

INTERNATIONAL JOURNAL OF LAW
MANAGEMENT & HUMANITIES
[ISSN 2581-5369]

Volume 8 | Issue 4

2025

© 2025 International Journal of Law Management & Humanities

Follow this and additional works at: <https://www.ijlmh.com/>

Under the aegis of VidhiAagaz – Inking Your Brain (<https://www.vidhiaagaz.com/>)

This article is brought to you for free and open access by the International Journal of Law Management & Humanities at VidhiAagaz. It has been accepted for inclusion in the International Journal of Law Management & Humanities after due review.

In case of any suggestions or complaints, kindly contact support@vidhiaagaz.com.

To submit your Manuscript for Publication in the International Journal of Law Management & Humanities, kindly email your Manuscript to submission@ijlmh.com.

Protection of Minority Groups under International Law during the 1971 Genocide: A Study in Madhupur of Tangail District

MD. SHAWKAT ALAM FAISAL¹

ABSTRACT

The Bangladesh Liberation War of 1971 was marked by widespread atrocities, including targeted violence against minorities. This research investigates the protection of minority communities under International Law during the 1971 genocide in Bangladesh, particularly in Madhupur, a region within Tangail District. This study aims to evaluate the effectiveness of International Law frameworks in safeguarding these communities amidst the conflict. Focusing on the specific context of Madhupur, the research examines the implementation and enforcement of international legal protections during the genocide. The study employs an empirical research design, integrating historical analysis, case study methods, and legal analysis. Primary data is collected through survivor interviews, archival government and military documents, and reports from international and local non-governmental organizations. Secondary data includes academic literature on the 1971 war, legal texts on international law, and previous case studies on genocide. The research identifies specific failures in the enforcement of international law, exacerbated by political, logistical, and contextual challenges. These failures had profound short-term and long-term impacts on the minority communities, contributing to extensive loss of life, displacement, and enduring trauma. The study concludes with suggestions for strengthening the protection of minorities in future conflicts. The research underscores the necessity for robust and practical implementations of international law to prevent similar atrocities. By critically assessing the historical and legal aspects of the 1971 genocide in Madhupur, this study contributes to the broader discourse on genocide prevention and minority rights. It provides valuable insights for policymakers, legal practitioners, and scholars, aiming to enhance the protection frameworks and ensure accountability in the face of such human rights violations.

Keywords: Genocide, Minority Groups, Human Rights, Safeguard, Justice.

¹ Author is an LL.M. Student at Department of Law, University of Rajshahi, Bangladesh.

I. INTRODUCTION TO PROTECTIONS FOR MINORITIES

A. Introduction

The genocide of 1971 during the Bangladesh Liberation War stands as one of the most harrowing examples of mass atrocities in modern history. Over the course of nine months, millions of civilians were killed, and countless others were subjected to horrific acts of violence, including torture, sexual assault, and forced displacement. Minority groups, particularly Hindus and indigenous communities, bore the brunt of these atrocities, often targeted for their ethnicity, religion, or cultural identity. Madhupur, a region in Tangail district, epitomizes the vulnerability of minorities in such conflicts. Known for its diverse population, including indigenous groups like the Garo people, Madhupur witnessed widespread killings, the destruction of cultural landmarks, and the forced displacement of its minority residents.²

This study seeks to examine the protections afforded to minorities under international law, particularly as outlined in the Genocide Convention (1948), the Universal Declaration of Human Rights (1948), the International Covenant on Civil and Political Rights (1966), Geneva Conventions (1949) and other related instruments. It explores how these frameworks were intended to function during armed conflicts and the extent to which they were applied or failed to be applied in the context of the 1971 genocide in Madhupur. By analyzing the events in Madhupur, the study aims to assess the gaps between theoretical legal protections and their practical implementation, shedding light on the systemic failures that allowed such atrocities to occur unchecked.³

Focusing on Madhupur as a case study, this research also delves into the roles of state and international actors in the failure to prevent or address the genocide. It seeks to highlight the socio-political dynamics that facilitated targeted violence against minorities and evaluates the long-term implications for affected communities. Ultimately, the study aims to contribute to the broader discourse on the effectiveness of international legal mechanisms in preventing genocide and ensuring justice.

B. Statement of the Problem

Despite the establishment of comprehensive international legal frameworks aimed at safeguarding minorities during conflicts, the atrocities committed during the 1971 Bangladesh

² Timm, Father R.W. 'Adivasis of Bangladesh' (Minority Rights Group International 1991).

³ Rehman, J., "The Weaknesses in the International Protection of Minority Rights" (The Hague: Kluwer Law International), 2000, p. 58.

Liberation War revealed significant shortcomings in their implementation. Instruments such as the Genocide Convention (1948), the Universal Declaration of Human Rights (1948), and the Geneva Conventions (1949) were designed to prevent and respond to mass atrocities. Yet, in Madhupur, minority groups, including Garo communities, were subjected to systematic violence, targeted killings, forced displacements, and destruction of cultural and religious sites. These events starkly illustrate the gap between the theoretical protections afforded under international law and their practical enforcement during periods of conflict.

In Madhupur, the deliberate targeting of minority groups raises critical questions about the effectiveness of International Humanitarian Law (IHL) and Human Rights Law (HRL) in such contexts. The principles of distinction and proportionality, cornerstones of IHL, were flagrantly violated as civilians were directly attacked, and their cultural heritage was destroyed. Human Rights Law, particularly provisions under the International Covenant on Civil and Political Rights (1966), failed to safeguard the fundamental rights of these minorities during the war. This study examines how and why these legal frameworks fell short in Madhupur, considering factors such as lack of enforcement mechanisms, political inaction, and the absence of international accountability at the time.

By focusing on Madhupur, this study seeks to identify the specific failures and challenges in the application of IHL and HRL in protecting minorities. It aims to analyze the interplay between these legal regimes, highlighting gaps in coordination and enforcement. Moreover, it investigates the role of the international community and the state in ensuring accountability for such crimes. The research aims to provide insights for strengthening the effectiveness of international law in preventing similar atrocities in the future.

C. Review of Literature

The article, "The Protection of Minorities – Whether a Neglected Field?", by Kamal Ahmad Khan, examines the historical evolution and current challenges in safeguarding minority rights at national and international levels. It highlights the shortcomings of past treaties, international conventions, and organizations, in ensuring effective protection and positive measures for minorities.⁴

Md. Mahfuzur Rahman in his write-up titled "A Theoretical Framework on Minority Rights under International Law: Regional Protection & Modern Initiatives", discussed the present scenario of minority rights under international law and the gap between legal framework and

⁴ Khan, Kamal Ahmad, "The Protection of Minorities – Whether a Neglected Field?" (2016) 2 Athens Journal of Law 1, P. 33 <<https://doi.org/10.30958/ajl.2-1-3>> accessed 14 December 2024.

its implementation.⁵

The article by John Packer and Erik Friberg, titled "Genocide and Minorities: Preventing the Preventable", argues that genocide prevention requires proactive mechanisms, including the appointment of a UN Special Representative on Minorities and Genocide Prevention, institutional reforms, and integrating minority rights into conflict prevention strategies to address root causes of violence.⁶

"The 10 stages of genocide", as proposed by Gregory H. Stanton, offer a framework to understand how genocides unfold systematically. The events during the 1971 Bangladesh Liberation War, particularly the targeting of minorities in Madhupur, Tangail, closely align with these stages.⁷

The Guardian, and The Times (London), routinely used phrases like "massacre," "slaughter," and "genocide" to characterize events in Bangladesh. This choice of words was critical in communicating the gravity of the situation to a global audience.⁸

Susan Brownmiller's groundbreaking work, "Against Our Will: Men, Women, and Rape" (1975), marked a turning point in the international recognition of rape as a weapon of war.⁹ A new feminist consciousness that took rape as a political issue and a growing practical acceptance of abortion as a solution were contributing factors of critical importance.¹⁰

There are reports circulating in Dhaka that systematic rape was a policy of the occupying army. The object was to produce a large number of children with non bengali fathers to dilute the prevailing Bengali nationalism. Dr. Geoffrey of International Abortion Research and Training Center of London, visited the villages and found countless of suicide cases of raped women and disposing of unwanted babies by drowning or other means. At least 5000 pregnancies caused by rape had been terminated. (The New York Times, 12 May, 1972).¹¹

Genocide denial in the context of Bangladesh is a grave injustice that perpetuates the suffering of victims and undermines the collective memory of a nation. It is what Elie Wiesel has called a "Double Killing".

⁵ Rahman, Md. Mahfuzur, "A Theoretical Framework on Minority Rights under International Law: Regional Protection & Modern Initiatives" (2021) 20 Journal of Studies in Social Sciences 4.

⁶ Packer, John, and Friberg, Erik, "Genocide and Minorities: Preventing the Preventable" (MRG, 2004).

⁷ Laponce, J.A., "The Protection of Minorities" (University of California Press 1960).

⁸ Haque, Md. Tanzimul, and Haque, Zeba Farah, 'Rights of the Ethnic Minorities under International Law: A Legal Monograph on Bangladesh and South Asia,' (2019) 7(2) Kathmandu School of Law Review.

⁹ Susan Brownmiller, "Against Our Will: Men, Women, and Rape" (1975).

¹⁰ Thornberry, Patrick, 'Is there a Phoenix in the Ashes? – International Law and Minority Rights', (1980) 15, Texas International Law Journal.

¹¹ Geoffrey Macdonald, The Challenges Facing Plainland Ethnic Groups in Bangladesh: Land, Dignity, and Inclusion (February 4, 2021) <<https://www.iri.org/resources/new-bangladesh-report-examines-needs-of-plainlandethnic-groups/>> accessed on 30 October 2023.

