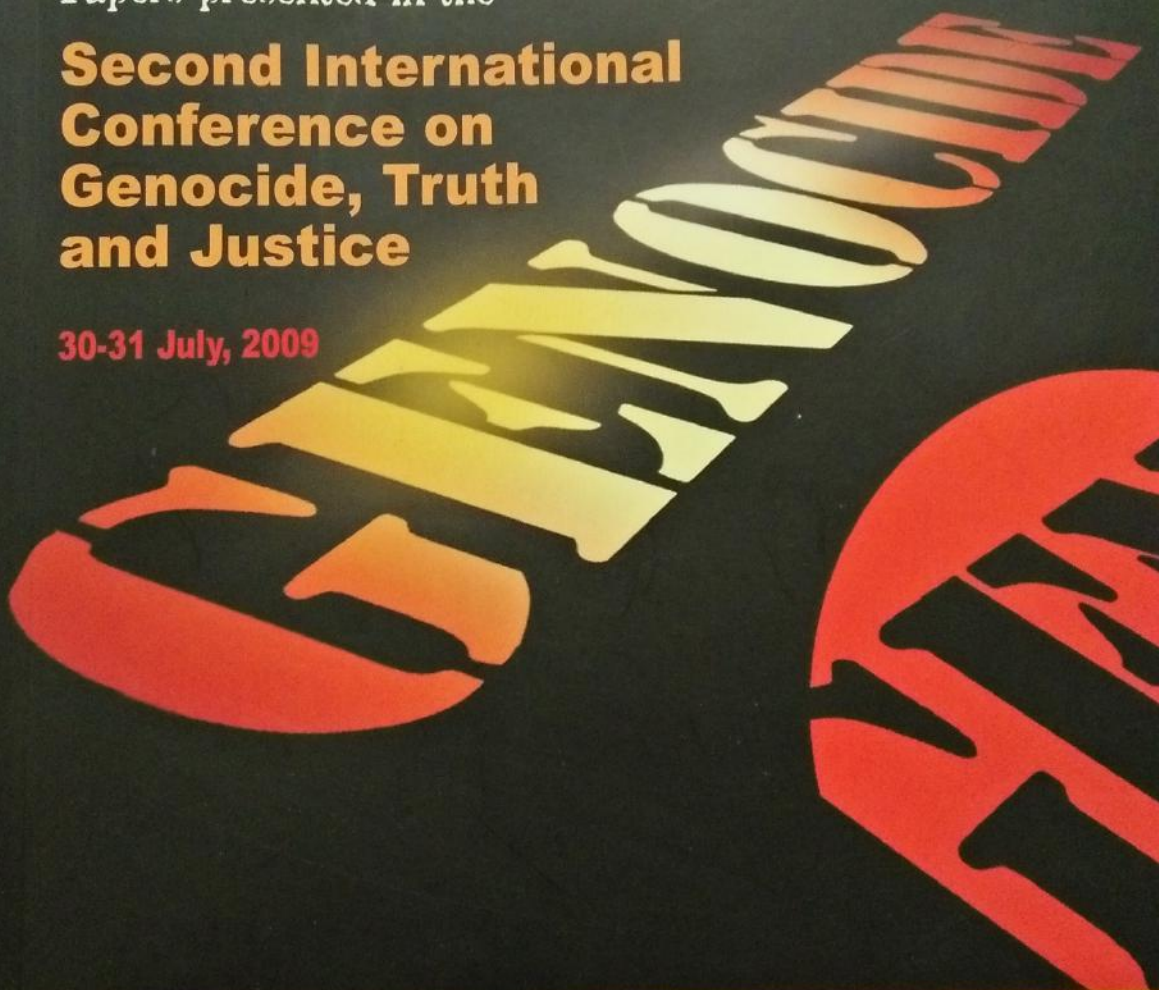


BANGLADESH GENOCIDE 1971 AND THE QUEST FOR JUSTICE

Papers presented in the

**Second International
Conference on
Genocide, Truth
and Justice**

30-31 July, 2009



LIBERATION WAR MUSEUM

Dhaka, Bangladesh

I n t r o d u c t i o n

The two-day International Conference on Genocide, Truth and Justice held in Dhaka on 30 and 31 July, 2009 ended with a clarion call to all nation and international community to work towards ensuring that after long delay of almost four decades the process of trial of the perpetrators of genocide, crimes against humanity and war crimes in Bangladesh be met with success. The conference highlighted the importance of undertaking multifarious activities involving various section of the population so that truth and justice prevail. The conference was attended by international legal experts, academics and right activists from various countries including Japan, Korea, Hong Kong, Cambodia, Germany and Canada. Besides papers were presented by academics and activists from Pakistan, Australia and UK as well as international organization like International Centre for Transitional Justice. More than 120 national participants also joined at conference.

The thoughtful presentations and open discussions highlighted the experiences of the world community in organizing various trials of the crimes of genocide which would be useful for Bangladesh. Based on the international experience of such tribunals many practical measures were suggested. The speakers also emphasised on the methodology of documentation, specially in the collection of testimonies and recording the suffering of women. The issue of victim's right was a recurrent feature of the discussion.

In all ten papers were presented by foreign participants and eight by local participants. In his key-note address Barrister Shafiq Ahmed, Minister for Law, Justice and Parliamentary Affairs explained the tragic political developments behind the long delay in ensuring justice and the recent changes brought by the people and the Govt. to initiate the justice process.

The Second International Conference on Genocide, Truth and Justice was held at a historic moment for the nation and at the same time it carries great significance for the world community. Bangladesh genocide became victim of cold war rivalry when the community of nations could not join together to address the issue the way it deserved. There was no united international initiative, neither any UN move to bring the perpetrators to justice. Bangladesh genocide became a forgotten chapter of history, but the impunity for perpetrators of genocide had its negative impact. With the end of the

