



From left, judges Nursyahbani Katjasungkana, Shadi Sadr, Boehringer, Feierstein, Helen Jarvis, Nello Rossi and Zulaiha Ismail at the Permanent Peoples' Tribunal at University of Malaya yesterday. PHOTO: THE STAR ONLINE (MALAYSIA)

## Myanmar found guilty of genocide

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On the strength of the evidence presented, the tribunal reached the consensus ruling that Myanmar has the intent to commit genocide against the Kachin and other groups, the tribunal said.

"The State of Myanmar is guilty of the crime of genocide against the Rohingya group... the casualties of that genocide could be even higher in the future if nothing is done to stop it," it added.

A preliminary unedited version of the judgment was available on the website of the tribunal last night.

The verdict came at a time when over 4,20,000 Rohingyas fled persecution in Myanmar to Bangladesh in last four weeks.

The influx was triggered by Myanmar army's response to alleged insurgent attacks on 30 police posts and an army base in Rakhine State on August 25.

The UN has denounced the "cruel military operation" against Rohingyas as "a textbook example of ethnic cleansing".

The panel, which included Zulaiha Ismail (Malaysia), Helen Jarvis (Cambodia/Australia), Gill H Boehringer (Australia), Nursyahbani Katjasungkana (Indonesia), Shadi Sadr (Iran) and Nello Rossi (Italy), made 17 recommendations.

It said visas and full access must be granted to the UN investigators for probing the atrocities committed against the Rohingya, Kachin and other groups in Myanmar.

The Myanmar government should amend its constitution and abolish discriminatory laws to give rights and citizenship to the oppressed minorities, it added.

The tribunal recommended imposing an immediate arms embargo on the government of Myanmar.

About the implication of the verdict, eminent war crimes researcher Mofidul Hogue said the verdict is "very significant" and sends a strong moral message to the world.

Also the director of Centre for the Study of Genocide and Justice in Bangladesh, he said the verdict clearly says that what's happening in Myanmar is not just ethnic cleansing;

it's a classic example of genocide.

"The verdict gave a clarion call that United Nations and relevant international bodies must act to bring the Myanmar authority to book for committing genocide," Mofidul, also a trustee of the Liberation War Museum, told The Daily Star.

This is the first time the tribunal delivered a verdict accusing a government having link with a Nobel laureate, he said.

Aung San Suu Kyi, a Nobel Peace Prize winner and Myanmar's de facto leader, is now facing growing criticism over the Rohingya issue.

Tureen Afroz, a senior prosecutor of the International Crimes Tribunal of Bangladesh, said the verdict established what prominent individuals and different countries and international organisations are saying: Myanmar is committing genocide and crimes against humanity against Rohingyas.

"The verdict will help draw international attention to the atrocities," Tureen, also a law professor of a private university, told The Daily Star.

She, however, called for persuading the prosecution team at the International Criminal Court to initiate trial proceedings against Myanmar for the crimes as the verdict of the people's tribunal has "no legal basis."

"And, in that case, the tribunal verdict will be helpful," Tureen said.

The tribunal's findings, judgment and recommendations would be forwarded to international bodies and civil groups, said an organiser.

### OTHER RECOMMENDATIONS

The international community must provide financial help to countries such as Bangladesh and Malaysia that are hosting the refugees.

Myanmar must prosecute perpetrators of human rights abuses, hate crimes, genocidal massacres, rape, torture, arson and ethnic and religious violence against the Rohingya, Kachin and other groups in its courts. There must be no more impunity for military personnel or militias.

An independent, non-governmental commission should be established to develop a programme for rehabilitation and compensation for victims.

Targeted sanctions, for example

freezing of overseas bank accounts and travel ban outside Myanmar, need to be imposed on government officials and perpetrators of human rights abuse.

There should be a plan to escalate sanctions if the government fail in its general duty to protect its people and to stop the human rights violations by the military and private persons and organisations.

An independent, international non-governmental commission should be formed to investigate the causes behind the harms about which the world has now been made aware.

