

International Development Committee

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

Tuesday 14 November 2017

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

Questions 1 – 48

Witnesses

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

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

Examination of witnesses

Witnesses: David Mepham, Dr Champa Patel, Mark Farmaner and Tun Khin.

Q1 **Chair:** Good morning, everyone. This is our first public evidence session as part of our inquiry looking at Burma and Bangladesh but starting with the Rohingya crisis situation. We have two panels today. Our first panel will be for 50 minutes and then the second panel for 40 minutes. Can I welcome our panellists? The usual custom and practice is we go straight into the questions, but when you first answer a question, please feel free to introduce yourself with some relevant background.

Let me start with a general opening question to each of you. How has the Rohingya situation arisen and been allowed to persist, and what would it have taken to lay the foundations of resolution?

David Mepham: I am happy to open. Thank you very much, Chair. I am David Mepham, the UK Director of Human Rights Watch. Human Rights Watch has been working in Burma for probably getting on for 20 years. We have obviously followed the Rohingya situation incredibly closely, but we have worked on other issues in the country as well. We have been on the ground since the start of the current crisis at the end of the August. We have had people interviewing and getting testimony from the people going across the border from Burma into Bangladesh, and they have painted a very grim and disturbing picture.

The short answer to your question, Chair, in terms of the immediate crisis is what we have had from the Burmese military is an unprecedentedly brutal, cruel, vicious counter-insurgency, clearance, security operation—whatever we choose to call it—which has had, as its aim, an intention to move as many Rohingya as possible out of the country and into Bangladesh on the basis of terror and fear. That is what has been used. They have used tactics of terror and fear. We have a report coming out this Thursday about sexual violence and mass rape, which is really horrific in terms of the testimony we have established. This is one feature of an overall policy of terror that has been used by the Burmese military to move the Rohingya out.

In your question, you asked about the longer context. Clearly, what has happened since 25 August has not come out of nowhere. In recent years we and others have documented many instances of violence against the Rohingya. The Rohingya have faced decades of persecution and discrimination. Committee members are aware of the 1982 citizenship law that effectively denies citizenship to the Rohingya, so this story goes back a long way. It is about a group of people who, at one point, were described by the UN as the most persecuted ethnic minority in the world. They have faced decades of discrimination and repression, and until that is addressed through serious policy on the part of the Burmese Government, supported by the international community, these kinds of crises are probably likely to recur.



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Q2 **Chair:** In 2013, Human Rights Watch published a report saying that there was ethnic cleansing then. If action had been taken then, might we be in a different situation now?

David Mepham: Absolutely. Consistently the international community has failed to take adequately strong steps to address what has been going on; that happened back in 2013 and it is still happening today, to be honest. There is huge international media and political attention in terms of what is happening, but we and others on this panel would argue that not enough concerted pressure is being exerted on the Burmese military to address what is going on and their culpability for these crimes that they are committing.

Dr Patel: I am Champa Patel, the Head of Asia for Chatham House and formerly the Director for South East Asia with Amnesty International. To add briefly to what David was saying, we are looking at a situation that is the culmination of successive decades of systemic persecution and discrimination. Rights were being eroded even before the 1982 citizenship law. There is an important cultural dimension to this, so I hope today, while we discuss political solutions and humanitarian responses, we also look at the cultural dimension, because legal pathways to citizenship are not going to resolve the problem of longstanding cultural discrimination against the Rohingya. I will leave it there.

Tun Khin: I am Tun Khin, leading the Burmese Rohingya Organisation UK, which is highlighting the plight of Rohingya in the international arena. As a Rohingya, what I have seen is a systematic plan to wipe out the whole Rohingya population. Even though my grandfather was a parliamentary secretary during the democratic period of Burma, I am not a citizen of Burma. The 1982 citizenship law denied us citizenship, and I have faced restriction on movement, marriage and integration; that is what I saw when I was in Arakan State. This is a long-term systemic plan to get the whole Rohingya population out of Arakan State. It is the intention of the Burmese Government to wipe out the Rohingya community from Burma.

I was in Bangladesh four weeks ago, and they told me they have seen Rohingya houses systematically being burnt down village by village, house to house, the systematic rape of Rohingya women, and children thrown into the fire. That is what I heard from Rohingya refugees in Bangladesh. This is clearly what the Burmese Government are systematically doing to wipe out the population.

Mark Farmaner: I am from Burma Campaign UK. Our organisation was founded in 1991 in response to calls from within Burma, including Aung San Suu Kyi, for international support to promote human rights and democracy in Burma. I have been at Burma Campaign UK almost 20 years now. I am currently banned from entering the country by Aung San Suu Kyi's Government for being quite outspoken in criticism over the human rights crisis there.



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It is really important to understand that what has happened in Burma is a decades-long policy of trying to drive the Rohingya out through twin tracks of human rights violations and deliberate impoverishment, and that this was escalated from 2012. The military-backed Government took power in 2011. Facing elections in which Aung San Suu Kyi was likely to win a landslide, the Government tried to whip up Buddhist nationalism using the Rohingya, in particular, as a target to build support. They systematically escalated repression against the Rohingya, and every single time the international community backed down.

We have made a written submission to the Foreign Affairs Committee that goes into this in much greater detail, so I will not take up your time now going into detail on that. However, it is not just that we allowed what happened in 2012 and a whole series of other steps—the census, the elections—to happen. We allowed similar sorts of attacks to take place against other ethnic groups in the country for decades as well, when there were numerous reports from human rights organisations, the United Nations and others of violations of international law. Consistent impunity has been allowed, which is why the military think they can get away with what they are doing.

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

There was no preparation before the next ARSA attack—and we all knew there was going to be one. We put out a media release a week before these attacks took place, calling on the British Government to take this to the Security Council to warn the Government and the military not to do what they did, but no action was taken. We all knew this was coming. He learnt these lessons then and he sent in troops from a crack division, Light Infantry Division 33, two weeks before these attacks took place. He was waiting. They had a plan in place to implement this.

There has been consistent failure: failing to act when he was attacking the Kachin, the Shan, the Karen, the Karenni—other ethnic groups; failing to act in 2012; failing to act in October 2016. This has given him the confidence that he could carry out this campaign and get away with it—and, so far, he has.



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David Mepham: I would like to add a point that follows on from what Mark has said. It is very timely for the Committee, if you have not already seen it, that the Burmese military put out a report just yesterday, produced by a so-called army investigation team. They were describing what had happened since the end of August, and they said, "There were no deaths of innocent people," in the context of the current operation. That reinforces Mark's point that the Burmese military consistently are denying that these extraordinary abuses, which they are responsible for, are just not happening. They are living in some delusional world. In fact, delusional is too generous to them, because they know exactly what they are doing, but they consistently lie about what is happening.

Q3 **Paul Scully:** I might come back to that in a second, if I can, but following on from what Mark was saying, why do you think there is such a large number of the Burmese population who are behind what is going on in their attitude towards the Rohingya? What is driving that?

Dr Patel: The one thing we should be clear on is the mood and tone within Myanmar is so different from how the rest of the world sees the situation. The majority Burman population support the actions that are being taken, because they do not see the Rohingya as part of Myanmar. They see them as outsiders. They refer to them as "Bengali immigrants": they are not part of the fabric of Myanmar life; they have never been; they are interlopers; they should return to where they come from. In understanding the political response, whether it is the military or the civilian Government, it is important to understand that the population itself is not necessarily against these measures. There is huge, overwhelming support. The international community or outside observers would find it really difficult to read the messages in terms of how the Rohingya are referred to, but there is wide support for this among the population.

