

# Genocide by any other name...

*As some five lakh people fleeing Myanmar pour into Bangladesh, questions are being raised about why it shouldn't be tried for genocide*

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Even as the Supreme Court of India is hearing the pleas of Rohingyas in the country, Bangladesh is facing a crisis of gigantic proportions. Some five lakh Rohingya refugees who fled Myanmar's western Rakhine state, have sought refuge there, plunging the country into a humanitarian nightmare. UN Secretary-General António Guterres said: "The situation has spiraled into the world's fastest developing refugee emergency and a

humanitarian and human rights nightmare."

The plight of these refugees has gripped the world and Burmese leader Aung San Suu Kyi was condemned worldwide for not doing enough for them. Even the honour of the Freedom of Oxford given to her was withdrawn recently and Hugh's College, Oxford, removed her portrait from display. Suu Kyi has not responded to suggestions of the UN to visit Rohingyas in Rakhine and in Bangladesh.

PHOTO: STAR FILE



## SC of India hears Rohingya case

PHOTO: AFP

On October 3, the Supreme Court of India heard arguments from the government and two Rohingya Muslims who had challenged the government's decision to deport them. While on the one hand, the counsels for the Rohingyas claimed that it was a case of religious discrimination and an attempt to arouse an anti-Muslim feeling, Additional Solicitor General Tushar Mehta argued that they would cause a security threat to the nation and give rise to a decrease in wages.

The bench, headed by Chief Justice Dipak Misra, observed that it would hear all aspects in detail, including the centre's plea that the matter is not maintainable and is in the executive domain. The bench, which also included Justices AM Khanwilkar and DY Chandrachud, asked the petitioners as well as the respondents to file a compilation of all relevant documents which will be required in assisting the Court. The matter is listed for October 13.

### Tribunal indictment

And adding to the stern condemnation of this Nobel Prize winner was the Permanent People's Tribunal (PPT), an internationally recognised tribunal, which accused Myanmar of committing genocide on the poor. The seven-member panel said: "The state of Myanmar is guilty of the crime of genocide against the Rohingya group. The casualty of the genocide could be even larger in future if nothing is done to stop it." The PPT was established in 1979 and since its inception, has had an international network of experts, activists and scholars. It has given a clarion call to the UN and other international bodies to act to bring the Myanmar authorities to book for "committing the genocide".

Tureen Afroz, a Dhaka-based prosecutor with the International Crimes Tribunal of Bangladesh

(ICTB), told *India Legal*: "This is the first time that the PPT delivered a verdict of such a big dimension accusing a government having a link with a Nobel laureate, Aung San Sun Kyi. She is now facing growing criticism over the Rohingyas. It's clear that Myanmar is committing genocide against the Rohingyas. The verdict has helped their cause and it is drawing the world's attention."

Mirza Fakhru Islam Alamgir, Secretary-General of the opposition Bangladesh National Party, has questioned Prime Minister Sheikh Hasina's demand that "safe zones" be established under UN supervision in Myanmar for the protection of people irrespective of their religion. "Sheikh Hasina's demand in the UN General Assembly for a safe zone would mean creating another Palestine. The BNP opposes this demand. Myanmar will have to take back Rohingyas