



House of Commons  
International Development  
Committee

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# Humanitarian crises monitoring: the Rohingya

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to the report*

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## Summary

It has been over two and a half years since more than 700,000 Rohingya fled violence and suffering in Myanmar, finding sanctuary in camps in Cox's Bazar, Bangladesh. The humanitarian community and Bangladesh authorities have maintained a huge response to the crisis, providing not only vital, basic services, but also other aspects including psychological support and infrastructure to prevent flooding. However, long-term problems persist. Children lack access to formal education, adults are not permitted to work and gender-based violence is widespread. The lack of any recognisable legal status for the Rohingya remains a fundamental weakness in arrangements. Most recently, the building of imposing fencing around, and potentially between, the camps will inevitably limit freedom of movement and cut off the Rohingya communities from some essential facilities and each other.

All these long-term problems are exacerbated by the threat of Covid-19; the first cases have been confirmed among the Rohingya, and the outbreak in such crowded camps is assessed as likely to quickly spread. The high density of people at service distribution points makes social distancing unfeasible and the lack of sanitation facilities renders advice to keep washing hands, impossible to comply with. There is a severe shortage of personal protective equipment, and of isolation beds in the region—there are zero ventilators. The minimal healthcare provision could not cope with a widespread outbreak.

The lockdown announced on April 8 2020 aimed at containing the pandemic, has restricted humanitarian activity to those deemed critical to the Covid-19 response and leaves the Rohingya without access to many essential services. Furthermore, a mobile phone and internet blackout, covering the whole area, along with a ban on Rohingya possessing SIM cards in Bangladesh, prevents the dissemination of essential information about the pandemic and how to stay safe. Recent reports of hundreds of Rohingya risking their lives in attempts to sail unsuitable vessels to other countries around the Bay of Bengal is an indication of the desperate situation in the camps.

The root of the crisis lies in Rakhine State in Myanmar, where the Rohingya have suffered a long history of persecution and violence. Recent investigations have not been optimistic that the local or national government in Myanmar are working towards providing conditions conducive to the safe and dignified repatriation of the Rohingya. In October 2019, The UN Independent International Fact-Finding Mission concluded starkly that Rohingya who remain in Rakhine State face “systematic persecution and live under the threat of genocide”. In December 2019, the de facto leader of the Government of Myanmar, Aung San Suu Kyi, appeared before the International Court of Justice to defend the country's military against accusations of violating the Genocide Convention. The Court required Myanmar to take all measures within its power to prevent acts against the Rohingya, as set out under Article II of the Genocide Convention, and to preserve evidence related to acts of genocide. The Court also demanded regular reports on the steps taken by Myanmar in this regard.

The Myanmar Government has announced plans to close its widely criticised internally displaced persons camps, including those housing remaining Rohingya in Rakhine State. However, it is unclear what improved conditions, quality of life or freedoms the new

accommodation described could possibly offer. Now Covid-19 is threatening to overrun Myanmar's weak health systems and inevitably, would spread rapidly in Myanmar's IDP camps, long described by independent observers as some of the most unsanitary and appalling temporary accommodation anywhere. Furthermore, concerns have been raised that the amendment to the Vacant, Fallow and Virgin Lands Management Law which requires individuals to apply for a permit to continue using their lands, could lead to seizures of land from the country's ethnic minorities.

The UK Government has made a significant financial contribution to the humanitarian response in Cox's Bazar and it is vital this support continues. The UK has also made representations to the governments of Bangladesh and Myanmar on many of the issues set out in this Report and, in particular, should continue to use its influence to press both countries to lift their communications blackouts as a matter of urgency. Finally, the UK must keep the pressure on Myanmar to comply with its obligations to protect the Rohingya and establish the conditions to enable them to be repatriated in safety and with dignity.

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# Introduction

## Predecessor committee inquiry

1. In October 2017, our predecessor International Development Committee launched a wide-ranging inquiry into DFID's work in Bangladesh and Burma and the UK's response to the Rohingya crisis. To inform the inquiry, the Committee visited Bangladesh in March 2018, and went to the Rohingya camps in Cox's Bazar District, to see for themselves the conditions there. The Committee was denied visas to visit Myanmar. The Committee eventually published three reports relating to that inquiry:

- Bangladesh and Burma: the Rohingya crisis, published 15 January 2018 (an examination of the Rohingya crisis through the lens of agreements and commitments made by international community at the World Humanitarian Summit in 2016);
- Bangladesh and Burma: the Rohingya crisis—monsoon preparedness in Cox's Bazar, published 20 March 2018 (an urgent short report on the basis of compelling evidence of risk and threat presented during the Committee's visit); and
- Bangladesh, Burma and the Rohingya crisis, published 22 May 2018 (an examination of the relevant country programmes—including revisiting the justification of UK aid for Burma—and an update on the plight of the Rohingya).<sup>1</sup>

2. Throughout the inquiry, our predecessor Committee heard concerns raised about discrimination, human rights abuses and outright atrocities committed against the Rohingya in Myanmar, preventing their safe and dignified repatriation from Cox's Bazar. The Committee received compelling evidence arguing for various measures to improve the living conditions in the camps in Cox's Bazar, as it became clear this would be a protracted crisis.

3. The previous Committee followed-up on this work with an evidence session in September 2018, with representatives from Save the Children, the Burmese Rohingya Organisation UK, and 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. The Committee also exchanged correspondence with the Secretary of State for International Development, and the Myanmar Ambassador to the UK, as part of monitoring developments.<sup>2</sup> Further work was planned, but events during the latter half of 2019 combined to frustrate further evidence-taking.

## The inquiry's approach

4. We had made arrangements to hold a public oral evidence session, on 24 March 2020, to follow-up once again on the Rohingya crisis. In the event, due to restrictions imposed to combat the spread of Covid-19, the planned hearing was not able to take place and arrangements for online proceedings were not yet authorised. Instead of an oral evidence

1 International Development Committee, [DFID's work on Bangladesh, Burma and the Rohingya Crisis](#), inquiry page

2 International Development Committee oral evidence: [Bangladesh, Burma and the Rohingya crisis follow-up](#), 12 September 2018

session, we undertook an exchange of written ‘Q&As’ with various witnesses. This approach was aimed at updating the Committee on the latest developments and current conditions in the Rohingya situation, in particular in the camps in Cox’s Bazar and for the Rohingya still living in Rakhine State in Myanmar.

5. This Report sets out the key points raised to us during this process about the ongoing issues the Rohingya face, and their long-term prospects. These matters now include concerns around measures to limit any further spread of Covid-19 into and across the Rohingya settlements, as well as the impacts of coronavirus infections inside the camps. The situation is dynamic, developing and changing constantly. Hence, the Report incorporates some recent issues which were not covered in our written exchanges but which potentially have a significant impact on the Rohingya, the community settings in which they live and the humanitarian actors working in the district.

6. This Report will refer to the country that was formally known as Burma, by the name, Myanmar, which is in line with recent Foreign and Commonwealth Office practice.<sup>3</sup>

## Background

7. In August 2017, Myanmar military and security forces undertook a series of brutal ‘security operations’<sup>4</sup> in Rakhine State following reported attacks on police outposts by an armed group called the Arakan Rohingya Salvation Army (ARSA). The violence carried out and orchestrated by Myanmar forces caused over 700,000 Rohingya to flee across the border into Bangladesh and settle in the Cox’s Bazar District. They joined Rohingya who had fled during previous waves of violence in Rakhine State and it is estimated there are now around 855,000 Rohingya living in camps in Cox’s Bazar, with further displaced Rohingya living in the local area.

8. The Myanmar military continues to face accusations of crimes against humanity. Conflicts between the military and ethnic armed groups in Myanmar have intensified in recent months. Currently, a safe and dignified return for the Rohingya remains an impossibility.

9. The Government of Bangladesh must be commended for the open border policy that allowed the Rohingya to escape violence and persecution in Myanmar and settle in Cox’s Bazar. However, the Rohingya living in these camps face numerous restrictions relating to their legal status, rights and freedoms and continue to endure highly congested and poor living conditions.

