



FOUNDER EDITOR  
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# Myanmar must comply with the ICJ orders

The world should act to take the momentum forward

AFTER the historic ruling given by the International Court of Justice (ICJ) to protect the Rohingyas from genocide, we hope the international community will now exert pressure on Myanmar to comply with the court orders and take meaningful steps to resolve the Rohingya crisis. Although the court has not given its final verdict (it may take years to complete the trial) and for now has only ordered Myanmar to take some provisional measures to protect the Rohingyas from genocidal violence, this is a big achievement for the persecuted community as well as Bangladesh. It is also a big achievement that the world court has recognised the ethnic community as Rohingya, meaning that Myanmar can no longer claim that they are illegal migrants from Bangladesh.

Now the question is, how to ensure that the Myanmar authorities implement the provisional measures? The ICJ ordered Myanmar to prevent destruction of evidence of any crimes since August 2017 and asked the country to submit a report on the steps taken to implement the court orders in four months. Afterwards, it has to submit its report every six months. Since the emergency measures ordered by the court are legally binding, we hope the Myanmar authorities will have no scope to disregard the orders. Here, we expect the UN Security Council to play the role of an overseeing body. The international community, including India and China, also has to play their part by making Myanmar comply.

Since the military crackdown in Rakhine in 2017, around 740,000 Rohingyas fled to Bangladesh and an estimated 600,000 who still remain in Myanmar have been routinely and systematically denied their most basic rights. In the last two years, Bangladesh seemed to be fighting a losing battle, with little help from other countries. Myanmar couldn't be brought to answer for its actions or take back its citizens. While the issue was gradually getting lost in the avalanche of humanitarian crises across the world, the lawsuit filed by The Gambia with the world court in November gave it a momentum and finally gave us some hope.

Now that the international court has given its ruling, we hope the whole world will speak up in support of the Rohingyas and their fight for justice and also act accordingly to keep the momentum going. It is also high time that Bangladesh strongly negotiated the issue with Myanmar and its allies and together found a sustainable solution to the Rohingya crisis.

# Councillors can do more for the city

Rethink the role of councillors

IN less than a week, citizens of Dhaka are going to elect their new mayors. As the heads of the two city corporations of Dhaka (North and South), the new mayors will face some difficult challenges from the very first day of their tenure. Among them are lack of a sustainable waste management system, pollution, crisis of drinkable water, traffic congestion, etc.—which together made Dhaka one of the worst cities to live. But addressing these challenges is as much a responsibility of the mayors as the councillors, who live closest to the residents as they operate at the ward level, but unfortunately, the city's current governance structure does not reflect an understanding of that key responsibility.

According to the current structure, the mayors act as the heads of the city corporations, but it is these councillors who can effectively and regularly interact with the citizens from all walks of life. In the upcoming election, around 745 candidates will contest for the councillor position in a total of 129 wards. Unfortunately, once elected, these councillors will not be able to do much beyond issuing character, birth and death certificates for the residents of their ward. The budget and the executive authority of the city corporations are confined to the tables of the bureaucrats and government officials who act as the actual authority of the city corporations. On the other hand, many essential services such as water and electricity supply, traffic control, public healthcare, etc. are managed by many different offices of the government who are accountable only to the related ministry, not to the city corporations. As a consequence, the mayors and indeed the councillors can hardly take any decision independently or do what they are elected to do.

As the people's representatives, it is the mayors along with the councillors who should be in the driving seat of the city corporations. Experts have already recommended formulating ward-centric budgets in the city corporations. This suggestion should be taken seriously as it will decentralise and democratise the budget and will increase transparency as well. Also, there should be a mechanism in place to ensure accountability of the elected councillors. To turn city corporations into vibrant and transparent organisations, the policymakers should focus on these issues and re-think the role of mayors and councillors.

