

# **Report on 5<sup>th</sup> Winter School**

## **Center for the Study of Genocide and Justice (CSGJ), Liberation War Museum**

### **Inaugural Ceremony**

The Center for the Study of Genocide and Justice had organized a weeklong residential program named 5<sup>th</sup> Winter School from 18 to 25 January 2019 on the theme 'Genocide Past, Genocide Present: Rethinking the Future of Non-violence and Justice'. The 5<sup>th</sup> Winter School started its journey at 08:30am on Friday, 18 January 2019 with 36 participants from several universities and professionals including academics, judges, lawyers and media personalities. First the participants were going through a registration process and then they took a sightseeing tour of the Liberation War Museum with Amena Khatun, Chief of Archive and Display, Liberation War Museum.

Following the tour, the inaugural ceremony of 5<sup>th</sup> Winter School was started at 10:30am. The guest of honor of inaugural ceremony was Rabiul Hussain, Member Secretary, Liberation War Museum. Dr. Katharina Hoffmann, Oldenburg University, Germany, Pia Conradsen from Asia Justice and Rights (AJAR), Samantha Christianson, Assistant Professor, University of Colorado, USA, Mofidul Hoque, Director, Center for the Study of Genocide and Justice and Trustee, Liberation War Museum, Emraan Azad, Lecturer, Bangladesh University of Professionals were also present in the ceremony. Ehshan Mazid Mustafa, Coordinator of Winter School, anchored the entire inaugural session.

Mofidul Hoque delivered the opening speech of the ceremony. He mentioned the Winter School as a great happening for everyone related to it. He welcomed everyone to the Center and expressed his optimism that every person, related to the Center, would promote justice and try to make a better future for freedom fighters. He also gave the acknowledgement of the recent situation of Rohingya refugees. He also expressed the belief that experience sharing from different countries regarding Genocide, Justice Process and survivor would add a new dimension to this year's winter school. He welcomed the young generation to the platform of discussing about Genocide, Justice and the Issue of Impunity and stand against the genocidal act and crime against humanity.

Following him, everyone was introduced to the Center for the Genocide and Justice by Emraan Azad. He elaborated the aim of the Center. According to his words, the Center is endeavoring to help the people around the world who are fighting for Justice and Humanity.

Dr Katharina Hoffmann shared her experiences of working with the young researchers of Center. In her speech, she stated that Genocide has been carried out throughout the world and we should take it into consideration and work to prevent it. She inspired all the participants to interact directly with everyone and share their ideas about Genocide, Justice and Crime against Humanity.

Rabiul Hussain, guest of honor, congratulated Center for the Study of Genocide and Justice and Liberation War Museum for organizing 5<sup>th</sup> Winter School. In his speech, he compared our liberation war with Pyrrhic victory. He expected more involvement of young generation to innovate the ideas i.e. how to stop genocide and work for establishment for peace.

The inaugural ceremony ended up with Rabiul Hussain's speech. Later on everyone departed for the venue of Winter School i.e. Sheikh Hasina National Youth Development Center, Savar.

**Day 01 (18 January 2019):**

Ice Breaking: After getting to the venue at 01:30pm, everyone had their accommodation and lunch. Later on, an ice breaking session was conducted by all the resident mentors. Participants were introduced to all in the ice breaking session. After that, guidelines of Winter School had been given by Emraan Azad, Lecturer, Department of Law, Bangladesh University of Professionals and other residential mentors.

After a tea break, the first session of 5<sup>th</sup> Winter School was taken by **Dr Katharina Hoffmann**, Oldenburg University, Germany on Understanding Genocide with Special Focus on Peace Education and Prevention. Dr Katharina Hoffmann was also a residential instructor of 5<sup>th</sup> Winter School. In her session, she stated about Transnational and National Perspectives on the Legacies of Genocide and their linkages to education as a way to prevent genocide. She preferred the book 'Hidden Genocide: Power, Knowledge, Memory' by Alexander Laban Hinton where the canon indicates the Holocaust as prototype, which builds a triad with the Armenian and Rwandan Genocide, the genocide during the Liberation War in Bangladesh is part of the second circle of the canon, followed by further mass atrocities of different scales named "the Periphery" and "Forgotten Genocides". But scholars, who write on the Bangladeshi genocide, categorise this case also as a forgotten genocide. She also explained that world's first Partition Museum in Amritsar, a city in the Indian border state of Punjab, has not mentioned the genocide in Bangladesh in its permanent exhibition. Later on she talked about the "Concert for Bangladesh" happened in Madison Square Garden, New York where George Harrison presented his song "Bangladesh". At the same concert, Juliane Werding presented her song "Bangla Desh" to the German-speaking audience. Her song was a cover version of Joan Baez's song that she wrote in 1971 and presented at the "Concert for Bangladesh". Dr Hoffmann analysed the content of the song and connected the history of Bangladesh to the Rohingya genocide. She declared the killing and displacement of the Rohingya people in Myanmar as an example of the limited awareness of global powers concerning human rights violations, current genocidal politics. She explained the link between democracy and violence. She had analysed the political formations of what we regard as valuable and grievable lives in light of American philosopher Judith Butler. She preferred Canadian scholar Adam Jones' handbook "Genocide: A Comprehensive Introduction" where the author provides information on the genocide in Bangladesh. She expressed his assessment as one example for the fact that canons are an outcome of power relations in knowledge production, which produce rankings of genocides, a problematic hierarchy of worse and less bad cases. Additionally, the historical continuities, the aftermath of colonialism and the effects of the policies of global powers and power struggles in particular world regions as well as nationalism have to be taken into account. Further she emphasized "the dark German history". She reminisced about the study trip to German Memorial Sites in Berlin, October 21 – 25, 2018 which introduced into the Nazi genocidal politics, its implementation and consequences. The study trip took the three genocides i.e. the Holocaust, the Herero and Nama(qua) genocide and the Bangladesh genocide as case studies to discuss the linkages between power, knowledge production and memory politics. Moreover, Professor Tureen Afroz, prosecutor of the International Crimes Tribunal in Bangladesh and Department of Law, East West University, Bangladesh, attended the study trip of 2017 and introduced the students into the history of the genocide in East Pakistan during the liberation war (1971) and the efforts of criminal justice in Bangladesh. Last year (2018) Shaoli Dasgupta (Volunteer, CSGJ) and Naureen Rahim (Research Associate, CSGJ) introduced

the participants of the study trip to the history of the genocide and the fate of Rohingyas who fled from Myanmar to Bangladesh.

Later on **Sheikh Hafizur Rahman Karzon**, Professor, University of Dhaka discussed on National Trail of International Crimes: Experiences from Bangladesh. He discussed the history of conflicts in Bangladesh and the atrocities committed by the Pakistani Military Government in 1971 briefly. Then he narrated about the situation after independence, International Criminal (Tribunal) Act, 1972 and Bangladesh Collaborators (Special Tribunal) Order 1972. He explained the reason of not conducting the prosecution of Pakistani Army. He also discussed about the limitations of the Act of 1972. The speaker subsequently expressed about general amnesty declared by Bangabandhu Government on 30 November, 1973 for the persons who were arrested under the Collaborators Order and against whom there was no specific allegation and cancellation of the Bangladesh Collaborators (Special Tribunal) Order 1972. Later on he explained the purpose of enacting International Criminal (Tribunal) Act, 1972, its backgrounds, features, achievements and limitations. He also explained about the reaction of Pakistan Government on the outcomes of International Criminal Tribunal. Thereafter he showed that trials of Nuremberg, Tokyo, Cambodia and ICC had faced criticism as well and there can be no such thing which cannot be called international standard. Compared to other trials of international crimes, ICT-BD is maintaining due process of law and fairness is ensured in each and every steps. He concluded by saying that Bangladesh has established a domestic model before the whole world.