WHAT IS PERMANENT PEOPLES' TRIBUNAL?  
PPT was established in Bologna in 1979 as a direct continuation of the Russell Tribunal on Vietnam (1966-67) and Latin America (1973-76), according to its website.

The Russell Tribunal, also known as the International War Crimes Tribunal, Russell-Sartre Tribunal, or Stockholm Tribunal, was a private body organised by British philosopher and Nobel Prize winner Bertrand Russell and hosted by French philosopher and writer Jean-Paul Sartre.

It investigated and evaluated American foreign policy and military intervention in Vietnam after the defeat of French forces in the battle of Dien Bien Phu in 1954 and the establishment of North and South Vietnam.

Since its establishment, PPT is built around an international network of experts, social actors and scholars from several countries of Europe, South America, Asia and Africa, recognised for their independence and competence.

The characteristic of "permanency" and the selection criteria used in the appointment of its judges, renowned for their independence and expertise, have made this opinion tribunal a laboratory of denunciation and interdisciplinary research, it said.

Based in Rome, the tribunal has held 43 sessions on numerous cases involving human rights and genocide. Cases relating to Armenian genocide, war crimes in Sri Lanka, crimes against humanity in former Yugoslavia, among others, were dealt by it.

## Rohingya crisis dents Myanmar hopes of Western investment boom

REUTERS, Yangon/Hong Kong

When officials from Myanmar's commercial capital Yangon toured six European countries in June, they were hoping to drum up investment in transport, energy and education.

Instead, they were bombarded with questions about the country's treatment of the Rohingya Muslim minority, who have long complained of persecution by the Buddhist majority in the oil-rich, ethnically divided, western state of Rakhine.

"In each of every country, that issue was always brought up," Hlaing Maw Oo, secretary of Yangon City Development Committee, told Reuters after the 16-day trip.

The situation in Rakhine has worsened dramatically since then, with more than 400,000 Rohingyas fleeing to Bangladesh to escape a military counter-insurgency offensive the United Nations has described as "ethnic cleansing".

Western trade and investment in Myanmar is small, but there were hopes that a series of reforms this year would prise open an economy stunted by international sanctions and decades of mismanagement under military rule.

With most sanctions now lifted, an expected flood of Western money was seen as a key dividend from the transition to civilian rule under Nobel laureate Aung San Suu Kyi. Regional diplomats saw it balancing China's growing influence over its neighbour.

But Suu Kyi has been beset by international criticism for saying little about human rights abuses against the Rohingya, and lawyers, consultants and lobbyists say the European and U.S. companies that had been circling are now wary of the reputational risks of investing in the country.

Louis Yeung, managing principal of Yangon-based investment firm Faircap Partners, said one of his business partners -- a listed, US-based food and beverage company -- decided to hold off its plan to enter the Myanmar market for three to five years, citing factors including slower-than-expected reforms and the Rohingya crisis.

"Their conclusion is that it wasn't the right time for them," he said. "They want to see more traction from the government and Rakhine is not helpful."

### ON HOLD

The pressure has been growing in recent months, even on existing investors, with rights group AFD International calling on foreign firms to stop investing in Myanmar.

A small group of investors in US oil major Chevron (CVX.N) filed an unsuccessful motion at its annual general meeting urging it to pull out of its production sharing contract with a state-run firm to explore for oil and gas, while Norwegian telecoms firm Telenor (TEL.OL), which runs a mobile network in Myanmar, issued a statement calling for human rights protection.

## India, China

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in Bangladesh, the country was facing a complex crisis over their food, accommodation, emergency relief and their repatriation.

On her meeting with UN Secretary General Antonio Guterres, Hasina said he highly appreciated Bangladesh for standing in their bad time by the Rohingyas fleeing persecution by Myanmar security forces in Rakhine State. "He also said he would do everything possible from his side to resolve the problem permanently," she added.

The PM said as the government was providing food to Bangladesh's 16 crore people, it would not be a big deal for the country to feed another 800,000 Rohingyas. "If needed, we'll eat one time a day and share our food with them at other times."

In reply to a query about dialogue with the BNP, Hasina sharply reacted to it, asking for not raising the issue before her.