10. There have been improvements in the Rohingya’s camps, for example to infrastructure and drainage, since their creation. Equally, NGOs operating in the area have consistently reported the same long-standing issues—such as lack of access to adequate nutrition, educational provision, water, sanitation and hygiene (WASH) facilities and very uncertain legal status, rights and freedoms (previously raised when our predecessor Committee last took evidence on the crisis in September 2018).<sup>5</sup> Furthermore, recent actions taken by

3 Foreign and Commonwealth Office, [Foreign travel advice, Myanmar \(Burma\)](#)

4 UN News, [Security operations by Myanmar show ‘established pattern’ of domination over ethnic groups – UN expert](#), 1 February 2018

5 International Development Committee oral evidence: [Bangladesh, Burma and the Rohingya crisis follow-up](#), 12 September 2018



the Bangladesh authorities in the name of security, such as preventing access to mobile internet, and the construction of fences around the camps, limit the Rohingya's freedom of movement, ability to communicate and access to information.

11. The situation is now being severely impacted by the coronavirus pandemic and restrictions put in place to prevent the spread of the disease.

12. The UK has committed £256 million to the humanitarian response in Bangladesh since August 2017, making it the second largest donor to the crisis.<sup>6</sup> It is providing support to the Rohingya and host communities in the region through programming that includes: health services and nutrition, access to education, clean water and sanitation, livelihood support and gender-based violence (GBV) services.<sup>7</sup>

### Aid worker safety

13. In addition to ensuring that aid beneficiaries receive the services they need, the safety and wellbeing of aid workers is also a priority of this Committee. Our predecessor International Development Committee undertook an inquiry into tackling violence against aid workers which emphasised the duty of care owed to agency personnel and delivery partners.<sup>8</sup>

14. The importance of ensuring the physical protection of humanitarian staff was highlighted by the recent death of Pyae Sone Win Maung, a World Health Organization driver. He was collecting Covid-19 monitoring samples in a well-marked United Nations vehicle when it was hit by gunfire in Rakhine State.<sup>9</sup> During the current pandemic, it is also vital that charities and NGOs ensure that all their staff who work in these challenging circumstances receive the support, and access to health services, they need.

15. Aid sector specialist media outlet, Devex, reported on the disparities that exist between the treatment of international and local staff working on humanitarian responses. The article cites an employee of an international NGO operating in Cox's Bazar. As the scale of the Covid-19 pandemic became apparent, she requested to return home. In mid-March her employer paid for a last-minute flight to the United States. This contrasts with Bangladeshi staff working for the same agency who were told that if they wanted to return to their hometowns, they would have to make their own arrangements and cover the cost of travel themselves. If they stayed to work in the camps and fell ill, they were instructed to call a government hotline to find out what healthcare was available to them.<sup>10</sup>

16. Many aid agencies are putting measures in place to secure their programmes and protect their staff amid the pandemic. Where possible, some organisations are training and equipping their staff to work from home and providing psychosocial support. NGO officials told Devex that they try to introduce policies that emphasize equality, not distinctions, between staff.<sup>11</sup> The evidence we received was clear about the need for all organisations adopt this approach to protect all their staff during the pandemic and to ensure they had access to the healthcare they need.

6 [Department for International Development \(HCM0011\)](#)

7 [Ibid](#)

8 International Development Committee, [Violence against aid workers](#), inquiry page

9 BBC News, [Coronavirus: WHO worker killed in Myanmar collecting samples](#), 21 April 2020

10 Devex, [Are local and international aid worker disparities worsening under COVID-19?](#), 28 April 2020

11 [Ibid](#)

# 1 Bangladesh

## Covid-19 in Cox's Bazar

17. On 8 April 2020, a lockdown of Cox's Bazar District was announced in response to the global Covid-19 pandemic.<sup>12</sup> Since then, humanitarian activity in the area has been limited to activities critical to the Covid-19 response, such as nutrition services, provision of water, sanitation and hygiene facilities (WASH) and medical care. Other services such as education, safeguarding and protection and psychological support, have been suspended. Efficient coordination between the International Organisation for Migration (IOM), which is leading the response, and other UN agencies, NGOs and the Bangladesh authorities, is crucial to keep both the host community in Cox's Bazar, and the Rohingya, safe.

18. As of 18 May 2020, The World Health Organization reported 22,268 confirmed Covid-19 cases in Bangladesh, including 328 related deaths,<sup>13</sup> and on 14 May, the first cases were confirmed among the Rohingya community in camps in Cox's Bazar.<sup>14</sup> The written responses we received expressed concern about the shortage of testing capacity in the camps, which means that a wider Covid-19 outbreak could be circulating undetected. The International Rescue Committee (IRC) described further risks:

The camp is particularly vulnerable to virus transmission due to its exceptionally high density (40,000 people per km<sup>2</sup>), poor sanitation, limited access to healthcare services, and high levels of malnutrition and other comorbidities amongst camp residents.<sup>15</sup>

19. The density of people makes social distancing unfeasible and there are particular fears of overcrowding at service pinchpoints such as food distribution points and WASH facilities, making it completely impossible to prevent the spread of infection by distance, separation or isolation.

20. Healthcare provision in the local area is minimal and will not cope with a widespread outbreak of Covid-19. We heard there is no capacity for intensive medical care in the camps and zero ventilators for 6.5 million people across the area covering Cox's Bazar and Rakhine State.<sup>16</sup> Most of Bangladesh's intensive care facilities and ventilators are situated in the capital, Dhaka, out of reach for the Rohingya who are banned from travelling outside of the Cox's Bazar District.<sup>17</sup>

21. Save the Children told us there are only 64 isolation beds across all 34 camps, with an additional 47 beds identified close to the camps in Teknaf and Ukiya. Work is underway to increase capacity across the District by approximately 1,500 beds. However, Save the Children said it is unclear how this can be implemented quickly and warned that even with those additional beds, it is unlikely provision will be adequate if there were a widespread outbreak of Covid-19.<sup>18</sup>

12 [UNHCR \(HCM0005\)](#)

13 World Health Organization, [Coronavirus disease \(COVID-19\) Situation Report – 11](#), 18 May 2020

14 BBC, [Coronavirus: Two Rohingya test positive in refugee camp](#), 14 May 2020

15 [International Rescue Committee \(HCM0004\)](#)

16 [Ibid](#)

17 [Human Rights Watch \(HCM0009\)](#)

18 [Save the Children \(HCM0001\)](#)

22. There is also a lack of medical personnel and equipment in the area, including personal, protective equipment (PPE). Human Rights Watch said that Rohingya community volunteers would be the first responders in this context and should be equipped with PPE and trained on health and hygiene promotion.<sup>19</sup>

23. The Department for International Development told us it has committed £10 million to the Covid-19 response in Cox's Bazar District. According to the UK High Commissioner in Bangladesh, this funding will be put towards measures including establishing treatment centres, distributing soap, building more hand-washing facilities and raising awareness about personal hygiene.<sup>20</sup>

24. The Department for International Development (DFID) also supports the Early Warning, Alert and Response System (EWARS) for the early detection of disease outbreaks in Cox's Bazar. Last year the system noted a spike in measles and rubella cases which led to a camp-wide vaccination campaign. The Department told us that EWARS is proving a critical resource in the current Covid-19 crisis.<sup>21</sup>

### Mobile data ban and lack of access to SIM cards

25. In September 2019, the Bangladesh authorities imposed a mobile data ban covering Cox's Bazar District, citing security reasons for its actions.<sup>22</sup> The restrictions on 3G and 4G networks prevents the Rohingya—and the host population—in Cox's Bazar from accessing the internet through mobile devices. It obviously also affects NGO staff working in the area, making everyone less effective and feeling less safe. The ban is now preventing the Rohingya from accessing information about Covid-19 and how to stay safe during the pandemic. It also hinders humanitarians from recording up to date information and reporting on the situation.

