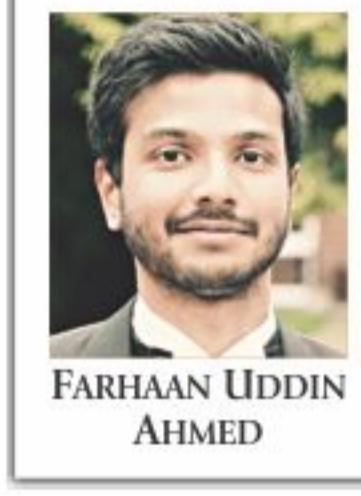


# Rohingyas' dignified return to their homeland

*An agreement between Bangladesh and Myanmar which only deals with repatriation of Rohingyas but does not guarantee their rights and security as citizens of Myanmar will risk the recurrence of the latter's ethnic cleansing campaign*



**N**EGOTIATIONS are ongoing between the governments of Bangladesh and Myanmar to formulate a plan to repatriate the Rohingyas who

have sought refuge in Bangladesh fleeing the atrocities perpetrated by the Myanmar military. The major point of contention between the two governments is most likely to be the criteria for deciding who is eligible to be repatriated and who is not, i.e. the standard of proof that an individual was a legitimate inhabitant of Rakhine State in Myanmar.

The Myanmar government no doubt intends to set strict criteria so as to deny repatriation to as many Rohingyas as possible. Since the citizenship law in Myanmar disenfranchises the Rohingyas by denying them citizenship, it is quite unlikely that they would be able to produce any credible document to prove that they are former residents of Rakhine. Further aggravating this problem is the fact that most of the refugees while fleeing the atrocities have left everything behind in Rakhine and many of their homes and villages have been burned to the ground. Therefore, the issue of setting the appropriate criteria of eligibility would be a major impediment to the finalisation and successful implementation of a repatriation plan.

Myanmar could also intentionally drag on the negotiations until the issue loses relevance thus prolonging the crisis. Bangladesh and the international community must continue to exert



Rohingya refugees queue for relief aid at Nayapara refugee camp in Teknaf on October 21, 2017. | PHOTO: TAUSEEF MUSTAFA/AFP

pressure with increasing intensity on the government of Myanmar to resolve the crisis.

The aim of this piece is to explore whether the repatriation of the Rohingyas to Myanmar in and of itself would effectively resolve the crisis in the long-term from the perspective of Rohingyas and Bangladesh. Although the best possible means to resolve the crisis still seems to be the establishment of a United Nations Interim Administration in Rakhine, an agreement between the governments of Bangladesh and Myanmar supported

by the international community may be able to successfully resolve the crisis.

From the perspective of Rohingyas and Bangladesh, any plan of action or agreement must ensure that the Rohingyas are duly conferred citizenship of Myanmar and accorded rights and treatment as legitimate citizens, so that they can rebuild their lives in Rakhine, and the assurance that the Myanmar government would never engage in another such brutal campaign is also necessary. Without these guarantees, it is highly likely that the Myanmar military may restart its

ethnic cleansing campaign with greater intensity as and when the pressure from the international community eases and it may inconspicuously and strategically continue to depopulate Rakhine State of the Rohingyas so as not to draw attention to its atrocities.

Rohingyas have been seeking refuge in Bangladesh since the 1980s and Bangladesh couldn't do much about it. A steady trickle of refugees over decades does not garner the same reaction or sympathy in the international community as does a mass exodus in the short span of two

months. Therefore, in the future, steady streams of Rohingya refugees from Myanmar will not muster enough international support to stop Myanmar's depopulating campaign.

Therefore, an agreement which only deals with the issue of repatriation but does not guarantee the rights, safety, and security of the Rohingyas will not "resolve" the crisis and risks its recurrence in the future. In order to conclusively resolve the crisis and ensure peace, the agreement should not only deal with repatriation but also rehabilitation of the Rohingyas in Rakhine State, restitution of their lands, their reintegration into society and politics, and of course, grant of citizenship and all the complementary rights. The agreement must guarantee humanitarian aid agencies and organisations, including the United Nations, unfettered access to Rakhine State. It must also establish an international commission which will oversee and monitor full implementation of the agreement and ensure that the international community continues to be a stakeholder in the process, so that on the off chance that the agreement falls through, the international community will have a responsibility to act accordingly.

It needs to be understood that, at present, Myanmar is being given a bitter pill to swallow. As such, it is up to Bangladesh and the rest of the world to ensure that it cures the Rohingyas of their plight. As long as Rohingyas are persecuted in Myanmar, Bangladesh will continue to bear the brunt.

