



# General Assembly

Distr.: General  
19 April 2006

Original: English

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Sixtieth session

Agenda item 112 (e)

Elections to fill vacancies in subsidiary organs and other elections:  
election of 47 members of the Human Rights Council

## **Note verbale dated 13 April 2006 from the Permanent Mission of Bangladesh to the United Nations addressed to the President of the General Assembly**

The Permanent Mission of the People's Republic of Bangladesh to the United Nations presents its compliments to the President of the General Assembly and has the honour to inform him that the Government of Bangladesh has decided to present its candidature for membership to the Human Rights Council for the term **2006-2008**, the elections to which are to be held on 9 May **2006** during the sixtieth session of the General Assembly.

The Government of Bangladesh would deeply appreciate it if the candidacy of Bangladesh could be included, along with the attached aide-memoire (see annex), in the final document to be produced for the forthcoming elections and would also appreciate it if it could be circulated among the Member States.



## **Annex to the note verbale dated 13 April 2006 from the Permanent Mission of Bangladesh to the United Nations addressed to the President of the General Assembly**

### **Aide-memoire on Bangladesh's voluntary pledges towards human rights**

#### **INTRODUCTION**

Bangladesh is committed to ensuring all human rights—civil, political, economic, **social** and cultural rights, including the right to development—and fundamental freedoms to **all** its citizens and without any discrimination.

Bangladesh is committed to building a society free from exploitation in which the fundamental human rights and freedom, equality and justice, political, economic and social rights, are secure.

Bangladesh believes in indivisibility, universality, non-selectivity and interdependence of human rights. We favour a holistic approach in this respect with particular emphasis on the right to development.

It is because of her commitment to the promotion and protection of human rights and fundamental freedoms of all its citizens that Bangladesh actively and constructively participated in the negotiations leading up to the creation of the **Human Rights Council**.

Bangladesh served the Commission on **Human Rights**, with distinction, during 1983–2000, and was elected to the Commission for the term 2006 – 2008.

#### **HUMAN RIGHTS IN THE CONSTITUTION OF BANGLADESH**

The constitution of Bangladesh, which embodies the principles and provisions of the Universal Declaration of Human Rights, is the supreme law of the Republic. It guarantees the following rights, among others, to all its **citizens** without any discrimination:

- Democracy and **human** rights: The Republic shall be a democracy in which fundamental human rights and freedoms and respect for the dignity and worth of the human person shall be guaranteed and in which effective participation by the people through their elected representatives in administration at all levels shall be ensured.

Provision of basic necessities: The provision of the basic necessities of life, including food, clothing, shelter, education and medical care are responsibilities of the State.

- Free and compulsory education: The State shall adopt effective measures for the purpose of establishing a uniform, mass-oriented and universal system of education and extending free and compulsory education to all children.
- Non-discrimination: (1) The State shall not discriminate against any citizen on grounds only of religion, race, caste, sex or place of birth. (2) Women shall have equal rights with men in all spheres of the State and of public life. (3) No citizen shall, on grounds only of religion, race, caste, sex or place of birth be subjected to any disability, liability, restriction or condition with regard to access to any place of public entertainment or **resort**, or admission to any educational institution. (4) Nothing in this article shall prevent the State from making special provision in favour of women or children or for the advancement of any backward section of citizens.

Equality of opportunity.

- Equality before law.

Protection of right to life and personal liberty.

Prohibition of forced labour.

- Freedom of movement, of assembly, of association, of thought and conscience, of speech, of profession or occupation, and of religion.
- Rights to property.

#### **ACHIEVEMENTS OF BANGLADESH IN FULFILLING HER CONSTITUTIONAL OBLIGATIONS**

Bangladesh has been endeavouring to meet its constitutional obligations as well as its international commitments towards promoting and protecting human rights of its citizens through, among others, enacting legislations and adopting administrative measures to implement them, as well as through implementation of several **socio-economic** development programmes. Some of the steps taken by Bangladesh are:

- Bangladesh has, through legislative and executive measures, ensured freedom of speech and expression, freedom of the press, and freedom of thought and conscience. Every citizen enjoys the right to religion, education, association, assembly, occupation, trade, **etc.** without any discrimination. Bangladesh has one of the most independent print and electronic media in the world.
- Bangladesh has established itself as a democratic and pluralistic polity through its unwavering commitment to the principles and practices of good governance, democracy, rule of law, and promotion and protection of all human rights and fundamental freedoms of all her citizens with particular attention to the rights of women, children, minorities, disabled and other vulnerable sections of her population.
- Bangladesh has made significant progress in economic emancipation of her people in terms of sustained economic growth, improvement of per capita income, increasing food security, enhanced disaster management capability, and high achievements in **social** sector **particularly** women empowerment and health care including reduced maternal and child mortality rates. Indigenous concepts such as micro-credit and non-formal education have played **significant** role for these achievements. A vibrant civil society including the NGOs played a complementary role.
- Bangladesh believes that ensuring the right to education is an essential step in providing her people with the right to development. "Education for All" is, therefore, the highest priority of the Government of Bangladesh, particularly of the girls. Education for girls up to 12<sup>th</sup> grade is free in Bangladesh.

