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SUMMARY OF EXCERPTS OF MATERIALS RELATING TO THE UNITED KINGDOM

House of Commons International Development Committee (22 May 2018)

“89. [Referring to evidence that] “[t]he ICC Prosecutor is now instead seeking a ruling that she can investigate the crime of deportation under the Rome Statute, as Rohingya have fled to Bangladesh, which is a signatory of the Rome Statute. This is a very welcome move. [...]

[...]

103. We can only interpret the UNSC press statement of 9 May, issued following the visit by UN Security Council representatives to Bangladesh and Burma, as meaning that China, at least, threatens to veto any proposal for collective action in response to the Rohingya crisis.”

United Kingdom Parliament, House of Commons International Development Committee, Fourth Report of Session 2017-19, *Bangladesh, Burma and the Rohingya Crisis*, HC 1054, 22 May 2018, available at <https://publications.parliament.uk/pa/cm201719/cmselect/cmintdev/1054/1054.pdf>, paras. 85-89, 100-104

Evidence of Minister of State for International Development to House of Commons International Development Select Committee (20 March 2018)

Question 222: “[...]What evidence can be collected at this very late date to bring the perpetrators of crimes against humanity to justice, six months after many crimes were committed? What evidence can be submitted to the ICC?”

Answer: “There are two things. First, let me deal with the evidence. [...] There is a process to be gone through. It may take time, but it can be done. [...]The ICC reference is difficult. As we know, Burma is not a party to the ICC. That means a reference could only come from the UN Security Council. It is our judgment at the moment that it will not do so, because some members of the UN Security Council will not back such a reference. That means we have to prepare for perhaps another tribunal. Who knows where this will be in some years’ time?”

United Kingdom Parliament, House of Commons International Development Committee, Oral Evidence, 20 March 2018, available at <http://data.parliament.uk/writtenevidence/committeeevidence.svc/evidencedocument/international-development-committee/dfids-work-on-bangladesh-burma-and-the-rohingya-crisis/oral/80774.html>, Q222 (to the Rt. Hon Alistair Burt MP, Minister of State for International Development)

Statement of Minister of State for Asia and the Pacific to the House of Commons (15 March 2018)

“[W]e must continue international progress towards bringing to justice the perpetrators of human rights violations, including sexual violence, in Rakhine. The international community

has agreed to make the case to the Burmese authorities for a credible, transparent and independent inquiry. United international pressure will be essential in achieving this aim. The UN Fact Finding Mission is just the first, important, step in what is likely to be a long road.

[...]

However, I must tell the House that the path to prosecution for genocide or crimes against humanity is via the International Criminal Court. Burma is not a party to the Rome Statute, and must therefore either refer itself to the Court, or be referred by the UN Security Council. While neither eventuality is likely in the short term, this should not stop us supporting those who are collecting evidence for use in any such future prosecution.”

United Kingdom Parliament, House of Commons, Oral Statement to Parliament by the Rt. Hon Mark Field MP (Minister of State for Asia and the Pacific at the Foreign and Commonwealth Office), 15 March 2018, available at <https://www.gov.uk/government/speeches/fco-minister-field-statement-on-the-rohingya-crisis>

UK Government submission to House of Commons Foreign Affairs Committee (6 March 2018)

“Burma is not a party to the Rome Statute of the International Criminal Court (ICC). Consequently, the ICC would only have jurisdiction over the alleged crimes if Burma referred itself to the Court, or there was a referral by the UN Security Council. At the present time, Burma is extremely unlikely to make a self-referral, and there is no consensus in support of an ICC referral within the Security Council. This makes it unlikely that there will be an international judicial process on Burma in the short or medium term.

The UK will continue to work with our international partners to explore other ways to assist the victims and to bring those responsible to justice. The immediate task is to support those building evidence and testimony. This will be important for potential future trials. A number of organisations are already collecting testimony in Bangladesh. The Government is considering how to support effective co-ordination, through an international or local mechanism.”

United Kingdom Parliament, House of Commons Foreign Affairs Committee, Fourth Special Report of Session 2017-19, *Violence in Rakhine State and the UK's Response: Government Response to the Committee's First Report*, HC 868, 6 March 2018, available at <https://publications.parliament.uk/pa/cm201719/cmselect/cmaff/868/868.pdf>, p. 7

Evidence of Minister of State for International Development to House of Commons International Development Select Committee (22 November 2017)

Question 88: “In relation to the United Nations, do you honestly think anything has been achieved so far by the 6 November presidential statement in terms of influencing events? If so, what?”

Answer: "I will just make a couple of factual points, if I may. The UK has raised Burma four times at the UN Security Council since the outbreak of violence. On 6 November, the Security Council adopted a presidential statement on Burma—the first council product on Burma for 10 years. The UN Security Council has called for the Burmese authorities to stop the violence and allow humanitarian access, and we are considering, with other Security Council members, what further steps are needed. [...]"

I think we have been as active as we can. Please don't underestimate the presidential statement, because that has to be agreed by consensus. That means the Chinese, who clearly take a close interest in Burma, did not veto, and supported a statement calling for an end to the violence and allowing humanitarian access. Recognising the realities of the UN, as increasingly we need to do, and being aware of the damage that can be done by vetoes and the like, means that the UN is truly the art of the possible rather than anything else. [...]"

There is a wider question [...] and that is how you actually succeed with the international order these days when the UN Security Council, through its processes, cannot deliver an answer to conflict areas, from Syria to Yemen to here, because of the power of the veto and the like. Within that, I think we have done what we can at the UN, and we should not underestimate what has been achieved."

Question 89: "[...] Would the UK Government support a referral to the ICC on the situation in Myanmar?"

Answer: "I am sure the short answer to that is yes. [...] It is one of these really difficult political considerations. The short answer to your question has to be yes; you want justice to be done. How to get it done becomes the most important thing, as opposed to making a gesture. If by making a gesture of referral, or trying to organise a Security Council resolution that will fail, you put in the dock the people who are organising the veto, who will come up with an explanation of why they have done that, you don't achieve the objective. Is there another way to do it?"

I am absolutely firm on what I said a few moments ago about justice mattering. [...] How to do it is just as important as a symbolic gesture to get something on the way.

We will work with others on what is the most likely way to secure convictions, but it becomes necessary to try to organise that reference. That could be done, but over time, a country may change as well. Burma may change and say, 'We don't want to be associated with this any longer. It is time for those who were responsible for this to be held accountable.' I do not know, but that the long arm of justice should succeed here is really important."

United Kingdom Parliament, House of Commons International Development Committee, Oral Evidence, 22 November 2017, available at <http://data.parliament.uk/writtenevidence/committeeevidence.svc/evidencedocument/international-development-committee/dfids-work-on-bangladesh-burma-and-the-rohingya-crisis/oral/74230.html>, Q88-89 (to the Rt. Hon Alistair Burt MP, Minister of State for International Development)



House of Commons International Development Committee

Bangladesh, Burma and the Rohingya crisis

Fourth Report of Session 2017–19



House of Commons

International Development Committee

Bangladesh, Burma and the Rohingya crisis

Fourth Report of Session 2017–19

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

*Ordered by the House of Commons
to be printed 15 May 2018*

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The International Development Committee

The International Development Committee is appointed by the House of Commons to examine the expenditure, administration and policy of the Department for International Development and its associated public bodies.

Current membership

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[Richard Burden MP](#) (*Labour, Birmingham, Northfield*)

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The Committee is one of the departmental select committees, the powers of which are set out in House of Commons Standing Orders, principally in SO No. 152. These are available on the internet via www.parliament.uk.

Publication

Committee reports are published on the [Committee's website](#) and in print by Order of the House. Evidence relating to this Report is published on the relevant [inquiry page](#) of the Committee's website.

Committee staff

The current staff of the Committee are Fergus Reid (Clerk), Rob Page (Second Clerk), Jake Barker, Emma Makey and Louise Whitley (Committee Specialists), Alison Pickard (Senior Committee Assistant), Zainab Balogun, Paul Hampson and Rowena Macdonald (Committee Assistants), and Estelle Currie (Media Officer).

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Summary

Burma

In the face of the ethnic cleansing, some argue genocide, of the Rohingya by the Burmese authorities—and with a return to attacks against ethnic groups in the North East of Burma—it is time for the DFID once again to review its engagement with Burma.

The UK Government should adopt a frame of reference for relating to Burma that reflects that country's deliberate, state-sanctioned long-term, ethnic cleansing of the Rohingya people which has resulted in huge costs, of all kinds, for the Rohingya, Bangladesh and the international community as well as potentially protracted and intractable displacement challenge on a huge scale.

The UK needs to build an effective alliance across the international community whereby relations with Burma are consistently imbued with an expectancy of accountability and conditionality. Burma has created huge human, moral, financial and economic debts. A bill should be coming for what the Burmese army has done and what elements of Burmese government and society have become accessories to. And it is not limited to the Rohingya. Recent reports and evidence of Burmese military offensives in Northern Shan, Kachin and Karen states, inevitably give rise to the very grave concern of whether a perceived lack of accountability or consequence has emboldened the perpetrators.

The UK and allies should gather support for the UN Security Council to refer Burma to the International Criminal Court and to apply targeted financial sanctions at all identifiable key figures. There needs to be a realisation and acknowledgement by the Government of Burma that there are consequences for such human rights violations. There also needs to be a recognition by the UK Government that State Counsellor Aung San Suu Kyi herself is now becoming part of the problem.

The result of this is a need to re-frame the UK's aid and development programmes in Burma. Our predecessors recommended that DFID Burma needed to maintain flexibility in case of a situation change. The main DFID programme and policies were drafted at a time of high optimism: democracy appeared to be opening up, a Nobel Peace Prize winner was de facto President. Since then there has been ethnic cleansing, the breaking of ceasefires, a closing of civil society space, including restrictions on media freedoms and the persecution of journalists, and a reduction in religious freedom.

The situation has now dramatically changed and as a result we need to see dramatic change in our engagement with Burma.

Unfortunately, the only change we have been made aware of so far by the UK government, nine months after the start of the Rohingya crisis is the end to training of the Tatmadaw, the Burmese army, by UK military forces.

British tax payers must be assured that none of their money is being used to prop up a government accused of crimes against humanity. In response to our report, DFID must clearly outline all of the UK's on-going financial commitments in Burma, including those through multinational organisations, identifying in each case, the justification

for continued engagement and the due diligence undertaken to reach that position—including results that have been achieved. This is particularly important and urgent in relation to UK aid-funded support for:

- the peace process, and
- parliamentary strengthening

which, from all the evidence we have received, seem to be going backwards not forwards.

DFID also needs to consider increasing the funding for the ethnic communities caught up in the recent conflicts in the North and East and those still trapped in refugee camps on the Thai border whose funds have recently been cut back.

There is a model the UK could return to and that is the model of aid to Burma before the lifting of sanctions.

The Rohingya crisis

The Rohingya crisis remains, as we described it in our initial report, a huge human tragedy and humanitarian crisis, ‘staggering in scale and complexity’. The immediate priority for the Rohingya refugees in Bangladesh remains protective and mitigating arrangements for the impact of the monsoon season and possible cyclones; the subject of our most recent report. The UK Government’s reply—just received and published alongside this report—points to 200,000 Rohingya refugees at risk from flooding and landslide; of who 24,000 are “extremely vulnerable” and in need of relocation. Our recent discussions with Bangladesh government figures suggested reticence, perhaps simply uncertainty, about plans for relocation. We welcome the UK Government’s reply which stated that 800 acres of additional land has been made available close to the existing camps and engineering work was underway to make as much of it suitable for safe relocation of refugees at risk.¹

Bangladesh

We commend the generosity and compassion of Bangladesh’s authorities and local communities pursuing the open border policy for Rohingya people fleeing the violent ethnic cleansing campaign conducted by the Burmese army. We recognise the enormous responsibilities that offering this sanctuary has engendered for Bangladesh—already one of the most densely populated countries in the world; one of most vulnerable to natural disasters; and home to around 21 million people living in extreme poverty. It is for these reasons we urge the UK Government to continue and strengthen its efforts to persuade the international community fully to shoulder and share these responsibilities in line with World Humanitarian Summit commitments to recognise the ‘public good’ that countries who host refugees provide for the world. Perhaps once the immediate threat of this year’s monsoon season has receded, we regard the integration, legal status and longer-term issues, such as education and livelihoods, for the Rohingya as of paramount importance for purposeful dialogue with the Bangladesh authorities.

¹ *Bangladesh and Burma: the Rohingya crisis—monsoon preparedness in Cox’s Bazar: Government response to the Committee’s Third Report, Fifth Special Report, 2017–19, HC 1055, 22 May 2018, p iv*

Looking more broadly at DFID's work in Bangladesh, the situation was more positive. Bangladesh recently graduated to lower middle-income status, after many years of sustained economic growth, and a 'development success' story in-the-making, has been confirmed. The positive gesture made towards the Rohingya, in the spirit of international humanitarian norms, must not be allowed to be the cause, real or perceived, of any lessening of Bangladesh's development trajectory. We pull no punches, Bangladesh has plenty of other challenges to the quantity, equality and sustainability of its economic performance and we touch on these: persisting extreme poverty; unequal wealth distribution; restrictions on open society; abuses of human rights; abuse, discrimination and violence against women and girls; corruption and—looming over it all—threats from both insidious and shocking climate change-related disasters.

However, there was a lot of energy and confidence in the people we met, the projects we visited and the places we travelled through. Our perceptions and our evidence indicate to us that the work of DFID in Bangladesh is well-targeted, at or around the challenges we identified, and appropriately agile, working to demonstrate, showcase and promote good practices (rather than attempt, with limited resources, the heavy-lifting). DFID works alongside many partners, both international and local, but perhaps head and shoulders above the rest is BRAC, Bangladesh's homegrown development facility, now the biggest NGO in the world. The strategic partnership between DFID and BRAC, now into its second 5-year tranche, should be studied and its lessons and virtues replicated where appropriate.

1 Introduction

Previous reports

1. In October 2017 we commenced an inquiry into DFID's work in Bangladesh and Burma and the Rohingya crisis. Due to the severity and urgency of the unfolding plight of the Rohingya refugees we have published two reports on that situation in advance of completing this wider look at the two countries DFID programmes.² These earlier reports complement this one.

2. The first report in the series examined:

- the origins, build-up and conduct of the Burmese government's violent ethnic cleansing and expulsion of the Rohingya people;
- the humanitarian, diplomatic and political response of Bangladesh, the UK and the international community (both states and international NGOs); and
- the implications of these matters in the light of the commitments made by the international community at the World Humanitarian Summit in 2016 and elsewhere.³

We received and then published the Government's response to this report on 28 March 2018.

3. The latter report - on monsoon preparedness - followed our visit, in March, to the Rohingya refugee camps in Cox's Bazar, Bangladesh, and arose from the conditions we saw and the obvious necessity of taking urgent action before the annual heavy rains of June, July and August devastated the fragile sanctuary given to the Rohingya in that area.

4. We received the Government's reply on 14 May 2018 and we are publishing it alongside this report.

5. This report, our third from this inquiry, provides:

- an examination of DFID's engagement with Burma and DFID's wider development work in Bangladesh; and
- the latest available information on the plight of the Rohingya people and the response of Bangladesh, the UK and others.

Assistance during the inquiry

6. We are grateful to all those who contributed to our inquiry by providing written and/or oral evidence. We also thank our hosts and interlocutors in Bangladesh - not least DFID's team there and the British High Commission - for the high quality and quantity of the site visits, meetings and discussions we were able to experience, despite challenging

2 *Bangladesh and Burma: the Rohingya crisis*, Second report, 2017–19, HC 504, 15 January 2018; and *Bangladesh and Burma: the Rohingya Crisis - monsoon preparedness in Cox's Bazar*, Third report, 2017–19, HC 904, 20 March 2018.

3 *Op. cit.*, and see *Bangladesh and Burma: the Rohingya crisis: Government response to the Committee*, Fourth Special report, 2017–19, HC 919, 28 March 2018.

logistics. We would like to record particular appreciation for the Rohingya representatives we met in Cox's Bazar for whom discussion of their recent experiences of violence, loss and devastating deprivation, was very plainly no easy matter.⁴

Refusal of visas to visit Burma

7. We also express appreciation for the efforts of DFID Burma, the UK Ambassador there, FCO Ministers and staff in London, and Mr Speaker, for their efforts and interventions in trying to persuade the Burmese government to authorise visas for members and staff of the Committee to visit Burma to see DFID's work at first hand. Unfortunately, these efforts were in vain.⁵

8. We were disappointed not to be allowed to visit Burma to see *any* UK aid projects in that country funded by the UK's allocation of £100 million development assistance per year. Visas were refused at the last minute—and reportedly by decision taken at the highest level. The reasons given varied but were essentially spurious.⁶ **We can only assume that the Burmese government was reacting to the criticism contained in our first report on the Rohingya crisis and voiced by many other members of both Houses during questions and debates on the matter.**

9. As Mr Speaker, Rt Hon John Bercow MP, highlighted during the Urgent Question on the matter on 28 February: "In democracies, parliamentarians do criticise governments. That is a lesson that the Burmese Government will have to learn."⁷ The effect was to curtail our scrutiny of DFID's work and sharpen our focus on whether UK aid for Burma was being channelled and focused in an appropriate way given the new circumstances, post-August 2017.

10. *We recommend that DFID seek to agree with the authorities of any country in receipt of multiple millions of pounds worth of UK aid—whether any of that aid is channelled via government agencies or not—that there is a presumption of access to scrutinise the relevant projects on the ground for UK personnel engaged in audit or accountability, including the relevant parliamentary select committee. Indeed, the principle of diplomatic reciprocity indicates that the UK parliamentarians should have access to any country with whom the UK has diplomatic relations.*

4 See the Chair's account: <https://www.thetimes.co.uk/article/as-desperate-rohingya-refugees-await-the-rains-where-is-the-world-to-help-tlzxg3g>

5 See HC Deb, 28 February 2018: <https://hansard.parliament.uk/Commons/2018-02-28/debates/38C514F3-0169-4817-810D-1035CCA4F398/InternationalDevelopmentCommitteeBurmaVisas>.

6 We were told that: there was a public holiday in Burma (which had been factored in to our plans from the start); access to Rakhine state was restricted for security reasons (we had alternative destinations); and there was unhappiness that individual members of the Committee had signed a letter calling for the Burmese army to be held to account for its conduct in Rakhine (the Burmese have arrested ten of its soldiers for such conduct—unlikely to be the full story but an admission of problems nonetheless).

7 Hansard <https://hansard.parliament.uk/Commons/2018-02-28/debates/38C514F3-0169-4817-810D-1035CCA4F398/InternationalDevelopmentCommitteeBurmaVisas>

2 Burma

Introduction

11. Up to 2012, DFID's aid to Burma, in line with many other donor countries, was limited; a response to the nature of the regime in power. After the apparent reforms of 2012, UK aid was swiftly ramped up, rising from £8m in 2007 to the £100m planned for 2018. DFID told us that:

For our programme to be successful, Burma must work towards the implementation of inclusive peace agreements, a new political settlement; and the military serving rather than ruling Burma.⁸

However, we were struck by the view put to us by Burma Campaign UK, echoed by other witnesses, that:

British aid to Burma needs to be completely re-evaluated based on the reality that Burma is not in a transition to democracy, the military are an obstacle, not a partner in reform, and that the Aung San Suu Kyi led government does not respect human rights.⁹

12. In this chapter, therefore, we examine whether Burma is indeed in 'transition to democracy', working towards peace, and establishing a new democratic political settlement. In other words, whether (against DFID's own criteria) the UK's aid programme in Burma has any chance of success in its current form?

DFID's work in Burma pre-2012

13. Before the suspension of sanctions in 2012, and their abolition in 2013, the UK provided assistance to Burma in line with the EU Common Position, which stated that non-humanitarian (development) aid should be suspended, with exceptions made for:

- human rights, democracy, good governance, conflict prevention and building the capacity of civil society;
- health and education, poverty alleviation and in particular the provision of basic needs and livelihoods for the poorest and most vulnerable populations;
- environmental protection, and in particular programmes addressing the problem of non-sustainable, excessive logging resulting in deforestation. (Article 5).¹⁰

14. At this time, DFID's modest programme in Burma consisted of:

8 Department for International Development ([DBB016](#))

9 Burma Campaign UK ([DBB027](#))

10 [Council Common Position 116/77, 27 April 2006, Article 3.](#)

Table 1: DFID's Burma programmes before 2012 suspension of sanctions**DFID's programmes in Burma and with Burmese refugees 2004**

Grant to 'Fund for HIV/AIDS in Myanmar' - £10 million over three years. The Fund for HIV/AIDS in Myanmar supports programmes that contribute to the UN Joint Programme on HIV/AIDS. The Fund brings together donors and implementing agencies including UN agencies, NGOs and the National Aids Programme and promotes co-ordination and lesson learning amongst partners.

Technical assistance to Fund for HIV/AIDS in Myanmar - £185,300, one year. This programme provided additional capacity to help set up and manage the Fund for HIV/AIDS in Myanmar.

World Health Organisation (WHO)—£246,578 over two years. DFID is supporting a WHO position to provide technical and operational support to strengthen the technical relevance and implementation of policies for the prevention and control of HIV/AIDS in the country.

BBC World Service Trust for Radio Soap Opera on HIV/AIDS and health messages—£1,249,179 over two years. This grant aims to raise awareness about health care including HIV/AIDS for people in Burma and to provide information and practical solutions, where they exist, to their everyday healthcare problems. The project will also support the efforts of people and organisations working to develop civil society.

Health Unlimited work on basic health care programmes in Wa and Kachin—£362,033, one year. This programme seeks to establish a basic primary health care service that covers 55,000 people in the Kachin Independence Organisation controlled areas and 82,000 people, prioritising women and children in Wa region. This was an extension of previous support to the Health Unlimited programme, which had been provided on a year-by-year basis.

Burmese Border Consortium food aid and relief programmes on the Thailand Burma Border—£450,000, one year. DFID provided funds via Christian Aid to support the Burmese Border Consortium to enable refugee communities to sustain a basic livelihood through provision of food and other relief items, whilst ensuring that the special needs of new and relocated refugees are addressed.

Coordination of health services at Thailand-Burma Border—£420,000 over two years. DFID is funding the World Health Organisation in order to improve the health of the population in the border areas of Thailand and Burma with a special focus on the health and humanitarian aspects of the most vulnerable groups.

DFID's programmes in Burma and with Burmese refugees 2004

Small grants to civil society organisations—£110,000 each year. The British Embassy in Rangoon operates the Small Grants Scheme that provides funds to a number of civil society organisations working to meet humanitarian needs and tackle poverty.

Street and working children—£451,224 over five years. DFID is supporting work by World Vision to improve the status and quality of life among children in Burma.

Community Action for HIV/AIDS Care and Support in the Mekong Sub-region—£236,295 over three years. This World Vision programme aims to develop community capacity and the growth of civil society organisations to respond to the ever-increasing threat of HIV/AIDS.

Looking Before Leaping: Migration and Trafficking of Vulnerable Women, Youth and Children—£235,352 over five years. This World Vision programme seeks to reduce the number of women, youth and children trafficked for sex work or other forms of exploitative labour by raising awareness among community members and community based organisations about trafficking and other risks of migration.

Source: DFID Burma Country Assistance Plan, 2004

15. In 2007, when our predecessor Committee scrutinised DFID's support for internally displaced persons (IDPs) in Burma and Burmese refugees on the Thai border, the budget was £8.8 million for the year (2007–08).¹¹ Both the 2004 and 2010 DFID country plans for Burma stated that substantial increases in development aid would be forthcoming if Burma embraced a range of political, economic and human rights reforms, for example by re-allocating scare resources from military expenditure to health and education.^{12,13}

DFID Burma post-2012 to now

16. After 2013, and the lifting of the EU sanctions, DFID's programme had risen to £60million per year. DFID's ambition for Burma was then to "help create a better governed, more peaceful and prosperous Burma that uses its increased wealth to reduce poverty."¹⁴

11 *DFID assistance to Burmese internally displaced people and refugees on the Thai-Burma border*, Tenth Report, 2006–07, HC 645

12 DFID Burma Country Assistance Plan, 2004

13 DFID, [UK Aid in Burma](#), 2010

14 DFID Burma [Operational Plan](#) 2011–16

Table 2: The development of DFID's engagement in Burma

	DFID Burma 2007	DFID Burma 2013	DFID Burma 2018
Budget	£8 million	£60 million	£100 million
Aim	Increased opportunities for the poor and excluded people of Burma and refugees from Burma living in neighbouring countries.	A better governed, more peaceful and prosperous, Burma that uses its increased wealth to reduce poverty.	Help Burma continue on a path to being a better governed, fairer and more peaceful society, through working with the government towards increased wealth and better public services shared by all of its people.
Key Objectives/ Vision	• Reduced incidence of communicable and vaccine preventable diseases particularly in vulnerable and marginalised populations. • Enhanced food security and productive assets for the poor. • Increased access to quality basic education for poor people. • Increased prospects for successful transition to a democratic society.	• Peace building and conflict resolution • Improve state capability, democratic governance and accountability • Economic transformation and job creation • Supporting the development of a dynamic and resilient rural population and economy • Developing human capital	i) Building Burma into a stable ally and trade partner for the UK through supporting negotiations towards peace and a new political settlement, helping to deliver credible elections and fostering inclusive growth, investment and trade. ii) We also aim to end poverty and vulnerability by helping to build stronger public and private systems for health and education, reaching women and children with improved nutrition, water and sanitation, and providing humanitarian assistance to those in need. iii) We will help to stem radicalisation and the outflow of narcotics, trafficked people and drug-resistant disease. iv) We press the government to end discrimination in Rakhine State, support individuals to migrate safely and stop modern slavery and are a lead funder of programmes that address drug resistant malaria.

Source: Department for International Development ([DBB016](#)) and country plans

17. DFID's planned Burma programme for 2018 now amounts to £100 million. The most obvious change to DFID's approach as seen from the table above is that the government of Burma is now seen as a 'partner'. DFID states:

The UK is one of [Burma's] most significant diplomatic and development partners encouraging progress on the so-called 'triple transition', from authoritarian government to democracy; from conflict to peace; and from a closed to an open economy.¹⁵

Additionally, now top of DFID's list of objectives is "building Burma into a stable ally and trade partner" pushing the aim of ending poverty and vulnerability into second place.

18. We are concerned that recent events raise serious questions about the DFID country plan's terms of engagement with Burma. These questions are:

- Whether Burma's "pivotal moment" has in fact passed?
- If the UK should "ally" with a government whose conduct UK Ministers regard as amounting to ethnic cleansing?¹⁶
- What the UK's relationship with Burma should be when its treatment of the Rohingya has been described by senior UN officials as having the hallmarks of genocide?¹⁷
- Whether "maintaining stability" can encompass Burma's military operations in Rakhine, Kachin or Shan states?
- How encouraging prosperity can avoid largely rewarding those responsible for orchestrating atrocity crimes?
- Whether Burma remains on a path to better government, fairer and more peaceful society with public services shared by all of its people? and
- If those living in conflict-affected areas, "out of the reach of the Burmese state" are not better off that way in the light of what happened to the Rohingya?

UK policy following the Rohingya crisis

19. We have been interested to explore what the consequences have been for the military and Burmese government following ethnic cleansing. Burma Campaign UK said:

Almost 8 months on from the start of the Rohingya crisis, Min Aung Hlaing, the head of the military, has still paid no price for what he has done. [...] The British government has led on words but not on practical action that will pressure the military to end attacks on ethnic people and hold them to account.¹⁸

15 DFID Burma [Country Programme](#) 2017

16 *Bangladesh and Burma: the Rohingya crisis—monsoon preparedness in Cox's Bazar: Government response to the Committee's Third Report*, Fifth Special Report, 2017–19, HC 1055, 22 May 2018, p vi

17 UN Human Rights Council proceedings: 5 December 2017 and 12 March 2018

18 Burma Campaign UK brief for Westminster Hall Debate Monday 16th April 2018

The situation is that there have been very few obvious consequences: no constitutional change despite promises; sanctions have not been re-imposed except on a small number of officers and Min Aung Hlaing, head of the Burmese military, is not receiving invitations to relevant events from the EU; development aid still flows in; the army seems to be more popular if anything; and Burmese military spending has risen markedly.¹⁹

20. DFID said:

DFID Burma is a challenging friend to the civilian Government, supporting policy development (such as in health and education) where it will help benefit the poor, but challenging where needed.²⁰

However, as a challenging friend it is of interest to understand whether we are actually being listened to and our opinions considered. The Minister told us:

it is the view of the British Government that [Aung San Suu Kyi] needs to speak out against the atrocities that the military has perpetrated in Rakhine. There is more she could do to ensure the civilian Government act in ways that would address the situation, including allowing humanitarian access, setting out a pathway to citizenship for the Rohingya, setting out a clearer vision for the conditions under which refugees would be treated on return, addressing constraints on freedom of movement for the Rohingya and ensuring media freedom is protected.²¹

But there has been no observable response so far. The one achievement the Minister could point to of UK's challenging friendship was the setting up of the advisory board, by Aung San Suu Kyi on 22 January. He told us:

I do not think something like that would be happening if it had not been for diplomatic efforts and diplomatic determination. Is it where we want it to be? Is Burma where we want it to be? No, but if we did not press our points, stand up for what we believe and continue to take that message, it would be so much the worse.²²

However, this same advisory board, as highlighted in our January report, was referred to by one of its own members as "a whitewash".²³

21. DFID said:

DFID Burma is currently reviewing its entire portfolio in response to recent events. The 2016–2020 Business Plan Strategic Objectives remain valid, but we are submitting advice to Ministers to suggest revised approaches for achieving them: the UK still aims to achieve poverty reduction and support peace and inclusion in Burma; the most effective means to do this will be to continue to support an emerging democracy.²⁴

19 Burma Campaign UK ([DBB027](#))

20 Department for International Development ([DBB016](#))

21 Q212

22 Q207

23 Exclusive: [Richardson quits Myanmar's 'whitewash' Rohingya crisis panel](#), Reuters 24 January 2018

24 Department for International Development ([DBB016](#))

We consider below, whether Burma is really still 'emerging' as a democracy. As yet the only significant change to the UK programme in Burma is, as we found in our January report, the suspension of training for the Tatmadaw in December 2017.²⁵

Burma's "path to democracy"

22. There are many measures of democracy but it is widely accepted that key elements are a democratic constitution; a freely elected legislature (with some influence over Ministers); observance of the rule of law; and freedoms and rights, including freedom of expression; and a free media.

23. The 2008 constitution was drafted by the military without consultation with political parties or civil society. DFID at the time referred to it as "a political process neither inclusive nor consultative, viewed by most of the international community as a means of entrenching military rule."²⁶ Aung San Suu Kyi herself said she wanted the constitution to be amended "because we want a country firmly on the road to democracy" insisting the constitution was "fundamentally undemocratic".²⁷

24. The NLD government has not sought to amend the constitution. It is assumed that the military with its 25% of seats would veto any amendments but this is untested.

25. Human Rights Watch (HRW) record some positive reforms such as: ratifying the International Covenant on Economic, Social and Cultural Rights; trying to resolve past land confiscation cases and some minor reform of laws regulating speech and assembly. However, HRW also highlighted the NLD government's increasing use of repressive laws to prosecute journalists, activists, and critics for the peaceful expression of opinions deemed critical of the government or military.²⁸

26. Various organs of the UN have recommended, in total, 237 actions or reforms in relation to human rights to the Burmese government since 2013. One has been implemented and two partially implemented. As we highlighted in our previous report²⁹ parts of the UN, like us, have been denied access to Burma. The UN Human Rights Council's fact-finding mission and the UN's special rapporteur on Human Rights in Burma, Yanghee Lee, have been prevented from entering, as well as many of the human rights activists who once campaigned for Aung San Suu Kyi's release.³⁰ David Baulk of Fortify Rights told us: "we have seen a crackdown by the Government of Myanmar on human rights defenders, journalists, human rights monitors and others".³¹

Media freedom

27. The 'crackdown' on media freedom has been brought to the world's attention with the arrest and prosecution of Burma-based Reuters reporters, Wa Lone and Kyaw Soe Oo. They now face up to 14 years in prison under an Official State Secrets Act dating from 1923.

25 *Bangladesh and Burma: the Rohingya crisis*, Second Report, 2017–19, HC 504, paragraph 27

26 DFID [submission](#) to IDC, July 2008

27 [Aung San Suu Kyi: Burma 'not on road to democracy'](#), BBC October, 2013

28 Human Rights Watch [2018 World Report](#), Burma

29 *Bangladesh and Burma: the Rohingya crisis*, Second report, 2017–19, HC 504, 15 January 2018 pg 61–62

30 Mark Farmaner and Zoya Phan of Burma Campaign UK, Ben, Khin Ohmar, 88 gen activist, Kurt Mausert, Civil society trainer

31 Q147

In the past year, at least 12 journalists have been arrested, and others have faced threats of violence while reporting on ongoing conflicts and other sensitive issues, contributing to a deteriorating environment for freedom of expression in the country.³² Time reported that:

Reporters have expressed frustration with Nobel laureate Aung San Suu Kyi's civilian government, which has proven itself firmly in alignment with the country's powerful military to repress critical coverage. International media organizations operating in Myanmar have begun publishing stories without by-lines to protect their local reporters, who have faced escalating intimidation, harassment, and death threats from the public and the authorities. Some outlets have even temporarily shifted personnel out of Myanmar.³³

Burmese news agency Frontiers Myanmar reported in 2017 that:

The government is as secretive and non-transparent as its predecessors. Journalists remain locked out of parliament sessions and are regularly denied information by government agencies, including when using the information request provisions of the News Media Law. It continues to subsidise state media outlets that unashamedly push government propaganda.

But it's the growing application of section 66(d) of the Telecommunications Law that is the most worrying development. As has been well documented, there were seven cases under the former government, but 38 from when the National League for Democracy took office to the end of 2016.

The NLD government has been complicit in these prosecutions, because every case requires sign-off from the Ministry of Communications and Transport. It has the power to stop them, but it has chosen not to do so. It has also been slow to act on amending the law, although it insists changes are coming.³⁴

Political Prisoners

28. More than 200 political prisoners were released when the NLD came to power in 2016, and 36 this April 2018. But reportedly, a similar number are still in jail or on bail awaiting trial.³⁵ (This does not include the unknown number of Rohingya).