## LETTERS TO THE EDITOR

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### A prayer for our students in China

My heart goes out to the Bangladeshi students who, among others, have been reportedly under lockdown in their dorms and residences in China for the last few days following the outbreak of the Coronavirus, which has claimed at least 41 lives and infected over 1,300 as I write this letter. My son too once lived in a different country for education purposes, and I can only imagine what is going through the minds of the parents of those students now. If you are reading this in China, I want you to know that you are in our prayers. Don't lose hope no matter what. At the same time, I urge the government to request the Bangladesh mission in China to take whatever steps necessary to ensure the safe return of our children. The longer they stay there, the more prone they will be to the life-threatening virus.

Shailla Hoq, Dhaka

## ICJ RULING ON ROHINGYA

# Where do we go from here?



BLACK, WHITE AND GREY

ALI RIAZ

THE International Court of Justice (ICJ) ruling on Myanmar about taking emergency measures for the protection of the Rohingyas, delivered at The Hague on Thursday, is historic on many counts and provides a glimmer of hope for the persecuted community of Myanmar. The question is: where do we go from here?

To be specific, the ICJ imposed four provisional measures on the Myanmar government; these require the government to prevent genocidal acts, ensure the military and police forces do not commit genocide, preserve evidence of genocidal acts, and report back on its compliance within four months, then every six months afterwards. The ICJ's order, issued after The Gambia filed a case in November 2019, is significant, among other reasons, for its recognition of the community as Rohingya. This is for the first time that an international legal body has identified them as such, contrasting the claim of the Myanmar regime that they are Bengalis, or their identification as "displaced Myanmar citizens" by many other countries. It is a long-overdue recognition, coming through a process in which the Myanmar regime has fully participated. The court further stated, "the Rohingya in Myanmar appear to constitute a protected group within the meaning of the Genocide Convention." The reference to them as Rohingya and asserting their status under the Genocide Convention have implications beyond the case in the ICJ, particularly on the ongoing case against Myanmar in the International Criminal Court (ICC).

It is also worth noting that this ruling was unanimous, issued by a panel of seventeen judges, meaning that even the ad hoc judge nominated by Myanmar for the hearing voted against the country. The historic nature of the interim order means that this is the second time that the ICJ has issued such an order against a country. Previously, two "provisional protective measures" were issued by the ICJ, in April and September 1993, to the then Federal Republic of Yugoslavia. The ICJ ordered Yugoslavia "to do everything in its power to prevent the crimes of genocide and to make sure that such crimes are not committed by military or paramilitary formations operating under its control or with its support." Yugoslavia flouted those orders. Atrocities against the Bosnian Muslims continued, leading to the genocide in Srebrenica in July 1995. The significant difference between these two instances is that Yugoslavia questioned the legitimacy of the court, while Myanmar has fully participated in its proceedings. It sent its most famous representative to defend itself. Aung San Suu Kyi, once considered an icon of human rights and democracy, led the team which was tasked to convince the court and the international community that Myanmar's actions were driven by its security concerns. This has not only failed but also, importantly, provided added legitimacy to the process.

The unanimity of the judges also destroyed Myanmar's argument against the jurisdiction of The Gambia. This is the first time that a country without any direct connection to the alleged crimes brought a case before the ICJ, and now the court has concluded that, "The Gambia has prima facie standing to submit to it the dispute with Myanmar on the basis of alleged violations of obligations under the Genocide Convention." As such, the court has set a precedent with implications for the future. In a similar vein, we must note that the court has declared that there was *prima facie* evidence of breaches of the 1948 Genocide Convention. Consequently, the case against Myanmar's committing genocide has gained weight, although the provisional measures are not a verdict on whether a genocide was committed in Myanmar. That will be determined later through a lengthy process.

Notwithstanding these significant developments, the question that has been discussed extensively in the media since Thursday is: what impact will these

interim provisions have? It is well-known that although the ICJ rulings are legally binding to countries, the ICJ has no mechanism to enforce them. Therefore, these instructions are not likely to have an immediate impact on the Rohingyas. But considering that Myanmar has fully participated in the process, it will have to respond to these instructions—especially because this is not the end of the process in the ICJ, but rather only the beginning. The case filed by Gambia is yet to be heard, the merit of the case is yet to be determined. In 2007, an ICJ verdict held Serbia responsible for failing to prevent the genocide from occurring and for violating its obligation to comply with the provisional measures ordered by the court. Myanmar is unlikely to disregard the orders of the court, although it has defiantly rejected the ruling.