Q4 **Paul Scully:** I should have probably declared an interest: I am the Prime Minister's Trade Envoy for Burma and also the Co-Chair of the All-Party Parliamentary Group.

Following on from that, do you think the population are fully aware of the violent acts? If they are behind driving them out of the country, that is bad enough, but if you are talking about the violent acts and some of the mutilation and burning etc., where do you think the wider populous are?

Dr Patel: The Ministry of Information will say some of these reports are fake news. They will pump out alternative information for the population. You have to understand this in a context of decades of people being told that these people are outsiders, so hearing these stories will not necessarily pierce through to how people perceive the Rohingya within Myanmar. One is the historical discrimination against this group that has been perceived as outsiders; two is you have an active Ministry of Information that is pushing out information that contradicts or counters what international human rights organisations are documenting on the ground. A combination of those two things means that it is easy for the



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Burmese population to say, "Outsiders do not understand what is going on. They do not really understand the country. These people do not really belong here anyway."

Q5 Paul Scully: Finally from me, the official line would be that they are responding to terrorist attacks from ARSA. They will talk about drug smuggling and about the possibility of infiltration of extreme terrorism. If that is the case, can you give us a sense of the scale: how big ARSA is and the size of any infiltration?

Mark Farmaner: It is going to be a lot bigger now following these attacks. I have spoken to some officials from regional governments since these attacks took place. Their main concern is not the human rights violations; it is whether these new camps will be a breeding ground for terrorism. Most of the reports about ARSA indicate that there might be a small core group and they have been trying to mobilise villagers, who are unarmed. The reports were of villagers attacking the police stations with sharpened bicycle spokes and sticks and told to shout loudly to scare the soldiers away, so they could try to find the guns that they would leave behind. It has been made a much bigger thing than it actually is by the Burmese Government for their own propaganda purposes, but it is going against their own interest. When you see the statements from some of the extremist organisations, they have unleashed something now and I do not think they have any clue what is going to come because of this. They have really put themselves in the spotlight as a target now and made their own population more vulnerable through their actions.

Dr Patel: ARSA's goals were mainly nationalistic. They want the Rohingya to be recognised. Whether they invite it or not, the risk now is of transnational Islamic extremist recruitment and radicalisation. Whether that is wanted or not, that may be a consequence of where we are now, but they were a small group, poorly armed, and did not necessarily have widespread support within the Rohingya community. Organisations like International Crisis Group have shown some links with Saudi funders, Saudi backers etc., but those are very tenuous links. In that sense, a largely nationalistic group with Islamic characteristics now could become more of a threat because of the current situation.

Tun Khin: When I was in Bangladesh, I was able to ask Rohingya refugees about ARSA. Many Rohingya elders told me these are young guys who particularly join because their sister has been raped by the Burmese military or who were not allowed to get married for two or three years because they did not get permission. They cannot wait, and their lives have been destroyed. Some Rohingya youth passed matriculation but could not go to the university, and some guys' fathers' land had been taken away by the Burmese military and they have been displaced in Arakan State. Those are the kinds of groups of people that say they have no choice. That is what they told me.

Q6 Mrs Pauline Latham: Maybe my question has been answered, but I will ask it anyway. Does any of you see any signs that the crisis is now



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easing, and are the Rohingya people still being attacked and leaving Burma?

Tun Khin: Yesterday, I received some videos of Rohingya houses being burned by a Rakhine mob. These mobs have been supported by the military. Every day, Rohingya houses are being burned down by Rakhine mobs. One guy from Buthidaung Township told me, when I called him, he saw many Rakhine mobbers getting out of the military camps, and they go to Rohingya villages and they just burn Rohingya houses. They lit fires and they looted Rohingyas of everything—motorcycles, what have you. We saw a picture the day before yesterday in which they are loading all the Rohingya motorcycles and all the Rohingya property into a lorry. Some of the Rohingya took pictures. Every day they are taking, looting and burning down Rohingya houses, not whole villages like before but five houses, seven houses, 10 houses—continuously burning down.

Rohingyas are being arrested every day: “You are an ARSA member,” and they are extorting them. Wherever Rohingya own shops and markets, they go there and they take away everything. They say, “You are an ARSA member. You will be arrested,” and when they are arrested they are asked for money, like 20 lakh, which is around \$2,000. That is going on. Whoever has anything, they are taking it away. That is the situation. There is no safety. When the Rakhine mob comes, they burn down and they loot. When they try to argue, they just kill them. This is systematically going on every day in Buthidaung, Maungdaw and Rathedaung Townships, and that is why the people are fleeing.

On top of that, there is no safety and no security. When I asked some people, “Why are you fleeing? Your house has not been burned down,” they replied, “No, Rakhine mobs come in every day and they are looting our properties, and the military come to our place and they threaten me, ‘Why you guys are still here? This is not your land. Your land is Bangladesh. Everybody has gone already. Why are you guys still here? If you want to be killed, you live in this place, otherwise you get out of here.’” That is the way the message is spreading everywhere, so people are in fear and they do not care: they take anything, whatever they have, and that is the way the people are fleeing.

When I met some Rohingya refugees in Bangladesh, someone who owned £100,000 of land had given it up. He had left everything and gone away. I asked him, “Why did you leave?” He said, “There is no choice. My life is at risk.” That is what everyone told me when I was in Bangladesh. It is continuously going on.

David Mepham: I will quickly reinforce that with a very quick point. I agree with what has been said. I do not think the scale of atrocities is what it was in September, but you are absolutely right: evidence suggests that they continue to be committed. We have done a tally. You may have seen the Human Rights Watch’s work on this, and Amnesty and others have done similar stuff too, looking at satellite imagery to look at patterns of arson. Our latest estimate is that 288 villages have been



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destroyed totally or in part since the end of August and tens of thousands of homes have been destroyed. There is an ongoing tally of destruction and arson and crimes that continue to be committed.

To go back to your original question, the overall crisis in terms of the numbers of people who are now in Bangladesh and need to be addressed still is very far from being resolved in any way.

Q7 Mrs Pauline Latham: Obviously, the monsoons are coming to an end. Is anybody expecting a mass exodus come the monsoon end, and is the international community nearby ready for that? How sympathetic are places like Malaysia, Thailand and Indonesia to the fleeing Rohingya people?

Dr Patel: In the last four days, from 9 to 13 November, 4,000 people crossed the border, a land border. As the monsoon ends and sailing season starts, you are going to see people leaving increasingly by ships. We have seen this before in the May 2015 crisis.

The response within the region is wholly inadequate. At APEC, leaders of Asian nations did not say anything, did not tackle this head on, which is interesting given that quite a few countries in the region are affected by this. Indonesia has been trying to play a role behind the scenes. They sent Foreign Minister Marsudi to Myanmar, so they are trying to do background diplomacy to try to find a resolution, but nobody is welcoming of the Rohingya. Malaysia, for all its rhetoric that more must be done, does not accept them and treat them fairly when they are there. There is a concern here that you will see greater outflows of people using sea routes, but the response you are going to get from south-east Asian nations, if it is anything like what they have done previously, will be inadequate to the scale of the problem.

Ultimately, though, it does not solve the root causes of this problem, so it will keep happening again and again. We will continue to see ongoing displacement until people deal with the fact that this is a group of people who are stateless. Until that is dealt with, there will be continuing attacks, people will continue to leave and it will just be a cycle that goes on and on.

