atrocities has increased the possibility of trying the criminals at the national level, with empowerment and cooperation by the international community. A multifaceted approach that marshals legal judgments by national courts -- which bear the primary responsibility along with other tools such as asset freezes, travel restrictions, and political stigmatisation -- should have a meaningful impact on deterring future crimes. If the risk of being caught in the net of criminal tribunals grows, so will the prospects for deterrence. Given the limited number of international criminal tribunals and their scarce resources, war crimes prosecution by national courts assumes even more importance. Bangladesh was the pioneer in formulating the first national war crimes law in the history of the world back in 1973, the spirit of which was later inculcated in the ICC statute, and can again become an example of effective national prosecution of international crimes with a blend of national and international criminal jurisprudence. The cases of Sierra Leone, Dili, Cambodia and Lebanon, with suitable compatibility, may be the torch- bearer for Bangladesh.

Bangladesh's jurisdiction to try the perpetrators involves her legitimate assertion of authority to affect its legal interests, and applies to law-making activities, judicial processes, or enforcement means. Domestic jurisdiction of the state is one of the manifestations of state sovereignty and hardly raises any concern from other states or bodies. Apart from this, a state may exercise universal jurisdiction under international law to punish persons who commit acts falling within international law's definition of war crimes, crimes against humanity and genocide. In the *Eichmann Case* (1962), it was held that the jurisdiction to try crimes under international law is universal. To date, one can say that universal jurisdiction is not a formula for gaining jurisdiction, but one for placing the national legal order at the service of the international community. Bangladesh can legitimately offer this service. Jurisdictional manifestations of Bangladesh to try the 1971 war criminals and perpetrators of genocide fit with the provisions of international law. Article 3 of the International Crimes Tribunal Act 1973, accommodates the blend of national, territorial and universal manifestations of jurisdictions.

Crimes against humanity

There are no human rights without remedies for human wrongs, in the sense of arrangements for punishing those guilty of crimes against humanity. These are broadly but clearly defined by international law and recognised by national legislation -- the International Crimes (Tribunal) Act, 1973 of Bangladesh, for example. The ambit of crimes against humanity includes murder, extermination, enslavement, deportation, and other inhumane acts committed against any civilian population, before or during a war, or persecutions on political, racial or religious grounds in execution of or in connection with any crime, within the jurisdiction of the tribunal, whether or not in violation of the domestic law of the country where perpetrated. Leaders, organisers, instigators and accomplices participating in the formulation or execution of a common plan or conspiracy to commit any of the foregoing crimes are responsible for all acts performed by any person in the executions of such plans.

People who are critical of the trial of the perpetrators of *manobotar biruddhe oporadh* (crimes against humanity) allege that such types of crimes are taking place frequently even now, hence the perpetrators of 1971 should not be tried; or if tried, the present perpetrators should also be brought to justice. It is settled law that crimes against humanity can take place during peacetime even, but a distinction must be made between those crimes and crimes against humanity as widely understood. Crimes against humanity are perpetrated by state officials or agents (for example, in Bangladesh case, the Razakars, Al-Shams, Al-Badrs) systematically and in furtherance of an unlawful policy of denying to political or racial groups (for example, the Bangalee Hindus) the right to life. Geoffrey Robertson, one of the contemporary authorities on the issue, writes that "they (crimes against humanity and crimes having same result) are also distinguished, in practical terms, by the perpetrator's impunity from domestic law enforcement measures: he is punished if at all, only after a change of government or in a foreign or international court (Geoffrey Robertson QC, *Crimes Against Humanity*: Penguin, 2006)." The misconception can further be clarified by referring to the observation of one of the Nazi war crimes tribunal: "Crimes against humanity... can only come within the purview of this basic code of humanity because the state involved, (read Bangladesh here) owing to indifference, impotency or complicity, has been unable or has refused to halt the crimes and punish the criminals." (*United States v. Ohlendorf*, 1947). The practices of national and international tribunals mark the gradual recognition of a crime against humanity so repulsive that all states are assumed