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International Development
Committee

**Bangladesh and Burma:
the Rohingya crisis**

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*Report, together with formal minutes
relating to the Report*

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International Development Committee

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Summary

We are examining DFID's work in Bangladesh and Burma. This Report is the first output from that inquiry. It focuses on the culmination of decades of marginalisation and abuse of the Rohingya people of Rakhine State in northern Burma. This took the form of a "textbook example of ethnic cleansing" perpetrated by the Burmese security forces over the latter half of 2017 causing the flight of over 650,500 Rohingya people into Bangladesh.

This crisis is current and on-going. There is the huge immediate humanitarian challenge of providing shelter, water, food, security, health and education services – not to mention a little dignity and hope – for an enormous, displaced and traumatised population. At the same time, there is the issue of the Rohingya's longer term future; their constitutional status, security and access to fundamental human rights. These factors are all relevant to consideration of the required conditions under which a return of the Rohingya to Burma might be contemplated.

The Rohingya crisis has provided the international community with an immediate test case for the large measure of consensus reached in 2016 around better ways to respond to humanitarian crises and, separately, to displaced people, migrants and refugees. This initial Report is structured to reflect the key elements of that international consensus to facilitate assessment.

We will return to all these issues in our wider look at work on DFID's aid programmes in Bangladesh and Burma.

Crisis prevention

There has been evidence of discrimination and abuse of the Rohingya people, and warnings of escalation, even 'ethnic cleansing', from a range of sources over many years. This evidence was not translated into effective action by the international community. In fact, continuing engagement with Burma seems to have been interpreted as tacit acceptance of the treatment of the Rohingya, reinforcing the problem. There appears to have been over-optimism about the speed and breadth of democratic reform in Burma. The Rohingya have paid a heavy price for the lack of consensus amongst the international community on how and when to decide to act effectively to prevent or end emerging crises.

Empowering affected people

Bangladesh opened its borders to the Rohingya refugees with its Prime Minister, Sheikh Hasina, commenting that Bangladesh will help the persecuted because "We know what suffering means". Bangladesh deserves both recognition and material support in line with international acceptance that hosting displaced people is a "global public good". Our evidence was that Bangladesh's main aim is to secure the return of the Rohingya to their "homeland" in Burma. Bangladesh has not granted the Rohingya formal status as refugees, restricts their rights to work and all plans for accommodation seem heavily predicated upon security and managed containment.

Bangladesh seems to be proceeding apace in arranging the return of a substantial first tranche of Rohingya. We recognise that traditional leadership structures across the displaced Rohingya communities have been massively disrupted, but the lack of evidence of consultation or involvement of the Rohingya concerns us.

Gender based violence (GBV)

Predecessor committees have identified the Burmese Army as deploying rape as a weapon of war (2006 and 2014) and the UK Government's replies confirmed the concern. Evidence we have gathered in the current inquiry makes it clear that rape and sexual violence remain weapons of war and oppression used by the Burmese Army. Given the number of cases reported, we were disappointed that the UK seemed reluctant to commit its full specialist team on sexual violence to assist in this regard. There seems little point urging the Burmese authorities to self-regulate as they have already cleared their military personnel of any wrongdoing (something the UK Government described as "simply not credible").

There are other GBV issues arising out of the conditions prevalent in the over-crowded camps which include: poor lighting; absence of security for women and girls collecting firewood and performing other tasks away from their camp; lack of privacy around toilets and washing facilities; various aspects of camp life incentivising the arrangement of child marriages with attendant risks; and the vulnerability to traffickers of refugees, especially women and girls.

Supporting refugees and the host community

So far (January 2018), the UK has provided £59 million for the response to the Rohingya crisis; pledging £47 million of this at the initial funding conference in Geneva in October 2017. We welcome the UK Government's swift action in committing to a substantial sum early in what was obviously emerging as a huge crisis. That conference secured commitments to provide \$360 million (about £266 million). Evidence from the Bangladesh Government was that the cost of effective provision of basic services for the displaced Rohingya could be more than £1 billion per year.

There have been NGOs active in Bangladesh since its independence but some organisations raised difficulties with the bureaucracy around registering and re-registering to work in Bangladesh. We urge the UK Government to respectfully discuss this matter with counterparts in Bangladesh seeking any means of reducing the burden of regulation without compromising security or coordination.

We welcome the UK Government's recognition of the situation in Burma and Bangladesh as a "protracted crisis". The implications of this are a need to consider the foundations for longer term provision of services such as education and for a way for the Rohingya to develop livelihoods and become more self-reliant, perhaps even contributing to the economy of their host country.

Safe and durable solutions and voluntary returns

Some witnesses saw the Rohingya crisis as a test case for the learning of lessons presented by other crises — for instance in Rwanda, Bosnia, or Sudan — and the realisation of the “never again” commitment embodied in the “responsibility to protect” principle. We welcome the concept behind the UK Government’s “5-point plan” around which it is seeking to galvanise the international community. The 5 points are: the cessation of violence by the Burmese security forces; humanitarian access to be guaranteed in Burma; any return of refugees to be in a voluntary, safe and dignified manner; full implementation of the Kofi Annan Advisory Commission’s recommendations; and, above all, full access for, and cooperation with, the UN Human Rights Council’s fact-finding mission.

However, our evidence indicates there is little by way of international consensus and activity behind the plan. In addition, each strand presents substantial challenges in terms of implementation and the likelihood of effective independent observation and validation being easily put in place. There are previous episodes of displacement and return of the Rohingya, and other ethnic minorities, in Burma over the last 20 years which do not inspire confidence.

Media reports in mid-January 2018 of progress within the Bangladesh-Burma “Joint Working Group” (JWG) on repatriation, claimed that Bangladesh has submitted a list of 100,000 Rohingya names for vetting representing a first tranche for return. The UNCHR reported in December 2017 that: “The JWG is tasked to ‘develop a specific instrument on the physical arrangement for the repatriation of returnees in a speedy manner.’ UNHCR continues to engage with both governments outlining UNHCR’s established role in voluntary return processes.” It remains unclear whether efforts by the UNHCR – or any other independent agency – to engage have been successful. It is equally unclear whether the 100,000 Rohingya are volunteers or what their interim and/or final destination and legal status will be and what arrangements might be put in place for their safety and security. As it stands, this is a matter of grave concern to us.

Safe migration

It is vital that the fraught boat exodus of May 2015, when packed vessels of desperate Rohingya were stranded at sea by South East Asian countries closing their ports, is not repeated. For refugees taking this route, the risk of being drowned at sea is perhaps matched by the risk of being trafficked into modern slavery.

Conclusions

The commitments made at the World Humanitarian Summit, and within the New York Declaration, are barely a year old but the Rohingya crisis seems to have tested them to destruction already.

In the light of the Burmese Army’s brutal security operation involving rape and other forms of sexual violence, there is a bitter irony in Burma’s specific undertaking, at the 2016 Summit, to support the UN Secretary-General’s initiative “to end all preventable deaths of women and adolescent girls in crisis settings”.

Burma's actions have imposed human suffering on hundreds of thousands of people and presented the world with a huge bill for humanitarian relief estimated to amount to a billion pounds per year. There is also the chilling prospect of yet another long-term, politically intractable, cross-border displacement where the prospects of it becoming a powder-keg of radicalisation seem very real.

We neither under-estimate the challenge nor mistake our remit. The UK is one player within a complex multilateral environment. Our focus is on the potential to avoid or prevent humanitarian crises. This must be the most effective, efficient and economic use of resources ear-marked for Official Development Assistance (of which humanitarian relief is only one element).

We commend the UK Government's 5-point plan for the Rohingya and Burma. It strikes the right notes but the conditions needed to underpin each strand appear to be out of reach in the current circumstances.

Introduction

Burma

1. In the past several months¹ the international community has watched as a huge human tragedy unfolded for the Rohingya people living in the northern Burmese state of Rakhine.² In a culmination of many decades of discrimination, marginalisation and abuse, a “textbook example of ethnic cleansing”³ has been perpetrated by Burma’s security forces against the Rohingya under the guise of an appropriate response to militia violence in the summer.⁴

2. In October 2016, a group calling itself the Arakan Rohingya Salvation Army (ARSA) attacked three police outposts in northern Rakhine State, killing nine policemen and taking weapons. In August 2017, ARSA attacked 30 such outposts, this time with firearms, killing 12 soldiers. These latter attacks were the trigger for what the UK Government has described as “completely disproportionate” and “brutal” clearances of Rohingya communities by Burma’s military, alongside violent attacks by local vigilantes.⁵ Estimates of Rohingya casualties vary from the Burmese Government’s figure of 400⁶ to estimates of between 9,000 and 13,700 published in December 2017 by Medecins sans Frontieres.⁷ These fatalities are in addition to a catalogue of reported atrocity crimes, involving rape (including of children), torture and other violence against civilians, the destruction of hundreds of communities and the deployment of landmines along the Burma/Bangladesh border.

1 The particular events that led to this report, commenced in August 2017.

2 The ruling military junta changed Burma’s name to Myanmar in 1989. There is mixed practice on which name is used, including throughout our evidence. In accordance with the UK Government’s approach, “Burma” has been used throughout this report.

3 Statement by Zeid Ra’ad Al Hussein, 11 September 2017, United Nations Human Rights: Office of the High Commissioner. See also (1) HC Deb 17 October 2017, cols 764-812, when the House of Commons debated and resolved a motion agreeing with this statement; (2) Summary and paragraph 13 of the First Report of the Foreign Affairs Committee, *Violence in Rakhine State and the UK’s response*, HC 435; and (3) US Department of State, *Efforts to Address Burma’s Rakhine State Crisis*, 22 November 2017.

4 Letter to the Chair from HE Kyaw Zwar Minn, Ambassador of the Republic of the Union of Myanmar, dated 22 November 2017. ([DBB017](#))

5 [Department for International Development \(DBB020\)](#)

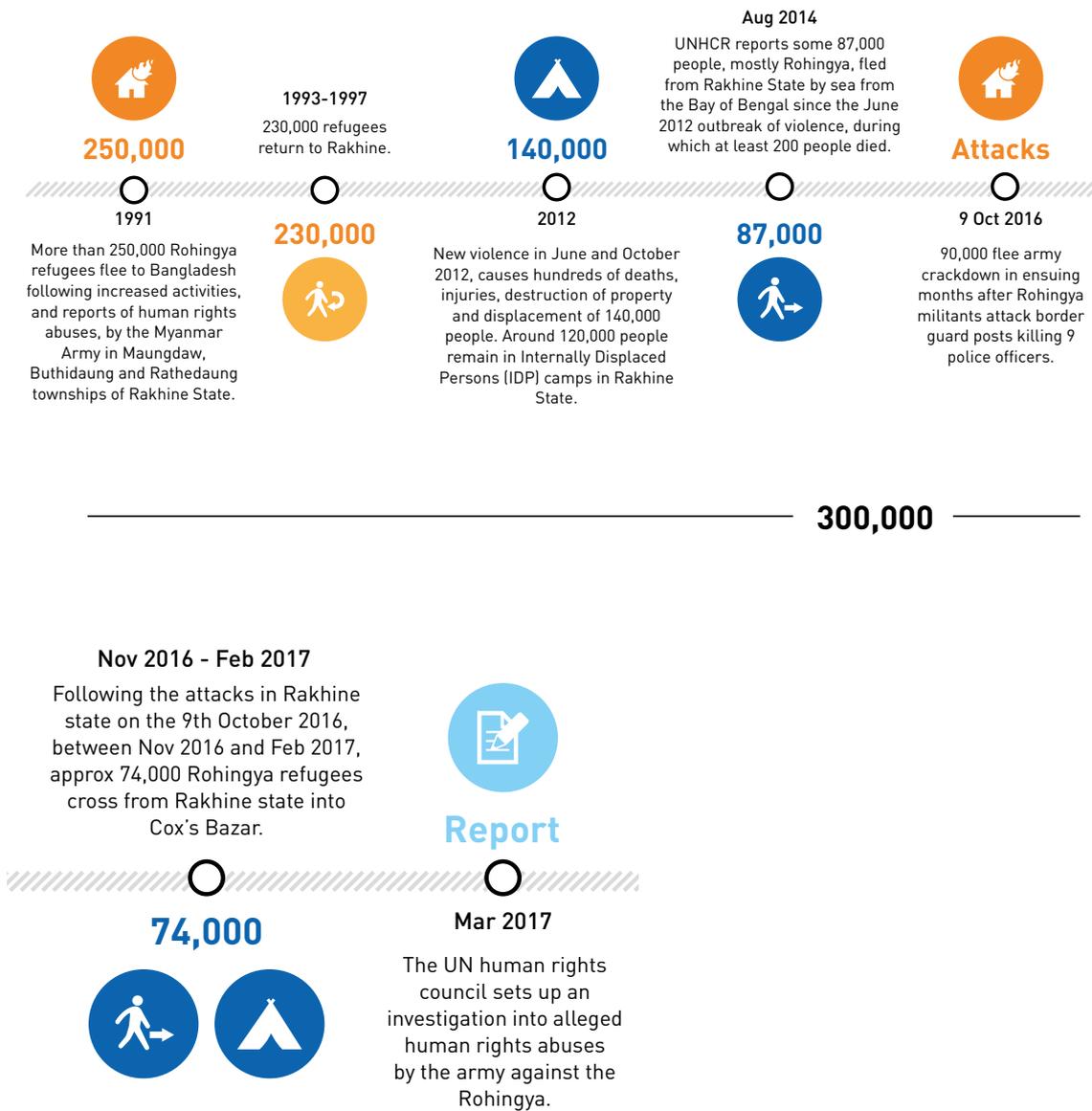
6 The Burmese Ambassador also asserted that, since the October 2016 attacks, over 160 civilians had been “gruesomely” killed, and over 210 people abducted, by “the terrorists”. He wrote that these civilians were targeted for collaborating with the Burmese authorities and “speaking to the media about the true situation”. Letter to the Chair from HE Kyaw Zwar Minn, Ambassador of the Republic of the Union of Myanmar, dated 22 November 2017. ([DBB017](#))

7 Medecins Sans Frontieres (MSF) conducted six surveys of refugees escaping the violence, who reported eight deaths for every 10,000 fleeing. MSF Australia Executive Director, Paul McPhun, said that “Extrapolating the data, essentially we can say that ...our most conservative estimate is that between 9,000 and 13,700 people died.” Mr McPhun added that about 71 per cent died violent deaths, “so they were shot, they were burnt to death and ... this was the result of the military campaign during that period”. The rest died of starvation or other causes fleeing the violence according to the NGO. The organisation also said at least 1,000 children under the age of five were among the casualties.

Bangladesh

3. Authoritative figures for the displacement of the Rohingya over the years, and in some cases their return, are very hard to identify. Estimates vary with some putting the number of Rohingya displaced since the 1970s, at around 2 million. A timeline of the more recent crises is set out below.⁸

CRISIS TIMELINE



2017 Humanitarian Response Plan September 2017-February 2018

4. As a result of the most recent violence, over 655,500⁹ Rohingya people have been forced to flee into Bangladesh in a matter of months amounting to a total migration of over 868,000 Rohingya from Burma to Bangladesh since 2012.¹⁰ The Bangladesh Deputy High Commissioner, Khondker M Talha, described the latest episode to us as: “in the

8 Aljazeera, “Myanmar: Who are the Rohingya?”, 30 November 2017

9 ISCG Situation Update: Rohingya Refugee Crisis, Cox’s Bazar, 07 January 2018

10 ISCG Situation Update: Rohingya Refugee Crisis, Cox’s Bazar, 07 January 2018

history of mankind, the fastest displacement of a persecuted population”.¹¹ In October, a joint statement from the UN Office for the Coordination of Humanitarian Affairs (OCHA) and UNICEF, called the Rohingya crisis, “staggering in its scale, complexity and rapidity” and “the world’s fastest developing refugee emergency”.¹² In its report, the Foreign Affairs Committee pointed out that Bangladesh received more refugees in three weeks than mainland Europe received from across the Mediterranean in the whole of 2016. The scale and pace of the emerging humanitarian situation in the refugee camps in Bangladesh poses an enormous set of challenges to the host country and the international humanitarian relief system. These include all the well-documented threats and risks of large, temporary populations of traumatised people suddenly living in close proximity. Of course, the biggest challenge falls on the displaced Rohingya themselves in trying to maintain their well-being, family life, security, some dignity and a little hope for the future, in dire circumstances.

International community

5. In the past 18 months, the UK has participated in, and committed to, a number of substantial international and multilateral initiatives on humanitarian crises and the treatment of refugees and displacement; in particular, the World Humanitarian Summit in May 2016 and the UN’s New York Declaration on Refugees and Migrants of September 2016. DFID also produced its own new Humanitarian Reform Policy in October 2017 which refers to these developments.¹³ The plight of the Rohingya in Burma has provided the international community—countries, NGOs and civil society—with an early opportunity to assess whether the work behind these multilateral initiatives, and the consensus achieved, has made a difference to the world’s ability to respond effectively to humanitarian crises; especially those involving displacement.

Debate and inquiry in the House

6. There was an Urgent Question on 5 September 2017 on Violence in Rakhine.¹⁴ The House held a debate in October 2017 entitled “The persecution of the Rohingya by the Myanmar Government”, on the initiative of the Backbench Business Committee, to consider the question, “That this House agrees with the statement by the UN High Commissioner for Human Rights that the treatment of the Rohingya by the Myanmar Government amounts to a textbook case of ethnic cleansing.”¹⁵ Evidence taken by the Foreign Affairs Committee earlier in the month informed the proceedings. During the debate the Chair of this Committee announced our own inquiry into DFID’s work in Bangladesh and Burma, which would commence with scrutiny of the UK’s response to the Rohingya crisis. Since taking evidence, there has been a further debate on the crisis, in Westminster Hall, on 28 November.¹⁶

11 Q49

12 [Joint statement by Emergency Relief Coordinator and United Nations Under-Secretary-General for Humanitarian Affairs, Mark Lowcock and UNICEF Executive Director, Anthony Lake, 4 October 2017](#)

13 [DFID, Saving lives, building resilience, reforming the system: the UK Government’s Humanitarian Reform Policy, 13 October 2017](#)

14 See HC Deb, 5 September, Vol 628, [Col 25ff](#)

15 See HC Deb, Tuesday 17 October 2017, [cols 765ff.](#)

16 See HC Deb, Tuesday 28 November 2017, [cols 64WHff](#)

7. We raised the matter of the Rohingya initially with the then Secretary of State, Rt Hon Priti Patel MP, on 24 October, during oral evidence on DFID's priorities.¹⁷ We took further evidence, on 14 November, from Human Rights Watch, Dr Champa Patel from Chatham House, the Burma Campaign UK, the Burmese Rohingya Organisation UK, the UNHCR, the International Rescue Committee and World Vision; and, on 22 November, from the Bangladesh Deputy High Commissioner in the UK and Rt Hon Alistair Burt MP, Minister of State for International Development, and for the Middle East at the FCO, accompanied by senior officials from both departments. We had invited the Burmese Ambassador to give evidence without receiving a reply. However, during the evidence session on 22 November we received a letter from the Ambassador of the Republic of the Union of Myanmar (Burma) in London via email which we have treated as written evidence.¹⁸ We welcome the report, on the violence in Rakhine State, from the Foreign Affairs Committee, which focuses on the foreign policy aspects of the crisis, and we do not try to cover the same ground (for example, the definition of the atrocities committed by the Burmese military and security personnel) but there is doubtless some overlap.

8. We also received a number of written submissions from a range of organisations.¹⁹ We are grateful to everyone who took the time to contribute to our work.

Predecessor committees' reports

9. Our predecessor committees have examined the UK Government's provision of humanitarian and development aid to Burma on two occasions in the last 10 years: *Democracy and Development in Burma* published in March 2014;²⁰ and *DFID assistance to Burmese internally displaced people and refugees on the Thai-Burma border*, published in July 2007.²¹ In this report, we take account of the evidence offered to those two earlier inquiries in terms of: the lessons arising from work in 2007 that might be applied to this latest displacement; and the warning signs of the current situation, clearly evident in 2014, that seemed to go unheeded.

This report

10. This report is the first output from our wider inquiry into the work of DFID in Bangladesh and Burma. It seeks to examine the UK government and DFID's response to the crisis in the context of the UK's new humanitarian reform policy, the UK Government's overall position and, in particular, in the light of the commitments made in the 2016 World Humanitarian Summit Communique and within the New York Declaration for Refugees and Migrants.²² This report follows the commitments outlined in the World

17 DFID's Priorities HC 485, [24 October 2017](#), QQ 7-13

18 Letter to the Chair from HE Kyaw Zwar Minn, Ambassador of the Republic of the Union of Myanmar, dated 22 November 2017. (DBB017) See also [Department for International Development \(DBB020\)](#) which provides a commentary on the Burmese government's version of events.

