



House of Commons
International Development
Committee

**Bangladesh and Burma:
the Rohingya crisis:
Government Response
to the Committee's
Second Report**

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

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The International Development Committee

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Fourth Special Report

On 15 January 2018, the International Development Committee published its Second Report of Session 2017–19, [Bangladesh and Burma: the Rohingya crisis](#). The Response from the Government was received on 15 March 2018. The detailed response is appended below.

Appendix: Government Response

Crisis Prevention

Conclusion 1:

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

DFID response: Disagree

The UK Government disagrees with the suggestion that the plight of the Rohingya people was ‘ignored’. The UK Government has been warning the civilian government of the risks in Rakhine, and urging them to make the issue a greater priority, ever since they came to power in April 2016.

DFID established its Burma office in 2007. For over a decade we have been engaged with the situation in Rakhine state in conjunction with our international partners. The UK has invested £30 million to provide basic services, improve nutrition and livelihoods, and to strengthen mechanisms for community dialogue and representation in Rakhine State since 2012. Additionally, the UK has worked more widely in Burma to support peace, conflict prevention and a more inclusive political settlement. The Government understands that the tensions in Rakhine State are deep-seated and long running. 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 her visit to the UK in May 2017, ministers including the Foreign Secretary raised concerns about the treatment of the Rohingya with Aung San Suu Kyi. The Government has consistently raised the need to address underlying drivers of conflict with the Burmese government at all possible levels. The Government was aware of growing tension in the

months leading up to the 25 August attacks by the Arakan Rohingya Salvation Army (ARSA). The Foreign Secretary's letter of 26 September 2017 to the chair of the Foreign Affairs Committee noted that embassy staff had been monitoring the situation in Rakhine closely with almost monthly visits leading up to the most recent violence. We were very conscious of the risk of a further round of violence, such as occurred in following ARSA attacks in October 2017. However, the grossly disproportionate response by the Burmese military to the 25 August attacks, and the mass exodus of the Rohingya from northern Rakhine that resulted, were unprecedented in their scale.

The UK recognises the Rohingya as an ethnic group. We support individuals' right to self-identify as Rohingya; have made clear that the 1982 Citizenship Law needs to be reviewed and we welcome Aung San Suu Kyi's commitment to implement the Rakhine Advisory Commission's recommendations to ensure basic rights for all of Rakhine State's communities. During the 2014 census process run by the military government, the UK was clear that the Rohingya people wished to self-identify and should be allowed to do so, and that international support for the census depended on this. We were provided assurances of the right to self-identification. In the run up to the census, there was a credible risk of violence in Rakhine (including potential security risks to census enumerators) if the Rohingya were allowed to self-identify. A high level meeting with Ambassadors was held, where options were explored, either to remove the question on ethnicity, or delay enumeration in Rakhine. At the final hour, the Government of Burma decided unilaterally that people could not record their identity as Rohingya, reversing commitments which we had been given. Without a commitment to self-identification, the Rohingya refused to participate, and enumeration could not proceed. The option of leaving the question on ethnicity blank gave rise to fears that their identity would be reclassified (as Bengali or other). Negotiations continued even after the start of the census in the rest of the country, but an agreement could not be brokered on this issue. The international community was extremely disappointed at this unilateral change in policy by the Burmese authorities. Despite this exclusion, the census process generally contributed to more transparent and democratic policy-making in Burma.

The UK Government is aware that there is no simple solution to the Rohingya situation. Time is needed to address the underlying causes of the conflict and change the widespread prejudicial attitudes against the Rohingya. The UK will continue to work with international actors and the Burmese government to address the drivers of conflict, but ultimately, a shift in deeply held attitudes must come from the Burmese people. The international community can help facilitate, but not lead this shift. Such leadership and attitudinal change, if combined with the full implementation of the Rakhine Advisory Committee's recommendations, offers the best hope for a long-term solution for the Rohingya in Burma.