29. However, a recent investigation by Myanmar Times, entitled "Not all female political prisoners became State Counsellor", reported that the Association for Political Prisoners (AAPP) had identified up to 240 female political prisoners still behind bars. In April when the NLD granted pardons to 36 political prisoners, none of them were women. It also found that female political prisoners had a tougher time in prison than their fellow male inmates—there were less of them and they were less likely to mobilise for better conditions than their male counterparts.³⁶

32 [Myanmar: HRC must act on dehumanising 'hate speech' and criminalisation of journalists](#), Article19, March 2018

33 [Time, 'It's Dangerous to Write the Truth.' Journalists Fear the End of Press Freedom in Myanmar](#), January 19 2018

34 ['Has press freedom really improved?'](#), Frontier Myanmar, May 2017

35 [Assistance Association for Political Prisoners \(Burma\)](#), March 2018

36 ['Not all political prisoners became state counsellor'](#) Myanmar Times, May 2018

Religious Freedom

30. We received evidence that religious freedom was under serious threat. Benedict Rogers from Christian Solidarity Worldwide has written:

I have made over fifty visits to Myanmar and its borders over the past eighteen years, but I have not known a level of religious intolerance and hatred as severe as the situation over the past six years.³⁷

A recent report from Quilliam highlights:

Legislation to restrict inter-religious marriage and religious conversions has been introduced as part of the “Protection of Race and Religion” laws. Myanmar’s equivalent of a blasphemy law, Section 295 of the Penal Code, has been used several times in recent years.³⁸

The report highlights abuses of Christians as well as Muslims. Nationalists, supported by the state have set up “Muslim- free zones” across the country. These are signposted villages, denying Muslims access. Christians, particularly in Kachin State, are being targeted for abuse and intimidation. The counter-extremism organisation Quilliam report states that “Freedom of religion or belief, a basic human right set out in Article 18 of the Universal Declaration of Human Rights, is increasingly violated in Myanmar.”³⁹ The United States’ State Department has categorised Myanmar as a ‘Country of Particular Concern’ for religious freedom every year since 1999.⁴⁰

Parliamentary democracy

31. We received evidence of Aung San Suu Kyi’s increasingly authoritarian leadership style, centralising power and suppressing independent voices within the NLD. Academic, Dr Dasandi told us that democracy seemed to be shrinking under her:

Since 2015 when the NLD came to power, what we have seen is far more centralisation of power under Aung San Suu Kyi. There are lots of reports of parliamentarians in the NLD party effectively having proposals to table motions being rejected. We have been told that backbenchers for the NLD have been told not to ask tough questions.⁴¹

A report in the Economist observed that: the parliament under the NLD government was less active, and less responsive to public opinion than under the USDP; the previous parliament turned out twice as many laws per session; asked substantially more questions of the government; and passed almost four times as many motions aimed at the executive.⁴² Other media reporting claims that NLD legislators have been muzzled by their party leaders, one has left the party and others plan not to stand in the next election.⁴³

37 [The Rise of Religious Nationalism, Intolerance and Persecution in Burma](#), Quilliam

38 [The Rise of Religious Nationalism, Intolerance and Persecution in Burma](#), Quilliam

39 [The Rise of Religious Nationalism, Intolerance and Persecution in Burma](#), Quilliam

40 [The Rise of Religious Nationalism, Intolerance and Persecution in Burma](#), Quilliam

41 Q197–198

42 ‘Democracy has muzzled Myanmar’s parliament’, Economist, June 2017

43 ‘How Myanmar’s ruling party keeps its lawmakers under control’, Tea Circle Oxford, March 2018

32. With the legislature not questioning government actions, or challenging Ministers in debate, the result is very little reporting in the media of its work. This is likely to reduce public interest in proceedings and hamper the development of a body of engaged active citizens. Another constraint may come in the form of legislation restricting international NGOs from certain lobbying activities.⁴⁴ In addition, the NLD government has proposed bills and amendments in parliament restricting free speech suggesting a growing hostility towards to civil society. A recent CNN report concluded:

there are questions over the National League for Democracy's commitment to reform. Suu Kyi's party has a parliamentary majority, which gives it the power to remove repressive legislation. Instead, it has failed to carry out any discernible human rights reforms, and oppressive laws continue to be in force giving the government powers to detain and charge its critics.⁴⁵

33. A recent report in Frontier Myanmar noted how some of the most important discussions in the parliaments occur during committee meetings but they cannot be reported. It concluded:

In Myanmar, transparency in governance is lacking and one reason is the restrictions on public and media access to parliaments. MPs, parliamentary speakers and government officials need to start practising proactive disclosure to provide the transparency essential to build a successful democracy.⁴⁶

Hkanhpa Tu Sadan, Trustee, The Kachin Relief Fund UK said:

There is a great deal of talking in the parliament and a lot of debates going on, but there is nothing in action we have seen. They argue about a full stop or a comma, but nothing on the ground. That is the worrying part of the parliamentary work in Burma.⁴⁷

The Peace Process

Conditions for participation

34. This year will mark the seventh year of the peace process aimed at bringing to the negotiating table Burma's many armed ethnic (and regional) groups, struggling in what has been described as the longest civil war in the world. Only around half of these groups have signed a ceasefire agreement and, of those, most had little or no military capacity or were already allied to the Burmese military. The largest armed groups have not yet signed ceasefires and there appears no foreseeable prospect of them doing so. This is because of the military's six conditions for the peace process:

- to have a keen desire to reach eternal peace,
- to keep promises agreed to in peace deals;

44 Civic Freedom Monitor: [Myanmar](#) (Burma), January 2018

45 [Aung San Suu Kyi is neglecting her moral responsibility](#), CNN September 2017

46 ['It's time to open the Hluttaws'](#) Frontier Myanmar, December 2017

47 Q170

- to avoid capitalising on the peace agreement,
- to avoid placing a heavy burden on local people,
- to strictly abide by the existing laws, and
- to march towards a democratic country in accord with the 2008 Constitution⁴⁸

35. The inclusion of agreement to the 2008 Constitution and existing laws are unacceptable to ethnic organisations being the primary cause of conflict in the first place. The implication of surrender before talks can begin is an unlikely basis for negotiations. Hkanhpa Tu Sadan, Trustee, The Kachin Relief Fund UK told us:

The founding principle of the union of Burma is the general federal unions, which we signed in the Panglong Agreement in 1947. That is the spirit of what we wish for, but the 21st Century Panglong Conference does not mean that at all.⁴⁹

Peace is everybody's wish. It is what everybody wants—the whole of Burma, the whole nation; we all want peace, but the term of peace they use in the military is the motto of, “One nation, one blood, one command”. That is their motto, so if I am Kachin, as long as I become a Brahmin or Buddhist, I will get peace.

That is the mentality they have. They do not care about diversity; they do not care about our equal rights. That is the term they are using. In terms of the peace agreement, they will talk very nicely in beautiful, flowery language in front of the TV, but in reality, they want to wipe out your battalions and control your natural resources and so on.⁵⁰

David Baulk of Fortify Rights told us that: “The peace process in its current guise has been dictated to ethnic nationality populations by the Myanmar military since day one. The peace process has taken place at the barrel of a gun since the first negotiations took place and that continues now. [...] The Myanmar military would like to see peace across Myanmar, as long as it is a peace that allows them to control every square foot of the country, which makes no space for the demands of ethnic nationality populations.”⁵¹

Peace and war

36. Since the peace process began, the intensity of conflict and human rights violations increased rather than decreased. The military has stepped up military operations in ethnic states and conflict and human rights violations have increased. Ceasefires have been broken in Shan State, Kachin State and most recently Karen State.⁵² David Baulk of Fortify Rights said:

48 [‘Tatmadaw outlines 6 point policy for peace talk’](#) The Nation, Thailand, September 2014

49 Q164

50 Q162

51 Q160

52 [‘All the Civilians Suffer: Conflict, Displacement and Abuse in Northern Myanmar’](#) Amnesty International, 2017

At the very moment when that peace agreement was signed, in October 2015, we started to see a spike in attacks in northern Shan State, mass displacement of civilians and mass human rights violations. That pattern continues today.⁵³

At this moment, there is more conflict in the north of Myanmar than at any time in recent history. Mass human rights violations continue and the rule of law is nowhere to be seen.⁵⁴

Hkanhpa Tu Sadan said, in regard to the ceasefires:

The whole peace process currently is focused on a ceasefire signed on a paper. Everybody can sign a paper and the next day they can throw it away, so that is not an issue.⁵⁵

I would remind you that in the second 21st Century Panglong Conference, in August 2017, when our Kachin leader attended the meeting they sent fighter jets to attack the Kachin position in Gidon post, so how can we say that process is tangible?⁵⁶

37. The Burmese army has recently broken the ceasefire in Karen state. More than 2,000 villagers have been displaced.

53 Q154

54 Q157

55 Q153

56 Q155

Box 1: Letter to Aung San Suu Kyi

28 March 2018

We, the Indigenous Karen leaders of 16 villages in Luthaw Township, northern Mutraw (Hpapun) District, draw your attention to over 2,000 villagers who have fled their homes due to an ongoing Tatmadaw offensive that began on March 4, 2018. Tatmadaw soldiers, who plan to build a military operation road through our lands and villages, have shot at us and our livestock and repeatedly clashed with KNLA (Karen National Liberation Army) soldiers.

In the past, we made our living by cultivating rice fields and raising livestock, and we enjoyed abundance. However, between 1974 and 2010, the Tatmadaw launched repeated large-scale offensives against the KNU (Karen National Union) in our area. The soldiers murdered civilians, slaughtered our livestock, looted and burned our villages, and destroyed our food supplies, forcibly displacing us over and over again. Many of our fellow villagers were forced to flee to Thailand as refugees. Decades of these Tatmadaw abuses have so traumatized us that mere mention of the Tatmadaw brings back nightmares.

In 2012, the KNU signed a bilateral ceasefire agreement with the Myanmar government, leading us to believe that the Tatmadaw would stop attacking us, withdraw its troops from our lands and allow us to return and rebuild our villages. However, contrary to our expectations, Tatmadaw troops have not withdrawn; instead, they have built more bases and fortified existing camps. Now, the Tatmadaw's actions threaten us once again.

The Tatmadaw's military roads in our homeland are a source of great fear for us, since they facilitate movement of troops and transport of heavy weapons into our areas. We are often in danger of being shot by Tatmadaw soldiers near these roads. For example, Saw Maw Kay, a Khershorter Community Forest ranger in Luthaw township, was shot dead by Tatmadaw soldiers on at 10:00 AM on February 22, 2015 while he and other villagers were clearing their upland rotational farms. Now, advancing Tatmadaw soldiers once again threaten our safety

Since February 27, 2018, soldiers have shot at villagers on at least 4 occasions while some of us were collecting our rice. Furthermore, the Tatmadaw's plan to construct a military operation road threatens to permanently displace us from our ancestral lands and villages, pushing us into poverty and food insecurity. Nearly 2,300 of our villagers, including elders, women and children, have already fled their homes and are now hiding in the forest, while more than 600 additional villagers are at risk of being driven from their homes as well. In this mountainous region, it is cold at night, and displaced villagers are suffering from psychological trauma and other illnesses, exacerbated by food and medicine shortages.

38. Fighting in Kachin State has intensified dramatically recently. According to the UN, more than 5,000 people have been displaced in the last month following attacks by the military in townships across the State.⁵⁷ A non-governmental organization based in Kachin state has sent an open letter to the Kachin State Minister on 18 April, asking for the permission to rescue civilians but the permission has not yet been granted.

57 ['Asia and the Pacific: Weekly Regional Humanitarian Snapshot' \(24 - 30 Apr 2018\)](#) Reliefweb

“We have been asking permission to rescue people who are trapped in the jungle and they are in a very critical condition,” said Aung Ja, a member of Kachin State Women Network, which helps displaced women. “But the state minister said only if the military granted us access, we can rescue these civilians.”⁵⁸

On April 8, following a six-day mission to Burma, Assistant Secretary-General for Humanitarian Affairs and Deputy Emergency Relief Coordinator Ursula Mueller called the conflict in Kachin “a forgotten humanitarian crisis,” noting, “Humanitarian access in Myanmar has significantly worsened in the last year, not only in Rakhine but also in Kachin and Shan States.”⁵⁹

Aung San Suu Kyi's role

39. We were interested to determine what Aung San Suu Kyi's role was in the peace process and how the ethnic minority groups viewed her. Minister Burt told us:

The peace process is long-lasting. The civil war in Burma is the world's longest-running civil war, and Aung San Suu Kyi has convened the most inclusive peace dialogue since Burma's internal conflict began in 1947.⁶⁰

Other witnesses spoke of the hope that had blossomed with Aung San Suu Kyi's release and rise to power. Hkanhpa Tu Sadan, Kachin Relief Fund, said:

In terms of the Kachin, when Aung San Suu Kyi was released from house arrest we had great hope for the opening up of Burma. [...] Her father came, in 1946, before Burma got independence, and persuaded us to be a general federal union with equal rights, so we trusted her as we did her father.⁶¹

David Baulk, Fortify Rights, took a similar line:

there was a lot of hope for what Aung San Suu Kyi's role would be, what she would be able to achieve in the office that she has of State Counsellor, with regard to peace. On the election trail, peace, rule of law and human rights were a leitmotif across her speeches and her party's campaigning position.⁶²

However, both witnesses said that disappointment and disillusionment swiftly followed. Hkanhpa Tu Sadan told us: “we did trust her, but at the moment she has sided with the military. She is not in the middle; she is on the other side and we need the peace process. She has refused to acknowledge and condemn the atrocities. She has refused to go on the correct path of the peace process.”⁶³ David Baulk said: “levels of trust among ethnic populations with regard to Aung San Suu Kyi ... have been eroded to the point of non-existence, frankly.”⁶⁴

58 [2,000 Kachin trapped by Myanmar fighting lack food, medicine](#), Daily Mail, 19 April 2018

59 [Myanmar: Two Kachin Religious Leaders Freed in Amnesty](#), Fortify Rights, 17 April 2018

60 Q256

61 Q156

62 Q157

63 Q164

64 Q157

DFID's role

40. DFID reported its support for the Peace Process as, in total, £50.5 million between 2017 and 2022, comprising:

- Joint Peace Fund (11 donors) with UK funding via the CSSF, managed by DFID (£5 million as of March 2018)
- *Paung Sie Facility* (PSF) (3 donors) funding managed by DFID (£10.8 million as of March 2018)
- InterMediate (UK INGO) funded via the CSSF, managed by FCO (£1.9 million since 2015 to date)

Prospects for peace

41. Minister Burt's position appeared to be that any process was better than no process. He told us: if people are not fighting, and if people are still talking, I reckon the programme is working."⁶⁵ And: "Nothing is acceptable about violence, but nor is it acceptable, if there is a chance of preventing it, or a chance of finding an answer, to walk away, so we will continue to support the processes so long as there is an opportunity for success."⁶⁶ Hkanhpa Tu Sadan, Kachin Relief Fund, argued that there was no chance of finding an answer within the current process. He said: "when I was learning about the Northern Ireland peace process, the British Government, the IRA and everyone recognised that nobody was going to win the war. At the moment, the Burmese military still think they win the war. That is the key point here."⁶⁷

42. Richard Montgomery, DFID Director, pointed out that there were groups that were invested in the peace process and parts of Burma that were less violent than others. He said what was needed were some dividends, some incentives, from the Burmese government and the military, as well as from the ethnic groups. He suggested a political settlement could come later. He cautioned us:

Investing in the peace process may not have tangible outcomes like a vaccination programme, but it is probably a more important piece of work for the UK Government to be pump-priming than many others that you could see across the world.⁶⁸

Hkanhpa Tu Sadan said that DFID should understand that, while the Burma military and its government were seen as pursuing peace and national reconciliation, at the same time they were laying the foundations for even more complicated conflicts that could take many more decades to resolve. He said: "the current approach to peace is not working and we urge DFID to stop peace funding, such as Joint Peace Fund, review its policy and initiate more meaningful initiatives for peace and justice."⁶⁹

65 Q257

66 Q259

67 Q167

68 Q262

69 Kachin Relief Fund ([DBB021](#))

A political settlement

43. Hkanhpa Tu Sadan said: "Burma's problem is a political issue and there is no clear path to finding a solution for the political grievance." David Baulk agreed: "many of the longstanding demands of ethnic populations, be they Kachin, Ta'ang or Rakhine, have not been met by the Government of Myanmar, and that is a fundamental root cause of many of the conflicts in the country today."⁷⁰ "The Myanmar military, is unwilling to listening to the grievances of ethnic nationality populations and amend the constitution of the country and the fundamental structures that discriminate against ethnic nationality populations. If that does not change, we can expect those conflicts to continue for a very long time to come."⁷¹

44. DFID's 2004–09 country assistance plan stated:

these ceasefires do not address the underlying issues of equity and distribution of power, and a comprehensive political solution is still needed.⁷²

On balance, it appears to us that this position has not changed.

45. **We believe there may be a fundamental problem with the peace process that the UK is supporting. The problem is that one side is unlikely to be sincerely engaged and probably has a completely different agenda. We think it highly likely that the process is just window-dressing for the Burmese Army.**

46. ***We recommend that DFID commission and conduct an independent review of the peace process, evaluating its prospects for progress. There should be robust benchmarks set which, if not met, mean that the programme is suspended.***

IDPs and refugees

Box 2: IDPs in Burma

Internally Displaced People (IDPs) are described by the UN Refugee Agency (UNHCR) as "individuals or groups of people who have been forced to flee their homes to escape armed conflict, generalized violence and human rights abuses." In Burma's case, conflict is not the only factor in displacement. The UN Guiding Principles on Internal Displacement framework highlights that displacement can also be caused by large-scale development projects, and in Burma state-sponsored natural resource extraction and major infrastructure construction have displaced, and continue to displace, communities and destroy the local environment. Displacement is also caused by inappropriate state policies that drive people from their homes, such as forced labour; lack of food due to limited productive land and poor access to markets; and a dearth of basic social services such as schools and clinics.

Source: DFID assistance to Burmese internally displaced people and refugees on the Thai-Burma border, Tenth Report, 2006–07, HC 645

70 Q149

71 Q159

72 DFID Burma Country Assistance Plan 2004

24 Bangladesh, Burma and the Rohingya crisis

47. Rights and aid groups have reported that the Burmese Government have dramatically increased restrictions on humanitarian assistance to some internally displaced people in Burma. They claim that the government has virtually denied all access for the United Nations and other international humanitarian groups. David Baulk, Fortify Rights, and Hkanhpa Tu Sadan, Kachin Relief Fund both described features of how humanitarian aid was restricted by administrative regimes of permissions and paperwork.⁷³

DFID funding

48. One of DFID's main aims is: to provide aid to those in conflict. DFID are funding programmes in areas of current conflict such as Kachin and Shan state. However, it has been stopping and reducing funding to organisations such as The Border Consortium helping victims of previous conflict when it is still not safe for people to return and where there is still need. Kachin Relief Fund claim that:

Since many armed organizations signed the NCA peace agreement, the international donors' attitude gradually became a demand to sign the fake peace accord or be cut off from aid.

DFID should understand that the Kachin revolution started because of inequality and injustice against the Kachin population, not because of hunger. The "peace or no aid" approach will not work in the Kachin case. This means that the demand to sign the fake peace accord will prolong conflict in a place where aid should be viewed purely as assistance given on humanitarian grounds, not used as a political tool.⁷⁴

73 Q167

74 Kachin Relief Fund ([DBB021](#))

Box 3: Letter to international community from the Shan people

August 30, 2017

Urgent appeal to continue providing food aid to refugees and IDPs on Shan-Thai border

We, the Shan State Refugee Committee (Thai Border), are appealing to the international community to continue providing food aid to the refugees and Internally Displaced Persons (IDPs) on the Shan-Thai border.

There are about 6,200 refugees and IDPs in six camps along the border, which have been set up since 1999. Over two-thirds of the camp residents are women and children.

The refugees and IDPs have all fled from the war and Burma Army persecution, particularly the mass forced relocation during 1996–1998 in central Shan State. At that time, about 300,000 people from over 1,400 villages were forced at gunpoint from their homes. Hundreds were killed, tortured and raped by the Burma Army.

Most of the forcibly relocated villagers, including elderly and young children, fled to Thailand, but have never been given protection, nor been recognized as refugees by UNHCR.

Wanting to stay close to our communities in Shan State, some of us settled on the Thai-Shan border. The camps where we stay are located on mountaintops, where it is difficult to grow food. We have therefore had to rely on international donations of rice since our camps were first set up.

We are very grateful for the aid we have received, which has enabled us to survive as communities, with our own schools, health centres and places of worship.

However, the food aid we have received has been gradually reduced, and will be totally stopped in October 2017.

We appeal to international donors not to cut off this aid while the peace process is still so uncertain.

We cannot yet return to our homes, because our villages are now derelict, or have been occupied by the Burma Army, their militia or the United Wa State Army. Despite the peace process, the Burma Army has expanded its troops, and is continuing to carry out military operations and attacks around our villages. Villagers continue to be arrested, tortured and killed.

We appeal for our rights as refugees to be respected - the right to receive adequate humanitarian aid, and to be given protection until we can return in safety and dignity to our homes once there is a political settlement and genuine peace in Shan State.

From The Shan State Refugee Committee (Thai Border)

49. Kachin Relief Fund highlighted:

DFID should be aware that Burmese government is spending more money on the military whilst neglecting emergency humanitarian needs in war-affected non-Burmese ethnic communities. We urge DFID to prioritize

the disenfranchised ethnic communities, such as those in Kachin, Shan and Rakhine States, with little access to the government public funding/resources and majority Burmese public support.⁷⁵

The Minister said:

We are supporting a £34 million, multi-year project focused on the Thai-Burma border, aimed at meeting the humanitarian needs of refugees and equipping them with the knowledge and skills to reintegrate when they return home.⁷⁶

Richard Montgomery added:

We are also looking at re-orientating some of our health and education work to make sure that we are working more with ethnic organisations that provide health and education. That is something that we have been discussing with the Secretary of State. It is not just about a humanitarian lifeline, although we are helping to provide assistance to about 100,000 people in northern Shan and the Kachin, and in the Thai border camps. Through the livelihood and food security programme, we are also doing work up in these areas on nutrition, on maternal health and on trying to provide opportunities for farmers and people involved in forestry to make better livelihoods. These are, again, incentives for peace in the longer term.⁷⁷

Supporting local groups

50. Supporting local groups to assess and deliver against need in IDP communities has consistently been a recommendation of this Committee in 2007 and 2013. The Committee reported in 2007:

Ethnic, religious and community groups often have relatively open access to government-controlled and ceasefire areas and can provide important development (and some limited protection) assistance to IDPs. Such groups can assess IDPs' needs at first-hand and tailor their response accordingly. Another key benefit to assistance provided by local grassroots organisations is their ability to go beyond emergency humanitarian assistance to undertake more sustainable development work with communities.⁷⁸

The Committee concluded:

Providing funding to community-based organisations (CBOs), who often manage their own clinics, schools and projects, is a way for donors to assist IDPs without channelling funds through the military regime. Such groups can go beyond emergency assistance to carry out crucial sustainable development work at grassroots level. [...] We recommend that DFID

75 Kachin Relief Fund ([DBB021](#))

76 Q256

77 Q263

78 *DFID assistance to Burmese internally displaced people and refugees on the Thai-Burma border*, Tenth Report, 2006–07, HC 645

increase substantially the funding it gives to CBOs within Burma. Capacity-building and training of such groups is a crucial complementary strategy if funding is to be used effectively.

Funding CBOs provides donors with the means to support human rights and democracy work within Burma.⁷⁹

Equally, the Committee recommended: "We recommend that DFID begin appropriate funding of exile groups who carry out crucial work both inside and outside Burma to support IDPs and other vulnerable groups. Support to such groups would have the simultaneous benefit of supporting and raising awareness about the plight of IDPs."⁸⁰

51. In 2010 DFID reported:

About 20% of our long-term funding for Burma is allocated to communities affected by conflict. These include more than 140,000 Burmese refugees in Thailand, 500,000 internally displaced people (IDPs) in Burma, and two million people living in ethnic cease-fire areas in Burma. Our aid provides food, shelter and access to legal assistance for refugees in Thailand. It also helps to provide IDPs in Burma with food, improved water and sanitation, primary health care and education services, all delivered by community-based organisations from both Burma and Thailand.⁸¹

DFID's support for civil society brings together local groups to work more effectively on issues of particular importance to ordinary Burmese people. Our programmes have contributed to a growth in humanitarian activities by independent local NGOs. They aim to assist people to participate better in decision-making processes affecting their welfare and livelihoods.

52. The Kachin Relief Fund has been critical of DFID's use of the larger INGO contractors in the country. It highlights:

- each of these foreign firms have minimal 'development' experience. DFID has selected them because of their accounting/compliance systems.
- they are all expensive, and often they are adding yet another layer to the aid bureaucracy. How much more of DFID's funding for Burma will now end up in the pockets of (mainly UK or 'global-based') companies and consultants?
- civil society interests and support will fall further down the list of priorities now that the funds are being managed by commercial operators.
- DFID's accountability to the people of Burma is becoming even more difficult and vague. The donor now has these firms and contracts to hide behind. The governance of these firms is all based 000's of kilometres away and is focused on what is best for the company.

79 *DFID assistance to Burmese internally displaced people and refugees on the Thai-Burma border*, Tenth Report, 2006–07, HC 645

80 *DFID assistance to Burmese internally displaced people and refugees on the Thai-Burma border*, Tenth Report, 2006–07, HC 645

81 DFID, [UKAID in Burma](#), 2010

- The local NGOs are genuinely focused on effective humanitarian work, and DFID needs to empower them to undertake compliance, such as accounting, project monitoring and records keeping. At the same time, many Kachin local NGOs are already equipped with such knowledge, as they have been working in such fields with international NGOs. The DFID contractors are expensive and do not speak local languages—this hinders the work DFID is investing in and wastes UK taxpayers' money.
- Although the Kachin Relief Fund is a small charity based in the UK, by using our networks we have access to anywhere in the Kachin State. Our charity may be small but we use every penny of our donations for relief efforts. Similarly, our local partners are well qualified to work with DFID. We urge DFID and other UK policy makers to work with Kachin local NGOs and Church based humanitarian departments. These groups have a well-coordinated body, called the Joint Strategy Team (JST), through which DFID could have a space to listen to their concerns, and those of the people they represent and work with, and to engage in strategic, longer-term partnership.⁸²

53. Burma Campaign UK have found that as far as they are aware from their contacts in Burma:

- support for Shan Women's Action Network (SWAN) was ended (after conditions for funding were imposed which SWAN, as a small NGO, could not meet).
- Support for Mae Tao (medicines) has ended.⁸³
- Funding for refugees in camps has been reduced (refugee numbers are down but other donors have cut funding or switched away from food, shelter etc, so people are on reduced rations and say they are being starved back to Burma before its safe).
- Funding for the cross-border backpack health workers will end in June 2018.
- IDPs in Karen State and Shan State no longer receive DFID support as The Border Consortium stopped supporting them due to budget cuts.

Violence and sexual violence

54. The Shan Human Rights Foundation highlighted that there are six camps along the Shan-Thai border sheltering over 6,200 particularly vulnerable refugees such as mothers, children, the old and disabled. They are all from active conflict areas where Burmese military forces continue to conduct violent human rights violations. The Foundation asserted that, even after a ceasefire was signed in 2015, fighting has continued; intensifying since 2017 with gross human rights violations against civilians in the ceasefire areas including extra-judicial killings and sexual violence.⁸⁴ The Shan Woman's Action Network (SWAN) have been documenting rapes and other forms of sexual violence; their report, Licence to Rape, documented rape of 625 women by personnel from 52 different Burmese Army battalions. The head of the UN's international fact-finding mission in Burma, Marzuki Darusman,

82 Kachin Relief Fund ([DBB021](#))

83 Karenaid ([DBB018](#))

84 Shan Human Rights Foundation ([DBB022](#))

reported to the UN Human Rights Council that rape was being used as a weapon of war by the Burmese military in the area.⁸⁵ However these IDP camps had their aid from the international community cut off in October 2017 [see Box 3] but their inhabitants clearly feel unable to return home due to the continuing violence.⁸⁶

Empowering IDPs

55. Kachin Relief Fund have found:

Since 2011, the Kachin internally displaced people (IDPs) are directly relying on donors for their daily survival. This will cause problems in the longer-term since we cannot predict when it will be safe to return to their home. The traumatic experiences they have endured as a result of the war and conflict will not be eased by creating dependency—the aid handouts could create further disempowerment for the IDPs.

DFID should consider an alternative way of funding the IDPs—for example, helping IDPs to generate income to support their families. It is very important to support for education and healthcare of the IDPs, whether they reside in government- or non-government controlled areas. If DFID is missing this out, there will be various gaps in the next younger generations.⁸⁷

56. These requests are in line with the Grand Bargain from the World Humanitarian Summit and the Wilton Park Principles as highlighted in our January report on the Rohingya Crisis. They also shed light on the similarities between the refugee camps in Thailand and those in Bangladesh; in particular their longevity. DFID needs to consider how it can work within the principles the UK signed up to within the Grand Bargain when dealing with the refugee and IDP camps, old and new, in south Asia.

Options for the future

57. David Baulk of Fortify Rights said:

What emboldens the Myanmar military to continue to perpetrate atrocity crimes is the complete absence of accountability for many decades of atrocities meted out to ethnic nationality populations in the country.⁸⁸

58. Here are some of the options available to the UK and EU and we consider some and others in this section:

85 [Burmese soldiers accused of escalating violence against northern minorities](#), Daily Telegraph, 15 March 2018

86 Shan Human Rights Foundation ([DBB022](#))

87 Kachin Relief Fund ([DBB021](#))

88 Q148

Key options:	What is the UK position?		What is the EU position?	
Support the establishment of a UN mandated global arms embargo.		Not supporting.		Not supporting.
Support a referral of the situation in Burma to the International Criminal Court.		Not supporting.		Not supporting.
Ban the supply of any equipment to the military, not just arms.		UK is implementing this.		The EU decided not to ban all European companies from supplying the military in Burma.
Ban investment and business dealings with military owned companies.		Not supporting.		Not supporting.
Implement a visa ban on members of the Burmese military entering the EU and asset freeze.		Supporting the EU position of a visa ban and asset freeze for a small number of military officers. The British government has admitted it is highly unlikely that they have any assets in the EU.		A visa ban and asset freeze for a small number of military officers. Yet to be implemented as military officers not identified yet.
Review co-operation and support with the government of Burma in light of its denial of human rights violations and continuation of policies of repression against the Rohingya.		The government has so far concluded no change in policy is needed.		The EU has so far concluded no change in policy is needed.
End all military training and co-operation programmes.		UK suspended its military training programme in September 2017.		The EU decided not to end all training programmes with the military.

Changes to the DFID programme

59. The Committee in 2013 concluded that:

DFID Burma's programme should not roll forward whatever the situation. It should be nimble and flexible to change. [...] If reform in Burma does start to falter and things start moving backwards DFID and the UK Government should be strong to act, reducing or diverting funding and projects.⁸⁹

60. The Minister told us recently:

All things are flexible, and we would be remiss in our duty if we did not look hard at the possibility of change when it is necessary. [...] No one wants to carry on if it is pointless, but I will say that a decision of that nature also has consequences.⁹⁰

Anthony Smith, Chief Executive of Westminster Foundation for Democracy said:

Decisions about whether to step away and how to engage are incredibly important and incredibly difficult.⁹¹

Which programmes could be withdrawn?

Economic Development

61. One potentially controversial area for DFID's engagement is in its economic development work in Burma. DFID Burma says:

The UK's focus and international leadership on economic development is a vital part of Global Britain - harnessing the potential of new trade relationships, creating jobs and channelling investment to the world's poorest countries. Throughout history, sustained, job-creating growth has played the greatest role in lifting huge numbers of people out of grinding poverty. This is what developing countries want and is what the international system needs to help deliver. Whilst there is an urgent need for traditional aid in many parts of the world, ultimately economic development is how we will achieve the Global Goals and help countries move beyond the need for aid.

62. DFID's country profile states that it wants Burma to be in a position to "support UK interests and bilateral trade." It also says

In the future, with one of the fastest growing economies and large oil and gas reserves, Burma could offer significant investment and trade opportunities for the UK.⁹²

89 [Democracy and Development in Burma](#), Ninth Report of Session 2013–14, HC 821, para 180

90 Q270

91 Q204

92 DFID [Burma Country Profile](#) July 2017

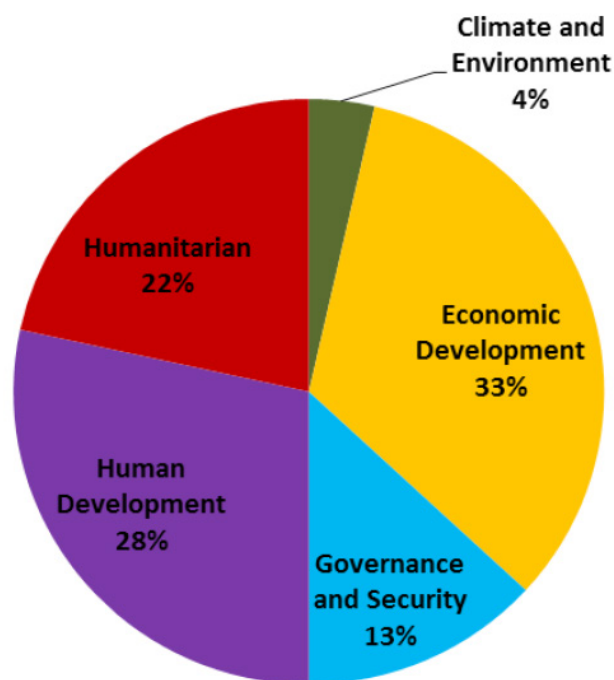
63. DFID's 2011 to 2016 Country Plan states that " We are also initiating some private sector partnerships to stimulate inclusive and responsible investment"⁹³ It also said DFID was working on:

Major new investment on inclusive, transformative economic growth policy. This may include reform of the financial sector and business climate, building markets, infrastructure, trade, reforming state enterprises and increasing opportunities for private investment—with the aim of generating much needed new jobs and increased private investment (including from abroad) in Burma.⁹⁴

A significant part of DFID's programme in Burma is economic development.

Box 4: DFID bilateral Burma country budget

Sector breakdown of 2017/18 bilateral plans



Source: DFID [Burma Country Profile](#) July 2017

64. Minister Burt said:

Our work with the private sector is focused on creating jobs, and expanding the economy and moving it away from what has effectively been a military autocracy, a crony-based system, which does not deliver economic development but delivers vast wealth for the few. There is a determination to disempower that sort of structure. We are working on measures that will improve the nature of the economy and make it livelier. We are very

93 DFID BURMA [Operational Plan 2011–2016](#), Updated December 2014

94 DFID BURMA [Operational Plan 2011–2016](#), Updated December 2014

determined to see that happening. There will be a benefit to the UK, but principally it is of benefit to Burma, the development of the Burma economy, and of course the politics as well.⁹⁵

65. Burma Campaign UK has found an example of why there needs to be policies ensuring no UK aid ends up directly or indirectly benefitting the military. Irrawaddy Green Towers in Burma was created from development aid loans from European countries, including CDC group, under the control of DFID. It is working for MYTEL, the new mobile phone company set up by the Burmese military in conjunction with the Vietnamese military, so it could be deemed that UK aid is helping the Burmese military make money. We have also been told of a UK part funded programme to build an overpass in Yangon, even though DFID acknowledges that the military businesses are heavily involved in transport and infrastructure.

66. Richard Montgomery from DFID told us:

In terms of our due diligence, this is about digging into not just the partners we work with but also the downstream partners that they work with or that are included in our programmes. There is a facility that we have brought in that does that digging for us.⁹⁶

However, he also admitted that:

there are some donors and multilaterals that will provide finance to the Government, which, in principle, includes UK taxpayers' money. Whenever the World Bank lends, that is 15% of our money in IDA.⁹⁷

67. We note that at the same time as we were denied visas to visit Burma, the UK government was hosting a trade delegation from Burma including members of the Burmese government. **In response to this report we would like the UK Government to set out how its support for UK/Burma trade takes into account concerns about the Burmese military's involvement in the economy and human rights abuses. This should include information covering UK spending other than ODA or which is through funds and programmes outside of DFID's control, for example the Prosperity Fund.**

Parliamentary Strengthening

68. DFID said:

- DFID is supporting parliamentary strengthening and electoral processes by funding domestic civil society to observe elections, and supporting women's political participation and leadership; and
- By July 2017, DFID had improved electoral governance and increased access to civic and voter education. 492,930 voter education materials were distributed and 34,000 of these materials were translated into five ethnic languages.⁹⁸

95 Q248

96 Q252

97 Q253

98 Department for International Development ([DBB016](#))

69. We questioned the organisation managing DFID's programme in the Burmese Parliament: The Westminster Foundation for Democracy (WFD). Its Chief Executive Anthony Smith told us:

Democratic governance is an essential part of a country's development and a parliament is an essential part of any democracy. The parliament needs to play a proper and effective role in representing all the people of the country. It needs to be able to debate all the issues, including the conflict issues that we have heard about. It needs to hold institutions to account, the executive, security forces, et cetera. Without that, you will not have a fully functioning democracy⁹⁹

70. However as discussed earlier, the Burmese Parliament, in many ways, is not performing these functions nor does it seem likely to in the near future. We asked what evidence or examples there were of a positive impact from the parliamentary strengthening programme in Burma, for example had there been any scrutiny of the Rohingya crisis? However, we have not been provided with any evidence of any serious debate or questions in the Burmese Parliament on the Rohingya crisis. We also asked Anthony Smith whether WFD had considered what conduct or behaviour by the Burmese authorities would be so bad as to cause the programme to be suspended? He said: "What the [WFD] board discussion [has been] trying to assess is whether we are going to help the Rohingya—or any other community that is excluded, persecuted and subject to human rights abuses—more by remaining engaged and trying to build institutions that would challenge that behaviour and change it over time, on the one hand, or by leaving? So far within the board and with all of those other partners, the conclusion is that we should keep trying to build that."¹⁰⁰

We also pursued this with the Minister who said:

We are trying to make sure that the programme is shaped to ensure that Parliament communicates more regularly and effectively on the Government's humanitarian and rehabilitation responses to events, works more closely with civil society, including with Rohingya representatives, and understands more about how other Parliaments have responded to violent conflict.¹⁰¹

71. We asked the Minister whether there were any flames of democracy left in Burma worth fanning? He said:

Our estimation is that there are those who are looking forward to a further development in Burma, but, necessarily, the nature of their system makes it extremely difficult for them to self-identify. Our concern is that, if the voice of people who believe in what we believe in—in terms of parliamentary democracy and Parliament acting as opposition and making people like me accountable—is not there, that process will not continue. It is difficult, and I cannot give you a list, but is it worth doing, and are we confident

99 Q173

100 Q191

101 Q265

there are people who want to continue a transition that is already in place? It is not as if the military was still in place and there was a solely military Government.¹⁰²

72. However, David Baulk argued:

The behaviour of the Government of Myanmar in recent years at the very least calls into question the support that this Government give around parliamentary development in Naypyidaw. We have seen quite consistently people arguing that there are reform-minded parliamentarians in Myanmar and reform-minded uniformed personnel in the Government, and they have been silent in recent months as the international community has cried genocide and other atrocity crimes in Rakhine State and elsewhere. It is very important that the Department for International Development and the UK Government more broadly think very seriously about how supporting this Government with parliamentary development could be supporting the very people who should be at the International Criminal Court.¹⁰³

73. There is an argument that MPs could be empowered by enabling their constituents to hold them to account, thereby strengthening their willingness to speak out. This could be an effective alternative form of Parliamentary support building. A stronger emphasis is needed on alternatives, that support good people but in different forms than current programmes via government support.

74. **All aid organisations need to keep under review their terms of engagement with state institutions in countries where there are substantial human rights concerns. We recommend that DFID, together with the WFD and the UK Parliament and other UK organisations supporting the 'Pyidaungsu Hluttaw'—coordinate in securing an objective review of such programmes. This review needs to determine if any substantive progress has been made in equipping and/or inspiring the Burmese legislature to do more to hold the government to account, engage the public or other flexing of parliamentary muscle. If little or nothing tangible has been achieved, we recommend suspending these programmes.**

Engagement with the Burmese government

75. We considered the following statements from DFID:

- No direct financial aid goes to Government of Burma.
- [we are] working through technical assistance to reform-minded ministries to strengthen capacity in civilian government.
- The Rohingya crisis [...] has further exposed the very real challenges of the Burmese military's continued significant influence on the country's governance.
- DFID Burma provides indirect support to Burma's Ministry of Finance and Planning to monitor and better report progress against the Sustainable Development Goals.

