

International Development Committee

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

[Wednesday 14 March 2018](#)

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Watch the meeting

Members present: Stephen Twigg (Chair); Richard Burden; Chris Law; Mr Ivan Lewis; Lloyd Russell-Moyle; Mr Virendra Sharma; Henry Smith.

Questions 147 - 205

Witnesses

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

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

Examination of witnesses

Witnesses: David Baulk and Hkanhpa Tu Sadan.

Q147 Chair: Good afternoon, everyone. Welcome to this oral evidence session as part of our inquiry into DFID's work in Burma and Bangladesh. We have had quite a strong focus, for obvious reasons, on the Rohingya crisis during previous sessions and evidence-taking, but today we are going to look at some of the other ethnic conflict issues and the peace process in Burma with our first panel. We have you for about 45 minutes and we are seeking to cover about a dozen questions, so there is going to be a big premium on us asking our questions quite concisely and you giving the answers quite concisely. I will start with an opening question. Please, as you answer it, do introduce yourself and the organisation that you represent. We have heard a lot about the conflict in Rakhine State over the last six to seven months; can you outline briefly the wider state of affairs in Burma in relation to other ethnic conflicts?

Hkanhpa Tu Sadan: Thank you for the honour. My name is Hkanhpa Sadan. I am from the Kachin Relief Fund UK, which is a registered charity in the UK and the world that has been supporting Kachin's internally displaced people in Burma along the China-Burma border. It is particularly focused on urgent emergency aid, working on human rights and advocacy, like here, representing the Kachin people.

Turning to your question regarding the wider aspect, since independence Burma has never had peace in our history. The compromise that our forefathers made to become a union of Burma has meant that it has become a unitary system instead of unions as with a federal system. That is the main reason conflict in Burma has stayed ongoing since independence. In Kachin, we have been in civil war for 60 years. In 1994, we had a brief ceasefire, which has lasted 17 years, but it was broken in June 2011 and now we have over 120,000 refugees and IDPs in Kachin State.

David Baulk: My name is David Baulk. I am a Myanmar human rights specialist with Fortify Rights, which is a human rights NGO based in Thailand, south-east Asia; it works in Thailand, Malaysia and Myanmar. I have been working with Fortify Rights for the last three years, based out of Yangon. For the last 18 months, the focus of the work that I have been doing has been based in Kachin and northern Shan State. The mandate that we have as an organisation is to investigate and document human rights violations and to work with civil society groups inside Myanmar to strengthen responses to human rights violations. As I said, in recent months my work has been focused on Kachin and northern Shan State.

The question was about the wider state of affairs in Myanmar today. As you said, the world's attention is trained primarily on the situation in



HOUSE OF COMMONS

Rakhine State, with good reason. At the same time, a conflict that started more than 60 years ago is continuing today in Kachin State and has displaced more than 100,000 people, as you mentioned. While mass atrocity crimes have been taking place in Rakhine State, we have continued to document ongoing mass human rights violations in Kachin and northern Shan State. We continue to document torture, killing, forced labour and many other human rights violations besides. It is human rights violations of that colour that have displaced more than 100,000 people.

Alongside that, we have seen a crackdown by the Government of Myanmar on human rights defenders, journalists, human rights monitors and others who are attempting to shine a light on these parts of the country that they want kept in the dark. That has been a very worrying development in recent months, in particular, and nowhere is that more true than in Kachin and northern Shan State.

Q148 Chair: Do you think that the military in Burma has been emboldened by the sense that they have got away with what they have done to the Rohingya, so they are emboldened to take action against other minorities?

David Baulk: What emboldens the Myanmar military to continue to perpetrate atrocity crimes is the complete absence of accountability for many decades of atrocities meted out to ethnic nationality populations in the country. What we have seen in Rakhine State in recent months has been widely documented and there are no words quite to describe the violations that we have seen. When we think about how the military continue to perpetrate those crimes, we need to look at a legacy of impunity for the violations that they have been committing against innocent people for more than six decades.

Q149 Mr Sharma: Do these conflicts have a lot in common with each other or are they all different, with unique issues and histories?

Hkanhpa Tu Sadan: If I may answer that question, the pattern of violation is common. The difference is in its magnitude. In Rakhine State, as everyone knows, the magnitude is incredible; you cannot comprehend the number of people who have been displaced and have had to run away from the fear of prosecution. In Kachin and other states such as Kayin, Mon and Chin State, the violation pattern is the same.

David Baulk: If I can add to that, briefly, the common denominator among those conflicts that you are talking about is the Myanmar military. Where the Myanmar military exists human rights violations exist alongside them. When we think about the spectrum of conflicts in Myanmar today, particularly in ethnic nationality states, it is important to acknowledge that many of the longstanding demands of ethnic populations, be they Kachin, Ta'ang or Rakhine, have not been met by the Government of Myanmar, and that is a fundamental root cause of many of the conflicts in the country today.



HOUSE OF COMMONS

Q150 **Mr Sharma:** Thank you very much for your answer. Are any or all ethnic minorities in conflict likely or able to form an overall significant alliance?

Hkanhpa Tu Sadan: For the ethnic groups, there are two major alliances against the Burmese military. One is the Northern Alliance. This is primarily because geographically they had to ally together against the military offensive. That Northern Alliance exists for 80% of the groups that have not signed the current so-called Nationwide Ceasefire Agreement. On the other hand, there is the UNFC—the United Nationalities Federal Council—which is an umbrella organisation for any group that is seeking equal rights in the federal unions in Burma. That is another group that we have in Burma at the moment.

Q151 **Richard Burden:** We have had a lot of evidence about violence against civilians and, in particular, violence against women and girls perpetrated by the Burmese military, the security forces. I am aware that recently the authorities have admitted that their personnel were involved in the Inn Din village massacre. Is that kind of behaviour by the military, by the Tatmadaw, a common feature of internal conflicts elsewhere in Burma?

David Baulk: The answer to that is absolutely yes, it is. That type of human rights violation that you are talking about, sexual violence specifically, has been documented consistently by civil society groups in Myanmar, namely Kachin and northern Shan State. Groups like the Kachin Women's Association of Thailand and the Shan Women's Action Network are on the ground speaking to survivors of sexual violence and, quite consistently, we have seen patterns of Myanmar military personnel perpetrating these crimes and doing so with impunity. There is a quite substantial volume of evidence that suggests the military are responsible for these crimes and, alongside that, there has been an absolute failure by the authorities of Myanmar to hold those perpetrators accountable.

Hkanhpa Tu Sadan: The Kachin Women's Association of Thailand reported recently on the many numbers of women being raped at the frontline, so the Burmese military are using rape as a weapon of war in that respect.

Q152 **Richard Burden:** We have had a lot of evidence to that effect. Can you tell us anything about how the armed ethnic groups respond to that? Are there any instances of them responding in kind?

David Baulk: I can speak to that momentarily. When we think about human rights violations perpetrated by non-state armed groups, whether that is the Kachin Independence Army, the Ta'ang National Liberation Army or other armed groups operating in these areas, they are perpetrated by those groups; that is true. There is a history of that and human rights violations by those groups continue. A key issue, however, is that the Government of Myanmar have consistently refused to allow human rights monitors, international NGOs, the United Nations and the diplomatic community access to communities where these types of



HOUSE OF COMMONS

violations are taking place, to systematically document these types of human rights violations. When we think about the response of ethnic armed organisations to these atrocities, it is very difficult to say one way or the other what that response has been, because of the complete lack of access that the Government of Myanmar have afforded the international community and others.