26. The lack of internet is compounded by the fact that Rohingya in Bangladesh are not legally allowed to have SIM cards. Human Rights Watch said that, since September 2019, the Bangladesh authorities have confiscated over 12,000 SIM cards from the Rohingya.<sup>23</sup> This further limits their ability to communicate and exacerbates current challenges such as raising awareness and any solutions that rely on real-time data. These measures mean that information about the virus has to be disseminated face to face, which comes with added risks. It also hinders the Rohingya from reporting any potential Covid-19 symptoms to the relevant authorities. Contact tracing to find out where the virus had spread within the camps will be severely limited unless these communication facilities are restored.<sup>24</sup>

27. Furthermore, these communications blackouts are preventing services which have been disrupted by the lockdown, from being provided remotely. Services such as mental health support might have been able to continue in some form, through phone calls and digital resources but under the current conditions they have ceased altogether.

28. Our evidence was clear that the Bangladesh authorities must lift these bans as a matter of urgency, to ensure that the Rohingya and the host population have access to potentially

19 [Human Rights Watch \(HCM0009\)](#)

20 British High Commissions Dhaka, [The UK Supports Bangladesh to fight Covid-19](#), Twitter, 6 April 2020

21 [Department for International Development \(HCM0011\)](#)

22 [Human Rights Watch \(HCM0009\)](#)

23 *Ibid*

24 [Save the Children \(HCM0001\)](#)

life-saving information about Covid-19. The Department for International Development (DFID) told us that Minister of State for South Asia and the Commonwealth, Lord Ahmad of Wimbledon, has been raising the issue of internet access in the Rohingya refugee camps with the Government of Bangladesh, including with the Bangladesh High Commissioner in London.<sup>25</sup> We welcome this action from the UK Government and recommend that further representations be made to the Government of Bangladesh until this problem is resolved.

## Security in camps and the erection of fencing

29. Security, law and order are widespread problems in the camps in Cox's Bazar. Most shelters do not have locks which makes them vulnerable to theft and offers little protection from intruders. Criminal gangs and drug trafficking is reported in the camps and the Rohingya are targeted by human traffickers also.

30. We heard the Rohingya face a dilemma with regards to combating these security threats: wanting a higher law & order presence, but fearing the Bangladesh security forces that would probably be providing it.<sup>26</sup> The UNHCR suggested the international community could support civilian police in camps to increase their presence and consultations with refugees.<sup>27</sup>

31. In September 2019, Bangladesh Home Minister, Asaduzzaman Khan announced plans to build a barbed wire fence with watchtowers around the camps in Cox's Bazar, to improve security inside the camps and prevent outsiders from entering.<sup>28</sup> It was reported to us that plans had been confirmed for the incorporation of CCTV. Evidence received expressed serious concerns about the fencing which could severely impede the freedom of movement of Rohingya living inside the camps. The army began the first stage of building the fence in December 2019. By March 2020, over 50km of 15ft tall pillars had been erected around camps in Ukhia.<sup>29</sup>

32. An anonymous submission raised concerns that some facilities for the Rohingya are situated outside the boundaries set by the new fencing. It is unclear how the Rohingya living inside the fenced areas will be able to access these facilities. Furthermore, the army had estimated that as of March 2020, between 4000–5000 Rohingya would need to be relocated to within the fence boundary while some host community members would need to be relocated to outside the boundary.<sup>30</sup> Fears were also raised that the proposed length of the fence: 147km, suggests it will encircle both the perimeter and within the perimeter, thus restricting movement between camps.<sup>31</sup>

33. Construction of these fences has been halted due to the lockdown. This pause provides the opportunity for the Bangladesh authorities to be encouraged to review the security strategy for the camps and consider whether plans made in the name of security should prevent the Rohingya from exercising their already limited freedom of movement, or accessing services, which are located within a reasonably circumscribed local area.

25 [Department for International Development \(HCM0011\)](#)

26 [Burma Campaign UK \(HCM0002\)](#)

27 [UNHCR \(HCM0005\)](#)

28 Human Rights Watch, [Bangladesh: Halt Plans to Fence-In Rohingya Refugees](#), 30 September 2019

29 [Anonymous \(HCM0006\)](#)

30 *Ibid*

31 *Ibid*

DFID told us:

Any restrictions on refugee rights, movement and access to basic services should be related to genuine security risks, be proportionate, and be in line with relevant human rights law. Our approach is to promote stability and improve safety and security by strengthening social cohesion between refugees and host communities, enhancing rule of law and access to justice [...]<sup>32</sup>

## Attempts to reach Malaysia

34. On 15 April, the Bangladesh authorities intercepted a boat that had been adrift for more than two months, with nearly 400 Rohingya on board. Thirty other people are thought to have died and the fate of many others who have attempted this voyage, is uncertain. The Rohingya on board had left the camps in Cox's Bazar in search of a better life in Malaysia but the authorities there had denied them entry on grounds of protection from Covid-19.<sup>33</sup> Further reports of similar attempts by the Rohingya to reach Malaysia have been reported in recent weeks, demonstrating that hundreds of refugees are desperate to leave the Cox's Bazar camps. As we approach the monsoon season, cyclones in the Bay of Bengal become more likely and could prove deadly to any traveller in an insecure vessel. This is another reminder that a long-term solution that allows the Rohingya to live with dignity in safety, is badly needed.

## Relocation to Bhasan Char Island

35. When our predecessor Committee visited Bangladesh in March 2018, it heard that the Bangladesh authorities were preparing an island in the Bay of Bengal, to which they could relocate some of the Rohingya. Concerns were raised by NGOs that the island was little more than a sand bank with no infrastructure or services and frequently flooded during the monsoon season.<sup>34</sup>

36. Since then, infrastructure, services, accommodation and religious buildings have all been built on one such island. The written evidence we received reiterates the original concerns about the plan to relocate Rohingya to an island, now identified as 'Bhasan Char', that our predecessor Committee heard. DFID wrote that, before anyone could be moved to the island, detailed technical and protection assessments should be carried out by the UN, to ensure the rights of the Rohingya can be guaranteed.<sup>35</sup> Relocation should be voluntary and only undertaken with the full cooperation of the Rohingya, who should be provided with detailed information about the location where they are going.

37. Evidence from the UNHCR said that senior Bangladesh government officials have made recent public statements saying they no longer plan to move Rohingya to the island and low-income Bangladeshis will be allowed to move there instead.<sup>36</sup> However, recent news reports indicate that some of the Rohingya who have been picked up at sea by the Bangladesh authorities—more than 300—have been taken to the island. The authorities

32 [Department for International Development \(HCM0011\)](#)

33 The Guardian, [Bangladesh rescues hundreds of Rohingya drifting at sea for nearly two months](#), 16 April 2020

34 International Development Committee, [Bangladesh and Burma: the Rohingya crisis](#), HC504, Second Report of Session 2017–19, p.47–48. The island was originally identified as "Thengar Char".

35 [Department for International Development \(HCM0011\)](#)

36 [UNHCR \(HCM0005\)](#)



say this is a precaution to ensure they do not bring Covid-19 to the mainland and that millions of dollars have been spent on building flood barriers, homes, hospitals and mosques to make it habitable.<sup>37</sup>

38. It is believed that hundreds more, mainly Rohingya refugees, could be stranded at sea in unsuitable vessels. On 7 May, 18 aid agencies called on governments in the region to allow refugees stranded in the Bay of Bengal and Andaman Sea to disembark.<sup>38</sup> Our evidence was clear that the international community should act to reassure itself that the island of Bhasan Char was only used after safeguards were in place to ensure the Rohingya could access and enjoy their due rights. We believe it is important that this island site is not considered a long-term solution to this situation.<sup>39</sup>

### Gender-based violence and trafficking

39. Gender-based violence (GBV) is a widespread problem in the camps in Cox's Bazar. Traditional gender roles contribute to the risks women and girls are exposed to, including child marriage and domestic abuse.<sup>40</sup> The International Rescue Committee (IRC) told us it has collected data from its protection programming that shows that at least one in four women and girls in Cox's Bazar are subjected to gender-based violence every month.<sup>41</sup> The lack of locks, segregated facilities and adequate lighting, puts women at increased risk. Many women and girls have reported experiencing violence at water points, bathing facilities and toilets.<sup>42</sup>