The only postwar inquiry commission established by the Pakistani government after their humiliating surrender in 1971 was the Hamoodur Rahman Commission (HRC). However, the testimonies gathered by the HRC revealed a disturbing lack of remorse or guilt among some Pakistani military officials. Major General Rao Forman Ali dismissed accusations of rape, loot, and harassment as mere tales, while Brigadier Shah Abdul Qasim attributed the excessive use of force by the Pakistani Army to anger and revenge. Similarly, Maj. Gen. Nazar Hussain Shah and Lt. Col. S.M. Naeem partially acknowledged the killings but downplayed their severity. Lt. Col. Mansoorul Haq even confessed to a general feeling of hatred towards the people of East Pakistan and verbal instructions to eliminate Hindus.

In recent years, there have been controversial interpretations of the events of 1971, with authors like Sarmila Bose garnering criticism for presenting a different history of the conflict. Bose's book, "Dead Reckoning," stated that violence erupted from both sides and that many Bengalis also committed atrocities against non-Bengalis has sparked debate and controversy. However, her characterization of the war as a civil conflict within Pakistan, later exacerbated by India's involvement, and her estimate of 50,000 to 100,000 deaths have been met with skepticism by many who argue that it minimizes the extent of the genocide.

Upal Aditya Oikya in his article titled 'Atrocities against Religious Minorities of Bangladesh: Can We Address it as Genocide?', described atrocities against the minority communities in Bangladesh during the liberation war of 1971.¹²

D. Research Gap

While extensive research exists on the Bangladesh Liberation War and the atrocities committed during that time, there is a noticeable lack of focused studies on the specific experiences of minority communities, particularly in regions like Madhupur, Tangail. Most analyses tend to address the broader political and military dimensions of the conflict, overlooking the systemic targeting of minorities and the failure of international legal frameworks to protect them. Additionally, while International Humanitarian Law (IHL) and Human Rights Law (HRL) have been studied in general contexts, there is limited research on their application or lack thereof, in the specific case of Madhupur. This study seeks to fill this gap by focusing on the intersection of these legal frameworks and their enforcement during the 1971 genocide, providing a micro-level analysis of how international law failed to prevent or respond to atrocities against minorities in this particular region.

¹² Oikya, Upal Aditya, 'Atrocities against Religious Minorities of Bangladesh: Can We Address it as Genocide?', *Pécs Journal of International and European Law* (2020/II).

E. Research Question and Hypothesis

1. What are the specific protections for minorities under international law?
2. What were the circumstances and events in Madhupur, Tangail, during the 1971 genocide?
3. How effectively was international law applied to protect minorities in Madhupur during this period?
4. What were the gaps between theoretical legal protections and their practical implementation?

The hypothesis of this study is that the international legal frameworks were inadequately enforced in Madhupur, Tangail during the 1971 genocide, resulting in insufficient protection for minority communities.

F. Objectives of the Research

1. To examine the legal protections for minorities under international law.
2. To analyze the application of international law during the 1971 genocide in Madhupur, Tangail.
3. To identify the specific failures and challenges in the implementation of these legal frameworks.
4. To provide suggestions and recommendations for improving the protection of minorities in future conflicts.

G. Methodology of the Research

This study uses empirical method, employing historical analysis, legal analysis, and case study methodologies.

- **Historical Analysis:** Contextualizing events in Madhupur within the broader framework of the 1971 genocide.
- **Legal Analysis:** Evaluating the application of IHL and HRL to the specific events and conditions in Madhupur.
- **Case Study Approach:** In-depth analysis of specific instances of minority persecution in Madhupur.

H. Data Collection

- **Primary Sources:** Interviews with survivors, eyewitnesses, and experts. Archival research, including government documents, military reports, and international organization records.
- **Secondary Sources:** Academic articles, newspaper articles, books, and reports from human rights organizations.

I. Rationale and Justification

Understanding the effectiveness of international law during the 1971 genocide in Madhupur is crucial for several reasons. First, it sheds light on historical injustices and helps in addressing past wrongs. Second, it provides valuable lessons for improving current international legal frameworks and their enforcement. Lastly, this study aims to contribute to the broader discourse on minority rights and conflict prevention.

J. Scope and Limitation

- **Scope:** The study focuses on the period of the 1971 genocide, specifically in the region of Madhupur, Tangail. It examines the application of international law in protecting minority communities during this conflict.
- **Limitation:** The research is limited by the availability of primary sources and the potential bias in survivor testimonies. Additionally, the legal analysis is constrained by the retrospective nature of the study.

II. GENOCIDE AND BANGLADESH LIBERATION WAR OF 1971

A. Definition and Acts of Genocide

The term "*genocide*" was first coined by Polish lawyer Raphael Lemkin in 1944, combining the Greek word "*genos*" (meaning race or tribe) with the Latin suffix "*cide*" (meaning killing). In his seminal work "*Axis Rule in Occupied Europe*" in 1944, Lemkin conceptualized genocide as the destruction of nations, targeting national groups as entities rather than individuals. He outlined two phases: the destruction of the national pattern of the oppressed group and the imposition of the national pattern of the oppressor. Genocide is legally defined under Article II of the Convention on the Prevention and Punishment of the Crime of Genocide (1948) as:

"Any of the following acts committed with intent to destroy, in whole or in part, a national, ethnical, racial or religious group, as such:

1. Killing members of the group;
2. Causing serious bodily or mental harm to members of the group;
3. Deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part;
4. Imposing measures intended to prevent births within the group;
5. Forcibly transferring children of the group to another group."

Rome Statute of the International Criminal Court (1998) adopts the same definition as the Genocide Convention.¹³ The International Crimes (Tribunals) Act, Bangladesh (1973) defines genocide under section 3(2)(c), aligning with international standards, including political group as protected group in addition to the above four.

B. Characteristics of Genocide

Key Elements of Genocide -

- **Intent:** Genocide requires a specific intent (*dolus specialis*) to destroy a group, either in whole or in part. The intent must target a group based on its national, ethnic, racial, or religious identity.
- **Protected Groups:** The Genocide Convention protects four specific groups: national, ethnical, racial, or religious groups. Political or cultural groups are not explicitly included under this definition.
- **Acts of Genocide:** The convention enumerates specific acts such as killing, inflicting harm, creating destructive conditions, preventing births, and forcibly transferring children. These acts must be directed at the targeted group to constitute genocide.¹⁴

C. Evolution of Genocide

The post-World War II era saw significant developments in addressing genocide and crimes against humanity. The Nuremberg Charter, adopted in 1945, and the subsequent verdict of the Nuremberg Trial in 1946 established a framework for prosecuting crimes against peace, war crimes, and crimes against humanity. These principles were later recognized as Customary International Law by the United Nations. The year 1948 marked a turning point with the

¹³ Faisal, Md. Shawkat Alam, "Cambodian genocide and its global ramifications", The New Nation (November 28, 2024) <<https://thedailynewnation.com/cambodian-genocide-and-its-global-ramifications/>> accessed 14 December 2024.

¹⁴ Faisal, Md. Shawkat Alam, "Echoes of desperation: Navigating the depths of the Rohingya crisis", The New Nation (November 27, 2024) <<https://thedailynewnation.com/echoes-of-desperation-navigating-the-depths-of-the-rohingya-crisis/>> accessed 14 December 2024.

adoption of the Universal Declaration of Human Rights and the UN Convention on Prevention and Punishment of the Crime of Genocide (Genocide Convention). The Genocide Convention, in particular, defined genocide and articulated a comprehensive framework for identifying and prosecuting acts of genocide, underscoring the imperative of collective action in the face of genocide's insidious threat.

Shaista Ekramullah, a member of the Suhrawardy family of Bengal, played a crucial role in the drafting of the Genocide Convention in 1948 as a member of the Pakistan delegation. Despite her significant involvement, her contributions remained unrecognized, echoing a broader issue of marginalized voices within historical narratives. Reflecting on her encounter with Rafael Lemkin, the architect of the term "genocide," Ekramullah lamented the lack of recognition for the plight of her people and expressed disappointment in the reluctance of powerful nations to endorse genocide as a punishable crime. During the debates at the Genocide Convention, contentious discussions arose regarding the accountability of governments and state leaders for genocide. Ekramullah highlighted the inadequacy of solely targeting legally constituted authorities, citing historical precedents such as Nazi Germany and the activities of the RSS in India.

After around 50 years, the establishment of the International Criminal Tribunal for the Former Yugoslavia (ICTY) in 1993 and the International Criminal Tribunal for Rwanda (ICTR) in 1994 signaled a shift towards accountability for mass atrocities. The establishment of the International Criminal Court (ICC) in 2002 marked a significant milestone in the pursuit of justice for international crimes. Defined within its mandate under Article 6 were core crimes, including genocide, crimes against humanity, war crimes, and the crime of aggression, echoing the principles outlined in the Genocide Convention.

In Bangladesh, the enactment of the International Crimes Tribunal Act of 1973 and the subsequent establishment of the International Crimes Tribunal in 2010 represent a pivotal step towards addressing historical injustices. With its inclusion of political groups and recognition of rape as a crime against humanity under section 3(2), the Act expanded the scope of accountability for atrocities committed during times of conflict. Furthermore, the Rome Statute of the International Criminal Court of 1998 broadened the definition of crimes against humanity to encompass a wide range of acts perpetrated against civilian populations. This expansion included acts such as murder, enslavement, torture, and sexual violence, reflecting a commitment to combating impunity on a global scale.¹⁵

¹⁵ Faisal, Md. Shawkat Alam, "A Historical Perspective of the Evolution of Genocide", The Daily Observer

D. Historical Background of Bangladesh Liberation War

The Bangladesh Liberation War was a nine-month-long conflict between East Pakistan (now Bangladesh) and West Pakistan (now Pakistan) that culminated in the independence of Bangladesh. It was driven by long-standing political, economic, and cultural grievances of East Pakistan against the central government in West Pakistan. The dominant narrative framed the conflict as a battle for autonomy, linguistic and cultural rights, and political freedom. However, the situation rapidly escalated into mass atrocities, with civilians, especially minority groups, bearing the brunt of state violence.

