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**.