19 Published on our website and listed at the back of this report.

20 [Op. cit.](#), [Ninth Report](#), Session 2013–14, HC821

21 [Ibid.](#), [Tenth Report](#), Session 2006–07, HC645

22 [Op. cit.](#), [World Humanitarian Summit Political Communique](#), November 2016, [New York Declaration for Refugees and Migrants](#), 19 September 2016

Humanitarian Summit Communique, taking into account the recent report by colleagues on the Foreign Affairs Committee²³ and with reference to the “responsibility to protect” agreed by the 2005 UN World Summit.²⁴

23 [Violence in Rakhine State and the UK’s response, First Report, Session 2017–19, HC 435](#)

24 [UN Office on Genocide Prevention and the Responsibility to Protect](#)

1 International consensus on a new humanitarian agenda

11. In May 2016, representatives of 180 UN member states, including 55 heads of state and government²⁵ and hundreds of civil society, NGO, private sector and academic representatives met in Istanbul at the World Humanitarian Summit to consider and agree a new approach to humanitarian assistance and relief. Amongst the participants, Bangladesh, Burma and the UK were represented. The commitments arising out of the Summit of particular relevance to this report, included undertakings to:

- use global leadership to prevent and end conflicts, focusing more on tackling the root causes of conflict;
- empower the affected people to drive their own response to crises, in particular, women and girls, children and youth, older people, and people with disabilities;
- take concrete action to protect against sexual and gender-based violence, providing support to the survivors of such crimes when they do occur;
- transform humanitarian action so that it is fit to address the scale, complexity, and duration of modern crises using principles of humanity, neutrality, impartiality, and independence;
- uphold the norms that safeguard humanity:
 - humanitarian principles;
 - International Humanitarian Law;
 - the Charter of the United Nations; and
 - the standards of treatment of civilians, and medical personnel and facilities, in conflict situations.
- leave no one behind:
 - enabling displaced people to receive protection and assistance close to their homes;
 - providing opportunities for earning and learning at all levels as well as health services for refugees and host communities;
 - reaffirming the institution of asylum and the principle of non-refoulement (no return to abuse and discrimination);
 - relieving some of the pressures on host countries by expanding means of resettlement and admission for refugees;

25 Rt Hon Justine Greening MP, then Secretary of State for International Development, [headed the UK delegation](#).

- focusing more on reconciliation between and among communities in conflict, supporting safe, dignified, and durable solutions for refugees and internally displaced persons while recognising that voluntary return to the places of origin under stable conditions is the overarching goal; and
- strengthening national and local capacities in these different contexts.
- shift from delivering aid to ending need, recognising the value of humanitarian relief and development work to be mutually reinforcing and interrelated and
- finally, invest in humanity:
 - recognising the need to make effective use of financing instruments such as pooled funds for humanitarian assistance;
 - recognising the need to secure commitments to tackle unprecedented forced displacement and to match lifesaving assistance with longer-term support for livelihoods and education;
 - recognising the principle of responsibility-sharing in humanitarian response;
 - promoting migration that is safe, regular, and orderly; and
 - recognising the importance of initiatives launched by the World Bank Group,²⁶ regional and international development banks, and other international financial institutions as they refocus and apply new tools to better address protracted, recurrent, and predictable crises.²⁷

12. On September 19, 2016, the United Nations General Assembly unanimously adopted a further set of commitments to enhance the protection of refugees and migrants. These commitments are known as the New York Declaration for Refugees and Migrants. The New York Declaration reaffirms the importance of the international refugee regime and represents a commitment by all UN Member States to strengthen and enhance mechanisms to protect people on the move. These include commitments to:

- protect the human rights of all refugees and migrants, regardless of status, including the rights of women and girls and promoting their full, equal and meaningful participation in finding solutions;
- ensure that all refugee and migrant children are receiving education within a few months of arrival;
- prevent and respond to sexual and gender-based violence;
- support those countries rescuing, receiving and hosting large numbers of refugees and migrants;

26 There was a particular welcome for the World Bank's financing initiatives to support refugees and host communities in Jordan and Lebanon in recognition of the global public good that countries with large refugee populations provide across Africa and Asia and a commitment to explore additional financing with countries that have large refugee populations.

27 [World Humanitarian Summit Political Communique](#), November 2016

- work towards ending the practice of detaining children for the purposes of determining their migration status;
- strongly condemn xenophobia against refugees and migrants and support a global campaign to counter it;
- strengthen the positive contributions made by migrants to economic and social development in their host countries;
- improve the delivery of humanitarian and development assistance to those countries most affected, including through innovative multilateral financial solutions, with the goal of closing all funding gaps;
- implement a comprehensive refugee response, based on a new framework that sets out the responsibility of Member States, civil society partners and the UN system, whenever there is a large movement of refugees or a protracted refugee situation;
- find new homes for all refugees identified by UNHCR as needing resettlement; and expand the opportunities for refugees to relocate to other countries through, for example, labour mobility or education schemes; and
- strengthen the global governance of migration by bringing the International Organization for Migration into the UN system.²⁸

13. It seemed unlikely that the world would encounter a case that would test the majority of these new commitments and principles as comprehensively as the Rohingya crisis. Unfortunately, this test arrived all too soon.

2 Crisis Prevention

2005 UN World Summit Outcomes: “Each individual State has the responsibility to protect its populations from genocide, war crimes, ethnic cleansing and crimes against humanity. ... The international community, through the United Nations, also has the responsibility to use appropriate diplomatic, humanitarian and other peaceful means ... to help protect populations from genocide, war crimes, ethnic cleansing and crimes against humanity. In this context, we are prepared to take collective action ...”²⁹

2016 World Humanitarian Summit Communiqué: “First, we commit to use global leadership to prevent and end conflicts. We will do more to prevent crisis situations from deteriorating further and focus more attention on tackling root causes of conflict.”

14. The joint DFID/FCO Minister Rt Hon Alistair Burt MP, told us:

Although there have been spikes in violence [in Burma], even after October 2016, there was nothing in the responses then to indicate that such an extreme act as what followed in August 2017 would happen.³⁰

This analysis is, however, disputed by a number of NGOs. They point to numerous reports over the last few years suggesting that a huge crisis was building in Northern Rakhine in Burma. Since 2015 the US Holocaust Memorial Museum’s Early Warning Project had identified the Rohingya as one of the world’s vulnerable populations most at risk of genocide.³¹ Protection Approaches (an NGO focused on defending the rights of peoples violently targeted because of their identity) argued that failure to protect the Rohingya was not due to a lack of early warning saying “Unchecked hate speech, lack of government control over security forces, presence of non-state and pseudo-non-state armed groups, growing nationalist support of the military and increased incidences of identity-based attack, were all serious indicators of the escalating violence against the Rohingya.”³²

29 In 2005, the UN World Summit outcomes text included the following:

“Paragraph 138. Each individual State has the responsibility to protect its populations from genocide, war crimes, ethnic cleansing and crimes against humanity. This responsibility entails the prevention of such crimes, including their incitement, through appropriate and necessary means. We accept that responsibility and will act in accordance with it. The international community should, as appropriate, encourage and help States to exercise this responsibility and support the United Nations in establishing an early warning capability.

Paragraph 139. The international community, through the United Nations, also has the responsibility to use appropriate diplomatic, humanitarian and other peaceful means, in accordance with Chapters VI and VIII of the Charter, to help protect populations from genocide, war crimes, ethnic cleansing and crimes against humanity. In this context, we are prepared to take collective action, in a timely and decisive manner, through the Security Council, in accordance with the Charter, including Chapter VII, on a case-by-case basis and in cooperation with relevant regional organizations as appropriate, should peaceful means be inadequate and national authorities manifestly fail to protect their populations from genocide, war crimes, ethnic cleansing and crimes against humanity. We stress the need for the General Assembly to continue consideration of the responsibility to protect populations from genocide, war crimes, ethnic cleansing and crimes against humanity and its implications, bearing in mind the principles of the Charter and international law. We also intend to commit ourselves, as necessary and appropriate, to helping States build capacity to protect their populations from genocide, war crimes, ethnic cleansing and crimes against humanity and to assisting those which are under stress before crises and conflicts break out.”

30 Q74

31 United States Holocaust Memorial Museum, [Museum Statement on the Violence Against Burma’s Rohingya Population](#), September 2017

32 Protection Approaches ([DBB014](#)), para 23

15. As recently as February 2017, the International Crisis Group wrote:

Failure by the authorities, and Aung San Suu Kyi personally, to take control of the crisis by developing and implementing an overarching political and development strategy, could result in the situation spiralling further out of control.³³

On 21 August 2017 Burma Campaign UK published a call to the Foreign Secretary Rt Hon Boris Johnson to ask for a meeting on rising tensions in Rakhine State at the United Nations Security Council (UNSC) citing: “Anti Rohingya tensions are on the rise in Rakhine State, and there are fears there could be a new large-scale outbreak of violence against the Rohingya.”:

As well as the government whipping up fears and tensions, local politicians and nationalists are doing the same. The military is sending more soldiers to Rakhine State. [...] With tensions so high, an actual incident involving ARSA or one blamed on ARSA, could trigger not just another brutal clearance operation by the military, but also attacks by nationalists against Rohingya communities and international aid workers.³⁴

In evidence, the UK Director of Human Rights Watch, David Mepham told us:

Clearly, what has happened since 25 August has not come out of nowhere. In recent years, we and others have documented many instances of violence against the Rohingya. The Rohingya have faced decades of persecution and discrimination.³⁵

Indeed, Human Rights Watch has been reporting on what it has described as the ‘ethnic cleansing’ of the Rohingya since at least 2013,³⁶ asking for the international community to act. Our predecessor Committee had also highlighted the dangers to the Government in its report of 2014, “Democracy and Development in Burma”:

The situation of the Rohingya is a major threat to the whole reform process [in Burma]. We appreciate that it is an extremely sensitive issue, but the UK must take a stronger position with the Burmese Government to address the Rohingya’s plight. We recommend that DFID do more to encourage interfaith dialogue and to ensure that the Rohingya have access to education and health services.

Dealing with human rights abuses by the military, or any other group, cannot be swept under the carpet or Burma will be left with festering sores.

³⁷

16. In its reply, the Government appeared to agree, saying:

33 International Crisis Group, [Watch List](#), February 2017

34 Burma Campaign UK, [Rising tensions in Rakhine State, Burma – Britain must seek a UN Security Council Discussion](#), 21 August 2017

35 Q1

36 Human Rights Watch, [All you can do is pray: Crimes Against Humanity and Ethnic Cleansing of Rohingya Muslims in Burma’s Arakan \[Rakhine\] State](#), 22 April 2013,

37 *Op. cit.*, Ninth Report, 2013–14, HC821

We fully share the Committee's concerns regarding the situation in Rakhine State and will continue to raise these concerns at the highest levels of the Burmese government. We will continue to push the Burmese government to take swift and decisive action to protect the lives and rights of the Rohingya and all people in the country who are vulnerable to discrimination and violence, and to address the underlying causes of ethnic and religious discrimination. We will continue to make it very clear to the Burmese government that they must allow unhindered access for humanitarian assistance in all parts of the country.³⁸

17. In our current inquiry, we questioned Minister Burt as to what the UK Government and DFID had done to promote solutions to the problems in the Rakhine. He told us that a new peace-building programme had been established. This programme included significant funding to tackle intercommunal violence through a peace support fund—the Paung Sie Facility (PSF)—which had committed \$4 million to inter-communal harmony efforts in Rakhine as part of \$6.8 million invested countrywide. DFID had contributed 85% of that total, including a major contribution to Kofi Annan's commission on a peaceful future for Rakhine State (see below).³⁹ In addition we were told that the UK worked with a number of Burmese NGOs, such as the Search for Common Ground, the Centre for Diversity and National Harmony and an organisation called the Spirit in Education Movement. It also financed attempts to operate dispute resolution between ethnic communities, delivered by Mercy Corps. The UK was working with the Institute for War and Peace Reporting to monitor social media, and to try to combat hate speech.⁴⁰

The Annan Commission: Towards a peaceful, fair and prosperous future for the people of Rakhine

In September 2016, the Kofi Annan Foundation and the Office of the State Counsellor (Aung San Suu Kyi) established an Advisory Commission on Rakhine State to identify the factors that have resulted in violence, displacement and underdevelopment. It considered humanitarian issues, living conditions, access to health, education and livelihoods, the question of citizenship and freedom of movement, and the assurance of basic rights. It was not mandated to investigate specific cases of alleged human rights violations and it was asked by the State Counsellor not to use the terms 'Bengali' or 'Rohingya' but instead 'the Muslim community in Rakhine'. The Commission reported in August 2017 and its recommendations included:

- a review of the 1982 Citizenship Law which denies citizen rights to the Rohingya;
- ensuring freedom of movement for all;
- closing all IDP camps and until they can be closed to ensure dignified living conditions within camps;
- ensure full and unimpeded humanitarian access;

38 Government reply to *ibid*, Ninth Special Report, 2013–14, HC1290

39 Q77

40 Q78

- provide full and regular access for domestic and international media to all areas;
- equal access to education and health treatment for all;
- intercommunal dialogue at all levels; and
- human rights training for security personnel

Towards a Peaceful, Fair and Prosperous Future for the People of Rakhine, Final Report of the Advisory Commission on Rakhine State, August 2017

18. The Annan Commission report publication coincided with the second significant attack by ARSA militants on the Burmese Police outposts killing 12 soldiers and the beginning of the violent clearance campaign against the Rohingya. The Burmese Ambassador wrote that this action by ARSA was deliberately timed to coincide with the publication of the report and to attract international attention prior to a meeting of the UN General Assembly.⁴¹

19. Burma Campaign UK argued:

Questions have to be asked why so little was done to try to prevent the current violence given that it was so widely predicted and tensions were growing in the previous weeks and months. This also relates to the humanitarian situation. It was always likely that tens of thousands of Rohingya would flee to Bangladesh, but there appears to have been little preparation. This failure to prepare for conflict and subsequent displacement and humanitarian crisis in Burma or its neighbours is a consistent problem we have witnessed over the past 25 years.⁴²

The Minister said that because DFID was “already out there and on the ground”, providing support to the Rohingya people in Bangladesh, and the communities that have hosted them since the 2014 exodus, the UK was able to respond very rapidly; immediately releasing £5 million in additional funding to meet urgent needs at the beginning of September.⁴³

Engagement or encouragement

20. In terms of crisis prediction and prevention, we asked the former Secretary of State, Rt Hon Priti Patel MP, what potential there was to send strong signals to, or exert pressure, on Burma. She emphasised the difficulty of knowing when to change, reduce or break off relations — diplomatic, development or other forms — due to the possibility of depriving or harming the very people you are trying to reach with aid (without much impact on the regime). DFID’s Director-general of Country Programmes, Lindy Cameron, told us the three largest programmes in Burma were livelihood and food security, maternal and child health and humanitarian assistance and resilience programme (aimed at the needs of marginalised groups). She said:

The majority of our programming is about thinking about the very poorest and most marginalised in Burma. We have to be extremely careful not to

41 Letter to the Chair from HE Kyaw Zwar Minn, Ambassador of the Republic of the Union of Myanmar, dated 22 November 2017. ([DBB017](#))

42 Burma Campaign UK ([DBB07](#))

43 Q76

penalise poor people for the actions of their government at times like this, but we are looking extremely closely at our whole programme and ensuring that we review it in the light of the actions that have taken place.⁴⁴

The committee discussed with witnesses two particular areas about which we were concerned that the UK's actions may have exacerbated the problems within Burma: UK support for the 2014 Burmese National Census; and the UK's relationship with the Burmese military.

2014 Burmese National Census

21. The UK provided £10 million co-funding for Burma's 2014 nationwide census. In 2013, our predecessor Committee questioned the Minister about whether the Rohingya would be listed as an ethnic group within the official papers. There had been press reports at the time describing the census as "British aid for ethnic cleansing" as it appeared that there was in fact no classification for the Rohingya and it was alleged that this reflected, and would support, official attempts to deny their existence and continue discrimination against them.⁴⁵ The former Committee's report found that:

There is concern that, because of the 1982 Citizenship Law, the census will not list Rohingya as an ethnic group. We questioned the Minister on this and he explained that the census would allow people to 'self-identify' their ethnicity and would hopefully provide a sound statistical base for estimating their numbers. The census operators were being given two and a half months intensive training to sensitively deal with the issues.⁴⁶

22. However, Burma Campaign UK highlighted in its evidence that President Thein Sein "broke an agreement in principle to allow Rohingya to take part" and yet the UK continued with its support of the census even though various organisations asked for it to be delayed.⁴⁷ We followed this up with Minister Burt to ask what had happened. He told us:

We would have wished the Rohingya to be included in the census. They wanted, very strongly, to self-identify, but for reasons of anticipated conflict and violence, it could not be done. There was clear evidence from the Rakhine community in the region that there would have been violence because they do not see them as Rohingya. A lot of effort and pressure was put on the authorities who were compiling the census, but it reached a point where we realised that violence was highly likely to result. Would it have been better if the Rohingya had been included? Of course—they wished to self-identify as Rohingya. Would it have been worthwhile losing lives and increasing violence as a result of us pressing the point on the census, which we were not able to do? Probably the answer to that is 'no'.⁴⁸

44 [DFID's Priorities, 24 October 2017, HC485, Q14](#)

45 [The Independent, Aung San Suu Kyi is only the latest to fail the Rohingya. More of this and the result will be genocide, 30 October 2013](#)

46 International Development Committee, [Democracy and Development in Burma](#), Ninth Report, Session 2013–14, HC 821, para 6

47 Burma Campaign UK ([DBB07](#))

48 Q79

Burma Campaign UK drew attention to violence that had occurred around the census process⁴⁹ and reported that DFID had declined many petitions requesting internal investigation into the UK's support for the initiative.⁵⁰

23. In evidence to the Foreign Affairs Committee, Mark Farmaner, Burma Campaign UK, argued that, by acquiescing to the exclusion of the Rohingya as an officially recognised identity from the 2014 census, the Burmese authorities perceived “a green light” to continue with its treatment of them:

We [the UK] accepted the 2015 elections, even though Rohingyas were excluded. We [the UK] funded the census, even though it excluded the Rohingyas. [...] Consistently, we [the UK] sent a signal to the military and the government in Burma that we were prepared to compromise when it came to the human rights of the Rohingyas, as long as the general direction of travel was considered to be good.⁵¹

Relations with the Burmese military

24. Relations between the UK, and other members of the international community, and the Burmese military and security forces under the control of Commander in Chief, General Min Aung Hlaing, are a second area where observers have highlighted perverse ‘signals’ being received by the Burmese authorities. Mark Farmaner told us:

At the same time as Min Aung Hlaing's soldiers were attacking Rohingya using rape as a weapon of war, he was invited to Europe. He was speaking to the heads of EU militaries at a prestigious meeting in Brussels. He was later invited to Italy, Germany and Austria, taking in tours of weapons factories. He learnt that he could carry out these violations with impunity then. There were no consequences for him. He saw that he was more popular within the country after these attacks last October, and it was probably as much a surprise to him as it was to us when Aung San Suu Kyi launched a vociferous defence of the military, denied human rights violations were taking place and acted as a lightning rod.⁵²

25. The UK did have a military training programme in Burma with the Burmese Army (also known as the ‘Tatmadaw’). This was something that our predecessor committee considered in its inquiry in 2014. The previous committee found:

- The UK Government has sought to establish links with the Tatmadaw (the Burmese army) in part to encourage the military to adopt an appropriate role in a democratic state. The Ministry of Defence has recently funded a course at the UK Defence Academy for around 40 members of the Tatmadaw.
- This has not been popular amongst some commentators such as Burma Campaign UK which has referred to it as “Training War Criminals”. One

49 One child had been killed and humanitarian workers evacuated (reported to have resulted in further Rohingya fatalities from a lack of humanitarian aid and medical support)

50 Burma Campaign UK ([DBB07](#))

51 FAC, [Oral Evidence](#), Violence in Rakhine State, 10 October 2017, HC 435, Q14

52 Q2

hundred and thirty-three ethnic civil society organisations have written to the UK Government asking for key conditions to be met before any of the Tatmadaw receive British Armed Forces training.