40. Many women had also experienced sexual violence during years of conflict and persecution in Rakhine State, and already require specialist support. A number of organisations are providing support services to women and other individuals who have experienced gender-based violence in the camps. The UNHCR told us about some of the facilities in camps:

In 2019, UNICEF recorded that 490 girls and 12,386 adult Rohingya refugees (75% of them female) were recorded as having received support on issues related to gender-based violence. UNICEF has set up a 13 Safe Spaces for Women and Girls programs across Cox's Bazaar, which provide counselling support, vocational training and learning opportunities. Other organisations, such as Action Aid, also provide similar programs.<sup>43</sup>

41. The UNHCR told us they are focused on strengthening protection for the Rohingya using community-based measures, including a network of over 400 Community Outreach Members (COMs), 40 per cent of which are women. These COMs identify persons with specific needs and refer them to the relevant services.<sup>44</sup>

37 The Times, [Bangladesh sends 300 to live on perilous island](#), May 10 2020

38 ReliefWeb, [18 aid agencies call on governments to allow stranded refugees to disembark](#), 7 May 2020

39 International Development Committee, [Bangladesh and Burma: the Rohingya crisis](#), HC504, Second Report of Session 2017–19, p.47

40 [UNHCR \(HCM0005\)](#)

41 [International Rescue Committee \(HCM0004\)](#)

42 *Ibid*

43 [UNHCR \(HCM0005\)](#)

44 *Ibid*

42. DFID said it had helped to support least 55,000 vulnerable women, men and children to access to GBV services such as mental health and psychosocial support, life skills, dignity kits (containing hygiene supplies such as sanitary pads, underclothes and soap), and case management services.<sup>45</sup>

43. The lockdown presents a worrying environment for women in the camps. 81 per cent of women who reported gender-based violence, reported intimate partner violence.<sup>46</sup> There are concerns for their safety in the face of additional restrictions on movement, and increased responsibilities and stress in the home. Furthermore, women's support networks are being disrupted due to social distancing measures that prevent them from visiting family and friends in other shelters, and support facilities have closed, denying them access to gender-based services. The UNHCR told us that referrals relating to sexual or gender-based cases has already risen in some camps.<sup>47</sup>

44. Human Rights Watch told us the internet restrictions are also hindering the coordination of protection response for victims of gender-based violence, sexual exploitation and abuse, and trafficking. They describe an incident where a protection officer in the camps learned of a trafficking case too late:

Our volunteer from that place was unable to inform me just because there was no internet and they were unable able to reach out over the phone, so I could not inform the law enforcers to urgently rescue them. This is hampering our work inside the camp.<sup>48</sup>

45. There are reports of Rohingya men, women and children being trafficked to countries across the region, but many are taken to the nearby city of Chittagong or Cox's Bazar town. The men are often put to work in factories, construction sites or as fishermen, and women are forced into domestic servitude.<sup>49</sup> A news report by Thompson Reuters Foundation found that many are abused physically and psychologically and are paid little or no money.<sup>50</sup> The Rohingya are particularly vulnerable because they are not formally allowed to leave the camps in the first place, so if they attempt to return, their employers can threaten to call the police.

46. The Bangladesh authorities and NGOs are trying to educate the Rohingya about the risks of trafficking, using resources such as comic books and street plays to convey their message. It is thought these activities has helped individuals to come forward and the International Organisation for Migration (IOM) identified 420 cases between December 2018 and June 2019, which was a fourfold increase on the previous 14 months.<sup>51</sup>

47. The Burmese Rohingya Organisation UK said the monitoring of trafficking in the camps needs to be increased, especially in the evenings and weekends when there are fewer humanitarian workers present.<sup>52</sup> Now that lockdown measures are in place, protection issues could increase, as humanitarian organisations reduce their footfall in the camps for an extended period of time.

45 [Department for International Development \(HCM0011\)](#)

46 [International Rescue Committee \(HCM0004\)](#)

47 [UNHCR \(HCM0005\)](#)

48 [Human Rights Watch \(HCM0009\)](#)

49 Reuters, [Rohingya refugees in Bangladesh warned to be wary with human trafficking rising](#), 23 August 2019

50 Ibid

51 Ibid

52 [Burmese Rohingya Organisation UK \(HCM0003\)](#)

### Sexual exploitation and abuse

48. Our predecessor Committee undertook a wide-ranging inquiry into sexual exploitation and abuse in the aid sector in 2018. That Committee was plainly horrified to discover how sexual predators appear to target the aid sector and prey on vulnerable populations, particularly during humanitarian crises. As before, a high profile scandal raised the profile of these issues and prompted donors, including the DFID, to mobilise charities and NGOs to look for ways to prevent perpetrators from moving around the sector. However, significant progress has been slow to materialise and concerns for aid beneficiaries persist. Information relating to specific contexts rarely makes its way into the public domain but all humanitarian actors and security personnel working in Cox's Bazar should be aware of the risks and take the necessary measures to ensure the Rohingya are protected.

49. Information provided by the IOM set out that, as co-chair of the Prevention of Sexual Exploitation and Abuse (PSEA) Network in Cox's Bazar, it has rolled out training tools and materials to support other international and local organizations to fulfil their PSEA commitments. The IOM, alongside DFID, support the staffing, functioning and continuation of the PSEA Network and the Inter Sector Coordination Group (ISCG). The organisation told us it is ensuring the integration of SEA awareness raising material within the Covid-19 response.<sup>53</sup>

50. The IOM has also launched a PSEA Champion Initiative in Cox's Bazar. PSEA champions are nominated from field staff and are trained to identify SEA risks in IOM projects to ensure they are safe, as well as providing training for other humanitarian workers. They are responsible for raising awareness within the community and helping survivors to report to PSEA focal points.<sup>54</sup>

### Protracted crisis planning

51. More than 850,000 Rohingya have escaped violence and persecution in Myanmar by fleeing to Cox's Bazar District in Bangladesh. More than 700,000 Rohingya have arrived since the increased violence following the events of August 2017. The Government of Bangladesh must be commended, and supported, for allowing the Rohingya to enter the country and for the immediate welcome in Cox's Bazar. However, Bangladesh has consistently resisted implementing measures, however positive, that could be interpreted as conferring legal status to, or recognising the likely permanence of, the Rohingya. The Government of Bangladesh continues to insist that the Rohingya's presence is a temporary solution until they can safely return to Myanmar. Nobody thinks this is feasible under the conditions prevailing in that country.

52. The IRC told us that only 4 per cent of Rohingya in Cox's Bazar have been granted refugee status.<sup>55</sup> This prevents the vast majority, who are not legally recognised as refugees, from accessing services and protections, denies them the right to work and makes them vulnerable to exploitation.

53. A small proportion of Rohingya were volunteering for NGOs in the camps for a small remuneration, and DFID had been supporting skills training before the lockdown halted

53 Unpublished note provided to the Committee by the International Organisation for Migration, dated May 2020

54 Ibid

55 [International Rescue Committee \(HCM0004\)](#)



such activities. The IRC said the large-scale skills programmes in the area are targeted at the host community and the programmes for the Rohingya are focused on vocational training and vegetable gardening.<sup>56</sup> DFID said it has been pressing the Government of Bangladesh to allow improved access to more sustainable skills development programmes.<sup>57</sup> However, traditional gender norms within the Rohingya community means that women face further barriers from accessing economic opportunities. The majority of women surveyed for an report by the International Rescue Committee and Overseas Development Institute said they would not want to work outside the house and most men agreed with that approach. Some home-based activities, such as sewing, appear to be more widely acceptable.<sup>58</sup>

54. These restrictions mean that almost all refugees are reliant on aid to survive. This can lead to the use of negative coping strategies. The IRC found that of the Rohingya they surveyed, 43 per cent sold aid items to meet cash needs and 75 per cent live below the minimum expenditure basket. This has increased by ten per cent since 2017.<sup>59</sup>