Conclusion 2:

If previous world summits on tackling threats, humanitarian crises and their impacts are to turn out to be more than festivals of warm words and good intentions, the international community is going to have to look much harder at how to implement responsibilities to protect threatened populations and to prevent, and end, crises. This may include UN Security Council members and other large states establishing a clearer consensus around

indicators and trigger-points for action as well as then taking tougher and more proactive steps in relation to their avowed responsibilities towards threatened peoples—regardless of trade relationships or traditional alliances (Paragraph 37)

DFID response: Agree

The Government agrees with the IDC's conclusion. The UK continues to consider ways in which we can support the UN and the Security Council in taking earlier, effective action to prevent mass atrocities. Given that the majority of atrocities occur in and around conflict, the UK prioritises addressing and preventing state failure and instability when addressing atrocity risks. In this context, the UK fully supports UN Secretary General António Guterres' focus on sustaining peace and conflict prevention. We will continue to work with the UN and with member states, (e.g. through the International Atrocity Prevention Working Group), to lead international policy on preventing atrocity crimes, and to spot atrocity risks early on and tackle them upstream. Similarly, the UK is committed to the Responsibility to Protect (R2P) principle, and will work with partners in the R2P Group of Friends to lead the debate on implementing R2P.

Conclusion 3:

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

DFID response: Partially agree

The Government agrees, and is constantly working to improve its early warning mechanisms as a means of identifying and reducing the risk of atrocity crimes and conflict, using hard evidence as the basis. Similarly, the Government is using all tools at its disposal – diplomatic (bilateral and multilateral) and programmatic – to engage with governments and other international partners with a view to reducing instability and preventing conflict. In any specific situation this involves working across a broad front and with a range of partners, encouraging good practice and behaviour where it exists, whilst calling out and tackling negative behaviour when necessary. The Government will continue to do both.

The Government does not agree with the implication that our policy towards Burma was unduly optimistic or ignored the serious problems in Rakhine State. As noted in our response to Conclusion One, the Government consistently warned the Burmese authorities of the risks in Rakhine State and urged them to give them greater priority. This included underlining the importance of civil and political rights for the Rohingya people, supporting the Rakhine Advisory Commission's work on the underlying drivers of conflict and discrimination, and marshalling international pressure through the Human Rights Council.

The UK has, for many years, been the leading international advocate of democracy in Burma. Democracy in Burma remains a goal worth pursuing. We do not believe that 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 are inconsistent with working to address discrimination and violence against the Rohingya. Indeed, 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.

Empowering affected people

Conclusion 4:

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

DFID response: Agree

DFID is working with other stakeholders to ensure that Rohingya voices are the core of the international community's decision-making. This includes our stance that any repatriation must be in line with international law, including being informed and voluntary, while incorporating international monitoring throughout the process. UNHCR is best placed to provide technical advice, especially on how to ensure community views are included in any returns process, and to monitor implementation. The UK continues to press for UNHCR involvement in any returns process. For example, the Foreign Secretary raised the security of the Rohingya during his meeting with Aung San Suu Kyi on 11 February, underlining that refugees must be able to return home voluntarily, safely, and with dignity, and that the repatriation process should be supervised by UNHCR.

In Bangladesh, the UK is supporting a coordinated approach to communicating with communities as an integral part of the refugee response. The UK supports the communicating with communities working group which ensures agencies share best practice and strengthens agencies' accountability to the Rohingya. The working group and DFID are supporting two way communications with refugees to inform response design and delivery.

We agree women should be at the forefront of community-based decisions. Women can often be the primary income providers for many households in the camps. Increasing women's participation in decision making would not only support a more cohesive community within the camps, but could help change social norms and lay the grounds for more inclusive communities in the future. There is no quick way to achieve this given the overall lack of formal community structure in the camps, and the societal norms and culture governing Rohingya women's roles. However, we will be looking for entry points as hearing the voices and demands of Rohingya is an integral part of safe returns. The UK is supporting 'Women Friendly Spaces', which offer a range of services and referral

pathways for physical, mental and sexual reproductive healthcare. The spaces also provide an environment for Rohingya women to discuss social and family issues, gather and share information, and start to build cohesion and solidarity.