Following Sheikh Hafizur Rahman Karzon, **Emraan Azad**, Lecturer, Bangladesh University of Professionals, took a session on 'Genocide as Violence, Genocide as Crime: Theorizing Genocide through the Spectacles of Social Construction and Legal Provision'. He started his session with the definition of Genocide given by Adam Jones. While explaining the sociological aspects of genocide as violence, the speaker preferred a book named 'Genocide: cases, comparisons and contemporary debates' by Steven Jensen, a Researcher at the Danish Institute for Human Rights. Quoting Jean-Paul Sartre, he expressed that genocide itself is as old as humanity and there is no society which does not preserved its history of genocide. Then he discussed about the Armenian genocide referring to Rafael Lemkin, father of Genocide Studies. While talking about Rwandan genocide, he showed the atrocities that had taken place by Hutu people on Tutsi which are the evidence of occurring genocide in that area. Later on he discussed the UN Convention on Prevention and Punishment of the Crime of Genocide or popularly known as Genocide Convention, 1948. Subsequently, the speaker elaborated the ten stages of Genocide as invented by Dr. Gregory H. Stanton. Then he started his discussion on the genocide of Bangladesh and Myanmar respectively. Referring to the definition of genocide, he serially pointed out the elements of genocide which can be found from the atrocities of the war of 1971 in Bangladesh and of Myanmar on Rohingya people. He later referred the definition that has been provided by the International Crimes Tribunal on national perspective. He pointed out the various debates over inclusion of political group in the definition of Genocide. He also mentioned the Nuremberg Principles relating to Crime against peace, war crimes and crime against Humanity. Then he talked about the survivors of holocaust and genocide. Next, he talked about Canadian TRC to show their method to rehabilitate and compensate their victims. He concluded his speech with a poem of James Fenton which was for inspiring the participants to gather knowledge about the things they like to know.

Later on participants attended a short examination regarding to the lesson they had taken that day.

After Dinner, a documentary film was screened titled “Rakhbo Bahman” written and directed by Fauzia Khan on oral testimonies of the survivors of 1971 which recognized the existence of Genocide happened in 1971. Fauzia Khan had made some remarks about the film and replied the questions of participants regarding to the oral testimonies. Participants and resident mentors made some observations about the documentary film by relating the documentary with the trial under International Criminal Tribunal Bangladesh.

### **Day 02 (19 January 2019)**

The day was started with the national anthem. On the first session of the day, **Mofidul Hoque**, Director, Center for the Study of Genocide and Justice and Trustee, Liberation War Museum, gave a lecture on the topic titled ‘From Partition of 1947 to Liberation War of 1971: The Politics of Conflict and Amnesia’. First he started with the origin of our national anthem. Later on he pointed out the entire background of partition of 1947, how the diversity of religious identity is used to create division of South Asia. To explain it appropriately, he started with the Partition of Bengal in 1905. Chronologically he stated about the formation of Muslim League. He told about religious conflicts, violence and riots of that time i.e. Great Calcutta Killing 1946, Riot in Noakhali 1946-47 and Riot in Bihar. He discussed about Mahatma Gandhi’s protest march from Calcutta to Noakhali and Bihar. He stated about the Museum of Gandhi Gandhi Ashram Trust (GAT) which is also known as the Ambika-Kaliganga Charitable Trust and is a philanthropic and development organization working in Noakhali since 1946 with Gandhian philosophy of rural development. Later he explained the bloody partition of the subcontinent into India and Pakistan and preferred the poem ‘Partition’ by W.H. Auden as a narration of absurd scenarios of South Asian partition. He criticized the official exchange of people happened between India and Pakistan on the basis of religious identity. Then he talked about the independent Dominion of Pakistan which comprised West Pakistan (present-day Pakistan) and East Pakistan (now Bangladesh). First he made clear the intention of Muhammad Ali Jinnah, the governor of Pakistan, to dominate the Eastern part of Pakistan as he came to visit East Pakistan on 19 March 1948 and addressed two meetings in Dhaka but in both meetings he ignored the popular demand for Bangla as state language and declared that Urdu would be the only official language for both East and West Pakistan on 21 March 1948. This state of affairs caused the first movement of independent Pakistan (known as Language Movement) according to the Speaker. Relating to the movement, he quoted Dr Md Shahidullah, "We educationists should emphatically protest and if necessary should revolt against the fresh imposition of any language other than Bengali as the medium of instruction for East Bengalee students. This imposition will be tantamount to the genocide of East Bengalees" and analyzed the word stages of Genocide and genocide happened in Bangladesh on 25<sup>th</sup> march 1971. He mentioned the thoughts of citizens of West Pakistan about Bangalees and explained that how these thoughts reflected on politics of Pakistan. He discussed all the struggles those citizen of East Pakistan gone through and which turn into the War of 1971. He concluded the session with a case of an individual person, Major General AMO Mitha who was a victim of South Asian partition and Pakistan and had to prove his loyalty to Pakistan at the time of 1971’s war as his parents lived in Mumbai.

The next session of the day was delivered by **Md. Pizuar Hossain**, Lecturer, Department of Law, East West University on the “Killing Intellectuals and Rape of Women in 1971: Assessing the Tactics of the Perpetrators under International Criminal Law”. The session began with screening a documentary concerning sexual violence and stories of rape victims throughout the country at the time of liberation war in 1971. Then, the speaker described the horrific stories of rape victims to the participants and talked

about the purpose and types of sexual violence that occurred in 1971. Md. Pizuar Hossain focused on the international perspectives of rape conducted during a war. According to him, rape conducted during war can be prosecuted in several forms. For example, it can be prosecuted as war crime, or crime against humanity, or genocide. He referred to Articles 6, 7 and 8 of *Rome Statute* 1998 to consider rape as genocide, crime against humanity and war crime respectively. For the same purpose, he also referred to several cases from different jurisdictions. Significantly, he focused on two landmark cases of the ICT-BD *i.e. Md. Idris Ali Sardar Case* (2016) and *Md. Moslem Prodhan Case* (2017) in which the Tribunal considered rape as genocide. Later, he shared the story of rape victim Majeda Begum and her daughter Shamsunnahar (war baby) who were witnesses at the ICT-BD. Subsequently, the speaker moved on to the part of intellectual killings and gave explanation on “Operation Liquidation” which was conducted by the Pakistani army during the liberation war of 1971 in order to kill the Bengali intellectuals. He referred to two breakthrough cases regarding this issue *i.e. Mujahid Case* (2012) and *Nizami Case* (2011). He ended his exclusively participatory session by showing another documentary on the killing of Bengali intellectuals.

