

**5<sup>th</sup> International Conference on Bangladesh Genocide and Justice**  
Organized by **Liberation War Museum**

Venue: Liberation War Museum, Agargaon, Dhaka  
19-21 May, 2017

**Opening Ceremony: 19 May, 2017 4.00 PM**

Address of Welcome: **Mofidul Hoque, Trustee, Liberation War Museum**

Foreign Participants: **Professor Alexander Hinton (USA), Judge Carlos Rozanski (Argentina), Dr. Trudy H. Peterson (International Council of Archivists)**

Chief Guest: **Abul Hassan Mahmood Ali MP, Minister for Foreign Affairs, GOB**

Vote of Thanks: **Ziauddin Tariq Ali, Trustee and Member Secretary, Liberation War Museum**

**5.30 PM Cultural Evening**

**Day 2: 20 May, 2017**

9:30 AM- 11 AM **Working Session I: Justice for International Crimes: Global and National Context**  
Speakers: Dr. Katharina Hoffmann(Germany), Professor Alexander Hinton(USA), Daniel Feierstein(Argentina), Barrister Tureen Afroz (Bangladesh)

Chairperson: Professor Adam Jones

11.00 AM - 11.15 AM **Tea Break**

11.15 AM – 1.00 PM **Working Session II: Recognition, Restitution, Rehabilitation of the Victims of Sexual Violence: Asian Story**

Speakers: Dr. Anuradha Rai (India), Chhay Visoth (Cambodia), Mina Watanabe (Japan), Dr. Abu Md. Delwar Hossain and Monowara Begum (Bangladesh)

Chairperson: Dr. Anwara Syed Haq

1.00 PM- 2.00 PM **Lunch Break**

2.00 PM – 3.45 PM **Working Session III: Domestic Tribunals for International Crime: Comparative Study**  
Speakers: Md. Pizuar Hossain (Bangladesh), Judge Carlos Rozanski (Argentina), Justice Obaidul Hassan(Bangladesh), Dr. Helen Jarvis(Cambodia)

Chairperson: Barrister M. Amirul Islam

3.45 PM- 4.00 PM **Tea**

**Day 3: 21 May, 2017**

9.30 AM- 11.00 AM **Working Session IV: Archiving Tribunal Documents: Challenges and Prospects**  
Speakers: Trudy H. Peterson (USA), Dr. Bourefis Moussa (Algeria), Dr. M A Hasan (Bangladesh), Mofidul Hoque (Liberation War Museum)

Chairperson: Dr. Helen Jarvis

11.00 AM- 11.15 AM **Tea Break**

11.15 AM- 1.00 PM **Working Session V: End of Impunity of Past International Crimes: Way Forward**  
Speakers: Dr. Siegfried Wolf(Belgium), Professor Adam Jones(Canada), Ashis Nandy(India), Emraan Azad(Bangladesh)

Chairperson: Muhammad Abdul Hannan Khan

1.0 PM- 2.00 PM **Lunch**

2.30 PM- 4.00 PM **GAAMAC Roundtable Discussion: Live-Streaming and global online participation**

4.00 PM- 4.30 PM **Tea Break**

4.30 PM- 5.30 PM **Poster Presentation/ Visit to the Galleries**

6.00 PM: **Closing Ceremony** Chief Guest: **Anisul Huq MP, Minister for Law, Justice and Parliamentary Affairs, GOB**

**Speech of Hon'ble Foreign Minister H.E. A H Mahmood Ali, MP at the inaugural session  
of the 5<sup>th</sup> International Genocide Conference, Dhaka, 19-21 May 2017**

**Venue: Liberation War Museum, Agargaon**

**My Cabinet Colleague Mr. Asaduzaman Noor, MP and Trustee of the Liberation War  
Museum,**

**Other members of the Trustees of Liberation War Museum,**

**Visiting dignitaries and experts:**

**Judge Carlos Rozanski-Argentina**

**Professor Adam Jones-Canada**

**Professor Daniel Feierstein- Argentina**

**Dr. Helen Jarvis-Cambodia**

**Chhay Visoth-Cambodia**

**Professor Alexander Hinton-USA**

**Trudy H Peterson-USA, she was the Tenth Archivist of the United States, 1993—1995. She  
was the first woman to hold the position of Acting Archivist of the United State**