Q8 Mr Evans: Mark, I was quite taken by your answer to the Chair's first question when you referenced Aung San Suu Kyi's Government banning you from going into Burma. That suggests to me that you believe she herself is complicit in what is going on. Is that right?

Mark Farmaner: Her Government reviewed the visa blacklist twice after taking power. They have announced two reviews so far. Whether it was her Government or Thein Sein's Government that put me on, I do not know, but her Government have decided on two occasions now to review the list and to keep me on. It is indicative of a broader problem that has emerged since Aung San Suu Kyi's Government took power, which is she does have authoritarian tendencies. We have seen restrictions on



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freedom of expression, increased restrictions on media, and continued arrests of activists and journalists, which she cannot control because she does not control the police. However, she has decided not to repeal the repressive laws that are used to jail them.

Q9 Mr Evans: Most people think that she is a prisoner within her own country—that it is the military that dictate and if she stepped out of line she would find herself back under house arrest. She had near heroine status when she came to visit this country a few years ago. Are you now telling us we have it completely wrong and that in fact she is now part of the problem that exists in Burma?

Mark Farmaner: On several issues, yes, she is part of the problem. Much of the international community would also say on a lot of issues she is also the best hope and possible solution compared with other leaders in the country, but she has kept political prisoners in jail. She does not have the power to stop the police arresting political prisoners. She has the power to release them and has chosen to keep a lot of people in jail, including a 14-year-old child who was recently jailed after being arrested by the Burmese Army.

As well as the fact that we have the military controlling part of the Government, we are going to have to come to terms with the fact that, as part of the freedom with which she has to operate, Aung San Suu Kyi can release political prisoners after they have been imprisoned, and she is choosing not to. She can repeal repressive laws. She has powers to improve human rights that she is not using.

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

Q10 Mr Evans: If we have any influence with that Government at all, I would think it is through Aung San Suu Kyi. She has been to our Parliament. She was given an amazing honour in being allowed to address both Houses in Westminster Hall, which is never given to somebody who is not the immediate head of state. I am going to be a bit more direct with you on this: because of the appalling atrocities that are taking place there—and we are horrified to see it on a daily basis—are you saying that she herself is complicit in what is going on?

Mark Farmaner: Yes, I am afraid that she is complicit. Aung San Suu Kyi kept in place military-era restrictions on aid to the Rohingya IDPs in camps that killed children. She was not restricted by the constitution or the military from lifting those restrictions. She chose



to do that. She has kept in place military-era laws and her Government are still using them to restrict freedom of expression.

Q11 Mr Evans: Can I open it up to everyone else? We are trying to find a solution to this and where we have influence, and if we cannot have influence with Aung San Suu Kyi, I am wondering where the heck we can have influence.

Mark Farmaner: I am not saying we cannot have influence with her. The approach so far has been very uncritical—that she is the only game in town and to give her uncritical support. That needs to be reviewed. We need to look again at the kind of support we are giving to her Government. She has denied and defended this military operation of ethnic cleansing. She is violating other human rights in the country. Yes, we need to see reforms work in the country, but perhaps we need to re-evaluate the kind of support we are giving and be willing to be more critical and apply pressure, perhaps, in certain places when it is needed. So far, the international community has not been willing to do that, and it has hidden behind this myth of a military coup threat as an excuse for not doing that.

Dr Patel: It is important to remember that in the domestic politics of Myanmar the military have 25% of all seats and control the key interior ministries around defence, home affairs, etc. In that respect, the focus on her means that nobody is talking about Min Aung Hlaing, who is commander-in-chief, responsible for the army, responsible for the military operations and, ultimately, the most senior person who knows about these things and signs off on them. The focus on her is warranted, but not to the exclusion of other people who should be held responsible for their actions.

In terms of the British role in influencing, there may be a difference of view here. The answers lie in the region. It is getting key players like India and China to play a role, finding a regional solution with ASEAN countries, and for Britain to use its role to support the humanitarian operations and its position on the UNSC to push for political solutions. However, it does not have the kind of direct influence that countries like India and China will have on Myanmar. It is a different power game in the region, in my view.

Q12 Chair: Does any of the panel members disagree with that?

David Mepham: I agree with the comments and the criticisms that have been made of Aung San Suu Kyi. I agree with what my two colleagues on the panel have said on that. I also agree with Champa that we should be focusing a lot more attention on the military. If you look at the current crisis and the 600,000 people who have gone across the border into Bangladesh, this is a military operation. The guys who made the decisions to do that were the senior people in the military, and that is where our criticism should really be focused.



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Obviously, ideally one wants a regional solution; I do not disagree with Champa on that. Regional solutions would be ideal, but Britain has a role to play in this. Traditionally, it has been the pen holder at the UN Security Council. It has had a couple of closed meetings that it has convened in recent weeks. It had one open meeting, which led to the Presidential Statement. We regret that the British Government have not been more assertive and effective in pushing this agenda forward. There may be various reasons for that, but thinking back to previous human rights and humanitarian crises, Britain would have had the countries lined up and there would have been more oomph and more direction and more push behind an international settlement. This seems a bit ragged and there does not seem to be the kind of focus that is warranted, given the severity of what is going on.

Q13 Chris Law: What precisely would you like to see the British Government doing now?

Dr Patel: First, the humanitarian response plan that is needed to support people is only 30% funded. International condemnation is not going to save lives, but putting money in aid of what is needed will. Therefore, the first thing is to use British influence to ensure that the humanitarian support plan is funded.

Secondly, I would like to see the British Government use its influence and the spaces it has on, for example, the UNSC to convene countries that can influence, so to use its influencing power, its convening power, to bring together the right stakeholders and have the closed door discussions in order to push for a political solution. Britain has a role to play, but the solutions lie in the region.

Q14 Lloyd Russell-Moyle: I know Human Rights Watch has called for a referral to the ICC via the Security Council. Do other members of the panel feel that would be useful for Britain to do? We would have to do it through the Security Council because Burma is not a member directly. Would that help?

David Mephram: Absolutely.

Q15 Lloyd Russell-Moyle: Who should it target—just Aung San Suu Kyi or should other people be named in that?

Mark Farmaner: If there is a referral, it will be up to the investigators to follow the evidence and decide who should be charged, if anybody. We have also been calling on the British Government to support a UN-mandated global arms embargo and targeted economic and financial sanctions. However, as other people on the panel have said, it has to be focused on the military. We do not want to see blanket sanctions on the Government or things that affect the ordinary population, but we do need to apply pressure on the military, not just because of what they have done to the Rohingya but because of what they are doing to other ethnic groups. They are the main obstacle to democratic reform in the country. They are still violating human rights by arresting people and restricting



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freedom of expression. There is no single thing that is going to pressure the military. We need to keep adding straws to the camel's back.

- Q16 **Mr Sharma:** I have three questions and you can decide which way you want to answer. Should sanctions be applied against Burma? Should DFID's programme in Burma be suspended? Was it correct for the UK to suspend military training? Those are my three questions.

David Mepham: Very quickly, we think that the sanctions were lifted far too early back in 2012 and targeted sanctions against senior people in the military should be re-imposed. There should be serious discussion about that, and the British Government ought to be having that discussion. I do not think DFID should suspend its programmes, but it should look very closely at its existing programmes to see whether, to some extent, it is reinforcing the authoritarianism and the rights abuses of the military, and if it is in any way, it should stop. There should be a review of its policy. The military training should stop.

