomed and endorsed the Vienna Declaration and Plan of Action. We favour a holistic approach with particular emphasis on the right to development without which all other human rights would be elusive.
  - ◆ Second, Bangladesh recognizes the interdependence between democracy, development and the full engagement of human rights. Prevalence of extreme poverty continues to constitute the greatest denial of human rights.
  - ◆ Third, we believe in constructive engagement with the Commission's special procedures and mechanisms and with human right NGO's. In the recent past we have welcomed three Special Rapporteurs whose reports have already been discussed in this and other UN forums.
  - ◆ Fourth, Bangladesh is committed to the implementation of human rights despite its many and varied development challenges. We believe however, that no country can claim perfection in their human rights record. It is a continuing process. Success or failure must be weighed in the larger context of existing socio-economic conditions and constraints and the comparative milieu of

neighbouring countries in the region. Unqualified and sweeping criticism can be counter-productive.

Mr. Chairman,

4. We in Bangladesh recognize that human rights can be meaningfully implemented only if there is a conducive enabling environment. This requires a network of governance institutions as well as economic policies that can underpin them.

5. We are proud of our multi-party democratic system. Since the restoration of democracy in 1991 we have held three elections at 5 year intervals. They have underlined the essence of democracy – peaceful change of governments. Our elections are conducted under the aegis of a non-partisan, interim Caretaker government whose exclusive mandate is to conduct and ensure free, fair and impartial elections. This is a system which is unique in the world and one that has proved eminently successful. It is to be underscored that in Bangladesh we have an aggressive and free press, a vocal opposition and a vibrant civil society.

6. Institutions required to backstop democracy and enable human rights to flourish in Bangladesh are slowly but surely evolving. A prime charge is the creation of awareness among the common people about their individual rights. A key project is strengthening the capacity to protect and promote human rights through establishing a National Human Rights Commission. A Cabinet Committee has finalized a draft National Human Rights Commission Bill which is pending final consideration by the Cabinet prior to its submission before the Parliament for adoption and enactment.

7. An interlinked institutional framework is taking firm shape. One important direction is enhancing the efficiency of the Judiciary and making legal protection available to all citizens. A Law Reform Commission has been set-up and mandated to review existing instruments and institutions so as to update and reform them. Its terms of reference include making recommendations for setting up a National Human Rights Commission.

8. A Judicial Training Institute has been set up to train Judges, Magistrates and Court related staff to raise the standards of the justice delivery system through a program of continuing legal education. A World Bank supported project seeks to provide technical assistance to both the Permanent Law Commission and Judicial Training Institute and to update documents.

9. Since the 60<sup>th</sup> Session of the Human Rights Commission Bangladesh has followed up on the enactment of a Bill for the creation of an independent Anti-Corruption Commission (ACC) by appointing on 21<sup>st</sup> November 2004, Justice Sultan Hossain, a retired High Court Judge and former Chairman of the Press Council as Chairman of the ACC. The term of the Chairman and Commissioners has been fixed for four years. In

order to maintain their independence they have the same status as Judges of the Supreme Court. The Commission can investigate/prosecute any person on charges of corruption. It has its own investigation unit for the purpose. It can initiate suo-moto investigation into any case of malpractice. It can conduct investigations for offences under the Anti-Corruption Act of 2004 and for punishable offences under the 1947 Prevention of Corruption Act. Part of its mandate is to create public awareness of the malaise of corruption through seminars, symposiums and workshops. It will identify causes of corruption and suggest remedies to the President. The Commission has three functions-investigation, prosecution and education. It enjoys autonomy in respect of expenditure within set budget limits. Once funds are allocated by the government, no further approval is required.

10. The Higher Judiciary in Bangladesh is free and independent. Measures are now well underway to separate the lower judiciary from the executive. The process went one step further with the 25<sup>th</sup> February 2004 appointment of the Chairman and Member of the Judicial Service Commission for recruitment of judges for the lower courts.

11. Another step is to give effect to the establishment of the Office of the Ombudsman. A Cabinet Committee has been constituted to scrutinize and update amendments to the 2002 law to adjust the Parliamentary system. Innovative measures are being considered for resolution of local disputes at village level through Rural Courts. Legal aid committees have already been formed to assist the poor.