After tea break, another session was conducted by **Samantha Christianson**, Assistant Professor, Department of History, University of Colorado, USA on the topic of ‘From Student Politics to Muktibahini: Mass Violence and Dhaka University Campus’. First she said about the history of Genocide and Mass Violence in 1971 briefly. Then she elaborated how and why the students of Dhaka University were particularly targeted as victims of the violence. She started to elaborate the reason from Language Movement of 1952 a socio-political and economic movement for the emancipation of the Bengalis. Then she emphasized the role of the students of Dhaka University in 1969. Then she highlighted their activities regarding 7<sup>th</sup> March 1971. During the entire period of non-violent, non-cooperation movement between 1 March and 25 March 1971, the students protested vehemently against the Pakistani conspiracy of undoing the first ever held national election on the basis of adult franchise in the country. They actively supported the strike declared by Sheikh Mujib and created National Flag of Bangladesh. The speaker preferred a conversation between Shahid Rumi and Jahanara Imam from the history book ‘*Ekatorer Dinguli*’ to describe the activities of students of that time. The speaker expressed that while the mass violence that occurred in the 1971 war between West and East Pakistan was by no means isolated to students, there was a particularly transformative effect on students’ political identity as a result of the violence. For decades prior to the war, Dhaka University students were at the forefront of numerous social and political mobilizations in East Pakistan. Then she explained that how the Pakistan Army attacked to the students on 25<sup>th</sup> March night. She presented some newspaper articles collected from Bangla Academy Archive Collection where the situation of halls and dormitories of Dhaka University during that night was clearly explained. To express the severity of the atrocity of 25<sup>th</sup> March night, the speaker mentioned a verse of the ‘Song of Bangladesh’ of Joan Baez. She end up her session with the role of the students of Dhaka University during the war.

After lunch break, **Md Abdul Hannan Khan**, Chief Investigator, International Crimes Tribunal, Bangladesh took a session on Witness and Victim Protection: Experience of Chief Investigator, ICT BD. He started with international perspective and then came to Bangladesh chapter. Introducing ICT-BD, the Speaker first spoke about the features of International Crimes (Tribunals) Act, 1973. He also focused on the procedure of trial briefly. He respectively clarified who the witnesses are, how to deal with the witnesses and the victims, the rules for witnesses and victims protection. According to him, witnesses of the cases were hard to found and manage to be before the Tribunal and also there was no provision for the

protection of witnesses the Act initially. Tribunal added a Chapter exclusively on the witness protection mechanism. Witnesses sometimes get monetary and other benefits which cause non-appearance of witnesses. Later on he shared his experience about the reasons of lack of evidence and document, the problems of exchanging the criminals etc. They visited sites, talked to witnesses, collected oral or documentary evidences; following these, Investigating Team prayed for the warrant of arrest to the Tribunal. In his session, he mentioned some cases to show how investigators tackle the witnesses and the victims. Investigation team visited many countries regarding witnesses. In *Delwar Hossain Saydi's* case, investigation team went to India to convince an eye-witness. But she and her relatives shown very aggressive behavior to the team and refused to be before the Tribunal. The speaker also criticized the Act regarding not giving power to arrest and detains any accused or witness. He added that the measures taken by government for the safety, security and protection are not enough. He also spoke about the lack of coordination among related agencies to the trials.

After his session, participants joined an online session on Local Collaboration in 1971 Genocide: Application of International Humanitarian Law by **Naureen Rahim**, student of LL.M, Geneva Academy of International Humanitarian and Human Rights, Switzerland. She started her session with the definition and classification of Armed Conflict. She elaborated the International Armed Conflict and Non-International Armed Conflict with relevant International Laws. While illustrating Non-International Armed Conflict, she mentioned a notorious case of International Crime Tribunal of Yugoslavia *i.e. Prosecutor v. Tadic*. She explained the conflicts of Afghanistan, Sudan, Syria and Iraq respectively as modern nature of Non-International Armed Conflict. Then she focused on the War of Bangladesh occurred in 1971. She explained about the debates on the nature of the war. Though the nature of the war of 1971 was so different that most of the Humanitarian experts do not want to explain it, some experts identify it as Non-International Armed Conflict till the conflict of Indo-Pakistan War 1971; the speaker uttered. Then she explained how the Geneva Convention can apply on the war of 1971. Soon after the speaker emphasized the role and importance of Local Collaboration during armed conflicts. She illustrated it in accordance with World War II and Liberation War of Bangladesh respectively. She discussed about the history of formation of Peace Committee, Razakar Bahini, Al Badr and Al Shams and their objects and activities during the War as well. While explicating the formation of organization of local collaborators, she mentioned about East Pakistan Razakar Ordinance 1971 where General Tikka Khan by proclamation of the Ordinance 1971 abolished the "Ansar Bahini" and turned it into "Razakar Bahini. Pakistan Defence Ministry through an official order elevated members of the Razakar Bahini to the status of auxiliary force of the Pakistan Armed Forces. According to the speaker, these scenarios proved the existence of local collaborators at the time of War. Moving on the post-war period, she emphasized the prosecution of the local collaborators under the International Humanitarian Law. She mentioned Bangladesh Collaborators Special Tribunals Order 1972 to show the definition of Collaborators in Bangladesh under which 195 listed local collaborators were accused. Then she mentioned about the ICT BD 1973 and 2012. She expressed that not only the Pakistan Armed Forces but also the local collaborators are the perpetrators of the War as per ICT BD 1973. Later she focused on the formation of ICT BD 2012 and the trial under it. Finally she concluded her speech with discussing the rationality of the trial under ICT BD 2012. Soon after the participants joined an online question-answering session with Naureen Rahim where the speaker cleared all the confusions regarding her session.

Having a tea break, a group presentation was taken by Emraan Azad, Lecturer, Bangladesh University of Professionals and Residential Mentor of 5<sup>th</sup> Winter School and by MD Pizuar Hossain, Lecturer, Department of Law, East West University and Residential Instructor of 5<sup>th</sup> Winter School. The participants were divided into 5 groups and were given a fact along with some questions. Each group wrote their key words onto a flipchart. Two participants from each group performed their group presentation.

After having dinner, Emran Azad and Md Pizuar Hossain took informal discussion. These were casual sessions and the last sessions of the day.

**Emraan Azad** discussed with the participants about Genocide and the ten stages of Genocide as invented by Dr. Gregory H. Stanton. He had discussed the topic once again for giving the participants a proper perception of Genocide. He had pointed out which act can be called Genocide and which acts is ethnic cleansing. In this regard, he added that, using the term 'ethnic cleansing, there would be no responsibilities because no international value can be found of this term. But the term 'genocide' has international value. He had also cleared all confusions regarding the definition of Genocide in the context of National and International perspective.

Following him, **Md. Pizuar Hossain** discussed about International Crime Tribunal (Bangladesh) and its verdicts. The speaker talked about the historical perspective of ICT BD and stated the formation of ICT BD. He also presented the comparative study of trial in absentia with the other trials throughout the world. The speaker discussed the sentencing consideration of tribunal mentioning the provision of ICT Act and other case studies in regarding the legal significance of the tribunal. He also described that right of bail and right of appeal is also ensured as per ICT BD act and Rules of Procedure of ICT act. He mentioned that Review provision is not ousted as per the constitutional safeguards to the accused persons in case of judgments of ICT tribunal. Lastly, he explained that how the tribunal had worked remarkably to end the culture of impunity and brought justice to the victims.

### **Day 03 (20 January 2019)**

The day was started with the national anthem. In the first session of the day, **Dr Katharina Hoffmann** lectured on the topic of Genocide in Non-western World: Cases and Comparisons.

Later on **Dr Zakir Hossain Raju**, Professor of Media and Communication, Independent University of Bangladesh lectured on the topic of 'Hatred' Leading towards Violence and Conflict: 'Media' as a Tool of Propaganda. Giving a brief idea on media and its nature, the speaker explained the role of media on mass people's life. Regarding this issue, he explained Magic-Bullet Theory which basically target the audience to spread any news and Uses and Gratification Theory which uses media as per own utility. Subsequently the Speaker said about role of media toward spreading hatred. He added two functions i.e. Agenda Setting and Formulation. He explained agenda setting as selecting an issue and made liable this function for leading toward conflict and violence. According to him, this function also frames an indirect way to incite the audience. Then he turned to formulation which is to know how news becomes news. This is basically the execution level of the set agenda. He further explained the positive impacts of these functions with case studies. The speaker then talked about Swadhin Bangla Betar Kendraw. This station had no news gathering cell. It was actually media propaganda in favour of Bangladesh. Notably he

discussed about the role of Radio Télévision Libre des Mille Collines of Rwanda to encourage the mass people to be engaged in community war.