- Q17 **Chair:** Specific work is done on parliamentary strengthening. Do you think it is right that that is still going on?

David Mepham: That is the kind of thing that should be looked at in the current context. Given the gravity of what is happening—600,000 people, thousands of people dead, mass rape—that is the kind of thing that should be looked at in the context of an overall review of DFID's policy towards Burma.

Tun Khin: First, I should say, apart from that question, the British Government have to continue in the UN Security Council, because we have seen a Presidential Statement is not that effective. We need to call for a stronger resolution from the UN Security Council, and referral to the ICC and a UN-mandated global arms embargo and targeted sanctions. On top of that, there is no safety, security or any mechanism to protect the Rohingya people in Arakan State. That is needed immediately also.

Also, when we talk about Rohingya refugees' repatriation between Bangladesh and Burma, the international community must be involved in that. As happened last time, and in 1970, 1991 and 1992, unless there is policy change towards Rohingya in Burma, these people should not be repatriated from Bangladesh. We have to look at that seriously.

We need to focus on much stronger punishment of the military. There has been impunity for many decades and this persecution of the Rohingya many times now. We saw it in October 2016 and we see it again at this time.

When we talk about Aung San Suu Kyi, she is totally complicit. As a Rohingya, we supported her for many years. I and our organisation campaigned for her release in this building many times. She is not speaking up, and it is not just that she is not speaking up; she is totally denying what is happening against Rohingya. We have seen



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Amnesty International's strong report, Human Rights Watch's report and a UN report mentioned what amounts to crimes against humanity. Her office has denied it: fake rape, fake news, continuously going on. When we saw the UNSC statement, her State Counsellor office said this is still something. She is just trying to get away from the Rohingya issue. We have also seen her put it the other way. When she visited recently, she diverted the issue. Instead of Rohingyas facing genocide, she put it as a kind of quarrel. That is the other way she is putting it away. It should not be that way. She is totally complicit on this point.

Dr Patel: Whether it is sanctions, referral to the ICC, visa bans or global arms bans, none of this is going to happen unless China signs up, so there is a lot more work to be done. There is no internationally agreed consensus on a political solution or roadmap for peace. These things are all possible and we should push for all these things, but the elephant in the room is China, and China is not going to sign on to a UNSC resolution condemning Myanmar. It is going to block any ICC referral. Myanmar is not going to self-refer itself, which is another way to do this, and it is not going to sign on to global bans.

There is much more work to be done to get consensus on what a roadmap to peace looks like that China will sign on to in order to open up some of these avenues. Pursuing accountability is important, but dealing with the current crisis and thinking long term needs to happen on parallel tracks as well.

Mark Farmaner: There is still value in the British Government publicly saying they support the principle of a UN-mandated global arms embargo. There is value in saying they support the principle of an ICC referral. That adds political pressure. Some of these sanctions will have limited economic impact, but they all have significant political pressure. It puts the focus on the military. It puts pressure on them. They have really enjoyed the benefits they have had since the reform process. They do not want to start losing them. If they are subject to visa bans and others, it is going to have an impact on them.

It needs a combination of everything and it needs to be done at once, because we saw in the last series of sanctions since the 1990s a gradual increase as a slap on the wrist when an atrocity occurred, rather than a systematic application in support of diplomatic and other initiatives. It needs to be done much more sensibly this time.

Q18 **Mr Sharma:** Just very quickly, and not directly related to my question but to a previous question, when India threatened to send 40,000 people back, do you not think it weakened the situation in that region? What should be done to activate the political campaign in that region?

Dr Patel: India has hosted Rohingya refugees for a long time. On the one hand, it is saying to Myanmar, "You are absolutely right in what you are doing. These terrorists should not be allowed to be in the country. You know what? We are going to deport 40,000 people," but where?



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They are stateless, so where are you going to deport them to? That was India pandering to a domestic audience. Most of the Rohingya are settled in Jammu and Kashmir, so it is pandering to a domestic audience that has concerns about Islamist extremism within the country. I do not think it was necessarily playing to a regional audience.

Q19 **Chair:** Where is that now?

Dr Patel: The court is still considering. Ultimately, the question is “deport them to where?”, so I do not think it is going to go anywhere. It was domestic pandering. However, what India is doing behind the scenes is more important: providing aid to the Bangladeshis, and working more closely with the Chinese than people would think. In that respect, the diplomatic role it is playing behind the scenes is where we should focus our energies, not often on the public rhetoric that bears no reality to its actions.

David Mepham: Could I make a quick point on accountability before we move on to other topics? On the ICC, we all know that is going to be enormously complicated for the reasons that people have said, but it sends a signal, as Mark has said.

There is an opportunity for progress with DFID and the British Government in terms of accountability on crimes of sexual violence, and that ought to be a real priority. We have documented appalling rape and mass rape that has taken place over the last couple of months. We have a report coming out on Thursday, which I will share with the Committee. The British Government have said consistently since William Hague’s time that tackling sexual violence in conflict is a priority. Looking at their website and some recent statements, DFID has committed some money to this area, which is important and welcome. However, given what we know about sexual violence and the tendency of women who have experienced the trauma and the horror of all that to underreport or not to report, there is a huge problem of sexual violence in the camps when people arrive in Bangladesh. The services are not there in sufficient number and we are not doing enough to talk to women in privacy and with confidentiality to establish what happened to them, to create a basis for prosecution at some future point. There is the service issue, which is critically important—that people have the health services and the psychosocial support that they need having gone through the extraordinary trauma of rape. Some women have been raped and gang raped and have walked for a week with their and other young children. It is unbelievable what people have experienced, but the issue of getting people held to account for those awful crimes is critical. DFID, the FCO and the British Government have made so much of this issue, rightly, and you could ask them some tough questions when the Ministers come before you about whether that has really been taken forward.

Q20 **James Duddridge:** On Sky News at the moment, five of the top stories are on the Rohingya. One is on the sexual violence issue, and we have heard a lot about sexual violence and the people who have perpetrated it



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in Burma, in the camps, but they are reporting that you can buy a girl for £5, not for sex once but for the longer term to use as a prostitute under modern slavery. Is that really what is going on? It is totally horrific.

David Mepham: Others might want to comment. We know from IDP camps and camps around the world that women and girls are incredibly vulnerable in those situations. Sex trafficking and sexual slavery of the kind you describe, prostitution and people being trafficked all happen. Therefore, another thing that is relevant to what DFID and the British Government are doing in terms of these camps is are they doing enough to make those camps secure? It sounds very mundane, but is there adequate lighting? Are there guards? Do women and children feel safe in those camps? At the moment, the answer is no, and that is a very important practical issue to address too.

Chair: We are taking evidence next week from the Minister and we will be putting these points, absolutely.

Q21 **Richard Burden:** You have mentioned the possibility of referral to the ICC and I would like to ask you a few questions about how you think the international community should formally categorise what is happening there at the moment. The first question is: would you categorise it as ethnic cleansing?

Mark Farmaner: Yes.

Dr Patel: Yes.

David Mepham: Yes.

Q22 **Richard Burden:** Do you take from that that it is, therefore, prima facie crime against humanity, and how would you respond to those people who say it should be formally categorised as genocide?