The PM alleged that the BNP was a "terrorist" and "militant" party which created Bangla Bhai, former leader of militant outfit Jama'atul Mujahideen Bangladesh (JMB), and its leader Ziaur Rahman killed her father along with the whole family and blocked the path to get justice.

"This party killed hundreds of people in arson attacks in the name of an anti-government movement and to resist the election."

Hasina said she called BNP chief Khaleda Zia before the 2014 election and went to her house after the death of her younger son Arafat Rahman Koko. "But the reaction was humiliating."

Saying that there is no need to sit with the BNP to forge a national consensus on the Rohingya issue, she said a consensus had already been built across the world. "Please don't tell me to sit with the BNP anymore. This is not acceptable to all at all."

The PM also talked about some misdeeds "committed" by the BNP and its ally Jamaat in recent years against the country and its people.

Foreign Minister AH Mahmood Ali and Bangladesh Permanent Representative to the UN Masud Bin Momen were present at the press conference conducted by PM's Press Secretary Ihsanul Karim.

## N Korea issues

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its allies, and called Kim a "rocket man" on a suicide mission.

Kim said the North would consider the "highest level of hard-line counter-measure in history" against the United States and that Trump's comments had confirmed his own nuclear program was "the correct path".

Pyeongyang conducted its sixth and largest nuclear test on Sept 3 and has launched dozens of missiles this year as it accelerates a program aimed at enabling it to target the United States with a nuclear-tipped missile.

"I will surely and definitely tame the mentally deranged US dotard with fire," Kim said in the statement on the KCNA state news agency.

Asked about the North Korean hydrogen bomb threat, Secretary of State Rex Tillerson told ABC that diplomatic efforts will continue but all military options were still on the table.

"We are quite challenged" with the escalating rhetoric, he said, but hoped increased sanctions and "voices from every corner of the world" would help lead Kim to talks.

### SLEEPWALKING INTO WAR

In a separate report, KCNA made a rare criticism of official Chinese media, saying their comments on the North's nuclear program had damaged ties and suggested Beijing, its

only major ally, had sided with Washington.

Singling out the official People's Daily and its more nationalistic sister publication, the Global Times, KCNA said Chinese media was "openly resorting to interference in the internal affairs of another country" and driving a wedge between the two countries.

At the United Nations, Secretary-General Antonio Guterres called for statesmanship to avoid "sleepwalking" into a war.

South Korea, Russia and China all urged calm.

"All relevant sides should exercise restraint and dedicate themselves to easing the situation rather than irritating each other," said Lu Kang, China's foreign ministry spokesman.

However, the rhetoric was starting to rattle some in the international community. French Sports Minister Laura Flessel said France's team would not travel to the 2018 Winter Olympic Games in South Korea if its security could not be guaranteed.

The 2018 Games are to be staged in Pyeongchang, just 80 km (50 miles) from the demilitarized zone between North and South Korea, the world's most heavily armed border.

Asian stocks fell, and the Japanese yen and Swiss franc gained, on the possibility of a hydrogen bomb test in the Pacific.

## India moves to block entry

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to enter India ... the situation is tense," added the official, who declined to be identified as he was not authorised to speak to media.

More than 420,000 Rohingyas have fled to Bangladesh since Aug 25, when a coordinated attack by Rohingya insurgents on Myanmar security forces triggered a counteroffensive, killing at least 400 people, mainly militants. The United Nations has called the assault a "textbook example of ethnic cleansing".

Densely populated Bangladesh is struggling to shelter all the refugees desperate for space to set up shacks, sparking worries in India that the influx could spill into its territory.

R P S Jaswal, a deputy inspector general of the BSF patrolling a large part of the border in India's eastern state of West Bengal, said his troops were told to use both chilli grenades and stun grenades to push back the Rohingyas.

A chilli grenade makes use of a naturally-occurring compound in chilli powder to cause severe irritation and temporarily immobilise its target.

Prime Minister Narendra Modi's Hindu nationalist government is grow-

ing increasingly hostile towards the Rohingya in India, with Home Minister Rajnath Singh calling on Thursday for their deportation as illegal migrants.

