

**Speech of M. Amirul Islam, Vice Chairman of
Bangladesh Bar Council on the
Celebration of 50th Anniversary of the
Universal Declaration of Human Rights*.
*December 10, 1998***

INTRODUCTION:

The honorable President of the People's Republic of Bangladesh, Mr. Justice Shahabudin Ahmed, Honorable Chief Justice of Bangladesh, Mr. Justice A.T.M, Afzal, The Honorable Minister for Law, Justice and Parliamentary Affairs Mr. Abdul Matin Khasru MP, UN Resident Coordinator Mr. David E. Lockwood, Representative of UNHCR Mr. Wilbert Van Hovell, The Honorable Judges of the Supreme Court, Your Excellencies, Senior Advocates, Members of the Bar Associations from all over Bangladesh, Presidents and Secretaries and other Delegates of the Human Rights monitoring cells from various Bar Associations, Friends from the NGO community, Members of the Press and Media, Distinguished Guests, Ladies and Gentlemen.

1.1 I have this unique honour and the pleasure to welcome you all on behalf of Bangladesh Bar Council, in order to celebrate the 50th Anniversary of the Universal Declaration of Human Rights. We celebrate this occasion not merely as part of a ritual, but in the spirit by which the struggle of our people culminated in freedom. In the spirit by which the long cherished desire of the people of this country was fulfilled in achieving their self-determination. These are the very rights that are enshrined in the Universal Declaration, as well as in the Covenants.

1.2 This is a time to look back in pride on the human ingenuity which united the people all over the world to re-affirm their faith, "in fundamental human rights, in the dignity and worth of the human person, in the equal rights of men and women and of nations large and small, and to establish conditions under which justice and respect for the obligations arising from treaties and other sources of international law can be maintained, and to promote social progress and better standards of life in larger freedom", This being the inspiring theme of the Charter of the United Nations, it was possible to find commonality in the aspirations of the peace-loving people all over the world to ensure that our succeeding

* The Editorial Board does not edit speeches.

generations can be saved from the scourge of war and devastation, conflict and chaos, so that people can live in peace and harmony and in dignity. It was in this process that a declaration of the UN General Assembly adopted in France on 10th December, 1948, became the historic document known as the Universal Declaration of Human Rights.

1.3 In the history of our struggle for freedom, the inspiring words of the Preamble of the Charter inspired our people to take "as a last resort, to rebellion against tyranny and oppressions" so that Human Rights could be protected by the role of law. These Rights have further been enriched and elaborated under Article 25 of the International Covenants on Civil and Political Rights which ensure every citizen the right to take part in the conduct of public affairs directly through freely chosen representatives and to vote and to be elected at genuine, periodic elections which shall be by universal and equal suffrage and shall be held by secret ballot, guaranteeing the free expression of the will of the electors. And to have access on general terms of equality to public services in his/her country. These were exactly the demands for which the people of Bangladesh were led by the Father of the Nation, Bangabandhu Sheikh Mujibur Rahman, to unite themselves. These were the demands which mobilized the people in order to have the right to vote and elect their representatives to have a political status, to have a government and a Constitution of their own choice.

1.4 In the demand made on behalf of the people of Bangladesh by Bangabandhu Sheikh Mujibur Rahman, on 7th of March, 1971, he echoed the words of the International Covenants on Economic, Social and Cultural Rights which stem from the United Nations Declaration of Human Rights, that "all people have the right of self-determination. By virtue of that right they freely determine their political status and freely pursue their economic, social and cultural development." In order to deny the majority of people their right to form the government through their elected representatives and to determine their political status under a constitution, the military junta suppressed the will of the people and imposed an unjust war on the 25th March, 1971, on that dark night in our history. The call for freedom that Bangabandhu Sheikh Mujib gave on that night later confirmed in the Declaration of Independence on the 10th of April, 1971, was the assertion of those rights which are recognized by the Universal Declaration of Human Rights, and that we the people of Bangladesh were compelled to have recourse as a last resort to rebellion against tyranny and oppression. In our Declaration of Independence we solemnly re-affirmed

and took the pledge "to observe and give effect to all duties and obligations that devolved upon us as a member of the family of nations, and to abide by the Charter of the United Nations." Human Rights are thus the birth cry of our nation, and each of our citizens as they are born with these rights and obligations.

1.5 This faith in the International Charter and the Human Rights is re-affirmed and enshrined in the Preamble of the Constitution as is proclaimed that it shall be a fundamental aim of the State to realize through the democratic process a society "in which the rule of law, fundamental human rights and freedoms, equality and justice, political, economic and social, will be secured for all citizens." As a nation and a people it is "our sacred duty to safeguard, protect and defend this Constitution and to maintain its supremacy as the embodiment of the will of the people of Bangladesh....." Economic and Social justice inspired our heroic people to dedicate themselves to, and our brave martyrs sacrificed their lives in the struggle for liberation and during the war of national independence. The empowerment of the people, which has been one of the great objectives of the Universal Declaration, is echoed in our Constitution (Article 7) that "all powers in the Republic belong to the people" and the Republic and Democracy has been defined in our Constitution as a society, "in which fundamental human rights and freedoms and respect for the dignity and worth of the human person shall be guaranteed and in which the effective participation by the people through their elected representatives through administration at all levels shall be ensured, thus echoing the spirit of the Universal Declaration and of the two Covenants.

2.1 Fundamental Rights reflecting the theme and ideals of international Covenants on Civil and Political rights have been enshrined as the guaranteed rights under Part III of the Constitution, and the State has undertaken the obligations to ensure the social, economic and cultural rights reflecting the other Covenant as contained in Part II of our Constitution known as the Fundamental Principles of State policy.

2.2 The emergence of Bangladesh and its Constitution is thus the embodiment of the principles laid down in the Charter of the United Nations followed by the Universal Declaration of Human Rights and its two covenants. The Theme and Ethos of Bangladesh is therefore inseparable from the theme and the ethos of the Universal Declaration of Human Rights.