12. An important development has been the passage of the 14<sup>th</sup> Amendment Act of 17<sup>th</sup> May 2004, which has ensured 45 reserved seats in the Parliament exclusively for women. Under the Act women members of Parliament will be elected by law-makers from 300 constituencies on the basis of proportional representation of different political parties in Parliament. Nothing in the Act will preclude a woman from being directly elected to any seat from the 300 constituencies. The provision of reserved seats will be effective for 10 years from the first sitting of the next 9<sup>th</sup> Parliament.

Mr. Chairman,

13. I have referred to economic emancipation as a major pillar for the exercise of human rights. Over the last three and half years there has been significant progress along six broad fronts viz sustained growth, improvement of per capita poverty income, increasing food security, enhanced disaster management capacity, human development on a wide footing and key social sector and health outcomes. We are working through a medium term macro-economic framework that underpins poverty eradication strategies. A full-blown poverty reduction strategy paper (PRSP) is imminently underway. In the fiscal sector, reorganizing the tax administration and rationalizing taxes will enable us increase the taxes/GDP ratio to about 12% by 2008. Major reforms in the public sector

are producing results. To ensure pro-poor growth, the Government is to raise expenditure for poverty reduction by at least 1% of the GDP each year. The public debt management system is being strengthened to ensure that governmental debt is not a burden to future generations.

14. In the financial sector major reforms are well underway. A Regulatory framework for private banks allows them a great deal of freedom in managing their own activities. Anti money-laundering surveillance procedures are being implemented in accordance with the Money Laundering Prevention Act 2002. Bangladesh is frequently referred to as the home of micro-credit with the active support from non-governmental actors and governmental programs, micro-credit now reaches millions in the rural areas, particularly the women.

Mr. Chairman,

15. Since July 2002, we have introduced an education stipend for children of poor, for study at the primary level. To encourage female participation, particularly in primary education, sixty percent of the new appointments are to be filled in by female teachers. Currently, about two hundred thousand students are receiving stipends at the higher secondary level education, and four and half millions students are receiving this stipend at the secondary level education.

16. A major advance has been the dramatic lowering of population growth rates. In comparative terms this is the best performance in the region. Health outcomes in term of lowering infant and maternal mortality rates, immunisation, nutrition access to reproductive healthcare also among the best in the region.

17. Women are given a privileged position in our society. Their education, training and programs for empowerment get priority. Their integration into the economic mainstream, participation in decision-making, elimination of violence and repression are also key goals.

Mr. Chairman,

18. Major steps are being taken to curb lawlessness and to establish the rule of law. A Speedy Trial Act has been in operation since 2002, and trial courts have been established in all districts. Two cells have been formed in the Ministry of Home Affairs to monitor sensational and severe criminal cases. To enable the law enforcement agencies to deal with new crimes, particularly violent ones, a Rapid Action Battalion (RAB) has been set up. Their actions against criminals have already drawn widespread popular support. We are ensuring that their actions are accountable before law.

Mr. Chairman,

19. In the globalized world of today, no country can act alone. Many of our policies can be effective only if we find a supportive international environment. This is particularly necessary in the areas of trade, finance and transfer of technology and expertise. At the same time, there must be a realization that circumstances differ across countries, cultures and societies. While fundamental human rights are recognized, the trajectory for achieving them will differ according to circumstances.

20. Bangladesh remains deeply concerned at the denial at the basic human rights at many parts of the world. Nowhere and this so apparent as in the case of the illegally occupied Palestinian lands. The Commission must make a sincere effort to address gross human rights violation in the occupied Palestinian territory. We also remain concerned with racial crimes, and religious profiling. There is an urgent need to improve understanding among countries, among peoples and a need emphasize tolerance and the benefits of richness of diversity.

Mr. Chairman,

21. May I add a few words about the current proposal of reforms of the Commission on Human Rights, and in the functioning of the Office of the High Commissioner for Human Rights. I refer to the UN Secretary General's High Level Panel Report. We have examined the recommendations. We believe that the terms of reference given to the panel did not urge the panel to go deep into issues of human rights. The recommendations of the Panel, in some cases, call for fundamental changes. It is our view that the area of human rights is becoming more and more important in the international arena. Such an important subject should be looked at more thoroughly, and proper analysis done, before attempting to implement any reform proposal.

22. The Commission has a difficult task ahead, but one that is very important. I wish you and the Commission my very best in the coming weeks.

I thank you.