Richard Burden: We have been on the receiving end of that ourselves.

Q153 **Henry Smith:** What is your view of the peace process so far? I suspect I know the answer that you are going to give me, but do you think it has any credibility?

Hkanhpa Tu Sadan: The simple answer to that is no. The main reason is there is no concrete path for the ceasefire or peace process. As I said earlier, Burma's problem is a political issue and there is no clear path to finding a solution for the political grievance. The whole peace process currently is focused on a ceasefire signed on a paper. Everybody can sign a paper and the next day they can throw it away, so that is not an issue. Some groups have signed a ceasefire currently. The disturbing thing is Aung San Suu Kyi gave a speech on New Year's Day that all nationalities should follow the current path to the ceasefire, but last week we already have fighting between the KNU and Burmese troops on the ground. That is the reality of the ceasefire. We in Kachin had a ceasefire for 17 years, but there is no political solution to that, so we ended up signing the ceasefire the next day. We do not want to prepare for another war, so that is why the current ceasefire and peace process has no credibility at all.

Q154 **Henry Smith:** David, I understand you are on the ground in the country, are you able to offer a perspective?

David Baulk: I would like to agree with what Hkanhpa said and just add to it. The peace process in Myanmar has been much vaunted and has been celebrated by the international community and by many in the country as well. But that peace process in northern Myanmar and many other parts of the country is non-existent. At the very moment when that peace agreement was signed, in October 2015, we started to see a spike in attacks in northern Shan State, mass displacement of civilians and mass human rights violations. That pattern continues today, so when we talk about a peace process in Myanmar, it is important to acknowledge that that peace process is nowhere to be seen in the north.

Q155 **Henry Smith:** I understand that towards the end of last month there was supposed to be a third peace conference taking place. Did it happen and, if it did, were there any tangible outcomes from it?

Hkanhpa Tu Sadan: This is the 21st Century Panglong Conference and, so far, the international community has praised that process, but one of the local delegates who went to assist that conference found that attending it was almost like attending a church sermon; you just listen to what the preachers say and then come back. Due to the good air



conditioning, you might fall asleep in the conference. That is the action of the 21st Century Panglong Conference. However, I would remind you that in the second 21st Century Panglong Conference, in August 2017, when our Kachin leader attended the meeting they sent fighter jets to attack the Kachin position in Gidon post, so how can we say that process is tangible?

Q156 Chris Law: It is quite difficult to ask the next question, because most of what I am hearing is quite despairing, to be honest. I want to ask you about Aung San Suu Kyi in particular. She still holds a Nobel Peace Prize and there are voices around the world asking for that to be withdrawn. How much of a role is she playing personally in the peace process?

Hkanhpa Tu Sadan: In terms of the Kachin, when Aung San Suu Kyi was released from house arrest we had great hope for the opening up of Burma. In fact, Aung San Suu Kyi has a Kachin name; we call her *Aung San Suu Mon. Her father came, in 1946, before Burma got independence, and persuaded us to be a general federal union with equal rights, so we trusted her as we did her father.

The current situation with Kachin is confused, because she is not clear which side she is on, whether she is for the military or for the people of Burma. We are not clear on that and the reason is because she has refused to condemn all the atrocities that the military have perpetrated. Only once in the last seven years has she visited a Kachin IDP camp and she spent less than one hour. She also asked a question to the IDP children and women, "Do you want to choose the IDP path or do you want to sign a ceasefire and go to peace?" The question for the Kachin people is about whether she is part of the mechanism to generate IDPs to put pressure on the Kachin Independence Army to sign a ceasefire. That is the big question for us. Yes, she can play a bigger role in the peace process, because we did trust her, but at the moment she has sided with the military. She is not in the middle; she is on the other side and we need the peace process. That is why we are asking for the international community to be part of that process as well.

Q157 Chris Law: David, is that a position that you share? Is that your experience of what you understand of Aung San Suu Kyi's relationship with ethnic minorities versus her relationship with the military?

David Baulk: To echo what Hkanhpa said, there was a lot of hope for what Aung San Suu Kyi's role would be, what she would be able to achieve in the office that she has of State Counsellor, with regard to peace. On the election trail, peace, rule of law and human rights were a leitmotif across her speeches and her party's campaigning position. At this moment, there is more conflict in the north of Myanmar than at any time in recent history. Mass human rights violations continue and the rule of law is nowhere to be seen, so when we think about levels of trust among ethnic populations with regard to Aung San Suu Kyi, it is at least reasonable to expect that they have been eroded to the point of non-existence, frankly.



HOUSE OF COMMONS

Q158 Chris Law: A question that all of us share on this Committee is that we are very often told that she is not aware of what is going on in some of the northern provinces and the scale and impact of what is happening. Is there any credibility behind that anymore?

Hkanhpa Tu Sadan: I do not buy that, because as the Government—think of the UK Government—would you say, “I do not know of anything going on”, when over 100,000 people are being displaced and half a million people in Rakhine State and over 100,000 Kayin people on the Thai-Burma border are still internally displaced? Would you say, “No, I do not know anything about it”? That is a total sham, to me.

Q159 Chris Law: How much of a role does the military side of the Burmese Government play in the peace process explicitly, or is it behind the scenes, or an unknown quantity?

David Baulk: The peace process in its current guise has been dictated to ethnic nationality populations by the Myanmar military since day one. The peace process has taken place at the barrel of a gun since the first negotiations took place and that continues now. When we think about the role of the military in the peace process, it is reasonable to say that the terms of peace in Myanmar are dictated by the Myanmar military and have always been, and there is no evidence to suggest that that attitude is changing. When we think about starting to address some of the longstanding conflicts in the country, that institution, the Myanmar military, is unwilling to listening to the grievances of ethnic nationality populations and amend the constitution of the country and the fundamental structures that discriminate against ethnic nationality populations. If that does not change, we can expect those conflicts to continue for a very long time to come.

Q160 Lloyd Russell-Moyle: Am I right in saying that what you have just said is that the peace process is a sham that is thrust upon people by the military, but the military have no real intention of implementing the peace process?

David Baulk: In my view, 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.

Q161 Lloyd Russell-Moyle: Will the deal that was hammered out in the peace process ever be implemented as it was hammered out, or not?

David Baulk: It is fair to say that the terms of that peace process, the Nationwide Ceasefire Agreement, have created so much discussion and conflict among people in the country, because the terms of the agreement suggest that ethnic nationality non-state armed groups would need to disarm before they would be taken seriously by the Myanmar military, before they would be brought into the fold. Quite frankly, at a moment where mass human rights violations are going on, to travel to the headquarters of the Kachin Independence Army or other non-state



HOUSE OF COMMONS

armed groups and say, "You need to drop your weapons before any peace can take place" is not a realistic demand to make to those groups.

Q162 **Lloyd Russell-Moyle:** Has the peace process made it worse? You said that there is increased violence since Aung San Suu Kyi came to power and the peace process, so would it be better without it?

