



Statement by H. E. Mr. Masud Bin Momen at the UN Security Council Open Debate on “The Respect to the Principles and Purposes of the Charter of the United Nations as Key Elements for the Maintenance of International Peace and Security” on Monday, 15 February 2016

Mr. President,

My delegation thanks your Presidency for convening this Open Debate and for the thought-provoking Concept Note. We thank the Secretary General for his introductory briefing.

We take this opportunity to reiterate Bangladesh’s unwavering commitment to the Purposes and Principles of the Charter of the United Nations, including in maintenance of international peace and security. I wish to recall the words of our Father of the Nation Bangabandhu Sheikh Mujibur Rahman in his maiden address to the UN General Assembly in September, 1974: “The noble ideals enshrined in the Charter of the United Nations are the very ideals for which millions of our people have made the supreme sacrifice. I know that the soul of our martyrs join us in pledging that the Bangalee nation fully commits itself to the building of a world order in which the aspiration of all men [and women] for peace and justice will be realized.”

True to his words, Bangladesh has consistently upheld renunciation of war, respect for sovereign equality of states and non-interference in the internal affairs of other states as the cornerstones of her foreign policy. We have pursued peaceful settlement of disputes with our partners through dialogues, negotiations and arbitration, based on the principle of mutual respect. The determined leadership shown by our Prime Minister Sheikh Hasina in amicably resolving the long-pending land and maritime boundary issues with our neighbours has further reinforced our commitment to the ideals and values of the UN Charter.

We have seen many efforts over the last seven decades to justify deviations from the core Charter Principles under several theoretical doctrines and concepts. Those concepts have come and gone, mostly in response to the demands of realpolitik. The Charter principles have, however, survived the test of time as the bedrock of the international rule of law.

It would be pragmatic to acknowledge that the notions of national sovereignty and internal affairs have evolved over time since the promulgation of the UN Charter. The unprecedented level and scale of engagement of a diverse set of actors in shaping international affairs and policies have added layers to the traditional concept of sovereign equality. The preponderance

of internecine strife and violence has also altered the landscape of armed conflicts around the world. Under such circumstances, it may be advisable for the entire UN membership to engage in serious introspection about the possible implications of the emerging global realities on the Charter Principles.

The Special Committee on the UN Charter and on the Strengthening of the Role of the Organisation could be one of the suitable platforms to embark on such reflections and deliberations. However, the continued impasse in the work of the Committee does not hold much promise for Member States' collective willingness to leverage the existing possibilities. It is also perhaps symptomatic that this issue is not being directly approached in the context of the ongoing discussions on the General Assembly revitalization and Security Council reform.

The respect for the core Principles is critical for preserving the Charter's primacy on pacific settlement of disputes, and for resorting to coercive or enforcement measures only as measures of the last resort. After all, the toughest price for any such measures are borne by people in general. For third parties, the sanction regimes are often couched in legal and technical complications creating possibilities for lapses in compliance. These are further complicated by unilateral prohibitive measures whose interface with the UN sanctions is not always explained in clear, understandable terms.

In Bangladesh, we have a law that gives effect to any Security Council Resolution in our domestic jurisdiction. It is thus in our obvious interest to see that the Resolutions emerge through a participatory, consultative and accommodative process within the Council. The exercise of the veto power needs to be reviewed for all practical purposes.

As underscored by many, the UN's current focus on ending and resolving conflicts needs to be more than adequately balanced by its work on preventing conflicts that may at times result in mass atrocity crimes. The preventive aspect encompasses a wide range of activities including reading the early warning signs of tension or conflicts, responding to violent extremist trends, promoting participatory governance and development, investing in sound and inclusive institutions, and fostering a culture of peace and non-violence. Enhanced partnerships and synergies with the relevant regional arrangements or organisations should bring useful dividends.

The Charter-stipulated measures of mediation, conciliation and arbitration need to be mainstreamed through the entire process of conflict prevention and resolution, and not necessarily in the aftermath of conflicts. Meaningful and sustained efforts must be demonstrated in resolving protracted conflicts and humanitarian situations that tend to foment further resentment, intolerance and radicalization, including across borders and

regions. The nexus between peace and security, development and human rights should form the basis for the work of the UN's overall peace and security architecture.

These are responsibilities that may be shared by the principal organs of the UN, consistent with their respective mandates. A limited interpretation of the concerned provisions would only continue to limit the options for the organization as a whole to deliver on its potentials when it comes to effectively preventing or resolving conflicts.

The entire membership should work towards realizing those potentials.

I thank you.