Syllabus subtopic: Important International Institutions, agencies and fora - their Structure, Mandate.

Prelims and Mains focus: about the court’s ruling and its significance; about the Rohingya issue; about ICJ and its mandate

News: The International Court of Justice (ICJ) on Thursday ordered Myanmar to take urgent measures to protect its Rohingya population from genocide, a ruling cheered by refugees as their first major legal victory since being forced from their homes.

Background

- More than 7,30,000 Rohingya fled Myanmar after a military-led crackdown in 2017, and were forced into squalid camps across the border in Bangladesh. UN investigators concluded that the military campaign had been executed with “genocidal intent”.

- Majority Buddhist Myanmar generally refuses to describe the Muslim Rohingya as an ethnic group and refers to them as Bangladeshi migrants.


What did the court rule and its significance?

- In a unanimous ruling by the 17 judge panel, the court said the Rohingya face an ongoing threat and Myanmar must act to protect them.

- Rohingya activists, who had come from all over the world to the Hague, reacted with joy to the unanimous ruling, which also explicitly recognised their ethnic minority as a protected group under the Genocide Convention.
The court’s final decision could take years, and Thursday’s ruling dealt only with Gambia’s request for preliminary measures.

ICJ rulings are final and binding, but countries have occasionally flouted them, and the court has no formal mechanism to enforce them.