In March 1971, as political tensions reached a boiling point, the Pakistani military launched a crackdown in East Pakistan, deploying armed forces with orders to restore control. "Operation Searchlight", as it was called, aimed at quelling political unrest but quickly turned into a campaign of terror against the Bengali population. The military targeted political leaders, intellectuals, students, and minorities, with Madhupur in Tangail district becoming one of the most significant sites of violence and persecution. The military operation included mass killings, rapes, torture, forced displacements, and the destruction of cultural sites, targeting Hindus and indigenous communities who were seen as symbols of resistance to Pakistani rule.

E. Ten Stages of Genocide and their Relevance to 1971

The 10 stages of genocide, as proposed by Gregory H. Stanton, offer a framework to understand how genocides unfold systematically. The events during the 1971 Bangladesh Liberation War, particularly the targeting of minorities in Madhupur, Tangail, closely align with these stages. Below is an analysis of each stage in sequence and its relevance to the 1971 genocide.

1) **Classification:** Genocide begins with the division of society into "us" and "them." In 1971, the Pakistani regime classified the Bengali population in East Pakistan as inferior, rebellious, and a threat to national unity. Hindus and indigenous communities were further segregated as "the other," seen as supporters of Bengali independence and, therefore, enemies of the state. This ideological distinction between the ruling elite of West Pakistan and the Bengali population laid the foundation for genocide.

2) **Symbolization:** Symbols are assigned to distinguish groups. In 1971, Hindus were often identified through religious markers such as their temples, clothing, or cultural practices. Indigenous groups like the Garo and Koch were similarly marked by their distinct ethnic

identities. The systematic destruction of Hindu temples and indigenous cultural landmarks in Madhupur served as both a physical and symbolic erasure of these communities.

3) **Discrimination:** The dominant group uses laws, policies, or practices to deny the rights of the targeted group. Before 1971, Hindus in East Pakistan faced systemic discrimination, including restrictions on land ownership and social marginalization. Indigenous communities were similarly deprived of political representation and access to resources. The Pakistani military reinforced this discrimination during the war by treating Hindus and indigenous people as second-class citizens and targeting them for persecution.

4) **Dehumanization:** The targeted group is portrayed as less than human, justifying acts of violence. During the 1971 war, Pakistani propaganda dehumanized Bengalis, especially Hindus, by labeling them as "traitors," "infidels," and "vermin." Indigenous communities were depicted as "backward" and irrelevant to the national identity. This dehumanization fueled atrocities, as soldiers and collaborators viewed their actions as eliminating a threat rather than committing crimes against humanity.

5) **Organization:** Genocide is always organized, often by the state or its proxies. The Pakistani military, along with local collaborators, systematically organized attacks on Madhupur's minorities. Operation Searchlight, launched on March 25, 1971, was a state-led military operation aimed at suppressing Bengali nationalism but also included targeted violence against Hindus and indigenous communities. Lists of Hindu households and community leaders were prepared to facilitate their extermination.

6) **Polarization:** Extremists polarize society by driving groups apart, often using hate propaganda and violence. In 1971, the Pakistani military used divisive rhetoric to isolate Hindus and indigenous people from the broader Bengali population. Bengali Muslims who sympathized with minorities were branded as traitors, creating a climate of fear and division. This polarization deepened communal mistrust and justified the military's genocidal actions.

7) **Preparation:** Plans are made to carry out mass killings, and victims are identified and separated. In Madhupur, the military and its collaborators prepared detailed strategies to eliminate Hindu and indigenous communities. Lists of Hindu households were compiled, and indigenous settlements were mapped. Men were often separated from women and children, with men being executed and women subjected to sexual violence. The military also confiscated property and destroyed cultural and religious sites as part of this preparation.

8) **Persecution:** Victims are subjected to violence, harassment, and other forms of abuse. In Madhupur, Hindus and indigenous people faced mass arrests, forced displacement, torture,

and killings. Many were forced to flee their homes and become refugees. Religious sites, such as temples, were desecrated, and indigenous communities were stripped of their land. This stage saw the systematic stripping away of their identity and existence.

9) **Extermination:** The actual mass killings and destruction of the targeted group take place. In Madhupur, Hindus and indigenous communities were subjected to mass executions, sexual violence, and destruction of their cultural and religious landmarks. This stage marked the culmination of the genocidal process, with thousands of lives lost and entire communities decimated. The term "extermination" reflects how the perpetrators viewed their actions, not as murder but as a necessary purging.

10) **Denial:** Perpetrators deny the occurrence of genocide, destroy evidence, and blame victims. After 1971, the Pakistani government denied the genocide, calling it an internal security operation. Local collaborators in Madhupur also attempted to erase their involvement. International acknowledgment of the genocide has been slow, further perpetuating this stage. Denial continues to undermine justice and reconciliation for the victims and survivors of Madhupur.

F. Factors Contributing to the Genocide

The genocide committed during the 1971 Bangladesh Liberation War, particularly in regions like Madhupur, was driven by a combination of political, social, and international factors. These factors not only exacerbated the violence but also facilitated the systematic targeting of minorities such as Hindus and indigenous communities. Below are the key contributing factors:

1) **Political and Military Strategy:** The Pakistani military's primary goal during the 1971 conflict was to suppress Bengali nationalism and maintain control over East Pakistan. As part of this strategy, Operation Searchlight (March, 1971) was launched to dismantle political and cultural resistance in East Pakistan. This operation targeted intellectuals, students, and political leaders, alongside religious and ethnic minorities seen as symbolic of the independence movement. Minority groups, particularly Hindus, were viewed as supporters of Indian intervention and as cultural and religious outsiders. Indigenous communities were seen as peripheral and dispensable. The military considered their elimination as essential to maintaining control.

2) **Ethnic and Religious Discrimination:** Systemic discrimination against Bengalis and minorities in East Pakistan predated the 1971 conflict and laid the groundwork for the atrocities. The dominance of West Pakistan in political and economic affairs fostered

resentment and marginalization in East Pakistan. Hindus, in particular, were stereotyped as "anti-Islam" and "pro-India," making them convenient scapegoats. Indigenous communities like the Garo and Koch in Madhupur were neglected politically and economically, and during the war, their ethnic and cultural identities made them easy targets for violence.

3) **Dehumanization and Propaganda:** Dehumanizing rhetoric and propaganda by the Pakistani state played a significant role in justifying violence. Hindus were labeled as "infidels," "enemies of the state," and "collaborators" with India, creating public and military support for their persecution. Indigenous people were dismissed as "uncivilized" and irrelevant to the Islamic identity of Pakistan, leading to their erasure through violence and forced displacement. This dehumanization stripped victims of their humanity, making atrocities seem acceptable to the perpetrators.

4) **Role of Local Collaborators:** Local collaborators, including elements of the Bengali population aligned with West Pakistan, played a key role in facilitating the atrocities. Groups like the "Razakars", "Al-Badr", and "Al-Shams" actively aided the military in identifying minority households and executing targeted attacks. Collaborators provided local knowledge, allowing the military to efficiently target and destroy Hindu and indigenous communities. The involvement of local actors deepened the scale and reach of the violence, as trust within communities was eroded.

5) **Socio-Economic Vulnerability of Minorities:** The socio-economic status of minorities in Madhupur made them particularly vulnerable to persecution. Many Hindus in Madhupur were landowners or small business owners, making them targets for land grabs and economic exploitation. Indigenous communities, already marginalized, lacked the political or social capital to defend themselves or garner external support during the conflict. This economic vulnerability allowed both the military and collaborators to exploit minorities without resistance.

6) **Strategic Importance of Madhupur:** Madhupur's geographic and strategic significance contributed to the scale of atrocities in the region. Its location as a communication hub made it a vital area for military operations. Controlling Madhupur was essential for suppressing resistance in Tangail district. The region's minority population was perceived as a liability, leading to deliberate efforts to eliminate them.

7) **Weak International Response:** The lack of timely international intervention enabled the Pakistani military to carry out its genocidal campaign with impunity. Despite widespread reports of atrocities, the global community failed to act decisively. The United Nations and

other international bodies hesitated due to Cold War geopolitics, as key nations prioritized their alliances over human rights. India's eventual intervention in December 1971 was driven by regional security concerns rather than a direct response to the genocide, leaving minorities unprotected for most of the conflict.

8) **Collapse of Law and Order:** The breakdown of civil administration in East Pakistan during the war left vulnerable populations defenseless. Local law enforcement agencies were either co-opted by the military or ceased functioning altogether, enabling unrestrained violence against minorities. Survivors recount the complete absence of legal or institutional mechanisms to protect them from targeted attacks in Madhupur.

9) **International Inaction and Impunity:** The absence of immediate accountability mechanisms contributed to the persistence of atrocities. The Genocide Convention (1948) and the Geneva Conventions (1949) provided legal frameworks to prevent and punish atrocities, but enforcement was weak. The lack of international criminal tribunals or an operational International Criminal Court (ICC) in 1971 allowed perpetrators to act without fear of prosecution.