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## Simple technology for a modern Bangladeshi court



**M**ODERN technology, like the internet, has dramatically changed the modes of retrieving information. We expect faster outcomes with less effort. As a

result, every sector is being modified to adapt to the changing society. The law is no exception. In the former Chief Justice's words, "the law must assume new dimensions to suit the needs of an IT-based modern society and it should play a dynamic role like a living organ."

In order to keep up with technological advances and remove the backlog of cases, Bangladesh judiciary requires complete digitalisation. This would mean databasing that may take years. But taking simple approaches would provide judges with easy access to legal information and accuracy. All of that, to achieve faster outcomes to save precious court time.

Optical Character Recognition (OCR) and Quick Response (QR) Codes can bring a significant reform in the judiciary of Bangladesh. OCR is a powerful technology that works along with a scanner to convert printed/typed/handwritten documents into digital texts, while QR Codes streamline useful information and allow quick retrieval.

A combination of the two would prove essential in responding to the increased pressure of searching old

documents in court.

How would OCR make a difference? It takes strenuous hours in finding exact provisions from a judgement for both lawyers and judges. They browse through piles of paper with little or no success. Precious time is wasted flipping through page after page.

To save time and energy, OCR provides a permanent solution of extracting written documents to text. Words or letters would be individually recognised by a software and digitally reconstructed. Once they are digitised, one command of "Find" in a computer can search and retrieve any word or sentence in seconds.

In Bangladesh, hundred-year-old deeds are needed to determine the chain of land ownership. Most of these are in a shabby state. Moreover, such records have to be re-written to make them readable. This practice can be replaced by OCR. Any document, be it handwritten or typed using a typewriter, can be converted to a word document or a non-editable PDF.

Can QR Codes save time?

The Quick Response Code (otherwise known as QR Code) is a simple yet powerful designed code similar to a bar code which stores information. To retrieve such information, a person needs to scan it via a smartphone. The software in the smartphone decodes the information. It is mostly used for storing links to websites. It is a great tool for referencing.

QR Codes can be vital in storing legal information or can lead to a data-

base of such. Online platforms provide collection of case laws, law journals or legislation which can be quickly accessed via QR Codes. For example, if link to a particular DLR reference or judgement is contained in a QR Code, it would be easier for judges or lawyers to simply use the code instead of footnotes. That way accuracy can be

technologically advanced courtroom in College of William & Mary Law School's McGlothlin Courtroom.

The Miami-Dade County Traffic Division has introduced SPIRIT (Simultaneous Paperless Image Retrieval Information Technology) which makes traffic cases in courts hassle free.

The Supreme Court of India is set to



In order to keep up with technological advances and remove the backlog of cases, Bangladesh judiciary requires complete digitalisation.

achieved and the certainty of law would be preserved.

Our judicial system must conform to what prevails in other parts of the world. The "Courtroom 21" in USA aims to "improve the world's legal systems through the appropriate use of technology." It was founded in 1993 which introduced the world's most

launched its Case Management Information System (CMIS). It will provide litigants easy access to file cases digitally. It is expected that once the system comes into practice, case records will be electronically picked up by the judges.

A central database system? In order to run a suit in court, an

advocate needs to meet the bench officers who maintain a diary and a "Cause list" from time to time. To check for future dates given by the court, or submit a "Hajira", an advocate has to personally visit or send his/her junior to submit it to that specific court. A Hajira is a document which indicates that all of the parties are present for the hearing of a particular case.