Seeking to get legal clearance for the deportation plan, the home ministry told the Supreme Court this week it would confidentially provide it with intelligence information showing Rohingya links with Pakistan-based militants.

Most of the peace-loving refugees had no link to criminal activity, two Rohingya men protesting against the deportation move told India's top court yesterday.

An official of India's federal investigations agency said it was seeking help from Muslim religious leaders to step up surveillance of the Rohingya.

Police have arrested a suspected al Qaeda member they believe was trying to recruit Rohingyas in the country to fight security forces in Myanmar. More than 270 Rohingyas have been in Indian jails since 2014.

"Our investigations have revealed that Al Qaeda wants to use India and Bangladesh as their base to start a religious war against Myanmar," said New Delhi police official Pramod Singh Khuswah. "Clearly they are a threat to our security."

## \$200m needed

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The monsoon rains have compounded the problems for the aid agencies, turning roads into quagmires. Watkins said the United Nations was working with Bangladeshi authorities to build new roads.

He said the situation had not stabilised in terms of new arrivals so it was difficult to say for how many people they were planning for, or for how long. "We don't want to plan a 10-year operation, obviously, because we want to maintain hope that there will be a way for negotiating a return of the population," he said.

"We can't plan too far in the future because it becomes a self-fulfilling prophecy. On the one hand, politically, it sends a strong signal, which we don't want to send, which is that people are going to be here for a long time. "And our donors are not prepared to respond to anything beyond a one-year time frame given the massive amounts of money we are asking for."

Meanwhile, the UNHCR is stepping up delivery of life-saving aid to desperate Rohingyas camped out near two official refugee camps in Cox's Bazar.

"At the request of Bangladeshi authorities, we are speeding up the distribution of plastic sheeting to get as many people as possible under at least minimal protection from monsoon rains and winds," UNHCR spokesperson Andrej Mahecic said during a press briefing in Geneva yesterday.

UNHCR site planners are on the scene to try to help organise a 2,000-acre (800-hectare) site allocated to new arrivals by authorities.

Known as the Kutupalong extension, the new site is next to Kutupalong camp, which houses Rohingya refugees who arrived over several decades. It is managed by the government and supported by UNHCR.

Mahecic yesterday said they plan to begin distribution of kitchen sets, sleeping mats, solar lamps and other essential relief items to an initial 3,500 families who have been selected by community leaders.

"Refugee volunteers and contractors are helping newly-arriving refugees moving into emergency shelter, but it is vital that our site planners have the opportunity to lay out the new Kutupalong extension in an orderly way to adequately provide for sanitation and to make sure structures are erected on higher ground not prone to flooding."

Many of the estimated 429,000 refugees who have arrived in

Bangladesh over the last 3.5 weeks have been staying inside two official camps, Kutupalong and Nayapara, or are living in schools and other public buildings converted into shelters.

RELIEF FROM SAUDI KING  
The King Salman Centre has sent 100 tonnes of food, shelter and other relief items to Bangladesh for the Rohingya Muslims.

International Organization for Migration, the UN migration agency, chartered a Boeing 747 to transport the aid. The flight landed in Chittagong yesterday afternoon.

On Wednesday, Saudi King Salman Bin Abdul Aziz had allocated \$15 million for the Rohingya refugees.

Saudi Arabia said it would also deploy a humanitarian relief team to Bangladesh to help the refugees in urgent need of help.

The Saudi relief items included tents, sleeping mats, blankets and food baskets, according to an IOM press release.

"Many of these [Rohingya] families are still living in the open without adequate shelter, food or clean water. This airlift, which we hope will be the first of many, will provide some 850 families with tents, mats and bedding to protect them from the daily downpours and extreme heat," said Mohammed Abdiker, IOM director of operations and emergencies.

## China re-launches

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Seven pairs of Fuxing bullet trains were put to use from Thursday midnight on the Beijing-Shanghai railway line, the busiest railway line in China which serves 505,000 passengers daily.

Beijing said the latest speed increase was a milestone 'for the world's commercial railway service achieved by China', according to a commentary on the news from People's Daily Online.