David Baulk: I would be reluctant to say that it has gotten worse, because that suggests that we have a comprehensive understanding of where we were at before it started. What I would say is that the peace process that we are talking about has excluded the vast majority of non-state armed actors in the country and the result of that is hundreds of thousands of people continue to be displaced in the country.

Hkanhpa Tu Sadan: Peace is everybody's wish. It is what everybody wants—the whole of Burma, the whole nation; we all want peace, but the term of peace they use in the military is the motto of, "One nation, one blood, one command". That is their motto, so if I am Kachin, as long as I become a Brahmin or Buddhist, I will get peace. That is the mentality they have. They do not care about diversity; they do not care about our equal rights. That is the term they are using. In terms of the peace agreement, they will talk very nicely in beautiful, flowery language in front of the TV, but in reality they want to wipe out your battalions and control your natural resources and so on.

Let me give you one example. Recently, there is intensive fighting in Tanai township where the amber mine is situated. Over 2,000 people were trapped for weeks and there are a lot of humanitarian crises going on. At the same time, on 1 February 2018, the Burmese military General Tun Tun Naung and our Kachin Independence Organisation chairman, General N'Ban La, had a meeting in China facilitated by the Chinese Government. We were hoping that at least the military would reduce the offensive in that area to let the people go and to make it a safe area. I have a copy of the meeting record if you wish to see it. General Tun Tun Naung said to General N'Ban La, first, that Battalion 14 of KIA was to leave, because he wanted to wipe out that area from the Tanai; second, he does not want the KIA foot brigade to be in northern Shan State; third, he does not want the KIA to be involved with the work of other ethnic groups in the Northern Alliance and he does not want the KIA to communicate with the Naga group. We were hoping for some sort of reduction in tensions, but that is not what is evident there.

Q163 **Lloyd Russell-Moyle:** What I am hearing you say there is that the peace process is built on a rather pernicious and nasty, racist ideology: that people have to comply by the Burma race, the one ethnicity, and if they do not, they will be restricted and pushed out of Burma.

Hkanhpa Tu Sadan: That is correct.

Q164 **Lloyd Russell-Moyle:** That is totally outrageous and is fulfilling already some of the criteria almost for genocide, so it is very serious. You said



HOUSE OF COMMONS

earlier on that your hopes were that Aung San Suu Kyi would come in and be a mediator and she is now siding with the military. Would you go as far as to say that she is now part of the problem with the military in pushing this kind of ideology?

Hkanhpa Tu Sadan: That is what I see at the moment, clearly, because she has refused to acknowledge and condemn the atrocities. She has refused to go on the correct path of the peace process. The founding principle of the union of Burma is the general federal unions, which we signed in the Panglong Agreement in 1947. That is the spirit of what we wish for, but the 21st Century Panglong Conference does not mean that at all. That is why, in that case, yes, I agree with you.

Q165 **Henry Smith:** Is there any way back for Aung San Suu Kyi? Can she have any legitimate role in future peace processes?

David Baulk: To take both of those questions—whether she is now part of the problem and whether there is any way back—it is important to acknowledge the perpetrators of atrocity crimes, whether we are talking about Rakhine State, Kachin State, northern Shan State or elsewhere in the country, wear a uniform, and they are under the command of the Commander in Chief Min Aung Hlaing and other Bureau of Special Operations commands in the country. Aung San Suu Kyi is not giving them orders, but she is standing up in public and defending the actions of the Myanmar military, whether that is in the west of the country or the north. That makes her complicit in atrocity crimes. When we think about if there is any way back for her in terms of the trust lost among ethnic nationality populations, it will be a very long road to regaining that trust. If she is earnest about winning back that trust, the first thing that needs to happen is for her to say publicly that perpetrators of these atrocity crimes must be held accountable for their actions.

Q166 **Mr Lewis:** Good afternoon. I have two questions, very quickly. When the international community changed its position on engagement with the Burma regime, we went from sanctions and isolation to sanctions and engagement and then, very quickly, we—the United States, this country and the European Union—went to normalisation. I am just wondering, when we look back and think about the failure to tackle these fundamental problems, whether before the international community normalised relations with the Burmese regime, these issues should have been resolved. In other words, we went from total isolation and sanctions to virtually normalisation within an incredibly fast period of time. Some people would say that was for economic reasons, as businesses rushed into Burma to, unfortunately, benefit from these new normalised relations. Is there any way the international community can now ride back in a way that would worry the Burmese regime?

David Baulk: Absolutely there is. When we think about what the international community can do now to help end mass human rights violations and hold the perpetrators of these accountable, it is absolutely fundamental that the Government of this country and others across the



HOUSE OF COMMONS

world speak up for what is happening to innocent people in Rakhine State, in Kachin State and elsewhere, and say that it is unacceptable and that the situation in Myanmar should be referred to the International Criminal Court. The Government of this country have a great deal of leverage in the UN Security Council and should be applying that in every way possible to help bring criminal accountability for these crimes.

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

Hkanhpa Tu Sadan: Can I add one more and include any businesses associated with the military as well? The British Government have the responsibility to sanction the army that perpetrates human rights violations and crimes against humanity and then war crimes to its own people. The British Government have the responsibility to sanction those associated with the military.

Q167 **Mr Lewis:** Very quickly, in terms of Britain and DFID's role contributing to peace and, very specifically, an organisation that Jonathan Powell runs, a British NGO called Inter Mediate, I just wondered what your view is of Britain and DFID's role and of that particular organisation. Jonathan Powell personally made a tremendous contribution to the peace process in Northern Ireland, alongside others, and has a great deal of experience and success. Have you a view on Britain, DFID and his organisation's role?

Hkanhpa Tu Sadan: I was lucky or honoured to be working with Jonathan Powell when our leaders came to the UK to study about the Northern Ireland peace process. I thought it was a great trip to learn about Northern Ireland and the leaders learned a great deal as well. Inter Mediate has facilitated learning about the national reconciliations in South Africa and the current peace process in Colombia.

What I find is there is still a bit of a colonialist mentality, because the British ideology wanted to say to the ethnic groups or the military, "This is what we want you to do", rather than, "I want to learn from your experience". In that case, for example, what about if Jonathan Powell and the Inter Mediate group learned about the Kachin ceasefire, because we have 17 years' ceasefire experience? We have, day in and day out, with this military, the same mentality, the same military; it is just a different person. How about they learn about us and then give us a bit more constructive advice on how to deal with the peace process going forward? I have this book, *War and Peace in the Borderlands of Myanmar: the Kachin ceasefire 1994 to 2011*. We can start from that. That is what I see in terms of the role.

In terms of the peace process, when I was learning about the Northern Ireland peace process, the British Government, the IRA and everyone



HOUSE OF COMMONS

recognised that nobody was going to win the war. At the moment, the Burmese military still think they win the war. That is the key point here.

David Baulk: May I add a thought about DFID's work and what DFID does in Myanmar to promote peace? We all acknowledge the humanitarian assistance that DFID and the UK Government provide to displaced populations across the country. It is a lifeline. It is a lifeline for tens of thousands of people across Myanmar and without it people would be tipped over the edge. That is the first thing that we need to acknowledge.