55. Our predecessor Committee took evidence on the coordination challenges facing the UN agencies, international and local NGOs, and Bangladesh authorities operating in Cox's Bazar. In the face of a global pandemic, it is more important than ever that all actors working on the humanitarian response coordinate closely to ensure the safety of the Rohingya. However, this process must incorporate the Rohingya themselves. Some submissions we received raised concerns about the lack of Rohingya involvement in long-term decision-making about their lives. The Burmese Rohingya Organisation UK said: "They talk about us, without us."<sup>60</sup> It is essential that the Rohingya are fully consulted and listened to when making decisions about camp life and their future. This was an important element of the 2016 World Humanitarian Summit Communique which committed to: empowering affected people to drive their own response to crises.<sup>61</sup>

## Host community

56. We received evidence about the negative impact the Rohingya migration has had on the host community in Cox's Bazar, which has led to some resentment and instances of violence. Many people in the host community are without formal education and make a living from agriculture and fishing. Some land previously cultivated by the community is now being used by the camps and wages in the area have reportedly decreased, as Rohingya are willing to work for less money. Few members of the local community have been able to access jobs with the humanitarian agencies operating in the area because they lack the necessary skills.<sup>62</sup>

57. The host community is included in the UN 2020 Joint Response Plan for the area and should be consulted during any long-term planning. The IRC also recommend that a forum should be established to hear inter-community legal disputes between Rohingya and host communities.<sup>63</sup>

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56 [International Rescue Committee \(HCM0004\)](#)

57 [Department for International Development \(HCM0011\)](#)

58 [International Rescue Committee \(HCM0004\)](#)

59 Ibid

60 [Burmese Rohingya Organisation UK \(HCM0003\)](#)

61 International Development Committee, [Bangladesh and Burma: the Rohingya crisis](#), HC504, Second Report of Session 2017–19, p12–13

62 [International Rescue Committee \(HCM0004\)](#)

63 Ibid

## Access to education

58. The lack of formal education has been an ongoing problem for the 400,000+ children living in the camps. The Bangladesh authorities had been unwilling to allow formal education to be provided to Rohingya children who arrived since August 2017, to prevent the perception amongst the host community that the Rohingya were going to stay long-term. Rohingya children are also prevented from enrolling in schools for Bangladeshi children in the local area, meaning many have missed out on vital years of education.

59. The humanitarian community has set up temporary learning centres for Rohingya children to provide access to some primary-level tuition, but it is informal, the accommodation is cramped, and the teaching is often not age appropriate. There is currently no secondary-level provision and according to the 2020 Joint Response Plan, 30 per cent of children and young people have no access to education at all.<sup>64</sup>

60. There had been some cautious optimism about the provision of education in camps, when in January 2020, the Bangladesh authorities said they would allow the Myanmar curriculum to be taught at primary level. A pilot had been arranged to teach 10,000 children initially, which represents around 2 per cent of the children and young people in the camps.<sup>65</sup> The evidence we received expressed concern about the small scale of the pilot and the lack of accreditation which means that educational attainment will not be recognised outside of the camps and might make it difficult for children to continue education elsewhere. The IRC told us there also needs to be a formal process for assessment and certification agreed with the Government of Myanmar.<sup>66</sup>

61. Due to the lockdown measures implemented to prevent the spread of Covid-19, children are currently unable to assemble to receive any form of education provision and the pilot scheme to teach the Myanmar curriculum at primary level, has been halted.<sup>67</sup> This will once again set-back the opportunity for children in the camps to receive the education they need.

62. Save the Children warn that many children in the camps have either experienced themselves, or witnessed horrific acts of violence in Myanmar, separation from family and sexual exploitation and abuse. Struggles with mental health and wellbeing are compounded by precarious and high-risk conditions in the camps, so children need access to mental health and psychosocial support. Save the Children set out the challenges children face:

Many of the children attending Save the Children's learning centres were also accessing support with their nutrition and emotional wellbeing, as well as accessing protection services through learning activities. With the prospect of an extended lockdown and restrictions on camp access and programming, the national, regional and local authorities must allow organisations to develop interim measures to continue providing these essential services.<sup>68</sup>

63. It is important the international community finds ways to provide these vital services during the extended lockdown with the cooperation of the Bangladesh authorities.

64 [2020 Joint Response Plan Rohingya Humanitarian Crisis, January to December 2020](#)

65 [Human Rights Watch \(HCM0009\)](#)

66 [International Rescue Committee \(HCM0004\)](#)

67 [Ibid](#)

68 [Save the Children \(HCM0001\)](#)

## 2 Myanmar

64. The origins of this crisis lie in Myanmar where the Rohingya lack citizenship rights and have suffered a long history of persecution and violence. This has caused waves of migration from Rakhine State to Bangladesh, but the majority of the 855,000+ Rohingya currently living in camps in the Cox's Bazar District, migrated since the escalation in violence in August 2017.

65. DFID is one of the largest donors in Rakhine State and provides communities there with humanitarian and development assistance, including education, water, sanitation and hygiene (WASH), nutrition, livelihoods, and health services.<sup>69</sup>

### UN Independent International Fact-Finding Mission on Myanmar

66. In March 2017 the United Nations Human Rights Council launched an Independent International Fact-Finding Mission (IIFMM) to establish the facts and circumstances of the alleged human rights violations by military and security forces in Myanmar.<sup>70</sup> In August 2018 the Mission called for justice for victims of sexual and gender-based violence, before publishing its full findings of “extreme violence perpetrated against the Rohingya”,<sup>71</sup> in September 2018 and set out recommendations to the UN, the international community and to the Government of Myanmar.

67. In October 2019, the final report of the IIFMM concluded that the 600,000 Rohingya who remain inside Myanmar face systematic persecution and live under the threat of genocide.<sup>72</sup> The “harsh persecution of the Rohingya community in Myanmar continues unabated in defiance of the international community.”<sup>73</sup> It found that the situation for Rohingya who remained in Myanmar had worsened:

they endure another year subjected to discrimination, segregation, movement restrictions and insecurity, without adequate access to livelihoods, land, basic services, including education and health care, or justice for past crimes committed against them by the Tatmadaw.<sup>74</sup>

68. Most Rohingya in Cox's Bazar express a desire to return to Myanmar eventually, but this will be impossible unless Myanmar can establish and guarantee the conditions required for their voluntary, safe and dignified return.<sup>75</sup> In recent months, the ongoing conflict between the Myanmar military and the Arakan Army in Rakhine State has been intensifying, making the prospect of a safe return ever more distant.

69. On 29 April 2020, UN Special Rapporteur on the situation of human rights in Myanmar, Yanghee Lee, warned that Myanmar's military might still be committing

<sup>69</sup> [Department for International Development \(HCM0011\)](#)

<sup>70</sup> United Nations Human Rights Council, [Independent International Fact-Finding Mission on Myanmar](#), webpage

<sup>71</sup> United Nations Human Rights Council, [Myanmar: UN Fact-Finding Mission releases its full account of massive violations by military in Rakhine, Kachin and Shan States](#), news item, 18 September 2018

<sup>72</sup> United Nations Office of the High Commissioner on Human Rights, [Myanmar's Rohingya Persecuted, Living under Threat of Genocide, UN Experts Say](#), news item, 16 September 2019

<sup>73</sup> United Nations Office of the High Commissioner on Human Rights, [UN Independent International Fact-Finding Mission on Myanmar calls on UN Member States to remain vigilant in the face of the continued threat of genocide](#), news item, 23 October 2019

<sup>74</sup> *Ibid*

<sup>75</sup> [Anonymous \(HCM0006\)](#)

crimes against humanity in Rakhine State. She called for an investigation into allegations of ongoing war crimes and crimes against humanity in Rakhine and Chin states, to ensure perpetrators are held to account. She also urged the UN to increase protections for civilians and for the international community to prevent further atrocities.<sup>76</sup>

## IDP Camps

70. There are numerous internally displaced person (IDP) camps around Myanmar, housing hundreds of thousands of its ethnic minorities who have been displaced by decades of conflict. This includes around 128,000 Rohingya in central Rakhine State.<sup>77</sup> The camps have been widely criticised by the humanitarian community for their cramped conditions, with poor sanitation facilities and lack of access to human rights. Most agencies that have access to the camps in Rakhine State, limit their involvement to urgent humanitarian relief to avoid inadvertently supporting the ongoing use of such facilities.