102 Q247

103 Q169

- DFID Burma is also working [...]to encourage the Government of Burma to produce a national development plan for the country, against which all donors could align to support positive development.
- as part of our membership of the Cooperation Partners' Group (CPG), we have inputted suggestions to the Government's (still draft) Development Assistance Policy which sets out how the Government of Burma will work with donors.
- DFID Burma received a specific request from the Department of Social Welfare (DSW) to support the operationalisation of the National Strategic Plan for the Advancement of Women in Burma (NSPAW).¹⁰⁴

So, although DFID is not providing financial aid directly to the Government of Burma it is providing 'technical assistance' and advice to the Government of Burma which is not without cost.

76. Dr Dasandi told us:

If it is felt that the situation is likely to deteriorate and there is very little we can do to help by political engagement as an international community, then the answer, if that is the response, is, yes, you start to stop working with that Government, if it is felt that this is no longer going to help. It is a question of what the alternatives are to that and whether the situation is going to get drastically worse. If it is felt there is no longer any point of engagement, then the UK Government should be considering those options.¹⁰⁵

77. Richard Montgomery from DFID said:

we have been discussing with the Secretary of State how we make sure we are working on the right things in Burma going forward, given that there have been these atrocities. One of the focuses that we want to give is on building the capacity of the seven states and divisions rather than just central Government. If we are to do that, we need to have some remit to engage with the central Government, because that is where a lot of the money comes from. If we want to build the capacity of states and regions, we need to engage with both the central and the state systems. That comes back to the Minister's point that, if we really want to nudge change forward and back people who want progressive change, we have to have some level of engagement with the Government.¹⁰⁶

78. The Minister's view was:

We can be sure that, if there is a cut-off of the relationship with Burma—if it returns to isolation—those voices in Burma that know that what has happened is wrong and that wish to challenge what has happened will have no support from us, because we will have cut off the contact. I do not think that is the right approach for diplomacy, so we will continue our efforts. Have they resulted in what we want so far? No, but those efforts will continue.

104 Department for International Development ([DBB016](#))

105 Q204

106 Q255

The arguments about disengagement with Burma are very clear. In a state that has seen this happen within its own borders, where it is quite clear that an element of the state, the military, has been responsible for the atrocities that we have seen, it is a very easy question to raise to say we should cut off the contact. If we do, those voices that want to be part of something different and that struggle to be heard, those who have sought change in Burma, and those who are working with the poorest in the most difficult of circumstances, where they need health, sanitation and education, would just have to find it elsewhere. If we were not there, who would be? Those are the reasons for engagement.¹⁰⁷

79. There is a difference between ending support to the government and ending engagement with it, and ending support to the government does not meet not supporting reform minded people via other means which we discuss in the next section on civil society.

80. **The UK is providing advice to government departments which although not classified as 'direct aid to government' it is British taxpayers' money being used to engage with the Burmese government which DFID itself admits is significantly influenced by the military. However, as the Minister says to disengage is to lose any influence over the government. We ask DFID to re-evaluate its balance of spending between economic development, human development and on meeting urgent humanitarian needs.**

Support for civil society

81. DFID said:

DFID Burma works closely with NGOs and civil society organisations to deliver objectives on civic education, inclusion and participation in public life. This support includes working innovatively to build coalitions between groups with little to no prior history of collaboration. It also promotes improved accountability on issues relevant to broader social and political change, not least through our continued support to electoral processes as well as budget monitoring and systems improvement. DFID also provides core funding to local civil society organisations to strengthen their internal management and governance and enable them more actively and effectively to advocate for sustainable, inclusive development in Burma.¹⁰⁸

82. However, the evidence from the CSO says otherwise. Many civil society organisations consider that the move to work through INGO consortia with CSOs as implementing partners in the past years has been detrimental to their ability to tailor their programs to the fast-changing political landscape (see pages 27-28).

83. Burma Campaign UK has suggested DFID has been selective in its support of more compliant civil society groups rather than those stronger on human rights and government accountability. DFID must be more willing to support grassroots civil society organisations which document and advocate on human rights and are more critical of the military, government and international community.

107 Q244

108 Department for International Development ([DBB016](#))

84. Dr Dasandi said:

What has gone unrecognised in the past year is that you have had a diverse group of civil society organisations making strong statements in January and August last year. [...] In terms of opening up that space, obviously it is not going to be a big fix, where civil society will come in and solve all these problems. Certainly, there are actions that could be done to empower those who are willing, within Myanmar, to speak out, who are doing something to address some of these issues. It is a question of engagement. We have to include those groups, trying to work with those groups and trying to increase the influence of those groups.¹⁰⁹

International Criminal Court referral

85. David Baulk of Fortify Rights said:

When we think about what the international community can do now to help end mass human rights violations and hold the perpetrators of these accountable, it is absolutely fundamental that the Government of this country and others across the world speak up for what is happening to innocent people in Rakhine State, in Kachin State and elsewhere, and say that it is unacceptable and that the situation in Myanmar should be referred to the International Criminal Court. The Government of this country have a great deal of leverage in the UN Security Council and should be applying that in every way possible to help bring criminal accountability for these crimes.¹¹⁰

86. Burma Campaign UK:

The British government has refused to support, in principle, the UN Security Council (UNSC) referring the situation in Burma to the International Criminal Court (ICC). When asked about their position, they hide behind the argument that there is no consensus at the UNSC in support of this, or that Russia and China would veto a resolution. This is deliberately misleading. Consensus can only start to be built when a member seeks to build support. The British government does not as yet support the UNSC making a referral. Taking soundings on existing positions is very different from actively seeking support.

Nor is there an automatic obligation on rushing for a resolution if the UK supports a UNSC referral. It would be more sensible to take the time to build support within the whole UN membership to increase the chances of overcoming opposition. This process can't start when the UK doesn't support a referral itself. The process of countries publicly supporting a referral to the ICC could in itself make the military think twice before launching further attacks as it will reduce their sense of impunity.¹¹¹

109 Q202

110 Q166

111 Burma Campaign UK Briefing: British government response to the Rohingya crisis House of Lords Debate, 10th May 2018

87. Rushanara Ali MP has written in the media that the Foreign Secretary should now campaign for Min Aung Hlaing to be called before the International Criminal Court. She argued that

Yes, it is the case that particular countries will protest against such action, namely Russia and China. However, Britain should call this out for what it is and take a leadership role in holding to account the perpetrators. Without accountability, Min Aung Hling can continue to act with impunity.

Accountability is not just about justice but also about deterring future injustices. [...] if Min Aung Hlaing has learnt one thing in the last year, it is that the international community will not take any meaningful steps against him.¹¹²

88. It was in fact a letter to the UK government on this written by Rushanara Ali and signed by 100 MPs which we were given as one of the reasons that our visas were denied. It therefore must be a fear of the military - to be held to account for what they have done. Just the possibility of an ICC referral may be enough to give Min Aung Hlaing pause for thought before ordering further attacks against the Rohingya or other ethnic groups—and that could save lives.¹¹³

89. The ICC Prosecutor is now instead seeking a ruling that she can investigate the crime of deportation under the Rome Statute, as Rohingya have fled to Bangladesh, which is a signatory of the Rome Statute. This is a very welcome move. Aung San Suu Kyi has issued a statement criticising the move, denying Rohingya were deported. This continues her longstanding approach of denying human rights abuses have taken place and seeking to obstruct moves towards justice and accountability. The Burmese Government issued a statement that it was “seriously concerned” about the ICC prosecutor’s application and reiterated that it has not deported any individuals and in fact has “worked hard in collaboration with Bangladesh to repatriate those displaced from their homes.”¹¹⁴

Sanctions

90. David Baulk of Fortify Rights said:

Briefly on the question of sanctions, what we are calling for is targeted financial sanctions on people with demonstrated command responsibility for atrocity crimes. We think that is appropriate and punishes the right people rather than the innocent people of Myanmar writ large.¹¹⁵

Hkanhpa Tu Sadan:

Can I add one more and include any businesses associated with the military as well? The British Government have the responsibility to sanction the

112 [Haul Myanmar's military leaders before the international criminal court, Rushanara Ali, The Guardian, 13 February 2018](#)

113 Rushanara Ali [Letter to the Foreign Secretary](#), 21 February 2018

114 [‘Myanmar says ICC lacks jurisdiction to probe Rakhine crisis’](#), Frontier Myanmar, 13 April 2018

115 Q166

army that perpetrates human rights violations and crimes against humanity and then war crimes to its own people. The British Government have the responsibility to sanction those associated with the military.¹¹⁶

Rabat Plan of Action

91. Following several workshops on the prohibition of incitement to national, racial and religious hatred organized by the United Nations in various regions of the world, a plan of action to prevent incitement to discrimination, hostility and violence, as outlined in Article 20 of the International Covenant on Civil and Political Rights, was presented by internationally recognized experts at an event held in Geneva on 21 February 2013.¹¹⁷

92. UN High Commissioner for Human Rights, Navi Pillay, in her opening statement, stated:

In recent years, incidents involving hate speech, negative stereotyping in the media, and even advocacy of religious or national hatred by public officials and political parties have resulted in killings of innocent people, attacks on places of worship and calls for reprisals. This spiral of violence has made it incumbent on us to renew the search for the correct balance between freedom of expression—which is among the most precious and fundamental of our rights as human beings—and the equally vital need to protect individuals and communities from discrimination and violence.¹¹⁸

93. Aung San Suu Kyi seems to have failed the test set by the Rabat Agreement which was articulated at the time by UN Special Advisor on the Prevention of Genocide, Adama Dieng:

National and local authorities can exacerbate the severity of the speech, but they have also the potential to counter hate speech through positive speech and messages of tolerance and restraint.¹¹⁹

94. David Baulk of Fortify Rights said:

She has made no attempts to counter hate speech or send positive messages about tolerance and restraint. Instead she has either remained silent or referred to 'fake news'. Aung San Suu Kyi is not giving them orders, but she is standing up in public and defending the actions of the Myanmar military, whether that is in the west of the country or the north. That makes her complicit in atrocity crimes. When we think about if there is any way back for her in terms of the trust lost among ethnic nationality populations, it will be a very long road to regaining that trust. If she is earnest about winning back that trust, the first thing that needs to happen is for her to say publicly that perpetrators of these atrocity crimes must be held accountable for their actions.¹²⁰

116 Q166

117 [Rabat Outcome Document](#)

118 United Nations Human Rights Office of the High Commissioner: [Rabat Plan of Action on the prohibition of advocacy of national, racial or religious hatred that constitutes incitement to discrimination, hostility or violence](#)

119 OHCHR: [Fighting incitement to crimes against humanity](#), February 2013

120 Q165

Burma Campaign UK highlight that:

Aung San Suu Kyi has been criticised for her silence over the Rohingya crisis, but she has not been silent. When the violence first escalated against the Rohingya in 2012 she talked about it in terms of immigration and the rule of law, sending a clear message to the people of Burma that she did not see the Rohingya as being from Burma, and thereby encouraging and legitimising prejudice.

Before the current crisis, Aung San Suu Kyi kept in place military era laws and policies which were designed to drive the Rohingya out of Burma using a combination of deliberate impoverishment and human rights violations. She kept in place restrictions on humanitarian aid which killed people, including children.

During the military offensives against the Rohingya in 2016 and 2017 her government vociferously defended the military and denied human rights violations have taken place. She even had a flashing 'fake rape' sign on her website.

Aung San Suu Kyi does not control the military but nothing obliges her to defend their actions, deny human rights violations are taking place, and ban UN investigators and rapporteurs from the country. Aung San Suu Kyi's government is also banning an increasing number of human rights activists from the country, and placing much greater restrictions on journalists obtaining visas.

Aung San Suu Kyi has not said Rohingya belong in Burma, has not changed the law to ensure they get citizenship, has not taken action to tackle hate speech, and in fact her government used state media and social media to spread fear and hatred of Rohingya.¹²¹

Media commentary has included:

There is no broader reform agenda if she continues to preside over a state that sanctions racism and terror. Her position within the government is not merely symbolic; she occupies at least three offices as state counsellor, foreign minister and minister of the president's office. As a politically elected representative of the government, she bears the moral responsibility to do right by her people, which include the Rohingya Muslims.¹²²

95. Among the key factors put forward in the Rabat Plan of Action to prevent incitement to hatred are the collective responsibility of public officials, religious and community leaders, the media and individuals, and the need to nurture social consciousness, tolerance, mutual respect, and intercultural dialogue.

121 Burma Campaign UK Briefing: British government response to the Rohingya crisis House of Lords Debate, 10th May 2018

122 [Aung San Suu Kyi is neglecting her moral responsibility opinion](#), CNN

3 The Rohingya refugees

Introduction

96. We have published two reports on the Rohingya crisis and discussed Burma's role and responsibilities extensively in Chapter 2.

97. In our previous work we concluded that the horrific campaign of violence that led to the expulsion of the Rohingya was the culmination of decades of marginalisation and abuse and a textbook example of ethnic cleansing perpetrated by the Burmese military and security forces. This caused a humanitarian crisis of staggering size and complexity for Bangladesh and the international community to cope with. We acknowledged the immediate challenge of providing shelter, water, food, security, health and education services for an enormous, displaced and traumatised population. We recognised the further intractable challenges around the Rohingya's longer term future, especially their accommodation and location; constitutional status, security and access to fundamental legal and human rights; as well as the likelihood that establishing satisfactory conditions for repatriation would be a protracted process.

First report and reply

98. We received and published the Government's reply to our initial report on the crisis. In that reply, the Government demonstrated a broad measure of agreement with our analysis of the situation, with the exception of our conclusions that: evidence of discrimination and abuse of the Rohingya had been ignored; or that UK policy towards Burma had been unduly optimistic about the potential for full transition to democratic rule. We believe the key strategic sentiments in the Government's reply are:

- "... it is only in a democratic, peaceful and developing Burma that the Rohingya are likely to find a long-term future. The Government will continue to support the democratic transition and look for ways to strengthen civilian rule."
- "We assess that there is credible evidence of widespread abuses, directed overwhelmingly against Rohingya civilians and carried out by the Burmese military and ethnic Rakhine militias. The acts of ethnic cleansing taking place in Burma may amount to crimes against humanity as defined by the Rome Statute of the ICC".
- "DFID is aware that further discussions with the Government of Bangladesh will now be needed in order to manage what will be a protracted crisis over the medium and longer term."
- "We also recognise that large-scale returns are unlikely to be possible in the near term and that some, possibly many, Rohingya may no longer wish to return."
- "There needs to be a full investigation into what happened in Rakhine, but without the cooperation of the Burmese authorities and full access, only partial evidence collection will be possible."

- “ ... the 5-point plan remains a valid framework for addressing the current crisis.” ... “It is unfortunately true that limited progress has been made on these objectives.”¹²³

Second report and reply

99. Our further report on the crisis was, essentially, an urgent call for action in the light of the compelling pleas we heard in Cox’s Bazar for measures to be facilitated to protect the Rohingya from the expected heavy rainfall of the monsoon season. The key request was for more land to be found and prepared to enable those most vulnerable to move to safer ground. Since this second report on the crisis published in March after our visit to the refugee camps there have been a few developments but no emerging clarity about the longer term.

Recent developments

100. Recent key developments have been:

- In the “Report of the Secretary-General on conflict-related sexual violence” for 2017 (dated 23 March 2018) Burma’s military forces, the ‘Tatmadaw’, were named and added to the list of armies known to commit sexual violence in armed conflict.¹²⁴
- Over nine months since the expulsion of the Rohingya by Burma, Save the Children, amongst others, highlight “a child protection crisis on the doorstep” as babies begin to be born—and some abandoned—arising out of the multiple cases of rape of Rohingya women and girls by Burmese military personnel.¹²⁵ In addition to this further human tragedy and trauma, the UN Envoy for Sexual Violence in Conflict, Pramila Patten, and UN Assistant Secretary-General for Human Rights, Andrew Gilmour, have jointly pointed out the grave risks of inadequate access to midwifery and medical assistance due to the heavy stigmatisation of pregnancy in such circumstances as well as the imminent onset of the monsoon season.¹²⁶
- The Burmese military have punished seven soldiers for the murder of 10 Rohingya in the village of Inn Din in Rakhine. A statement from the Burmese army said: “Four officers were denounced and permanently dismissed from the military and sentenced to 10 years with hard labour at a prison in a remote area. Three soldiers of other rank were demoted to the rank of ‘private’, permanently dismissed from the military and sentenced to 10 years with hard labour at a prison in a remote area”. Subsequently, on 18 April, there were conflicting media reports of these men being released under a prisoner amnesty.¹²⁷

123 *Bangladesh and Burma: the Rohingya crisis—monsoon preparedness in Cox’s Bazar: Government response to the Committee’s Third Report*, Fifth Special Report, 2017–19, HC 1055, 22 May 2018

124 Report of the Secretary-General on conflict-related sexual violence, paragraphs 10, 12, 17, 55–60 and Annex - List of parties credibly suspected of committing or being responsible for patterns of rape or other forms of sexual violence in situations of armed conflict on the agenda of the Security Council, p34, “Parties in Myanmar, State actors: (a) Myanmar Armed Forces (Tatmadaw).” (<http://undocs.org/s/2018/250>) But see

125 *Nine months on, a race against time to find pregnant Rohingya rape survivors*, IRIN news, 16 April 2018

126 *Pregnant Rohingya Refugees Are in Desperate Need*, Joint article by UN Envoy for Sexual Violence in Conflict, Pramila Patten, and UN Assistant Secretary-General for Human Rights, Andrew Gilmour, Bloomberg, 9 May 2018

127 *‘Did Soldiers Jailed for Killings Go Free? Myanmar TV Says Yes (Briefly)’* The New York Times, 18 April 2018

- On Tuesday 8 May, in response to the UN coordinated Joint Response Plan, the Secretary of State announced a further package of humanitarian aid for Bangladesh and the Rohingya of £70 million (bringing the running total up to £129 million). The aid was described as aiming to deliver: materials to strengthen shelters; food and clean water; nutrition for pregnant and new mothers; access to midwifery care; bathing facilities; and access to healthcare services.¹²⁸
- A UN Security Council mission (with the UK represented by Karen Pierce, UK Ambassador to the UN), has visited the Rohingya refugees in Cox's Bazar, Bangladesh and Burmese leaders (including Senior General Min Aung Hlaing, Commander-in-Chief) and had some access to Rakhine state, overflying it and visiting some repatriation facilities. The resulting bland UNSC press statement, and subsequent US criticism of the process,¹²⁹ leaves us in no doubt that the UN Security Council remains hamstrung by the refusal of, at least, China's refusal to support action against Burma.¹³⁰

Conclusions

101. We stand by our two previous reports and the conclusions and recommendations we set out there. Alongside many other members of both Houses, we are increasingly horrified as more and more evidence and testimony emerges about the violent expulsion of the Rohingya by Burmese military forces. Yet, this is almost eclipsed by the threat to the Rohingya's fraught and fragile foothold in Bangladesh as the monsoon season comes ever closer. At the same time, we would urge that the grave concerns we have identified over the longer term future of the Rohingya are not ignored in seeking solutions to this more imminent further chapter in the crisis.

102. We very much welcome the £70 million of new aid allocated by the UK to bolster the on-going work in Cox's Bazar to prepare for the monsoon season. These resources will make a substantial difference and we trust that further donors will be inspired to follow suit.

103. We can only interpret the UNSC press statement of 9 May, issued following the visit by UN Security Council representatives to Bangladesh and Burma, as meaning that China, at least, threatens to veto any proposal for collective action in response to the Rohingya crisis.

104. In addition, to our previous work, there are two points to repeat and one to make at this juncture:

- *The Bangladesh Prime Minister, government, other services, and the people and authorities of Cox's Bazar, must be thanked and commended for the way sanctuary was provided to the Rohingya.*
- *While in Bangladesh (in March), we heard grave and convincing concerns from many quarters that a substantial proportion of the Rohingya refugees' accommodation (and services) was extremely vulnerable to the heavy rainfall*

128 This contribution will see the UK providing 10.5% of the total budget set out in the JRP of March 2018.

129 [U.S. criticises China for shielding Myanmar from U.N. action](#), Reuters, 15 May 2018

130 [UN Security Press Statement](#), 9 May 2018, SC/13331

that the imminent monsoon season would bring. Without decisions and action being taken very quickly to enable relocation to begin -- and to facilitate other mitigations -- people were going to die.

- *The threat of monsoon or cyclone only reinforces the need to persuade the Bangladesh government to seize the nettle and start laying the foundations for a plan to provide for the longer term, including registration.*

4 Bangladesh

Economic growth and development

105. DFID, and other commentators, regard Bangladesh is a development success story. There are various indicators commonly quoted:

- the achievement of the majority of the Millennium Development Goals.
- reaching Lower Middle-Income status in 2015 (after sustaining average annual growth of more than six per cent over the last 10 years and 7.3% in 2016–17).
- the halving of poverty levels between 1990 and 2010, a marked rise in female employment and other recent improvements measured by the Global Human Development Index.
- development activity that has been distinctively pervasive and distributed through the country (largely due to a substantial and active NGO sector).¹³¹
- a growth path that, if maintained, would lead to Middle-Income Country Status in 10–15 years and a development trajectory with some positive features for sustainable and inclusive growth.¹³²
- For the immediate future, the youthfulness of Bangladesh's population was highlighted; 48% of the population is aged under 26 years old. This represented both an opportunity and a test with 2.2 million people entering the job market each year.

Challenges

106. Of course, significant challenges remain, both in terms of some weaknesses and fault-lines in the overall picture and potential fragility in the face of external 'shocks'—such as the arrival of a traumatised Rohingya community expelled by Burma as well as Bangladesh's well-evidenced vulnerability to natural disasters.

Equality

107. The relatively impressive economic growth overall, unsurprisingly, is not distributed as equitable benefits throughout Bangladesh society. While DFID wrote that: "progress in poverty reduction has been impressive, and substantially ahead of what might be expected from the country's income level", the estimates of current poverty levels are of between 37–40 million people living in poverty, of whom 21 million were in extreme poverty. The Institute for Development Studies wrote that "comparatively high growth rates in Bangladesh have not automatically translated into decent work or living wages" nor have they generated the skilled labour force that Bangladesh's needs for the future. Other witnesses agreed, saying that one of the country's key challenges was to "get up the value chain".¹³³ Joe Devine, Social and Policy Sciences, Bath University, illustrated

131 Q106

132 Department for International Development ([DBB016](#)), BRAC ([DBB036](#)), Institute for Development Studies ([DBB024](#)), plus DFID country briefing

133 Q110

Bangladesh's uneven distribution of the wealth created by its GDP growth, telling us: "The top 10% of the country have sped away ... we are talking about luxury lifestyles that most of us cannot imagine. The bottom 40% have dropped significantly. The middle class, around 50%, is ... retaining its consumption from before. You have a real inequality brewing and increasing."¹³⁴

108. There also seem to be inequalities arising from the competing attractions of continuing education and immediate employment in Bangladesh. Farah Kabir, ActionAid Bangladesh, pointed to the fact that the country had about 400,000 people at mid-manager level from India and other parts of south Asia due to a lack of educational attainment in Bangladesh schools. She said that these were not imported 'experts' but people with basic management skills. There had been a huge improvement in enrolment and access to a basic education but too soon the government's priorities kicked in—or those of struggling parents—and young people were pushed towards "vocational or the overseas market" (not helped by legislation legalising full-time employment at age 14).¹³⁵

109. The 'overseas market' was important because remittances (money sent home by nationals living and working abroad) have been important as a source of foreign exchange (\$12.7 billion in 2016/17¹³⁶). Meenakshi Ganguly, Human Rights Watch, South Asia, told us that the Bangladesh government's approach was "pretty much competing with other countries to undercut the wages for these people to travel";¹³⁷ and the "poorest record" in trying to protect their rights and welfare. The emigrant population is significant with 750,000 Bangladeshis migrating to Saudi Arabia, Qatar, Oman, Singapore and Malaysia in 2017 alone—not far off the number of Rohingya arriving after 'deportation' from Burma. In total, almost nine million Bangladeshis are estimated to be working overseas, of whom a majority are located in the Middle East.

110. There was also the enduring issue of gender inequality. Although, we were told that Bangladesh now has more girls in school than boys, that was on the basis of enrolment. The drop-out rate from secondary education for girls was close to 50%; the equivalent for boys was about 41%. This feeds through to the workplace and business environment. In the ready-made garment sector (80% female employees), men would be likely to be earning twice what was paid to a woman and occupy many times more supervisory positions. In the small business sector, it would appear that men earn about 80% more than women.

111. With DFID's focus on tackling poverty and 'leaving no-one behind', unsurprisingly, a substantial portion of the overall Bangladesh programme is aimed at tackling the poorest and, in doing so, mitigating the inequality of mainstream economic growth. On the upstream side, £197.4 million was allocated to three education programmes, overall spanning 2008 to 2020, aimed at primary education, English language skills and reaching under-privileged young people with basic and vocational education aimed at employability. More directly aimed at improving the livelihoods and economic opportunities of women, the poor and disadvantaged populations are a basket of programmes, covering different planning periods, which include objectives such as assisting solo, micro and small

134 Q106

135 A joint Bangladesh government/ILO survey of child labour identified 3.45 million working children of whom 1.7 fell under the definition of child labour.

136 15% lower than recent performance

137 Q106

businesses, improving the provision of skills in the pervasive garment-making sector and also construction, formal job creation, and improving the quality of existing formal jobs in the garment sector.¹³⁸

112. We received favourable impressions of a number of providers, and from a number of beneficiaries, of such programmes during our visit to Bangladesh earlier this year. These included: a maker and importer of shoes who was looking forward to opening a second (tiny) shop and renegotiating the terms of his import deal; a number of women investigating the potential to move from solo home-working on garments to some form of collective or association, and a further group of solo entrepreneurs being assisted in documenting their financial 'identity' as a foundation for discussions with a bank about access to finance.

113. Two issues came to the fore during this portion of the visit that we raised with Minister Burt when he came to give evidence at the conclusion of the inquiry. First, we visited an impressive collaboration between DFID, Ambagan Technical School and a number of private sector sponsors, under the Underprivileged Children's Education Programme (UCEP). This is a project to re-connect young people with education and vocational skills training. It was quite clear from the students we talked to that, without the incentives of UCEP's structure and the likelihood of employment, the chances of them spending time back in education, as opposed to informal employment, was remote. However, DFID is withdrawing funding from the initiative and we challenged the wisdom of stopping something that seemed to be working well. Richard Montgomery, DFID Director, indicated that the point behind projects such as UCEP's Ambagan school was to showcase the approach, draw in other funding and become self-sufficient. He said that UCEP would be able to apply to a successor challenge fund (but acknowledged the process was a competitive one). On a practical note, he added: "we have this dialogue with a lot of organisations and every time we say, "Okay, we are not going to stick to what we said before, and we are going to give you another piece of funding", we create an incentive for the next round of negotiations with another organisation. That is problematic."¹³⁹ **We acknowledge the principle of seed-funding, showcasing and consequent self-sufficiency but are grateful for the Minister's under-taking further to consider the funding of UCEP's programme for disadvantaged youth skills training. We look forward to a report of his conclusions as part of DFID's reply to this report.**

114. Secondly, we visited an obviously and avowedly successful garment manufacturer in a special enterprise zone in Chittagong which was receiving DFID's support to implement a superior training methodology which got workers from induction to the factory floor more quickly than traditional methods and with superior productivity. We questioned why such a business needed subsidy from UK aid to train its workers?

115. Minister Burt summarised the approach by saying "sometimes programmes are designed to encourage those who *have* the resources to *place* the resources in the right place."¹⁴⁰ Richard Montgomery, DFID Director, recalled the infamous Rana Plaza building collapse¹⁴¹ and the consequent coalition of Bangladesh authorities, aid donors, NGOs and retailers (including many big UK brands) which worked together to improve

138 DFID country programme briefing

139 Q284

140 Q279

141 [The Rana Plaza disaster](#), DFID & FCO, April 2014

infrastructures, environment and conditions, as well as inspection and audit arrangements, to prevent repetition. The programme we saw was a further step in this process, a more explicit showcase, to demonstrate the 'bottom line' benefits of better training, better conditions, better employee engagement. Mr Montgomery said: "I do not think we see this as a long-term hand out. We are seeing this as a hand up to factories to demonstrate that better training is worthwhile ... The UK taxpayer can be really proud of the way that we have helped, along with many others, improve the ready-made garment industry, which now supports not just 4 million women directly through wages but supports about 15% of the Bangladesh population".¹⁴² In response to challenge from the Committee, Mr Montgomery agreed that a low-interest loan, what he then termed "development capital", might have been used in recognition of the boost being given to an already profitable entity in the private sector.¹⁴³ Minister Burt also acknowledged that "development changes ... the instruments and facilities that we use change over time."¹⁴⁴ **We will return to the evolution of instruments and facilities used to deploy UK aid in a future inquiry into DFID's Economic Development Strategy.**

'Civic space', open debate

116. Our evidence suggested that Bangladesh's relatively open 'civic' space¹⁴⁵ had played a major role in its successful economic growth and development. Evidence from the Institute of Development Studies (IDS) said that the freedom and confidence for DFID and Bangladeshi NGOs, such as BRAC, to form "enduring and innovative partnerships" had contributed to relatively equitable and inclusive development over time.¹⁴⁶ Joe Devine, Head of Social Policy Sciences, Bath University, told us: "Bangladesh is probably unique in the world in that, especially through NGO activity, the development activity has been pervasive and widespread throughout the country".¹⁴⁷ IDS also pointed to the freedom of the media, and other civil society organisations, to highlight, discuss and criticise the activity and performance of government, as a "crucial foundation" for Bangladesh's "wider human development success" and external trust in the economic and business environment.¹⁴⁸ Meenakshi Ganguly, Human Rights Watch South Asia, also coupled tolerance of scrutiny and criticism with successful development, telling us: "If you are going to deem your entire opposition as most likely linked to terrorism, it is a huge challenge. That means half of [the government's] political opponents are in jail or have charges coming up. That bit of it is problematic and it creates an environment that will, in the end, hurt the economy."¹⁴⁹

117. Our witnesses were clear that recent activity by the Bangladesh authorities was aimed at restricting freedom of debate and the capacity and willingness of civil society representatives to speak out and criticise.¹⁵⁰ The 2014 general election in Bangladesh had

142 Q279

143 Q282

144 Q282

145 Except for labour organisation and representation

146 Institute for Development Studies ([DBB024](#)), 1.1

147 Q106

148 Institute for Development Studies ([DBB024](#)), 2.3

149 Q114

150 Department for International Development ([DBB016](#)), Institute for Development Studies ([DBB024](#)), and *passim* on 23 January 2018, HC 504

been controversial and violent and the main BNP opposition party had boycotted it. Our evidence indicates that since then Prime Minister Sheikh Hasina's government has been exerting increasing pressure on critics and opponents, directly, using intimidation, arbitrary arrests, vexatious proceedings and enforced disappearances and, indirectly, with repressive legislation and administrative rules; pressure on the judiciary and other authorities independent of government; and the politicisation of the police, courts and other public agencies.

118. DFID is similarly concerned; Minister Alistair Burt told us that: "There has been a shrinkage of the political space" in Bangladesh adding that the UK Government raised concerns—for example about draft legislation on digital security or challenges to journalists and others—with the Bangladeshi authorities in public and in private.¹⁵¹ Discussions during our recent visit to Bangladesh indicated that, while in recent history, extra-judicial disappearances have been mostly aimed at terrorist suspects, they are increasingly aimed at opposition parties.

119. There was a further narrative, presented in evidence, that polarisation between Awami League and the BNP supporters had percolated everywhere, including in civil society organisations, because, as Joe Devine, Bath University, told us: "survival depends on being properly aligned with X party or Y party".¹⁵² This led to the further diminution of the space for the "public good", and non-partisan debate, in Bangladesh. Mr Devine recommended DFID should focus on supporting the independence of the public policy 'think tank' sector, such as the Bangladesh Institute of Development Studies, which were "very, very good" but also "under fire at the moment". In Chittagong, Bangladesh we had visited part of an impressive DFID programme, co-funded with USAID¹⁵³ and badged as 'strengthening political participation', which includes efforts to bring younger people from the different parties together to bridge exactly this divide. We heard, in particular, that this programme had benefited over 5,300 women who had since been appointed to grassroots party committees. Minister Burt welcomed the Committee's interest and noted that, globally, political polarisation and confrontation was currently acute and that DFID was looking for opportunities to foster the recognition of the legitimacy of political differences, including in Bangladesh.¹⁵⁴

Human rights

120. In general, human rights, while enshrined in Bangladeshi law, are reported to continue to be being abused widely. Bangladesh remains a Priority Country in this respect for the Foreign and Commonwealth Office. Credible reports from human rights organisations list: extra-judicial killings; arbitrary arrests followed by long detentions without charges; and enforced disappearances, allegedly at the hands of law enforcement officers. As mentioned above, victims of these activities have included opposition figures in recent times. The use of intimidation, ill-treatment and torture in custody remains rife.

121. We visited the Dhaka District and Metropolitan Courts and discussed the challenges of accessing justice in Bangladesh. One over-riding feature was the sheer quantity of cases with a backlog—or caseload depending on your point of view—of about three million

151 Q271 and see Annex 1 (FCO 2016 Human Rights report)

152 Q118

153 The DFID element is currently £16.2 million between 2017 and 2021

154 Q275

cases, both civil and criminal. Commentators described this backlog as a barrier to justice in all type of cases giving rise to constraints upon all areas of economic and social activity. We were staggered by the quantity and distribution of mountains of physical files in the facility we visited (yet impressed by the apparent ability of the paralegal staff we met to navigate this paperwork).

122. While Bangladesh's total prison population is lower than that of England and Wales, the proportion of 'untried' detainees at any one time was around 75–80%, 56,000 people (compared to the E&W equivalents of nearer 10% and 9,000).¹⁵⁵ In the Bangladeshi case, however, a large majority of untried detainees may well be eventually acquitted; some after decades of incarceration. DFID has allocated £33.5 million between 2013 and 2021 to improving access to justice in Bangladesh with the specific aim of benefitting up to "2 million poor people" and reducing the remand population by up to 17,750 across 35 prisons. More effective and efficient justice and criminal justice systems should, eventually, encourage more than the 8% of Bangladeshis who currently feel comfortable reporting crime to the police, and the 1.5% willing to go to court; it may also assist improving upon the obscenely high proportion, 99.6%, of cases of gender-based violence that fail.

123. We raised with DFID, evidence we had received which alleged continuing abuses and violence committed by Bangladeshi security forces against ethnic minorities in the Chittagong Hill Tracts in south eastern Bangladesh.¹⁵⁶ Minister Burt responded that the UK did not have programmes addressing violence in the Chittagong Hill Tracts at present due to a perception that "the pressures that were evident 20 years ago had eased to some degree, but the evidence that you heard has interested us, and we will look at that."¹⁵⁷ The Minister said that a programme entitled Enabling Pathways out of Extreme Poverty had the potential to be extended to the Hill Tracts in the future, providing some "basic help, access to services, work opportunities and the like".¹⁵⁸ **We were grateful to the Minister for undertaking to investigate reports of Bangladeshi military violence and consequent unrest in the Chittagong Hill Tracts. We look forward to a response on this point when the Government replies to this report.**

Women and girls

124. Bangladesh has one of the highest rates of child marriage in the world despite legislation in place prohibiting marriage for girls under the age of 18 and boys under the age of 21.¹⁵⁹ Over half of women currently between the ages of 20–24 were married before their 18th birthday and one in five were married before their 15th birthday.¹⁶⁰ Bangladesh faced criticism in 2017 from human rights groups¹⁶¹ when it passed an amendment to relevant statute permitting girls under age 18 to marry under "special circumstances," such as "accidental" or "illegal" pregnancy, with permission from their parents and a court. There is no age limit on how early girls can marry under this exception.¹⁶² Women

155 World Prison Brief: [Bangladesh](#)

156 Mr Felix Dawes ([DBB037](#))

157 Q226

158 Q226–227

159 DFID country briefing

160 DFID country briefing

161 Human Rights Watch, [World Report 2018](#) Bangladesh

162 DFID country briefing

also face very high levels of violence in Bangladesh. Over 80% of married Bangladeshi women are estimated to suffer abuse from their partner during their marriage. There are also high levels of dowry killings, acid attacks, stalking, sexual harassment and rape.¹⁶³

125. DFID is funding the Manusher Jonno Foundation which has helped over one million people (60% women) to hold government to account and claim their rights; including helping 45,852 female survivors of violence to get compensation, resolution or legal services.¹⁶⁴

Business and working environment

126. A further potential restraint on further economic development was the general business environment in Bangladesh. Our witnesses pointed out that “in every single indicator that exists in terms of corruption, Bangladesh does poorly.” Corruption in Bangladesh was described as endemic; from big contracts and grand schemes — such as the Padma Bridge project¹⁶⁵ (from which the World Bank was said to have withdrawn on grounds of concern about corruption) — to small, everyday, things like the ‘garbage’ collection.¹⁶⁶ Bangladesh features at 177th out of 190 countries in the World Bank’s ‘Doing Business 2018’ survey and 143rd out of 180 in Transparency International’s Corruption Perception Index for 2017. A related challenge is that public revenue generation in Bangladesh equated to only about 9% of GDP (in contrast to, for example, a western European norm of above 30%).