Alongside that, there is a much stronger line that the Government of the United Kingdom could be taking with the Government of Myanmar, in particular around restrictions on humanitarian groups operating in the country. DFID has a substantial food aid programme in the north of the country, which is keeping people alive, but the work of DFID is made much more difficult by restrictions imposed on humanitarian groups with whom DFID works to deliver life-saving assistance to populations in the north of the country. We have not heard anything from this Government about how that needs to stop and how the Government of Myanmar need to recognise their responsibilities under international humanitarian law to provide free and unfettered access to humanitarian groups in the country. When we think about what the Government can do and how DFID can better promote peace, it starts with speaking out about these restrictions.

Q168 **Chair:** You have anticipated my next question. David, you described the work DFID is doing as a lifeline, but then you made the point about restricted access for humanitarian organisations. Can you say a little more about that restriction of access and the timescale? Is that longstanding? Is that something more recent?

David Baulk: In the conflict in Kachin State specifically, since 2011, access for humanitarian groups to displaced populations in Kachin has been intermittent at best. There have been ups and downs, but currently, as Yanghee Lee and various other representatives of the United Nations have said, we are at a place where humanitarian access is at its worst in recent memory. The reason for that is the restrictions put on humanitarian groups by the Government of Myanmar, specifically representatives of the Myanmar military operating in Kachin State. Humanitarian organisations are forced to go through onerous bureaucratic processes to access displaced populations in the north. Without official written permission by the Government and official written permission by the Myanmar military, groups are unable to go.

What that has done is created a massive burden on Kachin groups to deliver assistance at enormous personal risk. When we think about the future engagement of DFID in northern Myanmar, it is important to acknowledge that the work that is being done is a lifeline for many thousands of people, but it could be done much better if humanitarian groups had the access that they need.



HOUSE OF COMMONS

Q169 **Chair:** Thank you. That is really helpful. You have been really clear in terms of sanctions in the broadest sense, and the humanitarian work that you have just described is a lifeline that must continue. However, we need to get the access for the humanitarian groups. At the other end of the spectrum there is the need for targeted financial sanctions and reference to the International Criminal Court. There is a lot of other activity that the UK funds in between, and I am interested in whether you think, with the peace-building work we have been talking about, there is a case for that to be reviewed? Secondly, our second panel today is about the work the UK does on parliamentary strengthening. Is there an argument to pause that, or do you think there are benefits of continuing that in terms of some of the ethnic minority rights in the country?

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

Q170 **Chair:** You would not, therefore, make any great distinction between the Government and the parliament in that regard.

David Baulk: Not in that regard.

Hkanhpa Tu Sadan: I totally agree with David on that. There is a great deal of talking in the parliament and a lot of debates going on, but there is nothing in action we have seen. They argue about a full stop or a comma, but nothing on the ground. That is the worrying part of the parliamentary work in Burma.

I have to emphasise again that DFID's work in helping the humanitarian crisis in northern Burma is a lifeline. On the other hand, in terms of the effectiveness of DFID's work, I would highlight that the Kachin Relief Fund recently submitted evidence to DFID on the loss of local NGOs and mentioned that DFID's bureaucratic work is extremely unpopular. It is very difficult to adhere to the different practices and the use of private companies to be the middleman to deliver the aid is not really cost-effective, so that needs to be addressed too.

Q171 **Chair:** That is a different issue from David's issue. You are raising the way in which DFID contracts the work, whereas David's point was about the access of humanitarian organisations.

Hkanhpa Tu Sadan: Yes.



HOUSE OF COMMONS

David Baulk: If I may add to what Hkanhpa said on that point, numerous humanitarian groups from the Kachin community have said to us that the reporting requirements for them to use money from DFID have gotten more, not less, complex and that they have become more, not less, burdensome. It is fair to say that the forte of these groups is delivering humanitarian assistance and saving lives; it is not filling out forms. When we think about this Government's commitment under the Grand Bargain to harmonise reporting requirements and make it easier for the taxpayers' money of this country to get into the hands of displaced populations, we should think very seriously about how difficult it is for these groups to adhere to the severe reporting requirements that they are requested to.

Q172 **Lloyd Russell-Moyle:** You have touched on parliamentary scrutiny and on humanitarian aid. DFID does give support, for example, to some universities via the British Council and Open University and CDC, the Government investment arm, has a number of investments in power and IT systems. There is no humanitarian element to them. Should we be looking at reviewing them, do you think? Would that be a legitimate area to maybe call back from?

Hkanhpa Tu Sadan: This is good work for DFID to support Burma's future generations and for development, but I have to say that DFID needs to look at not just Yangon and Mandalay, not just the centre, but at the other part of the ethnic area that is widespread as well. At the moment, we see international NGOs and international bodies and everything is coming to one port. There has been no distribution across any state.

Chair: Can I just say a big thank you to both of you for your evidence today? We have covered a lot of ground in 45 minutes and we are very grateful. Please feel free to stay to listen to the second panel, if you wish to. Thank you very much indeed.

Examination of witnesses

Witnesses: Anthony Smith and Dr Niheer Dasandi.

Q173 **Chair:** Welcome, Anthony and Niheer. Thank you very much indeed for joining us. In this second panel, we are going to be very much focusing on the issue of parliamentary strengthening and we will go straight into questions. When you first answer a question, if each of you could just give a very brief introduction to say who you are and where you are from. We are seeking to ask eight questions over the next 45 minutes, to give a rough sense of the amount of time we have available.

Let me start with a general question to you both. Can you identify briefly what is the need for parliamentary strengthening in Burma?



HOUSE OF COMMONS

Anthony Smith: I am Anthony Smith, the chief executive of the Westminster Foundation for Democracy, which is a non-departmental public body sponsored by the Foreign Office. For the purpose of this inquiry, we are managing a DFID-funded parliamentary strengthening programme in Myanmar.

We heard a lot from the previous witnesses about the need for strengthening of democracy in general. Myanmar has been under military rule for about 80% of the time since its independence. It has started down a path towards democratisation. It is going to be, as we heard, a very long path. The transition started with a new constitution adopted by military Government in 2008, so just 10 years ago, a new parliament in 2011 and the first broadly free elections in 2015—barely three years ago.

There is a long way to go before it is going to have fully functioning democratic institutions and a democratic culture. The culture, as you know, comes from a combination of the institutions and the behaviours across a wide range of actors, including civil society, so there is a long way to go. Democratic governance is an essential part of a country's development and a parliament is an essential part of any democracy. The parliament needs to play a proper and effective role in representing all the people of the country. It needs to be able to debate all the issues, including the conflict issues that we have heard about. It needs to hold institutions to account, the Executive, security forces, et cetera. Without that, you will not have a fully functioning democracy and that is, broadly, the need.

Dr Dasandi My name is Niheer Dasandi. I am a lecturer and Birmingham Fellow at the University of Birmingham. My work has looked at the politics of reform processes in Myanmar and how a donor should respond to human rights violations.

In terms of the need for parliamentary support, it is worth pointing out, to follow up on what Anthony has said, that there have been huge amounts of change in the last decade, but particularly since 2011 or 2012. Lots and lots of reforms have been going on, including economic, and touching on all areas of life. One of the things that we have seen is often this legislation has been rushed through. There has not been proper scrutiny. For example, one of the laws we looked at was the investment law, which obviously fundamentally deals with the nature of the governance of investment, but it touches on issues of conflict in the conflict areas and how that law relates to those issues, such as land rights, which are a huge issue. In terms of some of these laws that are being pushed through, the harm that they could potentially do without proper scrutiny is a huge issue that needs to be considered.