Having a tea break, **Azrin Afrin**, Lecturer, Department of History, Jahangirnagar University gave a brief on Field Trip to 1971's Memorial Site. She informed them the name of the place and directed them about the activities they were going to do there. She divided the participants into eight groups for preparing questionnaire and gave each group five minutes to take interview of one victim. This activity was included to give the participants idea about how the interview of a victim should be done.

Having their lunch, participants attended two sessions of **Patrick Burgess**, President, Asia Justice and Rights (AJAR) on Transitional Justice in Post Conflict Society and correspondingly AJAR's Experiences in Working with victim. He started his session with the understanding of Transitional Justice. First he defined Transitional Justice as per United Nations Approach, an approach to systematic or massive violations of human rights that both provides redress to victims and creates or enhances opportunities for the transformation of the political systems, conflict and other conditions that may have been at the root of the abuses. He mentioned the four major elements of Transitional Justice i.e. 1.seeking the truth, 2.prosecuting the responsible authorities, 3.reparations (helping to repair the lives and dignity of victims), and 4.institutional reform (providing guarantees of non-repetition). To give an explanation of seeking the truth, he said that truth-seeking initiatives may be official or unofficial. Official truth-seeking efforts include Truth and Reconciliation Commissions (TRCs), commissions of inquiry, investigations conducted by national human rights commissions, fact-finding missions, criminal investigations, and other government-initiated inquiries. Unofficial truth-seeking efforts include grassroots documentation of violations, civil society reports, media investigations, documentary films, radio reports, and academic research. To discuss about prosecuting the responsible authority for gross human rights violations, he recognized some major crimes under international criminal law i.e. Genocide, Crimes against Humanity, War Crimes and Aggression. Subsequently, he discussed about the important principles of International Criminal Court (ICC) e.g. Complementarity, Non-retroactivity etc. Then he mentioned Hybrid or mixed courts and included the Special Court for Sierra Leone, the Extraordinary Chambers in the Courts of Cambodia, the Special Tribunal for Lebanon, and the Special Panels and Serious Crimes Unit in Timor-Leste as examples. He expressed that Hybrid and National Courts conducted in contexts where the crimes were committed provide far greater levels of engagement and are less expensive. In due course, he addressed Universal Jurisdiction which is the ability of states to prosecute perpetrators regardless of where or against whom mass crimes were perpetrated. Describing Reparation, the speaker said about the key ways to take effective steps that help repair the lives of victims. These are compensation for the damage to victims' lives; restitution; rehabilitation (includes the provision of medical, psychological, legal, and social services); satisfaction (acknowledgement of suffering and memorials) and effective reforms that provide victims with a guarantee that violations will not recur. The speaker stated that Reparations may be material or symbolic; individual or collective. Then He moved on to Institutional Reform which focuses on reforms that relate to the future. He included constitution and laws, educational institutions, judiciary, media, security forces (military, police and intelligence), political systems as the institutions or systems that need to reform.

After a short break, Patrick Burgess continued his session on Stone & Flower: AJAR's Experiences in Working with Victims. There he showed a documentary to the participants. The documentary video showed how Indonesia's military rule resulted in waves of mass violence against civilians throughout the

country. Reformation in 1998 brought official promises for justice and truth. However, the victims continue to suffer discrimination and lived in poverty. Thousands of women experienced violence, rape and torture in different conflict zones. Even today they are struggling for recognition and justice. The testimony started with Kadmi from the region Jogjakarta, Indonesia. Her story initiated as she started her career as a teacher in Kasian. Where she was abducted by the military three times in a span of 5 years and raped and torture alongside her family in the military camp. Until she fled to Jeron Benteng and got married. The second testimony was of Josefa from Marabia, Taimor Leste. During the Indonesian invasion on Taimor Leste in 1975 she along with her whole family had to fled to jungle. Where 4 of her brothers and her mother and Father died due to disease and malnutrition. She was arrested in 1979 and was taken to Remexiu, where she was interrogated, beaten brutality for information as she was a teacher in the forest. After her release she was raped and forced by a soldier to marry him and gave birth to a child. After 4 years she finally got the courage to run away. The last testimony was of Darni from the region Aceh, Indonesia. In the year 2004 she was taken by the military. Tortured brutally, imprisoned, defamed, threatened for life by the Commander to join the military and be a fighter for them. After a yearlong torture she was released just a day before the Tsunami of 2005. AJAR (Asian Justice and Rights) arranged a 6 day long program from the listed victims of six location to try and strengthen the knowledge about violence against women and impunity, how women experience impunity, or absence of justice in their own lives. The main purpose of the research was to enable the women victims themselves to become the actors of change to improve their own life as well as their family and community. The methodology followed by AJAR includes the “Flower and Stone” method, the “Body Mapping” method, the “Village Mapping” method and the “Community Mapping” method. The goal was to following a methodology that can include, involve and benefit the victims in the process itself.

Soon after, Patrick Burgess’ sessions led the participants to a group exercise. They were given some history of numerous countries where the crime against humanity took place. The participants had to represent those situations in the light of transitional justice. Fact sheet was given to participants and group was distributed for group exercise. Resident Mentor Nasrin Sultana and Pia Conradsen were there to direct them.

#### **Day 04 (21 January 2019)**

Soon after, **Azrin Afrin**, Lecturer, Department of History, Jahangirnagar University took a session on Genocide Research with special focus to ‘Oral History’ and its challenges. First she gave a description of methodology of a research. Then she connected it with oral history and its documentation. She characterized the oral history as two way process. According to her word, to collect accurate oral history, one has to understand the mainstream and periphery of that particular time. Then she pointed out that how social changes and the words of interviewees can affect oral history. She told that the participant should bring to mind that they cannot change the words of interviewees. At best they can put an opinion of an academic or an argument of his own with valid sources regarding these matters. One of the participants asked her about the manipulation of history and her reply was that the history cannot be manipulated; it’s always come from the winner’s perspective that’s why it seems manipulated to others. Another question was that whether there is any legal responsibility to publish any word of interviewee which can give the wrong impression about history. She answered that no legal responsibilities will be arisen if the interviewer publishes it with the consent of the interviewee. Afterward she shared the experiences of collecting oral history for her own research project. At the time of liberation war, Pakistani Army put a

number of Hindu people out to political brushfire in Munshiganj. Fortunately, one of them named Jeetendra Bhaumik survived. The speaker expressed all the trouble she faced to find that survivor and to interview him.

