

US tightens sanctions on Myanmar army chief

AFP, Washington

The United States yesterday stiffened sanctions against Myanmar's army chief over the mass killings of Rohingya, as his country defended itself against genocide charges before the top UN court.

The United States in July banned military chief Min Aung Hlaing from visiting, but yesterday's move goes further by freezing any US assets and criminalising financial transactions with him by anyone in the United States.

The Treasury Department imposed the same sanctions on three other senior Myanmar commanders, as well as 14 individuals from other countries, to observe International Human Rights Day.

"The United States will not tolerate torture, kidnapping, sexual violence, murder or brutality against innocent civilians," Treasury Secretary Steven Mnuchin said in a statement.

"America is the world leader in combatting human rights abuse and we will hold perpetrators and enablers accountable wherever they operate." Myanmar's military is accused of leading a brutal campaign in 2017 in Rakhine state against the Rohingya, a mostly Muslim minority whom the Buddhist-dominated nation does not consider citizens.

Around 740,000 Rohingya fled to neighboring Bangladesh after a bloody crackdown by the Myanmar military in 2017 that UN investigators have already described as genocide.

The United States said there were "credible reports" of mass-scale rape and other sexual violence by soldiers under the command of Min Aung Hlaing.

The latest US action came as Myanmar defends itself before the International Court of Justice in The Hague over charges it violated the 1948 genocide convention.

Myanmar's civilian leader Aung San Suu Kyi, a Nobel Peace Prize winner whose reticence on the Rohingya killings has severely tarnished her once iconic image in the West, is personally leading the defense in the case brought by Muslim-majority Gambia.

The United States also took action against a notorious militia in the Democratic Republic of Congo, the Allied Democratic Forces, which is accused of massacring civilians in an apparent bid to stop them from joining the militia.

The Treasury Department slapped sanctions on the group's leader, Musa Baluku, as well as five other people accused of supporting the group.

The US also imposed sanctions on five people over abuses in war-torn South Sudan, a Pakistani police superintendent accused of killing people in staged encounters, and a militia commander in Libya.

The Treasury Department also designated one European -- Slovak businessman Marian Kocner, who is accused of ordering the 2018 murder of investigative journalist Jan Kuciak, who was probing high-level graft.

Bloomberg to attend UN climate talks to push for US action

AFP, Madrid

American presidential hopeful Michael Bloomberg was set to attend UN climate talks in Madrid yesterday with the message that the US is "still in" the fight against global warming despite its looming withdrawal from the world's climate plan.

The billionaire, aiming to become the Democratic presidential candidate for next year's vote, will unveil findings by a research group he funds suggesting that a president who prioritises climate reforms could reduce US emissions by 49 percent by 2030.

This would put the largest historic emitter on track to meet its current obligations under the 2015 Paris accord, irrespective of Donald Trump's decision to remove the US from the landmark deal.

Bloomberg will appear alongside Hollywood icon Harrison Ford and United Nations officials at the COP25 talks, currently in their second week.

"Despite Trump backing out of

the Paris Agreement, climate progress is happening in the US thanks to bold action from cities, states, & businesses," he tweeted.

"Tomorrow, I'll represent the US at #COP25 to deliver our America's Pledge report showing how far we've come."

Nations are locked in crunch negotiations over how to deliver on pledges in the Paris agreement to drastically reduce emissions to keep global temperature increases to "well below" two degrees Celsius.

Former US President Barack Obama played a key role in pushing through the Paris pact.

But Trump has since signalled his intent to withdraw from the deal, although the United States will still be part of the UN climate change process.

Congressional leader Nancy Pelosi told delegates at the start of the Madrid talks last week that the world could still count on Americans to fight global warming.

Protests rage

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Bangladesh, China and Myanmar -- was crippled by a general strike called by dozens of organisations, with buses off the roads and most schools and shops shut.

"The bandh (strike) have drawn a total response in the northeastern states," said Samuijal Bhattacharyya from the powerful umbrella group the North East Students' Organisation.

"We have made it clear ... that CAB (the Citizenship Amendment Bill) will not be accepted and we are going to intensify our agitation," he told AFP. "We will fight and oppose the bill till the last drop of our blood."

"Assam and northeastern states had already taken a huge burden of illegal foreigners," he said.

Over 600 eminent persons, including writers, artistes, former judges and officials have come out against the bill dubbing it as "divisive, discriminatory and unconstitutional."

In a joint statement, they urged the Indian government to withdraw the proposed law, reports our New Delhi correspondent.