We will continue to work with agencies to identify and support interventions which will further build the voice and agency of women in a culturally sensitive manner.

Gender based violence

Conclusion 5:

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

- *to provide victims with a path towards justice in their individual case*
- *to establish an assumption of accountability, at some point, as a credible possibility to create an effective deterrent to repetition and imitation in other theatres of conflict, and*
- *to establish the foundations for a meaningful process of resolution in the future between communities which is likely to require a robust basis for reconciling both victims and perpetrators to the trauma of the events of the past several months (if not years) (Paragraph 61)*

DFID response: Agree

The Government agrees with the Committee's three reasons given for the need to gather evidence and understands the importance of that evidence.

On 24 March 2017, the UK co-sponsored a UN Human Rights Council resolution to dispatch a UN Fact-Finding Mission (FFM) to establish the facts and circumstances of the alleged recent human rights violations and abuses in Burma, particularly in Rakhine State. The Government fully supports the work of the FFM. In December, FCO Minister for Asia and the Pacific, Mark Field, met the head of the Mission and his colleagues. The Government is disappointed that Burma disassociated itself from the resolution which established the FFM and that they continue to deny it access to Burma. The UK Government has repeatedly urged Burma to cooperate with the Mission.

The FFM has had excellent access in Bangladesh, allowing it to gather considerable information, which will be reflected in their report. The FFM issued an interim oral report on 12 March which reaffirmed the appalling human rights violations that many in Burma have suffered, and confirmed that the Burmese military are primarily to blame for the widespread and systematic violence against the Rohingya. The FFM will issue a final report in September of this year. Their report should serve as a credible record of events, despite restrictions on access to Burma. Although the Mission does not have a mandate to collect and preserve evidence, or to make a judicial determination, it can help to establish

an accurate historical narrative that is important for the victims of the atrocities, aids advocacy efforts by the international community, and can be complementary to judicial-standard evidence collection.

The Government deeply regrets the continuing restrictions on access into northern Rakhine which makes it extremely difficult for other credible bodies to gather evidence in Burma. 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. A number of NGOs and charities have initiated testimony and evidence collection in Bangladesh; the Government is considering how to support effective co-ordination, through an international or local mechanism. The Government is concerned by the reports of bulldozing of Rohingya villages in northern Rakhine, which could destroy evidence. We are lobbying with the Government of Burma to stop this practice.

In order to better understand what has happened in northern Rakhine, the Government is supporting a project that aims to provide a detailed picture of the patterns of violence, its causes, dynamics and effects, in the state. This project should 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.

The Government will continue to keep accountability high on the international agenda. We will make clear to the Burmese authorities the seriousness of international concern about abuses in Rakhine. International pressure has prompted some limited Burmese responses including acknowledgement by the military of culpability in the massacre at Inn Din village. However, the Burmese response to date to accusations of widespread, serious abuses has been deeply inadequate. We continue to call for credible, independent and transparent investigations.

The Government remains committed to mass atrocity prevention and the Responsibility to Protect (R2P) principle. 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.

Conclusion 6:

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

DFID response: Partially agree

The UK agrees with the IDC recommendation to initiate the Preventing Sexual Violence in Conflict Initiative (PSVI) as soon as there is credible reporting of alleged sexual violence so that survivor needs are addressed and evidence is gathered for future accountability purposes. A major tool for this is the PSVI team of experts. 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 International Protocol and the primary guideline of Do No Harm. The team of experts does not itself collect evidence or investigate sexual violence.

The UK's response to sexual violence reported by Rohingya refugees is part of the international humanitarian response to the wider crisis. The UK works with a range of international organisations and partners, including UNFPA, IOM, UNICEF and a number of NGOs, to share expertise, capacity and avoid duplication.