**Mina Watanabe-Japan**

**Ashis Nandy-India**

**Siegfried Otmar Wolf- Germany**

**Dr. Katharina Hoffmann- Germany**

**Hafid Abbas-Indonesia and**

**Antara Ghatak- India**

**Excellencies,**

**Ladies and Gentlemen,**

**Assalamualaikum, Adab and good afternoon to you all!**

I am so happy to be here at the newly built Liberation War Museum at Agargaon, Dhaka. This building is a culmination of the efforts of the Museum along with the Government of Bangladesh led by Bangabandhu's daughter, Prime Minister Sheikh Hasina and the people of

Bangladesh. I take this opportunity to extend my congratulations to the Trustees of the Museum and everybody associated with this monumental work.

I also welcome all other foreign friends who have come here today.

**Ladies and Gentlemen,**

As you all know after Bangladesh became independent our Father of the Nation Bangabandhu Sheikh Mujibur Rahman returned home after his release from captivity in Pakistan under a sentence of death and became the Prime Minister of his dear motherland- Bangladesh.

Bangabandhu started on the gigantic task of the reconstruction and rebuilding of a war ravaged country. At the same time he also took up the work of translating his dream of 'Golden Bengal' for which he had fought during his entire life. As things were taking shape Bangabandhu and 18 members of his family were brutally assassinated in the night of 15<sup>th</sup> August 1975.

During his short tenure of three and half years he had also started the work of bringing the perpetrators of war crimes and the crimes against humanity to justice. After his departure from the scene the ideals of the glorious Liberation War were thrown overboard and Bangladesh started going backwards. Among the family members of Bangabandhu only his two daughters escaped death as they were abroad. Bangabandhu's elder daughter Sheikh Hasina and our Prime Minister today had gone to Germany to visit her husband Dr. M A Wajed Mia, a leading nuclear scientist who was doing post-Doctoral research at a university there. She was accompanied by her younger sister Sheikh Rehana.

Following Bangabandhu's death his two daughters were not allowed to return to Bangladesh and became refugees abroad. Sheikh Hasina finally came to Bangladesh on 17<sup>th</sup> May 1981 after having been elected as President of Awami League party while still abroad. We observed the 36<sup>th</sup> anniversary of her 'home coming' only three days ago. After her return Sheikh Hasina started her long journey for restoration of (in her words) "People's right to vote and right to food".

Following a long struggle by the people under the leadership of Sheikh Hasina the second military dictatorship was finally brought down and election for a new Parliament took place. In 1991 following the election, Sheikh Hasina became the leader of the opposition in the parliament. In the election of 1996 Sheikh Hasina became the Prime Minister for the first time

and introduced new ideas in socioeconomic development including social safety nets for the various categories of disadvantaged people including distressed women especially in rural areas.

Sheikh Hasina also restored the basic principles of the Liberation War including a place of honour for the freedom fighters. She also started the trials of the killers of the Father of the Nation and his family.

In the words of New York Times correspondent who came to witness the trials of the killers of Bangabandhu in Dhaka, “With the start of this trial Bangladesh has finally become a nation under law”. However with the change of government in 2001 the trial which was pending before the highest court of the land was not allowed to be completed. This was done after Sheikh Hasina returned to power following the election held on 29<sup>th</sup> of December 2008 and the perpetrators were finally dealt with according to the law of the land. Before this election, in 2008, Sheikh Hasina had promised to bring the local collaborators/perpetrators of the Pakistan occupation forces to justice.

In March 2010, the Government of Prime Minister Sheikh Hasina established the International Crimes Tribunal, Bangladesh (ICT-BD) to end the culture of impunity enjoyed by the perpetrators, uphold the rule of law and bring justice to the victims and their families traumatized by their experience.