cold war a more peaceful world could not be established as was expected, on the contrary genocide, mass atrocities continued unabated.

The traumatic post-independence experience of Bangladesh, the brutal killing of Bangabandhu Sheikh Mujibur Rahman and the four national leaders, long period of military dictatorship led to the rise of religious fundamentalist forces that halted the justice process. But even under difficult condition the demand for justice was always there in the minds of the people. In the free and fair democratic election held in December, 2008 the people including the members of younger generation voted overwhelmingly for the alliance committed to hold the trial of the perpetrators of genocide in Bangladesh. The Second International Conference on Genocide, Truth and Justice highlighted the shift in ground reality and made a call to work unitedly to seize the moment.

In the declaration of the conference expressed its approval for the process which have been initiated for the trials by the new government and highlighted the importance of learning from the experience and expertise of other tribunals and institutions. The Conference adopted a resolution calling for the ratification of the International Criminal Court (ICC) statute by the Govt. In another resolution October 21, 2009, has been declared as the "International Day to Remember and Renew the Commitment for Peace" as on that particular day in 1971 OXFAM published the book "The Testimony of Sixty" depicting plight of the distressed people of Bangladesh and delivered it to various heads of the Govt. As an expression of gratitude of our people the facsimile edition of the book will be delivered on the same day this year to the respective governments along with an appeal of solidarity with the trial of the perpetrators of genocide initiated by Bangladesh.

Liberation War Museum is grateful to all who have contributed in making the conference successful including the foreign and local participants. It acknowledges the generous support extended by Brac Bank Ltd. Square Pharmaceuticals Ltd. Drik and Telnat in organising the conference and International Coalition of Historic Sites of Conscience for supporting the publication. We are hopeful that this publication will help to open up greater opportunities to work with all humanity to usher in a new era of truth, justice and peace ending impunity for the perpetrators of genocide in Bangladesh and elsewhere.