Before PSVI deployments in November 2017, the UK was already working closely with international partners to assess the situation and to inform the UK's response to increasing reports of sexual violence having been committed in Burma. In parallel, the UN Special Representative of the Secretary General (SRSG) for Sexual Violence also deployed a fact-finding team in Bangladesh. A member of the PSVI team of experts formed part of the SRSG's fact-finding team and was able to advise on the timing and responsibilities of a pre-planned deployment of experts by the UK.

The head of PSVI in the FCO accompanied the UN SRSG on a visit to Bangladesh in November and two days later two civilian experts were deployed to Bangladesh. They undertook an assessment and made recommendations to the UK government which we are now moving ahead urgently to implement. This includes capacity building by the PSVI team of experts for Bangladeshi partners on investigation and documentation of sexual violence to international standards, which the FCO is currently funding.

In addition, the FCO is funding one of its implementing partners to deploy mentors/trainers to Bangladesh to deliver separate capacity building on investigation and documentation of sexual violence in conflict, using the International Protocol as a framework.

Conclusion 7:

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

DFID response: Agree

The Government agrees with the Committee's assessment. According to 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 at Inn Din village in December 2017. It admitted that members of the military were involved in the unlawful deaths of ten Rohingya. These personnel have now reportedly been detained. The UK Government continues to press the Burmese authorities to take action against all those who have committed abuse and to undertake a full independent, transparent and credible investigation into all reported atrocities, and to ensure those responsible are brought to justice.

The UK has been clear in its condemnation of the terrible atrocities that have occurred in Rakhine State. We have stated 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. We 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 of the International Criminal Court (ICC), 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.

The Government regrets there are no immediate prospects for prosecutions. Burma is not a party to the Rome Statute. 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 to medium term.

The UK wants justice to be done, and so will continue to look at every available option to ensure accountability and work with our international partners on what can be done to both assist the victims, and to bring those responsible to justice.

Supporting refugees and the host community

Conclusion 8:

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

DFID response: Agree

We welcome the committee's recognition of the UK's response to help alleviate the Rohingya crisis. Between 2014 and 2016, the UK provided nearly £8 million to address the humanitarian needs of the Rohingya refugees already displaced to Bangladesh and the vulnerable communities that host them. 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 for 2017 – 2021. Since August 2017, the UK has committed £59 million to the Rohingya current crisis response in Bangladesh to save lives, alleviate suffering and protect people's dignity.

The Government remains committed to supporting the Rohingya people. We are closely engaged with other donors and humanitarian agencies on the development of the new Joint Response Plan (JRP) for the crisis in Bangladesh. The JRP sets out the needs, responses and resources required to support Rohingya refugees and host communities through 2018, with a planned release date of March 2018. DFID is currently considering what further contribution the UK should make to the international response in Bangladesh whilst we continue to work with the FCO and the UN to encourage others to contribute. DFID is aware that this is likely to be a protracted crisis requiring substantial and long term commitments.

In Burma, DFID has provided over £30 million in longer term development support and humanitarian support to conflict and disaster-affected communities in Rakhine State since 2012. This included responses to the 2015 floods and treatment of malnutrition in communities of all ethnic groups. Since August 2017, we have provided £2 million to the World Food Programme and £1 million to the Red Cross for humanitarian response, which have been the only organisations with access to northern Rakhine. We continue to press for unrestricted humanitarian access in Rakhine State and push for serious and sustained action to implement the Rakhine Advisory Commission's recommendations. If and when access improves the UK will consider what contribution to make, and with what safeguards, as part of international support for humanitarian response and a long-term approach to addressing the underlying causes of violence and inequality in Rakhine State.