- ... In addition to this course there has now been a military attaché at the British Embassy in Rangoon since 2013 to lead discussions with the Tatmadaw on the role of the military in a democracy for example on countering sexual violence, humanitarian access and not using child soldiers. The Minister was clear that the UK would not “shy away” from raising these “very real and continued concerns” with the Tatmadaw.⁵³

26. At the time, the previous committee supported the training given by the UK Armed Forces to the Tatmadaw to encourage a better understanding of human rights and better working with civilians on the grounds that “soldiers listen best to other soldiers”.⁵⁴

27. In September 2017, the Prime Minister, Rt Hon Theresa May MP, announced at the UN General Assembly in New York, that this initiative with the Burmese military training was being withdrawn, Her spokesperson said:

As of today, the Ministry of Defence are saying that there will be no more defence co-operation or training with the Burmese army until we are satisfied that [the Rohingya situation] has been resolved. It is about recognising the seriousness of the situation. We want this situation resolved and until it is this co-operation will cease.⁵⁵

The UK programme did not include combat training but was aimed at educating soldiers in democracy, leadership and the English language. It cost approximately £305,000 in 2016. Burma Campaign UK had been leading a campaign to end the programme, it said:

67% of the money came from the overseas aid budget. The training had no clear goals, no evaluation, and no conditions on human rights were asked before it was provided. The Foreign Office has repeatedly claimed the training was about human rights, but in an answer to a parliamentary question earlier this year, the Ministry of Defence said there was no specific human rights component in the training.⁵⁶

Minister Burt told us the UK was “making very clear to the Burmese authorities what was not acceptable in terms of an overreaction from the security forces” and that the UK had “worked to try to descale the violence and the reasons for conflict by working on a longer-term answer.”⁵⁷ However, The Rt Hon Mark Field MP, Minister of State for Asia and the Pacific at the Foreign & Commonwealth Office, told the Foreign Affairs Committee that a “blind eye was turned to the ongoing plight of the Rohingya” in the expectations of the move towards democracy⁵⁸ and:

53 *Democracy and Development in Burma*, Ninth Report, Session 2013–14, HC 821, paras 48 and 49

54 *Ibid*, paragraph 50

55 The Guardian, [UK to suspend training of Burmese military over treatment of Rohingya](#), 19 September 2017

56 Burma Campaign UK, [Campaign Success – UK stops training Burma military, now must back Global arms embargo](#), 19 September, 2017

57 Q74

58 FAC, [Oral Evidence](#), Violence in Rakhine State, 25 October 2017, HC 435, Q 79

Consistently [...] we have sent a signal to the military in Burma, particularly in relation to the relationship with the Rohingya, that somehow the Rohingya were, at very best, second-class citizens. That is something that we will need to reflect on.⁵⁹

Should DFID programmes have been suspended?

28. The NGO Protection Approaches argued in its submission that the concerns about Burma and the Rohingya, expressed by the UK at the UN, were not matched by our trade policy, diplomatic efforts or international development focus – hindering interventions.⁶⁰ We questioned witnesses as to whether the UK should continue to support programmes in Burma following the end of the military training programme. David Mepham of Human Rights Watch said:

I do not think DFID should suspend its programmes, but it should look very closely at its existing programmes to see whether, to some extent, it is reinforcing the authoritarianism and the rights abuses of the military, and if it is in any way, it should stop. There should be a review of its policy.⁶¹

The Minister said that the programmes were designed to continue “improving the situation in Burma as it looks towards democratisation and development” and “not designed to sustain the military in any way”.⁶² The Burmese Ambassador said that the development assistance provided by the British Government and DFID’s work had greatly contributed to the development of Burma and its people.⁶³

29. Amnesty International wrote that, whilst development was an important part of the solution, it should not be conducted in a way which further entrenched discrimination. The international community, and in particular donors, must ensure that their engagement did not make them complicit in these violations.⁶⁴ We asked the Minister and his officials how confident they were that this was not happening and were told that this was an area the Secretary of State had asked to be investigated. Dr Richard Montgomery, Director, Asia, Caribbean & Overseas Territories Division, DFID, told us:

The issue of the ethnic patchwork, and ensuring that we are really focused on inclusion and working with ethnic organisations rather than just with the majoritarian ones, is something we are looking very closely at.⁶⁵

Crisis, what crisis?

30. The submission from Burma’s Ambassador in London blames the failure of initiatives to resolve statelessness and citizenship issues amongst the Rohingya in Rakhine on non-cooperation by the Muslim community. HE Kyaw Zwar Minn wrote:

59 FAC, [Oral Evidence](#), Violence in Rakhine State, 25 October 2017, HC 435, Q 79

60 Protection Approaches ([DBB014](#)), para 31

61 Q16

62 Q93

63 Letter to the Chair from HE Kyaw Zwar Minn, Ambassador of the Republic of the Union of Myanmar, dated 22 November 2017. ([DBB017](#))

64 Amnesty International, , [MYANMAR: “CAGED WITHOUT A ROOF”: APARTHEID IN MYANMAR’S RAKHINE STATE](#), 21 November 2017

65 Q94

With the aim of addressing the key issue of statelessness and ensure all those eligible are granted citizenship as quickly as possible, citizenship verification pilot projects were implemented during 2016. However, since the Muslim community leaders asked their people not to cooperate, eventually those projects had to be halted. In retrospect, there was the example of some Muslim community refusing to take part when the nationwide population census was conducted throughout the country during 2014.⁶⁶

The Ambassador also blamed the disruption of the Annan Commission process on the attacks committed by the Arakan Rohingya Salvation Army (ARSA) against Burmese police forces and intimidation of the population:

Even as constructive steps were being undertaken, three police border outposts in northern Rakhine State were attacked on 9 October 2016. In addition, thirty police border outposts and an army base were attacked on 25 August 2017 by the Arakan Rohingya Salvation Army (ARSA), also known by its former name AqaMul Mujahidin. [...] It is clear that the first attacks came at a time when human rights situation have been improving significantly in Myanmar with recognition from the international community and at a period when the EU decided not to table the draft resolution on the human rights situation. Additionally, the second attacks were deliberately timed to coincide with the release of the final report of the Advisory Commission on Rakhine State led by Dr. Kofi Annan as well as to attract international attention just before the UN General Assembly was to be held.⁶⁷

31. The UK Government's response was unequivocal:

The responsibility for the fact that so many Rohingya resident in Rakhine do not legally hold citizenship of any state lies with successive governments of Burma. The 1982 Citizenship Law discriminates against the Rohingya and actually deprived many of citizenship status they had previously enjoyed. The UK Government welcomed the report of the Rakhine Advisory Commission and its recommendation that the 1982 Citizenship Law be reviewed, and that the Burmese authorities make progress on citizenship verification under the existing legal framework.

The Burmese Government told the British Embassy on 21 August that 528 applications had been approved so far in 2017 as part of the process it initiated for Rohingya to apply for National Verification Cards (NVC). But only a limited number of Rohingya in Rakhine have applied for an NVC. The [Burmese] Government has not managed to establish confidence in the Rohingya community about the value of the NVC. There have been similar campaigns in the past which resulted in Rohingya exchanging old documents for alternative documents which have proven to be less valuable and resulted in an erosion of their rights. Some in the Rohingya community consider accepting an NVC signifies an acceptance that they

66 Letter to the Chair from HE Kyaw Zwar Minn, Ambassador of the Republic of the Union of Myanmar, dated 22 November 2017. ([DDB017](#))

67 Letter to the Chair from HE Kyaw Zwar Minn, Ambassador of the Republic of the Union of Myanmar, dated 22 November 2017. ([DDB017](#))

are not citizens. Furthermore, there is now significant social pressure from the Rohingya community not to apply for NVCs. Earlier in 2017 some Rohingya who accepted NVCs were murdered for being seen to collaborate with government.⁶⁸

32. In terms of the international community's perceptions of the violence in Rakhine, the Burmese Ambassador's submission denied any suggestion of ethnic cleansing or even disproportionate action. The Burmese government's position is that it was defending the country against extremist, Taliban-trained, externally-funded terrorists in Rakhine State. In responding to this terrorism, the security forces had been instructed to exercise "maximum restraint" and to "protect all civilians". In addition, the Ambassador wrote that the Burmese authorities had been providing humanitarian assistance in affected areas "without discrimination".⁶⁹ The Burmese army has carried out an internal investigation and reported it in a statement posted to its Facebook page. The military said it had interviewed thousands of villagers in Rakhine State who confirmed its denials of conducting inappropriately violent operations. The villagers, the army said, agreed that security forces: did not shoot at "innocent villagers"; did not commit "sexual violence and rape cases against women"; did not "arrest, beat and kill the villagers"; did not steal silverware, gold, vehicles or animals from villagers; did not set fire to mosques; did not "threaten, bully and drive out the villagers"; did not set houses alight. The report of the investigation said that "terrorists" from within the community in question (which it termed 'Bengali') were responsible for the arson, and that the hundreds of thousands of people who fled did so because they were instructed to do so and feared the terrorists.⁷⁰ The UK's Deputy Permanent Representative to the UN Ambassador Jonathan Allen referred to this report as a "whitewash", at the UN Security Council Briefing on Burma in December.⁷¹

33. The UK Government's response to us was that it had immediately, and repeatedly, condemned the 25 August attacks by the ARSA. However, DFID wrote that the primary disruption to the lives of the Rohingya of northern Rakhine in recent months has "undoubtedly been the brutal military clearance operations targeted at Rohingya communities undertaken by Burma's military, and the violent attacks by local vigilantes." The Government went on to assert that:

A huge number of refugees, estimated at over 620,000, have fled into Bangladesh since 25 August. There have been widespread and credible reports of rapes, killings, burning of villages, and the use of landmines by the Burmese military. This is not consistent with Burma's security forces acting with maximum restraint, and protecting all civilians.

In that context, the Burmese military's report of 14 November which concluded it was innocent of any wrongdoing in northern Rakhine was simply not credible.⁷²

68 [Department for International Development \(DBB020\)](#)

69 Letter to the Chair from HE Kyaw Zwar Minn, Ambassador of the Republic of the Union of Myanmar, dated 22 November 2017. ([DBB017](#))

70 [Tatmadaw Facebook post](#)

71 Statement by Ambassador Jonathan Allen, UK Deputy Permanent Representative to the UN, at the Security Council Briefing on Burma, [Today's conditions in the Rakhine state do not yet allow for the safe, voluntary, and dignified return of refugees to their homes](#), 11 December 2017

72 [Department for International Development \(DBB020\)](#)

34. This evidence seems to signal a shift in the UK Government's position to a harder stance, at least in terms of a public narrative. However, there is no clear evidence that the UK is taking an effective international constituency along with it in such a shift.

35. *The UK Government should reflect on why so much evidence of discrimination, marginalisation and abuse of the Rohingya people within Rakhine State in Burma was seemingly ignored for so long, rather than translated into effective action by the international community. Conduct, described clearly as amounting to “ethnic cleansing”, has been regularly reported by groups such as Human Rights Watch for some years and yet nothing effective seems to have been attempted to stop it. Indeed, initiatives such as support for a national census, reflecting the exclusion of the Rohingya people from public life in Burma, seem to have reinforced the problem.*

36. One possibility is that the UK government was unduly optimistic about the likelihood of democratic reform within Burma. Unfortunately, hindsight shows straightforward and swift progress in this direction is unlikely. As Minister Field told the Foreign Affairs Committee: “I think it is fair for us all to say that we invested a lot of goodwill in [Aung San Suu Kyi’s] ... leadership and I do not think we should be too self-critical. As I said, it is easy to look with hindsight. We do need to look back at precisely the way in which, in the midst of that move towards any sort of democracy, a blind eye was turned to the ongoing plight of the Rohingya, of which we were aware some time before. Clearly there will be a big post-mortem on all of these matters, and it is right that that should happen, but I do believe that we need to look very firmly towards the future.”⁷³

37. *If previous world summits on tackling threats, humanitarian crises and their impacts are to turn out to be more than festivals of warm words and good intentions, the international community is going to have to look much harder at how to implement responsibilities to protect threatened populations and to prevent, and end, crises. This may include UN Security Council members and other large states establishing a clearer consensus around indicators and trigger-points for action as well as then taking tougher and more proactive steps in relation to their avowed responsibilities towards threatened peoples — regardless of trade relationships or traditional alliances.*

38. *We recommend that the UK, and like-minded states, should reflect on how to establish a more proactive approach to atrocity awareness and prevention. This should involve recalibrating the weight given to emerging hard evidence, on the one hand, and the weight given to signals and hopes of ‘the right direction of travel’ on the other. The human, and financial costs, of not doing so seem to be again manifest in the current plight of the Rohingya.*

3 Empowering affected people

World Humanitarian Summit Communique: Empower affected people to drive their own response to crises; in particular strengthen the voice, choice, and control of crisis-affected women and girls, children and youth, older people, and people with disabilities.

New York Declaration: Protect the human rights of all refugees and migrants, regardless of status. This includes the rights of women and girls and promoting their full, equal and meaningful participation in finding solutions.

Immediate welcome

39. Bangladesh, under the leadership of Prime Minister Sheikh Hasina, opened its borders to over 655,500 Rohingya refugees, the only country in the region to do so. Sheikh Hasina is on record explaining the parallels with her own nation's violent genesis in 1971, when what was then East Pakistan seceded to form Bangladesh: "What the Pakistani military did with us, with our people, was the same thing," Ms. Hasina said to the media. In her telling, this traumatic history places a responsibility on Bangladesh to help the persecuted. "We know what suffering means" she said.⁷⁴ In total, Bangladesh has now accommodated over a million Rohingya refugees. The country deserves both recognition and material support in line with the New York Declaration on Refugees and Migrants and the World Humanitarian Summit's recognition that hosting displaced people is a "global public good".⁷⁵

40. The Bangladesh Deputy High Commissioner, Mr Khondker M Talha, told us that Bangladesh's main aim was to secure the return of the Rohingyas to what had been their homeland "for centuries" and to reach a permanent solution to the problem which had been ongoing since 1978. He was clear, however, that the immediate challenge was providing these traumatised people with shelter, medication, treatment and other appropriate assistance — "a gigantic task".⁷⁶ The local Bangladesh communities across the border from Rakhine State had welcomed the Rohingyas and had "extended their hospitality".⁷⁷

Refugee status

41. However, the International Rescue Committee (IRC) highlighted that the decision of the Bangladesh Government not to recognise newly displaced Rohingya formally as refugees⁷⁸ limits their rights under International Refugee Law and therefore constrains their practical options in "driving their own response". This includes limiting their ability to seek third country resettlement and posing a major barrier to local integration. The IRC argued that, without refugee status in Bangladesh, nor citizenship in Burma, displaced Rohingya are faced with only two options: to stay in camps in Bangladesh in dire conditions, or return to Burma with uncertain, but currently very limited, protections. This is distinctly at odds with the World Humanitarian Summit's reaffirmation of asylum,

74 [Wall Street Journal, 3 October 2017](#)

75 [World Humanitarian Summit Political Communique](#), November 2016

76 Q49

77 Q50

78 Bangladesh only recognises 33,000 of the estimated 1 million Rohingya in Bangladesh as refugees. They arrived in Bangladesh from the previous wave of violence. Bangladesh is also not a signatory to the

eschewing of “refoulement”⁷⁹ and commitment to relieve the pressure on host countries by “expanding means of resettlement and admission for refugees” (albeit, with reference to the “overarching goal” being “voluntary return to the places of origin”).⁸⁰ In the light of this, therefore, viable alternatives need to be found to improve the situation facing the Rohingya.⁸¹

42. DFID recognises that longer-term dependency on humanitarian assistance will be wholly determined by the policies adopted by the Government of Bangladesh towards the Rohingya, the willingness of donors to invest in longer-term strategies to support self-reliance and, presumably, whether such policies and investment can be woven into a coherent strategy that the Rohingya themselves engage with. Currently the Bangladesh Government restricts the Rohingya refugees’ ability to work.⁸² Lord Ahmad, Minister of State, Foreign and Commonwealth Office, stressed the need for Bangladesh to recognise the Rohingya formally, as refugees when he met Prime Minister of Bangladesh, Sheikh Hasina, on 6 October 2017.⁸³ Once again, both the World Humanitarian Summit Communique and the New York Declaration, have something to say on an aspect of the Rohingya crisis, with the former committing to “matching lifesaving assistance with longer-term support for livelihoods” and the latter to strengthening the positive contributions made by migrants to economic development in their host countries.⁸⁴

Recognition of engaging refugees in their future

43. Both the World Humanitarian Summit Communique, and New York Declaration, committed the international community to engaging refugees and displaced people in the development of plans for the immediate situation and the longer-term strategy for their own future.

44. We asked how much the local Rohingya were being included in the response and its planning and were told by DFID:

A coherent Rohingya leadership in the camps is not evident, but there is every attempt being made by the various agencies, including the Inter Sector Coordination Group and the different cluster agencies, to ensure that they are consulting with community members. But we do think this is an issue.⁸⁵

It is reported that that camps are currently using the “Mahzi” system—which refers to an elected leader in the community who represents up to 200 families. This individual, almost exclusively male, is tasked with checking in with community members and taking their feedback to the Bangladesh army or to an NGO⁸⁶.

79 Refoulement: the forcible return of refugees or asylum seekers to a country where they are liable to be subjected to persecution

80 *Op. cit.*, Third commitment.

81 International Rescue Committee ([DBB019](#)) (

82 Department for International Development ([DBB016](#)) pg 7

83 [Department for International Development \(DBB020\)](#)

84 *Ibid*

85 Q100

86 Devex, [Aid groups ‘desperate’ to communicate effectively with 1 million Rohingya refugees](#), 14 December

45. However between 60 and 70 per cent. of Rohingya refugees are female, ActionAid highlighted the role of women and girls as they faced the triple injustice of being disproportionately affected by disaster, marginalised in relief efforts, and lacking representation in key decision-making and leadership roles. ActionAid wrote:

Women are on the frontline of humanitarian responses, taking risks, providing unpaid care and essential work, and so provide invaluable contributions and leadership to response.⁸⁷

In pragmatic terms, evidence from the IRC on the large proportion of female-led households within the refugee population suggests that appropriate action is needed to engage with Rohingya women and girls if consultation with the affected people is to be effective. Our evidence was that DFID's past leadership on empowering women and girls in conflict (e.g. *Call to Action on Protecting Girls and Women in Emergencies* in 2013) was commendable. Our witnesses expressed the hope that DFID could now put these commitments into practice with the Rohingya women and girls by making them equal participants in discussions and planning. ActionAid recommended that DFID should maintain an active presence at Sector Coordination meetings in Cox's Bazar to oversee that this is implemented.⁸⁸

46. It is not surprising that Rohingya leadership structures are not yet evident in the camps given the degree of disruption to effective means of community communications, let alone societal norms, that has occurred and the casualties the population has sustained. We urge DFID, and other organisations active and trusted amongst the refugees, to think creatively and sympathetically about how to encourage peaceful and forward-looking leadership structures, including women, to emerge from the chaos so that Rohingya voices can be heard.

87 ActionAid UK ([DBB08](#)) para 13

88 *Ibid*

4 Gender based violence

World Humanitarian Summit Communiqué: concrete action to protect against sexual and gender-based violence and provide support to the survivors of such crimes when they do occur in crisis situations.

New York Declaration: Prevent and respond to sexual and gender-based violence.

Scale of the problem

47. A predecessor committee's report of 2006–07 contained the following recommendation:

Rape is used as a weapon of war by the Burmese Army and we call on the UK Government to make high-level representations about this atrocity to the Burmese regime.⁸⁹

The Government of the day replied:

We share the Committee's deep concern about cases of rape as a weapon of war by some in the Burmese military. We have helped to ensure that resolutions at the UN General Assembly have called for an end to rape and sexual violence by armed forces in Burma. Former FCO Minister Ian McCartney raised the issue with the Burmese Ambassador on 15 June 2006 and in a letter to the Burmese Foreign Minister on 5 July 2006.⁹⁰

In 2014, another predecessor committee reported evidence of the high incidence of rape throughout the conflicts in Burma, including documentation of a hundred cases of rape by the Tatmadaw (Burmese Army) with victims as young as eight, since the civilian government came to power in 2010. Witnesses to our predecessor believed the attacks to be:

... systematic and structural in a pattern of sexual violence indicating its use as an instrument of war and oppression by the Tatmadaw in Kachin and Northern Shan State since military offensives started there in 2011.⁹¹

It appears that the use of sexual violence against civilian women and girls is military policy in Burma and this has not changed.