127. DFID’s response to these challenges, specifically, are £59 million worth of programmes, running to 2021, aimed at supporting the strengthening of the management and transparency of official information for citizens, including obviously civil society and businesses, to improve the tools and means for holding public authorities and agencies to account—with a particular programme aimed at the system of public expenditure.

Climate change

128. Bangladesh is widely recognised as one of the most vulnerable countries in terms of the impacts of climate change and also for its cutting-edge achievements in addressing the issue. We were grateful to be able to discuss these issues with leading experts, led by Professor Ainun Nishat, in Dhaka in March.

129. Bangladesh’s vulnerability arises from its extensive floodplains, low elevation (two thirds of the country being less than five metres above sea level), high population density, high levels of poverty and substantial reliance on agriculture for economic subsistence and food security. More than 80% of the population, more than 128 million people, are at risk of exposure to floods, droughts and earthquakes; and over 70% are at risk from cyclones.

130. These risks are very real and have materialised in the past with terrifying regularity claiming millions of lives and negating prior development gains. Since 1954, Bangladesh has experienced 21 abnormally high floods (of which four were ‘exceptional’ and two were

163 DFID country briefing

164 DFID country briefing

165 A \$3.7 billion, 6km, road and rail bridge under construction on the Padma River which runs across the middle of Bangladesh.

166 Q112

catastrophic). In addition, a severe cyclone hits the country every three years or so. For example, in July 2015, the concurrent impacts of Cyclone Komen and monsoon season flooding caused \$1.56 billion in damage to assets and impacted upon 2.6 million people.

131. Other impacts may be more insidious but are very worrying nonetheless. Erosion along Bangladesh's long low coastline accounts for an annual loss of around 10,000 hectares as well as weakening natural coastal defences and aquatic ecosystems. There is a large problem - particularly in western Bangladesh - of scarcity of fresh water due to 'salinisation'. Water intrusion from rising sea levels in low-lying plains has worsened the decline of agriculture and related production and employment opportunities as well as increasing the spread of water-related diseases.

132. Bangladesh has invested heavily in disaster readiness and response and has been supported in doing so by DFID and other donor partners. Investment of the order of \$10 billion over 25 years has been directed at both infrastructure (such as strengthening river embankments and coastal polders, building cyclone shelters and developing early warning systems) and adaptation (government agency capacity, livelihood diversification and adapting rural farming methods). One example given was of increased crab farming or "fattening" taking advantage of the water salinisation (however the point was made that crab meat was far from a Bangladesh staple).

133. DFID's assessment is, however, that "the impacts of global warming and climate change still have the potential to challenge the country's development efforts, human security and the future."¹⁶⁷ The response has been both a specific climate change adaptation and risk reduction programme (£75 million between 2008 and 2017), a more general disaster preparedness and response improvement programme (£105 million between 2016 and 2021) and the 'mainstreaming' of climate change mitigation and adaptation measures across all programmes (for instance, clean energy, off-grid, for the rural poor and new schools doubling up as cyclone shelters for over 50,000 people in the vulnerable coastal zone).

Health and nutrition

134. DFID also runs two further programmes in Bangladesh aimed at: improving access, particularly by the poor, to essential health, population and nutrition services (£120 million between 2011 and 2017); and strengthening care for mothers and new-borns amongst the poor (£38 million between 2013 and 2018). Undernutrition in Bangladesh is the highest in South Asia (and the percentage of babies born with 'low birthweight' is the highest in the world). Tackling undernutrition effectively is an end in itself (SDG2), as well as contributing to the reduction of global disease; and avoiding the economic costs (2–3% of GDP and 10% of earnings); and it breaks the inter-generational cycle. The Bangladesh government has consistently prioritised key aspects of life-saving health services (such as vaccinations, antenatal services and family planning) and DFID described access to basic health services as "almost universal" but identified: low availability of skilled assistance during childbirth, TB, diabetes, hypertension, cancers and accidents as key contributing factors to premature deaths in Bangladesh.¹⁶⁸ We visited both a HOPE developing midwifery project in Cox's Bazar and had a discussion with 'Suchana' nutrition programme deliverers (Save the Children International).

¹⁶⁷ DFID country briefing, 94

¹⁶⁸ *Ibid*, 90

BRAC

135. A unique feature of DFID's work in Bangladesh is its strategic partnership with BRAC, the giant home-grown, now global, NGO. Since 2011, DFID has been in a Strategic Partnership Arrangement (SPA) with BRAC. This is a flexible funding agreement in which BRAC receives a sizeable, multi-annual allocation of ODA to deliver a defined set of agreed development objectives covering a wide range, if not all, of DFID's strategic objectives for its work in Bangladesh. The original SPA concluded in 2016 and SPA II has been agreed to be concluded in 2021. BRAC itself states that the SPA arrangement "gives BRAC the flexibility and funding security to innovate and implement extremely effective programmes that have achieved transformative results in Bangladesh. SPA II is funded by £224.5 million between 2016 and 2021. Looked at on an annual basis, that amounts to virtually £45 million, getting on for a third DFID's annual budget for development aid for Bangladesh (setting aside the recent allocations for the Rohingya).

136. The original SPA portfolio performed well against expectations. Evidence submitted by BRAC in relation to mid-term results from SPA II demonstrates:

- Services provided to at least 110 million people in 2017.
- 86,000 households participating in BTRAC's ultra-poverty initiative.
- 1.8 million students enrolled in BRAC educational programmes.
- 1.3 adolescents and pregnant women in receipt of counselling on balanced nutrition and dietary practice.
- Like DFID, BRAC is incorporating climate change resilience and gender equality.

137. BRAC has developed from the 'Bangladesh Rural Advancement Committee' to be No. 1 NGO in the world, and almost, an experiment in government - or at least key public service provider - as a non-partisan, meritocratic, social enterprise. We visited a number of BRAC projects, and met a great number of BRAC personnel and were impressed. One such, was a small community early years school. We consulted the parents and there was very vocal support for the institution which they wanted to 'grow' up with the children and not have to use the 'government school'.

138. BRAC seems to have avoided the sort of partisan contamination, or political polarisation, that our witnesses alerted us to. Equally, BRAC seems to be handling, or working around, the shrinkage of the public, democratic and/or civil society 'space' (of course it is possible that BRAC eschewed this space in the first place). ***Whatever BRAC is doing, or not doing, in the background to reach and surpass its objectives while seeming to steer clear of political interference and the other challenges we have identified above, DFID should take note and put in place a process to capture, and consider, the lessons that can be learned.***

Conclusions

139. Overall, we conclude that DFID's work in Bangladesh is to be highly commended. The country is on a welcome overall trajectory and the UK as a longstanding ally, critical friend and partner has made a clear contribution to this direction of travel. DFID

appears to have programmes and partners in place with the potential to demonstrate where and how the fault-lines and weaknesses within that positive picture might be mitigated. This is particularly important in view of the Sustainable Development Goals' emphasis on 'leaving no-one behind' which points to a focus on extreme poverty, women and girls and disabled people in Bangladesh.

140. A crucial test will be how Bangladesh responds to, and copes with, a number of forthcoming challenges; and what further assistance DFID and the UK Government can deliver and help orchestrate from the rest of the international community. We see these as:

- the fair and peaceful conduct of the forthcoming elections and the relaxing of the space for debate and criticism between and from all the elements of civil society.
- tackling the inequalities and fragilities within the overall positive economic outlook to avoid reaching the limits of capacity and perhaps stalling or freezing further improvements for all of Bangladesh, and
- maintaining the focus, in line with the relevant UK development assistance statute, on the inequalities suffered by Bangladeshi women and girls in terms of abuse and sexual violence (inside and outside matrimony), access to a continuing education, child marriage and to uneven earning power and promotion prospects within the economy.

141. A fourth challenge is the Rohingya crisis; but it is most clearly not a challenge for Bangladesh alone. Bangladesh is to be thanked and commended for opening its borders to these refugees fleeing violent persecution in Burma. Bangladesh needs to face up to the requirement for a long-term solution and, the international community should provide the required resources.

142. The objective assessment is for just under \$1 billion per year to meet the needs of the Rohingya refugees in Bangladesh. The international community, with the UK in the lead, should call on the World Bank to come up with one or more funding instruments for use by the international community to provide resources to countries providing a global 'public good' by hosting refugees, migrants or displaced persons.

Conclusions and recommendations

Introduction

1. We can only assume that the Burmese government was reacting to the criticism contained in our first report on the Rohingya crisis and voiced by many other members of both Houses during questions and debates on the matter. (Paragraph 8)
2. *We recommend that DFID seek to agree with the authorities of any country in receipt of multiple millions of pounds worth of UK aid—whether any of that aid is channelled via government agencies or not—that there is a presumption of access to scrutinise the relevant projects on the ground for UK personnel engaged in audit or accountability, including the relevant parliamentary select committee. Indeed, the principle of diplomatic reciprocity indicates that the UK parliamentarians should have access to any country with whom the UK has diplomatic relations.* (Paragraph 10)

Burma

3. We believe there may be a fundamental problem with the peace process that the UK is supporting. The problem is that one side is unlikely to be sincerely engaged and probably has a completely different agenda. We think it highly likely that the process is just window-dressing for the Burmese Army. (Paragraph 45)
4. *We recommend that DFID commission and conduct an independent review of the peace process, evaluating its prospects for progress. There should be robust benchmarks set which, if not met, mean that the programme is suspended.* (Paragraph 46)
5. *In response to this report we would like the UK Government to set out how its support for UK/Burma trade takes into account concerns about the Burmese military's involvement in the economy and human rights abuses. This should include information covering UK spending other than ODA or which is through funds and programmes outside of DFID's control, for example the Prosperity Fund.* (Paragraph 67)
6. All aid organisations need to keep under review their terms of engagement with state institutions in countries where there are substantial human rights concerns. *We recommend that DFID, together with the WFD and the UK Parliament and other UK organisations supporting the 'Pyidaungsu Hluttaw'—coordinate in securing an objective review of such programmes. This review needs to determine if any substantive progress has been made in equipping and/or inspiring the Burmese legislature to do more to hold the government to account, engage the public or other flexing of parliamentary muscle. If little or nothing tangible has been achieved, we recommend suspending these programmes.* (Paragraph 74)
7. The UK is providing advice to government departments which although not classified as 'direct aid to government' it is British taxpayers' money being used to engage with the Burmese government which DFID itself admits is significantly influenced by the military. However, as the Minister says to disengage is to lose any influence

over the government. We ask DFID to re-evaluate its balance of spending between economic development, human development and on meeting urgent humanitarian needs. (Paragraph 80)

The Rohingya refugees

8. We stand by our two previous reports and the conclusions and recommendations we set out there. Alongside many other members of both Houses, we are increasingly horrified as more and more evidence and testimony emerges about the violent expulsion of the Rohingya by Burmese military forces. Yet, this is almost eclipsed by the threat to the Rohingya's fraught and fragile foothold in Bangladesh as the monsoon season comes ever closer. At the same time, we would urge that the grave concerns we have identified over the longer term future of the Rohingya are not ignored in seeking solutions to this more imminent further chapter in the crisis. (Paragraph 101)
9. We very much welcome the £70 million of new aid allocated by the UK to bolster the on-going work in Cox's Bazar to prepare for the monsoon season. These resources will make a substantial difference and we trust that further donors will be inspired to follow suit. (Paragraph 102)
10. We can only interpret the UNSC press statement of 9 May, issued following the visit by UN Security Council representatives to Bangladesh and Burma, as meaning that China, at least, threatens to veto any proposal for collective action in response to the Rohingya crisis. (Paragraph 103)
11. In addition, to our previous work, there are two points to repeat and one to make at this juncture:
 - *The Bangladesh Prime Minister, government, other services, and the people and authorities of Cox's Bazar, must be thanked and commended for the way sanctuary was provided to the Rohingya.*
 - *While in Bangladesh (in March), we heard grave and convincing concerns from many quarters that a substantial proportion of the Rohingya refugees' accommodation (and services) was extremely vulnerable to the heavy rainfall that the imminent monsoon season would bring. Without decisions and action being taken very quickly to enable relocation to begin -- and to facilitate other mitigations -- people were going to die.*
 - *The threat of monsoon or cyclone only reinforces the need to persuade the Bangladesh government to seize the nettle and start laying the foundations for a plan to provide for the longer term, including registration.* (Paragraph 104)

Bangladesh

12. We acknowledge the principle of seed-funding, showcasing and consequent self-sufficiency but are grateful for the Minister's under-taking further to consider

the funding of UCEP's programme for disadvantaged youth skills training. We look forward to a report of his conclusions as part of DFID's reply to this report. (Paragraph 113)

13. We will return to the evolution of instruments and facilities used to deploy UK aid in a future inquiry into DFID's Economic Development Strategy. (Paragraph 115)
14. We were grateful to the Minister for undertaking to investigate reports of Bangladeshi military violence and consequent unrest in the Chittagong Hill Tracts. We look forward to a response on this point when the Government replies to this report. (Paragraph 123)
15. *Whatever BRAC is doing, or not doing, in the background to reach and surpass its objectives while seeming to steer clear of political interference and the other challenges we have identified above, DFID should take note and put in place a process to capture, and consider, the lessons that can be learned.* (Paragraph 138)
16. Overall, we conclude that DFID's work in Bangladesh is to be highly commended. The country is on a welcome overall trajectory and the UK as a longstanding ally, critical friend and partner has made a clear contribution to this direction of travel. DFID appears to have programmes and partners in place with the potential to demonstrate where and how the fault-lines and weaknesses within that positive picture might be mitigated. This is particularly important in view of the Sustainable Development Goals' emphasis on 'leaving no-one behind' which points to a focus on extreme poverty, women and girls and disabled people in Bangladesh. (Paragraph 139)
17. A crucial test will be how Bangladesh responds to, and copes with, a number of forthcoming challenges; and what further assistance DFID and the UK Government can deliver and help orchestrate from the rest of the international community. We see these as:
 - the fair and peaceful conduct of the forthcoming elections and the relaxing of the space for debate and criticism between and from all the elements of civil society
 - tackling the inequalities and fragilities within the overall positive economic outlook to avoid reaching the limits of capacity and perhaps stalling or freezing further improvements for all of Bangladesh, and
 - maintaining the focus, in line with the relevant UK development assistance statute, on the inequalities suffered by Bangladeshi women and girls in terms of abuse and sexual violence (inside and outside matrimony), access to a continuing education, child marriage and to uneven earning power and promotion prospects within the economy. (Paragraph 140)
18. A fourth challenge is the Rohingya crisis; but it is most clearly not a challenge for Bangladesh alone. Bangladesh is to be thanked and commended for opening its borders to these refugees fleeing violent persecution in Burma. Bangladesh needs to face up to the requirement for a long-term solution and, the international community should provide the required resources. (Paragraph 141)

19. The objective assessment is for just under \$1 billion per year to meet the needs of the Rohingya refugees in Bangladesh. The international community, with the UK in the lead, should call on the World Bank to come up with one or more funding instruments for use by the international community to provide resources to countries providing a global 'public good' by hosting refugees, migrants or displaced persons. (Paragraph 142)

Formal minutes

Tuesday 15 May 2018

Members present:

Stephen Twigg, in the Chair

Richard Burden	Nigel Evans
Pauline Latham OBE	Chris Law
Ivan Lewis	Lloyd Russell-Moyle
Paul Scully	Virendra Sharma
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 142 read and agreed to.

Resolved, That the Report be the Fourth 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 22 May at 9.40 am.]

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 Mephram, 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](#)

Tuesday 23 January 2018

Dr Joe Devine, Head of Department, Social and Policy Sciences, University of Bath; **Meenakshi Ganguly**, South Asia Director, Human Rights Watch; and **Dr Ipshita Basu**, University of Westminster

[Q106–131](#)

Asif Saleh, Senior Director, Strategy, Communication and Empowerment, BRAC and BRAC International; and **Farah Kabir**, Country Director of ActionAid Bangladesh

[Q132–146](#)

Wednesday 14 March 2018

David Baulk, Myanmar Human Rights Specialist, Fortify Rights; **Hkanhpa Tu Sadan**, Trustee, The Kachin Relief Fund UK

[Q147–172](#)

Anthony Smith, Chief Executive, Westminster Foundation for Democracy; **Dr Niheer Dasandi**, Birmingham Fellow, Birmingham University

[Q173–205](#)

Tuesday 20 March 2018

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

[Q206–284](#)

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 Age International ([DBB0040](#))
- 4 BRAC ([DBB0036](#))
- 5 Burma Campaign UK ([DBB0007](#))
- 6 Burma Campaign UK ([DBB0027](#))
- 7 Christian Aid ([DBB0029](#))
- 8 Christian Solidarity Worldwide ([DBB0001](#))
- 9 Christian Solidarity Worldwide ([DBB0028](#))
- 10 Department for International Development ([DBB0016](#))
- 11 Department for International Development Annex A ([DBB0020](#))
- 12 Department for International Development Annex C ([DBB0023](#))
- 13 Department for International Development Annex D ([DBB0025](#))
- 14 Department for International Development Annex E ([DBB0035](#))
- 15 Embassy of the Republic of the Union of Myanmar ([DBB0017](#))
- 16 Foreign and Commonwealth Office ([DBB0031](#))
- 17 Fortify Rights ([DBB0003](#))
- 18 Fortify Rights ([DBB0041](#))
- 19 Human Rights Watch ([DBB0015](#))
- 20 Institute of Development Studies ([DBB0024](#))
- 21 International Rescue Committee ([DBB0019](#))
- 22 Internews ([DBB0034](#))
- 23 Karenaid ([DBB0018](#))
- 24 Ministry of Defence ([DBB0039](#))
- 25 Mr Felix Dawes ([DBB0037](#))
- 26 Ms Alison Winter ([DBB0010](#))
- 27 Overseas Development Institute ([DBB0009](#))
- 28 Professor David Lewis ([DBB0033](#))
- 29 Protection Approaches ([DBB0014](#))
- 30 Save the Children ([DBB0030](#))
- 31 Shan Human Rights Foundation (SHRF) ([DBB0022](#))
- 32 The All Party Parliamentary Group for International Freedom of Religion or Belief ([DBB0006](#))
- 33 THE KACHIN RELIEF FUND ([DBB0021](#))

- 34 The Rt Hon the Lord Hague of Richmond and The Baroness Helic ([DBB0032](#))
- 35 UNHCR, The UN Refugee Agency ([DBB0011](#))
- 36 University of Sussex ([DBB0026](#))
- 37 Westminster Foundation for Democracy ([DBB0042](#))
- 38 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

First Report	DFID's work on education: Leaving no one behind?	HC 367
Second Report	Bangladesh and Burma: the Rohingya crisis	HC 504
Third Report	Bangladesh and Burma: the Rohingya crisis - monsoon preparedness in Cox's Bazar	HC 904
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
Third Special Report	DFID's work on education: Leaving no one behind?: Government response	HC 914
Fourth Special Report	Bangladesh and Burma: the Rohingya crisis: Government response	HC 919



International Development Committee

Oral evidence: DFID's work in Bangladesh and Burma: the Rohingya crisis, HC 504

Tuesday 20 March 2018

Ordered by the House of Commons to be published on 20 March 2018.

[Watch the meeting](#)

Members present: Stephen Twigg (Chair); Mr Nigel Evans; Mrs Pauline Latham; Mr Ivan Lewis; Lloyd Russell-Moyle; Paul Scully; Mr Virendra Sharma.

Questions 206 - 284

Witnesses

I: The Rt Hon. Alistair Burt MP, Minister of State for International Development and Minister of State for the Middle East at the Foreign and Commonwealth Office; Richard Montgomery, Director of Asia, Caribbean and Overseas Territories Division, DFID; Patrick Moody, Foreign and Commonwealth Office.

Examination of witnesses

Witnesses: The Rt Hon. Alistair Burt MP, Richard Montgomery and Patrick Moody.

Chair: Good morning, everyone. This is our final oral evidence session as part of the International Development Committee's inquiry, in which we are looking at DFID's work on Bangladesh, Burma and the Rohingya crisis.

Q206 Paul Scully: Thank you, Minister, for coming along, as ever. When we were in Bangladesh recently, we met families in the refugee reception centre, which is newly set up in Cox's Bazar, who had freshly come from Burma. They had experienced the murder and abduction of family members by the Burmese military only days before. We ended up speaking to them individually. What is the international community doing, and what can it do, to stop the continuing violence against the Rohingya?

Alistair Burt: First, Chair, thank you for the opportunity to speak. I have Patrick Moody from the FCO and Richard Montgomery from DFID with me, so we will deal with the questions between us on technical and political matters.

The violence in Burma has been declining, but it is still going on. The majority of people have already fled. We have seen the report of the special rapporteur. We have seen the response of the spokesperson for the international monitoring group this week. The circumstances that have been described are absolutely appalling. Efforts continue to be made with those in Burma, both to get in there and see what is going on, and to make representations that the violence has been unacceptable to the international community and should cease.

The provisions put forward by the Rakhine advisory commission and the newly created advisory board in relation to that should be followed as the way forward for the people of Rakhine. There can be no return of refugees until there is security and a guarantee that they will be returning to a safe environment. The continuing violence is a scar on all of us. There is no doubt about that, and we will continue to make whatever representations we can in relation to it ending.

Q207 Paul Scully: Something that one of the psychiatrists or psychotherapists told us when we were there, looking at some of the children in their schools, was that there is a lot of coercion. There is a move towards coercion rather than actual violence. The threat of violence was based on what had already happened, so it was almost as if you did not need the violence because of the fear of what might happen, or the conditioning, I suppose. We are still at the point where the military seems to be acting with impunity. Where are we with diplomacy? Has it failed? Is it continuing? Where are we in terms of targeted sanctions and other actions? Are they still on the table?

Alistair Burt: As far as diplomacy with Burma is concerned, this Government have

made determined efforts to reach the leadership of Burma, in terms of its responsibilities. You will be aware that Aung San Suu Kyi has recently been to the ASEAN conference and been in direct contact with the Foreign Secretary in terms of what the civilian element of the Government can do in relation to this. Has there been a failure of the international community in relation to the Rohingya? I suppose the short answer is yes, in terms of what has happened, but there has been a remarkable response from the international community post the events, in order to seek a way forward.

We must be very clear: the failure lies principally with the Burmese military, which has been responsible for this, on the back of all the efforts that were made inside Burma—the advisory commission and the way forward that seemed to be possible to deal with a decades and ages-long issue in relation to the Rohingya. There were signs that these cycles of violence might come to an end. There was a pathway forward, and that was lost.

The diplomatic efforts in relation to Burma are manifold. You have a country that is moving from military to civilian rule, from authoritarianism to democracy, from a closed economy to a more open one. None of these things happen overnight. It is a country where there are still ethnic tensions well away from Rakhine. The peace process—the Panglong process—in relation to other parts of the state is still continuing. Those efforts would appear to have some degree of success in moving forward some of those ethnic conflicts.

We can be sure that, if there is a cut-off of the relationship with Burma—if it returns to isolation—those voices in Burma that know that what has happened is wrong and that wish to challenge what has happened will have no support from us, because we will have cut off the contact. I do not think that is the right approach for diplomacy, so we will continue our efforts. Have they resulted in what we want so far? No, but those efforts will continue.

The setting up of the advisory board, on which Lord Darzi sits, as you are aware, by Aung San Suu Kyi on 22 January is a reflection. I do not think something like that would be happening if it had not been for diplomatic efforts and diplomatic determination. Is it where we want it to be? Is Burma where we want it to be? No, but if we did not press our points, stand up for what we believe and continue to take that message, it would be so much the worse.

Q208 Paul Scully: Skipping back to the beginning of the situation slightly, we have had the Salisbury incident. The UK and the international community were able to move at speed on that. Compare and contrast just for a second the speed of diplomatic action on that and the diplomatic action in Burma. What do you think are the reasons for that? I suppose, for the UK, it would be because it is home soil. In terms of the international community, is it part of the strategic nature of Russia and the threat, or are there other factors involved that affect the speed of the international response to the Rohingya situation?

Alistair Burt: I am not really sure if there is a direct comparison here. What is clear in relation to the situation affecting the Rohingya is its very long-term nature, and their rejection by a significant proportion of the population of Burma—their identification by them as something very different.

As I mentioned before, there is this pattern of cycles of violence that have happened in the past and have been settled, and then there is a determination over time to resolve the issue. We have been engaged with the issue for some time—with the work on the advisory commission, the recognition that this issue had to be settled. Constitutionally, it had to involve the self-identification of the Rohingya people. The United Kingdom was engaged in the process of the commission. We knew and understood the risks to the Rohingya people. I am not sure anyone could have anticipated the actions of the military following the publication of the commission and the incidents that took place then. I am not sure anyone could have predicted the scale and the ferocity of it that we have seen.

In terms of protecting people afterwards, the response has moved incredibly quickly, with the extraordinary response in Bangladesh, and the efforts of the Bangladeshi people and the international community, in which the United Kingdom has played a leading part in looking after people there. For 650,000 people to now be there, so many of them having moved in an extremely short period of time, shows that it was a remarkable response from the international community.

I am not sure if there is a direct comparison between the violence that took them there in the first place and what we have seen in Salisbury, beyond a sense of this: if the international rules-based process in which we are engaged is falling away, we are all at risk. What has happened in Burma is unacceptable. The actions of the military are unacceptable. There are the breaches of international and humanitarian

law, the issues that the special rapporteur is commenting on, the things the United Nations has taken against. Clear breaches of international law will only lead to a situation in which no one is safe anywhere.

That same argument is applied with those who may countenance the use of chemical weapons in Syria—responsible for the dismantling of the joint investigative mechanism in relation to chemical weapons. To that extent there is a connection. We are at the cusp. If international rules do not hold, worse is to come.

Q209 Paul Scully: You mentioned Lord Darzi, and I know Mark Field has spoken to him at length. He was talking about the fact that they did not think Rakhine was in any way safe for Rohingyas to return. How are they expressing that to Aung San Suu Kyi, who is saying that they should return?

Alistair Burt: How is who expressing it?

Q210 Paul Scully: How would Mark Field and Lord Darzi express the opinion that it is not safe in any way, shape or form for Rohingyas to return to Rakhine state, when Aung San Suu Kyi is looking at ways of having them return, without any assurances of safety at the moment?

Alistair Burt: Very directly. The Foreign Secretary has recently spoken to Aung San Suu Kyi, as people are aware. We have no problem in communicating those messages as directly as you would expect. The long-term intention of all in the Government of Bangladesh and of Aung San Suu Kyi to see the return of the Rohingya is clear from the agreement that was signed. However, there is a long way between the signing of that agreement and the conditions that need to be present for that to be safe. We have no hesitation in expressing that directly to Aung San Suu Kyi.

Q211 Paul Scully: The US senator, Bill Richardson, has resigned from the board that Lord Darzi sits on in Rakhine state, saying it is a whitewash. What is Lord Darzi's position on this? Does he think the same?

Alistair Burt: If you look into this, you will find there were some personal and very individualistic reasons for the resignation of Mr Richardson. I do not think that they should be seen as a reflection of the work on the advisory board, which has only really just got started. We will look at its conclusions and its work quite separately from that. Although Lord Darzi's position is not a UK Government position and he

has no accountability to the UK Government, we are quite confident in his judgment as to the work of the advisory board. It will be judged, of course, by its effectiveness in due course. We do not believe that the resignation of Bill Richardson is necessarily something that should feed into a wider concern at this stage about the board.

Q212 Mr Lewis: Good morning, Minister. We have seen, essentially, the ethnic cleansing of the Rohingya community from Burma. That is what has taken place. If we said that we would tolerate ethnic cleansing anywhere in the world, people would look on us with amazement, frankly. I just want to get to this issue about constantly referring to the actions of the military, which I think everybody would totally agree with. At the end of the day, is there any evidence that Aung San Suu Kyi has sought privately to stop the military behaving in this way? Is there any evidence that she has made statements publicly that have been sufficiently strong to condemn the behaviour of the military in relation to the Rohingya community?

The final point is on the history of sanctions, diplomacy and all the rest of it. We had a policy of isolation and sanctions towards Burma. We changed that policy to engagement and sanctions towards Burma. Then, within about two years, we entirely normalised relations with Burma, prior to the military demonstrating serious radical reform. As a consequence of that, there were major business benefits for the US and possibly for the UK as well. In retrospect, was that normalisation giving entirely the wrong message to a regime that has behaved in such an appalling way? Is there not a case for going back to the principle not of isolation, but of sanctions?

Alistair Burt: There are two questions there. First, in relation to Aung San Suu Kyi, it is the view of the British Government that she needs to speak out against the atrocities that the military has perpetrated in Rakhine. There is more she could do to ensure the civilian Government act in ways that would address the situation, including allowing humanitarian access, setting out a pathway to citizenship for the Rohingya, setting out a clearer vision for the conditions under which refugees would be treated on return, addressing constraints on freedom of movement for the Rohingya and ensuring media freedom is protected. The Foreign Secretary has consistently urged her to use her moral authority and leadership to ensure that the Rohingya refugees can return safely.

In relation to the first question, I think we all recognise that her position is one of difficulty, as an element in a Government with a civilian and a military element. The Foreign Secretary has been clear in asking her to do more, but it is a difficult balance.

That gets on to the second one, of how you help and assist a state in moving forward, and how you assist the voices in a state that want to see something different. I will ask Patrick to make a comment in relation to this, if I may. As I indicated before, we take the view that this is a state under decades of military rule, authoritarian government, no democracy and the like. It does not change overnight. The judgments you need to make, in terms of encouraging that, whether it is an easing of the sanctions, and then whether sanctions are re-applied, are genuinely complex and difficult, as you know extremely well.

As always, there is a pathway between complete disengagement and complete re-engagement. We still believe in the work of both DFID, to address those in the poorest circumstances and conditions in Burma, and those who wish to take Government and business in a different direction. The importance of business is not negligible and it is not necessarily solely related to benefit to Britain. All around the region, when you visit Vietnam, Bangladesh and other areas around the place, you see the vibrancy of the private sector and what it means to the development of people, individual choices and the sort of things that make changes in the nature of governance and the relation between governed and governance, as you move away from autocratic systems. This is all worth doing. That has been the reason for movement.

Is it too much too soon? Bearing in mind what the military has done in Rakhine, it is easy to make that challenge. It is about the longer-term impact, whether that is the direction that Burma wants to take and whether there is any evidence that it is moving in the right direction. Plainly, there are still questions to be asked about this now, and there are probably dates in the future at which to consider whether it has achieved its objectives. Patrick, is there anything in relation to that relationship?

Chair: Be very brief, because we are running rather behind. We are still on question 1 of 12. We are going to need slightly shorter answers to the other questions.

Patrick Moody: I will be very quick. I would agree with the Minister. It is worth bearing in mind that the Rakhine advisory commission's recommendations, in microcosm, for Rakhine, but equally applying to the whole of the country, draw attention to the need to bring together socioeconomic and political development as a whole, to take forward the kinds of transitions that the Minister was talking about. In terms of moving on sanctions, there have of course been moves to restrict the travel of senior military. At the last European Council, there was agreement to now look for proposals for targeted sanctions against senior military figures, so there is a switch in approach.

Q213 Mrs Latham: I want to move on to the sexual violence that is going on in Burma. In November last year, DFID told us the UK had sent two members of its PSVI team out to assess the situation regarding sexual violence against the Rohingya, and that the UN fact-finding mission was building up a body of evidence. In the recent reply to our report, you say you are now moving ahead urgently to implement the assessment and recommendations of the PSVI team, but that the UN fact-finding mission did not have a mandate to collect or preserve evidence.

Most recently, Mark Field assured the House, "We are doing our level best to ensure that there is a full collation" of all the evidence of violence and sexual violence. "We must be patient and recognise that this is a painstaking process". Who exactly is collecting or has collected evidence that could actually be used in criminal proceedings, such as the ICC, by the Rohingya against the Burmese perpetrators?

Alistair Burt: There are two things about this. First, the concerns about gender-based and sexual violence cover issues in the Rohingya camps. We support considerable provision designed to help those refugees who are there, whether it is safe spaces or psychological support and the like. I am happy to go into that further, but your question was not about that.

Q214 Mrs Latham: I accept that, but who is it?

Alistair Burt: Your question was about Burma and the issues there. It is vital that any evidence gathered is collated in the proper way. It is vital that it is available for accountability uses in the future. We are seeking to do that. We are funding one of our implementing partners—

Q215 Mrs Latham: Who exactly is doing it, and what are they collecting?

Alistair Burt: Let me ask Richard, who deals with the issues in detail.

Richard Montgomery: The main people collecting it are the UN fact-finding mission, under Chairman Darusman. They gave their oral statement on 12 March and are likely to give their final report in September, I believe. They are the main people we are relying on to provide documented accounts.

Mrs Latham: You have not seen any yet.

Q216 Chair: Sorry to interrupt, Pauline. In your response, you told us that that fact-finding mission does not have a mandate to collect or preserve evidence.

Richard Montgomery: I understand from the oral statement that it is collecting it.

Q217 Chair: Is that without a mandate, or outside its mandate?

Richard Montgomery: If I am wrong, I apologise, but we will have to go back and—

Q218 Chair: It was the Government's response to our report that said that.

Richard Montgomery: Sorry, which document was that?

Q219 Chair: The response to our Committee's report.

Alistair Burt: I have the statement from the chairperson from just last week. He says this: "We and our teams have made many visits to the region, each of several weeks. We have now conducted over 600 in-depth interviews with victims and witnesses of alleged human right violations and abuses". He says: "We are in contact with people and organisations who are keen to share their information, including the raw data for their research, and we have received a number of formal submissions".

This fact-finding mission is doing that work. They said they are focused on establishing the facts and circumstances of alleged human rights violations and abuses in Myanmar since 2011. They have clearly taken on the work of talking to those victims in order to prepare the information that will be needed in the future.

Q220 Mrs Latham: Four months ago, DFID told us that the UK had sent two members of the PSVI team out to assess the situation regarding sexual violence.

Richard Montgomery: That is right.

Q221 Mrs Latham: Is taking four months an urgent way to implement the collecting of forensic evidence of sexual violence, when the UK guidance says it needs to be collected within a week?

Alistair Burt: My understanding is that the experts made recommendations of how this was to be done. We have funded capacity building for Bangladeshi partners on investigation and documentation of sexual violence to international standards. This is not something you can instruct people to become experts in overnight. That work is being undertaken, and we have played a significant part in relation to that. Of course the work needs to be done. It has to be up to standard. It has to be up to a standard that will face testimony and challenge in court, should that be the case in the future, but it is not quick work, I suspect.

Q222 Mrs Latham: If it has to be collected within a week, that is pretty quick, and we are taking four months. What evidence can be collected at this very late date to bring the perpetrators of crimes against humanity to justice, six months after many crimes were committed? What evidence can be submitted to the ICC?

Alistair Burt: There are two things. First, let me deal with the evidence. It is clear from the fact-finding mission, and what the chair says in relation to that, that the work of gaining evidence by talking to people who are victims and putting together the stories is really a vital part of this. My relationship with this, as you know, comes from ICMP and the work that it has done in Srebrenica, the Balkans and all that. Some 20 years after that, court cases were taken where the facts and evidence produced were able to secure conviction. There is a process to be gone through. It may take time, but it can be done.

The ICC reference is difficult. As we know, Burma is not a party to the ICC. That means a reference could only come from the UN Security Council. It is our judgment at the moment that it will not do so, because some members of the UN Security Council will not back such a reference. That means we have to prepare for perhaps another tribunal. Who knows where this will be in some years' time?

The collection of evidence is oral as well as physical. I am no expert here, but I suspect physical evidence of what happened in Myanmar as people were fleeing, some months ago, will be almost impossible to gather, particularly because there is no access to those areas from Bangladesh. It has to be the oral work that is done. There is evidence of that being done now by those who are responsible for it. That

is how the information is put together. The chair references 600 interviews, 600 contacts and the like. That is how the information is put together for this work.

Q223 Mrs Latham: That is not a huge number, given that there are nearly a million fleeing.

Alistair Burt: I cannot answer for that process, I am afraid.

Q224 Mrs Latham: Finally, what success have you had in engaging with the commission on missing people?

Alistair Burt: I have spoken to Kathryne Bomberger about this. Their expertise is available when required and needed. They are currently working in a whole variety of different areas. They have not specifically been commissioned to work in this area, but that expertise, along with the expertise of others—they are not the only people in this particular area—is available.

Q225 Mrs Latham: There are a lot of missing people.

Alistair Burt: Yes, there are.

Q226 Mrs Latham: There are hundreds of thousands of missing people. So the commission are not engaged in that at all.

Alistair Burt: No, not at present.

Q227 Chair: Can you keep us updated on that, Minister?

Alistair Burt: Yes.

Q228 Chair: Going back to the issues that Pauline was raising at the beginning of her questions, last Monday at the UN Human Rights Council, the UN special rapporteur on human rights in Burma, Yanghee Lee, called for the creation of an independent investigative body to “investigate, document, collect, consolidate, map and analyse evidence of human rights violations and abuses”. She said this master database could then be used as the basis to put the individuals who gave the orders and carried out violations against individuals and entire groups on trial, either in the ICC—and I understand your point on that—or in tribunals. Is that something the British Government would consider supporting?