Conclusion 9:

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

DFID response: Partially agree

Prior to the escalation of this crisis, the Government of Bangladesh requested IOM to coordinate humanitarian assistance to non-registered refugees in Cox's Bazar, and requested UNHCR to support the much smaller number of registered refugees. Coordination structures were strengthened after the onset of the current crisis with UN agencies agreeing ways of working in line with the Government of Bangladesh's preferences. The UK provided funding to support the work of the UN Inter-Sector Coordination Group. We have consistently urged all UN agencies to work together to ensure effective delivery of assistance and we have welcomed the deployment of senior expertise by all agencies. The UK has regularly discussed with the Government of Bangladesh the importance of

ensuring UN agencies can operate effectively to fulfil their mandates. Additionally, UK ministers have spoken regularly with the heads of lead UN agencies, including OCHA, UNHCR and IOM on this matter.

The response coordination structure has recently been further adjusted at Cox's Bazar and Dhaka levels to: (a) clarify leadership and reporting lines; (b) ensure the roles of agencies align with their global expertise and mandates; and (c) to decentralise decision making to Cox's Bazar, whilst also ensuring that issues that need escalating to Dhaka level are dealt with promptly.

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.

Conclusion 10:

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

DFID response: Agree

The UK Government agrees that this is important. The UK has advocated for a more streamlined process on NGO registration, with greater central and local administrative capacity to implement the system. The UK will continue to discuss with the Government of Bangladesh the importance of unhindered humanitarian access for agencies with the skills and resources to deliver vital assistance to the Rohingya people, while also respecting the need for application of adequate safeguards.

NGO capacity will be essential to delivering the new Joint Response Plan (JRP).. This will require NGO project approvals to be processed quickly, and granted for longer than three months to ensure NGOs can respond to the immediate needs of the Rohingya, and carry out urgent preparedness activities ahead of the cyclone and monsoon seasons that will start in April and June.

Conclusion 11:

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

DFID response: Agree

The UK Government was taking a protracted crisis approach well before the latest Rohingya influx, and continues to do so. The UK has discussed this frequently with

the Government of Bangladesh, including with Prime Minister Sheikh Hasina and Ministers of Foreign Affairs and Finance during visits by DFID and FCO ministers. These discussions have included a number of topics such as: the importance of an improved and enabled humanitarian system, issues of livelihoods and freedom of movement, safeguarding against disease outbreaks, natural disasters and environmental damage, education, psycho-social support and long term support for the host community.

The conversations have stressed the importance of making progress with creating the conditions for safe, dignified and voluntary returns while also recognising the challenges, and the consequent need for sustainable support in Bangladesh. Any credible process will take years to implement and not all refugees may decide to return.

The new Joint Response Plan (JRP) outlines the requirements for the next stage of the response in Bangladesh.

Ministers and officials have sought the views of the Rohingya during visits to Bangladesh and Burma and through partners. We have urged the Government of Bangladesh and aid agencies to ensure that such views are systematically collected and taken into account in all humanitarian planning, and are used to understand and address the causes of the crisis. (Please also refer to DFID's response to conclusion 4).

Conclusion 12:

In addition, the UK Government should seek a consensus, amongst other UN Members states who supported the World Humanitarian Summit Communique, around how further to support the economic development of Bangladesh, as host country, and the livelihoods of the Rohingya including the potential to offer a "special development zone". (Paragraph 103)

DFID response: Partially agree

The UK Government recognises that the stresses on host communities are considerable, and increasing. Host community needs will continue to be a vital part of our planning for a protracted crisis and beyond. We strongly believe that it is possible to improve livelihoods for the Rohingya people whilst also strengthening and sustaining development for host communities.

DFID prioritises the needs of the most vulnerable people whoever and wherever they are. Therefore, we will continue to support the development of Bangladesh and Burma, and the eradication of poverty in both countries.

The UK will continue to discuss with partners and the Government of Bangladesh on how to support a sustainable response to the Rohingya crisis, which will provide opportunities for host communities and the Rohingya to live in a more dignified and self-sustaining manner. Additionally, the UK will seek consensus for such approaches from UN member states who supported the World Humanitarian Summit Communique, and from a broader group of countries including China and India, who remain influential in the region.

