

**Cour  
Pénale  
Internationale**



**International  
Criminal  
Court**

**Original: English**

**No. ICC-RoC46(3)-01/18**

**Date: 18 June 2018**

**PRE-TRIAL CHAMBER I**

**Before: Judge Péter Kovács, Presiding Judge  
Judge Marc Pierre Perrin de Brichambaut  
Judge Reine Alapini-Gansou**

**Public Document**

**Amicus Curiae Observations by the Bangladeshi Non-Governmental  
Representatives (pursuant to Rule 103 of the Rules) on the “Prosecution’s  
Request for a Ruling on Jurisdiction under Article 19(3) of the Statute”**

**Annex C: Excerpts of Laws of Bangladesh that Incorporate the  
Principle of Objective Territoriality**

**Source: Bangladeshi Non-Governmental Representatives**

**Document to be notified in accordance with regulation 31 of the *Regulations of the Court* to:**

**The Office of the Prosecutor**

Ms Fatou Bensouda, Prosecutor  
Mr James Stewart

**The Office of Public Counsel for  
Victims**

Ms Paolina Massidda

**The Office of Public Counsel for the  
Defence**

Mr Xavier-Jean Keita

**States' Representatives**

Competent Authorities  
of the People's Republic  
of Bangladesh

**Amicus Curiae**

Manzoor Hasan  
Perween Hasan

**REGISTRY**

---

**Registrar**

M. Peter Lewis

## **Annex C: Excepts of Laws of Bangladesh that Incorporate the Principle of Objective Territoriality**

### **Information and Communication Technology Act 2006**

#### **4. *Extra-territorial application.***

...

(2) If any person commits offence or contravention in Bangladesh under this Act from outside Bangladesh using a computer, computer system or computer network located in Bangladesh, then this Act shall apply as such the entire process of the offence or contravention took place in Bangladesh;

...

### **Counter-Terrorism Act 2009**

#### **5. *Extra-territorial application.***

(1) If any person or entity commits an offence within Bangladesh from outside of Bangladesh which, if committed inside of Bangladesh by the same person or entity, would have been punishable under this Act, the said offence shall be deemed to have been committed in Bangladesh and the provisions of this Act shall apply to the said person or entity and the offence.

...

### **Competition Act 2012**

#### **22. *Application of laws for inquire regarding acts committed outside of Bangladesh.***

If an anti-competition act is committed outside of Bangladesh by any person or enterprise which causes an adverse effect on the relevant market, the Commission may inquire into the matter in accordance with laws, rules, etc. of the both countries.

### **Money Laundering Act 2012**

#### **2. *Definition***

(a) "*smuggling of money or property*" means –

(i) transfer or holding money or property outside the country in breach of existing laws in the country; or

(ii) refrain from repatriating money or property from abroad in which Bangladesh has an interest and was due to be repatriated; or

(iii) not bringing into the country the actual dues from a foreign country, or paying to a foreign country in excess of the actual dues;

### **Prevention and Suppression of Human Trafficking Act 2012**

#### **5. *Extra-territorial application.***

...

(2) If any person commits any offence under this Act from of outside Bangladesh into the territory of Bangladesh or from inside Bangladesh to the outside of Bangladesh, the offence and the whole process of its commission shall be deemed to have been committed

and taken place in Bangladesh, and the provision of this Act shall be applicable to the person and the offence.