48. There is now a new substantial body of evidence of horrific, gender-based, atrocity crimes – rape, including of children, sexual violence, torture and mutilations — reported by Rohingya refugees as being committed by uniformed Burmese security personnel and others. ActionAid's evidence states unequivocally:

Girls as young as 5 years of age have been reported to have been raped by multiple uniformed actors, often in front of their relatives. There are

89 International Development Committee, [DFID Assistance to Burmese Internally Displaced People and Refugees on the Thai Burma Border](#), Tenth Report of Session 2006–07, HC 645, July 2007

90 International Development Committee, [DFID Assistance to Burmese Internally Displaced People and Refugees on the Thai–Burma Border: Responses to the Committee's Tenth Report of Session 2006–07, Eleventh Special Report of Session 2006–07](#), HC 1070, October 2007

91 [Democracy and Development in Burma](#), Ninth Report, Session 2013–14, HC 821

reports of rapes being widespread, extremely violent, and accompanied by mutilation. There are reports of pregnant women being attacked and their fetuses removed from their bodies.⁹²

David Mepham told us that Human Rights Watch researchers in Cox's Bazaar in Bangladesh had found:

Some women have been raped and gang raped and have walked for a week with their [own] and other young children. It is unbelievable what people have experienced.⁹³

49. Humanitarian organizations working with refugees in Bangladesh have identified hundreds of rape cases. These may represent only a proportion of the actual number because of reports of rape victims being killed and the well-documented reluctance to report sexual violence (especially when interviewed in a non-private environment). Two-thirds of rape survivors interviewed by Human Rights Watch had not reported their rape to an available multilateral agency or authority nor a humanitarian organization; yet health clinic staff are reported as seeing clear indications such as untreated relevant injuries and infections as well as symptoms of post-traumatic stress disorder:

One tragic dimension of this horrific crisis is that Rohingya women and girls are suffering profound physical and mental trauma without getting needed health care, Bangladeshi authorities and aid agencies need to do more community outreach among the Rohingya to provide confidential spaces to report abuse and reduce stigma around sexual violence.⁹⁴

50. The Burmese Ambassador described this reportage as “extremist terrorist propaganda” designed “to incite anger and promote misunderstanding”⁹⁵. This line of attack was also evident from the Facebook pages of State Counsellor, Aung San Suu Kyi's office which has had a banner posted reading “Fake Rape” since the claims made by Rohingya women were made during the clearances in 2016.⁹⁶ In September, the Rakhine state border security minister denied the reports. “Where is the proof?” he said. “Look at those women who are making these claims—would anyone want to rape them?”⁹⁷ However, the UK Government's supplementary memorandum referred to “widespread and credible reports of rapes”.⁹⁸ DFID's evidence reported that:

The UK supported the visit to Bangladesh of the UN Special Representative on Sexual Violence in Conflict, Pramilla Patten. The UK is supporting her request to brief the UN Security Council on her findings. Ms. Patten has said that the Burmese military orchestrated widespread sexual violence during its clearance operations in northern Rakhine.⁹⁹

92 ActionAid UK ([DBB08](#))

93 Q19

94 Human Rights Watch, “[All of My Body Was Pain](#)” *Sexual Violence against Rohingya Women and Girls in Burma*, November 2017

95 Letter to the Chair from HE Kyaw Zwar Minn, Ambassador of the Republic of the Union of Myanmar, dated 22 November 2017. ([DBB017](#))

96 Human Rights Watch, “[All of My Body Was Pain](#)” *Sexual Violence against Rohingya Women and Girls in Burma*, November 2017

97 Human Rights Watch, “[All of My Body Was Pain](#)” *Sexual Violence against Rohingya Women and Girls in Burma*, November 2017

98 [Department for International Development \(DBB020\)](#)

99 [Department for International Development \(DBB020\)](#)

It is Pramilla Patten's view that the widespread and systematic use of sexual violence against Rohingya women and girls appeared to be deliberately targeted on account of their ethnicity and religion.¹⁰⁰ On 12 December she recounted to the UN Security Council "heart-breaking and horrific accounts of sexual atrocities" by Burmese soldiers against Rohingya Muslim women, urging the organisation to visit the region and demand an end to attacks on civilians:

some witnesses reported women and girls being tied to either a rock or a tree before multiple soldiers raped them to death. Some women recounted how soldiers drowned babies in the village well. A few women told me how their own babies were allegedly thrown in the fire as they were dragged away by soldiers and gang raped.¹⁰¹

51. The UK Government's solution to the evidential question was simple and compelling: "If the Burmese authorities are claiming that their security forces were instructed to exercise "maximum restraint" and "protect all civilians", they should be open to a credible independent investigation to examine this." With specific reference to gender-based violence, DFID's supplementary evidence said that Burma must heed the call of the UN Security Council Presidential Statement which called for "transparent investigations into allegations of human rights abuses and violations, including sexual violence and abuse and violence against children, and of holding to account all those responsible for such acts to provide justice for victims."¹⁰² The UK Government said that the Burmese authorities should grant access to the UN Human Rights Council's Fact-Finding Mission.

Response

Healthcare services

52. IRC reported that so far the available health and care services were arguably inappropriate, offering the victims only male members of staff and/or very visible locations for the treatment of gender based violence. IRC wrote that:

There is a real risk and fear among survivors of stigma and that recounting very traumatic incidents increases the trauma, so the services have to be delivered appropriately—and they are very technical.¹⁰³

In IRC's view, there is yet to be an appropriate clinical response to the incidence of rape. The NGO is set to deliver a comprehensive women's centre. It is working with partners ActionAid, Relief International and ACF on women-friendly safe spaces, where survivors can access multiple services, both rape response and being with other women in a space where they can feel safe and have some return to normal life.¹⁰⁴ World Vision highlighted the need for women who spoke the same language to help:

To really give the support that is needed, it needs to be [transacted] in your mother tongue. If you try express some things in another language, you do not get the intensity of that. You are not always able to express it in the way

100 [The Rohingya people of Rakhine State: UK government actions update](#), 28 November 2017

101 Reuters, [U.N. envoy urges Security Council to visit Myanmar, Bangladesh](#), 14 December 2017

102 [Department for International Development \(DBB020\)](#) and UNSC Presidential Statement of 6 November 2017.

103 International Rescue Committee ([DBB019](#))

104 Q45

that you really want to. One of the challenges we are facing in this situation is, yes, get the right support, but where possible have people who can give that support in the language that really speaks to them, that they can really relate to and that really reaches into the essence of what has happened to them.¹⁰⁵

53. DFID reported to us that the UK aid was funding 13 women's centres which will offer psycho social support for 10,292 women and girls and case management for 2,190 survivors of sexual and gender based violence.¹⁰⁶ The IOM Humanitarian Response plan said that 448,000 refugees urgently needed gender based violence assistance.¹⁰⁷ We asked the Minister whether DFID's provision met the estimated need. Minister Burt responded: "Our ability to respond at present cannot possibly match the scale of the problem"¹⁰⁸ Dr Richard Montgomery, Director, Asia, Caribbean & Overseas Territories Division, DFID highlighted that the UK's contribution was just a small part of the overall provision by the UNFPA, UNICEF and UK NGOs such as Save the Children and Oxfam. However, there was a great need to bring specialists in which would benefit from the grant of annual – rather than three month – access permission from the Bangladesh Government.¹⁰⁹ When pressed on whether the UK's contribution could be scaled up, Minister Burt conceded: "I suspect the answer would be 'yes'."¹¹⁰

Legal assistance and evidence-gathering

54. We were told by Human Rights Watch that

The services are not there in sufficient number and we are not doing enough to talk to women in privacy and with confidentiality to establish what happened to them, to create a basis for prosecution at some future point.¹¹¹

55. Witnesses from NGOs were clear that evidence needed to be gathered sooner rather than later, and this made obvious sense, not least for effective investigative, forensic and legal practice. ActionAid indicated that an early demonstration of the political will and resources to try and bring the perpetrators to justice under International Law would reduce the chances of the guilty parties, and those deciding the tactics, being emboldened to continue with the violations; and that DFID had an important role to play in this.¹¹² David Mepham of Human Rights Watch, agreed saying:

The British Government have said consistently ... that tackling sexual violence in conflict is a priority. [...] the issue of getting people held to account for those awful crimes is critical. DFID, the FCO and the British Government have made so much of this issue, rightly, and you could ask them some tough questions when the Ministers come before you about whether that has really been taken forward.¹¹³

105 Q47

106 Department for International Development ([DBB016](#)) pg 5

107 [Humanitarian Response Plan](#) September 2017-February 2018, Rohingya Crisis, October 2017

108 Q103

109 Q103

110 Q104

111 Q19

112 ActionAid UK ([DBB08](#)),

113 Q19

56. The Foreign Office's team 'Preventing Sexual Violence in Conflict Initiative' (PSVI) was set up by the Foreign Secretary, then Rt Hon William Hague, in 2012. Its aims were to increase the number of perpetrators, and ringleaders, of sexual violence brought to justice, and to support states' capacity to prosecute such acts committed during conflict. Its activities include the deployment of multi-disciplinary experts overseas to support efforts to gather evidence and testimony that can be used in investigations and prosecutions. These experts include: police, lawyers, psychologists, doctors, forensic experts, gender-based violence experts and experts in the care and protection of survivors and witnesses. They also provide training and mentoring to national authorities and work with grassroots and human rights organisations. When the PSVI was formed there were 73 multi-disciplinary experts deployable. The recent UK National Action Plan on Women, Peace & Security 2014–17 report to Parliament stated that:

The UK continues to lead on PSVI and throughout 2015 – 2017 we have focused on three key areas: tackling the stigma of sexual violence including providing better access to healthcare, psychosocial support and livelihood programmes; delivering justice for survivors including capacity building on evidence gathering, training of the judiciary and support with court processes; and prevention, improving how security forces around the world prevent and respond to these crimes.¹¹⁴

57. However, a full team of experts has yet to be dispatched to the Rohingya refugee camps despite the mounting evidence of the demand for its services. The Rt Hon Lord Hague and Baroness Helic wrote to the Foreign Secretary at the beginning of October:

The PSVI Team of Experts, comprised of doctors, lawyers, police officers, psychologists and forensic scientists, was set up in 2012 to be deployed to support local authorities and NGOs facing crimes of sexual violence, and where local capacity is weak or overstretched. This is clearly the case in this crisis. We therefore ask that you deploy the team to Bangladesh, in strength, to document crimes and assist survivors, so that crucial evidence is not lost, and the perpetrators of these crimes can be identified.¹¹⁵

The PM's Special Representative on Preventing Sexual Violence in Conflict, Lord Ahmad of Wimbledon said on 14 November:

The Head of Team for the FCO's Preventing Sexual Violence in Conflict Initiative (PSVI) visited the region alongside the UN to meet with survivors, support workers, and government officials. We will also shortly be sending two experts to Bangladesh to provide further support on responding to sexual violence, including on investigating and documenting these abhorrent crimes.¹¹⁶

DFID confirmed to us on 6 December that still only two 'Deployable Civilian Experts' had been sent to Bangladesh. They are there to provide advice on how to investigate and document sexual violence.¹¹⁷ The UK National Action Plan on Women, Peace & Security 2014–17 report to Parliament said in relation to Burma it was: "supporting

114 [UK National Action Plan on Women, Peace & Security 2014–17 Report to Parliament](#), December 2017

115 The Rt Hon Lord Hague and Baroness Helic ([DBB032](#))

116 Government Press Release, [Sexual violence abuses against the Rohingya in Burma](#), 14 November 2017

117 [Department for International Development \(DBB020\)](#)

specific activities to prevent sexual violence in conflict, including the application of the International Protocol on the Documentation and Investigation of Sexual Violence in Conflict.”¹¹⁸ It also said the UK had “educated 167 senior and middle ranking military officers on courses, which included modules on, or raised, the issue of PSVI”.¹¹⁹ This was part of the training that has now been suspended.

58. In June 2013, our predecessor committee reported on *Violence against Women and Girls*, and recommended that: “It is imperative that the UK Government stands by its commitment to sustain momentum on the PSVI beyond the 2013 G8 Presidency.”¹²⁰ The Government at the time agreed saying: “DFID’s leadership in these areas will ensure the momentum on the PSVI is maintained ... through long-term country programming, building the global evidence base through the research and innovation fund, and international leadership through the Call to Action.”¹²¹ However, the UK’s response to the use of systematic sexual violence against the Rohingya suggests that “momentum on PSVI” is not being sustained.

59. The 6 November UN Security Council Presidential Statement called for “transparent investigations into allegations of human rights abuses and violations, including sexual violence and abuse and violence against children, and of holding to account all those responsible for such acts to provide justice for victims.” Burma’s agreement to access for a UN mission is one strand of the UK’s 5-point plan for resolution of the crisis (dealt with in more detail in Chapter 6), Minister Burt told us that:

Access to the UN fact-finding mission is essential, because this is the long arm of justice. It is, I hope, no coincidence that we are sitting here on the morning when Ratko Mladić’s verdict has been announced in The Hague, 20 years after the events of Srebrenica, which I know a number of people in this room have been very concerned about. It is essential that information is available so that those who have perpetrated the worst acts upon others can be brought to justice over a period of time. The UK will be fully behind and giving support to that.¹²² and “We will work with others on what is the most likely way to secure convictions.”¹²³

60. However, we were concerned to hear that, other than the hopes for the UN Fact finding mission, as yet there are no other official evidence-gathering of the crimes which have been committed. As Lord Hague and Baroness Helic stated in their letter to the Foreign Secretary:

The International Community has a responsibility to ensure that rape is never used as a weapon of war to intimidate, humiliate and persecute ethnic minorities, and to send a clear message that these crimes against the Rohingya community will not be tolerated.¹²⁴

118 [UK National Action Plan on Women, Peace & Security 2014–17 Report to Parliament](#), December 2017

119 [UK National Action Plan on Women, Peace & Security 2014–17 Report to Parliament](#), December 2017

120 International Development Committee, [Violence Against Women and Girls](#), Second Report of Session 2013–14, HC107, 13 June 2013

121 International Development Committee, *Violence Against Women and Girls*, Government Response to the Committee’s Second Report of Session 2013–14, [Third Special Report of Session 2013–14](#), HC 624, 12 September 2013, pg 19

122 Q86

123 Q89

124 The Rt Hon Lord Hague and Baroness Helic ([DBB032](#))

61. We believe that an early, concerted and professional effort to gather the evidence of violent crimes against civilians — whether badged as atrocity crimes, crimes against humanity, ethnic cleansing or genocide — is vital for three reasons:

- to provide victims with a path towards justice in their individual case;
- to establish an assumption of accountability, at some point, as a credible possibility to create an effective deterrent to repetition and imitation in other theatres of conflict, and;
- to establish the foundations for a meaningful process of resolution in the future between communities which is likely to require a robust basis for reconciling both victims and perpetrators to the trauma of the events of the past several months (if not years).

62. *Given the airplay that the UK’s “Preventing Sexual Violence in Conflict Initiative” has been given by the Government, we are disappointed that it took so long to send any of its specialist resources on sexual violence to advise on dealing with the experiences of the Rohingya in Rakhine State. An initiative along these lines should be initiated in advance of agreement to UN access called for by the Minister; as that simply may never happen.*

63. *We seriously doubt the efficacy of urging the Burmese authorities to investigate the conduct of its own forces personnel in a “thorough and transparent manner”. The Burmese internal inquiry has already cleared its forces of any wrongdoing in a way which the UK Government describes as “simply not credible”. We urge the UK Government to seek other paths to a resolution of this issue. As elsewhere in the world, in the longer term a lasting resolution will require justice to be seen, and felt, to have been done. Should it ever come to pass, it would be far better for such a process to have a basis in evidence gathered by forensic professionals contemporaneously.*

Prevention of gender based violence in the camps

64. Expert witnesses reported grave concerns over the safety, security and dignity of the Rohingya in the camps, particularly the women and girls who now form about 70% of all Rohingya refugees. The UNHCR reported:

Women and girls face safety and security risks when collecting firewood from the forest and also at distribution points. The lack of sufficient lighting in camps further exacerbates such risks and negatively affects their sense of safety. The lack of designated toilet or bathing facilities in spontaneous settlements has a severe impact on the health and safety of women and girls.¹²⁵

Minister Burt and David Mepham of Human Rights Watch raised fundamental issues like lighting, security guards and the risks of sex trafficking on the basis of experience from other refugee camps around the world.^{126 127}

125 UNHCR ([DBB011](#))

126 Q20

127 Q103

65. The media has reported a number of harrowing stories of Rohingya women and girls having reached the relative safety of Bangladesh only to be sold into sex slavery and face the risks of yet more sexual violence. Women and girls are currently being sold for as little as £5:

Women and vulnerable young girls are being stalked inside refugee camps by gangs of pimps who need women to supply Bangladesh's notorious sex trade. They look for widows because they are alone or orphans who have nobody to protect them.¹²⁸

Investigations have found that the trafficking of girls is not limited to Bangladeshi cities but Rohingya women have been sent on to India and Pakistan.¹²⁹ The IOM have said urgent action was required to keep women and girls safe in Bangladesh's refugee camps:

There's been recruiters here in Cox's Bazar, Bangladesh, previous to this influx and we know they are getting more business, and we know that new criminal networks have kicked into action.¹³⁰

IRC was hopeful that a Preventing Sexual Exploitation and Abuse network would be fully supported by all agencies.¹³¹

Child Marriage

66. World vision raised the increase of child marriage happening in the camps:

One of the key areas that we are also monitoring is child marriage, because we are aware that there has been an increase in child marriages taking place. There is a concern that this is another mechanism for child abuse, so you have forced marriages. People are selling children for income or see it maybe as a way for the child to get out of that situation, not realising that they are going into even worse. That is an area we feel needs to be monitored very closely.¹³²

67. UK support is providing protection for vulnerable groups, including children, in the Rohingya refugee camps in Bangladesh. DFID said it was working with its partners to further scale up support for children, including on child marriage and child exploitation, within its wider protection work. Working with UN agencies and NGOs, targeted services for child protection are expected to provide the following:

- 30 child friendly spaces in two new settlements and nearby host communities;
- protection services, including psychosocial and psychological support for 7,500 children, and identification of unaccompanied and separated children;
- play sessions for 10,000 children under 16 years old to ease trauma and stress;
- psycho-social first aid to 8,000 people, including adolescents;

128 Sky News, [Pimp says Rohingya plight 'good for business'](#), 14 November 2017

129 Sky News, [Pimp says Rohingya plight 'good for business'](#), 14 November 2017

130 Aljazeera, [Rohingya women sold as sex slaves](#), 3 December 2017

131 International Rescue Committee ([DBB019](#))

132 Q41

- awareness raising and information provision on child protection issues;
- support to 5,000 children to learn and adapt protective behaviour in settlements;
- outreach medical teams and health promoters to link refugees, including children, to services;
- the UK is supporting the Red Cross to provide family linking and family tracing services; and
- UK support is also providing emergency nutrition services to children to prevent and to treat malnutrition.¹³³

68. More recently there have been reports that the distribution of food based on allocations per “household” has created an incentive for refugees to arrange marriages, including child marriages, to establish new households and thereby gain extra allocations of food aid. We have not been able to test the veracity of such reports but urge DFID to do so and seek the necessary administrative changes if it emerges that there is a basis for this perverse incentivisation of behaviours amongst the refugee population.¹³⁴ The risk of child marriage is compounded by the fact that Bangladesh has the highest rate of child marriage in Asia, with 59 percent of girls married by age 18 and 22 percent married by age 15.¹³⁵ The Bangladesh government, in spite of pledging to be a leader in abolishing child marriage, notably at the 2014 London Girl Summit, has backpedalled on this pledge, actually lowering the minimum age of marriage this year to permit girls under age 18 to marry in undefined “special circumstances” with no minimum age.¹³⁶

133 [Department for International Development \(DBB020\)](#)

134 [The Guardian, Rohingya girls as young as 12 compelled to marry just to get food](#), 30 November

135 [UNICEF, State of the World's Children, 2016 data.](#)

136 [Independent, Bangladesh child marriage: New law will 'reduce minimum marital age to zero'](#), 8 March 2017

5 Supporting refugees and the host community

World Humanitarian Summit Communiqué: We will promote a new approach to displaced people, which will enable them to receive protection and assistance close to their homes. Where people have to flee, we will help create and provide possible earning opportunities and education at all levels as well as health services for refugees and host communities [...] We recognise the need to make effective use of financing instruments such as pooled funds for humanitarian assistance. We recognise also the need to secure commitments to tackle unprecedented forced displacement and to match lifesaving assistance with longer-term support for livelihoods and education[...] We welcome in particular the World Bank's new financing initiatives to support refugees and host communities [...] recognising the global public good that countries with large refugee populations provide across Africa and Asia, and we will explore additional financing with countries that have large refugee populations.

New York Declaration: Support those countries rescuing, receiving and hosting large numbers of refugees and migrants; education within a few months; strengthen migrant's contributions to hosts' economic and social development.

The challenge

69. The Bangladesh government has stated that rather than grant refugee status to the displaced Rohingya people, it wants to work instead toward the “safe, dignified, voluntary return of its nationals back to their homes in Myanmar ... ”¹³⁷ We recognise that there is a conundrum at the heart of even the most positive and welcoming response by a host country to a large displacement of people, let alone one of the unprecedented scale and speed seen over the last six months by Bangladesh. The crux of this is the question of how long is the hosting going to be required? And what will be the effect on that period of the kind of genuinely effective accommodation and services and integration which, any civilised and well-supported country would want to be able to provide? The World Humanitarian Summit Communiqué seeks to strike a balance between “safe, dignified, and durable solutions for refugees” while recognising that “voluntary return to the places of origin under stable conditions is the overarching goal” and, indeed, point 3 of the UK's 5-Point Plan for the Rohingya is that they be allowed “to return to Burma in a voluntary, safe and dignified manner”. We examine this issue in Chapter 6.