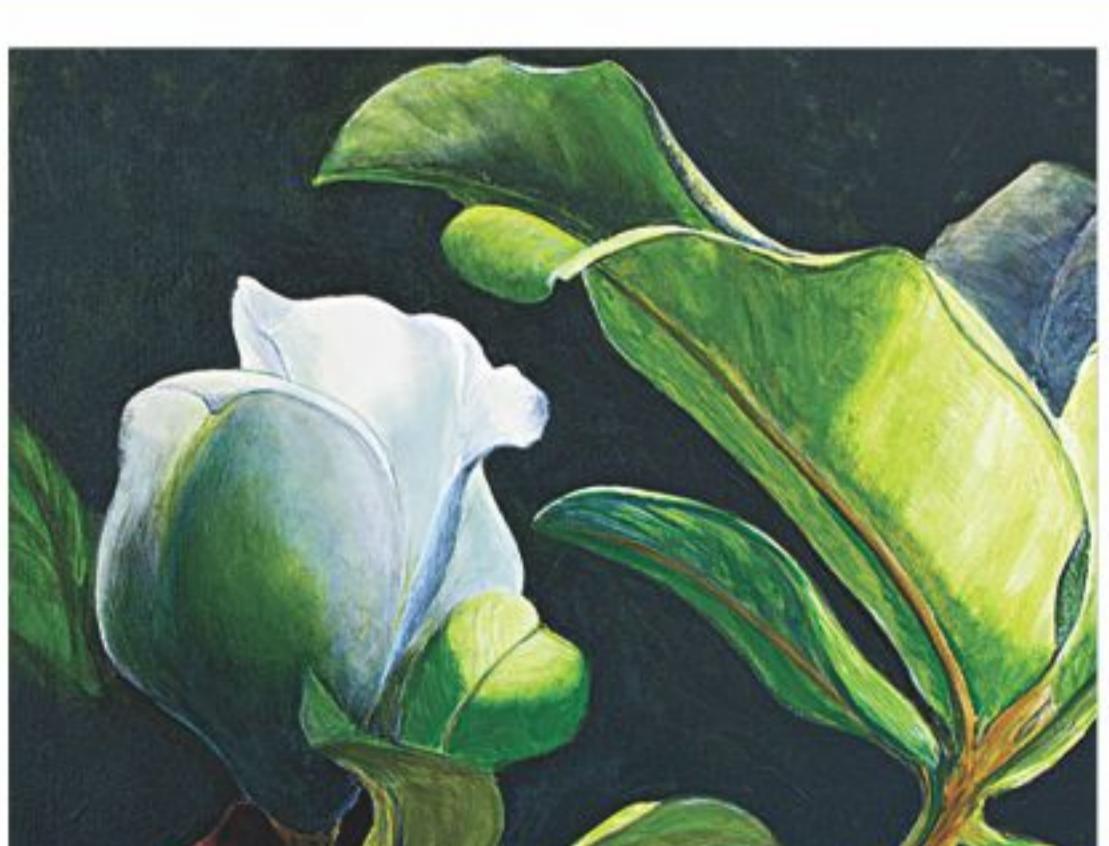
For every Hajira or getting access to the cause list, if a central database is introduced, there will be a major change in this practice. Every chamber inside the court premises would have computers that will be connected to the main server via LAN (Local Area Network). There will be a dedicated software that will notify individual advocates about the future dates in the cause list. It shall also allow remote submission of the Hajira and provide access to relevant information. A central server would provide secure storage for information, accessible only to enrolled advocates having their chambers in and around the court area.

Digitalisation of the courts in Bangladesh is essential in the times that we live in. It would complement the government's ongoing Vision 2021 project and unveil new horizons. The introduction of modern technology would not only save the courts much of their precious time, but would ensure certainty of law.

Aiman R Khan is Apprentice Advocate at Dhaka Judge Court.

## A WORD A DAY

### A DAY



**CHIAROSCURO**  
noun

The treatment of light and shade in drawing and painting.

### CROSSWORD BY THOMAS JOSEPH

**ACROSS**

- 1 Giraffe features
- 6 Zingers
- 11 Rock unit
- 12 Paragon
- 13 Texas mission
- 14 Dame
- 15 Insurance workers
- 17 Bar need
- 18 Perfect serve
- 19 Egypt's leader until 2011
- 22 Garden section
- 23 Less fresh
- 24 Comes down in buckets
- 25 Titan circles it
- 27 Snaky shape
- 30 Lawmaking bodies
- 31 Singer Reed
- 32 Harbor craft
- 33 Clog
- 35 Bakery output
- 38 Chicago airport
- 39 Uncovered
- 40 Stair part
- 41 Kiosk
- 42 Emotional states
- 26 Sweater yarn
- 27 City on the Rio Grande
- 28 Turned bad
- 29 Building workers
- 30 Rough guesses
- 34 River from Pittsburgh
- 36 Fellows
- 37 Throw in

**DOWN**

- 1 Sacred beetle
- 2 Royal home
- 3 Held forth
- 4 Unexciting
- 5 Leaves angrily
- 6 Storage site
- 7 Bustle
- 8 Stop working
- 9 Spot for commuter cocktails
- 10 Glossy
- 16 Surgery closers
- 20 Perform aerial stunts
- 21 Green and Gore
- 24 School org.
- 25 Painter Georges
- 26 Sweater yarn
- 27 City on the Rio Grande
- 28 Turned bad
- 29 Building workers
- 30 Rough guesses
- 34 River from Pittsburgh
- 36 Fellows
- 37 Throw in

### YESTERDAY'S ANSWER

O	F	E	R	J	A	S	O
W	I	L	M	A	D	O	R
E	G	Y	P	R	O	A	S
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W	I	N	Y	A	N	T	I
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T	E	R	R	A	O	M	E
S	A	S	S	Y	N	O	S
S	A	S	S	Y	N	O	S

### BEETLE BAILEY



### BABY BLUES



### BY MORT WALKER



### BY KIRKMAN & SCOTT