After a tea break, Mofidul Hoque introduced **Cox's Bazar Art Club** and some Bangladeshi Artists, who had given a speech on their artwork which is to support the protest against Genocide, to the participants. Firstly, Tanbir Sarwar Rana, President of Cox's Bazar Art Club, started his speech with his first experience of seeing the Rohingya people influx for their life. The harshest situation, he had witnessed, was a Rohingya woman along with her newborn infant was pitched overboard just after few second of her labour and delivery. This scenario motivated him to work on protest against Genocide. On this basis, the Cox's Bazar Art Club along with Gallery Cosmos published a book titled 'Art against Genocide', the first such publication of its kind depicting the miseries of Rohingya people. This book contains 29 artworks by 19 Bangladeshi artists, 40 photographs taken by photographer Salauddin Ahmed and articles by renowned writers. Following Tanvir Rana, Hamiduzzaman Khan, Bangladeshi sculptor expressed his experience of attending a seminar in Myanmar where they displayed their artwork against Genocide. The seminar was attended by numerous cultural activists and international artists. They shared a video of that seminar where they expressed their protest through their performance. Afterwards Ivy Zaman shared her experiences to the participants. While sharing her experiences of Myanmar, she stated that the Bangladesh High Commission alert them not to speak on Rohingya crisis directly thereby they had to rise it through their art. Later on Shahjahan Bikash said about his artwork on Rohingya crisis which he made along with his students. Sharing his experiences of Myanmar, he stated that they were unable to express the situation because of public fear. Rather they expressed themselves through artwork and tried to give the audience hidden message. Later Tanvir Rana concluded their presentation by reciting a poem of Ashish Kumar.

After having their lunch, participants sat for their last group work of Winter School directed by Pia Conradsen, Emran Azad and Katharina Hoffman.

After a while **Raquibul Amin**, Country Representative, International Union for Conservation of Nature (IUCN) Bangladesh had spoken on IUCN's Work in the Rohingya camps. At the outset, he introduced the IUCN to the participants. Then he went forward to IUCN's work on Rohingya crisis. He emphasized IUCN's project to identify effective measures to reduce Human Elephant Conflict. He described how Asian elephants live in a variety of tropical forest habitats and are increasingly coming into conflict with the people sharing their territory because of the destruction of the forests in which they live. Effective management of the elephants and its environment is required in order to resolve these issues because conservation of these elephants can protect the biological diversity and ecological integrity of a large swath of land; he expressed. IUCN along with United Nations High Commissioner for Refugees (UNHCR) worked in Chunati, Banshkhali, Rangunai and Bandarban to find out what kind of techniques can reduce these conflicts. They built 'Elephant Watch Tower' and formed elephant response team. The members of the team discover the forest from the tower; and whenever they see an elephant, they sound sirens to alert the local inhabitants. Then the speaker said about their arrangement of workshop for creative expressions of children at the Ukhiya Camp, Cox's Bazaar. Through this workshop, IUCN intended to give the children a chance to escape the monotony of camp life and involve them in creative pursuit to blow away the cobwebs. The speaker expressed that most of their artwork represented hope, laughter, fun, and joy which indicated that the children desired for a better tomorrow notwithstanding

memories of violence and torture. Except these, he showed some artworks where the dark lingering images lurking in the subconscious mind came out on the canvas. The most noteworthy paintings were; a woman running with a child to flee the marauding military, or a child reflecting on an uncertain future during a long trek into Bangladesh. Later on Raquibul Amin stated about the exhibition of the crafts made by Rohingya refugees which was organized by IUCN and UNHCR. He concluded his speech with the description of celebrating the World Elephant Day 2018.

After a short tea break, **Emraan Azad and Shaoli Das Gupta**, members of the research team of the Center of the Study of Genocide and Justice shared their experience of one year of research on Rohingya Genocide. Firstly, Shaoli Das Gupta gave a brief introduction of research team of the CSJG and then explained their very first three visits to Rohingya camp elaborately. She gave explanation of the objectives they discover in first visit to the camp. In October, 2017, the CSGJ team visited the camp for the first time to collect testimonies of the survivor for publishing a sequel of Testimony of Sixty (OXFAM's 1971 publication on the crisis of Bengal). She gave details of collecting testimonies of Rohingya survivors and legally analyse the testimonies as per International legal framework on the crime of genocide. The limitations, the team faced, were the language, time and logistics. According to her words, at the time of giving testimonies, the victims were normal first, but after starting narrating their stories, most of them couldn't help crying, they added. One of the major findings was Government of Myanmar took family photo of each Rohingya family to keep count of the number of family members and gave ID cards to them; without which the Rohingya people couldn't move. Their rights were getting narrower for their ID cards. She presented to the participants a Kabin-nama which was issued for the Rohingya community stated a clause prohibiting the birth of more than 2 children. Even Rohingya women were given medicine called 'Dibu' which prevented child birth and also caused death of several women. Except that, they did not get any health care service at their State. A victim named Yakub (22) stated to the researchers that there were no Muslim doctors, no educated established Muslims remaining. All were tortured to death by soldiers. It went from immediate killing to death by torture for the educated and well off Rohingyas. The soldiers would stab them, cut off their fingers and then toss salt on the wounds to lead them a tortured death. Another victim named Senowara Begum (40) said to the researcher that the Myanmar Military Force killed most educated Rohingyas and would slaughter them in market places. The speaker added that Rohingya people were not allowed to pray at home even. She clarified to the participants that the mosques of Rakhain state were destroyed and the Myanmar army continuously checked Rohingya people's houses and therefore they were unable to celebrate any religious festival. Then she explained about their major findings from second and third camp visit. In these visits, CSGJ collaborated with the National Human Rights Commission and UNDP, Bangladesh to collect testimonies of victims of rape and sexual violence. The speaker presented some testimonies of the victims of rape where brutality of Myanmar army was clearly exposed. At last, she talked about the ongoing plans of the survivors. Answering the question about going back to Myanmar, most of the victims replied that they don't want to go back to Myanmar unless the government of Bangladesh can make sure of the safety issue of the victims, only then they are ready to go back to their own land. Following her, Emraan Azad uttered the legal standard which they maintained to constitute the publications. The publication is based on the testimonies of survivors. He emphasized the next project of the Center which is not about legal research only. The Center, together with International Union for Conservation of Nature (IUCN), is going to take some new initiatives for the employment of young Rohingyas. Finally, they concluded the session by answering the questions of the participants regarding the research.

After the session, Emran Azad briefed the participant about research volunteers of the Center and their work process. After a while the participants were attending Pitha Utshob, a festival of traditional homemade cakes in Bangladesh. Basically, it was arranged to promote and maintain the heritage and the vibrant rich culture of Bangladesh. There they enjoyed Nokshi pitha, Paṭi shapta, Puli piṭha, Chondro puli. Soon after badminton tournament was organized for them.

### **Day 05 (22 January 2019)**

The 5<sup>th</sup> day of Winter School began with breakfast at 08:00AM. Then the participants were divided into eight several groups for the field visit trip to Dhamrai, where one volunteer was assigned to each group to guide them through their task. The participants were instructed about the field trip for the last time and then they left the venue at 09:00AM. About an hour later, they reached their spot, Shimul Bari, which is situated in Beliswor (8 km west from Dhamrai). Guerrilla Commander Nasiruddin Yusuf Bachchu, the owner of Shimul Bari, arranged a reunion with two hundred and fifty freedom fighters, victims and witnesses of Sector two. Most of the freedom fighters were inhabitants of Dhaka, Narayangang, Keranigang, Asulia, Manikgang and Dhamrai. During the Liberation War, Nasiruddin Yusuf Bachchu became the Commander of Guerrilla Force of Dhaka North after the death of Commander Rezaul Karim Manik. After the independence of Bangladesh, he has been arranging union like this every year with a view to know about the present condition of his fellow freedom fighters. From last five years, he has been arranging this reunion at Shimul Bari which he made in the memories of his beloved wife, Shimul Yusuf.