It is worth pointing out, again as Anthony said, in terms of the changes, that in the 2015 election you saw 400 new legislators who have almost



HOUSE OF COMMONS

no experience of formal politics, so some of the issues that need strengthening are fundamental and support would certainly help.

Q174 **Chair:** I know it is early, but can you give a concrete example of something that has changed as a result of our engagement in parliamentary strengthening?

Anthony Smith: Sure. The WFD programme, which started in the middle of 2016, built on an engagement that had already started, led by the House of Commons in fact, which was seconding a number of staff to the parliament. At that stage and indeed more recently, when we started, there was very little experience and understanding of the role that parliament can and should be playing in terms of the areas that I mentioned: representation, policy debate and scrutiny.

If you look at the work of the committees, for example, there was very little understanding and there is still pretty rudimentary understanding of the way in which a committee can look at the ministry that it is meant to be overseeing and hold it to account. Both with staff, through the House of Commons' secondees, and now just starting with work with the chairs of the committees, so at a political level, if you like, an MP level, we are helping them to think about the ways in which they can get the information they need to hold the ministries to account. They have started to do that in some areas; education and health are examples.

There has, indeed, been an example over what is happening in Rakhine, because there is a commission that has been established to oversee implementation of the recommendations that the Kofi Annan commission made. The part of the parliament that is looking at those issues requested information from the Minister chairing that commission and asked him to come and speak to them, so there are examples of that starting. I would add the research department as well.

Q175 **Chair:** You heard when I asked the question to the previous panel the suggestion was that there are, apparently, reform-minded parliamentarians but they have been notable by their silence during the events of recent months. What do you say to that?

Anthony Smith: I would say two things. To repeat a little of what I said before, the parliament is still just learning what its powers and responsibilities are. There are things that we can and are starting to do, which will enable it to play a more significant role in looking at conflict issues throughout the country, and I can come on to that shortly, if you would like. Secondly, the makeup and attitude of the parliament inevitably reflects the country and the task that Burma—Myanmar—has, as a country, and that we are trying to support, as a country, in having a long-term change in attitudes and deepening a culture that is more tolerant and recognises the rights of all residents of the country.

Q176 **Chris Law:** Just on that point about there being silence in parliament, is it also possible that those remaining silent are fearful of repercussions for



themselves and their families?

Anthony Smith: The answer to that question would involve things that go beyond the programme about the nature of relationships between communities overall in the country, and I do not think individuals in parliament would be immune from any of those pressures that might exist elsewhere. There is a range of things that we see through our programme about the quality of debate in parliament. There is much more opportunity than is taken to raise difficult policy issues. In general, the debate is quite controlled inside parliament. I mentioned the committees are still finding their feet and finding ways to address issues of concern. They also are able to think, if you are, for example, the women and children's rights committee, about what different issues you might focus on. They might be technical ones or they might be ones that reflect some of the big challenges in the country. That is what they need to do and think about.

Q177 **Mr Sharma:** How could the current programme avoid or answer the accusation that it is simply strengthening the positions of power and the resources of those who are, at best, tolerating or, at worst, condoning the violence being orchestrated against the Rohingyas and other ethnic minorities in Burma? It is a long question.

Dr Dasandi: It is an important question. One thing to say is, given the context, the programmes in place do need to be quite flexible in terms of responding to changing circumstances. With the work taking place, one thing to consider is timeframe issues. Over the long term, the hope would be that parliament is where there is some opposition to what is going on, though that is potentially a source of change. It is not clear that any of the programmes directly risk strengthening those positions. As we heard in the previous panel, while everyone would agree that it is both disappointing and shameful that the parliament has not spoken out more against what it is going on, it is the military that is still fundamentally committing these atrocities. It is something to be aware of, but it is not clear that improving co-ordination between some of these ministries, like improving the ability to conduct research and scrutinise legislation, is going to do that, but it is definitely something that needs to be considered.

Anthony Smith: I agree. It is an extremely important question and one that we have looked at, for our programme, from a number of different angles. The first angle is: are we doing anything that is directly working with those who are involved in those actions, the military, as we have heard from the previous panel? The answer is no, our programme does not target or have any element that is working with the military.

Q178 **Chair:** Parliament includes people appointed through the military.

Anthony Smith: What I mean by that is there is 25% of parliamentarians who are appointed by the military. There is also a party, the USDP, which was there before. Our programme has not been



asked to and it does not work with that cohort as a group. It was a legitimate question at some point in the past, about how one should go about trying to address the views of that cohort as part of a work to encourage transition to a fully civilianised constitution. That is an extremely important target for everyone, but we do not do that. However, if there is work, for example, with a committee and the whole of a committee, there will be appointed military members of that committee, but we are not targeting them. We are trying to strengthen the ability of the committee to do its job as a committee. Was that clear?

Chair: I think it is Jesuitical myself.

Anthony Smith: I disagree. If you look across all of the Administration in Myanmar, there are military people running lots of the Government. Whole ministries are run by the military and, at some point, you will be coming into contact with people, because the military are pervasive throughout the Administration. Inside the parliament—it is a parliament that has this element, as I think we all agree, and we need to transition out of that, which was part of a compromise at some point to start the democratic transition. We do not support the military per se in doing its work. We are trying to support the institution of parliament to be better at holding the Executive to account and debating issues, et cetera.

Just to finish the answer to the question, we have looked at that. We have also looked at whether we are in some way legitimising that action by our presence in and work with the parliament. Our conclusion is that the work we are doing is specifically intended to enable the parliament to do a better job, as the previous panel said was needed, and at shining a light on issues, debating them, allowing other voices in and holding the Executive to account for what is going on.

Going back to what I said in answer to the first question, if the country is going to be democratic, it needs a parliament that is able to perform those roles effectively, building on experiences it gets from other parliaments like this one.

Q179 **Richard Burden:** My question is on the same lines, really. You say you have to be careful that what you are doing in the parliament does not end up just legitimising the power structure that is already there and actually strengthening the hand of those who not only are not interested in democracy but those doing active harm. How do you measure that?

Anthony Smith: It is a difficult judgment, but the way we have approached it is again by referring back to the previous parliament. There has been a long history in the country of military rule. Since independence in 1948, 80% of that time has been under military rule. There has not been the ability to look at and scrutinise a range of issues in the country, ranging from its constitutional structure and makeup, whether it should be decentralised, through to the behaviour of individual institutions. Obviously that is partially the military, but it is also other parts of the Government.



If we are going to try to change that, we need to empower the parliament. We need to let it recognise what powers it should have under the constitution and how it can be better at exercising those powers. We have to look at the ways in which we can get other voices in. For 60 years there were no other voices that could contest what was going on. The parliament needs to be a place where you can have other voices. No matter what the views of any of the individual or groups of parliamentarians might be about the individual ethnic groups of conflicts that are going on, we need to try to get the parliament to recognise that their responsibility is to be transparent about it, hold the Executive to account and debate those issues properly and represent people.

Q180 Richard Burden: On 25 August last year, there was obviously the major upturn in violence in Rakhine State? In the period between then and now, have you looked at the programmes you are operating at all? Have you made any changes at all to try to make sure they are empowering rather than disempowering?