Dr Patel: In international law the acts that we have seen, certainly on the evidence that has been seen, are both crimes against humanity and could be said to be genocide. There is no hierarchy here in law. These are equivalent acts. What we are hearing is the distinction with crimes against humanity is that it affects a large number of people, and with genocide it is aimed at the destruction of an entire group. Certainly the evidence that organisations have documented shows acts that are constitutive of both. A thorough investigation has to then establish which label they want to take forward, but in a way it is not as if one is worse than the other.

It is important to be clear in law, whether it is crimes against humanity or genocide, and the accountability should be pursued. It is for the investigators to determine then, based on the evidence, which of these applies.

Mark Farmaner: I agree. We have come up against this recently. Sky News yesterday had a detailed report and questioned the Foreign Office



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Minister, Mark Field, about whether it was ethnic cleansing or genocide. You end up discussing what to call it instead of what you are going to do about it. They did not ask him, "Why are you not supporting ICC referral? Why are you not supporting targeted sanctions? Why are you not supporting a UN-mandated global arms embargo?" They asked him what he was going to call it, and it lets him off the hook. We know that there are violations of international law; that requires an international response, whether it is genocide, ethnic cleansing or crimes against humanity.

Q23 Richard Burden: Does what it is called affect the international community's obligations?

Mark Farmaner: There is an obligation to act on crimes against humanity, as with genocide.

David Mepham: We have not called it genocide, for the purpose of clarity. We have called it crimes against humanity. We have not used the genocide word, partly because we are very cautious about doing that and we want to have enough access to information to make that kind of determination. Up to this point, we have not made that determination, but in a way I agree with Mark that we can get hung up on arguing about crimes against humanity or genocide. What we all know is that appalling crimes have been, and continue to be, committed, and the big question for the international community is what the hell are they doing about it? "Not enough" is the answer.

Coming back to your question, no, there has been a slowness and an inadequateness to the British and the wider international response that we need to expose and your Committee can question them about. Not enough is being done to address the gravity of the crimes that are unfolding in Bangladesh and in Burma.

Dr Patel: They are different things. The UN charter enshrines the duty to ensure peace and security. Referral to the ICC, calling it crimes against humanity or calling it genocide are pathways to accountability. The duty to act is not contingent on what we choose to call it. In law there is a duty to act anyway in the interests of peace and security.

Q24 Richard Burden: Finally, just in terms of numbers, you have referred to thousands having been killed. Do we have any clear estimate of the number of people who have been killed? Who is putting that evidence together, because presumably that could be important down the line in terms of ensuring accountability?

David Mepham: It is very hard to get the numbers. We have said thousands. We think that is the best estimate from what we have seen and what we have seen unfolding, but it is very hard to get the numbers and it is critically important that someone somewhere should make more of an effort to do that. That is part of the accountability conversation we were just having: trying to establish how many people have been killed.



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Men, women and children have been hacked to death and killed and raped, and we need to know that. We need to know who was responsible and we need to have some proper accountability for that.

I do not know whether people saw BBC "Newsnight" last night, but if not I really recommend you watch Gabriel Gatehouse's piece on the Tula Toli massacre. We have done some work and we have a report coming out in a couple of weeks. We think several hundred people were killed in that massacre on one day in northern Rakhine State, so the number of thousands is perfectly plausible and feasible.

You are right: we need to get to the truth about the numbers, and it is part of the accountability effort and it is very difficult. It is very difficult because the Burmese Government do not allow any access, so there are probably awful, ongoing things happening in Rakhine State that we cannot get to, including the humanitarian situation of the Rohingya who are still left there without any humanitarian assistance.

Tun Khin: When I met Rohingya refugees in Bangladesh four weeks ago, I met some villagers from Tula Toli who escaped from the massacre. Some people are saying that more than 1,000 even in one village there have been killed. When I asked them, "How can you say it is 1,000?" they said, "Whoever remained around that village, they are all already here in the camp. Whoever arrived has been contacted, and the people who are missing have mainly been killed," because the military totally deployed on that place and many military arrived, and they killed and slaughtered and they took away their babies and threw them to the fire." It is a totally horrific situation in that village.

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

Q25 **Chris Law:** I just want to go back quickly to Aung San Suu Kyi. I think it was you, Mark, who said she is also seen as a possible part of the solution. She recently visited Rakhine Province and has raised some hope regarding the return of refugees. Is it possible for refugees to return to Burma? If so, how would they do that and what part can Aung San Suu Kyi play in that respect?

Mark Farmaner: It is simply not possible for Rohingya refugees to return. On Aung San Suu Kyi's visit, in fact, when I travelled with Ivan Lewis to Burma in 2012, one of the things that we were asking her then was, "Will you go?" and she refused and she has consistently refused to go when Ministers and others have asked her to go for years now. A month ago, we saw a shift in tone from her, a shift in approach.



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We had her advisers briefing behind the scenes. It seems like she is getting some sort of alternative public relations advice now, and we have seen a change in tone, but we have not seen a change in policy. We have not seen a change from denial. We have not seen a change from the policies of repression against the Rohingya. We are still seeing the military operating there.

Even if Aung San Suu Kyi did do what the international community wanted, she does not control the military. She cannot guarantee that there will not be another ARSA attack next month, and it is going to come. There is going to be another ARSA attack and there is going to be another military response—this is inevitable—and she cannot protect anyone who returns. She does not have that power.

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

Any Rohingya who do return now will return to an insecure place where they are still stateless, where they do not have citizenship, where they have no rights. They are likely to be put in prison camps, which is where the Rohingya from the violence in 2012 are still living, with severe restrictions on humanitarian assistance, so that you have very high levels of malnutrition, children denied education, mothers dying during childbirth all unnecessarily. That is the fate they face if they do return. It is madness to be talking about return and welcoming her move to talk about return in the current environment.

Q26 Paul Scully: Can one of you give 30 seconds on the extent of the landmines on the border and why they are there?

Dr Patel: It is not an area that I have worked on extensively, but there certainly is evidence documented by organisations that show there have been landmines placed by the military along the border to deter return.

Return has to be voluntary, free and fair, and we cannot ask stateless people to go back to an ongoing situation of statelessness. Political solutions have to be talked about here, because returning to an ongoing situation where you do not belong is not a long-term way forward.

David Mephram: I can send you something.

Chair: Thank you very much. We look forward to your report, David. Can I thank all four of you for giving us evidence today? Please feel free to stay in the gallery for the evidence that we are going to take with the



second panel. It is very valuable and extremely important, and our intention is to publish a report on this as soon as we possibly can. Thank you.

Examination of witnesses

Witnesses: Matthew Saltmarsh, Daphne Jayasinghe and Ian Mowatt.

Chair: We have about 40 minutes and we have nine areas ideally we are seeking to cover, so we are going to have to be fairly quick going through the questions.

Q27 **James Duddridge:** I have a very broad question: could you just update us as to the situation in Rakhine State and specifically what intelligence do we have there? Are there UN operatives able to get there—any aid community reaching out within that area providing evidence of what is happening?

Chair: As with the previous panel, please introduce yourself when you first answer the question.

Daphne Jayasinghe: I am Daphne Jayasinghe from the International Rescue Committee. We have resumed our access to our pre-existing sites in Rakhine State with limited authorisation to operate again. We are a little bit concerned about the authorisation and the extent to which we have access, in that it is a long, bureaucratic process. We have access to the pre-existing sites for the next two months for national and in some cases international staff to operate, and we have applied for increased access to additional villages in northern Rakhine State, so we can assess the situation and the needs there.