The signatories to the statement include writers Nayantra Sahgal, Arundhati Roy and Amitav Ghosh, artistes T M Krishna, Sudhir Patwardhan and Nilima Sheikh, filmmakers Aparna Sen, Nandita Das and Anand Patwardhan, academicians Romila Thapar, Prabhat Patnaik and Ramachandra Guha, rights activists Aruna Roy and Justice (Retd) A P Shah and retired bureaucrat Wajahat Habibullah.

The move also evoked sharp reactions from international groups, with an influential US body calling for sanctions on Home Minister Amit Shah and other key players of the proposed law.

The US Commission on International Religious Freedom in a statement Monday termed the bill as a "dangerous turn in the wrong direction," that together with the proposed National Register of Citizens, aims to create a religious test for Indian citizenship that would strip

citizenship from millions of Muslims.

India's foreign ministry retorted yesterday saying the US group's remarks were "neither accurate nor warranted" and "guided by their prejudices and biases".

The European Union's ambassador to India Ugo Astuto also expressed the bloc's concerns, saying he hoped "the principle of equality enshrined in the Indian Constitution will be upheld".

Pakistani Prime Minister Imran Khan tweeted that the legislation by India's "fascist" government "violates" all norms of international human rights law and bilateral agreements. COMPARED TO NAZIS India's lower house passed the bill just after midnight following a fiery debate that saw one Muslim MP compare the government to the Nazis.

Once law, it will make it much easier for Hindus, Sikhs, Buddhists, Jains, Parsis, and Christians fleeing Afghanistan, Bangladesh and Pakistan to become Indians.

Modi's government says Muslims from these three countries are excluded because they can choose to go to other Muslim countries.

Also excluded are other minorities fleeing political or religious persecution elsewhere, such as Tamils from Sri Lanka, Rohingya from Myanmar and Tibetans from China.

"I say this again and again that this bill has nothing to do with the Muslims in this country," Home Minister Amit Shah told parliament.

Shah has stoked further fears among India's Muslims with his aim to conduct a nationwide National Register of Citizens (NRC) that he says will see all "infiltrators" identified and "expelled" by 2024.

Meanwhile, Shiv Sena chief Uddhav Thackeray yesterday made it clear that the Sena's support to the bill in the Rajya Sabha is not a given, reports NDTV.

The Sena, he said, had raised many questions on Monday and "if these queries are not answered, we won't be supporting the bill in the Rajya Sabha".



Prime Minister Sheikh Hasina waves a miniature flag, emblazoned with the slogan *We are for Protecting Human Rights*, at a programme at Pan Pacific Sonargaon in the capital yesterday, marking the Human Rights Day 2019.

PHOTO: BSS

Stop genocide

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UN investigators have already described as genocide.

The Gambia is arguing that Myanmar's forces carried out widespread and systematic atrocities that constituted genocide, and that in doing so Myanmar violated its obligations under the 1948 Genocide Convention, writes Reuters.

It asked the court to order special measures to protect the Rohingyas. The so-called provisional measures would act as a kind of restraining order for the Myanmar military until the case is heard in full.

"I stand before you to awaken the conscience of the world and arouse the voice of the international community," said Tambadou, a former prosecutor at the tribunal into the Rwanda's 1994 genocide.

"In the words of Edmund Burke, 'The only thing necessary for the triumph of evil is for good men to do nothing.'"

"Another genocide is unfolding right before our eyes yet we do nothing to stop it," he pointed out. "This is a stain on our collective conscience. It's not only the state of Myanmar that is on trial here, it's our collective humanity that is being put on trial."

Tambadou went on, "Every day of inaction means more people are being killed, more women are being raped and more children are being burned alive. For what crime? Only that they were born different."

Suu Kyi is set to speak in Myanmar's defence today. She is expected to argue that her country was conducting legitimate operations against Rohingya militants and that the ICJ has no jurisdiction in the case.

Her decision to personally lead the southeast Asian nation's case at the world court has proved popular at home, where the Rohingyas are widely regarded as illegal immigrants despite having lived there for decades.

During the hearing, Gambia's lawyers yesterday said the appearance of huge billboards across Myanmar in recent weeks featuring pictures of Suu Kyi with three smiling generals showed she was "in it together" with the army that once held her captive.

"It can only have been intended to show that they are all in it together and that Myanmar has absolutely no intention of holding its emboldened military leadership accountable," lawyer Paul Reichler told the court.

Myanmar faces a number of legal challenges over the fate of the Rohingyas, including a probe by the International Criminal Court -- a separate war crimes tribunal in The

Hague -- and a lawsuit in Argentina.

The country has previously denied almost all allegations made by refugees against its troops, including of mass rape, killings and arson, and promised to punish any soldiers involved in what it says were isolated cases of wrongdoing. 'GAMBIA! GAMBIA!'