10) **Cultural and Religious Erasure:** The systematic destruction of cultural and religious landmarks in Madhupur was an attempt to erase the identity of the targeted groups. Hindu temples and indigenous cultural sites were desecrated or destroyed to remove symbols of resistance and identity. Forced conversions of Hindus and assimilation of indigenous groups further reflected a broader genocidal intent.

G. Gendercide and Sexual Violence as a Weapon of War

The discourse surrounding sexual violence within armed conflicts serves as a poignant reminder of this reality, unveiling a disturbing truth: it is not merely an incidental occurrence but a deliberate tactic employed as part of a regime's systematic agenda to obliterate a targeted group by stripping away their dignity and humanity. The systematic rape of women in conflict zones such as Bosnia, Colombia, Congo, Sudan, Bangladesh, and Myanmar serves as a chilling reminder of the weaponization of sexual violence as a tool of oppression and domination. International bodies, recognizing the urgent need to address gender-based violence in conflict zones, have issued resolutions and legal frameworks aimed at protecting the rights and dignity of women and girls. UN Resolution 1325 (2000), for instance, calls upon all parties to armed conflicts to take special measures to safeguard women and girls from gender-based violence, including rape and other forms of sexual abuse. Additionally, various international conventions and protocols, such as the Geneva Conventions of 1949, Additional

Protocols thereto of 1977, the Refugee Convention of 1951, Protocol thereto of 1967, the Convention on the Elimination of All Forms of Discrimination against Women of 1979, the Optional Protocol thereto of 1999, the United Nations Convention on the Rights of the Child of 1989, two Optional Protocols of 25 May, 2000 and Rome Statute of the ICC 1998 provide legal mechanisms for addressing such crimes against humanity.

Susan Brownmiller's groundbreaking work, "Against Our Will: Men, Women, and Rape" (1975), marked a turning point in the international recognition of rape as a weapon of war. A new feminist consciousness that took rape as a political issue and a growing practical acceptance of abortion as a solution were contributing factors of critical importance. For the first time in 1998, at the ICTR, in the case of Jean-Paul Akayesu sexual assaults were declared to be genocidal in themselves rather than just a consequence of war. Moreover, the targeting of men through forced labor serves as a stark reminder of the multifaceted nature of gender-based violence and its enduring impact on individuals and communities.

The Bangladesh Liberation War of 1971 stands as a tragic example of the brutal impact of sexual violence, with reports indicating that over 200,000 women were raped by Pakistani armed forces and local collaborators. They were identified and forcefully taken away from their home, kept in torture cell, used for entertainment of powerful elite militia. Women of all ages including widow not spared. There are reports circulating in Dhaka that systematic rape was a policy of the occupying army. The object was to produce a large number of children with non bengali fathers to dilute the prevailing Bengali nationalism. Dr. Geoffrey of International Abortion Research and Training Center of London, visited the villages and found countless of suicide cases of raped women and disposing of unwanted babies by drowning or other means. At least 5000 pregnancies cause by rape had been terminated. (The New York Times, 12 May, 1972).

Amidst the darkness of genocide, stories of resilience and resistance emerge as beacons of hope. In regions like Bangladesh, survivors have transformed their experiences into acts of defiance, attaining recognition as "Freedom Fighters" and advocates for justice. The establishment of rehabilitation centers (the National Board of the Bangladesh Women's Rehabilitation Program appointed by Sheikh Mujibur Rahman) and legal provisions for abortion rights and adoption signify a holistic approach to healing and reconciliation in the aftermath of conflict. Moreover, initiatives aimed through ICTBD at recognizing the children born of wartime atrocities underscore the importance of bearing witness to the truth and

seeking justice for all those affected by genocide and gender-based violence.¹⁶

H. Denial of the 1971 Genocide

Genocide denial in the context of Bangladesh is a grave injustice that perpetuates the suffering of victims and undermines the collective memory of a nation. It is what Elie Wiesel has called a “Double Killing”. On the night of March 25, 1971, the Pakistani military launched Operation Searchlight, a brutal crackdown aimed at suppressing the Bengali nationalist movement. The military targeted key Bengali political leaders, intellectuals, and students, resulting in mass killings and arrests. The Pakistani military collaborated with militias such as the Razakars, Al-Badr, and Al-Shams to suppress the independence movement. Throughout the nine-month-long conflict, the Pakistani military and their collaborators carried out massacres and indiscriminate killings of Bengali civilians, including men, women, and children with estimates of the death toll around 3 millions. The Pakistani military systematically used rape and sexual violence as weapons of war to terrorize and subjugate the Bengali population.

The violence and persecution perpetrated by the Pakistani military forced millions of Bengalis to flee their homes and seek refuge in neighboring India. As part of a campaign, the Pakistani military orchestrated the abduction, torture, and murder, known as the "Intellectual Genocide", of professors, journalists, writers, and artists, aimed to cripple the emerging independent Bengali identity on 14 December, 1971. The birth of Bangladesh as an independent nation in 1971 was indeed marred by the harrowing events of genocide, as expressed in the nation's very first legal document, the Proclamation of Independence. This proclamation highlighted the ruthless and savage war conducted by the Pakistani authorities, which included numerous acts of genocide and unprecedented torture inflicted upon the civilian and unarmed people of Bangladesh.

The denial of these atrocities by Pakistan began even as the war was ongoing. The only postwar inquiry commission established by the Pakistani government after their humiliating surrender in 1971 was the Hamoodur Rahman Commission (HRC). However, the testimonies gathered by the HRC revealed a disturbing lack of remorse or guilt among some Pakistani military officials. Major General Rao Forman Ali dismissed accusations of rape, loot, and harassment as mere tales, while Brigadier Shah Abdul Qasim attributed the excessive use of force by the Pakistani Army to anger and revenge. Similarly, Maj. Gen. Nazar Hussain Shah

¹⁶ Faisal, Md. Shawkat Alam, "Sexual Violence and Gender-Based Atrocity as a Weapon of War", *The Daily Sun* (Dhaka, 19 May, 2024) <<https://www.daily-sun.com/printversion/details/748866>> accessed 14 December 2024.

and Lt. Col. S.M. Naeem partially acknowledged the killings but downplayed their severity. Lt. Col. Mansoorul Haq even confessed to a general feeling of hatred towards the people of East Pakistan and verbal instructions to eliminate Hindus. The HRC report brazenly denied the scale of the atrocities, characterizing the estimated three million killings as highly exaggerated. It also downplayed reports of rape and justified the aggression towards Bengali people as a war between purity and impurity, with Hindus being portrayed as the "impure" faction.

In recent years, there have been controversial interpretations of the events of 1971, with authors like Sarmila Bose garnering criticism for presenting a different history of the conflict. Bose's book, "Dead Reckoning," stated that violence erupted from both sides and that many Bengalis also committed atrocities against non-Bengalis has sparked debate and controversy. However, her characterization of the war as a civil conflict within Pakistan, later exacerbated by India's involvement, and her estimate of 50,000 to 100,000 deaths have been met with skepticism by many who argue that it minimizes the extent of the genocide.¹⁷

I. Genocide of 1971 in the Eye of International Media

The international media's role in crafting narratives during the 1971 Bangladesh Liberation War emphasizes the significance of critically engaging with historical documents. The foreign media paid close attention to Sheikh Mujibur Rahman's declaration of independence and the accompanying violent crackdown by Pakistani forces. Prominent media, including The New York Times, The Guardian, and The Times (London), routinely used phrases like "massacre," "slaughter," and "genocide" to characterize events in Bangladesh. This choice of words was critical in communicating the gravity of the situation to a global audience.

Television and radio both played important roles. The BBC, for example, aired eight episodes of Panorama, an investigative program that focused on the conflict. These broadcasts brought the horrors of the fight into people's living rooms all across the world, making distant and abstract accounts of carnage more relatable. Photographic analyses demonstrate a proclivity to concentrate on military actions, frequently via a Eurocentric lens that emphasizes themes of inadequacy and dependency.

An in-depth content examination of front-page news coverage in The New York Times and The Times (London) indicates a variety of perspectives on the situation. About 16.8% of the articles were human interest pieces, with a focus on the experiences of Bengalis, victims, and

¹⁷ Faisal, Md. Shawkat Alam, "The Dark Shadow of Genocide Denial in Bangladesh", The Business Standard (Dhaka, 17 April, 2024) <<https://www.tbsnews.net/thoughts/dark-shadow-genocide-denial-bangladesh-833481>> accessed 14 December 2024.

refugees. Reports on military confrontation accounted for 34%, while 30.5% discussed probable implications. The tone of the media varied; nearly half of the reports were neutral, 35.1% were positive, and 14.4% were negative. This distribution reflects the situation's complexities as well as the diverse opinions of various media channels.

Local British newspapers and other worldwide media helped shape public opinion and rally sympathy for the Bengali cause. The recognition protest for Bangladesh in Trafalgar Square, London, on August 8, 1971, garnered widespread publicity, symbolizing both local and worldwide support. These studies not only informed the public, but also added to the mounting pressure on governments and international organizations to address the situation.

The examination of media coverage during the 1971 war reveals many biases in depiction. Western media frequently portrayed the conflict through the viewpoint of insufficiency and dependency, echoing postcolonial assumptions. This viewpoint occasionally eclipsed the courageous struggle of freedom fighters and the efforts of the government in exile. Instead, the war was usually referred to as a "India-Pakistan War," ignoring the uniqueness of the Bengali independence cause.

Cultural activists in the United States and the United Kingdom contributed significantly to promoting awareness and support for Bangladesh. Figures like George Harrison, Ravi Shankar, and Allen Ginsberg used their platforms to raise international awareness of the Bengali people's predicament. They contributed to public opinion and support for the independence movement by organizing concerts, making public declarations, and engaging in other sorts of activity.