Current provision and next steps

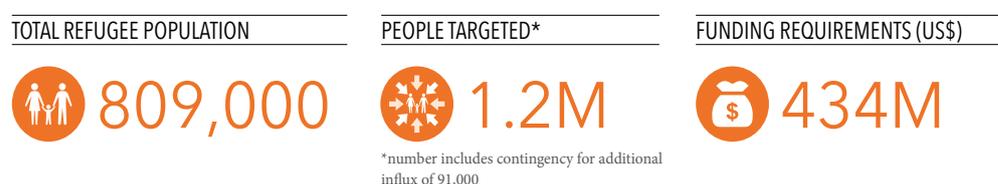
70. Bangladesh's Deputy High Commissioner told us “We are thinking of building approximately 150,000 houses. With an average family size of five, that should be able to accommodate them. We would also provide the basic needs of healthcare, education and other things” and he went on to emphasise “That is where we will need a massive amount of international support.” He also added “we are all hoping that it is not going to be a long-term thing.”¹³⁸

137 Shameem Ahsan, Bangladesh's ambassador to the United Nations in Geneva, at the U.N. pledging conference

138 Q73

Scale of needs

71. At the end of October, the Humanitarian Response Plan issued by the Inter Sector Coordination Group leading the provision for the Rohingya in Bangladesh, estimated there were 1.2 million people needing health services, 1.2 million people estimated to need water sanitation and hygiene (WASH) assistance over the next five months, 700,000 people in need of site management assistance, and 605,000 refugees in need of emergency food assistance. Other large scale needs include an estimated 448,000 people who will need gender-based violence services over the next five months, an estimated 363,000 children who will need protection services over the same period, and 412,000 children needing access to safe learning spaces. However this was based on the 509,000 refugees who had arrived by that date with a contingency for 91,000 extra. The number of refugees who have arrived in Bangladesh since August has now reached 655,500.¹³⁹



| SECTOR | TOTAL | | | BY SEX & AGE | | UNDER 18 | | OVER 18 | |
|--|----------------------|------------------|-------------------|------------------------|------------------------|------------------------|------------------------|------------------------|------------------------|
| | People in need (PIN) | People targeted* | % of PIN targeted | Male % | Female % | Male % | Female % | Male % | Female % |
|  Education | 453,000 | 370,000 | 82% | 166,500 45% | 203,500 55% | 166,450 45% | 203,550 55% | - | - |
|  Food Security | 1,167,000 | 974,000 | 83% | 438,300 45% | 535,700 55% | 255,236 26% | 309,764 32% | 184,764 19% | 224,236 23% |
|  Health | 1,167,000 | 1,167,000 | 100% | 548,490 47% | 618,510 53% | 317,906 27% | 359,094 31% | 230,094 20% | 259,906 22% |
|  Nutrition | 672,000 | 470,300 | 70% | 122,278 26% | 348,022 74% | 99,848 21% | 285,770 61% | 21,927 5% | 62,755 13% |
|  Protection | 1,167,000 | 597,000 | 51% | 280,590 47% | 316,410 53% | 162,858 27% | 183,142 31% | 118,142 20% | 132,858 22% |
|  Child Protection | 363,000 | 185,000 | 51% | 86,950 47% | 98,050 53% | 85,589 46% | 96,411 52% | - | - |
|  GBV | 448,000 | 190,500 | 43% | 15,240 8% | 175,260 92% | 379 0% | 4,426 2% | 14,653 8% | 171,242 90% |
|  Shelter | 942,000 | 942,000 | 100% | 442,740 47% | 499,260 53% | 256,771 27% | 289,229 31% | 186,229 20% | 209,771 22% |
|  Site Management | 1,167,000 | 1,167,000 | 100% | 548,490 47% | 618,510 53% | 317,906 27% | 359,094 31% | 230,094 20% | 259,906 22% |
|  WASH | 1,167,000 | 750,000 | 64% | 352,500 47% | 397,500 53% | 204,953 27% | 228,047 30% | 150,047 20% | 166,953 22% |
|  CwC | 828,000 | 715,000 | 86% | 336,050 47% | 378,950 53% | 135,810 19% | 153,190 21% | 200,190 28% | 225,810 32% |
|  Multi | 33,000 | 33,000 | 100% | 15,765 47% | 17,777 53% | 8,220 25% | 9,235 28% | 7,575 23% | 8,512 25% |
| TOTAL** | 1,200,000 | 1,200,000 | 100% | 548,490 47% | 618,510 53% | 318,911 27% | 354,089 30% | 234,089 20% | 259,911 22% |

* Total per sector accounts for double-counting within the sector ** Total figure is not the total of the column as it accounts for double counting

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UN emergency relief coordinator Mark Lowcock, of OCHA, said at the Geneva pledging conference that “the needs are growing at a faster pace than our ability to meet them”.¹⁴⁰

72. The IOM latest update of 14 December says that 70,000 people have been reached with latrines, 118,000 patients have been reached with primary healthcare and 91,500 have benefited from protection assistance. Whilst this is commendable it shows the extent of the challenge when so few of the overall population are yet to benefit.¹⁴¹

73. Mia Seppo, UN Resident Coordinator in Bangladesh reported in December that only 34% of the \$434 million needed to provide assistance to 1.2 million people, including host communities, had been raised:

Humanitarian partners are working around the clock to respond, but the reality remains that the needs are massive and urgent, and the gaps are wide. More funding is needed. Bangladesh is one of the most densely populated countries in the world, but more land is needed to improve conditions in the congested camps.¹⁴²

Almost three quarters of the refugees are living in areas with population densities of less than 15 square metres per person—far below even the bare minimum international guidelines for refugee camps: 30 to 45 square metres per person. The IOM monitoring report in December notes that even 20 square metres per person would still not allow room for crucial infrastructure like water and waste treatment facilities and even that would be “far from being attainable,” as at least 120,000 people would have to be moved for that threshold. It was also found more than one third of the 33,000 latrines installed in the camps were already unusable and more than 90 percent of household water sources in the camps were contaminated with *E. coli* bacteria, following testing by government health officials and the WHO.¹⁴³

The UK’s contribution

74. At the Geneva Pledging Conference¹⁴⁴ for the Rohingya crisis on 23 October 2017, the UK pledged \$63,087,248 (£47 million) which was the largest single pledge, and substantially more than either the next two largest donations by the EU (\$42.5 million) and the US (\$38 million). DFID explained that, since 25 August 2017, when the recent exodus from Burma started, the UK had announced a total of £59 million for humanitarian assistance to the current crisis. This total figure is broken down in the table below.

140 [Joint statement by Emergency Relief Coordinator and United Nations Under-Secretary-General for Humanitarian Affairs, Mark Lowcock and UNICEF Executive Director, Anthony Lake, 4 October 2017](#)

141 [IOM Situation Report](#), 7 December 2017

142 [2017 Monitoring Report: ROHINGYA REFUGEE CRISIS RESPONSE PLAN](#), 25 August – 31 October 2017

143 [Irin News, Diphtheria expected to double every few days](#), 12 December 2017

144 The conference was co-hosted by the European Union and the Government of Kuwait (who itself pledged \$15 million) and co-organized by the United Nations High Commissioner for Refugees (UNHCR), the International Organization for Migration (IOM) and the United Nations Office for the Coordination of Humanitarian Affairs (OCHA).

| Source | Amount | Announcement |
|--|--------------------|--|
| SHPR existing budget | £5 million | 8 September 2017 |
| New funding | £25 million | 14 September 2017 |
| UK Aid Match to DEC appeal | £5 million | 2 October (£3 million) 9 October (£2 million) |
| New funding | £12 million | 23 October 2017 |
| <i>Interim total announced at Geneva Pledging Conference¹⁴⁵</i> | <i>£47 million</i> | <i>23 October 2017</i> |
| SHPR existing budget | £4 million | November 2017 |
| New funding | £8 million | 27 November 2017 |
| Total UK funding | £59 million | As of December 2017 |

75. DFID's 'SHPR' — Strengthening Humanitarian Preparedness and Response — programme for Bangladesh was approved in July 2016 for the period from 2016 to 2021. Its budget was increased in July 2017 following severe flooding across Bangladesh and a previous influx of approximately 87,000 Rohingya refugees. The SHPR programme includes contingency funding for responding to emergencies. In line with the announcement of 8 September, £5m was released from these existing funds to partners for the rapid scaling-up of assistance.

76. In addition, the then Secretary of State, Rt Hon Priti Patel MP, announced £25 million of new funding for the humanitarian response to the Rohingya refugee crisis on 14 September 2017 and added £12 million of new funding for the humanitarian response to the Rohingya refugee crisis at the Pledging Conference in Geneva. The UK Government also matched £5 million raised by the Disasters Emergency Committee (DEC) Appeal as announced on 2 and 9 October. This then represents the total UK pledged allocation of £47 million announced by the UN after the Geneva conference.

77. On 27 November 2017, the new Secretary of State, Rt Hon Penny Mordaunt MP, announced additional funding of £12 million to support the humanitarian response. £4 million of this is already included in the SHPR business case and budget, but was not previously announced. £8 million is new funding from a centrally managed humanitarian response pool.

78. Finally, there will also be access for organisations supporting Rohingya women and girls to the UN Trust Fund to Eliminate Violence against Women (UNTF) in support of its strategic vision for 2015–20 to tackle gender based violence globally. The Fund supports local, national, regional and cross-regional programmes to prevent and respond to all forms of violence against women and girls in all contexts, including sexual violence in conflict situations. It provides funding for proven, innovative and catalytic multi-year programmes, and seeks to award grants to organisations that place survivors at the centre of their interventions. The programmes are mainly implemented by civil society organisations, with the bulk of grants going to small women-led, organisations. DFID will provide up to £12 million over the next three years to the Fund (having been a donor since

¹⁴⁵ [Pledge announcements Bangladesh Pledging Conference](#), 23 October

2014). This global funding is separate to the £59 million for humanitarian assistance to the Rohingya crisis. All applications to UNTF are subject to review by expert evaluators and DFID expects to have details of new grantees selected for the current tranche of funding in the second quarter of 2018.

79. However, as Minister Burt made clear to us:

Let me put the politics on the record first. Our ability to respond at present cannot possibly match the scale of the problem.¹⁴⁶

80. We welcome the UK Government's swift action and, given the emerging evidence of the level of need, we commend the practical approach taken to the provision of a substantial sum early in the crisis. As part of any reply to this report, we would appreciate a sense of the Government's on-going financial commitment.

Co-ordination

81. The lead agency for the humanitarian response in Bangladesh is not the UN refugee agency, UNHCR, but the International Organization for Migration (IOM) which is not a traditional response coordination agency. We questioned why that was and the Bangladesh Deputy High Commissioner told us:

We have a long history of co-operation with the IOM. You might be aware that we have a huge migrant population in the Middle East, and during the Gulf wars we had to bring back hundreds of thousands of Bangladeshis who were working there. That was done with the support of the IOM. In 2015 we had some people leaving on boats, if you recall, and they were brought back with the help of the IOM. In other instances, whenever we had similar problems, the IOM was there to help us.¹⁴⁷

82. The IRC told us it was deeply concerned and that there was “a really grave need for proper co-ordination, organisation and camp management” and that “... appropriate co-ordination is vital in this context where things are changing at a very fast pace every day.” The IRC added:

Currently there is a cluster of services in the centre of the camp to which people would have to walk for approximately 45 to 60 minutes in the blazing sun in very muddy conditions, sometimes with all their children, to get essential services.¹⁴⁸

Dr Richard Montgomery from DFID, agreed with the IRC saying:

one of our big concerns, as the crisis continues to evolve, is better camp management. How do you deliver a coherent set of packages, not just shelter, food and water, but long-term sanitation, services such as safe spaces for women and non-formal education for kids? How do you ensure that the community gets this whole range of assistance?¹⁴⁹

146 Q103

147 Q1

148 Q38

149 Q100

83. If the Bangladesh government's motivation is to work with structures and personnel that are familiar then it would be less than impressive if the relevant UN agencies could not organise themselves to provide for this while ensuring that the right expertise is available, closer to the ground, to provide the required organisation of services. If Bangladesh prefers IOM to UNCHR on practical or presentational grounds linked to the status and future of the Rohingya, then that may be symptomatic of a more fundamental issue that will require attention and dialogue as realistic options for the short, medium and longer term future of the Rohingya refugees become clearer.

84. Recently there was evidence that, with staff seconded from OCHA, inter-UN agency and UN/NGO co-ordination in Bangladesh was improving.¹⁵⁰

Registration of NGOs

85. IRC told us that one of the problems in running the camps was that the Bangladeshi Government had a lengthy bureaucratic process in place to grant permission for NGOs to operate in the main refugee area of Cox's Bazar which meant that the IRC, and other NGOs, were not able to implement plans. Daphne Jayasinghe, of IRC, said:

Given that the capacity on the ground in Cox's Bazar is currently outstripped by the scale of the emergency, there is an opportunity for the Bangladeshi Government to expedite the release of funds and the operation of international NGOs to enhance and complement the role of Bangladeshi civil society organisations.¹⁵¹

This was a problem recognised by Minister Burt and his officials who also asked for the Bangladesh government to extend permits for more than 3 months at a time and to speed up the process.

86. The Bangladesh Deputy High Commissioner told us:

The presence of international NGOs is an advantage for us. The international NGOs are working on the ground, and we are happy to have them on our side.

However, I also must mention that it is kind of an unsettled situation. Because of that, we also must be very cautious regarding who is doing what, because there is always the possibility that, in the guise of non-Government actors, there could be some organisations that might be trying to create instability among the people. We are cautious about that.

The whole registration system is plain and simple. We have a dedicated office for NGO registration, and this has [always] been there, so we have not made any changes to those regulations. The registration system is a sort of formal documentation system to see the intent of the NGO and the area of the activities that they want to do and the sources of their funding. Those are the areas that the registration office looks at.

150 Department for International Development ([DBB016](#)) para 5

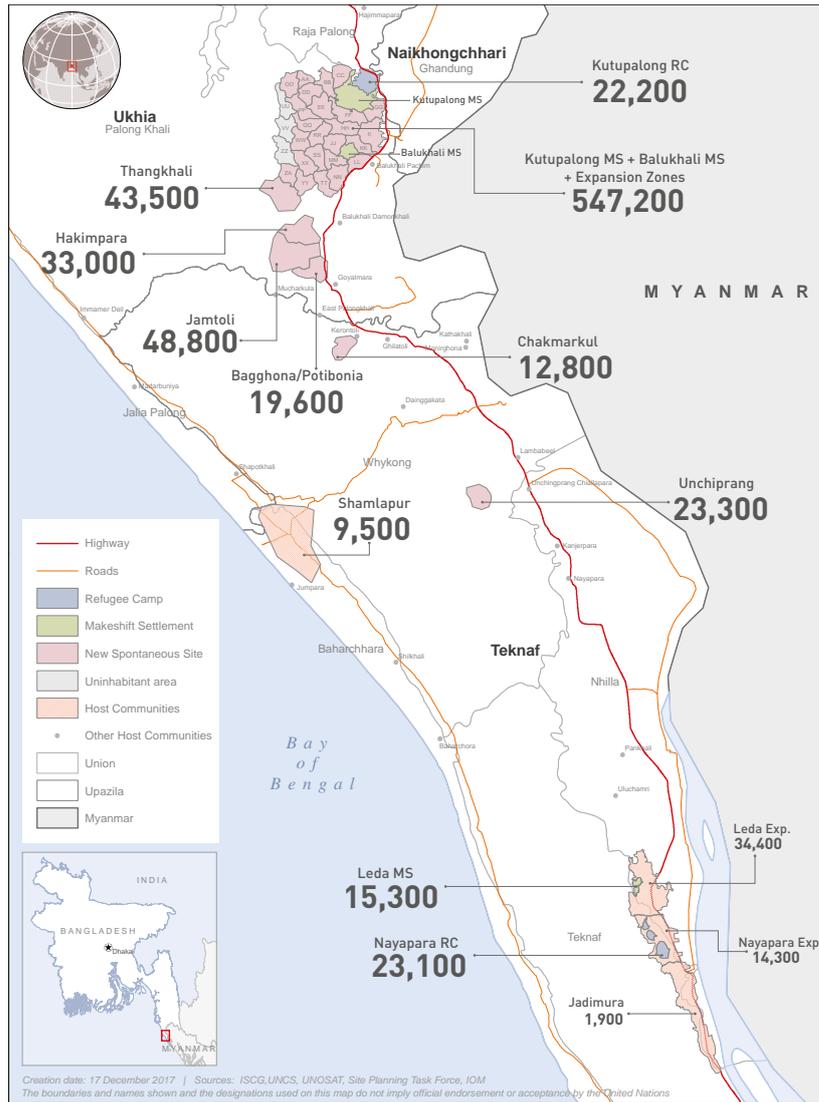
151 Q41

We have a well-established system because we have had NGOs working in Bangladesh since its independence. That system has been working well. Should there be any assistance that we might require, we would indicate that.¹⁵²

87. We urge the UK Government to initiate a respectful discussion with counterparts in Bangladesh to identify whether there are any ways in which operations in Cox's Bazar, or any other part of Bangladesh, can be speeded up and any unnecessary burdens of bureaucracy reduced, including the registration, and re-registration of NGOs seeking to render assistance to traumatised, displaced people.

Longer term plans

88. Before the recent arrival of refugees there were already 300,000 Rohingya refugees in the border area of Bangladesh around the town of Cox's Bazaar. Many of them lived in the Kutupalong refugee camp. In September, Bangladesh allocated more land next to the existing camp for the new Rohingya arrivals and since then another substantial allocation has been set aside for the new camp known as the Kutupalong extension – the size of 2,000 football pitches. IRC describes this area as hilly terrain with less than a third of it appropriate for habitation. An alternative proposal appears to be to re-locate the Rohingya refugees on an island. We asked the Bangladesh Deputy High Commissioner, Mr Talha, about these plans.



The Kutupalong Extension

89. Mr Talha told us:

The Kutupalong Extension is very much on the cards, yes. We are thinking of that. There is an island we are also thinking of, given the number. As you know, Bangladesh is the most densely populated country in the world, if you leave aside the city states, so land is very scarce. What we are trying to do is we want to keep them in one location, so that all the services can be provided to them in that area.¹⁵³

90. The UN has voiced criticisms applicable to any plan based around a single concentrated location. There are well-documented health and security risks of larger, and inevitably more crowded and harder to manage, temporary communities, including the likelihood of deadly diseases and fires spreading quickly. Robert Watkins, the UN resident coordinator in Dhaka, advised strongly that Bangladesh should instead look for multiple new sites to build more camps.

When you concentrate too many people into a very small area, particularly the people who are very vulnerable to diseases, it is dangerous ... There are stronger possibilities, if there are any infectious diseases that spread, that will spread very quickly ... It is much easier to manage people, manage the health situation and security situation if there are several different camps rather than one concentrated camp.¹⁵⁴

Matthew Saltmarsh, from the UNHCR, told us:

There are at the same time significant challenges within the existing settlements. As you will know, Kutupalong Extension is now over 400,000 people and there was speculation previously that this might expand to 800,000 people. We would be extremely wary of that, because of all those issues that will go with the creation of such a mega site—the social issues, the environmental issues and the issues around crowding and sanitation. We are hopeful that it will not have to come to the point that this site must extend to that kind of size, but we will just have to see in terms of the numbers coming in in the weeks and months ahead.

In terms of what we can do to support the Bangladeshi Government, we are already working with them closely on infrastructure, so we are giving them money to help build roads, which the army, I understand, is taking care of. We are also spending money on infrastructure in terms of lighting.¹⁵⁵

As of December 21, Doctors Without Borders has seen more than 2,000 suspected diphtheria cases in its health facilities, and the number has been rising daily. Most of the patients are between the ages of 5 and 14 years old. More than 20 Rohingya in Bangladesh have died from the disease. Dr. Navaratnasamy Paranietharan, the World Health Organization representative to Bangladesh said “This is an extremely vulnerable population with low vaccination coverage, living in conditions that could be a breeding ground for infectious diseases like cholera, measles, rubella and diphtheria.”¹⁵⁶

91. Authorities in Bangladesh have responded with an immunisation campaign. This follows the mass cholera vaccination campaign in October—described as the second-largest oral vaccination campaign ever—reaching more than 700,000 people. In addition, approximately 350,000 people have received measles vaccinations.¹⁵⁷ There had been over 600 suspected cases of measles reported by the end of October.¹⁵⁸

92. The UK has sent a team of 40 doctors, nurses and firefighters to Cox’s Bazar – at the request of the World Health Organization. This is the first deployment of Britain’s emergency medical team (EMT) since it was certified by the World Health Organization in 2016. The staff, who come from different parts of the NHS across the UK, will be at the camps for six weeks working to fight the spread of diphtheria. The Secretary of State Rt Hon Penny Mordant MP said it was “absolutely right” for the UK to “step up” and help ease the suffering of the Rohingya families and that “This will be an absolutely critical

154 Dawn, [Bangladesh’s mega refugee camp plan dangerous: UN official](#), 7 October

155 Q42

156 VOA, [Disease outbreak plagues Rohingya refugees in Bangladesh](#), 3 January 2018

157 Irin News, [Diphtheria expected to double every few days](#), 12 December 2017

158 [2017 Monitoring Report](#): ROHINGYA REFUGEE CRISIS RESPONSE PLAN, 25 August – 31 October 2017

deployment, in a race against time for men, women and children at risk of dying from one of the world's cruellest infections." The deployment will be funded from DFID's Bangladesh humanitarian budget—up to £650,000 has been earmarked for the EMT.¹⁵⁹

93. In contrast to the UN's view, Bangladeshi officials have been reported as arguing that a single new location will help them better handle relief operations and manage security. The Bangladesh DHC told us:

... one of the reasons is that this is a very vulnerable community now, and we do not by any means want them to be radicalised in any way—and there have been attempts. We had to ban, actually, two NGOs that were found to be doing that. So unless we keep them in one place it will be extremely challenging for us to control who goes in there and control who they mix with. Unfortunately, that particular zone is in an area where a lot of smuggling takes place, including gun running. That is a region that is not easy to patrol, so it is important that we keep them all in one place—maybe in two or three different camps, as we have done on previous occasions.¹⁶⁰

It seems that security is a primary motivating factor in Bangladesh's priorities in determining a settlement pattern for the Rohingya refugees.