Anthony Smith: Yes, we have. Our structure is that we have a board in our organisation. This programme is funded by DFID, but we have a board that needs to be confident about what we are doing. We have debated this programme three times in the board since last August. A decision was taken to review the programme in order to respond to what has happened. The debate was very difficult on all three occasions. Since I have been in the job in the last three or four years, these have been by far the most difficult and significant discussions we have had about any of our programmes. The decision was taken that we needed to remain engaged and that we should not pull out.

Some members of our board—I know some of them are happy for me to say who they were—such as Margaret Hodge and Rushanara Ali were in favour of a suspension of our programme, but the board as a whole decided that we needed to remain engaged. We were clearly consulting with others who were involved, including the UK Government. That could only happen if we were confident that our programme would be contributing to a democratic transition, not legitimising what had happened.

The three main changes we made to the programme were, first of all, that we wanted to pursue the issue, which I mentioned before, of helping the parliament in Myanmar to understand what roles a parliament can play in situations where there is conflict in a country.

We are commissioning some work, which they have agreed to as part of our work plan for this year. I should say that what we do in the parliament has to be approved by the parliament. They have a process that applies to all of their international partners.

Q181 Richard Burden: Does it have to be approved by the military as well?



Anthony Smith: It is approved by a body of the parliament that is chaired by the deputy speaker, who is not a military person, and it has a range of members on it. That is the formal mechanism by which our and everyone else's work plans are approved.

The first piece of work we are going to do is a comparative study about the ways in which different parliaments in different countries have dealt with internal conflict. There are lessons to be learned from our own country—we could be one of the case studies—and a range of other countries.

This is about how the parliament can promote dialogue and confidence building between the parties, what role it plays in relation to those who are leading a peace process of some kind and how it gets involved.

The parliament have agreed that Rakhine should be one of the case studies they then use internally to look at their own processes. They have also said to me that they want to look at all of the conflict issues in their country. We have heard that Rakhine is one of many. It has a slightly different character because of the citizenship and ethnicity issues that are involved.

This second point is also important. A number of international bodies, the Inter-Parliamentary Union and the Asian Parliamentary Assembly, have passed resolutions about what has happened in Rakhine State. The parliament has bodies that are now looking at how to respond to those resolutions and those international bodies. They would like us to work with them on that response. Now, clearly, what we want from that sort of collaboration is a serious review. What are the issues it needs to look at in order to be able to respond credibly? For me, it is quite a positive that international opinion, norms and standards are now being addressed inside the parliament. It is only recently that the parliament in Myanmar has actually joined some of those international organisations.

The third area is that we, in our work with committees and in particular in our work with committee chairs, are going to look at issues in which the subject matter of those committees can be related to issues of ethnicity and discrimination broadly in the country. Again, this is about them thinking through what responsibilities and powers they have as a committee that could be made to operate more effectively in relation to the Executive in looking at what is going on across the country that is part of the background to what happened in Rakhine last year.

Q182 **Richard Burden:** What would be the things that you would look out for that might lead you to change your mind about whether or not staying engaged in those programmes is the right thing to do?

Anthony Smith: In any of our programmes, if we are not delivering what is being asked for in the programme, we would then look at ending it. In any programme, if we have dealt with everything that could be dealt with, we would then look at ending it. Clearly, here there is a



HOUSE OF COMMONS

different category of issues, which are about the broader political situation and the role our programme might be having that is affecting that broader political situation. This might be whether we were contributing to a position where human rights were being abused, for example, as we have heard in the previous question.

On a relatively straightforward issue of whether we are ticking off the things we are meant to be ticking off in our programme, we can look at that ourselves. On those broader political issues, we need to judge and assess those with others, not least the UK Government, who are funding us and who will have better visibility of those issues than we can have from within our programme.

Broadly, the answer to your question is about whether we think our programme can continue to make a positive contribution to democratic change—yes or no? Do we think our programme is doing something harmful in that effort—yes or no? Those would be the issues we would need to judge.

Q183 Mr Lewis: Very quickly, clearly the displacement of hundreds of thousands of people, the alleged human rights abuses and the plight of the Rohingya community and other minorities are the massive issues facing this country. I am thinking of a very simple question, really. How many times has the parliament, either in plenary or in committees, openly debated and discussed those issues during the period those things have been taking place, which is a number of years?

To me, that is how you should judge whether what you are doing has any sort of effect. Now, if it is day one then clearly you have to build capacity. But we are not at day one of this engagement. It is a very simple question, really. How many times in plenary session or committees have they looked at these issues of human rights abuses, attacks on ethnic minorities, the displacement of civilian populations and the plight of the Rohingya people?

Anthony Smith: I can find out and write to you and give you an answer, but the number is going to be quite small. I do not have it off the top of my head.

Q184 Chair: Is there any certainty it is greater than zero? How likely is it that that is the answer?

Anthony Smith: I am aware of occasions on which the issues have been raised, but it has not been in a plenary debate that has been scheduled on the issue.

Chair: Anthony, if you could write to us on that, that would be very helpful.

Anthony Smith: I can give you that information.

Q185 Lloyd Russell-Moyle: To go back a second, the changes you have made since August are that you are going to write an academic report



HOUSE OF COMMONS

comparing other parliaments, you are going to help them draft their excuse letter to the IPU, and you are going to encourage committees to look at ethnicity issues. Were you not encouraging committees to look at ethnicity issues beforehand?

Anthony Smith: On committees, we have only just started the work with committee chairs.

Q186 **Lloyd Russell-Moyle:** But was that never planned? Was it never planned to look at those issues on committees?

Anthony Smith: The point we had reached by August when these issues—

Q187 **Lloyd Russell-Moyle:** Yes, but was it ever planned? Was it ever planned to look at ethnicity issues in committees? What I am trying to work out is whether you have just listed off a load of issues you were going to do anyway and you have not made a single change since August or whether you have actually made substantive changes to the programme. At the moment, I am not really hearing any substantive changes.

Anthony Smith: On the committees, we had not made any plans for exactly which committees. We had started to assess which committees might be useful to work with, including looking at ones that essentially deal with ethnic affairs issues, but that work was started after August. In the second half of the year, when we were reviewing how we should respond, we started looking at how we could use that element of the programme, which had not yet started, to deal with ethnicity issues.

Q188 **Lloyd Russell-Moyle:** It had not yet started; you had not planned anything; you had not even expected to look at ethnicity issues, say, in education or ethnicity discrimination in health. You had not even thought about that. In that sense, it seems to me that the programme was set up all the way along with something completely missing, if you have never thought about those things. If you are saying you have only introduced those things in your mind recently, then there was a huge, gaping hole in the programme. Maybe there need to be questions about why you started the programme without thinking about those things in the first place.

What I want to know is: is there any bar? What is the level that you would pull the programme? You mentioned earlier that we need to remember that it is not the parliamentarians killing people; it is the military. Would we need to see parliamentarians going and killing people with their own hands before you pulled out? What is the threshold of complicity here? This military is conducting a racist ideology and ethnic cleansing. What is the level of complicity that you need to pull out?

