ICJ's Rohingya genocide judgment: State responsibility and the next steps

News: 19 November 2026 | Publication: 20 November 2026

Prelims: ICJ, Genocide Convention, Myanmar; Mains: GS-II, international institutions and human rights



Original symbolic illustration: pcsmantra.com

Why in the news

The UN's Independent Investigative Mechanism for Myanmar (IIMM) reported on 19 November that the International Court of Justice found Myanmar responsible for genocide against the Rohingya and ordered reparations. The proceedings concern The Gambia v. Myanmar and the application of the Genocide Convention. They should not be presented as the criminal conviction of an individual military officer.

What the Court found

The IIMM's official account describes evidence concerning mass killings, sexual violence and systematic destruction of villages during the 2017 operations in northern Rakhine State. The Court also found a breach of the obligations to prevent and punish genocide. The Mechanism supplied witness statements and analytical reports. Evidence-gathering and judicial determination remain distinct functions.

Orders and implementation

The official account identifies investigation and prosecution of those responsible, safe and voluntary return, restoration of property and adequate compensation. Myanmar must report to the Court within two years on restitution measures and compensation amounts and arrangements. An order is not proof that compliance has already occurred. Return requires safety, voluntary choice and conditions for lasting rehabilitation.

The exam distinction

These ICJ proceedings addressed Myanmar's international responsibility as a State. Establishing an individual's criminal responsibility requires separate investigations and judicial proceedings. The IIMM is not itself a court issuing convictions. It collects and preserves evidence of serious international crimes and supports competent judicial processes.

Mains analysis

The judgment illustrates the gap between international adjudication and implementation. Judicial findings can strengthen victims' claims and accountability, but compliance, security and rehabilitation also require political and administrative action. Avoid collective blame against a country or community. Separate the Court's findings, government claims and humanitarian needs in an answer.

Mains practice question

"An international judgment can strengthen accountability without being a substitute for a humanitarian solution." Discuss with reference to the Rohingya case. (10 marks, 150 words)

Answer outline

1. **Introduction:** judicial findings
2. **Main body:** compliance and reparations; safe voluntary return
3. **Conclusion:** separate individual criminal accountability.

PCS MANTRA

Sources

https://iimm.un.org/en/icj-judgment-marks-historic-step-towards-justice-rohingya
https://news.un.org/en/story/2026/11/1168836

Frequently asked questions

Who brought the Rohingya case before the ICJ and on what basis?

The proceedings were The Gambia v. Myanmar concerning the application of the Genocide Convention. On 19 November 2026 the Court found Myanmar responsible for genocide against the Rohingya and ordered reparations. Source (https://iimm.un.org/en/icj-judgment-marks-historic-step-towards-justice-rohingya)

By when, and on what, must Myanmar report back to the Court?

Myanmar must report to the Court within two years on the restitution measures it has adopted and the amounts and modalities of compensation. The orders also cover investigation and prosecution of those responsible, safe and voluntary return, and restoration of property. Source (https://iimm.un.org/en/icj-judgment-marks-historic-step-towards-justice-rohingya)

What is the IIMM, and does it itself convict anyone?

The IIMM was created by the UN Human Rights Council in 2018 to collect, preserve and analyse evidence of the most serious international crimes in Myanmar. It is not a court issuing convictions; establishing individual criminal responsibility requires separate investigations and judicial proceedings. Source (https://news.un.org/en/story/2026/11/1168836)

PCS MANTRA