Television news coverage by major US networks like as ABC, CBS, and NBC revealed systematic biases in favor of US foreign policy, notably during various stages of the war. Reports frequently reflected US political goals, highlighting the Cold War's greater geopolitical backdrop. However, these networks also covered public demonstrations and international diplomatic attempts, giving a more complete picture of the situation.¹⁸

III. LEGAL PROTECTIONS FOR MINORITIES AGAINST GENOCIDE

A. International Human Rights Law (HRL)

1. The Convention on the Prevention and Punishment of the Crime of Genocide (Genocide Convention), 1948

¹⁸ Faisal, Md. Shawkat Alam, "The Genocide of 1971 in the Eye of International Media", *The Muslim Times* (Dhaka, 5 June 2024) p.4.

- **Article II:** Defines genocide as acts committed with intent to destroy, in whole or in part, a national, ethnical, racial, or religious group. This includes acts such as killing members of the group, causing serious bodily or mental harm, and deliberately inflicting conditions of life intended to destroy the group. The Convention represents a legal cornerstone in protecting minority rights against genocide.¹⁹

2. The Universal Declaration of Human Rights (UDHR), 1948

- **Article 1:** Affirms the inherent dignity and equal rights of all members of the human family.²⁰
- **Article 2:** Prohibits discrimination and underscores the right to equal protection under the law without distinction as to race, color, or religion.²¹

3. The International Covenant on Civil and Political Rights (ICCPR), 1966

- **Article 27:** Protects the rights of minorities to practice their own culture, religion, and language. It requires states to adopt effective measures to protect these rights.²²

4. The United Nations Declaration on the Rights of Persons Belonging to National or Ethnic, Religious, and Linguistic Minorities (1992)

- **Article 1:** Recognizes the right of minorities to enjoy their own culture, profess and practice their own religion, and use their own language.²³
- **Article 2:** Calls for measures to ensure that persons belonging to minorities can participate effectively in decision-making processes.²⁴

5. The Charter of the United Nations (1945)

- **Preamble:** Highlights the importance of promoting and encouraging respect for human rights for all without distinction as to race, sex, language, or religion.
- **Article 1(3):** Calls for international cooperation to promote and encourage respect for human rights.²⁵

¹⁹ The Convention on the Prevention and Punishment of the Crime of Genocide (Genocide Convention), 1948, art 2.

²⁰ The Universal Declaration of Human Rights (UDHR), 1948, art 1.

²¹ Ibid, art 2.

²² The International Covenant on Civil and Political Rights (ICCPR), 1966, art27.

²³ The United Nations Declaration on the Rights of Persons Belonging to National or Ethnic, Religious, and Linguistic Minorities (1992), art 1.

²⁴ Ibid, art 2.

²⁵ The Charter of the United Nations (1945), art 1(3).

6. The Rome Statute of the International Criminal Court (1998)

- **Article 6:** Defines genocide and establishes individual criminal responsibility for genocide, war crimes, and crimes against humanity.²⁶
- **Article 7:** Outlines crimes against humanity, including the targeting of civilian populations based on ethnicity or religion.²⁷

B. International Humanitarian Law (IHL)

1. The Geneva Conventions of 1949

- **Common Article 3:** Provides minimum protections in non-international armed conflicts, including the prohibition of acts of violence against life and person, such as murder and mutilation.²⁸
- **Article 27 (Fourth Geneva Convention):** Ensures respect for family life and the protection of women against rape and enforced prostitution.²⁹

2. Additional Protocols to the Geneva Conventions (1977)

i. Additional Protocol I:

- **Article 75:** Ensures fundamental guarantees to persons in all circumstances, including the prohibition of discrimination based on race, nationality, religion, or political opinion.³⁰
- **Article 48:** Requires parties to the conflict to direct their operations only against military objectives.³¹

ii. Additional Protocol II:

- **Article 4:** Protects the rights of persons who do not take part in hostilities in non-international armed conflicts.³²
- **Article 13:** Protects persons who do not take part in hostilities, including civilians who do not belong to the armed forces.³³

3. The Hague Conventions of 1899 and 1907

- **Article 23(g):** Prohibits acts of barbarity, including attacks on cultural heritage.³⁴

²⁶ The Rome Statute of the International Criminal Court (1998), art 6.

²⁷ Ibid, art 7.

²⁸ The Geneva Conventions of 1949, art3.

²⁹ Ibid, art 27.

³⁰ Additional Protocol I to the Geneva Conventions (1977), art 75.

³¹ Ibid, art 48.

³² Additional Protocol II to the Geneva Conventions (1977), art 4.

³³ Ibid, art 13.

- **Article 46:** Prohibits the confiscation of property, including religious and cultural property.³⁵
- **Article 56:** Prohibits attacks on religious, cultural, and educational buildings.³⁶

C. Domestic Laws of Bangladesh

1. The Constitution of Bangladesh (1972)

- **Article 28:** Guarantees equality before the law and prohibits discrimination based on race, religion, caste, sex, or place of birth.³⁷
- **Article 15:** Obliges the state to ensure the proper use and preservation of public property, including cultural heritage.³⁸

2. The Special Tribunal Act, Bangladesh (1973)

This act established the framework for prosecuting crimes committed during the Liberation War. It was intended to address the atrocities but faced significant challenges in implementation and accountability. The focus was primarily on high-profile political leaders, and minority-specific crimes were not adequately addressed.

3. The International Crimes (Tribunals) Act, Bangladesh (1973)

- **Section 3:** Defines genocide under Bangladesh law, aligning with international standards, including political group as protected group.³⁹

IV. FIELD VISITS IN MADHUPUR AND ANALYSIS OF DATA

A. Interviews on the Field Visits

During the field visits to Madhupur, Tangail, significant insights were gathered through interviews with 40 individuals who directly experienced or witnessed the events of the 1971 Liberation War. These interviews shed light on the contributions of Father Eugene Homrich and the Garo community during the war, illustrating the atrocities committed by the Pakistani military and the acts of resistance and humanitarian efforts in the region.

1. Corpus Christi Catholic Church, Jalchatra, Madhupur

At Corpus Christi Catholic Church in Jalchatra, the researcher interviewed a sister associated with the church. Her accounts provided crucial information about the situation during the

³⁴ The Hague Conventions of 1899 and 1907, art 23 (g).

³⁵ Ibid, art 46.

³⁶ Ibid, art 56.

³⁷ The Constitution of Bangladesh (1972), art 28.

³⁸ Ibid, art 15.

³⁹ The International Crimes (Tribunals) Act, Bangladesh (1973), s 3.

Liberation War and Father Eugene Homrich's contributions:

- **Father Eugene Homrich's Courage:** The sister recounted how Father Homrich directly confronted Pakistani soldiers to save young freedom fighters. She described an incident where 42 captured fighters were held at gunpoint to be executed. Father Homrich stood in front of the soldiers and boldly declared, "If you want to kill them, you must kill me first." His courage compelled the soldiers to release the captives, saving numerous lives.

- **Protection of Women and Children:** She highlighted Father Homrich's efforts to hide women and children in dense forests and the church premises during Pakistani military raids. His interventions prevented many women from being raped and saved countless children from being killed.

- **Impact of Air Raids:** She recalled that when Pakistani fighter planes flew overhead, children would unknowingly expose themselves by cheering. Father Homrich took proactive measures to ensure their safety, shielding them from detection.

- **Wisdom to Prevent Atrocity:** During the 1971 Liberation War, when the USA was an ally of Pakistan, Father Eugene Homrich demonstrated remarkable courage to save the lives of 27 boys from the indigenous community who had been abducted by the Pakistan Army. Standing fearlessly in front of the soldiers, he declared, "If you kill me, the news will appear in American newspapers tomorrow, exposing how you murdered an American missionary. This will only heighten international condemnation of your country." His boldness and wisdom not only saved those boys but also protected many local lives during the mass atrocities of that dark period.

2. St. Paul's Catholic Church, Pirgacha, Madhupur

At St. Paul's Catholic Church in Pirgacha, the researcher interviewed five individuals, including four men and one woman, who were closely associated with Father Homrich. The woman was a victim of sexual violence and one man out of them was a freedom fighter. Their testimonies revealed:

- **Witness to Atrocities:** The woman who was a victim of sexual violence, shared her memories of Pakistani soldiers abducting young men from the area and targeting the local community. Her accounts provide a vivid picture of the terror faced by minorities during the war. According to her statement, more than 80 women were abused and many of them were killed.

- **Rejection of Collaboration with Pakistani Forces:** One interviewee shared that the Pakistani military approached Father Homrich with an offer. They promised not to harm his followers or community if he provided intelligence on freedom fighters. Father Homrich rejected this proposal, choosing humanity over compromise. This act of defiance is remembered as a defining moment of his moral integrity.

- **Stand Against Violence:** Another interviewee described how Father Homrich repeatedly risked his own life to protect others. At one point, he stood in front of armed soldiers, declaring, “If you kill me, the world will know about your crimes.” This courageous stance deterred further violence and saved lives.

- **Community Trust:** Interviewees emphasized the deep trust the local community placed in Father Homrich. Children would invoke his name to ward off Pakistani soldiers, saying, “If you hurt us, we will tell Father.” This reflects his influence as a figure of moral authority and protection.

a) Accounts of the Garo Community

Through these interviews, the researcher also documented the Garo community’s active participation and support during the Liberation War:

- **Contributions to the Freedom Struggle:** Members of the Garo community joined freedom fighters in resisting the Pakistani forces. Their intimate knowledge of the Madhupur forest allowed them to provide strategic assistance and safe passage for fighters.