Alistair Burt: Yes, very much so. For reasons of brevity, I will not go into it. Yes, we support many aspects of her work and her recommendations. We are actively

looking now at how we can help her put some of these into practice.

Q229 Mr Sharma: Good morning. In June 2016, the Government told the Lords Committee on Sexual Violence in Conflict that the PSVI team of experts “currently consists of 74 experts”, of whom 43 were women. In evidence to us earlier this year, DFID told us that, following assessment in 2015, the team of experts was “streamlined to better meet needs” and “currently consists of 39 independent experts”, of whom 26 were women. Was the figure of 74 provided to the Lords in June 2016 a trick of timing or simply an error?

Chair: The 74 figure has bemused us somewhat.

Patrick Moody: In my understanding, it is 38.

Q230 Mr Sharma: It is not even 39. You said 38.

Patrick Moody: These things can expand by one or two, but it is essentially 38 or 39. We will have to come back to you on the 74 figure.

Chair: We have really struggled with this. The 74 figure, as Virendra said, was the figure the Government quoted in 2016, but consistently we are now given the figure you have just given, which is about half that figure.

Q231 Mr Sharma: I do not know whether you will be able to answer this. You can give us the full answer in writing later on. Did the 2015 review also change the team’s remit from doing to advising, or was that always its role? Lord Hague clearly thinks it has been downgraded.

Alistair Burt: I do not think there has been any downgrading of this. Pursuing accountability for sexual violence in conflict is now a major strand of what we seek to do, following William Hague’s work. The recognition of this issue in conflict has been extraordinary since raising it. The teams needed both to investigate and to provide the evidence necessary must be expert, must be in place and must be trained. You have to have the sense of what is achievable among the population you are dealing with.

I went through the statement on fact finding by the chair of that, talking about the work that they are doing, in terms of interviewing those who have been involved in it. That work is ongoing, and we are engaged with that. You need the experts and the specialists involved to do that. We are doing it. There is no suggestion of

downgrading from the UK Government.

Q232 Mr Sharma: With respect, Minister, I believe that the 74 figure was right. I believe that now it has reduced to 39 or 38—we do not know the exact figures. When there were 74 members of the team, they had a remit. When you come to half, the remit must be changed—the terms of reference must be changed. As to whether they are changed for streamlining, I do not want to use the word myself. But, certainly, Lord Hague also feels that when the figure is reduced to half, the work must be downgraded—unless you can prove it is not downgraded.

Alistair Burt: Let me just say this: the core principle of any response to sexual violence cases is to do no harm. Considerable harm is done by uncoordinated, unsupported, unskilled documentation and investigation. The PSVI international protocol team of experts and FCO-supported NGOs have been front and centre at raising standards and building local responses that minimise harm to survivors.

Justice efforts must not rush in at the cost of re-traumatising survivors. There are risks of some of the work potentially doing harm. That is why it has to be carefully controlled and people carefully trained to do the job. That is what we are doing. We will come back to you on numbers, but what we are pointing out is that, from all the evidence we have and all the experts who work in this, there are risks. Pouring people in to look for things is completely the wrong way.

Q233 Mr Sharma: We are not disputing that. I am saying that, when you reduce those numbers, the positions, and the rights, whatever terms of reference you set must change. From there, what were the thoughts behind bringing it to half? What was taken out and what was added into it?

Alistair Burt: We will provide the answer.

Q234 Chair: Can you provide it? Virendra is right. Basically, either it was never 74, in which case we were given wrong information two years ago, or it was and you have cut it in half. One of those things must be what has happened. It would be very useful to have that clarification.

Alistair Burt: Of course, yes. I do not know the specifics.

Q235 Chair: Thank you. Can I move us on now to the issue that we published a report on today? That is the immediate humanitarian situation in Cox's Bazar. The UN has

suggested in a report published last week that almost a further \$1 billion is needed over the coming year just to provide for the most basic needs for the Rohingya refugees who are in Bangladesh. Can you tell us how this money is going to be raised and what contribution the UK plans to make to it?

Alistair Burt: Yes. We have already provided £59 million since August last year. This latest proposal is connected with the joint response plan launched in Geneva this past week. It is targeting 1.3 million people in total, and that includes over 300,000 of the host community. The target is \$951 million. In the past, the responses to the appeals for the Rohingya have been good. We would expect and hope that to be the same again. We are a leading donor, we have been a leading donor, we will be a leading donor again. Since this was published on 16 March, we have not got our figure ready. We will be making a contribution to this appeal. They are right: there is more money needed, and we will provide it.

Q236 Chair: As you know, we have expressed our appreciation for the UK's swift and significant support for the humanitarian effort. Let me ask now about the issue that is the focus of our report today. That is the forthcoming rainy season, with rain, cyclones and monsoon over the coming months, and the preparedness of the camp. It was perhaps the biggest takeaway that we, as a Committee, took from our visit to Cox's Bazar two weeks ago. Can I ask, in particular, what progress there is on efforts to get permission from Bangladesh to relocate the most at-risk refugees to safer land in the Cox's Bazar area?

Alistair Burt: There are two things. First, there is a great deal of work being done in terms of preparation for the cyclone season. We have all recognised that this was coming along. That preparation is in different respects. In the camp itself there are efforts to shore up defences, cover against landslips and the like. There are efforts to make sure that the sanitation facilities that are very low lying are improved so they do not get washed away and add to the risk of disease. There are efforts to make sure that we have stockpiles available of the emergency coverings that are needed. Those are in Delhi and in Dubai.

We have worked out how quickly things can be got to Cox's Bazar, because there will be a point at which the weather changes sufficiently to allow stuff to come in. Stockpiling things there, in the place itself, runs the risk of them being washed away. We have all those preparations in place.

We continue to appeal to the Bangladesh Government for further land allocation. We think it will be necessary to do this. We have not had an indication yet from the Bangladesh Government of what they intend to do. As you know, they believe that moving to the island is a possible solution. We have expressed concerns about that, but we are working through them. There are minimum standards that need to be met in terms of the conditions for people to be moved to. We want to ensure that is the case, whether that is on the island, whether that is with further land allocations and the like.

It also merges into the long-term understanding of what is going to happen here. Whatever agreement might be made about the return of refugees, I think we are all expecting that this will take longer. Over time, if there is to be further space in the camp, it can be achieved by further land allocations and moving people. We are continuing to press the Bangladesh Government in relation to this.

Q237 Chair: Thank you for that. We were told by the agencies on the ground in Cox's Bazar that there is a significant amount of land that is available and accessible to which the relevant refugees could be moved, so that this really is a question of will on the part of the Bangladeshi authorities. Is that a correct understanding?

Richard Montgomery: There are negotiations going on for about 500 acres. Kutupalong, which you saw, is about a 3,000-acre plot.

Q238 Chair: We were told, of the 500 acres that have been identified, only about a quarter is habitable. Is that your understanding?

Richard Montgomery: That is one assessment, yes.

Q239 Chair: Is it an assessment that you share?

Richard Montgomery: There are negotiations going on, and the UN is having that dialogue. It is leading the dialogue on behalf of the international community. I do not think it takes away from the fact that, if a cyclone hits in the coming months, the amount of land available that is accessible and usable in the short term, in time for this particular season, is quite limited, if there is any. We are all deeply concerned about the risks of the cyclone season. You will have seen yourself some of the heavy works that the Minister has outlined. More work is being done to pre-position supplies and heavy moving equipment to do remedial works if there are heavy rains or a cyclone hits. The bottom line is that we can do only a limited

amount at the moment.

Q240 Chair: I know that Minister Mark Field raised this with the Foreign Secretary of Bangladesh last Thursday. In the House I asked Mark, during his oral statement, whether at some point the Prime Minister might consider speaking to the Bangladeshi Prime Minister, Sheikh Hasina. Is that something that the Government would consider?

Alistair Burt: I know it is still being considered. What I can say is that both the Foreign Secretary and the Secretary of State for International Development have written directly to Sheikh Hasina, setting out these further concerns. We have a very good and very strong relationship with the Government of Bangladesh. I do not think the Committee should be in any doubt that the Government of Bangladesh and the Prime Minister know the UK's views about every aspect of this, including praise for Bangladesh and how it has coped with the pressures, but also concerns about further issues—whether it is access of NGOs, whether it is making sure the health supplies are there, whether it is in relation to the space, or whether it is in relation to preparedness for monsoon and cyclone. You can be sure they know about this, and it is at the highest level.

Whether or not there is a need for a PM-to-PM call, there is no doubt that the Foreign Secretary and Development Secretary have both been extremely closely involved with this personally, and have made sure that the UK's concerns are well communicated to the Government of Bangladesh.

Q241 Chair: Minister, you have slightly anticipated my next question, which is on the work that is being done to encourage the Government of Bangladesh to grant more practical visas and permits to NGO staff seeking to work in the camps. This is an issue that has been raised with us repeatedly. How is progress on that?

Alistair Burt: Again, we do our best in relation to this to make the case for those who are applying to go. As I am sure the Committee is aware, there are 50 international NGOs and 40 locally based NGOs working there. There are a lot of people to get in and out. We are respectful of a sovereign state's right to handle its visas and to make sure that the people who are coming in are right to be working in their camps and in their area. Anything we can do to help and assist, we will do, but, as I say, we respect and understand the rights and obligations of Bangladesh to handle this extraordinary crisis, as it is doing.

Chair: We are going to move on now to some of the other issues relating to both Bangladesh and Burma.

Q242 Paul Scully: Forgive me if I dash off shortly after this question, because I have to go and speak to Mark Field in Westminster Hall about Tamils. We went to Bangladesh to look at the wider work of DFID, but of course the Rohingya situation was paramount. I just wanted to look at the wider situation in both Burma and Bangladesh and ask you the general question of why we work in those countries on the scale that we do, with them both being within the top 20. Does it reflect the index of global poverty? The probability of successful impacts? Our historical relationships even, given our long ties with those countries? Or trade and investment reasons? I was just wondering if you can look at why we have that size of budget and work.

Alistair Burt: I will do so. Bearing in mind the constraints on time, I will try to be brief, so I will shorthand it to a degree. The countries are very different and are in very different states. Bangladesh is regarded as something of a development success story. It has moved its financial status. It reached lower middle-income status in 2015. In 2016, its GNI per capita overtook that of Pakistan. This is a country that does well, in relation to a vibrant civil society. It has seen poverty rates fall rapidly and a dramatic rise in female employment. But some 37 million people still live in poverty, with 21 million of those living in extreme poverty.

In relation to Bangladesh, therefore, our programmes are designed to help and assist the poorest, but to continue the progress being made in the overall development of a vibrant Bangladesh, in order to improve its status still further. There is work done to make sure its education and health systems are more sustainable. There are good reasons to work there. There are good relationships with the United Kingdom and a very strong bilateral programme.

Burma is in a different situation, as mentioned earlier, recovering from decades of authoritarian and military rule, and plainly in a very different governance and internal structural situation. Again, our work is directed towards the poorest in Burma, with £110 million worth of development aid, as you are aware. No financial aid goes to the Government. No financial aid goes to the military. Programmes are designed, as I indicated earlier, to improve the processes in terms of education. I visited the health service in Yangon, again directed towards the poorest, but also

with a wider eye to the development of Burma and the return of Burma towards democracy and a more open economic system, which will benefit all the people.

Therefore, our bilateral programmes are related to doing that, but there is still extreme poverty. UK aid has helped over 620,000 people to gain sustainable access to clean water and sanitation, helped 49,000 children to get a decent education, and improved nutrition for over 438,000 children under five, and for women and girls.

The programmes in both states are designed to cover that, and we feel these programmes have real value for the people we are trying to assist and the overall prospects for both Bangladesh and Burma, although we recognise they are very different states.

Q243 Paul Scully: Can I ask what role the Governments of Bangladesh and Burma have in our strategy there?

Alistair Burt: We cannot work in either of these states without the agreement of the states, but we devise the programmes. The programmes are all delivered through NGOs and various agencies that DFID contracts with. The Government are aware of the programmes but have no say in what we do or what we do not do, provided we have access in there. That is the way country programmes work.

Richard Montgomery: There is a difference between Burma and Bangladesh. In Bangladesh, it is a very transparent, multi-donor arrangement. Every two years at least, there are major conferences about Bangladesh's development programme and how the international community supports that. The last one was in January this year. There is a great deal of appreciation of the Bangladesh development strategy being something that the international community would not contest as such. A lot of the reforms the Bangladesh Government, civil society and private sector want to make are things that we can easily get behind.

They are very focused. They were focused on the MDGs, for example. Some people would argue that two MDGs were slightly off track. Others would say only one failed. For the rest of them, Bangladesh met all the MDGs. It is a big success story for donor co-ordination.

In Burma, the aid co-ordination mechanisms are not so coherent. There is no national-level dialogue. There are a number of sector groups, and the Government

have set up a Ministry that does some co-ordination among donors. There is a division of labour emerging in Burma between the big financial institutions—the ADB and the World Bank—and non-traditional donors such as China and India, that are focusing on a lot of infrastructure investment, or what you would call hardware. The traditional donors, and a lot of the donors that we would see as like-minded, are focused more on the softer side, so better government, more accountability, civil society support, health and education, and targeting the poorest. There is a division of labour emerging in Burma. The UK, as, I think, the second largest bilateral, is trying to shape that dialogue, along with other agencies.

Q244 Paul Scully: David Cameron told a US Senate Committee on Foreign Relations last week that we should be looking at stopping aid in corrupt countries. Burma and Bangladesh feature pretty low down in the corruption indexes. I am wondering what your feelings are about the situation.

Alistair Burt: The point of engagement is that, if you can see something useful and good to do, for as long as it makes a difference, you should consider doing it. You should also always consider the impact of loss of engagement and what that means. There are difficult choices in all this. As we have discussed on the Floor of the House many times, if the United Kingdom wanted to confine its relationships around the world solely to those who share, profess and deliver on our values, we would have a pretty tight range of mates, at the end of the day. We know that.

Accordingly, what is the point of engagement? The point of engagement is those with whom there are real difficulties on occasions. There is a point beyond which you cannot go, and things you cannot do—hence no financial aid to the Government of Burma, no financial aid to the military of Burma. There are other places where aid is given, sometimes to those organisations that are responsible for keeping order in a country, because you train those who need training. We do not provide training to the Royal Canadian Mounted Police, for example, because they do not need it. You provide training and engagement with those where the circumstances are more difficult.

That is how we feel. As I say, we will put Bangladesh to one side and look specifically at Burma. The arguments about disengagement with Burma are very clear. In a state that has seen this happen within its own borders, where it is quite clear that an element of the state, the military, has been responsible for the

atrocities that we have seen, it is a very easy question to raise to say we should cut off the contact. If we do, those voices that want to be part of something different and that struggle to be heard, those who have sought change in Burma, and those who are working with the poorest in the most difficult of circumstances, where they need health, sanitation and education, would just have to find it elsewhere. If we were not there, who would be? Those are the reasons for engagement.

Q245 Paul Scully: Chairman, I know the Minister will be aware that I have often talked about looking at the country of Burma holistically because of the different tensions around there. In terms of Bangladesh and its Vision 2021, to become a middle-income country by 2021, assuming it meets that objective—and it is going great guns to get there—what would happen to the DFID programme at that point? How might that change?

Alistair Burt: My broad view is that you work towards sustainability. Of course, a lot of the work that we do in aid is designed such that, at some stage, people will be moved off aid, or it will change its tack and be provided in a different way. I do not think we are there yet, but as things go on, programmes change and develop. All our programmes are constantly looked at to make sure that they are keeping pace with the changing nature of the country being assisted. When there is greater sustainability in health programmes, for example, you look at a different form of health programme that will provide sustainability in a different area. That is broadly the process.

Richard Montgomery: In a sense, our programme is already transitioning, because we used to provide more financial aid in Bangladesh in the social sectors, and that is reducing, as the Government of Bangladesh have devoted more resources to it and others have come in. The transition is happening, but my caution is that we should not let it happen too quickly, because there are risks of reversals. It is a long-term process.

Q246 Lloyd Russell-Moyle: You have spoken a few times about the voices struggling to be heard in Burma, Minister. I am struggling to identify the voices that are struggling to be heard. It seems like there are no voices at all in Burma against what is happening in Burma. Can you identify to me what those voices are? You have said it two or three times now: our programmes support the voices that want to be heard against what is happening in Rakhine state, et cetera. We heard

evidence last time about Aung San Suu Kyi being very complicit and knowledgeable, in the sounds that she is giving, about what is happening.

Alistair Burt: I would be pretty unwise to give you a list of people in Burma.

Q247 Lloyd Russell-Moyle: I get that, but has the Department identified those people. Are you working with them explicitly, or are you just hoping that they will come naturally?

Alistair Burt: No. It is a perfectly fair question, but you will understand my caution. In the situation that they are in, to say that there is a widespread movement of concern about what has happened to the Rohingya is wrong. As we know, one of the issues we have all identified about the culture of Burma is that the support for the military action is very strong. There have been years of telling people about the other. We have all experienced this in other parts of the world. It would be wrong to suggest that there is a mass movement against that, but there are elements that we are working with in relation to that.

In terms of the changes in Burma, there are reasons why the military changed its profile and moved towards a civilian Government. There is the support for Aung San Suu Kyi and her movement when she was imprisoned. There are those who moved and wanted to move towards democracy, and those who support the Rakhine advisory commission and realise there has to be a different answer. Those voices are there. There are the voices in Parliament—not the 25% of those who are nominated by the military, but those who are there for other reasons.

Our estimation is that there are those who are looking forward to a further development in Burma, but, necessarily, the nature of their system makes it extremely difficult for them to self-identify. Our concern is that, if the voice of people who believe in what we believe in—in terms of parliamentary democracy and Parliament acting as opposition and making people like me accountable—is not there, that process will not continue. It is difficult, and I cannot give you a list, but is it worth doing, and are we confident there are people who want to continue a transition that is already in place? It is not as if the military was still in place and there was a solely military Government. There is something different. That process that has been started needs to be worked with. That is what we believe we can do.

Lloyd Russell-Moyle: Things have got worse.

Q248 Chair: We are going to return in a moment to the specific issues around Parliament. There are a number of specific questions now around Burma, and then we will move to some specific questions regarding DFID's work in Bangladesh.

As you will know, we were refused visas to go to Burma, so we are not able to ask you questions based on anything that we saw, but let me ask you about private sector work that DFID is supporting in Burma. Can you give a bit of an explanation for it? In particular, are the Government helping UK companies, for example in the garments sector, to set up in Burma via the Business Innovation Facility?

Alistair Burt: I will turn to Richard on the specifics of the last one.

Chair: That is fine.

Alistair Burt: To the general point, let me amplify what I said earlier on. Our work with the private sector is focused on creating jobs, and expanding the economy and moving it away from what has effectively been a military autocracy, a crony-based system, which does not deliver economic development but delivers vast wealth for the few. There is a determination to disempower that sort of structure. We are working on measures that will improve the nature of the economy and make it livelier. We are very determined to see that happening. There will be a benefit to the UK, but principally it is of benefit to Burma, the development of the Burma economy, and of course the politics as well. Once you start having a more liberal economic system, in theory, although China—

Chair: China challenges that assumption, doesn't it?

Alistair Burt: China acts as a slight bulwark against that. Essentially, it is like changing the education system. You get different questions being asked and raised, and that moves the society on. We think the development of the private sector is important in relation to that. But on your question about a specific—

Q249 Chair: It was specifically around the Business Innovation Facility. We looked at the work in Bangladesh with the garments sector. In terms of Burma, I would be interested to hear what the potential there is.

Richard Montgomery: I cannot tell you about that specific question.

Q250 Chair: Okay. Could you write to us?

Richard Montgomery: I do not know whether BIF is providing support to ready-

made garments, but you are absolutely right: we have experience in this area because of the work in Bangladesh, which has been quite successful.

Alistair Burt: I always feel better if the official does not know the answer when I do not.

Chair: I understand.

Alistair Burt: Then I know it is not that I have missed it and should have been expected to answer it. But we will get back to you on that.

Q251 Chair: That is fine, Minister. Let me ask you a different question relating to the private sector work. How do you best ensure that the private sector development work does not benefit members of the Burmese military or their associates by increasing their wealth?

Alistair Burt: I am advised there are robust safeguards. Robust safeguards protect UK funds from misuse and reputational issues, in line with our enhanced due diligence approach for DFID Burma's engagement with the private sector. No UK funding will go directly to the Government, and technical assistance will support reform-orientated Ministries. There are rigid safeguards to make sure the money is not deflected, as far as I am aware. That is what I am assured of.

Q252 Chair: A specific issue relating to that is that our major exports to Burma are in the transport field, road vehicles, et cetera. DFID has acknowledged that individual members of the military have major economic interests in transport. Perhaps, Richard, you can tell us a bit more about some of the due diligence that is done to prevent those military figures benefitting personally.

Richard Montgomery: I am not aware of us facilitating investment in the transport sector with existing companies. I would have to write to you for that and find out from the team precisely what is happening. You are absolutely right. The transport sector is one of the sectors where we know that the Tatmadaw have major open or covert interests.

In terms of our due diligence, this is about digging into not just the partners we work with but also the downstream partners that they work with or that are included in our programmes. There is a facility that we have brought in that does that digging for us. We also have that in the UK, by the way. When we enter into

contracts with large contractors, we have a facility behind the scenes that does due diligence. I think everybody would accept that is sensible to have.

In terms of stepping up that work in Burma, we need to make sure that we develop a database and have a register that enables us to cross-check, the more and more due diligence that we do. We have had this in place for several years, actually. The team assures us that it has a build-up of knowledge about the different people that we work with and their downstream partners, which means that we have quite a lot of background information on people's economic interests and how they may or may not connect to some of the front companies for the Tatmadaw. If you want to ask about a specific sector, like what we are doing to facilitate British investment in transport, I would have to get back to you.

Q253 Chair: It would be helpful if you could. Thank you very much.

Richard Montgomery: We can, certainly, if it is the transport sector that you are interested in.

Q254 Mr Evans: While none of us would want to punish people because of some rotten Government that they may have, irrespective of which country it happens to be, do we have people on the ground in Burma looking at ensuring that there is no shrinkage in the system?

Richard Montgomery: Shrinkage in the system?

Q255 Mr Evans: Shrinkage used to be called shoplifting, which is basically the Government dipping in and making sure that they benefit from the aid, as opposed to the people.

Richard Montgomery: No UK aid goes to the Burmese Government. The three biggest projects that we have in Burma include our humanitarian work, which you are probably very familiar with, and two special-purpose vehicles that are like trust funds. One of those is run by the World Bank, and one has been set up independently. All our work on health, which is one of our biggest projects, goes through a World Bank-managed trust fund, the 3MDG fund. The livelihoods and food security programme is a special-purpose vehicle set up to manage not just our money but money from other donors. In a sense, we have quarantined it from the official Government system. Of course, there are some donors and multilaterals that will provide finance to the Government, which, in principle, includes UK taxpayers'

money. Whenever the World Bank lends, that is 15% of our money in IDA.

One area that we have been involved in is public financial management. That is technical assistance to do fiduciary risk assessment, to look out for whether people are dipping into funds. We cannot provide full safeguards. Our aim is to encourage a direction of travel that enables budget transparency, accountability by budget committees in Parliament—which have only been going for a couple of years, so they are still learning the ropes on that—fully transparent accounts and audit systems that enable them to trace things. It is classic public financial management. We have been involved in providing some soft grant money, alongside other, bigger players like the World Bank, which are trying to improve these financial systems. It is in the interest of the Government to do so, because other forms of credit and commercial lending will rely on budget transparency.

For us, we have been discussing with the Secretary of State how we make sure we are working on the right things in Burma going forward, given that there have been these atrocities. One of the focuses that we want to give is on building the capacity of the seven states and divisions rather than just central Government. If we are to do that, we need to have some remit to engage with the central Government, because that is where a lot of the money comes from. If we want to build the capacity of states and regions, we need to engage with both the central and the state systems. That comes back to the Minister's point that, if we really want to nudge change forward and back people who want progressive change, we have to have some level of engagement with the Government.

Chair: Thank you very much. We are going to come now to some of the issues on the peace process and other minorities than the Rohingya within Burma. Then I will ask a question about the parliamentary strengthening work that is done.

Q256 Mrs Latham: Last week, the Committee heard from human rights activists who had serious doubts over both the peace process and Aung San Suu Kyi's commitment to peace for ethnic minorities. Can you give us your assessment?

Alistair Burt: The peace process is long-lasting. The civil war in Burma is the world's longest-running civil war, and Aung San Suu Kyi has convened the most inclusive peace dialogue since Burma's internal conflict began in 1947. There have been two recent peace conferences in 2017; a third conference is planned in 2018.

There was agreement on 37 points. We have provided practical support to the peace process, delivered through the multi-donor joint peace fund and peace support fund, as well as technical advice and assistance. We are supporting a £34 million, multi-year project focused on the Thai-Burma border, aimed at meeting the humanitarian needs of refugees and equipping them with the knowledge and skills to reintegrate when they return home.

I was there and met some of those involved in the process. There is always hope if the talking is going on. The determination of all sides is incremental; it is bit by bit. You never know when something is going to succeed. We have other peace processes going on in other parts of the world, but our estimation at present is that it is worth pursuing, yes, because there is no alternative. If it is not pursued, what happens?

Q257 Mrs Latham: You just gave us some figures, which I did not catch, but the figures DFID provided said that £50 million had been allocated to supporting the peace process over a five-year period. Two years in to the programme, £15 million has been spent. What would be the trigger to say the programme was not working and to pull it?

Alistair Burt: Well, I have to say that, if people are not fighting, and if people are still talking, I reckon the programme is working. We can see very clearly what happens if peace processes break down and violence returns. As you will be aware from your studies in the region, the different ethnic conflicts around Burma are extremely difficult and long-lasting, but there is an opportunity for any of them to re-spark into significant civil war, as opposed to the isolated incidents that always happen when conflict has not been resolved.

Q258 Mrs Latham: Is that like the isolated incidents of genocide?

Alistair Burt: No, that is quite different. The Rohingya are different from Shan and the other areas.

Q259 Mrs Latham: They are not fighting back, so it is not conflict; it is murder, but that is okay.

Alistair Burt: No, it is not okay, and you should not say that. There is a difference between what has happened in relation to the Rohingya and what is happening in relation to the peace processes in other parts of Burma. The Rohingya issue is

separate. What has happened there is unconscionable, has no acceptance and is not part of any peace process, beyond the fact that the opportunities of the commission and everything are designed to provide some way forward for the country. If the advisory board stops, if the commission stops, I put it to the Committee: what is the alternative? So long as people are prepared to keep talking, we want to support those processes, because that has to be the way forward. Nothing is acceptable about violence, but nor is it acceptable, if there is a chance of preventing it or a chance of finding an answer, to walk away, so we will continue to support the processes so long as there is an opportunity for success.

Q260 Mrs Latham: On the £15 million that we have already spent, what evidence do you have that says that has been successful?

Alistair Burt: If it enables parties to work together, if it enables those who have been affected by violence to be reintegrated and to deal with the issues caused by displacement or whatever, it is successful. The situation in relation to the Rohingya is on a completely different scale and needs to be handled completely differently. I would always say the efficacy of a peace process is ultimately its conclusion, but in the meantime it should ensure conflict does not start again. Conflict starts when peace processes break down. When one party or another says, "We have had enough; there are no points of agreement", which is contrary to where we are at the moment, and then people say, "It is not worth it", sooner or later you have to start the process again. The cost of conflict restarting is enormous—much greater than the money put in to support a peace process, so the evidence of these things working is simply that the talks go on. The Panglong process has been reinvigorated, and Aung San Suu Kyi is carrying that on.

Q261 Chair: Minister, we took evidence on this last Wednesday from Fortify Rights and Kachin Relief. Both witnesses basically told us that they have no faith in the peace process. What could be done to restore some sense of faith and ownership for those groups that feel that, essentially, the military is able to impose its will on ethnic minorities regardless of a so-called peace process?

Alistair Burt: We have to remain engaged with those who are working to make a success of this. At any stage in a process, there will be parties who want more and, therefore, will profess not to have any faith in the system. As we all know, if the back channels fall away, if people stop talking to each other, there is only one

consequence. I am quite convinced, with long years in this, as we all have, that the moment you stop talking and do not provide an alternative, you know exactly what is going to happen. The peace talks may be unsatisfactory, they may take time, they may not be giving to every party what they would wish and they may keep an authoritarian force in control for a period of time, but what alternative is being proposed in relation to this?

Q262 Mr Lewis: It might be helpful, not necessarily now, but perhaps in writing, to spell out how the £15 million has been spent. It is not a question of saying we should not be engaged in peace processes where we are making a difference; it is how effective the use of that £15 million is. What outcomes has it bought, or what inputs has it bought, for that matter?

Richard Montgomery: We would be delighted to provide more detail. Most of the resource has been used in supporting weaker parties to engage in the peace process—so support to ethnic organisations that are representing a voice that needs to express itself in relation to Government. We can show that we have been supporting some very valid work to keep the peace process going.

If I could add to the Minister's comment, it is not for us, from outside, to say what the future political settlement is going to be in Burma, but there needs to be political settlement. While we saw Fortify Rights and the colleague from the Shan group talking about their lack of confidence, out of 21 armed ethnic organisations, 10 have signed the Panglong peace agreement—two more last year. There are people who are invested in the peace process. There are parts of the country that are less violent than others, and it is the case that we need to create the conditions in which people see incentives for peace—from both the Government and the military, as well as from ethnic groups. In an ethnically diverse nation, as we have seen in other places, like Nepal or Indonesia, some sort of political settlement deal will need to be done in future years. Whether that comes in the short term or the long term, we do not know.

Investing in the peace process may not have tangible outcomes like a vaccination programme, but it is probably a more important piece of work for the UK Government to be pump-priming than many others that you could see across the world. We would be very happy to write to you on the sorts of things that are provided.

Chair: As Ivan suggests, that would be very helpful.

Alistair Burt: If you are worried about cost, the cost of repairing places after peace has broken down is infinitely greater than putting money into a peace process.

Q263 Mr Lewis: Agreed, Minister. Last week, we heard from human rights activists that the humanitarian work DFID was doing in Kachin and northern Shan was a lifeline and was making a real difference. As we understand it, that humanitarian programme is due to end this year. Is that being reviewed? Is there a possibility that that will be extended, with another three-year programme? How does that work? Where are we up to with that?

Richard Montgomery: The short answer is yes. We are also looking at re-orientating some of our health and education work to make sure that we are working more with ethnic organisations that provide health and education. That is something that we have been discussing with the Secretary of State. It is not just about a humanitarian lifeline, although we are helping to provide assistance to about 100,000 people in northern Shan and the Kachin, and in the Thai border camps. Through the livelihood and food security programme, we are also doing work up in these areas on nutrition, on maternal health and on trying to provide opportunities for farmers and people involved in forestry to make better livelihoods. These are, again, incentives for peace in the longer term.

Alistair Burt: We are also helping with microfinance, for people to seek a different sort of livelihood.

Q264 Mr Lewis: Okay, so it will not end, but you are currently working on a new programme or an extended programme to look beyond this year.

Richard Montgomery: Yes.

Q265 Chair: Let me finish this section on Burma, before we move on to Bangladesh, with this issue of the work that happens on parliamentary strengthening, much of which is funded by DFID. We had an evidence session on this last week. What would be the threshold or trigger point for the Government to consider withdrawing support for the Burmese Parliament?

Alistair Burt: I do not know. I have thought that through as well. The advice and support we try to provide is for those nascent institutions in Parliament, and for the individuals who might be likely to develop the sort of structures that will provide

greater transparency and greater accountability, to be challenging and to see Parliament in that role. I suppose a cut-off point is when you realise you are not speaking to anyone who wants to do this and take things forward. That is not my understanding of where the programme is. Accordingly, so long as there are people who are likely to provide some of the challenges and some of the opportunities for the development of democracy in Burma, as part of the transition process that is going ahead, we would like to see it.

We are trying to make sure that the programme is shaped to ensure that Parliament communicates more regularly and effectively on the Government's humanitarian and rehabilitation responses to events, works more closely with civil society, including with Rohingya representatives, and understands more about how other Parliaments have responded to violent conflict. There is still a process going on. I suppose the honest answer is, when you think that no one is listening anymore, what is the point? We have not reached that. As I said earlier, if those of us who believe in these things disengage, where is the other voice going to come from for anyone there who believes in the same things that we believe in and wants to see something different in Burma?

Q266 Chair: I welcome what you said about a test, in a sense, being engagement with civil society, and you said "including Rohingya representatives". Is there any evidence at all of that having happened so far among parliamentarians in Burma? We did not hear any last week.

Richard Montgomery: Anthony Smith has written a letter to you about the three plenary sessions in which the Rakhine situation was raised. We do not know what the content was.

Q267 Chair: Yes, and that could be a debate about terrorism, rather than about genocide, couldn't it?

Richard Montgomery: Yes. I do not know about the content.

Q268 Chair: Right. We know there are no Rohingya Members of Parliament in the Burmese Parliament. Is there any sense that some of the other ethnic issues we have been talking about today with the peace process get addressed in any serious way in the Burmese Parliament?

Alistair Burt: I do not know the answer to your question, Chair, as I do not cover

the programme individually like that, but I will check.

Q269 Lloyd Russell-Moyle: The letter from the Westminster Foundation for Democracy said the latest debate, for example, was in response to the IPU resolution. It is lacking evidence that there have been, on its own account, these discussions. One of the things that we asked last week was about what changes in the programme have been made since the initiation of the extended violence in Rakhine state, and I felt as if we got three relatively weak responses back. One of them was the inclusion of ethnic minority voices in Parliament in the discussion. Was it acceptable not to have included them in the initial conceptualisation of the programme, therefore, if they have only been included since the violence has started? Was it an oversight, in terms of the longer term direction the programme was going in, that it did not include that initially?

Alistair Burt: Again, I was not responsible for the origin of the programme. I take your point. It is a question of responding to local circumstances and moving people on. Maybe it just was not possible at that stage, but it is much more possible now. As we have said, this is all a process. This state is not where we would wish it to be. Public opinion in Burma about the Rohingya is nowhere near where we would wish it to be. We are giving a perspective from where we are. It is very different locally on the ground, so how do you induce change in those circumstances, where there is a culture so very set against it? One thing is to be constant and persistent. The other thing is to recognise there is a timescale, which is not always of an external foundation.

Q270 Chair: Before we move on to Bangladesh, I personally feel quite torn, because you make good arguments about engagement. On the other hand, my sense is that we are probably not making much difference at the moment in equipping potentially reformist Burmese parliamentarians to challenge things. Surely there has to be some comeback for what is going on. The arguments you have made that I agree with are that programmes like education and health should definitely be protected, because that is about the most vulnerable and poorest people in Burma. There are probably different views in the Committee, but I personally remain to be convinced that our parliamentary strengthening work is doing much good at all. Anyway, we will move on to Bangladesh now.

Alistair Burt: All things are flexible, and we would be remiss in our duty if we did

not look hard at the possibility of change when it is necessary. The fundamentals, we all agree on. No one wants to carry on if it is pointless, but I will say that a decision of that nature also has consequences.

Chair: I understand.

Q271 Lloyd Russell-Moyle: On Bangladesh now, where we did manage to get in the other week, are the Government concerned by the shrinking of civil society space in Bangladesh, particularly ahead of the elections? We heard reports of arrests of journalists, disappearances and intimidation of journalists in Bangladesh. Have there been discussions with the Bangladesh Government about this direction of travel?

Alistair Burt: The answer to your question is, broadly, yes. There has been a shrinkage of the political space. It is a vibrant, busy society, as we know. The political structure is interesting, with the domination of the two major parties and the running of patronage through the whole society like a stick of rock in relation to all this. It is clearly a vibrant political space in terms of the competition between the Awami League and the BNP. Recently, efforts to close that down, whether in relation to the draft Digital Security Act or challenges to journalists and others, have caused concern. The UK Government raise these both publicly and privately with the Bangladeshi authorities.

Q272 Lloyd Russell-Moyle: What is our official position on the arrest and conviction of the leader of the main opposition party, the BNP, on corruption charges?

Alistair Burt: It is a judicial process that has been gone through in Bangladesh. It has a robust judiciary. It is not for the United Kingdom to gainsay that. We have seen the process; we note the outcome of this. This is a very important issue, but there has been a full and proper judicial process following charges and lengthy investigation.

Q273 Lloyd Russell-Moyle: Does it not worry you that there is a danger that it will lead to a kind of tit for tat? If ever the BNP did gain power again, it would seek retaliation, which makes the current Government want to hold on to power even more strongly. It makes democracy less positive, not more.

Alistair Burt: In my experience, what goes around comes around, and that is true in politics as well as in life. It is not for the United Kingdom to tell parties in other

countries how they conduct their affairs, but in my experience in the region, which is rather less than the experience I have in the Middle East, memories are exceptionally long—dates and events are remembered. For those who are in power and in office to recognise that there will, perfectly properly, come a time when they are not in office is an important conditioning on behaviour.

That said, full and proper judicial processes are conducted, even if they lead to consequences that one group or another may feel are unfair. The strength of independent institutions is crucial; Governments should not interfere with them. Of course, in terms of political actions, there is recognition that there may be consequences in the future. That behoves all those taking part in the political process, in any state, including Bangladesh, to conduct their affairs recognising that the wheel goes round.