Thengar Char

94. Thengar Char is an island in the Bay of Bengal where the Bangladesh Government has been considering placing Rohingya refugees in large numbers. The use of Thengar Char also raises issues of scale also isolation. The island is two hours by boat from the nearest settlement and regularly floods during June-September monsoons. Currently it has no roads or buildings. Prime Minister Sheikh Hasina's political adviser H.T. Imam said: "We have requested international agencies for help for shifting the Rohingya temporarily into a place where they can live – an island called Thengar Char. Developing Thengar Char should be given serious consideration".

95. The Bangladesh Deputy High Commissioner sought to reassure us, saying that: "We do not want them to be like Robinson Crusoe. But if it is necessary for us to relocate them to Thengar Char, the necessary infrastructure will be developed first, before we transfer them. It is not that we are going to put this huge population on an island without any communication or basic support."¹⁶¹ Bangladesh has since approved a \$280-million project to develop the island to temporarily house 100,000 Rohingya, despite various criticisms.¹⁶² Borja Patnaik, Amnesty International's South Asia Director said that "It would be a terrible mistake to relocate the Rohingya refugees to an uninhabitable island that is far from other refugee settlements and vulnerable to flooding. [...] Having opened its doors to more than 655,000 Rohingya over the past three months, the Bangladesh government now risks undermining the protection of the Rohingya and squandering the

159 Press release: [British medical heroes deploying to combat deadly diphtheria outbreak in Bangladesh](#), 28 December 2017

160 Q64

161 Q66

162 Reuters, [Risks grow for Rohingya in Bangladesh's teeming, squalid camps](#), 4 December 2017

international goodwill it has earned.”¹⁶³ If the Bangladesh government is serious about this then the UNHCR is going to have to be fully engaged having told us in November that:

this is not something that we have been seriously engaging with. I know there were various reports about [the island of Thengar Char] ... but we are not at the point where this is going to materialise any time soon.¹⁶⁴

Impact on local host communities

96. The Bangladesh Deputy High Commissioner told us:

The local people were the first to greet these Rohingyas. [...] They were the first ones, before anybody could reach the Rohingyas, to greet them. Local people provided shelter, help, food and whatever they could, and they extended their hospitality.

However, he warned that:

Now what has happened is that these people have become the minority in their own land because of the sheer scale of the flow of the Rohingyas.

He added that, because of the population pressure, the price of essentials in the region had increased by between three and 12 times.¹⁶⁵

97. UNHCR told us:

It is also clear that the refugee influx is having a huge impact on the local population. We have seen early evidence that social indicators are declining in terms of prices going up, inflation rising, and the effect on education and local hospitals. We are trying to invest money into those local government structures. For example, we have been adding funds and staff in the local hospital in Cox’s Bazar, so that hospital can stay open later than it usually would to help cope with the knock-on impact that has had on local people.

This is very much the model we have been trying to look at for different refugee situations, for example in Lebanon and Jordan, where we have been trying to fund the ministry of education and the ministry of health. It is very early days in this crisis to set up proper structures to be doing that, but as this continues that is the kind of thing we will be doing to try to support the government and the local people of Bangladesh.¹⁶⁶

98. Minister Burt, recognised that the stress on host communities was considerable, and increasing, and that the host communities’ needs had to be a vital part of DFID’s planning for a protracted crisis.¹⁶⁷ We note that both the World Humanitarian Summit

163 Amnesty International, [Bangladesh: Rohingya refugees must not be relocated to uninhabitable island](#), 28 November 2017

164 Q42

165 Q50

166 Q42

167 Q101

Communique, and the New York Declaration, refer to support for host countries, and the World Humanitarian Summit refers to earning opportunities, education and health services for host communities as well as for refugees.

99. DFID's Humanitarian Reform Policy states:

For the millions of civilians affected, often uprooted from their homes, short-term humanitarian relief is not enough. It can even maintain a state of dependence and despair. Longer-term plans need to be made—and funded—for countries affected by long-term conflict, including those who host refugees for many years.¹⁶⁸

DFID said it has started planning for a protracted crisis by deploying a protracted crisis specialist adviser to Bangladesh and consulting with key partner agencies and donors. The Government has said it is also liaising with the Government of Bangladesh to identify 'acceptable solutions that protect and respect the rights and freedoms of refugees' and it is engaged with the World Bank and the Asia Development Bank to discuss their response to the crisis.¹⁶⁹ DFID is also supporting the UN-led Humanitarian Response Plan (HRP), which is being revised to address longer term needs after the end of February.

Livelihoods

100. The DFID Humanitarian Policy Reform also states:

The World Humanitarian Summit secured consensus on the need for a new approach to protracted crises and forced displacement. The UK has championed the new model, focused on investing in education and other basic services, jobs and livelihoods for both displaced people and those hosting them.¹⁷⁰

168 DFID, [Saving lives, building resilience, reforming the system: the UK Government's Humanitarian Reform Policy](#), , 13 October 2017pg 16

169 Department for International Development (DBB016),pg 5

170 DFID, [Saving lives, building resilience, reforming the system: the UK Government's Humanitarian Reform Policy](#), , 13 October 2017

The Wilton Park Principles

In April 2016, the UK co-chaired a high level forum on new approaches to protracted forced displacement, which resulted in agreement to five core principles – the Wilton Park Principles. These serve as the foundation of a new UK approach

- (1) **Work through national and local systems:** strengthening these systems;
- (2) **Support host communities and build local cohesion:** helping to improve the lives of all affected – both displaced people and those they now live beside – to prevent social strains and further conflict;
- (3) **Enable economic participation and stimulate growth:** recognising the skills, abilities, and aspirations of displaced people and helping them to work and contribute to local economies;
- (4) **Provide impactful and innovative financing:** and bringing in newer partners such as the multilateral development banks with their grant and lending facilities;
- (5) **Improve the data and evidence base:** collaborating to improve our shared, disaggregated, data and evidence on what works to support those affected by protracted displacement, and using this to drive decision-making and financing.

DFID Humanitarian Policy Reform

101. Kilian Kleinschmidt who previously managed Jordan's Zataari Refugee Camp has put forward the idea of focusing on the refugee area in Bangladesh as a "special development zone". He said in a news article:

I think a real bold step forward would be to come up with a proposal to the Bangladeshi government, to say 'Look, you have potentially 1 million people, they will be a burden as they are if you let humanitarian agencies continue for the next 20, 30, 50, 100 years to take care of them.

Let's flip the whole thing, let the humanitarian agencies respond now, but let's work on a plan to build up a new special development zone, which will combine these settlements with opportunities for your own people who have to move.¹⁷¹

102. *The Minister referred to the situation as a "protracted crisis".¹⁷² We welcome the fact that the Government is in discussions with other donors and agencies on how to respond to its potential long term nature of this crisis. We ask the Government to include in any reply to this report, an account of the discussions with the Bangladesh government on the one hand, and the Rohingya communities' leadership, on the other, regarding the likely and/or tolerable timetable for the current status quo.*

103. *In addition, the UK Government should seek a consensus, amongst other UN Members states who supported the World Humanitarian Summit Communiqué, around*

171 Devox, [An alternative to 'refugee camp, then repatriation' strategy for Rohingya crisis?](#), 26 October 2017

172 Q101 and Q105

how further to support the economic development of Bangladesh, as host country, and the livelihoods of the Rohingya including the potential to offer a “special development zone”.

Education

104. We addressed some of the issues around the vulnerability of education to disruption arising from disaster, conflict and displacement in our recent report on global education.¹⁷³ In that report we commended the genesis, and work, of Education Cannot Wait and the overall recognition that, on the one hand, education gets a far higher priority in a crisis from displaced families than might be expected, and on the other, it has a great deal of added value as the underpinning of recovery in terms of public health, prosperity and participation in community life, self-determination and governance. The Minister told us that: “Education in the camps is a key issue for us”¹⁷⁴.

105. However so far there seems to be little or no emergency education provision in the camps in Bangladesh. IRC from their needs assessment found that 90% of refugees would send their children to school if they could.¹⁷⁵ World Vision told us:

From our perspective one of the key things is to make sure that the environment becomes a safe environment for children and that the children have access to preschool education, especially a space where they can be a child and have fun, and a space where they can also share and let out some of the expressions of what they have been through. All of these children have been traumatised in different ways. [...] For the older children, it is essential that an education programme is set up within the camps. To go with no education system is not an option.¹⁷⁶

106. In December 2017, Save the Children estimated that 450,000 Rohingya refugee children in Cox’s Bazar are now in need of education services. It said that:

Not only is school important for children’s learning, cognitive development, and emotional wellbeing, it is also a safe space where they are protected from the risk of exploitation and abuse. Out-of-school children are at greater risk of violence, sexual abuse, and child labour.¹⁷⁷

107. Save the Children reported barriers to the provision of education in the Cox’s Bazar area in the form of a lack of funding but also obstructive behaviour by the Bangladesh government. The NGO wrote that all of its requests for education permits have been delayed and refused by the Bangladesh NGO Affairs Bureau as INGOs are not allowed to deliver formal education for Rohingya refugee children. This has limited education interventions to UN-funded grants (where no permit is required). Save the Children said this is severely hampering the scaling-up of Education in Emergencies. Save the Children also reports that only 6% of the \$26.3 million in the Humanitarian Response Plan was dedicated to

173 International Development Committee, [DFID’s work on education: Leaving no one behind?](#) First Report of Session 2017–19, HC367, 21 November 2017

174 Q102

175 Q39

176 Q39

177 Save the Children ([DBB030](#))

education. IRC and Save the Children are warning that unless there is change there will be a “lost generation” of Rohingya refugee children unlikely to receive an education in 2018. Save the Children recommends the UK Government urges Bangladesh to:

- ease restrictions on NGOs providing education services in the camps;
- ensure immediate access to safe, protective and inclusive non-formal education for all Rohingya children aged 4-14 during the relief and stabilisation phases;
- ensure that the provision of Non-Formal Education includes certification which validates student’s educational achievements;
- scale up the establishment of new Temporary Learning Centres (TLCs) and support the development of a relevant and quality curriculum for TLCs, which provides multi-language education and meets the specific learning needs of Rohingya children;
- ensure that the Government of Bangladesh acknowledges the likely long-term nature of the crisis and the need for investment in quality education and continuity for Rohingya Children in Bangladesh;
- approve integrated education programming which includes psychosocial support and protection services.¹⁷⁸

108. We asked the UNHCR representative who was managing education and he told us:

The speciality for the protection element of the relief is with UNHCR. UNICEF would be a partner, certainly on the child area, underneath IOM’s overall co-ordination. The approach so far is first focused on counting, as I mentioned, and so far we have identified almost 25,000 unaccompanied and separated children, and the expectation is that number could well double by the end of the counting process, assuming an overall refugee population of 900,000.¹⁷⁹

When pressed further on who was actually responsible for education he said:

the education lead, I believe, is UNICEF. I would have to double-check that with you. The co-lead is Save the Children. UNICEF and Save the Children are co-leading on education.¹⁸⁰

So although unsure on the education programme lead the UNHCR representative did at least acknowledge its importance:

we have been trying to advocate for a long time now to make education spending much more integral to initial phases of crisis response to make sure that it is focused on from the very beginning. The education needs are absolutely huge.¹⁸¹

178 Save the Children ([DBB030](#))

179 Q44

180 Q43

181 Q44

109. However, it remains unclear to us what is happening on the ground with children's education. World Vision told us that:

One of the key areas is trying to make sure that the children stay within a community environment. There has been some discussion about the Bangladesh Government setting up a village-type situation for the unaccompanied children, so that would give them the space for education as well. However, from our perspective we feel it is much more important that they stay within the community and the community/family kind of structure.¹⁸²

The Bangladesh Deputy High Commissioner told us that the extension camps it was building to Kutapalong:

would provide for all the Rohingyas' basic needs, including education. That is the plan. In that area, perhaps we would not have any local schools. So, the schools that we will have will perhaps be dedicated to the Rohingya children.¹⁸³

Minister Burt said that the UNHCR was supporting non-formal basic education for nearly 9,000 Rohingya children, aged between 3 and 14 years, in the official refugee camps – but these are the children that were there already in the Kutapalong camp as refugees before the recent influx. He did say that Education Cannot Wait plans to commit \$2.5 million for Rohingya refugees in Bangladesh, and DFID was developing an education strategy and would review options for further funding as part of its medium-term response plan.¹⁸⁴ However, four months into the crisis, there is no schooling for the refugee children who arrived into Bangladesh in August, a third of a school year already lost. Not only that, but the Bangladesh Deputy High Commissioner told us that the local host communities' children were also missing out on a stable education because schools and colleges had been converted into shelters.¹⁸⁵

182 Q2

183 Q60

184 Q102

185 Q50

6 Safe and durable solutions and voluntary returns

World Humanitarian Summit Communique: We commit to focus more on reconciliation between and among communities in conflict, and to support the emergence of safe, dignified, and durable solutions for refugees and internally displaced persons, while recognising that voluntary return to the places of origin under stable conditions is the overarching goal.

The UK's five point plan

110. Some witnesses believed the Rohingya crisis is a test case for whether the international community had learned the lessons presented by crises in Rwanda, Bosnia, and Sudan. For example, Protection Approaches wrote that:

The UK government must work to uphold an international rules-based system, including but not limited to the 2005 outcome document on the Responsibility to Protect but also the UK's commitment to the principle of 'never again'.¹⁸⁶

111. The UK Government has begun to focus on a '5-point plan' around which it is seeking to galvanise the international community:

- the Burmese security forces must stop the violence;
- full humanitarian access within Burma must be secured;
- the refugees must be allowed to return to Burma in a voluntary, safe and dignified manner;
- the recommendations of the Advisory Commission on Rakhine State, chaired by Kofi Annan, must be implemented rapidly and in full, and;
- above all, Burma must grant access to, and fully co-operate with, the UN Human Rights Council's fact-finding mission.

112. However, David Mepham of Human Rights Watch said:

We regret that the British Government have not been more assertive and effective in pushing this agenda forward. There may be various reasons for that, but thinking back to previous human rights and humanitarian crises, Britain would have had the countries lined up and there would have been more oomph and more direction and more push behind an international settlement. This seems a bit ragged and there does not seem to be the kind of focus that is warranted, given the severity of what is going on.¹⁸⁷

Whatever the causes, it seems accurate to observe that there is little evidence of much progress towards the sort of conditions that would allow any of the five elements to be ticked off with any confidence.

186 Protection Approaches ([DBB014](#))

187 Q11

Ending the violence in Rakhine

113. We heard that violence was continuing in Rakhine daily, Tun Khin said:

Every day, Rohingya houses are being burned down by Rakhine mobs. One guy from Buthidaung Township told me, when I called him, he saw many Rakhine mobbers getting out of the military camps, and they go to Rohingya villages and they just burn Rohingya houses. They lit fires and they looted Rohingyas of everything—motorcycles, what have you.¹⁸⁸

Human Rights Watch has access to satellite surveillance that shows fires are still active in villages in Northern Rakhine.¹⁸⁹ And the flow of refugees into Bangladesh continues. We were told that between 1,200 and 1,800 children were arriving per week over the border. Dr Champa Patel, from Chatham House, told us that in the four days, from 9 to 13 November, 4,000 people crossed the land border.¹⁹⁰

114. The Minister told us:

So, the violence is still going on; it is at a lower level. It is not, sadly, just being carried out by the military, but by ethnic Rakhine communities, who are armed and have been armed by the military. So, although the violence has lessened it has not completely stopped.¹⁹¹

As mentioned in Chapter 2 the Burmese Military has carried out an internal review which it has exonerated itself of any wrong doing. The Burmese Ambassador has also written to us to say that there had been no armed clashes since 5 September 2017 and the security forces are simply maintaining law and order.¹⁹² Human Rights Watch satellite imagery show that of the 354 villages which had been partially or completely destroyed since army “clearance operations” began on 25 August at least 118 of those villages were damaged after 5 September.¹⁹³

115. We welcome the requirement by the UK of the cessation of violence in Rakhine State as one of the precursors of any attempt to return the Rohingya from the relative safety of Bangladesh; in line with the principles enshrined in the World Humanitarian Summit Communique. We applaud and encourage attempts by the UK and the international community to achieve that goal. However, we are unsure how a meaningful dialogue with the Burmese military and security administration is possible when it denies so brazenly that it was responsible for any aggression in the first place. Pursuing a parallel dialogue with, what might be termed, the civilian side of Burma’s government seems worthwhile but unlikely ultimately to be effective as it does not have the whip-hand on this issue.

188 Q6

189 Financial Times, [UN questions Myanmar’s Rohingya repatriation pledge](#), 30 November

190 Q7

191 Q86

192 Letter to the Chair from HE Kyaw Zwar Minn, Ambassador of the Republic of the Union of Myanmar, dated 22 November 2017. ([DDB017](#))

193 The Guardian, [Myanmar burned Rohingya villages after refugee deal, says rights group](#), 18 December

Access to Rakhine for humanitarian aid

116. One of the reasons for many of the Rohingya fleeing to Bangladesh, apart from the violence, has been reported as a lack of food and basic services, such as healthcare, in northern Rakhine. Rakhine State's poverty rate is 78%, almost double the Burmese national rate of 37.5%.¹⁹⁴ ActionAid wrote that an estimated 100,000 Rohingya people remain stranded, internally displaced or on the move in northern Rakhine.¹⁹⁵ The IRC stated that the barriers and restrictions on humanitarian access have left thousands without life-saving services and supplies. The UN on a visit in October described the scale of human suffering as "unimaginable".¹⁹⁶ Action Against Hunger have projected that with just a 3-month cessation of their activities since mid-August 11,800 children with acute malnutrition and 1,700 pregnant and lactating women would not have received necessary treatment. In addition, 13,250 anticipated beneficiaries reached through their longer-term livelihood, good security and WASH interventions were not receiving the planned support. They predict that without access to the services illness and deaths among undernourished children and women would increase as they become increasingly susceptible to disease and due to their limited access to medical services.¹⁹⁷ Save the Children report that first-hand testimony from those most recently fleeing Rakhine give their motivation as fear in the face of direct threats of violence and attack. The Rohingya in communities left behind are unable to access markets or tend to crops, resulting in rapidly escalating humanitarian needs.¹⁹⁸

117. The Minister told us that: "We still are determined to insist upon unfettered humanitarian access to northern Rakhine, and there is some evidence that that is improving, though it is not fully there at the moment."¹⁹⁹ DFID has told us that, at the Asia-Europe Foreign Ministers Meeting on 20-21 November, the Minister for Asia and the Pacific stressed the need for humanitarian access with Aung San Su Kyi's Chief of Staff and Burma's Deputy Foreign Minister. The British Ambassador has also met numerous times with Burmese ministers to press the authorities to end the violence and ensure full humanitarian access.²⁰⁰ However, at the time of writing, there was no sign of any relaxation of Burma's stance.

Return of refugees

118. We questioned the NGOs on whether people wanted to go back. IRC's Daphne Jayasinghe said that about 11% of respondents in their multi-sector assessment said they would want to return. 89% questioned either wanted to stay where they were currently settled, or move to other sites in Bangladesh.²⁰¹ Matthew Saltmarsh from UNHCR said the UN had assembled similar figures.²⁰² However the Minister asserted "They want to. All the evidence we have is that people talk about going back and want to go back."²⁰³

194 [Towards a Peaceful, Fair and Prosperous Future for the People of Rakhine](#), Final report of the Rakhine Advisory Commission August 2017

195 ActionAid UK ([DBB08](#)), para 8

196 UN, [Statement following government-organized visit to northern Rakhine](#), 2 October 2017

197 Action Against Hunger ([DBB012](#)) para 35-36

198 Save the Children ([DBB030](#))

199 Q86

200 [Department for International Development \(DBB020\)](#)

201 International Rescue Committee ([DBB019](#)), para 3

202 Q32

203 Q86

Even though the Minister acknowledged that “there is no suggestion that there is an early or quick return of people to Rakhine. It would be foolish to say otherwise. If people are to return, they have to feel they are going to be secure and safe. It is not just a question of physically returning them. At this stage, it would be unwise for families to return.”²⁰⁴ We can only assume that DFID’s evidence is about ultimate aspirations and the NGOs are talking about what the Rohingyas are saying about that the current circumstances.