- **Communal Bond:** Despite the widespread communal violence occurring across the country during the 1971 Liberation War, the people of Madhupur set a remarkable example of unity and peaceful coexistence among Muslims, Hindus, and Indigenous communities. They stood together in their suffering, resilience, and resistance against the Pakistani Army. Demonstrating extraordinary solidarity, local villagers organized themselves into teams to protect their villages. Each night, a different team took up the responsibility of surveillance, armed only with bamboo sticks and farming tools, to defend their homes and communities from potential attacks.

- **Impact on the Garo Community:** Interviewees noted that the Garo population was subjected to targeted violence by the Pakistani military, who sought to suppress their support for the independence movement. Despite this, the community remained steadfast in its commitment to the cause.

- **Recognition of Father Homrich's Efforts:** The Garo people remembered Father Homrich as a savior who worked tirelessly to protect them and other minorities in the region. Before Father Eugene Homrich's arrival, the people of Madhupur endured severe suffering at the hands of the Pakistani military. They were subjected to brutal torture, killings, rapes, and forced displacement, leaving their communities devastated and vulnerable. His actions were described as instrumental in reducing the number of killings, disappearances, and rapes in Madhupur.

b) Bangladesh Liberation War Museum, Dhaka

The researcher's visit to the Bangladesh Liberation War Museum offered a profound understanding of the broader genocide during the 1971 Liberation War, with a specific emphasis on the suffering of minority groups. The museum, established in 1996, has meticulously curated artifacts, personal accounts, and exhibits that chronologically document the conflict. It sheds light on the atrocities committed by the Pakistani military, including targeted killings of Hindus, indigenous communities, and Bengali intellectuals, as well as the mass displacement of millions. Key Insights from the Researcher's Visit to the Bangladesh Liberation War Museum:

- 1) **Documenting the Genocide:** The museum chronicles the atrocities of 1971, highlighting the genocide perpetrated by the Pakistani military, including targeted killings, mass rapes, and the destruction of villages, especially impacting minorities such as Hindus and indigenous communities.

- 2) **Focus on Minority Groups:** The exhibits emphasize the disproportionate violence faced by minority groups, particularly Hindus, whose cultural and religious sites were destroyed, and indigenous communities like the Garos, who were systematically targeted.

- 3) **Personal Stories and Artifacts:** The museum houses personal items, such as handwritten letters, clothing, and tools, that belonged to the victims and freedom fighters, humanizing the broader narrative of genocide.

- 4) **Evidence of War Crimes:** Displays include skeletal remains and items recovered from mass graves, providing tangible evidence of the mass killings and atrocities committed during the war.

- 5) **Sexual Violence as a Weapon of War:** The museum highlights the systematic use of sexual violence, documenting how thousands of women, particularly from minority communities, were subjected to rape and sexual slavery, often in front of their families.

6) **Historical Context:** The museum offers a chronological narrative, starting with the Bengali Language Movement of 1952 and leading up to the 1971 genocide, helping visitors understand the historical, political, and cultural contexts of the atrocities.

7) **Role of the Mukti Bahini:** Exhibits on the Mukti Bahini (freedom fighters) detail their resistance against the Pakistani military, with a focus on the involvement of minority groups and their sacrifices during the war.

8) **International Parallels:** The museum draws comparisons between the 1971 genocide and other genocides like the Holocaust and the Rwandan genocide, emphasizing shared patterns of systematic violence and global indifference.

9) **Educational Initiatives:** Through educational programs, the museum fosters awareness about genocide, minority rights, and the need for justice, aiming to build a culture of tolerance and human rights advocacy in Bangladesh.

10) **Role in Justice and Accountability:** The museum supports ongoing efforts to prosecute war criminals through the International Crimes Tribunal in Bangladesh and seeks to ensure that the stories of the victims, particularly minorities, are preserved for future generations.

B. Analysis of Data

The analysis of data collected from the field visits to Corpus Christi Catholic Church, St. Paul's Catholic Church, and the Bangladesh Liberation War Museum reveals key themes that highlight the systemic violence of the 1971 genocide, the role of humanitarian leadership, and the broader implications for justice and reconciliation. The synthesis of these findings provides a nuanced understanding of the atrocities in Madhupur and their alignment with broader genocidal patterns.

1) **Systematic Targeting of Minorities:** The Pakistani military deliberately targeted Hindus and indigenous groups like the Garos in Madhupur during the 1971 genocide. Both the Bangladesh Liberation War Museum exhibits and field interviews confirm widespread killings, forced displacements, and destruction of cultural and religious sites, aligning with the definition of genocide under international law.

2) **Humanitarian Leadership of Father Eugene Homrich:** Interviews from Corpus Christi Catholic Church and St. Paul's Catholic Church highlight Father Homrich's role in protecting women, children, and freedom fighters. His courageous stand against the Pakistani

military, such as shielding captives from execution by confronting armed soldiers, exemplifies moral resistance during genocide.

3) **Rejection of Collaboration:** Testimonies revealed that Father Homrich refused a deal offered by the Pakistani military to exchange intelligence about freedom fighters for the safety of his community, showcasing his unwavering commitment to justice and humanity.

4) **Protection of Vulnerable Groups:** Both church accounts emphasized how Father Homrich hid women and children in forests and church premises, saving them from rape and execution. His efforts directly mitigated the scale of violence against minorities in Madhupur.

5) **Use of Sexual Violence as a Weapon of War:** The museum and interviews highlighted the systematic use of sexual violence by the Pakistani military to terrorize communities. Father Homrich's proactive measures, such as hiding women, protected many from becoming victims of this violence, reflecting the intersection of gender and ethnicity in genocidal targeting.

6) **Cultural and Religious Destruction:** The genocide in Madhupur involved deliberate destruction of Hindu temples and indigenous landmarks, as documented in museum exhibits and survivor testimonies. This erasure of cultural identity underscores the genocidal intent to destroy not only lives but also the symbols of a community's existence.

7) **Role of the Garo Community in Resistance:** Field interviews revealed that the Garo community actively supported the Mukti Bahini by offering strategic assistance and safe passage through the Madhupur forests, despite being heavily targeted by the military. Their resilience highlights the critical role of minorities in the Liberation War.

8) **Shared Patterns with Other Genocides:** The museum drew parallels between the 1971 genocide and atrocities such as the Holocaust and the Rwandan genocide, emphasizing common themes like systematic violence, destruction of cultural symbols, and global inaction. These comparisons validate the classification of the 1971 atrocities as genocide.

9) **Failures of International Protection Mechanisms:** The absence of international intervention during the 1971 genocide highlights the failure of global legal frameworks, such as the Genocide Convention (1948), to prevent or respond to atrocities in Madhupur. The events underscore the need for stronger enforcement mechanisms to protect minority groups in conflicts.

10) **Preservation of History for Justice and Reconciliation:** The Bangladesh Liberation War Museum plays a vital role in documenting the genocide, preserving personal accounts

and artifacts to ensure the atrocities are not forgotten. Field interviews from survivors and witnesses serve as valuable oral histories, contributing to ongoing efforts for justice, accountability, and reconciliation in Bangladesh.

V. CONCLUDING REMARKS

A. Findings of the Research

Based on the data collected from field visits to Corpus Christi Catholic Church, St. Paul's Catholic Church, and the Bangladesh Liberation War Museum, the research highlights the following key findings regarding the genocide in Madhupur during the Bangladesh Liberation War of 1971:

1) **Systematic Genocide Against Minorities:** The Pakistani military executed a deliberate and systematic campaign targeting minority groups in Madhupur, particularly Hindus and indigenous communities such as the Garos. This included mass killings, forced displacements, and the destruction of cultural and religious landmarks. These actions align with the definition of genocide under Article II of the Genocide Convention (1948).

2) **Courageous Humanitarian Leadership of Father Eugene Homrich:** Father Eugene Homrich emerged as a critical figure in protecting vulnerable groups during the genocide. His moral courage in directly confronting the Pakistani military, including standing in front of armed soldiers to save freedom fighters, saved countless lives. His actions exemplify how individual resistance can mitigate the impact of systemic violence.

3) **Protection of Women and Children:** Father Homrich took proactive steps to protect women and children, hiding them in dense forests and church premises during military raids. His efforts directly prevented rapes and killings, which were used as tools of terror by the Pakistani military.

4) **Rejection of Complicity:** Testimonies revealed that Father Homrich rejected offers from the Pakistani military to collaborate in exchange for the safety of his community. His refusal highlights his unwavering commitment to humanity and justice, even under immense pressure.

5) **Targeted Destruction of Cultural Identity:** The Pakistani military systematically destroyed Hindu temples and indigenous cultural landmarks in Madhupur, reflecting an intent to erase the cultural and religious identities of minority groups. This targeted destruction underscores the genocidal strategy of not only eliminating people but also eradicating their heritage.

6) **Role of the Garo Community in the Liberation War:** The Garo community actively participated in the independence struggle, offering strategic support to the Mukti Bahini by utilizing their knowledge of the Madhupur forests. Despite being heavily targeted, their resilience and contributions played a significant role in resisting oppression.

7) **Use of Sexual Violence as a Weapon:** The systematic use of sexual violence by the Pakistani military, particularly against women from minority groups, was a prominent aspect of the genocide. Father Homrich's efforts to protect women in Madhupur highlight the critical need to address gendered dimensions of genocidal violence.