Q274 Lloyd Russell-Moyle: With the elections now looming and the potential that violence might increase as the elections come closer, or even as they pass and results are disputed, what preparations have we done to try to ensure that violence does not escalate and that we support a peaceful process?

Alistair Burt: Let me say a bit about what we are doing to support the democratic process this year. As I indicated, we engage with all the parties in Bangladesh and, as you rightly suggested, we encourage the sort of dialogue to create an environment that will be conducive to free, fair and pluralistic elections. We make it very clear that the Election Commission has to be allowed to continue its important work unimpeded. DFID is supporting the Asia Foundation to implement the strengthening and promoting of the active citizenship in Bangladesh project. Its goal is to strengthen and promote active citizenship in the democratic space. It is expected to increase informed citizen participation and engagement, and enhance accountability between citizen and Government decision-makers.

DFID is working with the FCO and others to develop an elections roadmap, to help co-ordinate advocacy and programmatic activities. The sense is that, where we talk about, and work with parties for, an open, transparent process in which there is no acceptance of corrupt practices or anything similar, we can give the sense that the elections will be fair and free and, therefore, that there will be no need to resort to violence or anything else. It is the support of the process that we are following now which we hope will have that beneficial effect.

Q275 Lloyd Russell-Moyle: We visited a programme that we were supporting, where young people from the different parties were being brought together. That was a very positive piece of work, trying to make sure young people got to know each other as human beings, not just as opposing politicians. That is all very positive, and I can say I was impressed with that when I visited.

Alistair Burt: Thank you for saying so. A general point that we could all make is that the polarisation of politics and the confrontational aspect of it are possibly worse than they have been for some time in many different societies. It seems that those who reach out to others, those who talk about consensus and compromise, are the ones who are derided, because it is easier to whip up extremists in any circumstance now. I am not making this allegation specifically in relation to Bangladesh. I say it as a comment on politics generally, whether it is Europe, the United States or anywhere else, or whether it is us. Accordingly, we look for those opportunities where people recognise political differences, and are able to live with them and say, "This is something with which I do not agree, but we must move on and find a practical way. Many people agree with you, although I do not, so let us find a way to go forward". We have to give space to that and encourage that. In any political discourse, that is as valid and as praiseworthy a sentiment as someone who says, "Here I stand, I can do no other" and who brooks no competition or anything else. There are times to be pig-headed; there are times to listen.

Q276 Lloyd Russell-Moyle: Thank you. I could not agree more, I suspect. Bangladesh is not immune itself to ethnic conflict. It is 20 years ago, of course, that the Chittagong peace accords were signed, and there were a number of conditions on those peace accords. One was about land redistribution, and one was about some level of autonomy/devolution, neither of which quite seems to have come about to the fullest extent. There have been recent allegations of Bangladeshi security forces entering certain communities in the Chittagong Hill Tracts, abusing people there and overreaching their power. What are the UK Government doing to raise the profile of the Chittagong and other indigenous peoples in Bangladesh? Are we offering any support in terms of a process of justice for those people?

Alistair Burt: No, not currently. We heard this exchange and are aware of the suggestions being made. We do not have programmes addressing violence in the Chittagong Hill Tracts at present. Our sense was that the pressures that were

evident 20 years ago had eased to some degree, but the evidence that you heard has interested us, and we will look at that. There is the possibility of a programme entitled Enabling Pathways out of Extreme Poverty being extended to the CHT area in the future. That provides some basic help, access to services, work opportunities and the like, so we will have a look at that, but we were interested in what was said, and we will go back and have a further look. At the moment, we do not have any programmes countering violence there, because our sense was that that situation had been eased, but we will look very carefully at the evidence that was presented to you.

Richard Montgomery: Please give us the evidence. We have quite a good track record in Bangladesh of supporting human rights groups. We have an umbrella programme called Manusher Jonno; I do not know if you were briefed about it when you went. There are organisations like BLAST, the Bangladesh Legal Aid and Services Trust, which may know of the cases that you are raising. We can find out more, but we do not have that level of detail at this session, I am afraid.

Q277 Lloyd Russell-Moyle: Is there any wider consideration of looking at how the peace process more generally, and those conditions of the peace process, are being fulfilled? It has some interesting parallels, of course, with Northern Ireland, and that may be why it is interesting for us to be involved in supporting countries that also have a 20-year-old peace process that might or might not now be coming to maturity.

Patrick Moody: It is a good question, and we will look at it. In terms of a formal review I can give you now, I do not have that, so we will look at that.

Richard Montgomery: Our impression is that, overall, the 1997 peace accord has been a success. Of course, some of the land pressures you are talking about rub up against the Rohingya situation, so let us not pretend that this is a simplistic situation.

Chair: Finally, we have some questions that relate to DFID's work on economic development and skills in Bangladesh.

Q278 Mrs Latham: While we were in Bangladesh, the Committee visited a skills training programme for the ultra-poor and a garment factory where DFID was also involved in skills training. Some Members had concerns with both of those programmes.

The skills training programme for the ultra-poor was thought to be going to close because of the ending of funding by DFID, and the skills training programme in the factory was provided by DFID even though the factory itself was a multi-million pound business. Can you explain the logic behind this?

Alistair Burt: We have been funding the underprivileged children's education programme for about 12 years, and we have been the major donor for most of that. That has been to strengthen our capacity to diversify their funding and make sure they can do better. That is why we are reducing the support to that programme—because, actually, it has been successful.

With regard to the Sudokkho factories, there are strict policies in relation to the employment of children and others, but the programme supports skills development right through the ready-made garment sector. It is designed to stimulate private sector investment in training for the poor, including women, youth and disadvantaged populations. We believe real advances have been made in terms of regulations and the like, partly because of the engagement of those of us from outside. That is why there has been the determination to follow the programmes, with both individual companies and the sector in general.

Q279 Mrs Latham: As we know, there are people out there, like the Daily Mail, who do not agree with DFID and the funding. They are likely to ask why the British taxpayer is funding the training of workers for a profitable garment factory in Bangladesh.

Alistair Burt: My first, short answer, before asking Richard, is again to talk about the process here and moving people along, which is not always appreciated by those in the media. You do not get where you are immediately, and sometimes programmes are designed to encourage those who have the resources to place the resources in the right place. It is like the sustainability programmes in health and education. We work in those areas through projects in countries, where we encourage the transfer of funds by the state itself to the areas where we are working so that they become sustainable. The same is true in relation to improving conditions for those who work in very difficult industries, like the garment industry, with all its history in Bangladesh. The process is to start something that gradually moves on to sustainability, either by state or private. That is the theory behind it.

Richard Montgomery: One ought to see it as part of an overarching approach,

which is trying to create incentives, both sticks and carrots, for the ready-made garment industry to up its game. I do not know how the Daily Mail covered the Rana Plaza event, but that made a lot of people in our country who shop every weekend in Primark, TK Maxx or M&S aware that their garments are coming from factories where women do not get toilet breaks for hours on end or where the level of conditions has been appalling. It is big credit to not just the Government of Bangladesh and international institutions like the ILO, which have run better inspection regimes, but also to commercial companies like M&S and Primark, which have demanded supply chain checks.

These have created carrots and sticks. Factories have to meet new regulations but, in order for them to skill up and meet those regulations, they also need support and a demonstration of what it is like to create better jobs, better conditions for workers, and better employee engagement. Many of these factories never had any sort of employee association and they now have them. Indeed, I hope you got to meet some rather vocal women who are shop floor people for these factories, who help raise standards. Part of the incentivisation of factories to improve the working conditions of their staff is to show them how better training can raise productivity.

I do not think we see this as a sort of long-term handout. We are seeing this as a hand-up to factories to demonstrate that better training is worthwhile. We have ample evidence to show that many factories have adopted this training and are paying for themselves, and it is no longer funded by the UK taxpayer. The UK taxpayer can be really proud of the way that we have helped, along with many others, improve the ready-made garment industry, which now supports not just 4 million women directly through wages but supports about 15% of the Bangladesh population, if you look at the households that those women are effectively the wage earner for. The ready-made garment sector is a big success story, and both the UK private sector and the UK Government can claim a good deal of plaudits for that.

Q280 Mrs Latham: You have just said that it is not a long-term project. How long term do you think this will be?

Richard Montgomery: I cannot answer that, but most of these projects are five years. UCEP is a good example, which the Minister has mentioned. We set this up 10 or 15 years ago. One of my first postings for DFID was in Bangladesh, so I was involved in the original setting up of that project. It is an example of us phasing

out. We used to be the majority funder; we are only 10% of the finance now. That is a good example of a sustainable project.

Q281 Chair: I want to ask about that, but I want to keep us on the factory issues. We met the ILO and some of the British brands, as well as visiting a factory, and a lot of what you have said absolutely fits with what we heard. One of the concerns was about sustainability. Once the accord, as I understand it, comes to an end and things pass over to the local authorities in Bangladesh, will the systems be in place and will the resources be there to ensure that some of the advances of the last five years are sustained and, in particular, extended to the types of factories that we were not taken to visit?

Richard Montgomery: There is no turning back now, because of the supply chain expectations of the big companies and the fact that they would be caught out. M&S has a lot of its own and external audit processes, which means that these companies that want to supply to western markets have to show that they are meeting standards. Of course, there is always a risk of some slipping through, but in general I do not think there is any turning back.

Q282 Lloyd Russell-Moyle: You are quite right in that analysis, particularly with the pressure from Mothercare, M&S, Primark and Debenhams, which we met, and which are leading the way on this. We heard that some of the programmes made the factories more profitable in the long run, so would it have been a better solution or consideration to think about low-interest loans rather than, effectively, grants? That might have had a slightly better balance in terms of recognising that it was going to make them more profitable and giving them that step up.

Richard Montgomery: This is a transition that is happening in DFID more broadly. The short answer is yes. The devil is in the detail. We have mechanisms that we call "development capital" coming on stream. The biggest example is CDC, which will be an investor in funds. The short answer is yes, but in the particular case of Bangladesh we were right to move as quickly as possible to create a regime of incentives—both inspections and capacity-building support, standard-setting and coalition-building—with the private sector. There is good justification for us needing to move quickly into a very fast-growing sector.

It goes back to the question about how we change the use of our instruments in countries like Bangladesh as they become wealthier. In the longer term, we want to

be moving towards more of a trade rather than aid relationship with many of these countries. That is why we are investing more in CDC and in other countries. In countries like Pakistan, we have set up funds in which we are basically taking an equity. We are giving a loan or taking an equity in order for them to on-lend to small and medium enterprises, to build their ability to export to blue chip markets.

Alistair Burt: As this Committee knows better than most, development changes. When overseas aid was first considered, it was large amounts of money passed from one Government to another to do "good things" in their countries. We have all learnt a lot since those days, so it changes and, as Richard says, the instruments and facilities that we use change over time. Moving people from where they have been, sometimes culturally, with no interest in some of the things that we value most, is not always the easiest of processes. There is a variety of incentives needed to do that. We are extremely conscious of the need to respond to the UK taxpayer and demonstrate that things are effective, but things are effective sometimes in more ways than purely financial. If lives are saved in the garment industry in Bangladesh because of the work that we do, it is worth it.

Q283 Chair: Can I take us back finally to UCEP, the underprivileged children's education programme? A number of us visited one of its colleges in Dhaka, and I have to say I was very, very impressed. Clearly, the UK has played a major role over the years, as you rightly reminded us, in funding UCEP. Is there any possibility of revisiting the timescale for the reduction of funding? As Pauline said in her question, we were told that some of UCEP's colleges have had to close because of the loss of funding. UCEP accepts that DFID cannot carry on funding it forever and that it needs to diversify, but if we can fund it for a bit longer and perhaps help it a bit more with the diversification, that may mean it does not have to close any of its other colleges.

Alistair Burt: As you say, this has been a successful programme. We have worked very hard with the programme to help it expand its donor base so that it is able to carry on. We have a mid-term review next year about how this has worked, and we can make some decisions then. Our funding has been going down, and is going down, but we will look very carefully at the circumstances next year.

Richard Montgomery: There are two things to add. First, it will have the right to apply to a new challenge fund. Whether it is successful or not, I cannot guarantee, because it is a competitive process.

The only other thing I would caution is that we have this dialogue with a lot of organisations, and every time we say, "Okay, we are not going to stick to what we said before, and we are going to give you another piece of funding", we create an incentive for the next round of negotiations with another organisation. That is problematic. The debate with UCEP has been going on for some years, and we need to give the right balance between pressure and support to get it into a position where it is able and getting funding from other people. In fact, one of the success stories of the DFID programme in Bangladesh is building more sustainable organisations. BRAC started off in the refugee camps of West Bengal in 1971 and is now a global institution providing benefits for millions of people. The UK helped to build that, but we did that by a focus on sustainability: it had to raise its own income and become sufficiently attractive to other sources of finance. I do not want to underplay the conversation we have with UCEP, and of course we will follow up with it further, but we just need to be careful. One of our aims is to build sustainable institutions not reliant on the British taxpayer, and we would like to see it as a success, not as a problem, that we are getting there.

Q284 Chair: Thank you for that. Those points are entirely reasonable. I guess all I would say as a final comment is that, having visiting probably dozens of these vocational education programmes, both in this country and around the world, it really was one of the most impressive ones I have seen.

Alistair Burt: We will take that really seriously. You know what you are talking about, and that is a help.

Chair: Thank you very much indeed. That brings our session today to a close.



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Oral statement to Parliament

Minister Field's statement on the Rohingya crisis: 15 March 2018

Minister for Asia and the Pacific Mark Field gave a statement to Parliament on the UN Fact Finding Mission report on Burma.

Published 15 March 2018

From:

Foreign & Commonwealth Office (<https://www.gov.uk/government/organisations/foreign-commonwealth-office>) and The Rt Hon Mark Field MP (<https://www.gov.uk/government/people/mark-field>)

Delivered on:

15 March 2018



Mr Speaker thank you for the opportunity to update the House on the desperate plight of Burma's Rohingya – in the week that the UN Fact Finding Mission on Burma has updated the Human Rights Council with interim findings.

The international community has repeatedly called on the Burmese authorities to allow the Fact Finding Mission to enter Burma. Regrettably Burma continues to refuse access.

Despite this, through interviewing Rohingya refugees in Bangladesh and Malaysia, the interim report revealed credible evidence of widespread and systematic abuse, rape and murder of Rohingya people, and destruction of their homes and villages, primarily by the Burmese military.

Mr Speaker, this is not only a human tragedy; it is a humanitarian catastrophe. Since August 2017 nearly 680,000 Rohingya refugees have sought shelter in Bangladesh.

There have been some suggestions, including by the Foreign Affairs Committee, that the UK failed to see this crisis coming. With respect, I disagree. Let us be clear what has led to this current situation. The Rohingya have suffered persecution in Rakhine for decades. Such rights as they had have been progressively diminished under successive military governments. They have been victims of systematic violence before, most recently in 2012 and 2016. On these more recent occasions, Rohingya fled their homes, some to internally displaced person camps elsewhere in Rakhine; some to other nations, over land or sea.

So the outbreak of vicious hostility these past six months is only the latest episode in a long-lasting cycle of violence. We have been urging the Burmese civilian government to take action to stop the situation deteriorating since it came into power two years ago. What was unprecedented and unforeseen about this most recent violence was its scale and intensity.

As a recent report by the International Crisis Group rightly noted, there is no military solution to this crisis. The August 25 attack by Arakan Rohingya Salvation Army militants on Burmese security forces which triggered the latest phase was clearly an unacceptable and deliberate provocation, but the Burmese military's relentless response since has been utterly appalling and completely inexcusable.

Its operations only last week on Burma's border with Bangladesh were supposedly directed against another wave of ARSA militants. Whether or not that explanation is to be believed, the actual impact of the Burmese military's actions was to terrorise thousands of Rohingya living in the area, and to encourage ever more civilians to cross into Bangladesh.

I once again commend the generosity of the Government and people of Bangladesh for opening their doors to these desperate refugees.

The UK remains one of the largest bilateral aid donors to the crisis. We have committed £59 million in the last 6 months to help ensure the refugees' immediate wellbeing. This includes £5 million of matched funding for generous public donations to the Disasters Emergencies Committee (DEC) appeal. My Right Honourable Friend, the International Development Secretary (Penny Mordaunt) visited Bangladesh last November and announced the latest UK package of support (<https://www.gov.uk/government/news/penny-mordaunt-extra-uk-aid-gives-a-future-to-persecuted-rohingya>), including for survivors of sexual and other violence.

We anticipate the multi-agency plan for the next phase of humanitarian support, from March to the end of the year, to be published imminently. As the International Development Secretary confirmed during her Bangladesh visit, the UK remains committed to supporting the Rohingya, now and in years to come.

At the end of last year the UK government deployed British doctors, nurses and firefighters from our Emergency Medical Teams to Bangladesh, to tackle an outbreak of deadly diphtheria in the refugee camps.

In northern Rakhine where humanitarian access is severely restricted, the UK is providing £2 million of

support via the World Food Programme and £1 million via the Red Cross. We stand ready to do more as soon as we are permitted access.

We continue tirelessly to work in co-operation with international partners to find a solution to this crisis, focussing international attention and pressure on the Burmese authorities and security forces.

At the UN Security Council, the UK has since last August repeatedly raised the crisis as an issue for debate, most recently on 13 February. The existence of the UN Fact Finding Mission is in no small part due to British diplomacy and I have personally engaged with its members.

Last November it was the UK that was instrumental in securing the first UNSC Presidential Statement on Burma (<https://www.gov.uk/government/news/foreign-secretary-comment-on-un-security-council-presidential-statement-on-burma>) for a decade, which delivered a clear message that the Burmese authorities should: protect all civilians in Burma; create the conditions for refugees to return; and allow full humanitarian access in Rakhine State.

Late last month I was privileged to attend the EU Foreign Affairs Council in Brussels, where a programme of sanctions against senior Burmese military figures were outlined. This was approved unanimously and we hope to bring this work soon to the attention of the UN Security Council.

I know that many Honourable members remain deeply committed to helping to resolve the appalling situation faced by the Rohingya community. I welcome their continued engagement.

I visited both countries in September and returned to Burma in November. During my visits I met displaced Rohingya, Hindu and Buddhist communities in Rakhine and heard harrowing accounts of human rights violations and abuses. It was clear that communities remain deeply divided, and there is still a palpable sense of mutual fear and mistrust.

I also met State Counsellor Aung San Suu Kyi (<https://www.gov.uk/government/news/mark-field-visits-rakhine-state-and-calls-for-urgent-action-in-meeting-with-aung-san-suu-kyi>), the Minister for Defence, and deputy Foreign Minister, to reiterate the urgent need to take action to end the violence, and allow the safe return of all refugees.

During his visit to Burma last month, my Right Honourable Friend the Foreign Secretary also pressed Aung San Suu Kyi to take the necessary steps (<https://www.gov.uk/government/news/foreign-secretary-holds-talks-with-aung-san-suu-kyi>) to create the conditions conducive for the return of the refugees.

He flew over Rakhine and saw for himself the scale of the destruction of land and property that has taken place there.

He also visited Bangladesh (<https://www.gov.uk/government/speeches/foreign-secretary-boris-johnsons-press-briefing-in-bangladesh>), where he met Prime Minister Sheikh Hasina and Foreign Minister Ali, and visited the camps in Cox's Bazar (<https://www.gov.uk/government/news/boris-johnson-meets-rohingya-refugees-in-coxs-bazar-bangladesh>), hearing distressing accounts from survivors, as well as their hopes for the future, and their desire to return safely to Burma. Our visits have reinforced our determination to help resolve this appalling crisis.

I recognise that the House is deeply committed to ensuring that the human rights of refugees are protected, and we welcome the resolution of the House on 24 January 2018.

There are 4 immediate priorities:

First, we must address the humanitarian needs, especially the needs of victims of sexual violence, in northern Rakhine and in Bangladesh. This includes assisting as a matter of urgency the humanitarian agencies working in the vicinity of Cox's Bazar, to help prepare for the approaching monsoon and cyclone season, which commences in a matter of weeks. We shall continue to work with international humanitarian agencies delivering aid in Rakhine state, and to support Bangladesh in its efforts to help those fleeing the violence.

Secondly, we must continue the patient work towards achieving safe, voluntary, and dignified returns of refugees. We shall press for UNHCR to oversee and verify any returns on both sides of the border. As the globally mandated body, UNHCR remain the best equipped and most credible agency to oversee this process.

Thirdly, we must continue international progress towards bringing to justice the perpetrators of human rights violations, including sexual violence, in Rakhine. The international community has agreed to make the case to the Burmese authorities for a credible, transparent and independent inquiry. United international pressure will be essential in achieving this aim.

The UN Fact Finding Mission is just the first, important, step in what is likely to be a long road. It gave its interim report on 12 March, reflecting the violent, military led, abhorrent actions against the Rohingya and other communities in Burma. We will continue to support its important work, including urging Burma to allow the Mission unrestricted access.

We will also continue to provide support to build the capacity of the Bangladesh National Human Rights Commission to investigate and document sexual violence among Rohingya refugees.

As Canada's Special Envoy to Burma, Bob Rae, has said, "those responsible for breaches of international law and crimes against humanity must be brought to justice". This applies to all those involved: state and non-state actors, senior military personnel, and individuals in authority. Yanghee Lee, The UN Special Rapporteur for Human Rights in Burma, recently stated that the conflict had the 'hallmarks of genocide'.

However, I must tell the House that the path to prosecution for genocide or crimes against humanity is via the International Criminal Court. Burma is not a party to the Rome Statute, and must therefore either refer itself to the Court, or be referred by the UN Security Council. While neither eventuality is likely in the short term, this should not stop us supporting those who are collecting evidence for use in any such future prosecution.

Finally, to achieve a long term resolution to the crisis in Burma, I believe that even in these desperate circumstances the UK must continue to support democratic transition and the promotion of freedom, tolerance and diversity. To do this we must continue to engage, to support attempts to peacefully resolve its many internal conflicts, and bring all parts of the state apparatus under democratic, civilian control. We stand ready to lead the international community in ensuring implementation of Kofi Annan's Rakhine Advisory Commission Report (<http://www.rakhinecommission.org/the-final-report/>).

This crucial programme is designed to deliver development for the benefit of all the people of Rakhine State, including the Rohingya and address the underlying causes of the current crisis. This includes reviewing the punitive 1982 Citizenship law and making progress on citizenship for the Rohingya, giving confidence that they have a future as citizens of Burma.

Furthermore, the situation in Burma serves as a clear example of why our government will continue to uphold its commitments to early warning and preventing the risk of atrocity crimes, in the context of its broader conflict-prevention and peacebuilding work. It is vital that lessons from this human tragedy are

used to prevent similar situations developing in the future.

Mr Speaker, the UK government intends to remain at the vanguard of international action to support a full range of humanitarian, political and diplomatic efforts to help resolve this appalling situation. We will continue to press Burma to facilitate safe, voluntary and dignified returns of the Rohingya Muslims under UNHCR oversight – and also properly, fully to address the underlying causes of the violence.

We shall not and we must not lose sight of the fact that the Rohingya community have suffered for generations and need our continued support to live the lives they choose. Nor will we fail to take account of the wider picture in Burma and the potential that sustained movement towards an open, democratic society offers to all its people. We shall push forward with persistence, focus and energy. It is our international and moral duty to do so.

I commend this statement to the House.

Published 15 March 2018

Related content

Policy

- Human rights internationally (<https://www.gov.uk/government/policies/human-rights-internationally>)

World locations

- Bangladesh (<https://www.gov.uk/world/bangladesh/news>)
- Burma (<https://www.gov.uk/world/burma/news>)



House of Commons
Foreign Affairs Committee

**Violence in Rakhine
State and the UK's
response: Government
Response to the
Committee's First
Report**

**Fourth Special Report
of Session 2017-19**

*Ordered by the House of Commons
to be printed 27 February 2018*

HC 868

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The Foreign Affairs Committee

The Foreign Affairs Committee is appointed by the House of Commons to examine the expenditure, administration, and policy of the Foreign and Commonwealth Office and its associated public bodies.

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Fourth Special Report

On 11 December 2017 the Foreign Affairs Committee published its First Report of Session 2017–19, on Violence in Rakhine State and the UK's response.¹ The response from the Government was received on 20 February 2018. The detailed response is appended below.

Appendix: Government response

This Government notes the Foreign Affairs Committee's report 'Violence in Rakhine and the UK's response', published on 11 December 2017.

This report sets out the Government's response to each of the Committee's conclusions and recommendations. The Committee's text is in bold and the Government's response is in plain text. Paragraph numbers refer to the Committee's report.

Summary

The Foreign Secretary's visit to Bangladesh and Burma on 9–11 February brought into stark relief the unimaginable devastation inflicted upon the Rohingya Muslims. We are clear that the Burmese military bears primary responsibility for these abuses, and that ethnic cleansing cannot be allowed to stand.

Since her election in 2015 the Government has consistently raised with State Counsellor Aung San Suu Kyi the serious risks in Rakhine State. The latest violence is the culmination of decades of discrimination and violence against the Rohingya.

The UK Government responded swiftly to the violence in August. DFID led the humanitarian response, committing £59 million to support refugees in Bangladesh, plus £3 million of additional funding for northern Rakhine. The FCO demonstrated policy leadership in international fora, generating the highest tempo of activity on Burma in a decade, while working with Burma's neighbours, many of whom share our concerns, to reinforce messaging to the Burmese authorities.

The Government's priorities are to ensure that displaced people within Rakhine State and refugees in Bangladesh receive the support they need, and that conditions are put in place which will allow them, in time, to return home voluntarily, in safety, with dignity and with international oversight. In parallel, we will work to ensure that those responsible for the abuses are held to account, recognising this is likely to be a long process.

The Government will continue to use international pressure, co-operation with Burma's neighbours and other influential countries, and dialogue with the Burmese authorities to make progress on these priorities. Our relationship with Aung San Suu Kyi, Burma's first elected leader in decades, allows us to have the necessary frank conversations, including during the Foreign Secretary's recent visit.

The Government will also continue to look for pragmatic ways to support the longer-term transition towards democracy and civilian rule in Burma, the promotion of freedom,

4 Government Response to the Committee's First Report

tolerance and diversity, and the peace process with the armed ethnic groups. It is only in a democratic, peaceful and developing Burma that the Rohingya, and other minority groups, are likely to find the long-term future they seek there.

Violence in Rakhine State

Bangladesh has acted responsibly and with generosity in opening its border to hundreds of thousands of refugees. Its actions thus far should be supported with rapid and sustained help from the international community for both the refugees and the local population. The UK Government deserves credit for its own quick and generous provision of humanitarian support. (Paragraph 8)

The Government agrees with the Committee's assessment of Bangladesh's generosity in receiving over 688,000 (at 25 January 2018) additional Rohingya refugees who have fled Rakhine State since 25 August 2017. The UK welcomes Bangladesh's response and will continue to work with the Government of Bangladesh to provide support to the refugees and host communities.

The UK was providing support to the Rohingya long before the current crisis began. Since 2014, the Government has provided nearly £8 million to address the humanitarian needs of Rohingya refugees and the vulnerable communities that host them in Bangladesh. Before the latest influx, the UK had already committed a further £5.9 million to address the needs of refugees and host communities in Bangladesh between 2017 and 2021.

The UK was the first to respond with humanitarian support and is one of the biggest donors to the Rohingya refugee crisis in Bangladesh. DFID has stepped up efforts with an additional £59 million to support the latest influx of refugees.

UK funding is being channelled through the UN-led humanitarian response plan, which addresses needs during the first six months of the crisis. The plan is being funded by a wide range of donors and the Government is pushing others to contribute. A revised version of the plan is expected to be launched in February 2018.

UK aid is making a difference on the ground. The first tranche of UK funding is providing food to 174,000 people, safe water and sanitation for more than 138,000 people and emergency shelter for over 130,000 people. The UK Emergency Medical Team (EMT) has been deployed to save lives at risk from a rapid and deadly outbreak of diphtheria in the camps.

The UK Government has also provided £1 million to the Red Cross and £2 million to the World Food Programme (WFP) to provide assistance in northern Rakhine. The Government continues to press the Burmese authorities for greater access to other humanitarian organisations.

Does the violence in Burma amount to atrocity crimes?

The evidence we have received suggests that the violence in Burma does amount to ethnic cleansing, and may well constitute crimes against humanity and even genocide. The Government's hesitation and equivocation over defining the violence has made its statements frustratingly confusing. We do not agree that these issues will disappear into the background if the refugees are able to return. If atrocity crimes have taken place, these certainly cannot be redressed through repatriation and must be addressed in court to ensure perpetrators are held to account. (Paragraph 16)

We are seriously concerned to find that the FCO has not undertaken its own analysis of the situation, nor committed its own expert team to gather evidence. The Minister said that its effort was focused on addressing the humanitarian situation, but it is unclear why humanitarian support and legal analysis cannot go hand-in-hand. The FCO's political and diplomatic response should be informed by a legal opinion on what is happening. (Paragraph 17)

The Government has been clear in its condemnation of the terrible atrocities that have occurred in Rakhine State. We have stated, clearly and without equivocation, that we recognise that there has been ethnic cleansing. Any determination that atrocity crimes have been committed would be a matter for judicial authorities having considered all of the evidence available in the context of a credible judicial process. The FCO is not a judicial authority and is not qualified to make this determination.

The Government agrees that the violence against the Rohingya and the effects of displacement must not be forgotten when the Rohingya are able to return to Burma. It is important that ethnic cleansing is not allowed to stand, and refugees must be able to return to Burma safely, voluntarily and in dignity, with international monitoring. At present, conditions in northern Rakhine are not suitable for returns. The Government is encouraging the international community to make clear to the Burmese authorities that they need to improve these conditions urgently, that we cannot support returns until suitable conditions are in place, and that any returns process will require international access and oversight.

The Government's response throughout the crisis has been informed by legal advice and by our analysis of the situation on the ground.

The FCO should immediately undertake to: (Paragraph 17)

- a) **send an expert team to gather evidence on sexual violence in conflict and other possible atrocity crimes;**

The Government has been shocked by the reports of widespread sexual and gender-based violence against the Rohingya people. Our response has been both political and practical. Lord Ahmad of Wimbledon, the Prime Minister's Special Representative on Preventing Sexual Violence in Conflict, has raised our concerns with the Government of Bangladesh and in frequent discussions with the UN Secretary General's Special Representative on Preventing Sexual Violence in Conflict (SRSG), Pramila Patten. Lord Ahmad also participated in the Human Rights Council (HRC) Special Session on Burma on 5 December 2017—the only ministerial representative among HRC member states.

While it is not the Government's role to gather evidence of possible crimes, it can help ensure that qualified agencies have the necessary access and support to allow them to do this. The Government continues to press the Burmese Government to provide full access to such qualified agencies to northern Rakhine.

The FCO maintains a network of professionals with expertise relevant to tackling sexual violence; the Team of Experts (ToE). The ToE currently totals 38 external professionals ranging from police advisers, criminal lawyers, psychosocial experts, doctors, international investigating officers, training experts, gender-based violence experts, social workers, sexual offences examiners and experts in the care and protection of survivors and witnesses. It is important to appreciate that the ToE do not collect evidence or investigate sexual violence. Their role is to support and reinforce the work of others, including through training on gathering and preserving evidence of sexual violence in line with the International Protocol on Investigation and Documentation of Sexual Violence in Conflict and the primary guideline of Do No Harm.

The Head of the FCO's PSVI Unit joined the UN SRSG on a fact-finding visit to Dhaka and Cox's Bazar in early November 2017. Following close consultation with the UN, ToE and civil society, the Government deployed two experts to build on their initial analysis. This coordination with international partners is essential in avoiding duplication of work. This is especially important when working with victims to prevent any additional harm caused through repeated approaches from different organisations. The experts visited Dhaka and Cox's Bazar in November and provided recommendations on how the government could further support the response. Of the ten recommendations made, seven are already in hand and the remaining three are being developed with relevant partners and members of the ToE.

The Government will provide capacity building to Bangladeshi stakeholders on gathering and preserving evidence of sexual violence, in line with the International Protocol on Investigation and Documentation of Sexual Violence in Conflict. The government will also consider how it can ensure psycho-social support and interpreters with the relevant skills to support evidence gathering work, creating a more sustainable capacity within Bangladesh on the issue. The FCO has also continued to work closely with DFID in its response, which includes providing support to address sexual and gender based violence among Rohingya refugees in Bangladesh.

- b) conduct a review of the situation based on NGO and International Organisations' reports and its own findings, and provide the Committee with a summary of its findings, including a clear statement on whether it judges that, based on the evidence available, the actions of the Burmese security forces constitute ethnic cleansing, crimes against humanity, and/or genocide;**

The Government has been clear in its condemnation of the terrible atrocities that have occurred in Rakhine State. We have stated, clearly and without equivocation, that we recognise that there has been ethnic cleansing.

The Government has considered the serious allegations of elements of other atrocity crimes reported by NGOs and International Organisations. The Government assesses that there is credible evidence of widespread abuses, directed overwhelmingly against Rohingya civilians and carried out by the Burmese military and ethnic Rakhine militias. The acts

of ethnic cleansing taking place in Burma may amount to crimes against humanity as defined by the Rome Statute, in particular acts of 'forced displacement', but any such determination is a matter for judicial authorities having considered all of the evidence available in the context of a credible judicial process.

- c) **respond to the Committee as to how it will use this designation to guide its policy on the Rakhine crisis, including in assessing whether to pursue a referral to the International Criminal Court.**

Under international law, Burma has the primary responsibility to investigate alleged crimes. In November, the Burmese military concluded an internal inquiry which found that its forces had done no wrong. We have made clear to the Burmese authorities that we do not believe this inquiry has any credibility. On 10 January, the Burmese military released a statement on their investigation into a mass grave discovered in Inn Din village in December. It admitted that members of the military were involved in the unlawful deaths of ten Rohingya, and that further action would be taken. The Government is pressing the Burmese authorities to take action against all those who have committed abuses. We have also repeatedly pressed them to allow access for the UN Fact-Finding Mission so that the truth can be established. We deeply regret their continuing refusal to do so.

Burma is not a party to the Rome Statute of the International Criminal Court (ICC). Consequently, the ICC would only have jurisdiction over the alleged crimes if Burma referred itself to the Court, or there was a referral by the UN Security Council. At the present time, Burma is extremely unlikely to make a self-referral, and there is no consensus in support of an ICC referral within the Security Council. This makes it unlikely that there will be an international judicial process on Burma in the short or medium term.

The UK will continue to work with our international partners to explore other ways to assist the victims and to bring those responsible to justice. The immediate task is to support those building evidence and testimony. This will be important for potential future trials. A number of organisations are already collecting testimony in Bangladesh. The Government is considering how to support effective co-ordination, through an international or local mechanism.

The UK's multilateral and bilateral response

International action on this crisis has been inadequate, and though the UK has been active in international forums, it bears some responsibility for this. As the country with the diplomatic lead in international forums, the UK should define clear and ambitious goals and channel the moral outrage that atrocity crimes elicit into tangible action and changes on the ground. The UK Government has demonstrated diplomatic skill in its UN negotiation, and its 5-point plan correctly identifies the desirable outcomes, particularly the need rapidly and comprehensively to implement the recommendations of the Advisory Commission on Rakhine State, which provide for an acceleration of citizenship verification and note the need to review the 1982 citizenship law. However, this so-called plan does not offer a roadmap for getting from the current situation to those outcomes. Though the UK Government has said sanctions may be hard to achieve, it has set out no other suggestions for getting results on the ground. The

situation is undoubtedly difficult, but given that the charge is one of atrocity crimes, we are disappointed to see that the UK's diplomatic leadership has struggled to achieve a clear sense of direction and has so far had such meagre results. (Paragraph 26)

The Government believes our strategy is credible and that we have, through our diplomatic activity, set a clear sense of direction. We have ensured the international community has set out its expectations of the Burmese authorities, building on the Foreign Secretary's five-point plan. The UN Security Council Presidential Statement of 6 November called on the Burmese authorities to end the violence and ensure security for all communities in northern Rakhine; to provide full access to northern Rakhine for humanitarian agencies and for the UN Fact-Finding mission; to ensure that refugees are able to return to their homes voluntarily, in safety and with dignity; and to implement the recommendations of the Rakhine Advisory Commission rapidly and in full.

The Government's strategy is to use a combination of pressure and private dialogue to encourage the Burmese authorities to implement these actions. Pressure has included sustained engagement by the UN Security Council and resolutions in the UN General Assembly and Human Rights Council; and practical measures, including the suspension by the EU — at our urging — of senior military visits, and consideration of additional measures to persuade the military to change their behaviour. We are working with the UN Secretariat on the appointment of a new Special Representative on Burma. Private messaging has included frequent, robust discussions with Burmese leaders including, most recently, the Foreign Secretary's visit to Burma on 10–11 February. We have also encouraged other countries and influential individuals to convey their concern.

In parallel, we are working with Bangladesh to support the refugees, and working to find ways to bring those responsible for the atrocities to account. We also continue to look for pragmatic ways of supporting progress on the ground, as well as continuing to support the broader transition towards democracy and civilian rule in Burma and the peace process with the armed ethnic groups.

We are under no illusions that it will be easy to achieve our desired outcomes. We have limited levers to effect change in Burma; the Burmese military have a long history of resisting external pressure; and we recognise that the civilian authorities in Burma do not control the military.