Anthony Smith: In answer to your previous question, if you want me to answer it, the other elements we have changed have been significant. It is not just an academic study. What we are agreeing with the parliament is to work with them, to help them develop a way of responding to and



HOUSE OF COMMONS

playing an active role in addressing conflict issues in the country. They have agreed that one element of that can be a consideration of how they would play a role in Rakhine State. It is entirely consistent with that that they would look at, for example, the recommendations of the Advisory Commission on Rakhine State, which Kofi Annan chaired and which are now meant to be implemented, which do not mention parliament. They would play a role in helping to ensure they are implemented. That is a significant issue.

Q189 Lloyd Russell-Moyle: Earlier you said to us that Kofi Annan's commission, and the parliament reviewing and looking at that, was already something the programme had in process.

Anthony Smith: I am sorry. If I did say that, I apologise. I think I referred to an instance in which the parliament, in its committee role, requested information from that implementation committee.

Lloyd Russell-Moyle: I must have misunderstood that.

Anthony Smith: What we are doing now in response to what happened as part of our review is to work with the parliament on what role it should be playing as a parliament in dealing with internal conflict, which it has not done in the past. That is a significant issue for them to work on. The second issue was in relation to the resolutions.

Lloyd Russell-Moyle: The apology letter.

Anthony Smith: It is quite possible that a parliament would want to do that in a purely presentational way, but it is also important that if the international community is passing resolutions and asking for action by the parliament of Myanmar, we should try to help them respond seriously to what is being said. It is a positive that they have rejoined those international organisations, that the international organisations are expressing our view as an international community about what is going on, and that they should respond to it, not ignore it.

Q190 Lloyd Russell-Moyle: Those are three things. In terms of the threshold to cancel the programme, what is the threshold of human rights abuses in Burma that needs to be met for you not to cancel the programme permanently but at least to suspend it? What is the threshold? Surely you have had a discussion in the board to say, "We are going to continue it, but if this happens or if these thresholds are breached then we will have to suspend it". What is that threshold?

Anthony Smith: In the board and in discussions with other organisations, with civil society here, with the Foreign Office, DFID, civil society in Myanmar, we have all said that the transition is going to be difficult. We could have said this a year or two years ago. After 27 August, we said, "It is probably going to get worse. This is a sign of how difficult the transition is going to be".

Q191 Chair: If I can interrupt, all your benchmarks are about the transition as



HOUSE OF COMMONS

though the crimes against humanity, against the Rohingya, are not happening. All your benchmarks are internal to the process of transition rather than the issue that is concerning us about the treatment of the Rohingya and other ethnic minorities in Burma.

Anthony Smith: What the board discussion and what all the discussions with civil society and the UK Government are trying to assess is whether we are going to help the Rohingya, or any other community that is excluded, persecuted and subject to human rights abuses, more by remaining engaged and trying to build institutions that would challenge that behaviour and change it over time, on the one hand, or by leaving? So far within the board and with all of those other partners, the conclusion is that we should keep trying to build that.

Q192 **Lloyd Russell-Moyle:** What I am hearing is that you are saying you have no threshold. There is no atrocity that is so bad that you would stop the programme, as long as it is not making things worse. Is that what you are saying? What you are saying is almost unbelievable. That is why we are having to ask again.

Anthony Smith: What I am trying to say is that we need to keep reviewing that.

Lloyd Russell-Moyle: Of course you are going to keep reviewing it.

Chair: Lloyd, you must let him answer.

Anthony Smith: We need to keep reviewing it. Those judgments will have to depend on what the international community, and others who are part of the discussion, concludes about the best way to try to promote change inside Myanmar.

Looking at our programme in isolation is not how the decision will be made. Our internal views about specific steps in the parliament are one thing, except what I said in the answer to Mr Sharma: in considering whether or not we are supporting those who are committing human rights abuses, we have been looking at whether there are things we are doing directly or that our programme is supporting directly—

Q193 **Chair:** But what I am not hearing is any sense of you really making any change to the programme as a result of that process.

Anthony Smith: I did try to set out those three areas, first of all. It is probably worth saying this. If you want to be there and influencing, you have to be doing things that are part of a wider process of supporting the strengthening of the parliament.

Q194 **Lloyd Russell-Moyle:** International law is quite clear that supporting ideologies that condone or ignore genocide, human rights abuses and ethnic cleansing, if you are in positions of authority, is tantamount to supporting ethnic cleansing. In Rwanda and Yugoslavia, numerous people—radio presenters, et cetera—were found guilty for keeping quiet or even whipping up the issue.



HOUSE OF COMMONS

You might say they are just not actively pursuing it. What we heard in the previous group was that this is actually a racist ideological view that seems to be pursued by Aung San Suu Kyi's party. Are we not, then, supporting people who are actively working towards ethnic cleansing? If we are doing that, is there not a moment where we need to suspend to review who we are working with in that parliament?

Anthony Smith: Of course, yes. Of course there is that moment. We are one of many international organisations working in the parliament. There are many international organisations working there. We are one of many organisations working throughout Myanmar on reconciliation and anti-hate speech issues. We are one of many organisations working on development issues more broadly.

As part of that international group, we need to make those assessments and judgments. Our organisation is not going to be hanging on, if that judgment is made collectively that it is time to withdraw. All I am trying to say is that we have had discussions with all of those partners. The UN are working inside the parliament; International IDEA, the Sweden-based international organisation is working in there; a range of other organisations are working in there. With the guidance of others, including our Government, at the moment all of us are still saying that we need to continue to engage.

Chair: Just to be clear, we are not suggesting that we are singling WFD's programme out. We are raising concerns about all of these programmes; you just happen to be our witness today.

Q195 **Henry Smith:** Do you fear that the programme is actually giving succour and encouragement to the Burmese regime?

Anthony Smith: No, I do not at the moment. I have been there quite recently. I am so sorry the Committee did not get a chance to go. If you are able to go—

Q196 **Chair:** It is not that we did not get the chance to go; we were banned from going. Surely does that not raise questions for you? British parliamentarians were not allowed to go to this country where we are then separately using public money to fund their parliament. We were not even allowed to go and see it.

Anthony Smith: Absolutely, yes. What I was about to say was, if you are able to go to the parliament—

Chair: We are not, because we have not been allowed to go. That is my whole point. It was not that our flights were cancelled; our visas were refused.

Anthony Smith: The point I was trying to make was that there are people inside the parliament who want to engage with people like you, who want to have that debate. To answer Mr Smith's question, the view we have at the moment is that there is, inside the parliament, a desire to create an institution that can do a better job at representing all of the



HOUSE OF COMMONS

people in the country, debating these big issues and holding the government to account. By no means would I say that the views of individual parliamentarians are different to the broad views inside the country, but there is a view that the parliament should play a role that is responsible and consistent with a democratic society.

Q197 Mr Lewis: This is very difficult, and to some extent we are getting mixed up between the Executive and the parliament. I would perhaps like to focus, just for a second, on the fact that the atrocities that are being committed are being committed in the name of the Executive, i.e. the Government. The parliament includes representatives of that regime and that Government, but it also has a constitutional responsibility to hold Government to account.

I would say to you—other members of the Committee may have a different view—that the test of whether your work is making a difference is whether the parliament is holding the Government to account and allowing civil society organisations to go into that parliament and speak to committees in public, and whether plenary sessions are taking place in public, where the parliament is asking Ministers or the military—whoever the Ministers are—questions about their conduct in relation to minorities. If none of that is happening and our role is supporting the parliament to hold the Executive to account, which is different to saying that the parliament is responsible for the actions of the state, then our work is not making any difference. For me, that is the key issue.