The ICT-BD had been formed on the basis of the **International Crimes Tribunals Act, 1973** which preceded the international tribunals in former Yugoslavia, Cambodia or Rwanda by decades. The two tribunals currently operating have been established in pursuance of *the principle of complementarity* recognised by the Rome Statute. They have set a new paradigm in international criminal justice system by trying internationally defined mass atrocity crimes through domestic courts under a domestic legislation.

The ICT Act, 1973 accommodates and adheres to relevant **international standards** to ensure due process and fairness of the trials and the rights of the defendants. The Tribunals including the Judges, prosecution and investigation teams are fully independent of the Executive. Going beyond the scope of the Nuremberg and Tokyo trials or other international tribunals, the ICT Act, 1973 allows the verdicts of the tribunals to be appealed against at the apex court of the land (Supreme Court of Bangladesh).

The entire Nation has today heaved a sigh of relief that the main perpetrators have now been brought to justice and dealt with accordingly. In this connection, I refer to European Parliament resolution of 2014, which *inter alia* stated “**...Acknowledges that, despite its considerable shortcomings, the International Crimes Tribunal has played an important role in providing redress and closure for victims of and those affected by the Bangladeshi war of independence;**”

I may also recall that US Ambassador-at-Large for War Crime Issues Mr. Stephan J Rapp paid a number of visits to Bangladesh at the invitation of Bangladesh government and following his last visit in August, 2014 Mr. Rapp lauded the judges for being able to discharge their jobs “**without pressure, without politics, without threats**”. “**... the best way in the world to find the truth is the judicial process where the evidence is presented, where witnesses are cross-examined, where both sides have an opportunity to be heard and that is what is being done here [Bangladesh]. It is the process that the American government strongly supports,**” he said.

“These are historic cases,” Rapp said. The trials of war criminals are important for the survivors of the horrible crimes that happened during the war and it is extremely important that these trials have begun and were done well. “**They [trials] are also important for the entire world because what happens in every country when people face up to the past and reveal the truth also sends the signals to others.**”

In the course of the trial, some of the judges had been threatened and even their houses had been attacked but they continued serving, Rapp said, adding, “**It's so important that the judges are able to do their job without pressure and politics. I very much salute their service and courage.**”

I would also refer to the statement by Paulo Casaca, Founder of South Asia Democratic Forum, “**I personally oppose the death penalty. In this case, however, the question is whether or not the crimes of which the accused have been convicted deserve the maximum penalty allowed under the law. In this regard, my position is definitely ‘yes’**”.

We in Bangladesh expect that the international community would consider the larger canvass of these trials, and not just see them through the narrow prism of the nature of penalties handed down to those convicted. Considering the socio-political fabric of Bangladesh, we have reasons

to believe that retributive justice for the horrific crimes committed would help pave the way for restorative justice and reconciliation in the long run.

Most importantly, as we continue with our efforts in this direction, we must also remain sensitized to the international accountability that we, as a nation, have voluntarily subjected ourselves to by becoming a Party to the Rome Statute on the International Criminal Court. It is, therefore, only expected of all of us to refrain from any acts of brinkmanship that may jeopardise our national peace, stability and security.

In Bangladesh, the National Parliament on 11 March 2017 adopted a unanimous resolution to observe March 25 as the National Genocide Day. Remembrance is intrinsically related to rendering justice to victims and reconciliation. We have a duty to remember- this is a social, moral and ethical imperative.

Remembering the victims of genocide and the crimes committed in the past must contribute to our understanding of the present and guide our actions in the future. Acknowledging past genocides, addressing the consequences and fulfilling the rights of the victims not only dignifies the victims, it also represents our willingness not to let these crimes be repeated.

**Dear Audience,**

Owing to the efforts made by the Liberation War Museum and others, the people of Bangladesh had never allowed the horrific crimes of 1971 to escape their collective memory, even in an environment of impunity. Our long, arduous struggle to rebuild a war-ravaged country has inspired us to contribute to UN Peacekeeping Operations in different parts of the world in lead numbers. The tribulations suffered by our refugees in 1971 have guided us to play hosts for decades to those fleeing from fear and persecution, particularly from the contiguous territories across our borders in the South East.