71. The Government of Myanmar has launched the National Strategy on Closure of IDP Camps, which it presented as a roadmap for IDPs to resume 'normal lives' where they are 'free of dependence on humanitarian aid'.<sup>78</sup> The Government declared three camps in central Rakhine State 'closed' and housed the residents in permanent shelters it had constructed on or close to the existing camp.<sup>79</sup> However, we received evidence that this did not lead to any significant improvement to the Rohingya's freedom of movement, access to non-segregated health and education services, or opportunities to raise a livelihood. Therefore, they remain dependent on humanitarian aid.<sup>80</sup> The Rohingya in Bangladesh have been closely following whether these internally displaced Rohingya are able to return to their places of origin with freedom of movement, to see how they might be treated upon their return.<sup>81</sup> The approach adopted by the Myanmar authorities has cemented the impression that it is not taking their priorities into account and will entrench the separation of Rohingya from neighbouring Rakhine communities, which could exacerbate discrimination and exclusion.<sup>82</sup>

## Covid-19

72. According to World Health Organization figures, there were 187 confirmed cases of Covid-19 in Myanmar on 18 May 2020, including 6 deaths.<sup>83</sup> There are serious concerns about what the impact would be if there was a widespread outbreak in the country, and warn that its weak health systems would not cope. However, there is particular concern for people living in the overcrowded and unsanitary displacement camps around the country.

73. In a press release dated 7 May 2020, the Myanmar Embassy in the UK said the Ministry of Social Welfare and Resettlement has held video conference on 27 March 2020 with UN agencies, to discuss Covid-19 preparedness and response measures in IDP camps. Following the video conference, the Ministry adopted an Action Plan for the Control of Covid-19 in IDP Camps across the country, which is based on the principle of

76 The Guardian, [Myanmar military may be repeating crimes against humanity UN rapporteur warns](#), 29 April 2020

77 [Department for International Development \(HCM0011\)](#)

78 [Anonymous \(HCM0006\)](#)

79 Ibid

80 Ibid

81 [UNHCR \(HCM0005\)](#)

82 [Anonymous \(HCM0006\)](#)

83 World Health Organization, [Coronavirus disease \(COVID-19\) Situation Report – 11](#), 18 May 2020

“no one is left behind”.<sup>84</sup> The Action Plan includes information dissemination, provisions of protective materials, sanitation and hygienic facilities, establishing quarantine areas, monitoring mechanisms for camp management committees, special healthcare services for vulnerable groups, and transferring suspected cases to nearest health care centres.<sup>85</sup>

74. However, the Myanmar authorities restrict access to Northern Rakhine State, which limits the services that NGOs can provide there. There are fears these restrictions will only increase due to Covid-19 and under the smokescreen of the global pandemic, the military could increase atrocities in the area without it being widely reported.<sup>86</sup>

## Internet blackout

75. Similarly to Bangladesh, the authorities in Myanmar have imposed an internet blackout in Rakhine State which affects the Rohingya, as well as ethnic Rakhine and others living in the area. Burma Campaign UK said the mobile internet ban was initially put in place in response to the conflict between the military and the Arakan Army, to prevent information about human rights violations being reported to the outside world.<sup>87</sup> Now the ban is preventing those living in Rakhine State from accessing vital information about Covid-19 and how to stay safe.

76. In February 2020, 29 organisations called on the Government of Myanmar to lift the mobile internet ban.<sup>88</sup> The Department for International Development told us that in January 2020, the British Ambassador to Myanmar met with the Myanmar Minister for International Cooperation, U Kyaw Tin, and encouraged the government to lift the internet shutdown in Rakhine State and southern Chin State.<sup>89</sup> Our evidence was clear that the Myanmar authorities must lift the internet ban urgently, to ensure that the Rohingya can access information relating to the Covid-19 pandemic.

77. Burma Campaign UK said the Myanmar Government is also blocking access to ethnic media websites. These websites are useful for sharing information about human rights violations but could also be used to disseminate valuable information about Covid-19 and how to prevent its spread, to Myanmar’s ethnic minorities.<sup>90</sup> Online access to information is likely to prove a vital resource for staying safe and healthy during the pandemic in Myanmar as elsewhere.

## Aung San Suu Kyi

78. Aung San Suu Kyi was once seen as a beacon of democracy in Myanmar, and it was hoped she would use her position to protect Myanmar’s ethnic minorities, when she became the country’s de facto leader in 2016. However, she appears to have been powerless to prevent the military from continuing to commit the extensive human rights abuses set out in the UN IFFFMM reports.

84 Embassy of the Republic of the Union of Myanmar, Prevention, control and response actions against COVID-19 at the IDP camps, Myanmar update #15, 7 May 2020

85 Ibid

86 Reuters, [Myanmar military may be committing new war crimes, says departing rights envoy](#), 29 April 2020

87 [Burma Campaign UK \(HCM0002\)](#)

88 Human Rights Watch, [Myanmar: Lift Internet Restrictions in Rakhine and Chin States](#), 13 February 2020

89 [Department for International Development \(HCM0011\)](#)

90 [Burma Campaign UK \(HCM0002\)](#)



79. Burma Campaign UK point out that she does not control the military, however her government continues to implement policies that negatively affect the Rohingya, such as keeping in place restrictions on humanitarian access to IDP camps in Rakhine State and denying formal education to children in those camps. Nor has it changed the Citizenship Law to enable formal recognition of the Rohingya in Myanmar.<sup>91</sup> DFID told us that on 23 January 2020, Minister Wheeler met the Myanmar Minister for Education in London and highlighted the need for inclusive education in Rakhine State.<sup>92</sup>

### **International Court of Justice**

80. On 11 November 2019, The Gambia instituted proceedings against Myanmar before the International Court of Justice (ICJ), alleging violations of the Convention on the Prevention and Punishment of the Crime of Genocide, through “acts adopted, taken and condoned by the Government of Myanmar against members of the Rohingya group”.<sup>93</sup> The Gambia argued that:

from around October 2016 the Myanmar military (the ‘Tatmadaw’) and other Myanmar security forces began widespread and systematic ‘clearance operations’—the term that Myanmar itself uses—against the Rohingya group. The genocidal acts committed during these operations were intended to destroy the Rohingya as a group, in whole or in part, by the use of mass murder, rape and other forms of sexual violence, as well as the systematic destruction by fire of their villages, often with inhabitants locked inside burning houses. From August 2017 onwards, such genocidal acts continued with Myanmar’s resumption of ‘clearance operations’ on a more massive and wider geographical scale.<sup>94</sup>

81. The Gambia contends that these acts constitute violations of the Genocide Convention and that it has made its claims known to Myanmar since September 2018, but Myanmar has continued to deny any wrongdoing.<sup>95</sup>

82. In December 2019 Aung San Suu Kyi appeared in person at the International Court of Justice to defend the Myanmar military. In January 2020 the Court indicated provisional measures against Myanmar, including to take all measures within its power to prevent acts against the Rohingya, as set out under Article II of the Genocide Convention, and to preserve evidence related to acts of genocide. Myanmar must also submit a report to the Court on all measures taken within four months and thereafter every six months, until a final decision on the case is rendered by the Court.<sup>96</sup>

83. DFID told us it is advocating directly with the Myanmar government on these issues and encouraging Aung San Suu Kyi’s government to set out an action plan for how they will deliver on the measures indicated by the ICJ, in addition to recommendations put forward by the Rakhine Advisory Commission and the domestic Independent Commission of Enquiry (ICOE).<sup>97</sup>

91 [Burma Campaign UK \(HCM0002\)](#)

92 [Department for International Development \(HCM0011\)](#)

93 [International Court of Justice, The Republic of The Gambia institutes proceedings against the Republic of the Union of Myanmar and asks the Court to indicate provisional measures](#), 11 November 2019

94 *Ibid*

95 *Ibid*

96 [The International Court of Justice, The Court indicates provisional measures in order to preserve certain rights claimed by The Gambia for the protection of the Rohingya in Myanmar](#), 23 January 2020

97 [Department for International Development \(HCM0011\)](#)

## Peace process

84. The Peace Process in Myanmar was launched in August 2011 to bring Myanmar's many ethnic armed groups to the negotiating table, to end what has been described as the longest civil war in the world. However, numerous groups never signed the ceasefire agreement and, in many areas, fighting and human rights violations seem to have increased since its inception.