- Bangladesh is committed to its fight against corruption, which she considers an obstacle to ensuring a better living standard of her people. We have established an Independent Anti-Corruption Commission headed by a retired High Court judge. The Commission can conduct investigations into the offences under Anti Corruption Act **2004** and for the punishable offences under Prevention of Corruption Act 1947 through its own investigation unit. It can also initiate suo *moto* investigation into any case of malpractice.
- Bangladesh, in fulfilling its obligation to furthering the promotion and protection of **human** rights has decided to establish an independent National **Human** Rights Commission. Much work in this regard has already been done and the Commission is expected to be functional soon.
- Bangladesh is convinced that independence of judiciary is critical in ensuring good governance and rule of law, and by extension protection of human rights and fundamental freedoms of its citizens. The separation of the Judiciary from the Executive is currently under active process.
- Bangladesh believes that terrorism is antithetical to promotion and protection of human rights. In fulfilling her commitment to combat terrorism, she has ratified twelve of the **thirteen** UN Conventions on **terrorism**, and is contemplating constitutional procedure for the remaining one. She is also a party to SAARC (South Asian Association for Regional Cooperation) Regional Convention for Terrorism.
- Bangladesh has put in place appropriate legislative measures to promote the rights of children and women, **focusing** mainly on their protection from violence, abuse, and discrimination. A National Advisory Committee has been established to combat trafficking. Stringent laws have been enacted to protect the women and children, in particular **girls**, from being trafficked and abused. These include the Suppression of **Immoral** Trafficking Act of 1993, the Suppression of Violence Against Women and Children Act 2000, which was amended in 2003, Acid Crimes Control **Ad 2002** and Speedy Trial **Tribunal** Act **2002**.
- Bangladesh is one of the few countries that have a separate **Ministry** solely devoted to the welfare of women and children.
- Both the Prime Minister and the Leader of the Opposition in the National Parliament of Bangladesh are women. In addition, we have 45 women members in the 345-member unicameral national legislature.
- The nation also has in its credit some 12,000 women elected members in the local government bodies.
- At the regional level, Bangladesh adheres to the Kathmandu understanding on children.
- Bangladesh has ratified the South Asian Association for Regional Cooperation (SAARC) Convention on Preventing and Combating Trafficking in Women and Children for Prostitution in **2002**.

## BANGLADESH'S CONTRIBUTION TO THE PROMOTION AND PROTECTION OF HUMAN RIGHTS AT GLOBAL LEVEL

- In different international fora, particularly at the UN, Bangladesh plays a constructive role through the promotion of cooperation and dialogue as well as a consensus-builder.

Bangladesh is a **State** Party to more than 18 major international human rights instruments, including:

1. International Covenant on Civil and Political Rights;
  2. International Covenant on Economic, Social and Cultural Rights;
  3. The Convention on the Rights of the Child (CRC); and its two optional protocols;
  4. Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW); and its optional protocol;
  5. International Convention on the Elimination of All Forms of Racial Discrimination (CERD);
  6. Convention for the Suppression of the Trafficking in Persons and of the Exploitation of the Prostitution of Others;
  7. Convention on the Prevention and Punishment of the Crime of Genocide;
  8. International Convention on the Suppression and Punishment of **Crime** of Apartheid;
  9. Slavery Convention of 1926 and subsequent protocols.
  10. Convention on the Political Rights of Women;
  11. Convention on Consent to Marriage, Minimum Age for and Registration of Marriage; and
  12. Convention Against Torture and other Cruel Inhuman or Degrading Treatment or Punishment.
- Bangladesh is contemplating constitutional procedures to adhere to the remaining international human rights instrument
  - Bangladesh has always actively and constructively participated in the work of the Commission on **Human** Rights (CHR).