Mofidul Hoque

Coordinator, Second International Conference on Genocide, Truth and Justice

30 July, 2009

- 9-30 AM Opening Session
- Master of Ceremony Mofidul Hoque
Co-ordinator,
Second International Conference on
Genocide Truth and Justice
- Address of Welcome Akku Chowdhury, Trustee
Liberation War Museum
- Speakers Dr. Suzannah Linton, Dr. David Matas,
Helmut Scholz
- Guest of Honor Barrister Shafique Ahmed
Honorable Minister
Ministry of Law and Parliamentary Affairs
- Chair Prof. Salahuddin Ahmed
- 11-00 AM Tea-break
- 11-15 AM Plenary Session-1
Rumana Islam, Department of Law, DU
Trial of War Criminals of 1971 : An Appraisal
- A.B.M Abu Noman, Chittagong University
**Transitional Justice and Witness Protection
Bangladesh Perspective**
- Dr. David Matas : **Experiences of ICC and the Trial of Perpetrators**
- Open Discussion
Chair : Dr. Suzannah Linton, Hong Kong
- 1-00 PM Lunch-break

2-00AM

Plenary Session-2

Dr. Syed Anwar Hossain

Genocide in Bangladesh, 1971 : Fixing Responsibility

Helmut Scholz – Member, EU Parliament, Germany

Ahmed Salim, Pakistan:

Documents and Statements from the Pakistan Press in 1971

Open Discussion

Chair : Dr. Chanwahn Kim, Korea

3-30 PM

Tea Break

3-45 PM

Plenary Session -3

Prof. Chanwahn Kim (Korea) : **The Role of India on the Prisoners of the Korean War**

Bina D'Costa, Research Fellow,
The Australian National University :

**Partnership with Transnational Networks
for a Gender Sensitive Justice Mechanism**

Constanze Oehlich /Nafia Tasmin Din, Cambodia:

Victims Unit and role of the victims in the Cambodian Court of Trial

Open Discussion

Chair : Ms. Halina Wawzyniak, Germany

5-15

Closing

31 July, 2009

9-30 AM

Plenary Session-4

Prof. Ohashi Masaaki, Japan :

Japan's Indigenous People and Unrecorded Slow Genocide

Lt. Gen. (Retd.) Harun-ur-Rashid, Sectors Commanders Forum :

Bangladesh Genocide and the Campaign for the Trial

Dr. Mizanur Rahman Dept. of Law, Dhaka University :

Genocide 1971 : Bringing the Perpetrators to Justice

Open Discussion

Chair : Dr. David Matas, Canada

11-00 AM

Tea-break

11-15AM

Plenary Session- 5

Rubaiyat Hossain,

Trauma of the Birangana, Trauma of the Nation:

A Feminist Discourse of Izzat

Nayanika Mookherjee, UK :
**Ethical Features and representation of narratives of Sexual
Violence of the Bangladesh War of 1971**

Dr. Nasima Selim
Brac University : **Ekattorer Debdas : The 'unusual' protest and
plight of a 'living martyr' of the Liberation War**

Barister Aminul Islam, Bangladesh Supreme Court

Open Discussion
Chair : Constanze Oehlich, Cambodia

1-00 PM Lunch-break

2.00 Plenary Session-6

Halina Wawzyniak, Human Rights Lawyer, Germany :

Ansar Ahmed Ullah
UK : **Building an International Network:
Campaign to seek justice & the efforts in the UK**

Patrick Burgess
Asia Director, ICTJ
An Informal Reflection on Truth and Justice in Bangladesh

Dr.Suzannah Linton, Hong Kong
**Dealing with the Legacies of the Past
Thoughts on the Way Forward for Bangladesh**

Open Discussion
Chair : Helmut Scholz, Germany

3-30 PM Tea Break

3-45 PM Round Table Discussion on the **Process of Trial in
Bangladesh and the Role of the Civil Society**

Adaptation of the Declaration

5-00 PM Closing Session

Master of Ceremony
Aly Zaker, Trustee, Liberation War Museum

Special Guest
Captain (Retd) A B Tazul Islam
State Minister for Liberation War Affairs
Chair : National Professor Kabir Chowdhury