85. During our predecessor Committee's inquiry into DFID's work on Bangladesh, Burma and the Rohingya Crisis, some witnesses expressed doubts about the peace process. David Baulk from Fortify Rights said:

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.<sup>98</sup>

86. Along with other donors, the UK Government provides political and financial support to the peace process through the Joint Peace Fund.<sup>99</sup> Our predecessor Committee asked the Minister of State, The Rt Hon Alistair Burt about the UK's support for the peace process during a follow-up evidence session on Bangladesh, Burma and the Rohingya crisis, in September 2018. Minister Burt said:

In terms of the peace process, we are concerned about the slow progress being made. The third Panglong peace conference took place in July, but only after repeated postponements. None the less, we know that these processes are often slow and that we have to be both patient and persistent.<sup>100</sup>

87. In its written evidence DFID told us the UK is discussing options with other members of the multi-donor Joint Peace Fund to pivot funding to focus on Covid-19. Due to the outbreak, the Government and ethnic armed groups have delayed peace talks.<sup>101</sup>

## Vacant, Fallow and Virgin (VfV) Lands Management Law

88. In September 2018 the Myanmar Parliament, which has a National League for Democracy (NLD) majority, passed an amendment to the Vacant, Fallow and Virgin Lands Management Law that required anyone living on land that is categorised as "vacant, fallow, and virgin" to apply for a permit by 11 March 2019, to continue using it for the next 30 years.<sup>102</sup> Estimates based on government data, show that 30 per cent of Myanmar's land area could be affected by the law, three-quarters of which is home to ethnic minorities.<sup>103</sup>

89. Many people who live in the affected areas are illiterate or do not understand Burmese and would be unlikely to be able to receive notice about its provisions coming into force. Land-rights activists say it could criminalise millions of farmers and lead to unchecked land seizures by the government, the military and private companies.<sup>104</sup>

98 Oral evidence: DFID's work on Bangladesh, Burma and the Rohingya crisis, 14 March 2018, [Q160](#)

99 [Department for International Development \(HCM0011\)](#)

100 Oral evidence: Bangladesh, Burma and the Rohingya crisis follow-up, 12 September 2018, [Q55](#)

101 [Department for International Development \(HCM0011\)](#)

102 Al Jazeera, [Nowhere to go: Myanmar farmers under siege from land law](#), 4 April 2019

103 Ibid

104 Ibid

90. DFID told us it is particularly concerned about the potential negative impact the law could have on land use and tenure security for smallholder farmers. The UK is an active participant in the Myanmar Land Co-ordination group which is chaired by the Swiss, and comprised of stakeholders from across the sector. The group advocates for changes to the law with the Myanmar authorities.<sup>105</sup> The Department also told us about its concerns for the impact this will have on important aspects of the National Land Use Policy:

The UK is concerned that without proper consultations with affected populations key elements of the National Land Use Policy (NLUP), such as customary land use rights of ethnic nationalities and restitution rights of displaced persons, could be negatively affected by the VFV.

The UK believes that the amended VFV Land Law should be suspended until its intent and objectives are clarified in line with a National Land Law that is to be developed by the National Land Use Council (NLUC).<sup>106</sup>

91. DFID calls for the relevant institutions to develop a roadmap to strengthen land administration mechanisms and develop procedures in line with the NLUP and international best practice. The UK continues to participate in the multi-donor Livelihoods and Food and Security Fund (LIFT), which the UK Government says it is committed to using to resolve the VFV land issues. DFID says it is implementing a pilot, “to test novel and innovative approaches for re-distributing and registering land” and “aims to provide the Myanmar authorities with the right tools to address land tenure issues, particularly for VFV”.<sup>107</sup> This approach contrasts to Germany which has suspended all development cooperation with Myanmar until it can ensure the safe repatriation of refugees.

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105 [Department for International Development \(HCM0011\)](#)

106 [ibid](#)

107 [ibid](#)



### 3 Next steps

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92. The UK Government has made significant financial contributions to the humanitarian response in Bangladesh since the crisis started. It is crucial the Government continues this support while there are still displaced Rohingya living in camps in Cox's Bazar and should encourage other donors to contribute to the US\$877 million required to fund the 2020 Joint Response Plan.<sup>108</sup>

93. The UK Government should continue to make representations to the Government of Bangladesh on the immediate lifting of the mobile internet ban affecting Cox's Bazar District and the lack of access to SIM cards for the Rohingya. The UK should emphasise the multiple benefits of effective internet access: including Covid-19 advice, guidance on tackling people trafficking and providing education services to the children of the camps.

94. The UK Government should make further representations against the fencing being erected around the camps, relaying concerns that it could limit the Rohingya's legitimate freedom of movement and access to services. The UK should urge the Bangladesh authorities to adopt an approach to security that puts the Rohingya first and includes measures such as a civilian police force for community safeguarding.

95. The UK Government should also continue to make representations to the Government of Myanmar, on the internet ban in Rakhine State and on the allegations of ongoing human rights abuses. The UK should continue to press Myanmar to comply with the measures defined by the International Court of Justice in January 2020 and the recommendations set out by the Rakhine Advisory Commission and the domestic Independent Commission of Enquiry.

96. The scope of this exercise did not cover the UK Government's long-term strategy for development programming in Myanmar. Minister Burt told the Committee in September 2018 that DFID was reviewing its programming in Myanmar. We would be grateful if the Department could set out the results of the review or confirm that the initiative was set aside; if completed, we wish to know how DFID's aid programme in Myanmar changed as a result.

## Appendix: Letter from Secretary of State

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18 May 2020

Dear Sarah,

Thank you for your letter of 5 May providing supplementary questions on the Rohingya crisis following our written Q&A session.

Please find below further written evidence in response to your additional questions:

**1. You mention the Bangladesh authorities are building fences around the Rohingya camps which affects the humanitarian response and isolates the Rohingya. What representations has the UK Government made to the Government of Bangladesh about this issue to date?**

We believe the civilian and humanitarian principle underpinning the Rohingya settlements must be maintained, and restrictions on refugee rights should be in line with relevant human rights law. Limiting access to refugee settlements should not affect the delivery of life-saving and essential assistance to refugees and host communities. The British High Commission in Dhaka have raised these issues with the Government of Bangladesh as part of regular coordinated messaging across a group of Organisations for Economic Co-operation and Development Heads of Mission and United Nations (UN) Heads of Agencies since the beginning of this year. With the onset of COVID-19, the Government's programme of fencing the camps has been put on hold.

**2. You told us you had already allocated £10 million to support COVID-19 preparedness efforts in the Rohingya camps and surrounding host communities. Please can you tell us whether that funding is in addition to funding previously announced and how it will be allocated?**

The UK's provision of over £10 million to support COVID-19 preparedness efforts in the Rohingya camps and surrounding host communities is part of the £117 million we announced last year.

This funding has been allocated to existing UN and Non-Governmental Organisation partners to maintain essential humanitarian services and prepare Rohingya and host communities for COVID-19. UK funded activities include:

- Establishing treatment centres, such as a 60-bed isolation and treatment facility equipped with experienced staff for severe and critical cases, and Mobile Medical Units to deliver home-based healthcare and monitoring. Our full range of healthsystems support includes: coordinated procurement of logistics; surveillance; diagnosis; infection prevention and control; triage; referral; and case management. Isolation units are being equipped with maternity units; and safe transport will be provided for infected pregnant mothers and women of reproductive age. We are also providing oxygen supplies for the isolation and treatment facilities.
- Distributing soap, building more handwashing structures, and raising awareness about personal hygiene to prevent the spread of COVID-19.