The programme started at 10:30AM with the national anthem. Nasiruddin Yusuf Bachchu had delivered the welcome speech and introduced himself along with his fellow fighters to the participants of the winter school. Afterward Ahmed Imtiaz Bulbul, who is a witness of the renowned case of Golam Azam (a local collaborator of Pakistan Army), had delivered the opening speech. Following him, Paniruddin Haidar, Asad Raishul Islam, Nurul Islam, MD Shirajuddin had given their speech. After that Ehshan Mazid Mustafa, on behalf of the Centre for the Study of Genocide and Justice, introduced the participants to the freedom fighters and uttered their purpose to attend this program *i.e.* to collect the testimonies of the freedom fighters and make their research paper on this basis.

After the inaugural speech, the field activities started. The entire field was divided into eight regions where each region consists with a panel of freedom fighters who served under that regions *i.e.* Asulia, Manikgang, Dhamrai etc. Each group of participants got their chances to interview a single panel. The participants got the opportunity to interact with the local freedom fighters who shared their experience of liberation war and victims and witnesses who narrated their horrific days during the nine months of freedom that were wreaked by barbaric Pakistani army and their collaborators in 1971.

After the interview session, the participants have had their lunch with the freedom fighters. Later on Nasiruddin Yusuf Bachchu guided the participants to a sightseeing tour of Shimul Bari. After that the participants got some time for recreation. They departed from the Shimul Bari at 04:00PM.

After coming back to the venue of Winter School, they got two hours to prepare their presentation which is based on their field experience. Their presentations were moderated by Mofidul Hoque, Emraan Azad, Dr Katharina Hoffmann, Nasrin Sultana and Pia Conradsen.

Group 01 consisted of Tamanna Tabassum Kabir, Fuad Hossain, Jarin Sultana Shaily, Sheikh Mustavi Hasan and Shachib Karmakar. They interviewed the panel of Narayangang. The group found that most of the freedom fighters of this panel were trained up from Malgor Training Institute, India and rest of them were trained up by experts of locals who previously got training from Malgor Training Institute. They were involved in the following three operations: Sonargaon, Ramchandrapur and Shalishgram. They gave the details of the local collaborators of Pakistan army whom they have seen during the War. They specially mentioned the name of the people who supported Al Badar, Al Shams, Islamic Sangathan and Muslim League. They explained their motives inspiring them to get involved in the War and also stated that they achieved what they wanted and now they are living in harmony.

Group 02 was formed by Shaila Hai, Md Arif Raihan, Rafia Tabassum, MD Ziaul Hoque and Aysha Moni. They interviewed the panel of Keranigang where Panir Uddin was the most senior freedom fighter. Another member of this panel was Azizur Rahman Khan who contributed a parachute and some burnt pieces of his house to the Liberation War Museum, Dhaka. The participants found a group photograph of ten members of this panel at the time War at the Liberation War Museum, Dhaka. The group explained about one of the successful mission of the panel, which was conquered the Bayati Bridge by two attempts. During the final successful attempt, Delwar Hossain (Dhola) lost his right leg and two fingers of right hand.

Group 03 was formed by Ali Ishrak Roddur, Anika Mardiah Chowdhury, Kh. Abrar Ahmed Fazlerabbi Showrav, Samia-Al-Ajmi and Muhammad Sakif Jawad. They collected testimonies from fourteen freedom fighters who were fifteen to twenty-two years old in the course of Liberation War. This group focused on present socio-economic condition of those fighters. Most of their names were not recorded in the gazette. As a result, they are not getting any privileges from the Government. On the other hand, they complained about many false freedom fighter who got their name in the gazette and got the privileges from the Government unlawfully. Therefore they are not satisfied with the aftermath of the war. The group 03 proposed the Museum to work on a program to enable the unprivileged fighters.

Group 04 was formed by Umme Habiba Khanom, Sheikh Raiful Islam, Amina Sultana, Emdul Hasan and Kazi Taposhe Rabeya. They interviewed eighteen people where eight were victims of the War and rest of them were freedom fighters. The remarkable operation of this panel was the guerrilla attack of Gulistan Cinema Hall where they used 36 hand grenades at a time. The panel complained about the religious extremity and economic class differences of the present time. Even they expressed their disappointments about giving general amnesty to the collaborators in 1972 and making of some black laws at that time. One of the freedom fighters expressed his disappointments that they fought for their motherland but now they are landless. After the presentation the group recited a poem they created for the freedom fighters.

Group 05 was formed by Tasmiah Juthi, MD Sadiul Islam, Khuochsopheaktra TIM and MD Mahmud Hossain Nasim. This group interviewed the panel of Savar and Manikgang. Their most remarkable operations were Operation Mirpur and Operation Boiddor Bazar. Ninety people were killed by Pakistan Army under Boiddor Bazar Bridge while going to India for training. On the other hand, Bihari people used to kill Bengalis of Mirpur and threw them in Buriganga. These scenarios resulted into such two operations. One of the major findings of the group 05 was that some people registered their name as

collaborators only because of helping the freedom fighters. The freedom fighters explained that our country would never be independent within nine months if the local people did not help them.

Group 06 was formed by MD Jahedul Islam, Mahmuda Afroz Mim, Rezowan Ahmed, Fatima Billah Nishat and Irfanul Alam Estiak.

Group 07 was formed by MD Mostafizur Rahman, Tasnim Ferdows Fatir, Razaat Khanam and Sumon Chandra Dev.

Group 08 was formed by Afsana Mimi, Nazneen Akhter, MD Rayhan Kabir Chowdhury Shuvo and Tanjina Haque.

After the dinner, the participants joined an online session with Md Pizuar Hossain on Non-Judicial Hearing.

### **Day 06 (23 January 2019)**

The day began with the national anthem like other days. The first session of the day was taken by **Dr Shamsul Bari**, Chairman, Research Initiatives, Bangladesh. The session was on Research on Genocide and Justice: Methods, Challenges and Prospects. Defining research, the speaker talked about two types of research i.e. Basic Research and Applied Research. Among methodology of research, he explained the nature of qualitative and quantitative research methodology. He expressed that qualitative research can be done following one to one interaction, FDG, text analysis, case study etc. where quantitative research is based on data and statistics. Later, the Speaker discussed definition of genocide given in ICTY. He focused on some specific terminologies like 'intent to destroy', 'ethnicity', 'wholly or partly knowledge', '*mens rea*' etc. with multidimensional interpretation. After that, he discussed causes and prevention of genocide.

Following the first session, a session on the role of young generation in promoting justice was taken by the honorable guest **Dr. Md. Zafar Iqbal**, Professor of Electrical & Electronic Engineering, Shahjalal University. First he shared his personal experience relating to the liberation war. Afterward he talked how their family survived in 1971 and post 1971 and the struggle. Thereafter he talked about the role that young generation needs to conduct research on 1971 Genocide to get the victim justice. He urged participants to come forward in clearing the confusions regarding trial amongst mass people. Later he talked about education system of our country, position of minority people and problems of indigenous community. According to him, minority people of a country should be able to live in peace that is how proper governance in this country can be established. He recommended to come forward to do constructive work together to take this country forward take into account the sacrifices of freedom fighters for this country.