In the past, Myanmar has, on various occasions, tried to fool the international community through measures which were intended to distract them rather than address the central issues relating to the crisis. Myanmar has

announcement is understandable. In the face of inaction of the international community in this regard, the ICJ order is a positive development. But it must also be noted that the provisional measures are not targeted to alleviate the plight of the one million refugees stranded in Bangladesh. These instructions will not compel Myanmar to immediately take back the refugees.

The court has mentioned that Myanmar's steps "to facilitate the return of Rohingya refugees present in Bangladesh... do not appear sufficient in themselves." This bolsters the argument that an improvement of the existing situation in Myanmar is a prerequisite for the planned repatriation. The ICJ ruling shouldn't be considered as the solution to the refugee crisis. The Rohingya refugees' desire to return home with dignity has not yet been achieved.

The ruling's reference to the insufficiency of Myanmar's steps has once again proved the imprudence of the Bangladesh government's bilateral arrangement with Myanmar, and calls into question the repeated



The ICJ ruling is a small step in the right direction, but the journey ahead is long and arduous. FILE PHOTO: REUTERS

been insisting that it is taking measures against "rogue elements" within the military for excessive use of force during what it terms as its "clearance operation" in the Rakhine state in 2016 and 2017. During the oral presentation at ICJ, the Myanmar delegate acknowledged that "there may have been excessive use of force and violations of human rights and international humanitarian law in Rakhine State." These statements and postures mean that the Myanmar government will try to whitewash. In advance of Thursday's ICJ ruling, the so-called Independent Commission of Enquiry (ICOE) published its report in which it stated, "The ICOE has not found any evidence suggesting that these killings or acts of displacement were committed pursuant to an intent or plan to destroy the Muslim or any other community in northern Rakhine State." Aung San Suu Kyi, in an op-ed published in the Financial Times on January 23, referring to the report, acknowledged that war crimes have been committed but she asked for time: "Give Myanmar time to deliver justice on war crimes." Clearly, this will be the strategy of Myanmar going forward.

The ICJ order about provisional measures is a moral victory for the Rohingyas and for all of humanity. Human rights workers around the world, who have been at the forefront of the fight for justice for the Rohingyas, have welcomed the ruling. The celebration of the Rohingya refugees in camps in Bangladesh following the

efforts of Bangladesh to repatriate without a guarantee of the fundamental rights to Rohingyas and ensuring their safety. The Bangladesh government needs to understand that the ICJ ruling has created an opportunity to launch a robust diplomatic effort to pursue the issue in the international forum, and not be swayed by the countries that are failing to stand by Bangladesh in this time of crisis. Bangladesh must use its leverages with its close friends like India and China to change their policies. An absence of such efforts has been very costly to date.

It is incumbent on Bangladesh as well as on countries like India, Japan and members of the ASEAN to revisit their foreign policies. They must understand that their foreign policies have rather contributed, and continue to contribute, to a genocide in Myanmar. The international community should be vigilant against Myanmar's strategy of distraction and whitewash on the one hand, and work towards a safe return of the refugees on the other. In a long battle against injustices, a moral victory is necessary but not sufficient. This is a small step in the right direction, and the journey ahead is long and arduous. The ICJ ruling shouldn't make Bangladesh or the international community complacent. That will only help Myanmar and prolong the sufferings of the Rohingya refugees.

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## PROJECT ■ SYNDICATE

# A Data Revolution for All

MICHAEL FROMAN and RAJIV SHAH

SCIENCE has revolutionised medicine and agriculture over the last 100 years, particularly for the poorest of the poor. Achievements ranging from the treatment of hookworm to the green revolution attest to its power.