- Keeping supply chains open by securing warehouse and cold storage space, local government-approved trucks to move in and out of the camps, and generators. Our funding is also still working, as we do every year, to prepare the camps in case of heavy rains and cyclones, as well as other disease outbreaks such as dengue and dysentery.
- Screening to prevent a resurgence of acute malnutrition among the camp population and supplying food to refugees in isolation and quarantine facilities. Provide food and cash relief to 53,000 individuals in the host communities in Cox's Bazar district, many of whom have lost their livelihoods during lockdown.
- A rapid response fund to deliver small grants and quickly plug gaps in the COVID-19 response when they are identified. This is helping to bolster refugees' self-reliance by strengthening trusted Rohingya community-based organisations to develop community-led COVID-19 outreach, prevention and response activities.
- Producing and rolling out a range of communications tools to share vital information, including by reaching vulnerable older people with advice. Using rapid research and analysis to support humanitarian organisations to consult with the Rohingya and plan community engagement.
- Ensuring critical gender-based violence and child protection services keep operating for all those who need them.

**3. You told us you are implementing a Myanmar Government/civil society pilot, to test novel and innovative approaches for re-distributing and registering land. The project aims to provide the Myanmar authorities with the right tools to address land tenure issues, particularly for VFFV. This indicates you are still cooperating with the Government of Myanmar on development programmes. Please can you update on the current processes in places to ensure that DFID funded programmes are not in effect legitimising/bolstering a Government of Myanmar that continues to fail to protect its ethnic minorities.**

We do not provide any funding directly to the Government of Myanmar. We take careful actions to ensure that funding in Myanmar helps people that need it. This is consistent with our long-standing approach in some other challenging environments around the world, where we seek to use DFID funding to help populations without endorsing their governments' actions.

DFID Myanmar's approach to support development policy and programming with the Government is based on a process of 'principled engagement'. We engage with government officials while advocating approaches that promote the inclusion of marginalised groups, greater transparency and accountability, and seek to build resilience including to climate change. We do not provide funding directly to the Government. All development assistance is provided through multi-lateral organisations or directly contracted, with civil society and ethnic group partners delivering much of our assistance. This enables us to ensure UK aid supported development assistance reaches excluded groups, while empowering civil society and ethnic groups to advocate for, and create models of, more inclusive policies.

For example, the pilot on land tenure will test new systems for registering land, such as VFV, in areas where unused private sector parcels can be redistributed to small holder farmers. The pilot approach will support collaboration between civil society, government, and donors in order to improve the process of land reclamation based on the principles of transparency and conflict sensitivity. In parallel we are working with ethnic organisations to help them formalise their customary land and forestry policies with a view to supporting more inclusive natural resource management. We expect that over time this work will come together to help inform future roll-out of land registration systems.

**4. You told us the UK plans to continue to fund the Joint Peace Fund through the CSSF and is discussing options with fund members to pivot funding to focus on COVID-19. Due to the outbreak, the Government and ethnic armed groups have delayed peace talks to the end of April and it is likely this will be delayed further. We would be grateful if you could set out what progress the peace process has made since our predecessor Committee last took evidence on this in September 2018.**

Since the last update in September 2018, Myanmar's Peace Process has made limited progress. The formal peace talks (Union Peace Conference) have not been convened as regularly as hoped. The Union Peace Conference, due to be held in May this year, would have been an opportunity to reframe the dialogues to reflect a common interest in federalism and build commitment to talks beyond the election. It is now unlikely that peace talks will proceed in the coming months. There is also no sign that the peace process will have any influence in Rakhine, where violence is increasing in the absence of any formal dialogue.

In 2019, some key signatories to the National Ceasefire Agreement, including the Restoration Council of Shan State (RCSS) and Karen National Union (KNU), temporarily suspended their participation in the progress. They have now resumed participation following dialogue with the Government. They have committed to dialogue beyond the election, at this time still scheduled for November 2020. There have been several dialogues between the ethnic armed organisations (EAOs), the Government, and the military, which have been facilitated with UK support. The Joint Peace Fund (JPF) provides grants to ensure the voices of communities and their hopes for the future are included in the debate.

Despite negotiations with non-signatories during the Myanmar Military's Unilateral Ceasefire in 2019, non-signatories, and the communities they represent, are not included in the main dialogues. Fighting remains intense in Rakhine, where the recent listing of the Arakan Army (AA) as a terrorist organisation makes it less likely the parties will be able to agree a cessation of hostilities. We remain gravely concerned about escalating conflict in Rakhine and Chin States. Distrust remains between all groups and without a cessation of violence in Rakhine and Chin there remains a grave and imminent risk to civilians and a long-term risk to Myanmar's stability. It is unlikely the conflict can be resolved militarily without major and unnecessary loss of life. Without negotiations between the Myanmar Military and the AA, countrywide peace will not be achieved. For this reason, Ambassadors in Yangon, including the British Ambassador, have publicly called for a ceasefire to allow for the delivery of humanitarian aid, including to protect vulnerable internally displaced people from COVID-19.

COVID-19 presents an opportunity to encourage collaboration between the Government and EAOs beyond negotiations on the Nationwide Ceasefire Agreement and this is an avenue the UK and other development partners are actively pursuing. The President has

announced a COVID-19 response EAO coordination committee, which has now met virtually with the signatory groups. An invitation has also been extended by the Government to non-signatories, including the AA. While some non-signatories have responded to this invitation, others, including the AA, have declined. The UK has encouraged two of the large funds we support—Access to Health and the JPF—to assist the development of a COVID-19 needs assessment for EAO controlled areas and the delivery of critical support through Ethnic Health Organisations. We are particularly concerned about these areas given the weakness of existing health services, and high-risk populations, including internally displaced people (for example in Kachin State) and returning migrants. The JPF's support is important in view of its network of existing relationships and the potential for work on COVID-19 to lead to long-term collaboration.

**4. Are you considering shifting funding from any other programmes in Myanmar to COVID-19 preparedness in the short-term?**

So far, DFID Myanmar has re-prioritised funding from within its existing budget for health, livelihoods and humanitarian support in Myanmar, as part of the UK's immediate response to help prepare, limit the spread and impact of COVID-19. Working with the Government of Myanmar, the UN, INGOs and civil society, DFID will focus on supporting those who are most vulnerable to COVID-19, including displaced and conflict-affected people, migrants, the elderly and health workers.

In addition to the above reprioritised funding, we will also strengthen our humanitarian response to COVID-19, with additional humanitarian support focused on conflict affected communities, as part of an extension to our humanitarian programme for the next two years.



**Rt Hon Anne-Marie Trevelyan MP**

**Secretary of State**

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Friday 22 May 2020

## Formal minutes

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**Tuesday 19 May 2020**

Members present:

Sarah Champion, in the Chair

Theo Clarke	Chris Law
Brendan Clarke-Smith	Kate Osamor
Mrs Pauline Latham	Mr Virendra Sharma

Draft Report (*Humanitarian crises monitoring: the Rohingya*), proposed by the Chair, brought up and read.

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

Paragraphs 1 to 96 read and agreed to.

Appendix & Summary agreed to.

*Resolved*, That the Report be the First Report of the Committee to the House.

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

[Adjourned till Tuesday 2 June at 2.00 p.m.]

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## Published written evidence

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

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

- 1 Anonymous ([HCM0006](#))
- 2 Anonymous ([HCM0007](#))
- 3 Burma Campaign UK ([HCM0002](#))
- 4 Burmese Rohingya Organisation UK ([HCM0003](#))
- 5 Chatham House ([HCM0008](#))
- 6 Department for International Development ([HCM0011](#))
- 7 Human Rights Watch ([HCM0009](#))
- 8 International Rescue Committee ([HCM0004](#))
- 9 Norwegian Refugee Council ([HCM0010](#))
- 10 Save the Children UK ([HCM0001](#))
- 11 UNHCR, The UN Refugee Agency ([HCM0005](#))

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## List of Reports from the Committee during the current Parliament

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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 2019–21

First Special Report	Follow up: sexual exploitation and abuse in the aid sector: Government Response to the First Report of the Committee	HC 127
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