Matthew Saltmarsh: I am Matthew Saltmarsh from UNHCR, the refugee agency. At the moment we do not have access to provide humanitarian assistance in Rakhine State. We do have international staff there and we do have local staff there, but they are confined to their offices and to their bases by the local authorities. We are calling for unfettered humanitarian access, but as of yet that has not been provided to us. We do understand that a few other partners, including the ICRC and the WFP, have been able to get very limited access to certain areas, but as I said that is extremely limited. That is our situation in Rakhine State at the moment.

Ian Mowatt: I am Ian Mowatt with World Vision UK. We are a child-focused agency working mainly in relief development. We have been in Bangladesh since 1972 and in Burma since 1991. As has been said, we do not have any access into northern Rakhine State, so it is very difficult to see what is happening, but I am aware, as has been said already, that



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there are agencies that are doing some limited work. We are strongly advocating for open and free access for agencies to go in and help those who are most in need within northern Rakhine State.

Q28 Mr Evans: What is going on is clearly appalling, and hundreds of thousands have now gone into Bangladesh. Can you say anything about the support that the Rohingya are getting in Bangladesh?

Matthew Saltmarsh: Perhaps I can start with that one. You are probably aware of the numbers. The latest figure is 615,000 refugees have crossed over into Bangladesh. It has been declared a level three emergency, which is the highest UN emergency. That 615,000 are in addition to 307,000 who were already in that part of Bangladesh.

The international humanitarian support is being led by a structure called the ISCG, which is currently headed by the IOM. Underneath that the different UN agencies, NGOs and partners are working based partly and primarily on their expertise in cluster groups, for example health, food, protection and so on.

UNHCR has been leading one of those subgroups, which is the protection area. One of the initial focuses for us was on registration and counting. We have almost finished our first family counting exercise, which was going out through the refugee settlements and counting the families and getting detailed information from them and being able to input that into databases and then using that information to provide assistance and aid for the entire ISCG community.

In the last few days we have got the initial results from that family counting exercise, and that covered 137,000 families, so somewhere between 500,000 and 600,000 individuals. 54% of the refugee population is under 18. 3% of them are unaccompanied or separated children. 14% are single-female-headed households. 30% to 35% of them have vulnerability needs. In other words, they are old or they have a family member who is disabled or who has severe medical needs. 52% of the population are female. The peak arrival period was in September, when 72% of the current residents arrived, and 70% of them came from Maungdaw Township, so they were primarily coming from one particular area.

That exercise has basically tagged and got information from the refugees that are currently resident there. That information is now collated in a database, which is run by UNHCR and which is available to the entire humanitarian community.

Q29 Mr Evans: These are colossal figures. Are they truly safe in the camps that they are living in in Bangladesh?

Matthew Saltmarsh: The answer has to be no. It is still early in this displacement crisis. In the early days of these situations, the structures are just going up. There is a certain amount of chaos, bedding down of systems and of putting in infrastructure. The security is run by the



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Bangladeshi authorities, who are doing their best to put up checkpoints and to police the system. The humanitarian partners are also doing what they can to assist with infrastructure, to put in lighting, to add extra staff, to get those staff to stay longer and to get female staff in particular, who can work with children and female-headed households. The situation is better than it was, but to say it is safe—no, it is not.

Chair: We are going to come back to some of those questions a bit later on.

Q30 **Mr Evans:** It always seems to me that there are so many pressures on UN budgets. There has to be pressure on yours too. Are you completely underfunded and overwhelmed by this crisis?

Matthew Saltmarsh: UNHCR's own appeal is currently 54% funded, and you will have seen that there was a pledging conference at the end of October, which garnered 340 million of an appeal for 440 million or so. That appeal runs through to February for the immediate humanitarian response plan. Beyond February there will have to be more appeals and much more fundraising. We are underfunded, but that was a positive response from the Geneva pledging conference.

Q31 **Richard Burden:** Just returning to the counting exercise that you are doing, it will be quite important, particularly in terms of accountability down the line, to relate the number of people fleeing Rakhine State to the number of people who have died or gone missing. I wonder if there is any mechanism to try to do that. Has there been any involvement, for example, of the International Commission on Missing Persons, who have done quite a lot of that kind of work in Bosnia and elsewhere? Are they involved at all?

Matthew Saltmarsh: We have not got numbers of those who have died or are missing in Rakhine State. We have not been able to do that. We do not have the staff or the access to do that. I do not know if any of the other panel have.

Daphne Jayasinghe: Similarly, as commented by the earlier panel, there are a number of challenges in assessing that.

Ian Mowatt: I was just going to add some things on the numbers side, because from our side we are child focused, so it is very important for us. We are finding that about 60% of the latest arrivals are children, and we are estimating from various sources that between 1,200 and 1,800 a day are coming across. That is going down a little bit, but we are talking about 12,000 children a week who are going across the border into the camps, so there is a very large number.

I am going to briefly go back on the protection side. I would definitely say the answer is no. We have been gathering some quotes, and we have had some incidents where children have been trafficked. One comment was, "We left Burma to keep our children safe from violence, but now we feel more vulnerable."



Chair: We will return to that in a moment.

Q32 **Mrs Pauline Latham:** What is the main reason that people you spoke to in Bangladesh have given for leaving Burma and what percentage of them want to return? Is it violence and attack? Is it hunger? Is it rape or what else?

Daphne Jayasinghe: We have received a number of reports of violence that has been experienced there. In our assessment we have identified a high need for treatment of gunshot wounds. In our multi-sector assessment, about 11% of respondents said they would want to return, so that would be an indication of people's views.

Mrs Pauline Latham: Does anybody else want to add to that?

Matthew Saltmarsh: From us it would be very similar. It is based on reports of rape, shooting, villages being burnt down and other abuse—being forced to flee for their lives with nothing more than the clothes that they are wearing. We do not have specific numbers on those who would wish to return, but we have heard reports that some do wish to return, surprisingly perhaps so soon after such a trauma, but some do.

Q33 **Mrs Pauline Latham:** UNHCR assisted 230,000 Rohingya to be repatriated to Burma before and there has been criticism. What lessons has the organisation learnt from that experience and what monitoring has there been of what has happened to those 230,000?

Chair: That was in the 1990s.

Matthew Saltmarsh: That is correct. That was in the early to mid-1990s. Our view on returns, first, would be that returns should only take place when they are able to be done in safety and dignity and with the consent of those who are returning.

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

We have recently had conversations with both countries involved about potential returns, and a ministerial workshop was held in late October in Myanmar with the two countries. Again, it was stressed that any tripartite agreement would have to be voluntary and the returns done in dignity and safety and to places of origin or places of choice of those returning.

The other point to make is that there is a process. The final report of the Rakhine Advisory Commission process, which you will all be familiar with, came out in late August, around exactly the same time as the first wave



of major displacement was occurring. We and many of our partners believe that that does offer a credible roadmap towards potential return if the main planks of that agreement are adhered to. That would involve particularly a solution in terms of citizenship, and it goes down to other aspects, like economics, giving land to returnees and to Rohingya populations, and resource sharing with central government. There is the potential there for agreements that could pave the way for returns, but they would have to be adhered to on the Myanmar side.

Q34 Mrs Pauline Latham: What about monitoring of those that went back before?

Matthew Saltmarsh: In terms of voluntary returns.

Q35 Mrs Pauline Latham: Yes. Do you know what happened to them?

Matthew Saltmarsh: Do you mean recent voluntary returns?