Safe and durable solutions and voluntary returns

Conclusion 13:

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

DFID response: Partially agree

The UK Government's strategy is to use a combination of public and private dialogue to press the Burmese authorities to implement the actions we believe are necessary. Pressure has included: sustained engagement by the UN Security Council; resolutions in the UN General Assembly and Human Rights Council; suspension by the EU of senior military visits (at our urging); and agreement to introduce EU target sanctions on senior military individuals to persuade the military to change their behaviour.

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 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, including a joint Burmese-international advisory board; and acknowledgement by the military of culpability in the massacre at Inn Din village.

These steps, though welcome, remain wholly inadequate. We will continue to press for much more urgent and meaningful action.

Conclusion 14:

We are concerned by the emphasis on returning refugees to the Rakhine by the Bangladesh and Burmese government when the situation still seems fraught and very far from safe, dignified and durable as set out in the World Humanitarian Summit Communiqué. It is unacceptable to propose that the Rohingya be returned to live in Burmese-run internment

camp; inevitably to be faced with further privations, potential abuses and uncertain access for outside agencies; and likely only to be displaced once again if there is further violence. (Paragraph 130)

DFID response: Agree

The UK Government shares the IDC's concern of refugees returning prematurely. We welcome steps which would ensure the Rohingya refugees could return safely, voluntarily and with dignity to their homes, if they wish to do so. All refugees returning must be well-informed and we continue to call for the involvement of UNHCR in the returns process and for the required international oversight.

The UN Security Council, in response to a UK initiative, convened a session on 13 February 2018. UNHCR were invited to brief the council at our urging. Our intervention made clear that UNHCR should have a formal role in any returns process. This role would include providing an independent assessment of conditions in Rakhine, including security, and allowing Rohingya refugees to make informed decisions.

The UK government believes that full implementation of the Rakhine Advisory Commission's recommendations are the best means to achieve a long-term and sustainable settlement in Rakhine State.

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.

Conclusion 15:

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

DFID response: Agree

The Government agrees that more support is needed for effective coordination of evidence and testimony collection, which has been initiated by a number of NGOs and charities in Bangladesh. Access to northern Rakhine currently remains restricted however, even for humanitarian organisations. Once access improves DFID would be open to working with organisations such as the International Commission on Missing Persons. The UK Government continues to press the Burmese authorities to grant greater access for humanitarian organisations and the UN Fact-Finding Mission. 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.

Safe migration

Conclusion 16:

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

DFID response: Partially agree

In Burma, the UK is working to reduce the threat of modern slavery in relation to the Rohingya both inside, and outside the camps in Rakhine state. DFID is assisting a number of initiatives including supporting the ILO to work with the Rakhine State authorities to design a more inclusive five year Technical and Vocational Education and Training strategy, so that Muslims can access diploma courses. Additionally, since 2016 DFID has been supporting Rohingya confined to camps around Sittwe and Maungdaw with skills training and certification, to enable them to access higher paid work e.g. in motor cycle maintenance, construction and food safety. These programmes aim to reduce vulnerability to trafficking and the likelihood of further boat departures.

Protection approaches, including approaches to protect against trafficking and exploitation, are central to the UK's humanitarian response in Bangladesh. We have advocated consistently for protection to be central to all assistance and joint planning. We welcome that a protection framework will be included in the new Joint Response Plan (JRP). DFID will continue, in the next phase of the response, to prioritise protection interventions including the prevention of modern slavery. We are also considering how other planned programmes can be scaled up to supplement existing protection work in both Bangladesh and Burma.

The £40 million global package recently announced has been fully allocated to three distinct programmes to tackle modern slavery. £13 million has been allocated to prevent trafficking and forced labour among women who migrate from South Asia to the Middle East, working as domestic or garment factory workers. £20 million will be disbursed to the Global Fund to End Modern Slavery, which targets sectors with a high risk of slavery, such as fisheries and construction. A further £7 million will support anti-trafficking work in Nigeria. As referenced above, modern slavery in relation to the Rohingya is being tackled through a number of existing programmes and both DFID offices are looking at how to increase their protection portfolio.