China unveiled the glitzy Fuxing bullet trains on June 26.

Fuxing, whose name means 'rejuvenation', boasts a top speed of 248 mph (400 kmh), which means it would take the train just an hour and 14 minutes to travel from London to Paris.

Fuxing is the first bullet train designed and manufactured by Chinese engineers without help from the West, according to Chinese state media.

Chinese companies spent 13 years learning to build the world-class high-speed train after acquiring know-how from leading firms in developed countries, such as Japan, France, Germany and Canada.

## 'Unfit' Uber banned

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Uber, which has 40,000 drivers working in the capital, said it would contest the decision. Regulator Transport for London (TfL) said it would let Uber operate until the appeals process is exhausted, which could take months.

"Uber's approach and conduct demonstrate a lack of corporate responsibility in relation to a number of issues which have potential public safety and security implications," TfL said.

Specifically, TfL cited Uber's approach to reporting serious criminal offences, background checks on drivers and software called Greyball that could be used to block regulators from gaining full access to the app.

"Transport for London and the Mayor have caved in to a small number of people who want to restrict consumer choice," said Tom Elvidge, Uber's general manager in London. "We intend to immediately challenge this in the courts."

An online petition against the decision had gathered more than 200,000 signatures within five hours.

The loss of the licence comes after a tumultuous few months for Uber, including a string of scandals involving allegations of sexism and bullying at the San Francisco-based start-up that forced out former CEO and co-founder Travis Kalanick.

Uber, which is valued at about \$70 billion and whose investors include Goldman Sachs, has faced protests around the world for shaking up long-established taxi markets.

The taxi app has also been forced to quit several countries, including Denmark and Hungary, and faced regulatory battles in multiple US states

and around the world.

London's traditional black cab drivers have attacked Uber, saying it has undercut safety rules and threatened their livelihoods. Uber has been criticised by unions and lawmakers too and been embroiled in legal battles over workers' rights.

London police also complained in a letter in April that Uber was either not disclosing, or taking too long to report, serious crimes including sexual assaults and this put the public at risk.

Of the 154 allegations of rape or sexual assault made to police in London between February 2015 and February 2016 in which the suspect was a taxi driver, 32 concerned Uber, according to the capital's police force.

Uber yesterday said its drivers passed the same rigorous checks as black cab drivers, it has always followed TfL's rules on reporting serious incidents and it had a dedicated team that worked closely with London's police.

London Mayor Sadiq Khan, a Labour politician who has criticised Uber in the past, said he backed the decision to reject its application for a new licence.

"It would be wrong if TfL continued to license Uber if there is any way that this could pose a threat to Londoners' safety and security," he said.

Drivers of London's black cabs, who have snarled up the city's streets in protest at the app over the last few years, welcomed the decision.

Uber is likely to come under more fire next week when it appears in court to appeal a verdict that granted two of its drivers rights such as the minimum wage, the latest "gig economy" battle between firms lauding the flexibility

enjoyed by self-employed drivers and unions accusing them of exploitation.

Uber has, however, announced a series of changes over the last few months to improve conditions for its drivers, including the introduction of in-app tipping and plans to increase some fees.

Alongside Uber's drivers, some of London's 3.5 million registered users expressed concern as to how TfL's decision would affect their lives.

"It will definitely impact my life," said 43-year-old event planner Rimi Char, who uses the app at least once a week. "I have got used to the ease and cost effectiveness of using Uber and I've always had positive experiences."

## Oyster

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oyster colonies could adapt to predicted sea level rises.

The oyster beds demonstrated other advantages too. Along with providing a sustainable food source and potential income, through oyster farming, for local communities, the artificial reefs offered safe habitat for at least 34 varieties of fish as well as 11 crab and 16 shrimp species.

The reefs can also stimulate mangrove growth along the coast which further benefits coastline protection. "It is an interesting study," says Aysha Akter, a professor from the civil engineering department of Chittagong University of Engineering and Technology.

"If the results of the computer-based numerical modelling and hydro-dynamic studies can be confirmed, oyster cultivation has the potential to combat climate change."