8) **Validation of Genocide through Evidence and Testimonies:** The Bangladesh Liberation War Museum provided critical evidence of the genocide, including artifacts, personal accounts, and documentation of mass killings and rapes. These corroborate the firsthand accounts gathered during field visits, reinforcing the classification of the 1971 atrocities as genocide.

9) **Global Parallels and Failures of International Law:** The museum drew parallels between the 1971 genocide and other global atrocities, such as the Holocaust and the Rwandan genocide, emphasizing shared patterns of systemic violence and global indifference. The failure of international legal frameworks to prevent or intervene during the genocide underscores the need for stronger enforcement mechanisms.

10) **Preservation of History and Advocacy for Justice:** The museum and survivor testimonies play a vital role in preserving the memory of the 1971 genocide. This documentation serves as a foundation for ongoing justice and reconciliation efforts, particularly through the International Crimes Tribunal in Bangladesh, which seeks to hold perpetrators accountable.

B. Suggestions

Based on the findings from the field visits to Corpus Christi Catholic Church, St. Paul's Catholic Church, and the Bangladesh Liberation War Museum, the following suggestions are proposed to ensure justice, recognition, and the prevention of future genocides:

1) **Official Recognition of the 1971 Genocide:** Bangladesh should intensify efforts to secure formal international recognition of the 1971 atrocities as genocide, particularly through the United Nations and international advocacy platforms. Greater acknowledgment of the specific targeting of minorities, including Hindus and the Garo community, should be emphasized in these efforts.

2) **Strengthening Minority Protections:** Comprehensive national policies should be developed to protect minority rights during conflicts. These policies should draw lessons from the experiences of Madhupur to ensure that vulnerable groups are not disproportionately affected in future crises.

3) **Documentation and Preservation of History:** The government should encourage the documentation of oral histories, particularly from survivors of the 1971 genocide, to preserve their accounts for future generations. Establish a national archive to preserve evidence and narratives from the war, particularly concerning minorities. Additional support should be provided to institutions like the Bangladesh Liberation War Museum to expand their collection of artifacts and personal testimonies related to minority experiences during the war.

4) **Promoting Humanitarian Leadership:** The legacy of figures like Father Eugene Homrich should be formally recognized through memorials, educational initiatives, and awards that honor humanitarian contributions during the war. Training programs for community leaders can be developed to foster moral courage and resistance against systemic violence in conflict situations.

5) **Ensure Justice and Promote State Accountability:** Empower Bangladesh's legal mechanisms to prosecute all crimes from the Liberation War, focusing on minority-specific atrocities. The international community should support mechanisms for prosecuting crimes of genocide and war crimes, particularly by reforming existing international legal frameworks to address failures of the past. Develop sanctions for states that fail to prevent or respond to genocidal acts. Push for universal adoption and implementation of the Genocide Convention.

6) **Integration of Minority Narratives in Education:** Bangladesh's national curriculum should include detailed accounts of the 1971 genocide, emphasizing the contributions and suffering of minority groups such as the Garos and Hindus. Educational programs should aim to build a culture of tolerance and respect for diversity, using the lessons of 1971 to combat hate and discrimination.

7) **Raising Awareness about Gendered Impacts of Genocide:** Special focus should be placed on addressing the use of sexual violence as a weapon of war, as documented in Madhupur and other regions. Support programs for survivors of sexual violence should be strengthened, including legal aid, counseling, and rehabilitation services.

8) **Global Advocacy for Genocide Prevention:** Bangladesh should actively participate in global forums such as Genocide Watch and advocate for stronger international mechanisms to prevent and respond to genocide. Comparative studies of the 1971 genocide with other

global genocides (e.g., Rwanda, Bosnia) should be promoted to highlight shared patterns and lessons. Create an early warning system under the United Nations to detect and respond to potential genocides. Advocate for amendments allowing the ICC to address past crimes where national jurisdictions fail.

9) Support for the Garo and Other Indigenous Communities: Targeted initiatives should be implemented to support the Garo and other indigenous communities who were disproportionately affected during the war, focusing on economic development, cultural preservation, and social inclusion. Implement targeted programs to support survivors, including access to land, education, and healthcare. Recognizing the Garo community's contributions to the Liberation War through official ceremonies or publications can promote reconciliation and acknowledgment of their sacrifices.

10) Commemorating the Victims: Annual commemorations, exhibitions, and seminars should be organized to honor the victims of the 1971 genocide, with a special focus on Madhupur and other areas that faced severe atrocities. Community-driven initiatives, such as local memorials in regions like Madhupur, can ensure that the history and sacrifices of minority groups remain visible and acknowledged.

C. Conclusion

The study reveals that while international legal frameworks provide theoretical safeguards to the minorities against genocide, their practical enforcement during the 1971 genocide was severely lacking, particularly in Madhupur. To address these issues, the study recommends strengthening global monitoring systems to detect early signs of genocide, enhancing the jurisdiction and capacity of international courts, and promoting the implementation of minority protection laws at the national level. It also underscores the importance of preserving historical records and incorporating education on past genocides to foster awareness and reconciliation. Ultimately, the findings call for a renewed commitment to bridging the gap between the ideals of international law and their application, ensuring that the tragedies of Madhupur are neither forgotten nor repeated.

VI. REFERENCE

1. Khan, Kamal Ahmad, "The Protection of Minorities - Whether a Neglected Field?" (2016) 2 *Athens Journal of Law* 1, P. 33 <<https://doi.org/10.30958/ajl.2-1-3>> accessed 14 December 2024.
2. Rahman, Md. Mahfuzur, "A Theoretical Framework on Minority Rights under International Law: Regional Protection & Modern Initiatives" (2021) 20 *Journal of Studies in Social Sciences* 4.
3. Oikya, Upal Aditya, 'Atrocities against Religious Minorities of Bangladesh: Can We Address it as Genocide?', *Pécs Journal of International and European Law* (2020/II).
4. Hannan, Mohammad Abdul, 'Human Rights of the Aborigines in the Context of Bangladesh' (2015) *OIDA International Journal of Sustainable Development* <<http://www.ssrn.com/link/OIDA-Intl-Journal-Sustainable-Dev.html>> accessed 14 December 2024.
5. Faisal, Md. Shawkat Alam, "The Genocide of 1971 in the Eye of International Media", *The Muslim Times* (Dhaka, 5 June 2024) p.4.
6. Debnath, "Secular Bangladesh, Partisan to One Religion", in Bangladesh Hindu Buddhist Christian Unity Council (ed.), "Atrocities on Minorities of Bangladesh", Roy Prokash, Dhaka, 2014, pp. 182-189.
7. L. Nersessian, *Genocide and Political Groups*, Oxford University Press, Oxford, 2010, p. 70.
8. Mandal, Govinda Chandra, "Rights of the Minorities: The Case of Bangladesh", Academia. 2019.
9. V. Muntarhorn, Study on the Prohibition of Incitement to National, Racial or Religious Hatred: Lessons from the Asia Pacific Region, Retrieved from <http://www.ohchr.org/documents/issues/expression/iccpr/bangkok/studybangkok_en.pdf> accessed on 22.11.2024.
10. Primary Report, "Human Rights Congress for Bangladesh Minorities", retrieved from <http://www.hrcbm.org/NEWLOOK/1992.html>, accessed on 12.11.2019.
11. Faisal, Md. Shawkat Alam, "A Historical Perspective of the Evolution of Genocide", *The Daily Observer* (Dhaka, 13 May 2024) <<https://www.observerbd.com/news.php?id=472219>> accessed 14 December 2024.

12. Eide, Asbjorn, 'Final text of the Commentary to the UN Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities', 2001.
13. Bangladesh Hindu Buddhist Christian Unity Council (ed.), *Atrocities on Minorities of Bangladesh*, Roy Prokash, 2014, Dhaka, pp. 41- 43.
14. Geoffrey Macdonald, *The Challenges Facing Plainland Ethnic Groups in Bangladesh: Land, Dignity, and Inclusion* (February 4, 2021) <<https://www.iri.org/resources/new-bangladesh-report-examines-needs-of-plainlandethnic-groups/>> accessed on 30 October 2023.
15. Ahammed, Helal Uddin, & Faisal, Md Masud, & Niaz, Md Morshed, 'The Chittagong Hill Tracts Peace Accord in Bangladesh: An Overview' (2018).
16. Manusher Jonno Foundation, "Rights of the Ethnic People (Indigenous Peoples)", Thematic Strategy Paper (2018).
17. Haque, Md. Tanzimul, and Haque, Zeba Farah, 'Rights of the Ethnic Minorities under International Law: A Legal Monograph on Bangladesh and South Asia,' (2019) 7(2) *Kathmandu School of Law Review*.
18. Lerner, Natan, 'The 1992 UN Declaration on Minorities' (1993) 23, *Israel Yearbook on Human Rights*.
19. Thornberry, Patrick, 'Is there a Phoenix in the Ashes? – International Law and Minority Rights', (1980) 15, *Texas International Law Journal*.
20. Hossain, Kamal, "Special budget allocation demanded for ethnic minorities" *The Business Standard* (2 May 2021) <<https://www.tbsnews.net/economy/budget/specialbudget-allocation-demanded-ethnic-minorities-240421>> accessed on 7th December 2023.
21. Faisal, Md. Shawkat Alam, "Sexual Violence and Gender-Based Atrocity as a Weapon of War", *The Daily Sun* (Dhaka, 19 May, 2024) <<https://www.daily-sun.com/printversion/details/748866>> accessed 14 December 2024.
22. Huda, Mohammad, "Ethnic Minorities in Bangladesh and Their Human Rights" *The Daily Sun* (8 April 2019)< <https://www.daily-sun.com/post/383942>> accessed on 1st November,2023.
23. Bhattacharjee, Rupak, 'Inclusive approach needed to resolve CHT ethnic conflict' *BdNews24* (Dhaka, 11 June 2015) <<https://bdnews24.com/opinion/comment/inclusive-approach-needed-to-resolve-chtethnic-conflict>> accessed on 7th December 2023.