Looking ahead, data science has even greater potential to revolutionise everything from how we treat disease to how we build more inclusive economies. History shows us that when the power of science and technology is brought to bear on society's greatest challenges, millions of lives can be improved.

Pick any problem you see around the world: the raging wildfires that are devastating Australia; the opioid epidemic that is ravaging poor communities in the United States; the world's worst refugee crisis since World War II. Confronting these problems and others—from poverty and inequality to conservation and climate change—requires the responsible application of data, and the insights drawn from them.

Yet, while there have been great advances in data science in the private sector, many social-sector and civic organisations are lagging behind. With proper support, they can leverage data analytics to make their work go further and faster, ultimately helping more people. Just last year, our two organisations—Mastercard and The Rockefeller Foundation—committed to addressing this gap. By becoming more data-science driven, all organisations can achieve their full potential.

Fortunately, innovators in the field are already performing some of this work. The volunteer-based organisation DataKind, for example, has connected non-profits with private-sector data scientists to solve issues facing community health workers. Community Solutions, a non-profit working in more than 80 US cities and counties, is using

data science to tackle homelessness. And Benefits Data Trust, a Philadelphia-based national non-profit, leverages the power of artificial intelligence to help millions of low-income American families access the social benefits available to help them.

Data-driven insights have also been used to help mayors across the US pursue strategies of inclusive economic growth, and to help government officials in Africa predict the locations and causes of at-risk pregnancies in rural communities. And yet, these efforts represent merely the

philanthropist Bono, launched DATA, a nonprofit committed to alleviating debt, fighting AIDS, and reducing trade inequalities in Africa. In what ultimately became the ONE Campaign, they galvanised support for poverty alleviation by focusing on real-world data, and by advocating evidence-based approaches to development.

At the time, these efforts broke new ground by recognising the power of data to address society's greatest challenges. In partnership with millions of activists



starting point, not the final destination. There is still so much more work to be done.

Transforming the role of data in addressing major social and economic issues is not a job for any one person or organisation. We must build on the successes of those who have come before. In 2002, a group of innovative social entrepreneurs, together with anti-poverty advocates and the Irish rock musician and

around the world, the coalition behind DATA facilitated the cancellation of USD 100 billion of debt owed by poor countries, marshalled USD 50 billion in contributions for health and development aid, and pushed for trade deals that helped millions of vulnerable families.

But, although data are ubiquitous, and the opportunities offered by the data revolution are even larger, not everyone is poised to gain from it equally. Once

again, we need a bold effort to bridge the gap and ensure that the most vulnerable are not left behind.

With that challenge in mind, and with the support of DATA's original founders, The Rockefeller Foundation and Mastercard are relaunching DATA.org to serve as a platform for partnerships to expand further the field of data science for social impact, and to ensure that non-profit and civic organisations are well positioned to take advantage of the data revolution.

By relaunching the platform, we hope to use data to tackle homelessness, improve access to social benefits, and support community health workers worldwide. Those on the front lines of efforts to improve public health, fight poverty, and solve many other problems will have improved access to data scientists who can help them maximise their impact. Most important, this will be done in a way that brings more people and organisations together to effect positive social change, all while adhering to principles of responsible data use.

Expanding the field of data science for social impact is a shared global effort. It will take collaboration from all sectors to ensure that the nearly 2.5 quintillion bytes of data being produced every day have a positive social impact. Just as DATA demonstrated the promise of evidence-driven policies for development 18 years ago, the relaunch of the platform this month will create new momentum for tackling the world's biggest challenges.

The data revolution must benefit all. Together, we can make 2020 the year that partnerships began to extend the promise of a data-driven economy to everyone, everywhere.

Michael Froman, US Trade Representative during President Barack Obama's administration, is Vice Chairman and President of Strategic Growth at Mastercard. Rajiv Shah is President of The Rockefeller Foundation. Copyright: Project Syndicate, 2020. [www.project-syndicate.org](http://www.project-syndicate.org) (Exclusive to The Daily Star)