Outside the court, dozens of Rohingyas demonstrated to demand justice for victims. Hours earlier in Yangon, Myanmar's commercial capital, thousands of people had rallied in support of Suu Kyi.

Once feted in the West, Suu Kyi has faced mounting international criticism over the Rohingya crisis. But she has remained popular at home since coming to power in 2016 as part of the transition to democracy after decades of military rule.

In the Bangladeshi refugee camps yesterday, hundreds gathered on a hilltop and chanted, "Gambia! Gambia!", pumping their fists. Some offered special prayers at mosques in the camps and many others were fasting.

"Our people were killed, our children were thrown into fire, our women were raped, our houses were burnt down. All we want is a fair trial," said Nurul Amin, 30.

A group of some 50 pro-Rohingya protesters gathered outside the gates of the ICJ for the hearing, carrying banners saying: 'Say yes to Rohingya, justice delayed is justice denied' and "Stop Burma military attack Rohingya."

"Today is the start for our right to justice," said Mohammed Harun, 49, who travelled from London for the hearings. "It's international justice day for Rohingya," he told AFP.

A small group of Suu Kyi supporters also unfurled a banner outside the court with the Myanmar leader's face on it saying: "We love you, we stand with you!"

"Suu Kyi is the only person who can solve this problem," supporter Swe Swe Aye, 47, told AFP.

'GENOCIDAL INTENT'

This week's proceedings, before a panel of 17 judges, will not deal with whether Myanmar is guilty of the most "serious international crime", but will focus on Gambia's request for provisional measures. A decision on that request is expected within weeks.

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Arguments strong enough

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fields, presented their arguments at the top UN court in the Hague," Ahmed Ziauddin, a genocide researcher based in Brussels, told this correspondent yesterday.

"They made it very clear that provisional measures were urgent to protect the Rohingyas, and such measures won't affect Myanmar as a state."

The ICJ is not a criminal court that can issue an arrest order against any individual. But if it issues "provisional measures" to stop genocide, that means the judges have acknowledged the genocide, he said.

Besides, Myanmar State Counsellor Aung San Suu Kyi, who is leading a panel of Myanmar lawyers, could be in real trouble because the International Criminal Court (ICC), which deals with the crimes of individuals, will use the ICJ reference and may hold Suu Kyi responsible, mentioned Ziauddin.

"Such possibility is high because Suu Kyi as the head of a state allowed the genocide to take place."

Governed by the Rome Statute, the ICC, also based in the Hague, investigates and, where warranted, tries individuals charged with the gravest crimes of concern to the international community: genocide, war crimes, crimes against humanity and the crime of aggression.

Ziauddin said it was surprising that Suu Kyi, a Nobel peace laureate and once an icon of democracy, went to the Hague to defend the allegations of genocide against Myanmar.

There could be fresh calls for

holding her accountable, he added.

The Gambian team mostly used the UN Fact-Finding Mission's report on the Rohingyas. The report, submitted to the UN Human Rights Council last year, found elements of genocide against the Rohingyas and called for probe into the roles of Myanmar generals.

The team also narrated how Myanmar, which denied the Rohingyas citizenship since 1982, worked for decades to destroy partly or in full the Rohingyas as a group.

Myanmar doesn't recognise the Rohingyas as an ethnic group and call them "kalar", a racial slur.

Bangladeshi rights activist Shirin Huq, who is attending the ICJ hearing in The Hague, said the Gambian team presented arguments against Myanmar one by one under Article 9 of the UN Genocide Convention.

A stone-faced Suu Kyi sat in the front row and attentively listened to the arguments from the Gambian lawyers, Shirin told The Daily Star over the phone.

This is a crucial phase in the history of struggle for international justice, she mentioned.

"The Gambia has a team of well-prepared lawyers. We are hoping that the ICJ will issue provisional measures that will help prevent further atrocities on the Rohingyas."

"The Gambia stands tall," Shirin said praising the small African country.

She also said it was regretful that William Schabas, a noted expert on international law, who said in 2014 that Myanmar's treatment of the Rohingyas was tantamount to genocide, will argue

violence, it was ethnic cleansing that stemmed from unjustifiable intolerance.

Andrew Lowenstein, a partner at Foley Hoag LLC, the legal team representing The Gambia, presented the massacres of the villages of Tula Toli and Chut Pyin as an example.

"The first round of shooting was like a rain of bullets. The second round was slow as the soldiers killed the men individually. They aimed a gun at each man and shot," Lowenstein stated, reading out descriptions of the Tula Toli massacre from the UN fact-finding mission's report.

"Soldiers then turned to the women and children who, after being separated from the men, were forced to sit in a lower area on the shore. Some of the children were shot, some thrown into the river, and others thrown onto a fire."