24. Drong Sanjeeb, "Attacks on the Mro damage the dignity of Bangladesh" *The Daily Star* (8 January 2023) <<https://www.thedailystar.net/opinion/views/news/attacks-the-mro-damage-the-dignity-bangladesh-3215791>> accessed on 30 October 2023.
25. International Convention on the Elimination of All Forms of Racial Discrimination: 50 years of fighting racism (Committee on the Elimination of Racial Discrimination) <<https://www.ohchr.org/en/treaty-bodies/cerd/international-convention-elimination-all-forms-racial-discrimination-50-years-fighting-racism>> accessed on 28th November 2023.
26. Faisal, Md. Shawkat Alam, "The Dark Shadow of Genocide Denial in Bangladesh", *The Business Standard* (Dhaka, 17 April, 2024) <<https://www.tbsnews.net/thoughts/dark-shadow-genocide-denial-bangladesh-833481>> accessed 14 December 2024.
27. Castellino, Joshua & Redondo, Elvira Dominguez 'Minority Rights in Asia: A Comparative Legal Analysis' (Oxford University Press, 2006).
28. Chandra, Dr. Satish 'Collective Human rights of Peoples vis-a vis Minorities in National and International Laws' (Yoram Dinstien , 3rd edition, 1985).
29. Halim, Md. Abdul 'Constitution, Constitutional Law and Politics: Bangladesh Perspective' (Seventeenth edition, Beacon Publications 2021).
30. Islam, Mahmudul 'Constitutional Law of Bangladesh' (Third edition, Mullick Brothers 2019).
31. Timm, Father R.W. 'Adivasis of Bangladesh' (Minority Rights Group International 1991).
32. Wright, J., "The OSCE and the Protection of Minority Rights" 18 HRQ (1996) 190.
33. Whearley, S., "The Framework Convention for the Protection of National Minorities" 1 EHRLR (1996) at pp. 583-584.
34. Packer, John, and Friberg, Erik, "Genocide and Minorities: Preventing the Preventable" (MRG, 2004).
35. Ansari, I.A., "Readings on Minorities" (Vol. 1, IOS, New Delhi 1996).
36. Bagley, T.H., "General Principles and Problems on the Protection of Minorities" (Geneva 1950).

37. Faisal, Md. Shawkat Alam, "Importance of CHT", *The Daily Observer* (2 June 2024) <<https://www.observerbd.com/news.php?id=475123>> accessed 14 December 2024.
38. Brierly, J.L., "The Law of Nations" (6th edn, Oxford 1963).
39. Chandra, S., "Minorities in National and International Laws" (New Delhi 1985).
40. Claud, I.L., "National Minorities: International Problem" (Cambridge 1955).
41. "Documents on International Affairs 1953" (London 1955) p. 221–223.
42. Dunbar, R., "Minority Language Rights in International Law" (2001) 50 *International and Comparative Quarterly* (ICQ).
43. Jones, M.G., "National Minorities: A Case Study in International Protection" (1949) *Law and Contemporary Problems*.
44. Kabir, H. "Minorities in a Democracy" (Srinagar 1968).
45. Kunz, J.L., "The Present States of the International Law for the Protection of Minorities" (1954) *American Journal of International Law*.
46. Faisal, Md. Shawkat Alam, "Geneva Conventions in a Nutshell", *Lawyers Club Bangladesh* (17 December 2023) <<https://lawyersclubbangladesh.com/en/2023/12/17/geneva-conventions-in-a-nutshell/>> accessed 14 December 2024.
47. Laponce, J.A., "The Protection of Minorities" (University of California Press 1960).
48. Thornberry, P., "International Law and the Rights of Minorities" (Oxford 1980).
49. Oppenheim, L., (ed H Lauterpacht), "International Law" (8th edn, Edinburgh).
50. "Minorities and Conflict Prevention: The Case for a Special Representative", London, MRG, March 2002.
51. "The Commentary on the UN Declaration of The Rights of Minorities", by Asbjorn Eide, E/CN.4/Sub.2/AC.5.2001/2.
52. Faisal, Md. Shawkat Alam, "UN Security Council's Gaza Ceasefire Appeal", *The Daily Star* (10 May 2024) <<https://www.thedailystar.net/law-our-rights/news/un-security-councils-gaza-ceasefire-appeal-3606406>> accessed 14 December 2024.
53. Kemp, W. (ed.), "Quiet Diplomacy in Action: The OSCE High Commissioner on National Minorities", The Hague, Kluwer, 2001.

54. Gurr, T.D., "Minorities at Risk; A Global View of Ethnopolitical Conflicts", Washington, United States Institute of Peace, 2000.
55. Claud, I.L., 'The Nature and Status of the Sub-Commission on Prevention of Discrimination and Protection of Minorities' (1951) 5 "International Organization" (Boston).
56. Human Rights Watch. "Genocide and Minority Rights." Accessed at www.hrw.org.
57. International Criminal Court. "Case Law and Judgments." Accessed at www.icc-cpi.int.
58. Claude, Jr., "National Minorities: An International Problem" (Cambridge, Mass: Harvard University Press) 1995, p. 85.
59. Kelly, J., "National Minorities in International Law", 3 JILP (1973) 253-273 at p. 258.
60. Faisal, Md. Shawkat Alam, "Echoes of desperation: Navigating the depths of the Rohingya crisis", *The New Nation* (November 27, 2024) <<https://thedailynewnation.com/echoes-of-desperation-navigating-the-depths-of-the-rohingya-crisis/>> accessed 14 December 2024.
61. Lemkin, Rafael, "Axis Rule in Occupied Europe" (Washington: Carnegie Endowment in International Peace) 1944, p. 79.
62. Faisal, Md. Shawkat Alam, "A reflection on the 75th anniversary of the UDHR", *The Daily Observer* (19 December 2023) <<https://www.observerbd.com/news.php?id=451348>> accessed 14 December 2024.
63. Porter, J., (ed.), "Genocide and Human Rights: A Global Anthology" (Washington D.C: Univer Press of America) 1982, P. 5.
64. Rehman, J., "The Weaknesses in the International Protection of Minority Rights" (The Hague: Kluwer Law International), 2000, p. 58.
65. Ermacora, F., "The Protection of Minorities before the United Nations" 182 Rec. descours (1983) 251-366 at p. 314.
66. Faisal, Md. Shawkat Alam, "Project Nimbus: Tech Giants Set Stage for First AI-Powered Genocide", *The Daily Sun* (Dhaka, 1 June, 2024) <<https://www.daily-sun.com/printversion/details/748866>> accessed 14 December 2024.

67. United Nations Human Rights, Special Rapporteur on minority issues <<https://www.ohchr.org/en/special-procedures/sr-minority-issues/about-minorities-and-human-rights>> accessed on 29 October 2023.
68. Samad, Saleem, 'State of Minorities in Bangladesh', (1999) 75, *South Asia Forum for Human Rights*.
69. Faisal, Md. Shawkat Alam, "Cambodian genocide and its global ramifications", *The New Nation* (November 28, 2024) <<https://thedailynewnation.com/cambodian-genocide-and-its-global-ramifications/>> accessed 14 December 2024.
70. Rahman, Md Rabbi, "Safeguarding the Rights of Ethnic Minorities in Bangladesh: Assessing Domestic Legal Frameworks from the International Human Rights Perspective", East West University, 2023, p.17.

Statutes

1. The Convention on the Prevention and Punishment of the Crime of Genocide (Genocide Convention), 1948.
2. The Universal Declaration of Human Rights (UDHR), 1948.
3. The International Covenant on Civil and Political Rights (ICCPR), 1966.
4. International Convention on the Elimination of all forms of Racial Discrimination, 1966.
5. The United Nations Declaration on the Rights of Persons Belonging to National or Ethnic, Religious, and Linguistic Minorities, 1992.
6. The Charter of the United Nations, 1945.
7. The Rome Statute of the International Criminal Court, 1998.
8. The Geneva Conventions of 1949.
9. Additional Protocol I and II to the Geneva Conventions, 1977.
10. The Hague Conventions of 1899 and 1907.
11. The United Nations Declaration on the Rights of the Indigenous People, 2007.
12. Indigenous and Tribal Populations Convention, 1957.
13. The Indigenous and Tribal Peoples Convention, 1989.
14. The Constitution of Bangladesh, 1972.
15. The Special Tribunal Act, Bangladesh, 1973.

16. The International Crimes (Tribunals) Act, Bangladesh, 1973.

Table of Cases

1. Bangladesh v. Abdul Quader Molla (ICT-BD-02/2012).
2. Bosnian Genocide Case (Bosnia and Herzegovina v. Serbia and Montenegro), ICJ, 2007.
3. Prosecutor v. Akayesu (ICTR-96-4-T, 1998).
4. Prosecutor v. Al Mahdi (ICC-01/12-01/15, 2016).
5. Prosecutor v. Jean-Paul Akayesu, ICTR (1998).
6. Prosecutor v. Karadžić (ICTY, 2016).
7. Prosecutor v. Kayishema and Ruzindana (ICTR-95-1-T, 1999).
8. Prosecutor v. Krstić (ICTY-98-33-T, 2001).
9. Prosecutor v. Omar Al Bashir (ICC-02/05-01/09).
10. Rohingya Genocide Case (The Gambia v. Myanmar), ICJ, 2019.