After a tea break, **Md Abul Kalam**, Rohingya Relief, Repatriation and Rehabilitation Commissioner, Bangladesh had taken a session on State of the Rohingya Camps: Bangladesh Standing by the Victims. First the speaker gave details about five major periods when thousands of Rohingya took shelter in Bangladesh i.e. 1784, 1940s, 1978, 1991-1992, 2016-2017. He expressed how refugees from Arakan began to pour into what is today the Cox's Bazar in 1784 as a consequence of the invasion by Burman King Bodawpaya and how Cox's Bazar takes its name from the British lieutenant who was sent to the area to organize and provide relief for the refugees during that time. Then he explained about 1940's riot and

“Operation Nagamin” which caused Rohingya influx again. During these times, many of the Rohingya had to flee for their life. They fled across the border and never returned; they settled in Cox's Bazar and integrated with the local community as an alternative. Then he discussed about the enactment of new law on citizenship (1982) through which Myanmar government arbitrarily decried the Rohingya community of their identity and citizenship. Subsequently he mentioned the situation of 1991 when Bangladesh received an even bigger influx (more than 250,000) reportedly due to forced labor, discrimination on religious ground and mass torture. After that he came to the crisis of 2009 which forced Rohingya people to refuge again. This crisis continued till 2017 and more than 300,000 Rohingya people fled across the border. A survey of Bangladesh Government stated that the present number of Rohingya refugee is around 900,000. Among them, 52 per cent are women and girls and 16 per cent are single mothers. Later the speaker elaborated the reasons behind their escape. Here he focused on the mass atrocity i.e. killing, deportation, rape, firing civilian homes and properties of Rohingya people. Then he expressed the humanitarian response of Bangladesh. The Government of Bangladesh refers to these Rohingya as “Forcibly Displaced Myanmar Nationals” in the present context. Then the speaker mentioned the situation of refugee camps of Kutupalong, Balukhali, Ukhiya and Teknaf Upazilas. Subsequently, he said about the humanitarian response of Bangladesh Government in close collaboration with the humanitarian community i.e. UNRC, UNHCR, IOM, Local charities and individuals, World Bank, Asian Development Bank. He explained how the officers of Refugee Relief and Repatriation Commissioner (RRRC) under the Ministry of Disaster Management and Relief of Bangladesh works for the welfare of Rohingya survivors and in support of government efforts, how the humanitarian community rapidly scaled up operations to provide life-saving protection and assistance to Rohingya. Afterwards he discussed about the facilities and supports served to the Rohingya refugees i.e. Protection, Shelters, Food security and nutrition, Supplementary feeding programmes, Water points, Hospital facilities, Health centers, Electrical lines, Solar lights, Roads, Education etc. Then He explained about the Joint Response Plan for 2019 which is a process entailed ongoing bilateral and multilateral consultations at the District level with the Deputy Commissioner (DC), the Refugee Relief and Repatriation Commissioner (RRRC), with sectors and agencies engaging relevant line Departments and Ministries (including the Department of Public Health Engineering, the Local Government Engineering Department (LGED), the Forestry Department, the Civil Surgeon's Office, and the Ministry of Women's and Children's Affairs). Then he said about another key coordination which efforts connect humanitarian actors and the Armed Force Division of Bangladesh (AFD). Later on he mentioned about 2018 Memorandum of Understanding (MoU) between UNHCR, UNDP and the Government of Myanmar was signed with the aim to create conditions conducive to return. The 2018 Memorandum of Understanding (MoU) is intended to ensure that refugees receive information on the situation in their places of origin. The MoU provides for independent assessments conducted in villages in Northern Rakhine State and, when possible, go-and-see visits whereby refugees would visit their home villages, other areas where they may choose to return, and transit facilities in Myanmar. He concluded his session by informing the participants about the difficulties that Bangladesh faced for giving Rohingya shelter from mass atrocity.

After having lunch, **Khuochsopheaktra Tim**, a participant from Tuol Sleng Genocide Museum of Cambodia shared her presentation on CAMBODIAN MASS VIOLENCE, JUSTICE AND RECONCILIATION. First she explained the history of Cambodia from 1975 to 1979. After giving a brief history of Cambodia, she talked about People's Revolutionary Tribunal and Extraordinary Chambers in the Courts of Cambodia (ECCC). She expressed the issues on which Tuol Sleng Genocide Museum of

Cambodia is working. She explained that how the Tuol Sleng Genocide Museum preserves the evidence of past prison system and kept memories of more than 18000 people who perished under the Regime of Democratic Khmer. She gave an end telling the aim of the Museum. After her presentation, **Pia Conradsen** shared her experiences on working with AJAR for the people of East Timor. She described the history of East Timor briefly. Then she shared their experience on how they dealt with the survivors. Then she described her work for Rohingya people on initiatives to strengthen the local capacity of peace and victim support for women. And then **Ehshan Mazid Mustafa Nirjhar**, Coordinator, 5<sup>th</sup> Winter School described that how he represented the Center for the Study of Genocide and Justice at AJAR, Bali, Indonesia on the program of 'Foundations for Peace: Revisiting Transitional Justice and Accountability in Asia' and 'The Prosecution of Serious Human Right Violation in Asia'.

After this session, the fact sheet was given to participants and eight groups were distributed for group exercise. Later on Resident Mentor Emraan Azad briefed the participant about Declaration of Intend. The participants got time to prepare their Declaration of Intend after a tea break.

After dinner, **Julian Francis**, Friend of Bangladesh took a session regarding his experience in refugee camps 1971 and Rohingya camps 2017. He shared the experience of working as an aid-worker of OXFAM. He stated that he has seen horrific scenes in the refugee camps in the borders. While sharing his experience of the refugee camps, he expressed his disappointment regarding the issue of hanging different banners of different organizations for the publicity where they are not doing that much help. Then he focused on those women who went for abortion of getting rid of war babies with the help of doctors. He further shared his personal experience of meeting Bangabandhu and Tajuddin Ahmed.

#### **Day 07(24 January 2019)**

The day started with the national anthem like all other days. Then a one hour examination was taken on the lectures of past few days. All the participants appeared in the exam. Resident Mentors and volunteers were the invigilator of the exam. Through this examination, the award of Academic excellence will be given.

Thereafter **Nasrin Sultana**, Lecturer, Department of Law, Cox's Bazar International University took a session on Localizing Activism to Confront Genocide: Talking about Possible Roles of Bangladeshi Young Generation. Defining activism and role of youth of Bangladesh confronting genocide, the speaker talked in participatory manner. Participants shared their views and ideas how can they contribute from very personal level. Subsequently the speaker recommended organizing National/Divisional Youth Summit, Stage cultural programs, social media campaigning, art exhibitions and concert for Rohingya people. Then she emphasized the importance of seminars, workshops, documentation, Training Locals, vocational training, social forestation etc. Therefore, she focused on arranging competitions and school or college awareness building programs.

After that session of Nasrin Sultana, the groups which were divided for presenting **declaration of intent** presented their declaration of intent. The eight groups presented their ideas to share out their learning from winter school. Groups had presented the idea of disseminate the knowledge of winter school in collaboration with Liberation War Museum. Some innovative ideas also came up like using national icons for the promotion of disseminating the knowledge about Genocide, justice and issue of impunity, creating comics books or cartoons movies based on Liberation War for the children. Groups had put emphasis on

doing more research on the study of Genocide and Justice. They had also focused on clearing the confusions amongst the mass people about the trials of war criminals and memorialization. Resident mentors put questions for the clarifications regarding the execution of their ideas. They also gave fruitful suggestions for making the declaration of intent more effective as the selected participants had to present their final declaration of intent at closing ceremony. Finally, the Mentors selected one participant from each group who had been assigned to make the final presentation and the selected participants were given instruction to make a comprehensive declaration of intent.