Our analysis suggests that our strategy has had some effect. We have helped channel international outrage towards specific demands. We have succeeded in keeping the issue high on the international agenda, helping, in turn, to persuade the Burmese authorities of the seriousness of international concern about abuses in Rakhine. International pressure has prompted some limited Burmese responses. These have included: a clear statement from State Counsellor Aung San Suu Kyi on the right of return of refugees; an agreement with Bangladesh on 23 November on returns; some limited opening of northern Rakhine to selected international humanitarian agencies; the establishment of a ministerial committee to oversee the implementation of the Rakhine Advisory Commission's recommendations, with a joint Burmese-international advisory board; and acknowledgement by the military of culpability in the massacre in Inn Din village.

These steps, though welcome, remained wholly inadequate, and we will continue to press for much more urgent and meaningful action, through a combination of pressure and private messaging.

We suggest the Government adopts an overall response that involves immediate action and then can be scaled up. This could involve:

- a) **Immediately providing better and more systematic support for collecting evidence in Bangladesh, Burma and elsewhere, for eventual justice (building on the current UK deployment of two civilian experts);**

See the response to the Committee's recommendation on atrocity crimes. The Government deeply regrets the continuing restrictions on access into northern Rakhine which makes it extremely difficult for credible bodies to gather evidence in Burma. NGOs and charities have initiated evidence gathering in Bangladesh.

On the 24 March 2017, the UK co-sponsored a UN Human Rights Council resolution to dispatch a UN Fact-Finding Mission to establish the facts and circumstances of the alleged recent human rights violations and abuses, in Burma, in particular in Rakhine State. The Government fully supports the work of the Fact-Finding Mission. In December, Minister Field met two members of the Mission, including the head. The Government is disappointed that Burma disassociated itself from the resolution which established the Fact-Finding Mission and that they continue to deny it access to Burma. We have repeatedly urged Burma to cooperate with the Mission. The Fact-Finding Mission has had excellent access in Bangladesh, allowing it to gather much information, which should be reflected in their report.

The Fact-Finding Mission will issue their initial oral report in March, and final report in September of this year. Their report will serve as the universal record of events, despite only capturing facts and circumstances. The Mission does not have a mandate to collect and preserve evidence, or make a judicial determination.

The Government regrets there are no immediate prospects for prosecutions. Nonetheless, the Government is considering how to support effective evidence collection co-ordination, through an international or local mechanism. Lord Ahmad was able to discuss this with UN High Commissioner for Human Rights Prince Zeid bin Ra'ad Zeid al-Hussein when he attended the UN Human Rights Council Special Session on Burma in Geneva on 5 December.

As a practical contribution to the overall effort to set out what has happened in northern Rakhine, the Government is supporting a project that aims to provide a detailed understanding of the patterns of violence, its causes, dynamics and effects, in the state. This project could provide a narrative to support future advocacy efforts, improve our understanding of the context in Rakhine and help generate ideas and lessons for future truth and reconciliation initiatives or peacebuilding exercises. We are also aware of a range of other relevant work being carried out by civil society organisations in Bangladesh and Burma, as well as by international NGOs, media and the UN. For example on his visit to Burma, the Foreign Secretary raised the case of the two recently arrested Reuters journalists with State Councillor Aung San Suu Kyi. This underlines the importance of their work to uncover the truth.

b) Lobbying now for achievable UN action including the reinstatement of a UN Special Adviser on Burma and the reinstatement of the annual UNGA resolution on Burma;

The Government agrees with the Committee's recommendation. We co-sponsored a resolution in the UN General Assembly on 24 December on the situation of human rights in Burma. This called for the appointment of a Special Envoy on Burma. The UN Security Council Presidential Statement, initiated by the UK, contained a similar call. The Government fully supports the work of the UN Secretary-General's office to take forward this appointment.

The Government made clear in its intervention at the 13 February UN Security Council session that the UK sees a continued role for the Council in addressing this crisis. The UK will continue to play a leading role to encourage UN activity which shines a spotlight on the situation. Among other things, this can increase pressure on the Burmese military, and ensure better coordination of international support for longer term solutions.

c) The Government should also make clear now to Burma and other international actors that if there is no shift in Burma's position, including the facilitation of immediate access for humanitarian agencies and independent international monitors to Rakhine province, it will begin pursuing sanctions in the UN and other forums. Unless the Government has reason to believe that the UN Presidential Statement is the start of a change of policy by China and Russia and that they would in the near future consider imposing measures on Burma, it would be reasonable to conclude that this may be the high-water mark of international unity on this issue. The UK Government should therefore prioritise working with its partners in other forums such as ASEAN, the Organisation of Islamic Cooperation, and the European Union to achieve more tangible results. These could include:

- **Targeted travel bans and asset freezes on senior military figures;**
- **A ban on investment in and business with military-controlled companies.**

The Government is working in various international forums with partners to maintain pressure on the Burmese authorities. This has included:

- Working with the OIC and EU to secure a Special Session of the UN Human Rights Council on Burma in December and to pass resolutions at the Human Rights Council and UN General Assembly;
- Using our bilateral contacts with Burma's neighbours and other influential countries to encourage them to raise concerns about the situation in Rakhine with Burma. In particular, we urged ASEAN countries to raise concerns at the ASEAN Summit in Manila in November, and have taken advantage of recent visits to the region by the Minister for Asia and the Pacific and by the Foreign Secretary to discuss Burma with governments there;
- Persuading EU partners at the October Foreign Affairs Council to suspend senior military visits and to consider additional measures if the situation did not improve.

The Government is discussing with partners further options for UN Security Council action on Rakhine, following the open briefing by the Secretariat and the High Commissioner for Refugees on 13 February. Russia and China have said that external pressure on Burma is likely to be unproductive in the long-term. This does not mean that we have reached the high water-mark of international unity; however, it does support our assessment that currently there is insufficient support amongst UN Security Council members for a global arms embargo, UN sanctions or a referral to the International Criminal Court.

The Government is assessing, with EU partners, whether targeted EU sanctions against individual military officers would be effective in changing the behaviour of the Burmese military. Achieving this form of sanctions depends on achieving EU consensus and collecting sufficient open-source evidence against named individuals. The Government is also preparing for the Human Rights Council in March where the UN Fact-Finding Mission will present its interim report. The Minister for Asia and the Pacific recently met with members of the Fact-Finding Mission. The Government continues to call on the Burmese to allow the Mission access.

The Government notes that the United States has imposed a travel ban on one Burmese officer. We also note that other countries, beyond the EU, including some of our close partners, do not appear to be considering such measures and are continuing their defence engagement with Burma.

The Government will continue to look at other ways of influencing the behaviour of the Burmese military. We do not support a ban on business with military-controlled companies. As discussed in the Committee's report, the effect of the previous EU sanctions regime from 1991 to 2013, which targeted sectors where the military was involved, remains a source of expert debate. Some analysts argue that there is a risk that a return to this approach may set back Burma's democratic transition and the opening up of the Burmese economy, without changing the behaviour of the Burmese military.

The Government judges that that the best way of encouraging systemic change, including the eventual withdrawal of the military from the economic sphere, is by promoting transparency in business. Previous economic sanctions encouraged opaque ownership of businesses, black market activity and the strengthening of economic and commercial ties with other states which were similarly lacking in transparency, including China and North Korea. Since economic sanctions were lifted, global integration has required Burmese businesses to adapt to and adopt international practices.

In response to this Report, the Government should set out the measures which it considers to be potentially effective as sources of pressure on the Burmese military and government, and how it intends to gain agreement in different forums on imposing them. If it does not intend to exert pressure through any measures because it believes this would be counter-productive, it should say so. (Paragraph 27)

The Government believes that the multilateral and international attention we have brought to bear on Burma constitutes a form of pressure. The more countries make representations to the Burmese on the treatment of the Rohingya, the greater the pressure. Burmese uncertainty about its political and economic engagement with the rest of the world may influence its choices. We believe that Burma's neighbours, including China, India and ASEAN, can be particularly influential. The UK will continue to encourage

lobbying of Burma by countries from its region and across the world. Continuing UN Security Council and Human Rights Council scrutiny also puts pressure on the Burmese authorities.

The UK has few bilateral levers with which to put pressure on the Burmese military. We have already suspended our programme of defence education and imposed a moratorium on visits by senior military officers. We are a leading advocate for retention of the EU Arms Embargo and are examining ways of strengthening its enforcement. We are also discussing other possible targeted measures with EU partners. We are conscious, however, that such measures may have a limited impact on senior Burmese military figures, who rarely travel to the EU and are unlikely to have significant assets here. Nearly two decades of Western sanctions have led the Burmese military to look elsewhere for its main defence and economic ties.

It is concerning to see that after years of diplomatic effort, the UK has secured only an apparently distant relationship with a leader whose ability and willingness to influence these events is not as great as hoped. Like many others, including the domestic population, we have limited options: Aung San Suu Kyi remains far better than the alternatives and appears to be the only hope of improvement, but she is now a compromised one. (Paragraph 29)

Under Burma's constitution, the civilian Government does not control the security forces. We also recognise that State Counsellor Aung San Suu Kyi faces difficult political challenges as she seeks to consolidate democratic and civilian rule in Burma, pursue the peace process with the armed ethnic groups and modernise the Burmese economy. The Government does not agree that its relationship with Aung San Suu Kyi is distant. The Foreign Secretary and other Ministers have been able to have regular and frank exchanges with her. During his meeting with Aung San Suu Kyi on 11 February, the Foreign Secretary underlined the depth of the international community's concerns about the situation in Rakhine. He also raised the security of the Rohingya, underlining that refugees must be able to return home voluntarily, safely, and with dignity, and that the repatriation process should be supervised by UNHCR.

The Government will continue to maintain its relationship with Aung San Suu Kyi as the democratically elected leader of Burma. We welcome her commitment to the return of the Rohingya refugees and her support for greater tolerance of diversity in Burma. However, we believe she could and should have spoken out to condemn the atrocities in Rakhine and to press for accountability. We call on her to speed up implementation of the recommendations of the Rakhine Advisory Commission. We also call on her to make progress on her stated commitment to the rule of law, including building on the military's admission of culpability for the killings of 10 Rohingya in Inn Din to ensure accountability for all abuses. We continue to support her commitment to the nationwide peace process, which seeks to end the sixty years of conflict that have bedevilled her country.

Repatriation of Refugees to Burma

The UK Government should state clearly to both Bangladesh and Burma that it will not support a repatriation deal that does not include comprehensive safeguards and does not have the confidence of relevant UN agencies. The Government should lobby for humanitarian agencies to be represented at bilateral talks, with a view to ensuring

they are given access to Rakhine province to assist with and monitor the repatriation of Rohingya refugees, and for any agreement on repatriation to include references to the implementation of the Rakhine Advisory Commission Report. The Government should be ready to intervene strongly with Bangladesh if repatriation is begun before humanitarian access is allowed in Rakhine and other minimum guarantees are provided by the Burmese government. (Paragraph 31)

The Government agrees with the Committee's recommendations. We are clear that we cannot support refugee returns until conditions on the ground are right. The UK led efforts at the UN Security Council to secure the 6 November Presidential Statement clarifying that refugee returns must be safe, voluntary and dignified, and calling for the involvement of UNHCR in the returns process. We called a session of the Security Council on the 13 February specifically to discuss the returns process. In his remarks, the UK representative underlined that we cannot countenance returns taking place until appropriate conditions are in place.

On 23 November, the Governments of Burma and Bangladesh signed an agreement for the repatriation of Rohingya refugees, with more detailed arrangements for its implementation announced on 19 December and 16 January. We have encouraged the governments of Bangladesh and Burma to continue working together to create the conditions which would allow safe, voluntary and dignified return of the Rohingya to Burma. We agree with the UNHCR's assessment that these conditions are not yet in place. The Foreign Secretary hears from refugees in Cox's Bazar that they want to return to Burma, but are afraid to do so. The UK continues to urge both governments to ensure that any returns are in line with UN principles, and to agree to international oversight on both sides of the border.

The UK Government believes that full implementation of the Rakhine Advisory Commission (RAC) recommendations are the best chance to achieve a long-term and sustainable settlement in Rakhine State. The Foreign Secretary met the Chair of the new Advisory Board to the Committee for Implementation of the RAC Report during his visit to Bangkok on 12 February, to urge quick progress.

The safe and voluntary repatriation of refugees is an ideal. However, we believe it is unlikely that all Rohingya refugees will wish to return following their traumatic experiences, and there are serious risks if any return happens without proper safeguards, including some element of independent international monitoring and oversight. The Government's reluctance to envisage long-term displacement is understandable, but it is mistaken about its views as to the worst-case scenario. The prospect of long-term, well-resourced, and sustainable camps is far better than the prospect of temporary housing that is permanently extended, in squalid, poverty-stricken camps which offer no hope for the future to their inhabitants, and which make them vulnerable to radicalisation. The UK must now start work with its UN allies to agree a plan for long-term displaced people offering them safety, education, and employment prospects, on the understanding that the international community will be working towards the safe return of Rohingya refugees to their homes in Burma. The understandable fear of camps becoming permanent must not lead to under-resourcing of the humanitarian effort in the short to medium term. (Paragraph 34)

The Government believes that ethnic cleansing cannot be allowed to stand and that we must insist on the right of Rohingya refugees to be allowed to return home if they wish

to do so, in safety, with dignity and with international monitoring. We agree with the Committee that there are serious risks if returns begin before these conditions are in place. We recognise that large-scale returns are unlikely to be possible in the near term, and that some — possibly many — Rohingya may no longer wish to return.

The Government continues to support Bangladesh's efforts to provide Rohingya refugees with acceptable living conditions. The UK is one of the largest donors to the refugee crisis in Bangladesh, giving £59 million as of January 2018. We are concerned by the diphtheria outbreak in refugee camps, which is why the UK deployed an Emergency Medical Team of over 40 specialists. The Foreign Secretary, during his visit to Bangladesh on 9–10 February 2018, thanked Foreign Minister Ali, and Prime Minister Sheikh Hasina for their generous support and encouraged them to ensure that conditions would be right before refugees returned. These are messages the Minister of State for Asia and the Pacific has regularly communicated to Bangladeshi leaders since the crisis began, including to the Foreign Minister and the Minister of State for Foreign Affairs.

On 16 January, Bangladesh and Burma announced they had agreed a timeframe for repatriating the refugees. Burma had agreed to accept 1,500 Rohingya each week, with an aim to return all of them to Burma within two years. We have spoken repeatedly to both governments to raise concerns about premature or forced returns whilst the underlying conditions in Rakhine remain largely unchanged. The Government welcomes the government of Bangladesh's public commitment to work with UNHCR, and continues to press the government of Burma also to accept UNHCR assistance in the return process.

On longer-term support, any meaningful returns process will take time to implement and DFID has started planning for a protracted refugee crisis in Bangladesh. Even if safe, voluntary and dignified returns begin, the Government judges that there will be many thousands of Rohingya in Cox's Bazar for a protracted period. DFID are liaising with the government of Bangladesh and other international development partners to identify acceptable solutions that protect and respect the rights and freedoms of refugees.

The UK's Future Relationship with Burma

This process should include the FCO as a whole as there is a clear need for the institution to learn lessons from the recent events in Burma about responding to signs and prioritising atrocity prevention in political and diplomatic conversations. In its response, the FCO should set out what lessons it has learned regarding atrocity prevention from these events and how these lessons will be applied in Burma and elsewhere in future. In particular, it should provide details of what, if any, policies it is putting in place to change, over the longer term, the poisonous narrative about the Rohingya in Burmese press and online sources. (Paragraph 37)

The Government rejects the criticism in the Committee's report that we failed to anticipate the crisis or to make the treatment of the Rohingya a sufficient priority in our approach to Burma. We have been warning the civilian government of the risks in Rakhine since they came to power in April 2016 and urging them to give them greater priority. We were encouraged when State Counsellor Aung San Suu Kyi established the Rakhine Advisory Commission to look at the underlying issues, and have supported the work of the Commission. However, we were dismayed at the outbreak of violence in October 2016.

In response, we co-sponsored a resolution at the UN Human Rights Council in March 2017 which expressed concern at the treatment of the Rohingya and established a Fact-Finding Mission.

During his visit to Burma in January 2017, the Foreign Secretary met with Rohingya leaders. During Aung San Suu Kyi's visit to the UK in May 2017, ministers including the Foreign Secretary raised concerns about the treatment of the Rohingya with her. The Government has consistently raised the need to address underlying drivers of conflict with the Burmese government at all possible levels.

The tensions in Rakhine State are deep-seated and long running. The UK has invested £30 million in Rakhine State since 2012 to provide basic services, improve nutrition and livelihoods and to strengthen mechanisms for community dialogue and representation. The Government has worked more widely in Burma to support peace and a more inclusive political settlement. However, the Government is aware that there is no simple solution and that it will take time to address the underlying causes of the conflict.

The Government agrees with the Committee that it is vital to address the deep-seated prejudice against the Rohingya in Burma and to promote tolerance of diversity. Before the outbreak of violence, the British Embassy was already supporting local projects in Burma addressing the drivers of prejudice and inter-communal violence. In 2017, the Embassy delivered a two-day inter-faith dialogue in partnership with the Myanmar Institute of Theology, and a workshop for civil servants, parliamentarians and NGOs as part on tackling hate speech. The Government will maintain and look to extend support from the UK – both Government and non-Government sources - for those in Burma looking to promote diversity and harmony and marginalise those promoting prejudice and hatred against the Rohingya. The Government is conscious that it will take a considerable amount of time to change the prejudicial attitudes towards the Rohingya in Burma.

The Government remains committed in its support for mass atrocity prevention and for the principle of the Responsibility to Protect (R2P). The Government collaborates closely with a range of international partners to drive international policy on atrocity prevention, and has provided funding for the United Nations Joint Office on Genocide Prevention and the Responsibility to Protect, and for the Global Centre for the Responsibility to Protect. This funding has helped to strengthen international understanding of the issues, raise awareness of countries at risk, and support programmes in regions at risk of, or suffering from, mass atrocities.

We recognise that State Counsellor Aung San Suu Kyi is constrained by the autonomy of the military and the strength of domestic public opinion against the Rohingya. We are also clear that the Commander in Chief of the Burmese Army, General Min Aung Hlaing, bears ultimate responsibility for the violence. We are nonetheless disappointed in Aung San Suu Kyi's failure of leadership. The UK Government is right to focus on what is best for Burma, and Aung San Suu Kyi may remain its best hope, but admiration for her should be tempered by a more hard-headed approach based on a new understanding of the political trajectory of the country, and an increased willingness to deliver tough messages and take a firm stand on principles even when the messages are unpopular and unwelcome. (Paragraph 40)

The Government notes the Committee's comments on State Counsellor Aung San Suu Kyi. We will maintain our relationship with her as Burma's democratically elected leader — the first in decades.

The Government agrees with the Committee that General Min Aung Hlaing and his senior military colleagues bear ultimate responsibility for the appalling abuses against Rohingya civilians.

The Government continues to take a hard-headed approach to Burma. We are not starry-eyed about individuals. We deliver tough messages where these are needed. On a number of occasions since 25 August, the Foreign Secretary has pressed the Burmese government on the treatment of the Rohingya, for improved humanitarian access, for access for the UN Fact Finding Mission and for the implementation of the long-term solutions laid out by the Rakhine Advisory Commission. The Government has not shied away from expressing our differences of opinion with Aung San Suu Kyi over the Rakhine crisis, including in the Foreign Secretary's meeting with her on 11 February.

The UK Government should conduct an internal review of its overall Burma policy in light of the recent events, including:

- (1) its assessment of Burma's political trajectory and the state of its democratic transition and leadership;**
- (2) the UK's place and influence in Burma; and**
- (3) the UK's scope to encourage regional states with an interest in Burma to assist in its response to the crisis.**

In its response to this Report, the FCO should provide a summary of its conclusions and planned actions. (Paragraph 41)

The Government has kept its overall approach to Burma under close review since the start of the current crisis on 25 August 2017. We are clear that the overriding priority is to help resolve the Rohingya crisis, ensuring that displaced people within Rakhine State and refugees in Bangladesh receive the support they need, and that conditions are put in place which will allow them, in time, to return home voluntarily, in safety, with dignity and with international oversight. In parallel, we will work to ensure that those responsible for the abuses are held to account, recognising this is likely to be a long process.

We do not believe this focus on Rakhine is fundamentally in tension with our long-standing objectives of promoting democracy and civilian rule in Burma, supporting the peace process with the armed ethnic groups, and promoting poverty reduction and economic modernisation. Indeed, it is only in a democratic, peaceful and developing Burma that the Rohingya are likely to find a long-term future.

Democracy in Burma remains a goal worth pursuing. It is important to recognise the significant strides the country has made even in the past few years. But the democratic transition remains incomplete, and the positive trajectory has stalled. The Government is carrying out a deep and expert study into the drivers of conflict in Burma, and the obstacles to democratisation. The military has reasserted itself through its actions in Rakhine, and it has won public support for what it has presented as a defensive counter-

terrorism campaign. The ethnic cleansing of the Rohingya in northern Rakhine State underlines the urgency of continuing the transition to full democracy and removing the military from Burmese politics.

While our long-term goals remain valid, the crisis has changed the context and we recognise the need to adjust our approach. We have already suspended defence engagement: a valuable way of helping change the military in the long-term, but insupportable in the light of their behaviour in Rakhine. The Government has strong safeguards in place to ensure that our work and programming does not support the Burmese military and will continue to be vigilant in this respect. We will further emphasise work to support peace, strengthen economic and political inclusion, improve the quality of basic services for the poorest and meet humanitarian needs.

The UK has, for many years, been the leading international advocate of democracy in Burma. The Government will continue to support the democratic transition and look for ways to strengthen civilian rule. The Government will be clear with civilian leaders that they must stand up for key elements of democracy, including minority rights, a free press and the rule of law. The Government will work with pro-democracy voices within Burma to promote these principles, and with international partners to ensure the Burmese authorities understand what is required for them to be accepted in the wider international community.

The Government recognises the limits of the UK's influence in Burma. We will continue our engagement with Burma's Asian neighbours, many of whom share our concerns about instability and potential refugee flows, so we can reinforce each other's messaging to the Burmese. We will also encourage China, which has considerable influence in Burma, to add their weight to efforts to respond to the crisis.



HOUSE OF COMMONS

International Development Committee

Oral evidence: DFID's work on Bangladesh, Burma and the Rohingya crisis, HC 504

Wednesday 22 November 2017

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[Watch the meeting](#)

Members present: Stephen Twigg (Chair); Richard Burden; Mrs Pauline Latham; Chris Law; Mr Ivan Lewis; Lloyd Russell-Moyle; Paul Scully; Mr Virendra Sharma; Henry Smith.

Questions 49-105

Witnesses

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

II: 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.

Examination of witness

Witness: Mr Khondker M Talha.

Q49 Chair: Your Excellency, thank you very much indeed for being here with us today. We are very grateful. We have about 45 minutes with you, and we are going to try to cover nine areas within that time. Can I first put on record, on behalf of all of us, our huge appreciation to your Government and to the people of Bangladesh for the extraordinary hospitality you have shown to the Rohingya refugees during this crisis? I will kick off with quite a general opening question. From the point of view of the Bangladeshi Government, what are your main concerns about the current flow of Rohingya refugees into Bangladesh?

Mr Talha: Thank you very much, Chair. Let me at the outset put on record my Government's deep appreciation of the way we have had the UK as a long-standing friend of Bangladesh, standing beside us in terms of both political support and the assistance provided for the Rohingya refugees.

The main concern is, to be precise, the return of the Rohingyas to their homeland, which has been their ancestral home for centuries; to reach a permanent solution to this problem, which has been ongoing since 1978, as you are all aware; and to have two dialogues with Myanmar, or Burma, as you call it, and through the international communities' support.

For the time being, the immediate challenge we face is the scale on which the Rohingyas have crossed over this time to Bangladesh—the number is now nearing 650,000. When we talk about these figures, we somehow tend to forget that there were already more than 400,000 Rohingyas living in Bangladesh. That adds up to more than 1 million Rohingyas. The rate at which they have crossed the border—this is perhaps, in the history of mankind, the fastest displacement of a persecuted population. We have never, perhaps, seen such movement. That adds to the challenge. Providing them with shelter, medication, treatment—these are traumatised people, and to provide them with all sorts of assistance is a gigantic task. That is also a big concern for us.

Q50 Chair: Can you say a little about the impact on the local Bangladeshi community and whether there are any tensions or difficulties between the host population and the arriving refugees?

Mr Talha: The local people were the first to greet these Rohingyas. You are aware that we had such a traumatic experience during the birth of Bangladesh. About 10 million of our people were refugees who took shelter, mostly in India, so we have that experience of how it feels to be persecuted. They were the first ones, before anybody could reach the Rohingyas, to greet them—that was on the way, in fact. Local people provided shelter, help, food and whatever they could, and they extended their hospitality.

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. We had to convert schools and colleges into shelters, so for quite some time the children have not been able to go to school. The land that is temporarily accommodating the Rohingyas had been used as grazing land. It was basically forest land, although not very dense, and it was also the source of firewood for people.

Because of the population pressure, the prices of essentials in that region have gone up by between three and 12 times, and people's regular life has been severely

affected.

Q51 Richard Burden: Could we perhaps move on to the international response to the crisis and its co-ordination? The lead agency is the International Organization for Migration, rather than UNHCR. Are you happy with the fact that the IOM is doing that, rather than the UNHCR?

Mr Talha: 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 living 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. For us, and for the time being, we are not facing problems with that co-ordination.

Q52 Richard Burden: Thanks for that. What would be your overall assessment of the United Nations approach to what is happening, both in terms of the level of co-ordination involved in efforts, and the scale of the response?

Mr Talha: OCHA has made some assessments, and UNHCR and UNICEF have also made their own assessments of the requirements. They work in specialised areas so they are looking at things from their own mandates. The Geneva conference that was organised to raise some funds was based on those assessments, but this is a sort of first-aid approach for a patient who is suffering from fatal conditions. This is something that we do, but just to house these people, feed them and provide them with basic medical facilities would require more than £1 billion a year. It is the sheer numbers—that is just to provide them with the basics. We hope that there will be more such co-ordination because, as I said, this is just an initial thing. Initially, the target was somewhere around \$400 million, and the pledged amount is around \$300 million.

There is also this difficulty with the flow of the funds actually committed and then actually flowing to the agencies or the recipients. We have seen in our experience that there is a time lag in that, so that could be a difficulty in the process.

Q53 Paul Scully: It is good to see you, as ever. I refer Members to my entry in the Register of Members' Financial Interests. Are the Bangladeshi Government happy with the assistance of international NGOs and what they are doing at the moment? You talked about the IOM and the UNHCR, but what about the NGOs in general that are supporting them?

Mr Talha: Some of you might know that Bangladesh is also known as a country of NGOs. We have had a civil society partnership in our path to development. There are lots of both international and local NGOs that are quite used to the situation, and 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 have to mention that it is kind of an unsettled situation. Because of that, we also have to 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.

Q54 Paul Scully: Is that what the registration system is designed to deliver, or are you trying to get any more out of it?

Mr Talha: The whole registration system is pretty plain and simple. We have a dedicated office for NGO registration, and this has 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.

Q55 Paul Scully: Are there any areas in which DFID can help to support you in this sort of process, to make sure you have as effective progress on the delivery of aid as possible? Are there any areas that we can help, such as registration and giving support on that?

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

Q56 Chair: As you describe, the sheer scale and speed of what has happened has put enormous pressure on your country. We have taken some evidence from international NGOs, including the International Rescue Committee, that suggests registering is quite a slow process. Do you acknowledge that there is an issue with the speed of that process, and is there anything that could be done to assist Bangladesh on that?

Mr Talha: What we have done so far is register about 563,000 of those who have crossed over this time. We have covered roughly 80% of them—maybe more—and the process is ongoing. We actually switched about five or six years ago to the biometric registration of our own nationals, which has helped, because we have the equipment to do that and have by now grown the expertise to do that registration.

Q57 Chair: That is very impressive. I think the issue is not about the registration of refugees but registration for the NGOs to do the work.

Mr Talha: Oh, for the NGOs? Well, registration of NGOs is, as you know, again a pretty simple procedure that they have to follow. I think there are nine documents they have to submit, including the memorandum of article and, as I mentioned, their sources of funds and what their objectives are—their letter of intent. Those are the pretty simple things they will need to submit.

Q58 Paul Scully: Once they have submitted those documents, how long does it take to get them registered?

Mr Talha: It depends. Once they submit the documents, that goes through a verification process. If the papers are in order, it should not take very long.

Having said that, what is perhaps important at this moment is that if some NGOs are facing difficulties, or think that they are, they can always partner with other NGOs and have the funds and services delegated to that area. As I said, there are thousands of NGOs in Bangladesh, and we also happen to have the largest NGO in the world, which is BRAC. Most of the DFID funds are channelled through BRAC, and BRAC does a wonderful job on the ground.

Q59 Mrs Latham: What discussions is Bangladesh having, and with whom, on the potential of providing schooling for the Rohingya children? Are you looking at spare capacity within the Bangladeshi system? Are you looking at the Rohingya teachers who are refugees helping out with that? Is there a problem with recognising their qualifications?

Mr Talha: At the moment, we are hoping for an early return for the refugees. That may not happen, so that would come in the second stage. We do not know what is going to happen. We are trying to talk to the Burmese Government to see how fast they can take them back. That is the immediate focus.

For the education of the Rohingya children, we will definitely be talking to UNICEF, to see what would be most suitable to be done for them. Along with UNICEF, they may have to take on board some of the local NGOs to deliver that service.

Q60 Mrs Latham: In places such as Jordan, when they have had a lot of refugees from Syria, they have done a morning session for the local children and an afternoon session for the refugees. Is that something you might consider? We talk about the sustainable development goals and nobody left behind, but if you lose a year out of education, you are way behind and always will be. It is important that the children get education. I recognise that you have logistical problems.

Mr Talha: Certainly. The Government are now thinking of expanding the two already existing camps where we have had the Rohingyas from 1978. The Government has already allocated 3,500 acres of land to expand the camps, if necessary. Those camps 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.

Q61 Mrs Latham: But that is long term; it is not going to happen in three months. So the children are missing out the whole of the time.

Mr Talha: Indeed, that is one of the challenges.

Q62 Mrs Latham: I am not saying it is easy. It is not, and I recognise that, but I am concerned that the children will have a long time out of school. I recognise they are traumatised and they need help actually to get back into education; is that happening now, to help them not to forget what has happened to them but to come to terms with it, and get them so that they are not mentally disturbed and they can go into education when it is available?

Mr Talha: Well, Paul has been there and seen for himself the situation on the ground. At the moment perhaps the reality would not permit those sorts of facilities, because the challenge now is to have a roof over their heads, or to have a shed, and two square meals a day. We have thousands of Rohingya children who crossed over without their parents—14,000 of them crossed over without their parents—and 60% of all Rohingyas who have crossed over are women and children, so that is the bulk of that 640,000. The majority of the people will perhaps need some sort of immediate assistance, including education; but to do that, although we understand that they will be losing out on school days—which perhaps they didn't even have where they were in Rakhine state—is something we will definitely look into. That is something that we will have to provide them with.

Q63 Chris Law: I appreciate the sheer enormity of the challenge that you have, with regard to displacement of people, and where exactly to locate them, so I want to ask a few questions about the plans for that. There have been discussions about a mega camp for up to 800,000 refugees at Kutupalong Extension. Is that still being considered, or is that no longer the case?

Mr Talha: 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.

Q64 Chris Law: It is important that you have clarified that, because there have been, obviously, some reports about concerns about a mega camp. One of them came from the UNHCR, which was concerned that putting all these people in one area could lead to fires breaking out. Even more importantly, infectious diseases could

spread quite rapidly among such a densely populated community. What has the Government's response been to that, and are they taking these concerns seriously? What are the steps forward, to maybe mitigate that?

Mr Talha: What we found was that, when they crossed over, they were never immunised, so we started immunising them. That was the first thing we had to do, because an outbreak of cholera can easily happen in such cases, because they initially would not have access to safe drinking water. So we started immunising them. We have been providing them with vaccines.

There are other reasons why we need to keep them in one place. In the case of a breakout of fire, of course there will be firefighting systems in place; but 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.

Q65 Chris Law: On the flip side of that, of course, you then have a community that is isolated from other Bangladeshis, and a lack of communication between different communities can also lead to issues. On that note, you talked about the island of Thengar Char, which was quite recently developed from silt build-up. Is that correct?

Mr Talha: The whole of Bangladesh is made of silt.

Q66 Chris Law: Yes, of course, but my understanding about Thengar Char in particular is that there is absolutely no infrastructure on it—there are no roads, there are no buildings; there is nothing—and it is two hours away by boat from any mainland. What concerns do you have about putting people there, given the lack of infrastructure and that it is so far away from the nearest community? There are also reports that waters around that island are regularly patrolled by pirates.

Mr Talha: It is not exactly like some media have portrayed Thengar Char—that we are going to dump them on an island. 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 definitely 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.

As I mentioned, we have gone through this, so we know how it feels. Our honourable Prime Minister herself visited immediately after the 25 August crackdown, once the refugees started coming. She personally has suffered. You might know that her entire family was killed; only she and her sister survived. She personally knows how it feels to have such a traumatic experience. Bangladesh's approach to this Rohingya issue has been based on humanitarian consideration. So we do not have that intent, but where we will need the international community's support is in providing the basic necessities to this huge population.

Q67 Henry Smith: Welcome, Your Excellency. Again recognising the huge impact and the challenge that Bangladesh has, what sort of support is the Government able to provide in terms of investigation for those Rohingya who might have suffered from sexual violence and other crimes? Are there some aspects of Bangladeshi legislation, like the Foreigners Act, that might be getting in the way of investigating and pursuing crimes that have been committed—particularly sexual violence—against

the Rohingya?

Mr Talha: We have local NGOs that have been working with the victims of sexual violence. The media, international NGOs and human rights organisations have been recording all these violations. So far as the Foreigners Act is concerned, we have not come across any difficulty with that in recording those. Importantly, I must say that if that is done by the international community, it not only reaches the global community but is not seen as being done by a party here. Whatever we record might be seen as something Bangladesh is doing to make a point, so we would encourage the international community to do those recordings.

Q68 Henry Smith: Obviously the ultimate aim would be to see the return of the Rohingya to their homeland, but at this moment a lot of them are very fearful of that. The people of Bangladesh have been extraordinarily welcoming, but can we get assurances that no one will be forced to return and possibly face violence before the situation can, hopefully, be stabilised?

Mr Talha: Violence on the Bangladesh side?

Henry Smith: Fear of being returned to Burma and suffering violence there.

Mr Talha: That would be a big ask for Bangladesh; it is somewhere that the international community's pressure would be extremely important. As you are aware, the 1978 citizenship law triggered all these things. The citizenship Act was also endorsed by the latest constitution. That has made the Rohingya a stateless people. There should perhaps have been better vetting of that constitution, which has basically triggered a humanitarian crisis. This is the third large exodus of the Rohingyas from Burma, because they 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.

From our side, as we have been providing shelter to these people, we recall that in 1978 those who came all went back. Of about 250,000 who came in 1991 and 1992, 33,000 are still in Bangladesh. They have been living in Bangladesh for three decades. 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.

Henry Smith: Thank you. I agree with your assessment.

Q69 Lloyd Russell-Moyle: Your Excellency, you have mentioned the need for an international response to what is happening in Myanmar or Burma. Are you happy with the international response so far? Are there areas where you particularly feel more could be done to help the Rohingya within Burma? Do you think that the UK's role, in particular, in the international response has lived up to expectations?

Mr Talha: Once again, we have been very appreciative of the role of the UK, starting with the political pressure that has been applied through the Foreign Secretary talking to the State Counsellor and taking up the issue in the UN Security Council. That is an area where the UK has taken the lead in this case, and it has produced a UN Security Council presidential statement. Given the politics within the Security Council, perhaps that was one of the better outcomes that we had there.

But this pressure needs to be sustained. Given the UK's historic relationship with Burma, the UK is perhaps in a better position than many other countries to, in a way,

try to convince the Government in Burma to create that space—to create that political, legal and humanitarian space where these people would be able to go back to their own country. One of the reasons that the Rohingyas are being persecuted, as they tell us, is that they fought alongside the British Army in the second world war, and that puts them on the wrong side in Myanmar's internal politics.

Q70 Lloyd Russell-Moyle: Interestingly, the Myanmar Ambassador, when he wrote to our colleague the Chair of the Foreign Affairs Committee, said the term "Rohingya" is controversial, it cannot be found in any British colonial records and not to recognise it. Earlier on, you said that they have lived there for a thousand years. Clearly, there needs to be pressure put on the Myanmar Government to recognise the people. Why do you think this issue was not discussed at the APEC meeting last week? Does there need to be regional pressure as well?

Mr Talha: Well, the APEC meeting, and also the ASEAN meeting, has discussed this—it is not that it did not come up. It did not come out in the statement, but that does not mean that they were not discussed. They say that a camel is a horse that is designed by committee. When you go for a consensus in a multilateral process, you have to do this—there are lots of negotiations. Then you finally come out with a paper—a declaration and an outcome document—but behind that there were lots of discussions. We are quite certain that there were discussions, both in the APEC meeting and in the ASEAN meetings, but perhaps they could not reach a consensus on how to put that in the final outcome document.