During her membership in the Commission from 1983 to 2000, and in 2006, Bangladesh made significant contribution to the Commission's work in fulfilling its mandate. She attached particular importance to the necessity of genuine dialogue **and** cooperation among nations as well as capacity building of Member States as essential elements towards the promotion and protection of all human rights for all.

Bangladesh has always extended full cooperation to the human rights treaty bodies, and made good use of their **advices** in improving her **human** rights situations.

- Bangladesh's **significant** contribution to the work of the Commission on Human Rights has earned laurels. She has hosted, and extended full cooperation to, several special rapporteurs in recent years in further **demonstration** of her willingness to cooperate with the UN human rights machinery.

Bangladesh has fully cooperated with the Commission's special procedures and mechanisms. Some of the recent interactions were with:

- I. The Special Rapporteur on the independence of judges and lawyers;
  - II. The Special Representative of the Secretary-General on the situation of human rights defenders;
  - III. The Special Rapporteur on freedom of religion or belief;
  - IV. The Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression;
  - V. **Working** Group on Enforced or Involuntary Disappearances;
  - VI. The Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health;
  - VII. **Working** Group on Arbitrary Detention;
  - VIII. The Special Rapporteur on the question of torture;
  - IX. The Special Rapporteur on the sale of children, child prostitution and child pornography;
  - X. The Special Rapporteur on the situation of human rights and fundamental freedoms of indigenous people;
  - XI. The Special Rapporteur on adequate housing as a component of the right to an adequate standard of living; and
  - XII. The Special Rapporteur on the right to food.
- Bangladesh is a leader in UN peacekeeping. **Our** soldiers are working in difficult circumstances to protect the lives and **human** rights of peoples in conflict situations, particularly women and children. The UN Secretary-General has rightly said that Bangladesh is a model member of the UN providing leadership among the least developed countries and other forums and contributing substantially to peacekeeping and humanitarian operations.

#### **VOLUNTARY PLEDGES**

It is from this perspective that Bangladesh has proposed her candidature for election to the newly created Human Rights Council. She hopes that through cooperation and dialogue as well as through promoting capacity building of the States, Bangladesh will be able to build on the past achievements and contribute more and more to the mandated task of the **Council**. Bangladesh would **utilise** the opportunity to further promote and protect all human rights both at home and abroad.

**I**f elected to the Human Rights Council, Bangladesh would:

- I. Extend its fullest cooperation to the Council in its work of the promotion and protection of **all** human rights and fundamental freedoms for all without distinction of any kind and in a fair and equal manner.
- II. Support the Council in its work guided by the principles of universality, impartiality, objectivity and non-selectivity, constructive international dialogue and cooperation.
- III. **Emphasise** on meaningful dialogue and cooperation with the Member States, as **well** as on advisory services, technical assistance and capacity building required to fulfil their human rights obligations.

- IV. Actively participate in the Council's work to review and rationalise and improve the Commission's mandates, **mechanisms**, functions and responsibilities.
  - V. Remain prepared to be reviewed under the universal periodic review mechanism during its tenure in the Council under terms, conditions and modalities to be developed by the **Council**.
  - VI. Continue its journey towards development of its entire people with particular attention to empowerment of women and other vulnerable sections of the population, primarily through the application of indigenous concepts.
  - VII. Strengthen its fight against corruption and also against terrorism. She would continue to ensure independence of the Anti-Corruption Commission.
  - VIII. Intensify its efforts, while framing its national policies and strategies, to uphold the fundamental principles enshrined in the constitution, those of the Universal Declaration of **Human** Rights, as well as those of the international and regional human rights instruments to which she is a party.
  - IX. Strengthen its efforts to meet its obligations under the treaty bodies to which she is a party.
  - X. Contemplate adhering to the remaining international and regional human rights instruments.
  - XI. Continue to cooperate with the special procedures and mechanisms of the Council with a view to further improve its human rights situations.
  - XII. Continue to promote the constructive role of the NGOs in the work of the Council, and would strive to promote effective participation of the **NGOs** from developing countries in the work of the Council.
  - XIII. Endeavour to further integrate the promotion and protection of human rights and fundamental freedoms into her national policies, including that on development and poverty eradication, with special focus on the rights of women, children, minorities and persons with disabilities.
  - XIV. Continue to work towards further strengthening and consolidating the institutional structures that promote good governance, democracy, human rights and rule of law.
  - XV. Continue to endeavour, through its **national** development policies, to ensure provision of the basic necessities of her people including food, clothing, shelter, education and primary health care.
  - XVI. Establish the National **Human** Rights **Commission** as soon as possible.
  - XVII. **Separate** the judiciary and the executive **as** soon as feasible.
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