In the same spirit, we wish to remain engaged in contributing to the evolving discourse on prevention of genocides and mass atrocity crimes. In March-April 2014, I had the opportunity to reiterate this point at the International Conference on Prevention of Genocides held in Brussels. During that Conference, we had expressed our interest in aligning with the work of the recently launched platform of the Global Action against Mass Atrocity Crimes (GAAMAC). I am

delighted to find that GAAMAC is holding a roundtable session here on ***Roundtable session:  
How can ‘dealing with the past’ contribute to preventing the recurrence of atrocities: What  
can and should we do?’***

on 21<sup>st</sup> May.

[With in-person and online participation of

**Mô Bleeker**, Special Envoy, on Dealing with the Past and Prevention of Atrocities, Swiss  
Federal Department of Foreign Affairs FDFA

**Chhay Visoth**, Director, Tuol Sleng Museum

**Hafid Abbas**, Commissioner, National Commission on Human Rights, Indonesia

**Mofidul Hoque**, Co-founder and Trustee, Liberation War Museum

**Alex Hinton**, Professor and Director of the Center for the Study of Genocide and Human Rights,  
Rutgers University, Newark, NJ, USA

**Dr. Helen Jarvis** – a renowned academician who also served as the Chief of the Public Affairs  
Section of the Extraordinary Chambers in the Courts of Cambodia (ECCC) ]

We strongly believe that the messages of prevention, prosecution and memorialisation of  
genocides need to be resonated through all regions and continents of the World. As part of its  
foreign policy pursuits, Bangladesh would remain invested in doing its part in the Asia Pacific  
context, and in the world stage in general to drive home the message of ‘never, never and never  
again’ in relation to genocides and mass atrocity crimes.

With these few words, I declare the 5<sup>th</sup> International Conference on Bangladesh Genocide and  
Justice- open and wish it’s all success.

I thank you all.

Joy Bangla, Joy Bangabandhu

**Speech of Hon'ble Law Minister Anisul Haque MP at the Closing Ceremony of  
*the 5<sup>th</sup> International Conference on Bangladesh Genocide and Justice***

It gives me immense pleasure and honour to address this auspicious closing ceremony of the 5<sup>th</sup> *International Conference on Bangladesh Genocide and Justice* organized by Liberation War Museum – which, I believe, has discussed about different issues concerning genocide and justice process with references to the experiences of Bangladesh and other countries.

As I understand this International Conference has being participated by both national and international delegates, I congratulate all of you – specially the foreign delegates – for coming all the way to Dhaka and successfully participating in this Conference. Special thanks are due to Liberation War Museum for taking the initiative to organize this Conference and inviting me as Chief Guest of the closing ceremony.

This particular Conference, to my understanding, bears immeasurable significance for Bangladesh which had witnessed one of the worst humanitarian crisis back in 1971 when Pakistan armed forces with the support their local collaborators (Razakars, Al-badrs, Al-shams, etc.) committed one of the nastiest genocides in Bangladesh killing at least 3 million people, raping approximately 2-4 million women and making around 10-20 million refugees in India. All that started in the night of 25<sup>th</sup> of March in 1971 when Pakistani army initiated 'Operation Searchlight' which was a planned military pacification to curb the Bengali nationalist movement and eliminate all opposition, political, military or cultural.

Immediately after independence as to ensure justice for the victims of genocide, the government of Bangladesh took legislative and judicial initiatives by enacting two particular laws, namely the Bangladesh Local Collaborators (Special Tribunals) Order 1972 and the International Crimes (Tribunals) Act 1973. Under the 1972 Order, trials of local collaborators who were accused of international crimes started and many were convicted by the Tribunals. However, after the assassination of Father of the Nation Bangabandhu Sheikh MujiburRahman, the martial law regime under the headship of army general ZiaurRahman took the state power and repealed the Bangladesh Local Collaborators (Special Tribunals) Order 1972 with a view to stop the ongoing justice process and reinstate Pakistani ideologies in the government structure. Martial law regime continued for almost two decades depriving the victims of 1971's genocide from seeking justice.

