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BANGLADESH GENOCIDE AND TRIAL OF THE PERPETRATORS

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History of warfare is as old as the human history itself. In the primitive age people fought war based on individual chivalry and muscle strength. But, as the time past people invented machines and weapons to fight. Subsequently the invention of Gun Powder changed total style and structure of fighting methodology. In the initial days, when people used to fight on individual strength of the fighters, the society as a whole were not affected by war. But with the use of machines and gunpowder, greater part of the societies are becoming increasingly involved, particularly when strength and devastation power of Gun Powder are misused. The devastation caused by indiscriminate use of machine and men during World War-II is still vivid in our mind. Probably human history cannot afford to ignore the devastation and misery caused to humanity during that War. By end of the World War-II the civilized society understood as to how the wars are increasingly threatening the existence of civilization by developing and use of lethal weapons.

We are aware of the evolution process of Geneva Convention. Realizing the danger of war against humanity, civilized nations got united immediately after the war under the banner of the UN and framed some convention and principles for conduct of unavoidable war which is popularly known as Geneva Convention 1948. Primary aim of formulating such convention was to keep the effect of war limited to fighting forces and minimize the effect on the civil population. It is needless to mention that most of the civilized Nations are not only signatory to this convention they adhere to the conventions

while engaged in conflict. Present generation of Nations and civilized society as a whole have also drawn up programmes and procedures to try the perpetrators who violate the conventions. As a result we see trial of war criminals are being held in most parts of the World such as Cambodia, Bosnia, Rwanda, Sierra Leone, Mozambique etc. Voice is being raised for trial of war crime in recent Israel-Palestine conflict also.

One of the most human catastrophe of the 20th Century happened in Bangladesh during our great “War of Liberation–1971”. With the view to deny the democratic rights of 75 million people of Bangladesh, Pakistani Occupation Forces unleashed all its war machines against unarmed Bengalis. They used Air Force aircrafts equipped with Bombs, Rockets and Guns against the civilian centers of population including student hostels of the universities. They used Naval ships equipped with long range Guns and Rockets against the civilian population centres. They used Army Tanks, Artillery Guns, Heavy Machine Guns, light Machine Guns and all other modern weapons against the civil population with a view to destroy the strength and will of the people. They even picked up intellectuals like University Teachers, Journalists, Doctors, Engineers, Writers, Singers and other nationally known figures from their homes and murdered them brutally. In the process they killed three million innocent people, violated about four hundred fifty thousand women. Hundreds and thousands of houses were burnt into ashes. 10 Million people were forced to leave their ancestors home and become refugees in neighboring country India. Another 65 million people were kept as prisoners in their own home within the country. While committing these heinous crimes and crime against humanity, Pakistani occupation forces were not alone – they had their cohorts – the local fundamentalist group i.e, Rajakars, Al-Badars, Al-Shams etc. Time Magazine published from New York commented that, Quote: “If blood is the price for freedom than Bangladesh has over paid” Unquote. Pakistani authority, while launching the military operation against the sleeping Bangalees on the Night of 25th March 71, directed their troops by saying, quote: “We want land not the men” unquote. It is difficult to imagine how an official authority can give such “license to kill” to a National Army particularly directed against own citizens. However, the people of Bangladesh fought valiantly with the support of few civilized and friendly nations of the World and won victory. Unfortunately, because of international political scenario prevailing at that time particularly parley between China and U.S.A. disaster of such magnitude did not get enough attention of the International Community. Even today International Community seems ignorant about the magnitude of devastation that was caused by the Occupation Forces along with their cohorts, in Bangladesh in 1971. Now the question arises,

whether we leave the criminals at large, particularly those who have committed acts of Genocide and acts against humanity. I am sure, all present in this room as well as people with any rationality will answer infavour of trial of the War Criminals.

Since the end of World War-II particularly towards the end of last century, and few years of present century, International Community is becoming increasingly aware of the devastation that are being caused to civil society by the conflicts between Nations as well as intra national disputes. As these devastations are causing suffering to millions of unarmed and innocent-civilian population, international community is also trying to enforce the rule of law as well as put the perpetrators to trial.

Unfortunately the devastation and suffering that was caused in Bangladesh in 1971 still remains uninvestigated and perpetrators remains unpunished. The people of Bangladesh have been demanding the trial of the war criminals since the end of the "Liberation War" on 16 December 1971. Before repatriation of the defeated soldiers to Pakistan, 191 war criminals of the Occupation Forces were identified. But due to prevailing international political scenario and compulsion of repatriating few hundred thousand Bengali civilians stranded in Pakistan, the identified criminals were allowed to travel to Pakistan on assurance of Pakistan Govt. of the day, that they would be tried in Pakistan. Govt. of Pakistan failed to bring the identified war criminals to justice even today. However, trial of the local collaborators started immediately after the war through enactment of Collaborators Act 1972. After the killing of the Father of the Nation Bangabandhu Sheikh Mujibur Rahman on 15 August 1975 the Military junta relied heavily on the Defeated and Fundamentalist Forces for retaining their authority on the state power. For obtaining loyalty and support of the fundamentalist groups, the Military junta stopped the trial proceedings of the collaborators through promulgation of a Martial Law and started the process of rehabilitating the defeated forces. Because of political patronization these defeated forces particularly the perpetrators of the war crime are not only well established in the society to day, they are even part of the National Power Structure. Today they claim that there were no war crime in 1971 and there are no war criminals in Bangladesh. This claim enrages all Freedom Fighters of the War of Liberation and all the victims of the war feels insulted.

In the General election held on 29 December 2008 the people of Bangladesh have given clear mandate to the present Govt. to try the war criminals. The Ninth Parliament in it's first session adopted an unanimous resolution in favour of trying the war criminals.

The Govt. is moving slowly towards materializing the trial. It has been decided to hold the trial under Bangladesh law i.e., International Crime (Tribunal) Act 1973 which has been amended in the recently concluded session of the parliament. We expect that the trial will be fair and up to international standard. All humanitarian organizations working across the Globe including the United Nations are invited to witness the proceedings of the trial.

We are aware that some undemocratic and fundamentalist forces within the country are trying to destabilize the society by performing sabotage activities across the country. The carnage at BDR HQ in Pilkhana and unearthing of Arms & Explosive caches in different parts of the country are vivid examples of those. We are also aware of some international pressures on the Govt. to abandon the trial process. Whoever is the pursuer - internal or external the Nation is united for the trial of war criminals. The "Sector Commanders Forum - Liberation War-1971" along with other organizations demanding the trial and general public are determined to free the nation from the obligation of trying the perpetrators of war crime in 1971 in Bangladesh. We achieved victory unitedly in 1971, we shall achieve victory again this time unitedly. We are on the right path as we want to establish truth and justice and we want to establish rule of law. We are sanguine that the civilized international society will be with us in our just struggle.