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Bangladesh: Important step forward for international justice

Amnesty International welcomes Bangladesh's ratification of the Rome Statute of the International Criminal Court on 23 March 2010. The ratification follows more than a decade of campaigning by Amnesty International and other civil society groups since Bangladesh signalled its willingness to do so by signing the Rome Statute on 16 September 1999.

Bangladesh is the 111th state to ratify the Rome Statute and the seventh in Asia to do so, joining Afghanistan, Cambodia, Mongolia, the Republic of Korea, Timor-Leste and Japan.

By ratifying the Rome Statute, Bangladesh has demonstrated an important commitment to international justice and working to end impunity for genocide, crimes against humanity and war crimes.

The ratification by Bangladesh could have a significant impact in Asia, particularly on Nepal and Indonesia, which has promised to ratify the Rome Statute. Amnesty International hopes that Bangladesh will encourage these and other states in the region to do so and to join it in sending a high-level delegation, either as states parties or as observers, to the Review Conference on the Rome Statute scheduled to take place in Kampala from 31 May to 11 June 2010.

The Rome Statute sets a high-standard for states in investigating and prosecuting crimes under international law. Bangladesh will need urgently to re-examine the law establishing International Crimes Tribunals, which it plans to set up to try people accused of crimes committed during Bangladesh's independence war. This will be to ensure that the law it applies and the procedures it uses are fully consistent with the Rome Statute and other international law.

Ratification of the Rome Statute is, however, just the first step. Second, Bangladesh must enact effective implementing legislation defining genocide, crimes against humanity and war crimes as crimes under international law in accordance with the strictest international law definitions. This will enable it to prosecute persons regardless of rank for those crimes, whenever and wherever they were committed. That legislation needs also to provide for full cooperation with the International Criminal Court. Third, in order to ensure such cooperation, it must also ratify the Agreement on the Privileges and Immunities of the International Criminal Court (APIC) so that the Court and its officials can visit Bangladesh.

Fourth, Bangladesh should enter into agreements with the Court providing for relocation of victims and witnesses. Fifth, it should enter into an agreement with the Court providing for the enforcement of Court sentences in Bangladesh and in prison facilities which meet international standards.

Amnesty International hopes the government of Bangladesh will now rise to the expectations generated by the ratification of the Rome Statute to enhance human rights protection in the country and elsewhere.