In the meantime, many victims including freedom fighters, victims of sexual violence (War Heroines) died and old evidences of genocide started to become relevant for Bangladesh. Moreover, martial law rulers and anti-liberation actors of both home and abroad did everything

to distort the actual facts of 1971's genocide and our liberation war history for the purpose of keeping the whole nation in the darkness of forgetting the past. In this context, I remember the establishment of Liberation War Museum which is one of the pioneering institutions in Bangladesh to collect old evidences through a process of memorialization of past events of Bangladesh genocide.

After a landslide victory in 2009's national election, daughter of Bangabandhu Sheikh MujiburRahman, Prime Minister Sheikh Hasina assumed the government power and immediately addressed for the reactivating of the trial process. Under her guidance and with her fearless encouragement, we did set up the International Crimes Tribunal in 2010 under the International Crimes (Tribunals) Act 1973 not only to prosecute local collaborators but also the Pakistani major war criminals. Though sadly we took almost forty years to restart the trial process, the Tribunal is working independently and drawing the notice of international community.

Globally, very few national tribunals have been successful in prosecuting international crimes. International Crimes Tribunal in Bangladesh is a unique example of national tribunal which is successfully prosecuting international crimes till now. Complying with the Rome Statute of the International Criminal Court (ICC) which appreciates national trial of international crimes, the International Crimes Tribunal in Bangladesh is ensuring guarantee to fundamental rights of the accused relating to fair trial and procedural justice as prescribed in the Universal Declaration of Human Rights (UDHR), International Covenant on Civil and Political Rights (ICCPR) and the Constitution of Bangladesh.

That national trial like the Bangladesh one can ensure justice for the victims of genocide and end the culture of impunity of the perpetrators is now well-appreciated by the international lawyers and genocide scholars. For many genocidal victim countries, the Bangladesh experience of pursuing justice is a unique model to follow.

One of the significant features of our Tribunal is that it has addressed the international crime of sexual violence by taking oral evidences of the rape victims and war children in the court. This Tribunal is important not only for its fair trial process and successful conviction rate, but also for establishing the truth relating to the past international crimes. What comes out of the regular trial process is now part of our forgotten history for the present and future generations. In this regard, we have already started thinking of archiving tribunal documents and tribunal premises itself to preserve the historical importance of national tribunal of international crimes. As many foreign

delegates are present here, through you I request the international community to come forward with the hands of cooperation in preserving the history of Bangladesh's International Crimes Tribunal.

This International Conference is taking place in such an important time when we all know that this year the Parliament of Bangladesh has recognized the 25<sup>th</sup> of March as 'Genocide Day'. It's now time for global community and world conscience to recognize the same day as 'Genocide Day' and no more keep the 1971's genocide as a 'forgotten genocide'. We urge all of you to remember again and again what happened in the past not only in Bangladesh, but also in other parts of the world. History of genocides must be remembered and perpetrators of international crimes must be made accountable through a justice process as what Bangladesh is doing now. Ensuring justice for the victims and ending impunity must to take place. It is an appeal to the scholars and activists – present here and outside – to join together to create a global alliance on the study of genocide and justice from Bangladesh experiences and stand for the right to justice of the victims. Learning from the past is essential for preventing genocide in the future.

Thank you all.

Joy Bangla. Joy Bangabandhu.

## **Summary Report on the 5th International Conference on Bangladesh Genocide and Justice**

The Liberation War Museum Dhaka, organized the 5th International Conference on Bangladesh Genocide and Justice from 19 to 21 May, 2017. The three day conference was inaugurated by the Foreign Minister AH Mahmood Ali by addressing the inaugural session.