He then continued to describe how the women were gang-raped, locked inside their houses and the houses then set on fire.

The lawyer also presented satellite images captured during the time when these villages were burning to prove how only Rohingyas homes were being set on fire, while Buddhist Rakhine homes were being spared.

"The fact that Myanmar has genocidal intent is shown by its toleration for hate rhetoric and public hatred of the Rohingya," he said.

"The fact-finding mission also concluded that Myanmar's genocidal intent is evident in its lack of remorse. The Tatmadaw's actions are glorified."

Another lawyer, Tafadzwa Pasipanodya, presented how the Rohingyas placed in internment camps, long before the violence of 2017.

Again citing the UN report, the lawyer described how after the 2012 violence in the Rakhine State, the population was cordoned off into military-controlled camps surrounded by barbed wires, and they were not allowed freedom of movement.

"We believe that the evidence is not just sufficient, but it is overwhelming. The court has never had such comprehensive or such compelling evidence of the commission of genocidal acts as it has before it now," commented Paul Reichler, the head of the legal team.

"The genocide in Rwanda was a failure of humanity that can easily happen again. Mr President, tragically, it has happened again, in Myanmar. The time to prevent further genocide is now, because nothing less will protect the Rohingya from further destruction as a group," he concluded.

Rule of law must for ensuring human rights

Says PM

UNB, Dhaka

Prime Minister Sheikh Hasina yesterday said the government would establish human rights in the country through ensuring the trial of all the incidents of human rights violations.

"All we need most is to ensure the rule of law for establishing human rights. Criminals have to face punishment, no matter who they are... this is our decision, and we are working as per the decision," she said.

The PM was addressing a programme at the capital's Pan Pacific Sonargaon, marking the Human Rights Day 2019.

Hasina said the drive against drugs, terrorism, militancy and corruption was going on as these destroy a society. "So, the resistance should come first from the society against these menaces... this is urgently needed to create awareness among the people."

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MTB employee stole Tk 5cr from client's account

Finds ACC, files case

STAFF CORRESPONDENT

A private banker has embezzled about Tk 4.97 crore from a client's account by forging her signature. The banker's wife assisted him in committing the crime, the Anti-Corruption Commission has found.

Yesterday, the ACC filed a case against the couple.

According to the case statement, Ferdousi Jaman, a client of Mutual Trust Bank, used to maintain a privilege account with its Banani branch in the capital. In the account, she had about Tk 6.6 crore in October 2016.

Two years later, she found that about Tk 4.97 crore was withdrawn using 60 cheques with her fake signatures.

Jahid Sarwar, the then manager at the privilege center of the MTB branch, had forged her signature and withdrawn the money, found the graft watchdog.

ACC Assistant Director Shafi Ullah lodged the case with its integrated district office, accusing Jahid and his wife Farhana Habib of committing forgery and laundering the money.

Talking to The Daily Star yesterday, the ACC official said the couple fled the country on an Emirates flight on October 19 last year.

The case statement said Ferdousi, along with one Maisha Abdullah, opened a joint account with the bank's Banani branch on April 26, 2016, and deposited about TK 6.5 crore in the account between May 2 and 8 that year through three deposit slips.

On October 6, 2016, Ferdousi opened another savings account with the branch and transferred the total amount along with the accrued interest to the new account.

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Charges pressed against ex-CJ Sinha, 10 others in graft case

COUR CORRESPONDENT

The Anti-Corruption Commission yesterday pressed charges against former chief justice Surendra Kumar Sinha and 10 others for misappropriating and laundering about Tk 4 crore of Farmers Bank in 2016.

ACC Director Benjir Ahmed, also the investigation officer of the case, submitted the charge sheet to the Senior Special Judge's Court of Dhaka, showing 23 people as prosecution witnesses.

The IO showed Justice SK Sinha and 10 others "fugitives" in the charge sheet and appealed to the court to issue arrest warrants against them.

The court will decide on January 5 whether to accept the charge sheet and issue arrest warrants against the accused in the case.

The other accused are: the bank's former MD AKM Shamim, Senior Executive Vice-President and former head of Credit Division Gazi Salahuddin, First Vice-President of Credit Division Swapan Kumar Roy, First Vice-President Shafiuddin Askary, former chairman of the bank's audit committee Mahbubul Haque Chisty and Vice-President Tufail Haque.

One Shahjahan of Tangail's Sreehoripur village, Ranjit Chandra Saha of the district's Jodunathpur village, his wife Santri Roy and nephew Niranjan Chandra Saha have also been accused.

The name of senior vice-president and former branch manager Md Ziauddin Ahmed was not included in the charge sheet as the ACC probe did not find his involvement.

Farmers Bank was later renamed Padma Bank.

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