Q36 Mrs Pauline Latham: No, the ones that you sent in the 1990s—the 230,000 who were repatriated. Was there any monitoring of what happened to them—whether they are still there, or whether they have fled again?

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

Q37 James Duddridge: Can I ask about the organisation of the camps in Bangladesh and the degree to which the Bangladeshi Government are organising? In particular, I ask the UNHCR why it is the International Organization for Migration that is leading rather than the UNHCR and OCHA supporting. I am not quite sure what the structure is and whether it is adequate and fit for purpose.

Matthew Saltmarsh: The IOM was already in place as the lead international UN agency, and the decision was taken in conjunction with the Government of Bangladesh that that arrangement would continue, given the immediate urgency and the crisis situation. Traditionally UNHCR would lead in a refugee situation, and if you look at the situation in Syria, OCHA is the lead agency within the country and UNHCR is the lead agency in the neighbouring countries, which are hosting over 5 million Syrian refugees. There is a case to look again at the structure and the expertise in place and to ask whether this could be improved. The focus until now has very much been on working within the current structure and getting in as much aid and resources as is possible.

Q38 James Duddridge: For an outsider, there seems to be three acronyms working for one acronym—the UN—all doing the same job in different countries. Is that just a broader problem with the UN organisation? I do not want to be side-tracked.



Matthew Saltmarsh: We do have specific expertise. UNHCR and the refugee agency IOM have a focus on migration and OCHA on immediate humanitarian co-ordination, but if you look at a crisis like, for example, the Mediterranean crossings from Syria, it is a mixed migration crisis, where refugees and migrants are crossing together. The two agencies—IOM and UNHCR—are having to co-ordinate much more closely to help manage those mixed migration situations.

Daphne Jayasinghe: I was in Bangladesh in September, so I was able to see the diversity of camps and arrangements for people who were just setting up home where they could. There are still people arriving who are just seeking shelter wherever they can outdoors and who do not have a tent to speak of. However, where they can set up camps in either spontaneous sites or in the new site that has been provided by the Government of Bangladesh—which is 3,000 acres, which is approximately 2,000 football pitches if you can imagine that—there is a really grave need for proper co-ordination, organisation and camp management. We are deeply concerned about that.

Currently there is a cluster of services in the centre of the camp to which people would have to walk for approximately 45 to 60 minutes in the blazing sun in very muddy conditions, sometimes with all their children, to get essential services. As you can imagine, camp management and appropriate co-ordination is vital in this context where things are changing at a very fast pace every day.

Chair: I am going to come in a moment to some more detailed questions about life in the camps.

Q39 **Mr Sharma:** Chair, I just declare that I have just come back from Bangladesh over the weekend. I have visited Cox's Bazar and a couple of other places and witnessed the situation you have just mentioned. What account has been taken of the possibility or the likelihood that these camps for the Rohingyas in Bangladesh are going to be long-lived? At the same time, please touch on the main problems in the camps.

Daphne Jayasinghe: That is a really important question, because currently the nature of the shelter provided is very temporary. Given everything you have heard today, we can anticipate that this is likely to become a protracted crisis and therefore needs to be dealt with as such. Currently the problems with the shelters are that they are usually plastic tarpaulin, as you will have seen, and bamboo, so very temporary structures. What is more, they are put up in conditions, particularly in the 3,000 acre site that I mentioned, that are unsuitable, prone to landslides likely, particularly when cyclones come, and that are certainly insecure. The sites that I saw did not have walls to speak of or shelter to speak of. They were completely exposed. As you can imagine, this increases the vulnerability of particularly vulnerable populations.

Just adding to the point that was made earlier about whether people feel safe, the women and girls that we spoke to do not feel safe enough to



use the latrines, even in the daytime. Their vulnerability and security is very compromised.

With regard to the problems this creates, it creates the problems that I mentioned about the distances that need to be travelled, but it also creates problems in the long term in terms of access to services. If we consider this a protracted crisis, it is essential that we start to think about self-reliance and sufficiency of the populations—that they have a realistic prospect of livelihoods and education. We know that, of the people surveyed in our needs assessment, 90% of them would send their children to school if they could. People are thinking in the long term, and so that is an important question.

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

Chair: We are going to come back to a question on education a little later.

Matthew Saltmarsh: On whether the camps will be long-lived, traditionally there would be three solutions to refugee crises, which would be integration, onward movement or resettlement, and return home. At the moment integration is clearly not an option with the Bangladeshi hosts. We have just spoken about returns. It is being talked about, but it is an extremely difficult situation. I understand from your earlier panel you talked about the regional situation, which is also complicated. We cannot say whether they will be long-lived or not. It is impossible to speculate on that, but all the international actors are working for a solution. Within those three areas, it is very difficult and there are serious constraints within that.

On the camps, there is not much more to add. You have heard a lot of the figures. We have a lot of data on the requirements for the different sectors—food, health, education and so on. I will not go through them now because you can get them online from the Inter Sector Coordination Group and the humanitarian relief plan. All the numbers are there. The needs are absolutely enormous.

Q40 **Mr Sharma:** After visiting there, talking to people and doing research on whether the refugees would like to go back or not—the fear—are there steps that can or should be taken now to improve provisions for these refugees over the longer term? You touched on it, but it is more in depth than that. What can be done for the longer term when a large number of refugees have indicated that they will not go back?



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Matthew Saltmarsh: I would probably go back to the answer I gave on the Kofi Annan commission, which offers a roadmap and a blueprint towards a possible solution. The international community has endorsed that as a possible solution, and even within Myanmar there have been positive noises about that. Whether that is translated into action is a different question. The possible solutions for the longer term are there. It is a question of the Myanmar Government now stepping up and taking action that can facilitate a longer term solution, i.e. return of those refugees eventually to their homes, which is where a number of them do want to go back to.

Daphne Jayasinghe: Our deepest concern is that these people who have been so violently displaced are not committed to a lifetime of dependency and generations in a camp setting. I want to refer to the 2016 New York Declaration and the commitments at the Leaders' Summit on Refugees last year and the principles that were highlighted there of the importance of enhancing access to education and livelihoods, recognising expanding access to resettlement, self-sufficiency and resilience. The situation in Bangladesh is an opportunity to work through that lens and consider those principles and be one step ahead, as we know that this is likely to be a long-term situation.

Chair: Ian, do you want to comment on the longer term?

Ian Mowatt: Again, without going over what has been said, from my perspective there is the immediate need, which is to give the childhood protection, but then the need is to work with those in the communities to find ways to build their capacity and to give them opportunities, so that they can move forward. It is not just sustaining the situation. It is stabilise it, build the capacity to move forward and give them skills training and other training that will help them go beyond their current situation.

Q41 **Chris Law:** Thank you, Chair. I wanted to touch on one of the solutions that Bangladesh is proposing for the long-term settlement of refugees, and that is the settling of people on the island called Thengar Char, which I understand is quite recent in terms of emerging as an island from silt off the Bangladeshi coast. It is two hours by boat from the nearest settlement. What problems do you see regarding this, and is this really an ideal solution? What have been the criticisms that have come from that?

Daphne Jayasinghe: We do not see it to be an ideal solution, because of it being at an inappropriate point. Given that the capacity on the ground in Cox's Bazar is currently outstripped by the scale of the emergency, there is an opportunity for the Bangladeshi Government to expedite the release of funds and the operation of international NGOs to enhance and complement the role of Bangladeshi civil society organisations.



