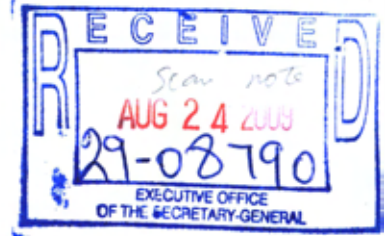


Bangladesh

DPA

ACTION
COPY



Note to Mr. Nambiar

PRESS LINE ON THE UN ASSISTANCE TO BANGLADESH'S WAR CRIME TRIBUNAL

1. DPA has been requested to provide advice to UNDP on a query it has received from the Inner City Press on the proposed UN assistance to the national efforts of Bangladesh to address the issue of the 1971 war crimes. The reporter, Matthew Lee, is focusing his question on whether there is any truth to the reports that under Pakistani pressure, UNDP has decided not to assist the process.
2. As you may recall, I met with the Permanent Representative of Bangladesh on 21 July and clearly explained to her the UN's position, **which** is clearly spelled out in the attached letter of the same date. The letter (attached), prepared in coordination with UNDP, OHCHR and OLA, was handed over to the Permanent Representative during the meeting.
3. Under the circumstances, we believe that anything to be said to the press should be both factual and brief. I should be grateful for your early approval of the attached draft press line, which has been prepared in consultation with UNDP and the Resident Coordinator's Office in Dhaka.
4. In the event that you agree, we will inform UNDP and the Resident Coordinator's Office accordingly.

for B. Lynn Pascoe
21 August 2009

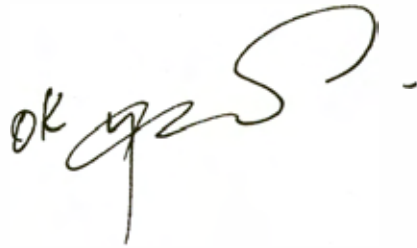
cc: Mr. Chhibber



**DRAFT PRESS LINE FOR UN ASSISTANCE
TO BANGLADESH'S WAR CRIME TRIBUNAL**

The UN has responded positively to a request from the Government of Bangladesh for technical assistance in its national efforts to address the issue of the 1971 war crimes. The UN has offered to provide the most suitable form of assistance - not to the trials but to help the Government make an informed decision on the issue, and is in discussion with the Bangladesh authorities on the subject.

New York
21 August 2009

A handwritten signature in black ink, appearing to be 'OK' followed by a stylized name or set of initials.

From: **Ajay Chhibber** <ajay.chhibber@undp.org>
Date: Sat, Aug 15, 2009 at 10:34 AM
Subject: Re: URGENT: Question on war crimes inquiry in Bngladesha
To: Renata Lok-Dessallien <renata.dessallien@undp.org>
Cc: Tamrat Samuel <samuelt@un.org>, Stephane Dujarric
<stephane.dujarric@undp.org>, Surekha Subarwal <surekha.subarwal@undp.org>, Ligia
Elizondo <ligia.elizondo@undp.org>, Fadzai Gwaradzimba
<fadzai.gwaradzimba@undp.org>, Rae-Ann Peart <peart@un.org>, Rory Mungoven
<RMungoven@ohchr.org>, Laurent Meillan <lmeillan@ohchr.org>, Rositsa Todorova
<rositsa.todorova@undp.org>

Dear renata,

This is best handled here in HQ . We have offered to help Bangladesh in the best possible way , nothing to do with Pakistan. DPA is in the lead with OHCHR.

It's not really a UNDP issue but of course in your capacity as RC will be involved in a central manner.

Tamrat is best placed to advise and we can help stephane respond to it. Rositsa will coordinate on our side here with the communications office.

All the best, ajay

Sent from my iPhone

On Aug 15, 2009, at 1:16 AM, "Renata Lok-Dessallien" <renata.dessallien@undp.org> wrote:

Dear Tamrat,

I am just back from leave and have learned that UNDP HQ has been asked by a New York based Inner City Press blogger about its position on assisting the GoB on war crime trials (see email string below). Specifically the reporter's question is whether there is any truth to the reports that under Pakistan pressure, UNDP has decided not to assist the process. Apparently he learned that Helen Clark met with representatives of Pakistan on the subject.

While this query is about UNDP assistance, clearly the issue is bigger than UNDP and reflects on the entire UN system. It is therefore very important that the UN presents a united front to the media in its response to this and any other future queries on the subject. As DPA has the political lead on this issue, and as the query is deeply political in nature with significant reputational risk to the UN, could you kindly liaise with Ligia (in Ajay's absence) and agree on the appropriately worded response to this query, so that it can be conveyed to the media persons of all relevant UN bodies, particularly UNDP in this case?

Many thanks and warm regards,

Renata

21 July 2009

Excellency,

I refer to your letter of 9 July 2009, in which you sought an update on the request for United Nations assistance to the national efforts of Bangladesh to address the issue of the 1971 war crimes. I am pleased to confirm that the United Nations is prepared to offer its general advice.

As you are aware, the Office of the High Commissioner for Human Rights (OHCHR) has completed its review of the 1973 Bangladesh International Crimes (Tribunals) Act. The High Commissioner for Human Rights has conveyed the results to Foreign Minister Dipu Moni in a letter dated 12 June 2009. We hope that the concerns raised in the review will be taken into account.

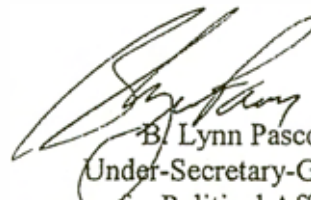
We have given careful consideration to the idea of deploying an expert team to Bangladesh to provide advice and share relevant experience from other countries. We are concerned that such an approach might have limited value, given that information and experience on war crime trials are widely dispersed across geographical regions. In order for Bangladesh to best benefit from the wealth of information available, we would instead suggest that your Government assemble a technical mission to visit countries and institutions with relevant experience in order to gather the requisite information, including lessons on procedures for national war crime trials, alternative forms of justice as well as information on the specific areas mentioned in the 3 June Aide Memoire. The relevant UN entities in both Geneva and New York would be happy to share available experiences with the Bangladeshi team. The UN will also be prepared to share the cost of such visits by the technical team.

Her Excellency
Ms. Ismat Jahan
Permanent Representative of Bangladesh
to the United Nations
New York

In addition, the United Nations would be available to assist in compiling information and knowledge resources that could usefully inform the national process. As you may be aware, OHCHR has previously shared documents and reference materials in this regard.

In addressing the issue of war crimes, I encourage your Government to ensure that any accountability process will conform with international standards of justice and will be fair, credible and impartial.

Please accept, Excellency, the assurances of my highest consideration.



B. Lynn Pascoe
Under-Secretary-General
for Political Affairs