119. Amnesty International has, recently reported²⁰⁵ following an in-depth study and analysis that the Burmese treatment of the Rohingya in Rakhine State amounted to apartheid, defined as a crime against humanity under the Convention against Apartheid and the Rome Statue of the International Criminal Court. It describes a ghetto like existence where Rohingya struggle to access healthcare, education or in some areas even to leave their villages saying “This system appears designed to make Rohingyas’ lives as hopeless and humiliating as possible.” It therefore questions how Rohingya could be repatriated legally there:

There can be no safe or dignified returns of Rohingya to Myanmar while a system of apartheid remains in the country, and thousands are held there in conditions that amount to concentration camps. Returns in the current climate are simply unthinkable.²⁰⁶

120. The Bangladesh Deputy High Commissioner told us he was hoping for an early return for the refugees and that Bangladesh was trying to talk to the Burmese Government to assess the potential timescales for a return.²⁰⁷ We asked for assurances that no one would be forced to return and possibly face violence before the situation could be stabilised but, understandably, he could not give one. He told us that securing such a guarantee from Burma, “would be a big ask for Bangladesh; it is somewhere that the international community’s pressure would be extremely important.” He said:

The Rohingya basically do not have any rights in Burma. That must be addressed and that legal space must be created, and that cannot be done through a bilateral negotiation. The international community, which has in a way welcomed Myanmar back into the fold, must engage to ensure that the Rohingyas, who have been living there for thousands of years—there is recorded history of their living there for about a thousand years—are not rendered stateless now. [...] Unless the international community can create an environment in which the Rohingya can go back to their own country, every day it will put pressure on Bangladesh.²⁰⁸

121. Since we took oral evidence in November, Burma and Bangladesh have signed a memorandum of understanding on the return of refugees to Rakhine State. FCO Minister Minister Field told the House of Commons Chamber:

We understand that a joint working group will be set up within 3 weeks, with the aim of the process of returns commencing within 2 months. The

204 Q86

205 Amnesty International, [MYANMAR: “CAGED WITHOUT A ROOF”: APARTHEID IN MYANMAR’S RAKHINE STATE](#), 21 November 2017.

206 Amnesty International, [Myanmar: Rohingya returns unthinkable until apartheid system is dismantled](#), 23 November 2017

207 Q59

208 Q68

UK government will press for quick progress on implementation of this bilateral agreement. But we will be clear that any returns must be safe, voluntary and dignified. And there must be appropriate international oversight.

122. No details of the memorandum have, as yet, been seen. DFID has suggested that any initiative should be led by the UN refugee agency, UNHCR²⁰⁹ but they have not seen the memorandum either. It is reportedly relying on a leaked copy circulating on social media. Ambassador Jonathan Allen, UK Deputy Permanent Representative to the UN told the Security Council Briefing on Burma on 12 December that:

This Council called for the UNHCR to be invited to be a full participant in the returns process. Myanmar recognises UNHCR's expertise but so far has resisted giving them the necessary role.²¹⁰

123. There is a concern about the paperwork that would be required of any Rohingya that did acquiesce to returning as many fled burning houses with nothing. The Bangladesh Deputy High Commissioner told us:

In 1978, when the Rohingyas crossed over, they had their passports, or a copy of them, because they still had those passports. In 1991 and 1992, when they crossed over, they did not have the passports because they were taken away. They were issued with identity cards. This time when they crossed over, they did not even have the identity cards because those identity cards were taken away.²¹¹

124. The Burma Human Rights Network, commenting on leaked versions of the memorandum, said that the bilateral repatriation plan was “inadequate in addressing even the most basic concerns of the displaced”, including protecting the Rohingya from further harm and discrimination and addressing their stateless status.²¹² Amnesty highlighted that although Burma and Bangladesh have clear obligations under international law not to return individuals to a situation in which they are at risk of persecution or other serious human rights violations, the “fact the United Nations and the international community have been completely sidelined from this process does not bode well for ensuring a robust voluntary repatriation agreement that meets international standards.”²¹³

125. As this report was being considered in early January 2018, media reports appeared referring to the submission by Bangladesh to the Burmese government of an initial 100,000 names of Rohingya refugees for vetting with a view to an early return from Bangladesh to Burma.²¹⁴ This was in the context of the work of the Joint Working Group on Refugee Returns set up between those countries in late November 2017. There was little or no information available on the criteria for selecting these names, whether they

209 [Department for International Development \(DBB020\)](#)

210 Statement by Ambassador Jonathan Allen, UK Deputy Permanent Representative to the UN, at the Security Council Briefing on Burma, [Today's conditions in the Rakhine state do not yet allow for the safe, voluntary, and dignified return of refugees to their homes](#), 11 December 2017

211 Q73

212 Financial Times, [UN questions Myanmar's Rohingya repatriation pledge](#), 30 November

213 Amnesty International, [Myanmar: Rohingya returns unthinkable until apartheid system is dismantled](#), 23 November 2017

214 Daily Mail, [Bangladesh targets 100,000 for first Rohingya repatriation](#), 28 December 2017; Radio Free Asia, [Rohingya Leaders Call on US to Ensure Refugees Are Not Forced Back to Myanmar](#), 9 January

were voluntary or what administrative, legal or logistical arrangements were envisaged by either country for the return or what the eventual destination was planned to be and, crucially, what status would be provided to any returning Rohingya and whether they would be safe. This is a matter of grave concern to us.

126. There are reports that the Burmese government have begun work on a transit camp where it plans to house refugees after their return, and has earmarked land where they plan to build two more. Fortify Rights warned that these “repatriation camps” near the Bangladesh border in Maungdaw Township should not be supported by the U.N. and aid groups because “if the authorities’ treatment of more than 120,000 Rohingya confined to 38 other internment camps in other parts of Rakhine State is any indication, this latest initiative will mean indefinite confinement in squalid conditions with restricted access to critical humanitarian aid.”²¹⁵

127. Burma does not have a good track record in resolving or remediating political or practical issues in relation to its internally displaced people, whether the previously displaced Rohingya, from 2012, or other populations from earlier episodes. In relation to the former:

- The Under Secretary-General for Humanitarian Affairs, Baroness Amos, said in 2012: “I have seen many camps during my time but the conditions in these camps rank among the worst. Unfortunately, we as the United Nations are not able to get in and do the range of work we would like to do with those people, so the conditions are terrible ... It’s a dire situation and we have to do something about it.”
- The UN Assistant General-Secretary for Humanitarian Affairs, Ms. Kyung-wha Kang, observed in 2014: “I witnessed a level of human suffering in the IDP camps that I have personally never seen before ... appalling conditions ... wholly inadequate access to basic services including health, education, water and sanitation.”
- In May 2015, 37 humanitarian aid and human rights advocacy organisations reported to UN General Secretary Ban Ki-moon that: “At least 70 per cent of Rohingya currently have no access to safe water or sanitation services. In Maungdaw Township, there is just one doctor per 160,000 people (the World Health Organisation recommends one doctor per 5,000 people).”²¹⁶
- A July 2017 report by the World Food Programme (WFP) warned that more than 80,000 children under the age of five living in majority-Muslim areas were “wasting”—a potentially fatal condition of rapid weight loss. In one district, Maungdaw, one-third of all homes were experiencing extreme food deprivation. The assessment indicated that controversial WFP food aid cuts to internally displaced Rohingya over the previous two years had left people in dire need. No children under the age of two met minimum adequate diet requirements. The report called for further humanitarian assistance for more than 225,000

215 Fortify Rights (DBB03) para 23

216 Burma Campaign UK (DBB07)

people.²¹⁷ The Burmese Government asked for the report to be withdrawn and it was replaced with a statement saying Burma and WFP were “collaborating on a revised version.”²¹⁸

128. Human Rights Watch reported in 2000 that the 230,000 Rohingya “refugees returned between 1993 and 1997” were “under a repatriation programme arranged through the auspices of the United Nations High Commissioner for Refugees (UNHCR).” It found that “UNHCR has had a permanent presence in Arakan state since 1994 and has assisted many Rohingya returnees, but it has limited funding and has been unable, in practice, to provide adequate protection to many of the refugees who have returned to Burma. It was also initially hampered by Burmese government restrictions on access to certain areas and constant surveillance of its projects.”²¹⁹ The repatriations have been criticised as non-voluntary and a “dark chapter” in the UNHCR’s history. We asked the UNHCR representative what had happened to the refugees who had been returned in the 1990s:

Matthew Saltmarsh: During the 1990s it is true that we did assist with returns, and those were done on results of bilateral agreements between Bangladesh and Myanmar—MoUs were signed and certain conditions agreed to. Ultimately, over the course of time the Myanmar authorities did not provide a state solution—citizenship—to all of those returnees, and hence that was one of the fundamental conditions for the return that was in fact not ultimately adhered to.

Mrs Pauline Latham: [...] Was there any monitoring of what happened to them—whether they are still there, or whether they have fled again?

Matthew Saltmarsh: In terms of specific detail, no. Some of them will presumably have been displaced again. Some of them may still be there. There is still a population there in Rakhine State, but in terms of specific monitoring, no.²²⁰

IRC said that the previous returns have been widely criticised as forced returns in violation of the principle of non-refoulement²²¹—this scenario must not be repeated.²²²

129. Minister Burt said:

The lesson that has been learned from that is that there are not a couple of easy actions to take to bring people back. If you surround them with troops supportive of them and prevent attacks upon them, all you have is divided communities who live in some sort of state with each other until an opportunity comes to fight and to kill each other, so that can’t be the right answer. It has to be a longer-term answer, which is where the commission comes in and where—if at all possible—Aung San Suu Kyi, if she can lead the Burmese people in a different direction, can make a difference too.²²³

217 The Guardian, [Rohingya crisis: UN warns 80,000 children ‘wasting’ from hunger in Myanmar](#), 17 July 2017

218 The Guardian, [UN report on Rohingya hunger is shelved at Myanmar’s request](#), 17 October 2017

219 Human Rights Watch, [Burmese Refugees in Bangladesh, Still No Durable Solution](#), 2000

220 Q33-36

221 Refoulement: the forcible return of refugees or asylum seekers to a country where they are liable to be subjected to persecution

222 International Rescue Committee ([DBB019](#))

223 Q87

130. We are concerned by the emphasis on returning refugees to the Rakhine by the Bangladesh and Burmese government when the situation still seems fraught and very far from safe, dignified and durable as set out in the World Humanitarian Summit Communique. It is unacceptable to propose that the Rohingya be returned to live in Burmese-run internment camps; inevitably to be faced with further privations, potential abuses and uncertain access for outside agencies; and likely only to be displaced once again if there is further violence.

Implementation of Annan Commission

131. The Minister reassured us that:

The only thing that can change that is long-term change, which is why we all supported the Kofi Annan commission. That gave an opportunity for Burma to look at the issue and come up with some long-term answers that would deal with local pressures in Rakhine, and also with the ethnic animosity and the like. It is still, of course, part of the programme for the future, which Aung San Suu Kyi has recognised as well.²²⁴

The implementation of Kofi Annan's commission—will take time. There is work going on each of the points. Some of them are immediate, such as the humanitarian access; some of them are longer-term. Progress is being made, but on some of the longer-term ones there is still much to be done.²²⁵

Access for the UN

132. On March 24, 2017, the UN Human Rights Council authorized a three-member Fact-Finding Mission to Burma.²²⁶ The UN Human Rights Council adopted the resolution creating the Fact-Finding Mission because it was concerned about the allegations of human rights abuses there. The Council pointed to a February 2017 report by the UN Office of the High Commissioner for Human Rights that found that crimes against the ethnic Rohingya community in northern Rakhine State “seem to have been widespread as well as systematic, indicating the very likely commission of crimes against humanity.” Aung San Suu Kyi, stated that the UN's decision to establish the independent international inquiry was not “in keeping with what is actually happening on the ground.” Kyaw Tin, deputy minister of foreign affairs, said on June 30 in the Parliament of Burma that, “We will order Myanmar embassies not to grant any visa to UN fact-finding mission members.”

133. The Burmese government contends that the Kofi Annan Rakhine Commission makes the UN-led inquiry unnecessary, However the Rakhine Commission was mandated to look at root causes of conflict in Rakhine State not to investigate human rights abuses, nor did it address questions of justice and accountability. Additionally, the Fact-Finding Mission has a mandate to work beyond Rakhine State and address rights abuses in other

224 Q80

225 Q86

226 The mission is headed by Indonesian human rights expert Marzuki Darusman, and includes Sri Lankan human rights lawyer and former UN Special Representative of the Secretary-General for Children and Armed Conflict Radhika Coomaraswamy, and Australian human rights lawyer Christopher Sidoti.

parts of the country, including conflict-ridden Shan and Kachin States. Even without access to the country, the mission intends to work from abroad and produce a written report by March 2018.²²⁷

134. In addition to the non-cooperation with the Human Rights Council Independent International Fact-Finding Mission, the Burmese government has now barred the UN special rapporteur on human rights in Burma, Yanghee Lee, and withdrawn cooperation with her for the rest of her tenure. Yanghee Lee's mandate required two visits to Burma a year, in order to report to the Human Rights Council and the UN General Assembly. Since taking up the mandate in June 2014, she had visited six times. She was due to visit in January to assess the state of human rights across Burma, including in Rakhine state but in December this was refused. Ms Lee said:

Only two weeks ago, Myanmar's Permanent Representative informed the Human Rights Council of its continuing cooperation with the UN, referencing the relationship with my role as Special Rapporteur, now I am being told that this decision to no longer cooperate with me is based on the statement I made after I visited the country in July.

I am puzzled and disappointed by this decision by the Myanmar Government. This declaration of non-cooperation with my mandate can only be viewed as a strong indication that there must be something terribly awful happening in Rakhine, as well as in the rest of the country. The Government has repeatedly denied violations of human rights are occurring throughout Myanmar, particularly in Rakhine State. They have said that they have nothing to hide, but their lack of cooperation with my mandate and the fact-finding mission suggests otherwise.²²⁸

This is a disappointing and retrograde step. The international community should be more assertive in securing access for the UN special rapporteur on human rights in Burma.

135. We asked witnesses if there were any figures being collated on the number that have been killed – other than the Burmese military's official number of 400 – and we were told that accurate information was not available. David Mepham of Human Rights Watch told us that:

It is very hard to get the numbers [of fatalities]. We have said thousands. We think that is the best estimate from what we have seen and what we have seen unfolding, but it is very hard to get the numbers and it is critically important that someone somewhere should make more of an effort to do that. That is part of the accountability conversation we were just having: trying to establish how many people have been killed. Men, women and children have been hacked to death and killed and raped, and we need to know that. We need to know who was responsible and we need to have some proper accountability for that.

136. Tun Khin of the Burmese Rohingya Organisation UK told us:

227 UN Office of the High Commissioner for Human Rights [UN Fact-Finding Mission on Myanmar](#)

228 UN Office of the High Commissioner for Human Rights ["Myanmar refuses access to UN Special Rapporteur"](#), 20 December 2017

In another few villages in Buthidaung, for instance Maungdaw village, they slaughtered hundreds of Rohingya. That is what the villagers told me, and some people had seen that with their own eyes. In Godam village in Buthidaung, hundreds of people were slaughtered—shot dead and killed—even children. From those few villages, we count more than a thousand. It is very hard to verify how many people have been killed, but it is quite a lot, I should say, and that is what I heard from the Rohingya refugees.

So far it seems to be have been left to organisations such as Human Rights Watch, and Fortify Rights, to gather the evidence of crimes. However, the problem is that this material cannot necessarily be used eventually to secure convictions due to issues such as guarantees given of victim anonymity and required evidential standards. Fortify Rights has been on the border since August gathering accounts from eyewitnesses and survivors. It believes that death tolls are much higher than public estimates indicate.²²⁹ As referred to in our introduction, on 14 December 2017, MSF reported from its surveys of refugees in Bangladesh that approximately 9,000 Rohingya had died and of those, 6,700 had been killed between 25 August and 24 September. 730 of these were children:

- 69% of the violence-related deaths were caused by gunshots;
- 9% were due to being burnt to death in their houses;
- 5% were beaten to death.

Among the dead children below the age of five, MSF said more than 59% were reportedly shot, 15% burnt to death, 7% beaten to death and 2% killed by landmine blasts.²³⁰ MSF Medical Director Sidney Wong said:

What we uncovered was staggering, both in terms of the numbers of people who reported a family member died as a result of violence, and the horrific ways in which they said they were killed or severely injured.

The numbers of deaths are likely to be an underestimation as we have not surveyed all refugee settlements in Bangladesh and because the surveys don't account for the families who never made it out of Myanmar.²³¹

137. Minister Burt himself is the UK's international commissioner on the International Commission on Missing Persons, he explained:

That is the group that did so much extraordinary work in relation to Srebrenica, to identify the victims. By identifying the victims and how they were killed, it was able to say who killed them, which has led to the verdict today, so it really matters. How to do it is just as important as a symbolic gesture to get something on the way.²³²

The International Commission on Missing Persons does not currently work in Burma or Bangladesh.²³³

229 Fortify Rights ([DBB03](#)) para 10

230 BBC News, [MSF estimates more than 6,700 Rohingya killed in Myanmar](#), 14 December 2017

231 BBC report

232 Q89

233 International Commission on Missing Persons, [Where we work](#)

138. *There needs to be an official body to assess and collate all of the evidence of crimes against humanity which NGOs and other visitors to the region can submit. We recommend that Minister Burt, as the UK's international commissioner on the International Commission on Missing Persons, should involve the Commission in collecting evidence in Northern Rakhine for future criminal convictions.*

Role of Aung San Sui Kyi

139. There has been widespread disappointment and confusion over Aung San Sui Kyi's response or lack of response to the violence against the Rohingya. Tun Khin, President of the Burmese Rohingya Organisation UK said:

When we talk about Aung San Suu Kyi, she is totally complicit. As a Rohingya, we supported her for many years. I and our organisation campaigned for her release in this building many times. She is not speaking up, and it is not just that she is not speaking up; she is totally denying what is happening against Rohingya. We have seen Amnesty International's strong report, Human Rights Watch's report and a UN report mentioned what amounts to crimes against humanity. Her office has denied it: fake rape, fake news, continuously going on.²³⁴

140. Minister Field told the Foreign Affairs Committee:

The international community as a whole wanted to see Burma coming away from the decades of military dictatorship, with Aung San Suu Kyi regarded as a leader rather like, as I say, Nelson Mandela and Martin Luther King: someone, in the international community's view, of unimpeachable ethics who alone would be able to lead this.²³⁵

He explained that in his meetings with her that:

She was pretty dismissive of the whole idea that there was any ethnic cleansing going on. [...] There was a sense of denial at that stage. My own view, from diplomatic telegrams from our ambassador there, and from conversations the Foreign Secretary has had with Aung San Suu Kyi, is that she has moved away from that hard-line position that she expressed to me on 27 September.²³⁶

Minister Burt told us:

We have made representations to her to say that her response needs to make clear what view she takes of the situation. She has made a couple of speeches. Her second speech confirmed the importance of the Kofi Annan commission. It set up the internal union commission to deal with some of the issues that have been raised, and she has called for the return of the Rohingya people to Burma.

234 Q17

235 FAC, [Oral Evidence](#), Violence in Rakhine State, 25 October 2017, HC 435, Q 87

236 FAC, [Oral Evidence](#), Violence in Rakhine State, 25 October 2017, HC 435,

But I think there has been some disappointment that that voice has not been stronger and more determined. We would all have liked to have seen it. We would all have liked to have seen the language of condemnation and recognition of the abuses that have taken place. It has not been as strong as the international community or the British Government would have liked—I will be very clear about that.²³⁷

141. Mark Farmaner Burma Campaign UK believed that she was the one person with the power to change the rhetoric on the Rohingya:

In the country, she has so much love and support from people and she is not as hindered by the nationalism as people say. She won that landslide election victory even when Buddhist nationalists were saying, “Do not vote for her.” The biggest tragedy here is she is probably the one person in the country who really could start to change the culture and attitudes towards the Rohingya and she has chosen not to do that. She has chosen to take the opposite path and, in fact, her Government recently have been whipping up more hatred and tension via their social media posts and state media.²³⁸

He also thought the fear of a military coup if she did speak out about the violence against the Rohingya was being over-played:

The idea of this military coup threat is talked up a lot. It is a very convenient excuse for her party the international community to hide behind as an excuse for doing nothing. [...] The military designed the current political system and it has worked very well for them. They have had sanctions lifted, they have international acceptance, and they have been receiving training from Governments all over the world. Their budget went up by roughly \$100 million a year during the reforms under Thein Sein.²³⁹

We questioned the Minister on this who said:

all our evidence suggests that the population thoroughly approve of what the military have done. They have taken advantage of the situation, labelling the Rohingya community as they do to demonstrate to the Burmese people what they have done on their behalf. If they were to start to portray a popular political leader as an enemy of the people and an enemy of the military, who knows what may happen?²⁴⁰

142. The Minister was of the same opinion as Mark Farmaner, Burma Campaign UK, on the role of Aung San Sui Kyi as the one person who did have the power to make change:

someone has got to take Burma forward, and if Aung San Suu Kyi is clear about the role of the Rohingya people in Burma in the future and can lead that, that is important, and it is important to make a comment about it²⁴¹

237 Q82

238 Q25

239 Q9

240 Q83

241 Q83

Our colleagues on the Foreign Affairs Committee also concluded that the UK was left with limited options and that Aung San Sui Kyi “remains far better than the alternatives and appears to be the only hope of improvement, but she is now a compromised one.”²⁴²

242 First Report of the Foreign Affairs Committee, *Violence in Rakhine State and the UK's response*, HC 435, para 28

7 Safe migration

World Humanitarian Summit Communique: promote migration that is safe, regular, and orderly.