You might say they are happy to meet Steven or us or whatever. In a private room, they are happy to meet us. That is not the issue. Is the parliament holding sessions and public events? Is it engaging with accountability in any way or is it not? If it is not, the points other Committee members are making are totally valid about the validity and the legitimisation of a system that is wrong. These are the biggest issues within this country, as far as I can see: the displacement of civilians, the human rights abuses, the treatment of minority communities and what kind of constitutional settlement the country should have.

Dr Dasandi: To two of the points you made, effectively at the moment the answer to whether parliament is holding the Executive to account is “no”. Since 2015 when the NLD came to power, what we have seen is actually far more centralisation of power under Aung San Suu Kyi. There are lots of reports of parliamentarians in the NLD party effectively having proposals to table motions being rejected. We have been told that backbenchers for the NLD have been told not to ask tough questions. The answer is no.

Q198 Mr Lewis: The parliament is not fulfilling that role.

Dr Dasandi: No, not at the moment. No, not at all. The second point was about the civil society space. Following 2010, that was a space that that started to open up under the USDP Government. Since the NLD has come to power, that is unfortunately a space that is rapidly being closed by the Executive.



HOUSE OF COMMONS

Q199 **Lloyd Russell-Moyle:** So it has gotten worse under these programmes.

Dr Dasandi: Obviously, I do not speak for the programme. I am not associated in any way with it.

Q200 **Chair:** Is there a case for us to review, pause or suspend not just the WFD's programmes but some of these other programmes?

Dr Dasandi: Yes. The point I would make is that it should be a broader conversation rather than focusing on single programmes.

Chair: Yes, I agree.

Dr Dasandi: There is a broader question about the point at which engagement is no longer worthwhile. Although obviously what has been going on is that atrocities are being committed, and we have not seen much of a response from government, my personal view would be that it might be a bit too soon to say we have reached that point.

Q201 **Chair:** What would have to happen? If the entire Rohingya population were expelled from Burma, might we then consider it?

Dr Dasandi: No, the other question is that we also have to think about what the alternatives are and what could worsen that situation. We have to consider the Kofi Annan report and its recommendations. Again, I am not sure it makes sense for this to be a bilateral decision by the UK; it is something that should be in co-ordination with other governments and agencies that are involved in this process.

Obviously I am not privy to the negotiations so I do not know where the line is specifically, but if at a certain point it is felt that the current Government is now part of the problem and that engagement and negotiation are actually doing more harm than good, then of course, yes. But then you need to look at the programmes more generally, i.e. which programmes work on the Government and which do not.

Q202 **Chair:** To be clear, again, we are focusing on WFD because Anthony is here as our witness, but we are, I am sure, all referring more broadly to British-funded parliamentary strengthening, and indeed that funded by other countries.

With the previous witnesses, you will have heard me making the clear distinction—none of us is arguing for the end of all aid—between the humanitarian programmes that help the poorest people of Burma with their education, health and nutrition, which none of us are arguing for changing, and at the other end of the spectrum the ICC financial sanctions. This just happens to be that bit in the middle of the spectrum that is open to debate, which is why we are focusing on it.

Dr Dasandi: Yes, that is completely right. The other question to ask is whether more could be done. What has gone unrecognised in the past year is that you have had a diverse group of civil society organisations making strong statements in January and August last year. These are



strong statements given the climate in Myanmar towards the crisis in Rakhine State.

In terms of opening up that space, obviously it is not going to be a big fix, where civil society will come in and solve all these problems. Certainly, there are actions that could be done to empower those who are willing, within Myanmar, to speak out, who are doing something to address some of these issues.

It is a question of engagement. We have to include those groups, trying to work with those groups and trying to increase the influence of those groups. At what point do we stop doing that? This has to be a more general question that the international community asks in relation to this.

Q203 Chris Law: We have heard a lot about whether or not parliament is working. I want to come straight to the point. How likely is it that Aung San Suu Kyi will ever be able to establish a wholly civilian Government?

Anthony Smith: That is not something that the programme can strictly have an answer to. As I said before, becoming a fully civilianised constitution is an absolutely critical objective. The next elections might be very important in determining the climate in which that debate can happen. The peace process is relevant to it as well, because of decentralisation pressures. Within that, we have to strengthen the parliament as a place in which the type of work that any parliament is meant to do occurs. Showing that it is not right of there to be a 25% military set of seats there, including in the state and regional assemblies, is critically important.

In answer to Ivan Lewis as well, if all of that was happening perfectly now, we would not need a programme. We have a programme now. DFID and others wanted a programme there because the parliament is not yet performing those functions effectively. I cannot say anything about any particular moment—

Q204 Chris Law: I appreciate that. I can actually see both sides of the coin. To pull out is turning your back, yet at the same time you are faced with the point Lloyd has made quite legitimately. When 700,000 people have already left Rakhine State, 500 leaving every week, and 200,000 who may be facing floods and God knows what in the next months, at which point do we decide which side of history we are going to be on with Burma?

Chair: This is a good final question. Each of you can answer it, please.

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



HOUSE OF COMMONS

engagement, then the UK Government should be considering those options.

Anthony Smith: We all have one objective, which we have been disappointed in given what has happened in the last couple of years. That objective remains absolutely valid. To achieve it is going to be incredibly hard work, which will need action, support, threats and nudges in a range of different places. Within each institution, be it parliament, the military, political parties or civil society, there will be a range of views. It is fair to say there is a range of views inside Myanmar, but there are very strong historical trends, which have led us to where we are today, including the fact that 80% of the time since independence has been under military rule.

Decisions about whether to step away and how to engage are incredibly important and incredibly difficult. It needs a very broad set of actors to think that through and decide on the best strategy.

Q205 **Chris Law:** I just have one last question on that point. You say there is a range of voices. Can you give me one significant voice who is asking for the strengthening of the parliament?

Anthony Smith: Do you mean within Myanmar?

Chris Law: Yes.

Anthony Smith: There are several hundred voices inside parliament.

Chris Law: I mean one significant one. Aung San Suu Kyi has been seeking democracy for all these years. I am not hearing a voice from her. The military are part of the parliament; we do not hear voices from them.

Anthony Smith: If you want to count Aung San Suu Kyi as one of those significant voices, she has been a strong advocate of parliament. She was one of the reasons this programme was started, as I understand it. She wanted it. She is very familiar with all of the support that is being given to parliament from all of the organisations that are working there. I am not sure whether your test is to find a particular person who is arguing for it.

Chris Law: The test is really for the British taxpayer to know that this is good value for money, that the work you are attempting to do along with other agencies—I know you are not the only ones—to take Burma on a path to democracy is one that is wanted by people in Burma itself, because if it is not desired, this is a waste of time. Given the fact that there is a genocide, frankly, that is being committed in the northern region of Burma, how can we possibly measure whether there are voices saying, “This is actually what we want: we want an end of atrocities; we want a strong parliament; we want democracy”?

Chair: This is in a parliament which by its nature has no Rohingya representation in it at all.



HOUSE OF COMMONS

Chris Law: Of course, yes.

Chair: Thank you for your evidence today.