After that presentation, participants took their lunch break and got one and half hour to take preparation for **Non-Judicial Hearing** on a hypothetical case of *The Prosecutor vs The Republic of the Union of Zuma*. The case was a hypothetical one whether the perpetrator has committed Genocide on a particular group of Romya Community. Resident mentors Md. Pizuar Hossain, Emraan Azad, Dr Katharina Hoffmann, Nasrin Sultana, Pia Conradsen instructed the participants about the whole process.

Non-Judicial Hearing starts at 05:00 PM. First, the prosecution team consists of Nazneen Akther and Afsana Mimi advanced the arguments first showing that perpetrator should be liable for the crimes committed under the purview of Article 77 of the Statute of 24 October 2019. Judges panel has posed several questions to prosecution team for the clarifications from the factsheet regarding the committed crimes. Then Defense team consists of Rafaat Khanam and Md. Mostafijur Rahman presented the lacuna of the factsheet and demand that the killing did not accomplish all elements of genocide. They had presented arguments why the perpetrator shouldn't be liable of any criminal liability. Then the Victim's Representative Tasmiah Juthi and Khuochsopheakra TIM stated their horrific experience of torture and degrading treatment for being part of Romya Community. They demanded to the Judges panel for the highest punishment of the perpetrator for their inhuman and barbaric treatment. Thereafter Journalist role player, Anika Mardiah Chowdhury and Muhammad Sakif Jawad discussed about this horrific incident and what the reporters have collected information from the victim and about the details of the perpetrator. Later on, Human Rights Worker Kazi Taposhe Rabeya and Emadul Hasan expressed before the Judges that these horrible crimes should not get away and the due justice should be ensured. After a brief and concise rebuttal from every side, Chairman of the Judges panel Md Jahedul Islam along with his colleagues; Irfanul Alam Estiak, Rezowan Ahmed and Mahmuda Afroz Mim took some time for declaring a decision. Judges had discussed about the verdict of this matter. In their opening statement, they mentioned that this is historically significant sitting of the Winter School Justice Court to hear the case *The Prosecutor vs The Republic of the Union of Zuma*. Further they expressed that human beings are bonded with brotherhood, harmony, universal peace and fellowship. We carry same red blood, common feelings when we get hurt, when we feel happy or sorrow. One identity we all carry belong is, we are human being. We can make this universe a peaceful place by spreading the message of brotherhood, harmony, universal peace and fellowship. Then on behalf of the Judges, Md Jahedul Islam declared the verdict in favour of prosecution and declared that the military personals of the *Republic of the Union of Zuma* have committed the crime of genocide and the crimes against humanity against the Romya Community according to Article 77 of the Statute of 24 October 2019. They gave the judgment unanimously and placed the reason that a long-residing ethnic group Romya has been curtailed of right to citizenship where later mass persecution by killing, deportation, rape, firing civilian homes and properties, burring, physical and mental hurt etc. for times with a clear intent to destroy the community in a planned and systematic manner with the help of the religious extremist group.

After having dinner, all participants, mentors and volunteers had sat to share the experiences and incidents of last seven days they stamped on their memories. Mofidul Hoque, Director, Center for the Study of Genocide and Justice and Trustee, Liberation War Museum, welcomed the young generation to the platform of discussing about Genocide, Justice and the Issue of Impunity and stand against the genocidal act and crime against humanity. He also encouraged the participants to develop their understanding of the history therefore the moral and ethical issues raised can be instructive in dealing with existing human rights abuses. Emraan Azad, Lecturer, Bangladesh University of Professionals expressed his hope that this winter school will encourage the participants to learn the comparative study of Genocide throughout the world with reference to national perspective. Dr Katharina Hoffmann, Oldenburg University, Germany, stated that research and analysis is not only important with regard to genocidal politics and human rights violations beyond the border of the nation where one lives, we also have to be aware of and fight against social injustices, exclusions and racism within our own societies. In this vein, we should also reflect on our constructions of national identity, and ask in which ways dominant powers within and beyond boundaries of the nation state apply memory politics to legitimize their power. Pia Conradson thanked Mofidul Hoque for inviting her and the whole team of Winter School for their hospitality. She encouraged the participant to work on preventing genocide. All the participants shared their experiences regarding Winter School individually.

Soon after, they gathered around a campfire having some snacks and enjoying the last night of 5<sup>th</sup> winter School with each other.

### **Day 08 (25 January 2019)**

It was the last day of 5<sup>th</sup> Winter School. The breakfast was served at 08:00 AM to the participants. Then participants, resident mentors, volunteers left Sheikh Hasina National Youth Development Center around 09:00 AM. Participants were taken to the Liberation War Museum, Agargaon for the Closing Ceremony of 5<sup>th</sup> Winter School.

### **Closing Ceremony**

The program started with the national anthem of Bangladesh. After seven days of a residential program, the accomplishments of the participants involved in the program were celebrated at the spectacle. Kazi Reazul Hoque, Chairman, National Human Rights Commission, Bangladesh (NHRC) attended the closing and certificate awarding ceremony as the Guest of Honour. Dr Katharina Hoffmann, Oldenburg University, Germany and attended the entire journey of the Winter School as Residential Instructors and the closing ceremony as Special Guests. Mofidul Hoque, Director, Center for the Study of Genocide and Justice & Trustee, Liberation War Museum, Tariq Ali, Trustee of Liberation War Museum and Rabiul Husain, Trustee & Member-Secretary, Liberation War Museum attended the event also. Aside from the participants, there were a number of renowned personalities and young professionals taking part in the closing ceremony. The members of the Winter School Alumni were also put in an appearance at the ceremony. The entire event was hosted by Md Pizuar Hossain, Lecturer, East-West University and Residential Mentor of the 5<sup>th</sup> Winter School and Azrin Afrin, Lecturer, Jahangirnagar University. Emraan Azad, Lecturer, Bangladesh University of Professionals was invited to give the speech on behalf of Resident Mentors. Ehshan Mazid Mustafa Nirjhar, Research Associate at Center for the Study of Genocide and Justice, gave speech on behalf of Volunteers.

Following the last session of the Winter School, the participants performed a short presentation regarding to the Declaration of Intent. The presenters made a pledge of implementing their ideas with the collaboration of Liberation War Museum. The declaration of intent was highly appreciated by all the guests and audience.

There was a certificate giving moment for the participants, volunteers and residential mentors. Certificates were given to the participants, resident mentors, volunteer by Kazi Reazul Hoque and other guests. Tamanna Tabassum Kabir from Metropolitan University, Sylhet had received the Overall Performance Award; Md Mostafijur Rahman from Northan University, Bangladesh had got the Best Performance Award-Non-Judicial Hearing. Best Academic Excellence Award had been received by Nazneen Akther of University of Rajshahi and Tasmiah Juthi of East West University. Following the certificate giving moment, the Center for the Study of Genocide and Justice awarded some special gifts to the residential mentors and volunteers.

The certificate giving ceremony was followed by a short cultural program anchored Sharjin Jahan Fia, Volunteer of the Winter School. Participants and volunteers of 1<sup>st</sup>, 2<sup>nd</sup>, 3<sup>rd</sup> and 4<sup>th</sup> Winter School and resident mentors had taken part in this event. Shaila Hai of East West University performed a patriotic song. Saif Uddin Asif, Volunteer of the Winter School, recited a poem of Kazi Nazrul Islam. Sharjin Jahan Fia and Pia Conradsen performed dance. Afterward Shachib Karmakar of Cox's Bazar International University recited few lines from his poem. Lastly Khuochsopheaktra Tim, a foreign participant, had taken part in the event with national anthem of her country.

The Closing Ceremony was concluded with luncheon. Everyone had their lunch and departed from the Liberation War Museum.