Potential boat exodus

143. In May 2015, boats packed with hundreds of desperate Rohingya refugees were stranded at sea with no South East Asian country willing to allow them entry. The UN called on Malaysia and Indonesia to respect international law and offer help but they used reports of the presence of economic migrants as an excuse to turn the so-called ‘boat people’ away.” The UNHCR estimated that human traffickers took 25,000 people by boats from January to March in 2015.²⁴³ Following the recent violence against the Rohingya in Burma the UNHCR have said:

Thus far, we have not seen any movement onwards from Bangladesh—but our offices stand ready to assist should new arrivals come. The Government of Thailand recently said it was “preparing to receive people fleeing fighting in Myanmar” and send them back “when they are ready.” Malaysia has said: “Malaysia’s coast guard will not turn away Rohingya Muslims fleeing violence in Myanmar and is willing to provide them temporary shelter.” India is tightening border controls, increasing border guard presence, and has threatened to use “chilli spray” on Rohingya trying to cross.

144. ODI refers to these countries as ‘reluctant hosts’ with:

... a chequered history of turning a blind eye to Rohingya asylum seekers entering and remaining in their countries, and in rarer cases refusing entry. Bangladesh and Malaysia have been uneasy and restrictive hosts—their reluctance stemming from a range of historical and contemporary issues.²⁴⁴

The UNHCR estimated the spread of Rohingya in the region to be:

- Malaysia, 133,263 (61,086 registered with UNHCR);
- Thailand, 102,553;
- India, 36,000 (registered with UNHCR); and
- Pakistan, 55,000 (according to the National Data Registration Authority, NADRA).²⁴⁵

However, the figures seem to be disputed as the following map has been put together by Al Jazeera based on UNHCR and IOM data:

243 UNHCR, [Some 25,000 risk sea crossings in Bay of Bengal over first quarter, almost double from year earlier](#), May 2015

244 ODI ([DBB09](#))

245 UNHCR ([DBB011](#))



Aljazeera website

145. Human Rights Watch has criticised the Thai authorities' response so far following the meeting of the Internal Security Operations Command chaired by Prime Minister Gen Prayut Chan-o-cha which announced Thai authorities will enforce a three-step action plan:

First, the navy will intercept Rohingya boats that come too close to the Thai coast. Then, upon intercepting such boats, officials will provide fuel, food, water, and other supplies on the condition the occupants agree to travel onward to Malaysia or Indonesia. Lastly, any boat that somehow manages to land on Thai shores will be seized, and immigration officials will apprehend and put Rohingya men, women and children in indefinite detention.²⁴⁶

146. DFID recognises the very real risk of people trafficking from the camps in Bangladesh as “a cross-border area with known organised smuggling and crime networks.”²⁴⁷ In May 2015 the Guardian uncovered a huge trafficking industry of Rohingya to work in the shallow fishing industry. Reporters had found that vast transnational trafficking syndicates had been holding thousands of Rohingya migrants captive in jungle camps selling them on to the fishing industry boats, frequently with the knowledge and complicity of some Thai state officials. It reported that in some cases, Rohingya migrants held in immigration detention centres in Thailand were taken by staff to brokers and then sold on to Thai fishing boats. Other Rohingya migrants say Thai officials collected them from human traffickers when they arrived on the country's shores and transported them to jungle camps where they were held to ransom or sold to fishing boats as slave labour.²⁴⁸

147. Dr Champa Patel told us that as the monsoon ends and sailing season starts, people would increasingly be leaving by ships as was seen in the May 2015 crisis. However, she warned that the response from south east Asian nations, if it was anything like what they had done previously, would be inadequate to the scale of the problem.²⁴⁹ We questioned

246 Human Rights Watch, [Thailand Needs to Stop Inhumane Navy 'Push-Backs](#), September 2017

247 Department for International Development (DBB016) pg 7

248 The Guardian, [Revealed: how the Thai fishing industry trafficks, imprisons and enslaves](#), July 2015

249 Q7

both the Bangladesh Deputy High Commissioner and the Minister what preparations were being made for a potential exodus by boat now that the monsoon season was ending. The Bangladesh Deputy High Commissioner told us:

On the boat exodus, if you are particularly talking about the Rohingyas, we have one of the longest sea beaches, perhaps the longest unbroken sea beach in the world. It is about 90 miles long. These are all coastal areas where they are. These are desperate people that we are talking about and they will take desperate measures, but that is again why it is important to have them contained in one place. We do have a coastguard. Its size is not very large, but we try to patrol the coastal area to ensure that there is no boat exodus. But I do not think the largest coastguard in the world would be able to patrol any country's territorial water.²⁵⁰

148. DFID's response to the possibility of a potential sea migration was:

Preventing the further displacement of Rohingya from Rakhine, whether by land or by boat, remains an important priority. The UK's five point plan is intended to reduce the possibility of further population movements. Implementing the Rakhine Advisory Commission's recommendations will be key to ensuring stability in Rakhine State and preventing a further exodus in the longer term. The UK stands ready to support when conditions allow.²⁵¹

We asked DFID for written evidence on what it was doing specifically to prevent trafficking and modern slavery and it responded:

We also recognise the risks of trafficking and other forms of exploitation faced by Rohingya refugees in Bangladesh. DFID will continue to work closely with partner organisations in Cox's Bazar to understand the risks and respond accordingly.²⁵²

149. This response seems at odds with the urgency of the Prime Minister's call for action to end Modern Slavery and Human Trafficking at the UN General Assembly where she highlighted that "Behind these numbers are real people suffering terrible abuse".²⁵³ This commitment which was also signed by Bangladesh stated:

We, the Leaders (and their representatives) of a diverse group of Member States and Observer States to the United Nations, united in our commitment to end forced labour, modern slavery, human trafficking, and the worst forms of child labour in our world by 2030;²⁵⁴

On 1 December 2017, the Secretary of State announced funding to help over 500,000 vulnerable men, women and children around the world who have either survived modern slavery or are at risk of becoming victims. The £40 million package includes:

250 Q72

251 [Department for International Development \(DBB020\)](#)

252 [Department for International Development \(DBB020\)](#)

253 [PM speech to UNGA on modern slavery: 'behind these numbers are real people.'](#) 20 September 2017

254 [A Call to Action to End Forced Labour, Modern Slavery and Human Trafficking](#) 20 September 2017

- £13 million for the second phase of the Work in Freedom programme to prevent trafficking and forced labour among women migrant workers from South Asia, which has the highest prevalence of forced labour globally. This will focus on victims of forced domestic work and garment manufacturing, providing skills training to women before they move to a nearby country for work, supporting women at their destination so they can access help if they are exploited, and working with governments to improve laws and policies to protect vulnerable people from becoming victims of this crime.
- a £20 million contribution to the Global Fund to End Modern Slavery, which will be used to target sectors with a high risk of slavery, like the garment sector, fisheries and construction, combating this crime by working with law enforcement, prevention and victim services and business.
- £7 million DFID support in Nigeria which will focus on creating credible alternative livelihoods in hospitality, creative industries, technology and agri-entrepreneurship so people are not forced into a life of trafficking, providing better victim support and counselling, and increasing public awareness of the risks of trafficking.

150. We believe DFID should consider developing specific plans to tackle the risks of people trafficking into modern slavery in relation to the Rohingya. We hope a portion of the £40 million package recently announced by the UK Government to counter global modern slavery can be allocated to help prevent trafficking of the Rohingya.

8 Conclusion

151. We recognise that the specific commitments coming out of the World Humanitarian Summit, and in the New York Declaration, are barely a year old. However, the concepts captured and agreed in those processes have a much longer history. The Rohingya crisis seems to have tested to destruction many of the elements underpinning these undertakings and, of greater pedigree, the international community's 2005 consensus over the responsibility to protect threatened populations.

152. We find it a particularly bitter irony that, within the World Humanitarian Summit's *Commitment to Action*, "Myanmar" (Burma) appears as one of the countries specifically undertaking to, of all things, "Empower and protect women and girls" and "support the Secretary-General's ... initiative to end all preventable deaths of women and adolescent girls in crisis settings."²⁵⁵

153. Burma's military and security machinery has conducted a deliberate campaign of "textbook" ethnic cleansing against the Rohingya of Rakhine State — including the use of rape and sexual violence as a weapon — and seems to have done so with the acquiescence, at least, of the majority population and the civilian side of the Burmese government.

154. This action by Burma has imposed a huge cost in terms of human suffering on hundreds of thousands of people who have lived in Rakhine for many decades. In addition, Burma has presented the world with a huge financial cost; effectively a bill for humanitarian relief, and arguably longer term provision, estimated, by Bangladesh at least, to amount to a billion pounds per year.

155. There is the chilling prospect that this is the genesis of yet another long-term, politically intractable, cross-border displacement, whose resolution in the future defies negotiation, as much as its roots in the past elude explanation. The prospects of this situation persisting without becoming a powder-keg of radicalisation seems remote.

156. A vicious cycle of resentment and revenge is especially likely in circumstances where the Burmese perpetrators of so many atrocity crimes can so easily be perceived as having "got away with it" — both at a strategic level, in terms of the ethnic cleansing, but also at a human level, in terms of the vast number of allegations of murder, rape, assault, arson and other indignities and humiliations. Not only do the victims go without justice, and suffer further, but also other actual, and aspiring, regimes witness the lack of accountability and are emboldened.

157. We do not under-estimate the challenge; nor mistake our remit. The UK is one player within a complex multilateral environment with many circles of over-lapping, cross-cutting, and occasionally under-mining, interests. Our focus in this report has largely been on the potential to prevent or minimise the sudden emergence of predictable, 'man-

255 [World Humanitarian Summit Outcomes: Commitments to Action, Core Responsibility 3: Leave No One Behind, Section D: Empower and Protect Women and Girls](#), see page 18:

"A number of existing initiatives were supported through new commitments. As an example, France, Myanmar, the Netherlands, RET International, Spain, Sumitomo Chemical, the Women's Refugee Commission, NFPA, UN Women and World Vision committed to support the Secretary-General's Every Woman Every Child (EWEC) initiative and corresponding roadmap, working to end all preventable deaths of women and adolescent girls in crisis settings.

made' – and therefore avoidable – humanitarian crises. It is axiomatic that this would be the most effective, efficient and economic use of resources ear-marked for humanitarian relief.

158. We commend the UK Government's 5-point plan. It strikes the right notes. However, the conditions that we assume must underpin each strand appear to place the plan's implementation out of reach in current and foreseeable circumstances. We urge the Government to share with us, as part of its reply to this report, its view of the conditions that must be in place for each of its plan's 5 points to be implemented. To back this up we also request sight of the mechanisms, indicators and thresholds required to make effective and transparent assessments of progress towards each goal.

Conclusions and recommendations

Crisis prevention

1. *The UK Government should reflect on why so much evidence of discrimination, marginalisation and abuse of the Rohingya people within Rakhine State in Burma was seemingly ignored for so long, rather than translated into effective action by the international community. Conduct, described clearly as amounting to “ethnic cleansing”, has been regularly reported by groups such as Human Rights Watch for some years and yet nothing effective seems to have been attempted to stop it. Indeed, initiatives such as support for a national census, reflecting the exclusion of the Rohingya people from public life in Burma, seem to have reinforced the problem. (Paragraph 35)*
2. *If previous world summits on tackling threats, humanitarian crises and their impacts are to turn out to be more than festivals of warm words and good intentions, the international community is going to have to look much harder at how to implement responsibilities to protect threatened populations and to prevent, and end, crises. This may include UN Security Council members and other large states establishing a clearer consensus around indicators and trigger-points for action as well as then taking tougher and more proactive steps in relation to their avowed responsibilities towards threatened peoples — regardless of trade relationships or traditional alliances. (Paragraph 37)*
3. *We recommend that the UK, and like-minded states, should reflect on how to establish a more proactive approach to atrocity awareness and prevention. This should involve recalibrating the weight given to emerging hard evidence, on the one hand, and the weight given to signals and hopes of ‘the right direction of travel’ on the other. The human, and financial costs, of not doing so seem to be again manifest in the current plight of the Rohingya. (Paragraph 38)*

Empowering affected people

4. *It is not surprising that Rohingya leadership structures are not yet evident in the camps given the degree of disruption to effective means of community communications, let alone societal norms, that has occurred and the casualties the population has sustained. We urge DFID, and other organisations active and trusted amongst the refugees, to think creatively and sympathetically about how to encourage peaceful and forward-looking leadership structures, including women, to emerge from the chaos so that Rohingya voices can be heard. (Paragraph 46)*

Gender based violence

5. *We believe that an early, concerted and professional effort to gather the evidence of violent crimes against civilians — whether badged as atrocity crimes, crimes against humanity, ethnic cleansing or genocide — is vital for three reasons:*
 - *to provide victims with a path towards justice in their individual case*

- to establish an assumption of accountability, at some point, as a credible possibility to create an effective deterrent to repetition and imitation in other theatres of conflict, and
 - to establish the foundations for a meaningful process of resolution in the future between communities which is likely to require a robust basis for reconciling both victims and perpetrators to the trauma of the events of the past several months (if not years) (Paragraph 61)
6. *Given the airplay that the UK's "Preventing Sexual Violence in Conflict Initiative" has been given by the Government, we are disappointed that it took so long to send any of its specialist resources on sexual violence to advise on dealing with the experiences of the Rohingya in Rakhine State. An initiative along these lines should be initiated in advance of agreement to UN access called for by the Minister; as that simply may never happen.* (Paragraph 62)
 7. *We seriously doubt the efficacy of urging the Burmese authorities to investigate the conduct of its own forces personnel in a "thorough and transparent manner". The Burmese internal inquiry has already cleared its forces of any wrongdoing in a way which the UK Government describes as "simply not credible". We urge the UK Government to seek other paths to a resolution of this issue. As elsewhere in the world, in the longer term a lasting resolution will require justice to be seen, and felt, to have been done. Should it ever come to pass, it would be far better for such a process to have a basis in evidence gathered by forensic professionals contemporaneously.* (Paragraph 63)

Supporting refugees and the host community

8. We welcome the UK Government's swift action and, given the emerging evidence of the level of need, we commend the practical approach taken to the provision of a substantial sum early in the crisis. As part of any reply to this report, we would appreciate a sense of the Government's on-going financial commitment. (Paragraph 80)
9. If the Bangladesh government's motivation is to work with structures and personnel that are familiar then it would be less than impressive if the relevant UN agencies could not organise themselves to provide for this while ensuring that the right expertise is available, closer to the ground, to provide the required organisation of services. If Bangladesh prefers IOM to UNCHR on practical or presentational grounds linked to the status and future of the Rohingya, then that may be symptomatic of a more fundamental issue that will require attention and dialogue as realistic options for the short, medium and longer term future of the Rohingya refugees become clearer. (Paragraph 83)
10. *We urge the UK Government to initiate a respectful discussion with counterparts in Bangladesh to identify whether there are any ways in which operations in Cox's Bazar, or any other part of Bangladesh, can be speeded up and any unnecessary burdens of bureaucracy reduced, including the registration, and re-registration of NGOs seeking to render assistance to traumatised, displaced people.* (Paragraph 87)

11. *The Minister referred to the situation as a “protracted crisis”. We welcome the fact that the Government is in discussions with other donors and agencies on how to respond to its potential long term nature of this crisis. We ask the Government to include in any reply to this report, an account of the discussions with the Bangladesh government on the one hand, and the Rohingya communities’ leadership, on the other, regarding the likely and/or tolerable timetable for the current status quo. (Paragraph 102)*
12. *In addition, the UK Government should seek a consensus, amongst other UN Members states who supported the World Humanitarian Summit Communique, around how further to support the economic development of Bangladesh, as host country, and the livelihoods of the Rohingya including the potential to offer a “special development zone”. (Paragraph 103)*

Safe and durable solutions and voluntary returns

13. We welcome the requirement by the UK of the cessation of violence in Rakhine State as one of the precursors of any attempt to return the Rohingya from the relative safety of Bangladesh; in line with the principles enshrined in the World Humanitarian Summit Communique. We applaud and encourage attempts by the UK and the international community to achieve that goal. However, we are unsure how a meaningful dialogue with the Burmese military and security administration is possible when it denies so brazenly that it was responsible for any aggression in the first place. Pursuing a parallel dialogue with, what might be termed, the civilian side of Burma’s government seems worthwhile but unlikely ultimately to be effective as it does not have the whip-hand on this issue. (Paragraph 115)
14. We are concerned by the emphasis on returning refugees to the Rakhine by the Bangladesh and Burmese government when the situation still seems fraught and very far from safe, dignified and durable as set out in the World Humanitarian Summit Communique. It is unacceptable to propose that the Rohingya be returned to live in Burmese-run internment camps; inevitably to be faced with further privations, potential abuses and uncertain access for outside agencies; and likely only to be displaced once again if there is further violence. (Paragraph 130)
15. *There needs to be an official body to assess and collate all of the evidence of crimes against humanity which NGOs and other visitors to the region can submit. We recommend that Minister Burt, as the UK’s international commissioner on the International Commission on Missing Persons, should involve the Commission in collecting evidence in Northern Rakhine for future criminal convictions. (Paragraph 138)*

Safe migration

16. *We believe DFID should consider developing specific plans to tackle the risks of people trafficking into modern slavery in relation to the Rohingya. We hope a portion of the £40 million package recently announced by the UK Government to counter global modern slavery can be allocated to help prevent trafficking of the Rohingya. (Paragraph 150)*

Formal Minutes

Tuesday 9 January 2018

Members present:

Stephen Twigg, in the Chair

Richard Burden

James Duddridge

Mr Nigel Evans

Mrs Pauline Latham OBE

Chris Law

Lloyd Russell-Moyle

Paul Scully

Henry Smith

Draft Report (*Bangladesh and Burma: the Rohingya crisis*), proposed by the Chair, brought up and read.

Ordered, That the draft Report be read a second time, paragraph by paragraph.

Paragraphs 1 to 158 read and agreed to.

Summary agreed to.

Resolved, That the Report be the Second Report of the Committee to the House.

Ordered, That the Chair make the Report to the House.

Ordered, That embargoed copies of the Report be made available (Standing Order No. 134).

[Adjourned till Tuesday 16 January at 9.45 a.m]

Witnesses

The following witnesses gave evidence. Transcripts can be viewed on the [inquiry publications page](#) of the Committee's website.

Tuesday 14 November 2017

Question number

David Mepham, UK Director, Human Rights Watch; **Dr Champa Patel**, Head of Asia Programme, Chatham House; **Mark Farmaner**, Director, Burma Campaign UK; **Tun Khin**, President, Burmese Rohingya Organisation UK

[Q1–26](#)

Matthew Saltmarsh, Senior Communications Officer, UNHCR; **Daphne Jayasinghe**, Senior Policy and Advocacy Adviser, International Rescue Committee; **Ian Mowatt**, Regional Portfolio Manager, World Vision

[Q27–48](#)

Wednesday 22 November 2017

Mr Khondker M Talha, Deputy High Commissioner of the People's Republic of Bangladesh to the United Kingdom

[Q49–73](#)

The Rt Hon Alistair Burt MP, Minister of State for International Development and Minister of State for the Middle East at the Foreign & Commonwealth Office, **Dr Richard Montgomery**, Director, Asia, Caribbean & Overseas Territories Division, DFID, and **Patrick Moody**, Additional Director, Asia Pacific Directorate, FCO

[Q74–105](#)

Published written evidence

The following written evidence was received and can be viewed on the [inquiry publications page](#) of the Committee's website.

DBB numbers are generated by the evidence processing system and so may not be complete.

- 1 Action Against Hunger ([DBB0012](#))
- 2 ActionAid UK ([DBB0008](#))
- 3 Burma Campaign UK ([DBB0007](#))
- 4 Christian Solidarity Worldwide ([DBB0001](#))
- 5 Department for International Development ([DBB0016](#))
- 6 Embassy of the Republic of the Union of Myanmar ([DBB0017](#))
- 7 Fortify Rights ([DBB0003](#))
- 8 Human Rights Watch ([DBB0015](#))
- 9 Ms Alison Winter ([DBB0010](#))
- 10 Overseas Development Institute ([DBB0009](#))
- 11 Protection Approaches ([DBB0014](#))
- 12 The All Party Parliamentary Group for International Freedom of Religion or Belief ([DBB0006](#))
- 13 UNHCR, The UN Refugee Agency ([DBB0011](#))
- 14 World Vision UK ([DBB0004](#))

List of reports from the Committee during the current Parliament

All publications from the Committee are available on the [publications page](#) of the Committee's website.

The reference number of the Government's response to each Report is printed in brackets after the HC printing number.

Session 2017–19

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|-----------------------|---|--------|
| First Report | DFID's work on education: Leaving no one behind? | HC 367 |
| First Special Report | DFID's use of private sector contractors: Government Response | HC 322 |
| Second Special Report | UK aid: allocation of resources: Government Response | HC 323 |