There were five in-house panel discussions and one online streaming panel discussion in collaboration with Global Alliance Against Mass Atrocities (GAAMAC). A number of 13 Foreign participants from Argentina, India, United States of America, Germany, Belgium, Indonesia, Cambodia and Japan participated in this event.

The first day consisted of the inaugural ceremony where the inaugural speech of Foreign Minister was followed by a heart-melting cultural program performed by Nrittya Nandan, Dhaka University Cultural Society and UCEP school.

On the second day there were three working sessions. The first one was on Justice for International Crimes: Global and National Context. Critical reflections on globalized politics, the trials of transition in Cambodia, the compared experience of International and national tribunals in regard to universal jurisdiction and the trends in genocide convictions at the ICT-BD etc were discussed by Dr. Katharina Hoffmann (Germany), Professor Alexander Hinton (USA), Daniel Feierstein (Argentina), Barrister Tureen Afroz (Bangladesh).

The second one was on Recognition, Restitution, Rehabilitation of the Victims of Sexual Violence: Asian Story. In this session the sorrow of women all over the world during and after the war and the possible way to help them out was discussed by participants from Cambodia, Japan and Bangladesh- Chhay Visoth, Mina Watanabe, Zayed Hossain and Monowara Begum.

The second day concluded with a working panel on Domestic Tribunal for International Crime: Comparative Study. In this session the past and present state of domestic tribunals, their working method etc were discussed. Judge Carlos Rojanski from Argentina handed over the Liberation War Museum a scarf, a memoir from the mothers of Argentina whose sons have disappeared. The scarf contains the spirit of 'We do not forget, we do not forgive, we do not reconcile'. Md. Pizuar Hossain (Bangladesh), Judge Carlos Rozanski (Argentina), Justice Obaidul Hasan (Bangladesh) and Helen Jarvis's (Cambodia) paper was presented. These three sessions were conducted by three distinguished Chair: Professor Adam Jones from USA, Dr. Anwara Syed Haq and Barrister M. Amirul Islam respectively.

On the third and closing day of the conference, two working panel took place along with the GAAMAC roundtable discussion and poster presentation from the part of students.

The first working panel was on challenges and prospects of archiving tribunal documents. Preservation of politically potent records, the findings of biological document after liberation war of Bangladesh and the challenges of preservation in aspect of future aspiration were discussed by Trudy H. Peterson (USA), Dr. M A Hasan (Bangladesh) and Mofidul Hoque (Bangladesh) respectively.

The second working panel was on Way forward to the end of impunity of past international crimes. The role of Jamaat-e-Islami as a threat for Bangladesh and the need for an international response, challenges of justice and impunity, an open letter to young researches and a legal analysis towards ending impunity for prosecuting Pakistani prisoners of war were discussed in this session. Dr. Siegfried Wolf (Belgium), Professor Adam Jones (Canada), Ashis Nandy (India) and Emraan Azad (Bangladesh) presented their paper.

The sessions of second working panel were chaired by Dr. Helen Jarvis and Muhammad Abdul Hannan Khan respectively.

The GAMAAC (Global Alliance Against Mass Atrocity Crimes) roundtable discussion was on “How can dealing with the past contribute to prevent the recurrence of atrocities: What can and should we do?”. Sabrina Büchler of the GAAMAC Steering Group participated online, representing GAAMAC, on behalf of the Steering Group Chair, Mô Bleeker while Chhay Visoth, Hafid Abbas, Mofidul Hoque, Alex Hinton and Dr. Helen Jarvis participated sitting at Liberation War Museum.

A poster presentation on five different aspects of Bangladesh Genocide took place afterwards in participation of students from different universities of Bangladesh.

The conference ended with a closing ceremony where Anisul Huq MP, Minister of Law, Justice and Parliamentary Affairs, GOB honored the ceremony as chief guest.

The entire conference was anchored and the team of volunteers was managed by Naureen Rahim, Research Associate of Liberation War Museum. 64 local students, 17 foreign participants and a number of professionals made this conference a huge success.

By Meherba Sabrin  
Volunteer, Liberation War Museum  
Prepared on 22.05.2017