Q71 Lloyd Russell-Moyle: You have given me reassurances that there were discussions. Has Bangladesh had some discussions in neighbouring countries about the potential boat exodus that we may see now the monsoon season is coming to an end—the exodus into the Bay of Bengal—and how that could be managed?

Mr Talha: 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. We would appreciate, if there is information—

Q72 Lloyd Russell-Moyle: But have there been discussions, maybe with other neighbouring countries, about supporting a coastguard and also a support effort in case an exodus does come about?

Mr Talha: If there is an exodus from Bangladesh it would be eastward, because westward is India. You might know that there are several thousand Rohingyas living in Indonesia and Malaysia as well. Those are the people who actually took the sea route to those places. They have families who are perhaps now in Bangladesh, so they may communicate and give them the hope that, "Once you can reach here, things are much better." It is difficult to control and contain those movements but we will try to do our best.

Q73 Mr Lewis: Good morning. Obviously the situation facing the Rohingyas in Bangladesh will unfortunately be long term. What account is being taken of the fact that this is going to be a very long-term situation in the way that the camps are developed and run? The other issue concerns the relocation of the Rohingyas by the UNHCR in the 1990s. Are lessons learned from that being applied now in the situation Bangladesh faces?

Mr Talha: As I have already mentioned, 3,500 acres of land have been earmarked for these camps. 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. That is where we will need a massive amount of international support. We are all hoping that it is not going to be a long-term thing.

As for lessons learned, this has been quite a difficult negotiation with Myanmar. 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.

So the parameters for the negotiation have changed. In terms of repatriation itself, that is not going to work unless we have the international community closely following and talking to Myanmar regarding repatriation.

Every time it is a different ballgame. It is difficult to use the experience of 1978 or 1991-92 and apply that to the current setting. The only thing is, there has to be international oversight of the whole process.

Chair: Thank you. We are out of time with this panel. Your Excellency, thank you very much indeed for joining us here today. We are about to take evidence from the Minister, Alistair Burt, and you are very welcome to remain in the Gallery, if you wish. We are very grateful, and I reiterate what I said at the beginning and what has been reaffirmed by others: we do appreciate the extraordinary efforts taken by your Government and people in this crisis.

Mr Talha: Thank you.

Examination of witnesses

Witnesses: The Rt Hon Alistair Burt MP, Dr Richard Montgomery, and Patrick Moody.

Q74 Chair: Minister, welcome and thank you for appearing before us once again. You have a portfolio that coincides with the areas on which we are holding our inquiries, and we are grateful to you for joining us. We have an hour with you, and we will seek to cover 12 different areas in that hour. We will all have to be concise, so I will try to set an example with my opening question. We heard last week from Human Rights Watch that four years ago it reported that ethnic cleansing of the Rohingya was happening. Why has it taken so long for the international community to act?

Alistair Burt: First, thank you very much for inviting us back again. To demonstrate the relationships now across Whitehall and how we are dealing with this, I have with me Richard Montgomery from DFID and Patrick Moody from the FCO. As I represent both Departments, it is an object lesson in how we try to handle these things.

The situation, as the Committee well knows, is that this is a long-standing issue of significant animosity and hostility towards the Rohingya people from a significant majority of those in Burma. There have been frequent clashes in Rakhine state, from not only state actors but also ethnic Rakhine who live in the area. That is well known. Over a lengthy period of time, therefore, the United Kingdom and others have been working to try to defuse this.

The Committee itself made some recommendations in 2014 that the UK has been acting upon with others, to try to find ways in which intercommunal violence can be

lessened and to descale. In recent times, the Kofi Annan commission to look at what might be the ultimate destination of the Rohingya people—I do not mean physical destination; I mean their destination as a community within Burma—has been part of the efforts made to tackle this. My sense is that the international community, as well as responding to spikes in violence after October 2016 by making very clear to the Burmese authorities what was not acceptable in terms of an overreaction from the security forces, has worked to try to descale the violence and the reasons for conflict by working on a longer-term answer.

I think therefore the answer to your question is that although there have been spikes in violence, 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. The work being done before that was designed to ease the tensions and end the conflicts between the different communities. That has been the long-term aim, and that work has been consistently carried on.

Q75 Chair: Do you think, with the benefit of hindsight, it was an error to court the military leadership quite so closely?

Alistair Burt: I am not sure whether courting the military leadership is the right response. Efforts have been made to support the democratisation process and the effective elected leader of Burma and to pursue a process that would gradually lessen and reduce the role of the military as democracy takes hold and civilian Government gets stronger. I think the people of Burma are courted, in the sense that the path to democracy will be best for them and best for the region. We have a number of programmes in place, and it is a process, by and large, that we have been supporting across the parties in the UK.

I doubt if there is any evidence to suggest that the military have been particularly courted. They are a force in Burma, of course, and they are responsible for what we have seen recently, so they have to be recognised as that, but I think the courting has been the process of democratisation that we want to see in Burma.

Q76 Chair: The scale of the migration, which we heard about from the Bangladeshi Deputy High Commissioner this morning and in other evidence, has been rapid and enormous. What preparations were made for the potential for such a migration across the border into Bangladesh?

Alistair Burt: The scale has certainly been extraordinary; 600,000 people moving in a matter of days is an immense burden. The UK Government put on the record our appreciation of the extraordinary efforts of the Bangladeshi Government and the Bangladeshi people to care for those who have arrived on their borders. The numbers are enormous and the land available is not easy, and 300,000 people who had moved in the past were already there. First and foremost, I make that clear.

In terms of preparation, we became aware of increased risks of further conflict in northern Rakhine in the months preceding 2017, including reports of murders and an increased security force presence, and by late August our daily monitoring indicated an increase in the numbers of new arrivals. However, because we were already out there and on the ground, we were already providing support to Rohingya people and the communities that host them in Bangladesh long before the current influx began, including programming of £13.9 million since 2014.

When things started to happen, we responded very rapidly. We released £5 million in additional funding to meet urgent needs on 8 September. Since then we have announced a further £42 million, bringing the total to £47 million to provide food, medical help, safe water and sanitation, shelter, nutrition and psychological support

to Rohingya refugees since the start of the crisis.

We were already on the ground. We were prepared for the usual movements of people that happen from time to time, but there was no suggestion that anyone could have anticipated the extreme scale of what happened. However, because we were on the ground, we were the first, and we are the largest, bilateral supporter.

Q77 Mrs Latham: Thank you, Minister. Has anything been done over the last few years by the UK or by other international actors to try to understand and counter the anti-Rohingya public discourse in Burma? In 2013, our predecessor Committee, of which I was a member, recommended that work be done on combating intercommunal tensions, especially through the use of interfaith dialogue. The Government agreed. Can you tell us what has happened?

Alistair Burt: Yes. As I indicated at the start of my remarks, the fact that this is not new is well known to all of us. At the base is a hostility and an animosity based on ethnic rivalry. Accordingly, following up the suggestions made by yourselves in 2014, we have indeed invested more in inter-faith initiatives.

We designed a new peacebuilding programme, which Ministers approved in September 2015, to include significant funding to tackle intercommunal violence through a peace support fund—the PSF; the Paung Sie Facility—which has committed \$4 million to inter-communal harmony efforts in Rakhine as part of \$6.8 million invested countrywide. DFID has contributed 85% of that total, including a major contribution to Kofi Annan's commission. I think Richard has some further information on that particular area of peacebuilding.

Q78 Mrs Latham: It does not seem to have worked, though.

Alistair Burt: Let us be clear about this: there is no easy lever to pull to deal with generations of hostility from one community to another. We can look all around the world at where that is the case. No one programme will suddenly tell people to be nice to each other; it is just not realistic and will not happen.

If anything is to change people's attitudes, it has to be long term, which is why the engagement with Burma is still very important. However, there is no flick of a switch that can change things like this. If I may, I will let Richard say a little bit more about what has been done.

Dr Montgomery: The funding that the Minister has outlined was used to support inter-faith dialogues. We work with a number of—particularly 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. We also finance some attempts to operate dispute resolution between ethnic communities, which I think Mercy Corps were most involved in.

We worked with the Institute for War and Peace Reporting to monitor social media, and to try to combat what is effectively hate speech. I am sure the Committee is very aware that that hate speech has risen dramatically in the past year or so—it is quite extreme. The biggest effort that the UK Government have made in the last year is supporting the Annan commission, and making sure that it was fully resourced so that it could do its work.

Q79 Mrs Latham: In 2014, the census, which we funded, allowed the Burmese Government to not mention Rohingyas, and for them to be excluded from that census. In hindsight, was that a mistake?

Alistair Burt: The answer is that 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.

Q80 Mrs Latham: But there is huge violence and conflict now, without the Rohingya being mentioned in the census. What is the difference?

Alistair Burt: If there is a fresh spark to violence then you want to avoid it. We are coming from a position where it is endemic because of the relationships. 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.

I come back to the point that it is difficult to identify things that the international community could have done that would have ended generations of violence by the stroke of a pen or an external intervention. Remember that those external to Burma are deeply distrusted. The UN is distrusted, external intervention is distrusted—95% of the population support what the Burmese military have done. There is no question that someone from outside can come along with an idea that will prevent that, or stop it in its tracks. Only long-term cultural change can do that, and to that we have all been rightly committed, and we must go on.

Q81 Lloyd Russell-Moyle: The Burmese Ambassador wrote to our colleague, the Chair of the Foreign Affairs Committee, and he said that the Muslim community refused to take part in the population survey that was conducted, which was the reason it failed. You seem to suggest that it was the Burmese authorities that refused to include them. Are you saying that the Ambassador is incorrect in the letter that he has written to our colleague, Tom Tugendhat?

Alistair Burt: I think it is an interpretation of the facts. As I understand it, the Rohingya people wanted a box on the census form that they could tick, and they were refused it. You tell me whether that is a refusal to take part, or whether that is the authorities contriving the situation which made it impossible for them to take part. My understanding is that that was the situation.

Q82 Paul Scully: Can you let us know what discussions the UK Government have had with Aung San Suu Kyi in particular, especially with regard to the activity of the Government's armed forces and her influence on what is going on at the moment?

Alistair Burt: There has been a series of conversations between the Foreign Secretary and Aung San Suu Kyi—on 7 September, 14 September and 21 October—and our colleague, Minister Mark Field, met her in Burma on 25 September. We have raised our concerns about the continuing violence and the need for allegations of human rights abuses to be investigated and for humanitarian access to be granted to affected communities.

I think we are all in a position of recognising that here is someone who attracted huge moral support for her stance against the Burmese authorities over many years and who we still believe is the person most likely to lead the Burmese people towards

a different future—a democratic future. She finds—and we find a dilemma in this—that the whole Government of Burma is not entirely under her control or civilian control. It would appear clear to all of us that it is the military in Burma, together with non-state actors there, such as militia from the Rakhine ethnic community, who have been able to perpetrate the atrocities and appalling situation that we have seen. She is not in control of the military.

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.

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. But, not to recognise the domestic political situation in which she lives and works would be to fail to take into account a major factor that is part of the determinant of this whole scene.

We would like her Government to succeed. There must be no condonation of what has taken place. Even though we recognise her difficulties, we would want her to be clearer on what has happened. So there is regular and constant contact, including contact even as of now by Minister Mark Field, with representatives over that.

Q83 Paul Scully: Some people have talked about the threat of a coup or the country closing in on itself if she did speak out, and that the military might take over. Do you give any credence to that? Also, you were talking about the peace initiatives. One of the risks to anything happening to the country's Government is ethnic conflict in other states as well: the Karen, the Karenni and the Shan, and right the way around. Could you say a little bit about the threat to peace around the country as a whole?

Alistair Burt: Yes, Mr Scully, you are absolutely correct. Again, because of the awfulness of what has happened, there is a concentration on what has happened to the Rohingya people, but you are right that there is a difficult ethnic conflict situation right throughout Burma. They are still engaged in physical conflict in different areas, despite efforts to bring peace. Perhaps I might ask Patrick from the FCO to say something about that in a moment.

Your first question was about the risk of coup. The short answer is: it must always be there. As I indicated, 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? I think that the risk is there is recognised, so that is a reason to be cautious of political developments there, but, as I said earlier, no condonation for activities that have taken place, because there cannot be. Patrick may say just a brief word about the other tensions in the country.

Patrick Moody: I think the Minister covered it very well. It is obviously a difficult balance, because there are wider interests and a considerable amount of tensions across the rest of the country. Aung San Suu Kyi has played an important role in trying to drive forward those peace dialogues, so it is a difficult balance between

addressing the immediate problem in Rakhine, keeping the progress going on the other tensions, but also recognising, as the Minister set out, the very delicate political position in which she sits. That is why our policy, as, again, the Minister set out, has always been a long-term one, about trying to take forward a series of measures across the board, which are necessary to embed democracy after so many years of military dictatorship.

Q84 Paul Scully: You rightly say that the Burmese people are largely behind what is happening to the Rohingya people at the moment. Have you had a sense of whether they are aware of the extent of what is happening? Not just the numbers being pushed across the border but in terms of—when I was there in September we heard stories about children being beheaded, having their genitals mutilated, and about machete attacks, and these kind of things. Do you think the Burmese people are aware of the extent of the violence, or is it just the move that they are supporting?

Patrick Moody: I am not sure I can report with exactitude on exactly what the public mood is, beyond, as the Minister said, general public support for the military action, a wide fear—unfounded, of course—of Islamic terrorism, etc., and that creates a context in which people hear what they want to hear. I suggest Richard might have something more on that.

Dr Montgomery: I think the social media coverage suggests that the answer to your question is probably no; that they are distrusting of external accounts.

Q85 Chair: Minister, are we getting the tone and balance of what the Government says about this right? I welcome many of the things that you have said today, but Mark Field, your Foreign Office ministerial colleague, made his speech in Burma on Monday. His only comments on this issue in his speech were to say to Aung San Suu Kyi, “We are particularly grateful to you...for your willingness to address the issue...We welcome your inclusive vision for Rakhine and commitment to the right of return for refugees.” Is that really the right tone, given the scale of what we are seeing happening here?

Alistair Burt: It is the right tone looking forward, because—

Chair: “Inclusive vision for Rakhine”?

Alistair Burt: Yes, because she has said she wishes to see the Rohingya people return to Burma, and if Kofi Annan’s commission is followed it will go along with an economic plan, which is essential in that region as well, so that the enmities and animosities do not build up. If the Burmese people see that the Rohingya are treated differently—given economic advantages not available to others who live in the area—that would be wrong. So the inclusive sense that she is talking about for the future is, I think, very real; but do not mistake, in Mark Field’s comments about the future, any sense that there is not deep concern about what has happened up to now.

The comments that I make about our disappointment with Aung San Suu Kyi’s position are ministerial comment on a Government position. We are concerned about how this has been treated up to now—the speed of her response and her recognition—but 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 it.

Q86 Henry Smith: Thank you, Minister, for appearing. The UK Government, as you know, has been focusing on the five-point plan of stopping the security force violence, humanitarian access within Burma, safe return and implementation of the Annan commission, and access for and co-operation with the UN Human Rights Council fact-finding mission. What progress have you assessed is being made with

the five-point plan?

Alistair Burt: We are working diplomatically and with agencies in relation to each point of this. First, on stopping violence in northern Rakhine, that is the most difficult area to get into; agencies are still finding that difficult, and while things have settled to some degree in southern and central Rakhine that is still very difficult. But there is evidence of some access starting to be granted, and we are working with other agencies to see an improvement in relation to that. 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. 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.

The third point is securing the conditions for voluntary, safe and dignified returns to home. That will be longer-lasting. That is where both the commission set up in Burma itself by Aung San Suu Kyi and the Kofi Annan commission have to demonstrate some activity and some success. It is too early to make an assessment on the domestic one in Burma. We don't know enough about it. It has sought private donations; we want to see other donors involved. It is too early to say.

On the other aspects, again, 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. They want to. All the evidence we have is that people talk about going back and want to go back. We have ideas about how the state could be reformed economically—what plan there could be to make that easier. We know that for those who want to go back, it is about improving skills and opportunities—but that will come over time.

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.

The fifth point—the implementation of Kofi Annan's commission—will take time. There is work going on 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.

Q87 Henry Smith: I very much appreciate that, and I am grateful for your comments. Touching on the long-term vision and the challenges of return, what sort of lessons have been learned from the 1990s repatriations? Are any of those relevant to a way forward with regard to the challenges today?

Alistair Burt: Again, the fact that we have been engaged for a long period of time in Rakhine is significant and important. The UK has not suddenly turned its attention to this area in the past couple of years. We were strong advocates of the commission that eventually became the Kofi Annan commission, to try to learn some of these lessons, but as Ms Latham was saying, this has not been successful. I remember years ago going with Peter Pike to South Africa in the teeth of apartheid and looking at what could be done. Peter said, "You can't just pass a law to change people's

hearts,” and it is true. These are deep enmities built up on the distrust fostered by those in whose interests it is to label people as the other and all that.

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.

Chair: I am keen that we move shortly to the questions that relate more specifically to DFID and the humanitarian response, but there are just two more questions I am keen to take—first from Richard and then from Pauline—on the broader political situation.

Q88 Richard Burden: In relation to the United Nations, do you honestly think anything has been achieved so far by the 6 November presidential statement in terms of influencing events? If so, what?

Alistair Burt: I will just make a couple of factual points, if I may. The UK has raised Burma four times at the UN Security Council since the outbreak of violence. On 6 November, the Security Council adopted a presidential statement on Burma—the first council product on Burma for 10 years. The UN Security Council has called for the Burmese authorities to stop the violence and allow humanitarian access, and we are considering, with other Security Council members, what further steps are needed. On 18 September, the Foreign Secretary convened a meeting of Foreign Ministers at the UN and called for our five-point plan to be implemented, and Lord Ahmad spoke at the Human Rights Council on 11 September.

I think we have been as active as we can. Please don't underestimate the presidential statement, because that has to be agreed by consensus. That means the Chinese, who clearly take a close interest in Burma, did not veto, and supported a statement calling for an end to the violence and allowing humanitarian access. Recognising the realities of the UN, as increasingly we need to do, and being aware of the damage that can be done by vetoes and the like, means that the UN is truly the art of the possible rather than anything else. Our representatives there have done a very good job.

There is a wider question—if this Committee has not considered it, I am sure it might at some stage, as the Foreign Affairs Committee might—and that is how you actually succeed with the international order these days when the UN Security Council, through its processes, cannot deliver an answer to conflict areas, from Syria to Yemen to here, because of the power of the veto and the like. Within that, I think we have done what we can at the UN, and we should not underestimate what has been achieved.

Q89 Richard Burden: Okay, thanks. Can we move on to the issue of accountability? You mentioned that today there is the trial of Ratko Mladić, and in fact in the last few minutes the verdict has come through: he has been found guilty of genocide, crimes against humanity and war crimes and sentenced to life imprisonment. Would the UK Government support a referral to the ICC on the situation in Myanmar?

Alistair Burt: I am sure the short answer to that is yes. I turn, for the technicalities, to Mr Moody, because the processes of referral may not be quite as clear as we would like to think.

Patrick Moody: Essentially there are two paths. There is self-referral by the state

concerned, which frequently happens, and we should not rule it out as an option over time, because states look back at their history and take this action further down the line. The other is for the UN Security Council itself to do it under a chapter VII resolution.

First, I think we need to recognise that we have a fact-finding mission to build up a body of evidence that can add to all the reports coming out from NGOs and other visitors to the region. But we will have to balance that out against the points the Minister referred to, in terms of how realistic it is to get consensus for a chapter VII resolution. The best thing we can do now is to call out the facts for what they are and to build that body of evidence, so that we can move international opinion.

Alistair Burt: It is one of these really difficult political considerations. The short answer to your question has to be yes; you want justice to be done. How to get it done becomes the most important thing, as opposed to making a gesture. If by making a gesture of referral, or trying to organise a Security Council resolution that will fail, you put in the dock the people who are organising the veto, who will come up with an explanation of why they have done that, you don't achieve the objective. Is there another way to do it?

I am absolutely firm on what I said a few moments ago about justice mattering. I am the UK's international commissioner on the International Commission on Missing Persons. 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.

We will work with others on what is the most likely way to secure convictions, but it becomes necessary to try to organise that reference. That could be done, but over time, a country may change as well. Burma may change and say, "We don't want to be associated with this any longer. It is time for those who were responsible for this to be held accountable." I do not know, but that the long arm of justice should succeed here is really important.

Chair: Sorry, Richard, we must move on or we will not get on to the DFID-specific aspects.

Richard Burden: I have just a very brief follow-up.

Chair: Go on, then.

Q90 Richard Burden: I asked the previous panel a question on the International Commission on Missing Persons. Is anybody involving them in the situation in Rakhine?

Alistair Burt: I hope so. The commission is constantly looking for where it might be effective and helpful, and I am in regular contact with the director.

Q91 Mrs Latham: Rex Tillerson said last week that sanctions won't resolve the crisis. What is the Government's stance on sanctions? Do we agree with him or do we think sanctions could be part of the solution?

Alistair Burt: It is the usual dilemma in relation to sanctions. Can you take sanctions that are not going to be damaging to the bulk of the people and make the poorest people poorer? Can you target sanctions on those who are the perpetrators? There is already in place a Europe-wide agreement by European states that there are no invitations to military leaders—military leaders do not travel throughout the

European Union or come to the European Union. That has not been formalised as a sanction on those individuals, but it could be. Effectively, targeting the people who are responsible seems to us to be the most important thing. I think we would look at sanctions in that light. If sanctions were possible that would achieve an effect and demonstrate a determination by the international community to bring about a result, I would always be interested. Sanctions as a gesture may not be right, and I can understand where Secretary of State Tillerson is coming from.

Q92 Mrs Latham: Is Aung San Suu Kyi included in that list of people?

Alistair Burt: No.

Mrs Latham: So she can travel wherever she wants.

Alistair Burt: She can indeed, because she is not a military leader in Burma and she is not individually held responsible for the actions of the military. We are quite clear that they have been the perpetrators of this violence.

Q93 Lloyd Russell-Moyle: Moving on to DFID programmes, particularly in the light of one of the earlier questions about DFID funding the census and maybe some hindsight of whether more conditionality could have been put on to that, should some or all the DFID programmes in Burma be suspended or have additional conditions put on them? What are you considering in terms of the DFID programmes in Burma?

Alistair Burt: I will let Richard answer in a second. At present, no, because the programmes are designed to continue the processes we spoke about earlier of improving the situation in Burma as it looks towards democratisation and development. They are not designed to sustain the military in any way. They are designed to help the processes we were discussing earlier, to assist the poorer people of Burma who have suffered economically and in terms of governance from the military dictatorship, and to move them on.

I was in Burma at the end of June, before the present difficulties began. I looked at programmes involving education, where we are supporting those who are teaching English throughout the country. I went to see the hospital in Yangon and the Minister for Health. I went to see a fish farming project out in the delta where people were being given the ability to improve their business situation—to gain credit and move their business and their livelihood on. At present, we have not thought that those are the sorts of programmes where a decision to stop them is right. That might be portrayed by those who wish to do so as, “Here is the international community telling you, again, what they think of you. Here is the international community cutting off support for you. It is all because of these people and what they are saying in the international community about Burma.” I am not sure it is necessarily the right response. Richard, just say a little bit more about the programmes.

Dr Montgomery: Thank you, Minister. It is worth going back a little bit to the 2014 report that this Committee, or its predecessor, did, reviewing the UK aid programme to Burma. We really have stuck to the principles recommended by the Committee in our increased support during the democratic transition. That includes the fact that we give no financial aid to the Government of Burma. There is no sectoral or general budget support, and there never has been.

The programmes that the Minister relates are programmes that the Committee's predecessor was fully aware of, such as the 3MDG fund, a pooled mechanism that the UK contributes to along with other donors, which targets poorer people who need maternal and child health service, vaccination coverage and TB services for people who at the moment are not reached by conventional services. That is an example of

a programme where, if we were to scale it back, it would hurt poor people but not really change the attitude of either the military or the ruling elite.

A similar programme is the Livelihoods and Food Security Trust, which the Minister saw when he went out in early July. That provides support in different parts of the country, many of them ethnically diverse areas, and tries to improve people's livelihoods and help them to generate further incomes from better-quality agriculture or connections to agricultural markets and opportunities. It also helps some very vulnerable people who are basically living at subsistence level.

Alistair Burt: There is one programme that was stopped, as the Committee is probably aware. We do not give any form of military training or have any association with the Burmese military in that way, but there has been a classroom-based programme under way to try to encourage an awareness of human rights. That has been stopped, because there had to be that sort of gesture to the military, bearing in mind what had happened. That was the only connection that there was with the military.

Q94 Lloyd Russell-Moyle: I am pleased that you have said there was no direct payment to the Government and so on. The director of Human Rights Watch said to us last time that there should be a review of policy. He did not say that DFID funds should stop, in case it reinforces authoritarianism and rights abusers. What protections are we putting in to ensure that programmes—I agree they are run by local partners—are not ending up benefiting or enhancing the hand of, perhaps, the Burmese Buddhist communities to the detriment of other minority or vulnerable communities in Burma?

Dr Montgomery: We already have safeguards, checks and due diligence on all our partners, certainly for financial issues, on whether there are any connections with the military-business complex, if you like. The military has a lot of economic interests in the country. You are raising a very relevant issue, and asking a question that we are asking ourselves: how confident are we that we are not supporting people who are supporting hate speech or are complicit in supporting atrocities being carried out on the Rohingya? That is an area that our Secretary of State has asked us to delve into, to ensure that we have a robust process in place, and that is under way.

We still remain of the view that a democratic Burma is more likely to protect the rights of minorities, and more likely to support accountability in the long term. We ask our questions: "Can we do more to support that? Can we do differently to support that?" 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. We welcome the IDC's inquiry into the shape of the Burma and Bangladesh programmes later on this year.

Q95 Lloyd Russell-Moyle: Particularly with some of the relatively shocking accounts of sexual violence that are coming out at the moment, are we looking at ensuring that those programmes are sensitive to such issues, and maybe even having some additional training for some of those local providers to ensure that those issues are properly reported? That touches on what you mentioned earlier about ICC referral and reporting.

Alistair Burt: We have seen the stories of sexual violence and the reporting, particularly the Sky coverage that was so graphic and disturbing. Remember that this country has taken a lead against sexual violence in conflict for some time, with William Hague's excellent work on it, leading the UN. Our programmes are sensitively defined. This is an epidemic. This is a worldwide sense that women are particularly vulnerable in a confrontation, which is horrific. I suspect

we may be talking about that in relation to the protection of women in Bangladesh at present and what can be done in the camps, but you are right that all of these programmes have to be that sensitive, and that is a significant concern for the Department and our Secretary of State.

Q96 Chris Law: I want to pick up on one point that Lloyd was touching on about the military training the UK was previously funding. Why was the UK funding that, given that we knew the circumstances on the ground regarding various ethnic communities, not just the Rohingya?

Alistair Burt: I come back to a point I have come to before. If you are dealing with states where everything is great, they do not need this sort of training. The very fact that you have to consider this sort of training usually means something is going wrong. It is not just in Burma but in other places where there have been difficulties, and we believe that police and security force reaction is not only wrong but likely to be counter-productive to what is expected and to cause more injury and violence to people. If those states are willing and want UK training in how better to control a crowd, what the right thing to do is in relation to an incident that would result in less loss of life and less injury, and how greater respect for individuals could be demonstrated, then that is where the United Kingdom offers that support. It is not a tick in the box for any particular state, but you would not be doing it unless there were problems.

That is the background to human rights training for security and military personnel where we consider it to be appropriate. However, as you have rightly indicated, if a point is reached where clearly, because of circumstances the United Kingdom should not be associated with a place, the programmes are stopped.

Q97 Chris Law: In hindsight, would you consider it a mistake? And secondly, very little of the funding that went towards military training went into hours committed to human rights training.

Alistair Burt: In hindsight it is difficult, because you make judgments based on what you have at the time. We go back to the long-standing nature of the conflict—how can that be eased? A whole series of things have to happen for the respect and understanding of a different community, rather than labelling them as the others and labelling them in a way that gives you a sense of immunity for your actions towards them. That has to be part of it. Would you consider working in areas like that, to change that attitude? I think the short answer will always be yes, if there is any likelihood that any good would result from it. If the evidence is overwhelming that it is pointless, you pull out, but then who does change attitudes in those circumstances? On the proportions of money spent, Patrick has that.

Patrick Moody: I have not got the proportions of money, but the primary objective, as the Minister was saying, was trying to change attitudes in the leadership culture within the military, precisely as part of that democratisation process of creating a modern military that fitted in under civilian control in the way that we would expect. A lot of it was around leadership and leadership attitudes, but contained within that were issues around integrity and human rights. It had a wide aim, but within that, as part of it, were the objectives of changing attitudes, human rights and proper respect.

Q98 Chris Law: Thank you. The next question is more specifically about moneys. How much of DFID's pledged funds have been released and to whom—local, regional or national responders?

Alistair Burt: Do you mean in Bangladesh or in Burma?

Chris Law: In Bangladesh.

Dr Montgomery: I do not have the exact figures of how much has been released, but I believe that it is most of it. We already have in place what we call a multi-year humanitarian programme, which has meant that although we have pledged more money to the response, we already have a proved mechanism through which we can channel that ministerial approval. We can write to you with a breakdown of the agencies that we think have benefited.

Chair: Thank you, that would be appreciated.

Alistair Burt: What has already been done is huge and significant. I could go through the statistics, but it would take time. Hundreds of thousands of people are being given food, water, sanitary assistance and shelter. That has all come through funds that DFID has already provided. It has to work out through the agencies so, again, it is not simply a question of releasing it all. It will go out over a period of time as there are needs.

We have been a contributor and driver of the Geneva pledging process to get more money from other donors. My understanding is that about 70% of that money has been raised but, as you rightly say, it has got to be used.

Our understanding is that the co-ordination in the camps is good. IOM is running it but with UNHCR support. The agencies were dealing at first, let's remember, with an extraordinary influx. They are now in a better position of co-ordinating on the ground, so the moneys being available is important and then they are drawn down as they are needed.

Q99 Chris Law: Are DFID representatives participating in decision-making processes at Inter Sector Coordination Group or cluster meeting levels in Cox's Bazar?

Dr Montgomery: Our staff? Yes.

Chris Law: They are?

Dr Montgomery: I can't guarantee that they are involved in every meeting, but we have regular visits by our staff, both from the DFID Bangladesh team and CHASE, our humanitarian department. We have regular visits down to Cox's Bazar.

Alistair Burt: There is an ask, bearing in mind who might be listening to this. We need to get longer-term permits for workers who are operating there at all levels. At the moment, it is three months; we could do with longer-term permits. That is quite rightly in the hands of the Bangladesh Government. We would be very grateful if they would respond to this and provide some longer-term permits; that would help the work being done.

Chair: I am sure we would endorse that as a Committee, and I think a note has been made by our friends from the Bangladeshi High Commission. Thank you very much.

Q100 Chris Law: My last question. How involved are the Rohingya and host populations, including women and girls, in participating in delivering the response that is being given by DFID?

Dr Montgomery: That is a really relevant question. 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.

More broadly, 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? That camp management is a real challenge in what are really awful conditions.

Alistair Burt: And again, those are awful conditions that have just suddenly sprung up. The speed with which this has all been done is something that the Committee, I am sure, does bear in mind. It will not all work straightforwardly straight away. The progress that has been made has been immense, and involving the Rohingya community is clearly a key part of it.

Chair: We have less than 10 minutes and there are three areas that I am keen to cover, some of which you have just referred to. Henry first.

Q101 Henry Smith: I will be very succinct. What support is being committed to the local host population, who are, of course, under immense pressure?

Alistair Burt: They are, and I say again to the Bangladesh Government and the host community that there is a recognition that the world would be facing an even greater horror were it not for their hospitality and the work that has been done.

We recognise that the stress on host communities is considerable and increasing. We were providing support to refugees and host communities according to their needs before the latest influx, and we are continuing to do so.

UK funding is provided in support of the inter-agency humanitarian response plan, which targets the needs of all Rohingya refugees and 300,000 host-community members. Host community needs are also a vital part of our planning for a protracted crisis, so they are indeed part of the plan for the future.

Q102 Chair: Richard referred just now to education and, as you may know, yesterday we published our first report of this Parliament on global education. That includes a significant element on education in emergencies, with the increasing world population of refugees and internally displaced people. Can you tell us what is being done to ensure that some form of education provision can be provided?

Alistair Burt: Yes, I can. UNHCR is supporting non-formal basic education for nearly 9,000 Rohingya children, aged between three and 14, in the official refugee camps. DFID Bangladesh agreed funding mid-year this year to support early learning and pre-school programmes and non-formal basic education. The Education Cannot Wait initiative is now the major global response to conflict, and I was pleased to attend the steering group meeting in New York, because we are the major donor to this initiative to support children caught up in conflict. Education Cannot Wait plans to commit \$2.5 million for Rohingya refugees in Bangladesh, and we are developing an education strategy and review options for further funding as part of our medium-term response plan. Education in the camps is a key issue for us.

Q103 Richard Burden: You mentioned sexual violence before and rightly see it as a priority for this area of work. Will you comment on the scale of the issue there? The IOM's humanitarian response plan reckons there could be 448,000 incidents of sexual and gender-based violence, but the evidence we have had from DFID says that funding is going to 13 women's centres that offer psychosocial support for 10,292 women and girls and case management for just over 2,000 survivors of sexual and gender-based violence. While that is welcome, I just wonder if the scale of the response needs to match the scale of the problem.

Dr Montgomery: Can I make a quick comment?

Alistair Burt: You can, but let me say something first. I am fortunate to have two such engaged colleagues, which I hope is a help to the Committee. Let me put the politics on the record first. Our ability to respond at present cannot possibly match the scale of the problem. As I mentioned earlier, a deeply distressing factor now is attacks on vulnerable people, whether it is the conflict or their engagement as refugees who find themselves in these vulnerable situations.

However, it is clear that, over recent times, much more attention has been paid to this. If you now go to any of the camps, some of the first questions you ask are what the arrangements at night are, how do women get to the toilet at night, what the lighting might be and how they are protected in those circumstances. There is an awareness that women in the camps are targeted and may be made more vulnerable. All that is much higher up the agenda than it used to be. I get the impression that, some years ago, caring for their needs was a useful add-on; it is now absolutely up-front.

You have the list of things we are doing, so for reasons of time I will not repeat them, but we have people there who are qualified in dealing with gender-based violence and setting up the things for the children—the psychosocial support that is necessary because of their horrendous experience. The short answer to “Is it enough?” is no. You cannot always manufacture the people to go and deliver this support, but we are looking at new ways in which to do it. I know that the new Secretary of State has this very much in her mind and she really wants to make sure that, if there is more we can do, we are doing it.

Dr Montgomery: I would just say that we do not downplay the huge and incredibly appalling evidence that has emerged about this. There is still a big gap between need and provision. However, I would just like to say that the figures you are quoting are the UK contribution to a larger effort by UN agencies, such as UNFPA and UNICEF. There are a lot of really important NGOs—including many of the UK NGOs, such as Save the Children, Oxfam and others—that are trying to help with psychosocial support.

That is another reason why we would very much welcome assistance from the Government of Bangladesh, who have asked us to start planning a bit longer term. However, for that type of specialist support to come in and boost these services, that makes it even more important that we are able to have longer permissions—annual permissions rather than the three-month permissions that the Government of Bangladesh has options to provide for NGOs.

Particularly given the Human Rights Watch, Amnesty and, more recently, Save the Children reports that are documenting and building a body of evidence of these testimonies of not only women but also children who have been sexually abused, this is an area that we are giving a big boost to.

Q104 Richard Burden: Do you think there is potential to scale up the effort? I accept what you say about the figures I gave being DFID's contribution to a broader effort, but even in terms of the UK's contribution, is there potential to scale up?

Alistair Burt: I suspect the answer would be yes.

Q105 Chair: Can I ask a final question? The scale of this is clearly enormous and the speed at which it has developed over recent months is also such. We know from other crises that often there will be a big international focus on something, and then the world's attention moves elsewhere. How confident are you that we can sustain

the sort of effort that will be needed for years, frankly, and in particular that other donors will rise to the challenge in the way that we generally do?

Alistair Burt: That question is as broad as it is long. There are so many other areas with long-term protracted problems to be sorted—the recovery and reconstruction in Syria, for example; Yemen; and areas where we will be asking the international community to do more. What we in the UK can be proud of—I do not say this from the Government, I mean all of us—is that the 0.7% contribution means that when we go to places, very often in international meetings they will say, “We know that the British will continue to support us. What about the rest of you?” We can be proud of that because we have a national consensus, I believe, on the importance of staying involved long-term in crises such as this.

Will there be a drop-off? There may be—who knows what is round the corner somewhere else? Will there be a determination from the United Kingdom to do all we can to encourage other donors to live up to promises? Absolutely—you will never see a drop-off. We recognise the scale of this, and we also recognise the impact on the United Kingdom from communities here who feel a connection with those who have been driven out. A number of Members here from different parties have been over to look at this. We have that, so you can be sure that both the FCO and DFID are very well seized of that, and we will be doing all we can to ensure that this misery is tackled. As long as it needs to be in the international eye, it will be so, but we must not lose sight of the fact that caring for those who have been moved is only one part of the answer. There are longer term answers to look after those people in the future, and to give them the sort of future that they and their children deserve.

Chair: On that note, I thank all three of you for your evidence today. We have covered a lot of ground in the past 60 minutes.