

BANGLADESH

CCPR

RESERVATIONS AND DECLARATIONS

(Unless otherwise indicated, the reservations and declarations were made upon ratification, accession or succession)

Reservation:

"Article 14

"The Government of the People's Republic of Bangladesh reserves the right not to apply paragraph 3 (d) of Article 14 in view of the fact, that, while the existing laws of Bangladesh provide that, in the ordinary course a person, shall be entitled to be tried in his presence, it also provides for a trial to be held in his absence if he is a fugitive offender, or is a person, who being required to appear before a court, fails to present himself or to explain the reasons for non-appearance to the satisfaction of the court."

Declarations:

"Article 10:

So far as the first part of paragraph 3 of Article 10 relating to reformation and social rehabilitation of prisoners is concerned, Bangladesh does not have any facility to this effect on account of financial constraints and for lack of proper logistics support. The last part of this paragraph relating to segregation of juvenile offenders from adults is a legal obligation under Bangladesh law and is followed accordingly.

Article 11:

Article 11 providing that "no one shall be imprisoned merely on the ground of inability to fulfil a contractual obligation," is generally in conformity with the Constitutional and legal provisions in Bangladesh, except in some very exceptional circumstances, where the law provides for civil imprisonment in case of willful default in complying with a decree. The Government of People's Republic of Bangladesh will apply this article in accordance with its existing municipal law.

Article 14:

So far as the provision of legal assistance in paragraph 3(d) of Article 14 is concerned, a person charged with criminal offences is statutorily entitled to legal assistance if he does not have the means to procure such assistance.

The Government of the People's Republic of Bangladesh, notwithstanding its acceptance of the

principle of compensation for miscarriage of justice, as stipulated in Article 14, paragraph 6, is not in a position to guarantee a comprehensive implementation of this provision for the time being. However, the aggrieved has the right to realize compensation for miscarriage of justice by separate proceedings and in some cases, the court *suo moto* grants compensation to victims of miscarriage of justice. Bangladesh, however, intends to ensure full implementation of this provision in the near future."