Five-point plan

Conclusion 17:

We commend the UK Government's 5-point plan. It strikes the right notes. However, the conditions that we assume must underpin each strand appear to place the plan's implementation out of reach in current and foreseeable circumstances. We urge the Government to share with us, as part of its reply to this report, its view of the conditions that

must be in place for each of its plan's 5 points to be implemented. To back this up we also request sight of the mechanisms, indicators and thresholds required to make effective and transparent assessments of progress towards each goal. (Paragraph 158)

DFID response: Agree

The UK Government agrees that the 5-point plan remains a valid framework for addressing the current crisis. We continue to urge the Burmese authorities to end the violence and ensure security for all without discrimination in northern Rakhine; to grant full humanitarian access; to cooperate with the Fact-Finding Mission; to ensure that refugee returns can take place in a voluntary, safe and dignified manner; and to implement the recommendations of the Rakhine Advisory Commission, including those which relate to civil rights and citizenship. In addition, we continue to work with the Bangladeshi authorities to ensure that refugees receive the humanitarian assistance they require. These five points have been broadly welcomed and accepted by the international community, and formed the basis of the UN Security Council Presidential Statement on 6 November. We believe it is important for the international community to continue to make its expectations clear.

It is unfortunately true that limited progress has been made on these objectives. We welcome Aung San Suu Kyi's commitment to refugee returns from Bangladesh, but it is clear that the conditions are far from being in place to allow this to take place in a voluntary, safe and dignified. The Burmese authorities have permitted the Red Cross and the World Food Programme to conduct some humanitarian activities in northern Rakhine, but this is grossly inadequate to the requirement; we have made clear that humanitarian assistance on the scale needed requires the presence of UN agencies.

Violence continues to take place in northern Rakhine State; if it is reduced, that is only because the vast majority of the Rohingya population has fled. We have made it clear to the Burmese authorities that Aung San Suu Kyi's commitment to refugee returns is only possible when security is guaranteed for all communities without discrimination – and that, given the role of the Burmese military in the violence, this can only be credible if there is an international presence on the ground.

We deeply regret that the Burmese authorities continue to refuse to cooperate with the Fact-Finding Mission or to allow them access to Burma, and that they have recently withdrawn cooperation with the UN Special Rapporteur on Human Rights in Burma, Yanghee Lee.

The UK Government is also extremely disappointed at the recent refusal of the Burmese authorities to grant visas and access to members of the International Development Committee (IDC) for their February visit. We have communicated our disapproval in the strongest terms to the Burmese authorities on this matter. The work of the IDC is important to the scrutiny and parliamentary accountability of DFID's programmes. We will ensure that the Committee has the information needed to assess the Department's work in Burma.

We welcome Aung San Suu Kyi's commitment to implement the recommendations of the Rakhine Advisory Commission, and her establishment of a Ministerial Committee

to drive implementation, supported by a joint Burmese-international Advisory Board. We have stressed we hope to see rapid progress, including on the more contentious recommendations including on a path to citizenship for the Rohingya.

The UK Government will continue to press the Burmese authorities on all of these issues. We will stress that they are linked: there can be no acceptable returns process without an end to violence, access for humanitarian agencies and the UN, and progress on the underlying issues

Between 9–12 February 2018, the Foreign Secretary visited Burma, Bangladesh and Thailand, where he discussed the crisis extensively, including with Aung San Suu Kyi. He stressed that refugees must feel safe returning home and that any returns must be supervised by UNHCR. The Government will remain active in multilateral forums, including the UN Security Council; UN Human Rights Council and ASEM. On the UK's initiative, the UN Security Council discussed the Rohingya crisis on 13 February.