



**Bangladesh Statement by Tareq Md Ariful Islam, Deputy Permanent Representative**

**Sixth Committee of the 74<sup>th</sup> Session of the UN General Assembly**

**Agenda item 82: Report of the International Law Commission (Cluster II)**

**Date and venue: 05 November 2019, Trusteeship Council Chamber**

**Mr. Chair,**

Let me begin by reflecting on the **topic "Protection of the environment in relation to armed conflicts"**. Bangladesh welcomes the efforts of Special Rapporteur Ms. Marja Lehto for submitting her second report before the Commission. We appreciate the Special Rapporteur for proposing seven draft principles in her second report, which the Commission decided to refer to the Drafting Committee. We also extend special thanks to the Commission for adoption of 28 draft principles on protection of the environment in relation to armed conflicts, and transmitting them to Governments, international organizations, and other stakeholders for their comments and observations. However, it is important to keep in mind that the draft principles do not conflict with the obligations arising from other relevant international legal instruments. Our efforts for protection of the environment in relation to armed conflicts should not duplicate the efforts already undertaken by the existing global regimes.

**Mr. Chair,**

Bangladesh, as an extremely climate vulnerable country, is delighted at the Commission's inclusion of the **topic "Sea-level rise in relation to international law"** in its long-term programme of work. Sea-level rise is indeed one of the dire consequences of global warming. The costs of Sea-level rise are manifold; it could cause the submersion of existing land territories of many countries like Bangladesh, thereby raise complex issues of sovereignty and access to natural resources. Sea-level rise is also expected to change the existing boundaries of maritime zones with will have political, economic, and security implications at regional and global level.

Rising sea levels will be the biggest threat for Bangladesh among all the external drivers related to climate change. Scientific researches have shown that 1 m sea level rise will inundate about 8.4 percent of the coastal areas of Bangladesh resulting in massive human displacement. Just 1-degree centigrade increase of global temperature and further sea level rise will result into inundation of a large area of Bangladesh and thus displacement of 40 Million people by the end of this century.

Another casualty will be the largest mangrove forest of the world, the Sundarbans, about 43 percent of which will be inundated in case of 1 m sea level rise. As the Sundarbans is very important for Bangladesh from ecological, environmental, geological and economic points of view, such inundation will have profound impact on us.

**Mr. Chair,**

Bangladesh appreciates the decision of the Commission to establish an open-ended Study Group on sea-level rise. Under the able stewardship of the co-chairpersons, we hope the Study Group will work on the three identified subtopics namely: issues related to the law of the sea, statehood, and protection of persons affected by sea-level rise, over the next two years and update the Commission on their findings. We join the Commission in requesting member states to provide the Commission with information about their respective practices that could be relevant to addressing sea-level rise. We also urge member States to provide any information related to statehood and the protection of persons affected by sea-level rise for consideration by the Study Group during the seventy-third session of the Commission in 2021. Bangladesh will also try the utmost to provide all relevant information to the Commission in this regard. By way of serving to progressive development of international law and its codification in the context of sea-level rise, we also expect that the Commission's work would also lend support to the ongoing political and normative multilateral efforts to address sea-level rise in particular and climate change in general.

**Mr. Chair,**

Let me now turn to the **topic of "Immunity of state officials from foreign criminal jurisdiction"**. We wish to recognize the work of Special Rapporteurs for the seven reports they have presented since 2007, when the issue was included in ILC's programme of work. I specially thank the current Special Rapporteur, Ms. Escobar Hernandez for addressing procedural aspects of immunity from foreign criminal jurisdiction, in particular, the analysis of three components of procedural aspects, namely timing, kinds of acts affected and the determination of immunity.

Immunity of State officials from foreign criminal jurisdiction continues to be of great importance to the States. However, the Commission should establish procedural safeguards to avoid the politicization and abuse of criminal jurisdiction in respect of foreign officials. The Commission needs to strike a balance, in its work, between the principle of the sovereign equality of States and the fight against impunity for the most serious international crimes. Bangladesh looks forward to the completion of ILC work on this topic, with due attention to the comments and suggestions to be presented by Member States.

**I thank you Mr. Chair.**