Currently there is a very lengthy bureaucratic process in place to operate directly and directly implement in Cox's Bazar. The IRC is not directly implementing. We are seeking registration at the moment, so we are in the midst of this drawn-out process for registration. Once registered to operate in Bangladesh, there are still a number of hoops to jump through to directly implement in Cox's Bazar. There is permission to operate there. There is the release of foreign funds. This is all very time consuming, and in the meantime we are not in a position to directly implement. Other NGOs are also in the same situation. A more appropriate solution would be to increase the capacity, expertise and response in Cox's Bazar and expedite the process for that response.

Chris Law: The point I want to touch on—and thank you for your response—is the Bangladeshi Government said it is their decision to make and theirs alone, which freezes out the international community. What Bangladesh has been doing over the last months and years is hugely welcome. What more could the international community do to not only co-operate but assist in Cox's Bazar, if it is to remain, or, if not, in an alternative solution elsewhere?

Q42 **Matthew Saltmarsh:** Just going back briefly to the question about the island, this is not something that we have been seriously engaging with. I know there were various reports about it, but we are not at the point where this is going to materialise any time soon.

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

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

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



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

Lloyd Russell-Moyle: You have mentioned previously, Ian and others, the huge amounts of children arriving in the camps, particularly unaccompanied children. What structures particularly are being put in place to support them, and are there particular things the community needs to ensure they are not trafficked? We heard about that earlier.

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

We really want to set up what we call child-friendly spaces, and we want to set up women, adolescents and young children spaces, which is a key opportunity for us to engage with them, to talk to them and learn what has happened, what traumas they have faced and allow them that space to talk about it. It allows us to work together with the women and children on nutrition and health, and to give them some support on ways that they may better protect themselves within the camp situation. For us it is key that we have those spaces where we can work directly with them, and that information then can be fed into further situations.

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

Q43 **Lloyd Russell-Moyle:** Who is best to co-ordinate that work? Is that international NGOs? Is it a UN agency?

Ian Mowatt: It is all co-ordinated together through UN agencies. One of the key things is to make sure that we are reaching the most vulnerable and that we are not duplicating work, and the mechanism through the UN agencies helps to ensure this is taking place. One of the key things for us at the moment as World Vision is that we are able to work in the camps, but we would really welcome more open access for other NGOs. That is a



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big problem at the moment. Yes, it is happening, but it is a very slow process.

- Q44 **Lloyd Russell-Moyle:** In terms of the UN agencies, is it IOM that then leads on having to co-ordinate things like the safeguarding of children or does UNICEF step in there?

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

As mentioned, the focus once you have the data is to create child-friendly spaces to try to get unaccompanied children back to their parents if possible. We have several projects with Relief International and Save the Children and local NGOs where we are trying to do that or, where that is not possible, to try to arrange for foster care. Then also, as mentioned, we want to create as many child-friendly safe spaces that are open for as long a period as possible, so the children can at least have one place where they can go and feel a relative amount of safety and get provided with psychosocial support, if that is needed as a result of the trauma that they have been through.

Another focus is on putting resources into education. Education, as you will all be aware, is one area of humanitarian crises that is very much in the early days put on the backburner, and we have been trying to advocate for a long time now to make education spending much more integral to initial phases of crisis response to make sure that it is focused on from the very beginning. The education needs are absolutely huge. To reinforce what Ian said, the risks here are huge: child labour, so children going off and working and spreading out into the local community and being exploited, doing unpaid work; trafficking; early marriage; prostitution; and the general abuse of children.

Chair: You have anticipated the next question, but I will still ask Ivan to put it.

- Q45 **Mr Lewis:** There is not much to add to it. On the question of education, it would be useful to know who has lead responsibility for ensuring that children have access to education. Is it clear where responsibility for that lies?

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

- Q46 **Chair:** We heard from the first panel frankly harrowing evidence about mass rape and the use of sexual violence as part of the situation. First, what is being done in the camps to give support to women and girls who



have experienced rape and sexual violence? Secondly, what is being done to protect them from assault in the camps?

Daphne Jayasinghe: That is of deep concern to the IRC, given the trauma that women and girls have experienced, both in their journey but also in the violence that took place before they left Myanmar. It is essential that services in the camps are delivered appropriately and in line with international standards with regard to both GBV services and the child-protection services. In our multi-sector needs assessment, we were concerned about inappropriate services for GBV. That would include male members of staff and very visible centres for GBV. There is a real risk and fear among survivors of stigma and that recounting very traumatic incidents increases the trauma, so the services have to be delivered appropriately—and they are very technical.

Equally, we are concerned that there is appropriate clinical response to rape. IRC is set to deliver a comprehensive women's centre. We are working with partners ActionAid, Relief International and ACF on women-friendly safe spaces, much like the spaces that you heard of, where they can access multiple services, both in terms of rape response and being around other women and in a space where they can feel safe and have some return to normal life.

Q47 **Chair:** Do you have the funding in place to do that? Might that be set up soon?

Daphne Jayasinghe: We are awaiting registration to implement that. In the meantime we are giving technical support to our counterparts, who are already operating and implementing directly and making the international standards context specific to the situation in Cox's Bazar. 45% of the women attending these women-friendly safe spaces have reported GBV, and we have estimated 75,000 are in need of GBV support. The scale of this crisis is huge and, as you can imagine, the need is very urgent for people who have experienced such devastating trauma.

Chair: Ian, do you want to add anything?

Ian Mowatt: There is one other element that is a bit of a challenge, which is language. To really give that support that is needed, it needs to be in your mother tongue. If you try express some things in another language, you do not get the intensity of that. You are not always able to express it in the way that you really want to. One of the challenges we are facing in this situation is, yes, get the right support, but where possible have people who can give that support in the language that really speaks to them, that they can really relate to and that really reaches into the essence of what has happened to them.

Q48 **Chair:** Is the solution to train the people who speak the language to have the skills to give the support, or is it also to train the people who already have the skills to give the support to speak the language? I suppose a



mixture of the two.

Ian Mowatt: The first one is easier.

Matthew Saltmarsh: Just very briefly, this is an area that has to be tackled on a number of fronts. Part of it is improving the infrastructure around the camps—putting in better roads, better lighting and separating out washing and latrine facilities, which is a focus at the moment, and ensuring these safe spaces for women and children as well. Part of it is also awareness-raising with the refugee population, and with the army and the police. There are some programmes afoot to try to address that.

We have been focusing on recruiting more female staff, particularly among the local and volunteer staff. In terms of information provision, assuring that refugees themselves are aware of services and how they can access them is an issue that has come up—telling refugees and informing them where exactly they can go for a certain level of support.

There are a few figures you may be interested in, in terms of GBV services and incidents so far. According to the latest situation report, 70,000 people, including 69,000 women, have been reached with GBV services, including case management, psychosocial support, dignity kits, community outreach and awareness-raising activities. A cumulative total of 2,000 GBV incidents have been reported to date, and these include sexual forms of violence. 75% of survivors reporting gender-based violence in the last week have received an emergency medical referral and support. People who are coming forward where this is being found out are being referred on, but the problem is bigger than just those who are coming forward.

Chair: Thank you very much indeed. That brings the second panel's evidence to a close. I am immensely grateful to the three of you and put on record, on behalf of the whole Committee, our appreciation of the work that your organisations and others are doing in what is such a truly challenging and in many ways horrendous situation. Thank you.