



House of Commons
International Development
Committee

**Humanitarian crises
monitoring: the
Rohingya: Government
Response to the
First Report of the
Committee, Session
2019–21**

**Second Special Report of Session
2019–21**

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The International Development Committee

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Second Special Report

The International Development Committee published its First Report of Session 2019–21, [Humanitarian crises monitoring: the Rohingya](#) (HC 259) on 22 May 2020. The Government’s response was received on 16 July 2020 and is appended to this report.

Appendix: Government Response

Response to the International Development Committee report: The Rohingya

Part of the Humanitarian Crisis Monitoring Session series

Foreword:

We appreciate the International Development Committee’s ongoing engagement on the Rohingya crisis and its scrutiny of the UK Government’s response in Myanmar and Bangladesh. We agree with four of the IDC’s Next Steps and partially agree with one. We have set out our response below and would also like to take this opportunity to comment on some of the issues that have been described in the report.

The situation in Rakhine continues to be volatile with civilians bearing the brunt of the impact. Escalating conflict between the Rakhine Buddhist Arakan Army (AA) and the Myanmar Armed Forces (Tatmadaw) is adding to the misery and displacement in Rakhine State and making the delivery of humanitarian assistance more difficult. We are deeply concerned by the reports of ongoing ‘clearance operations’ by the Myanmar military in Rakhine State since 25 June, which have caused thousands of civilians to flee their homes. Conflict and displacement continues, despite village evacuation orders being rescinded. Military operations have continued into more densely populated areas of southern Rathedaung in northern Rakhine, resulting in ongoing displacement. DFID is providing urgent humanitarian assistance to displaced people. We are urging the Myanmar military to uphold its obligations to protect civilian populations, and we are pushing the Government for humanitarian access.

As set out in our response to the IDC in 2018, a credible returns process for the Rohingya that is voluntary, safe and dignified will take time. We continue to work with the Government of Bangladesh and international partners to meet the needs of the Rohingya in Cox’s Bazar whilst seeking opportunities to address the underlying issues of discrimination against the Rohingya in Myanmar. At the same time, without action to address the deep problems set out in the Rakhine Advisory Commission report (RAC) in 2017, there is unlikely to be the progress required to address the needs of all communities in Rakhine State. We are therefore pushing for progress on the RAC recommendations which remains essential in order to move towards returns and resolving the crisis on both sides of the border. Without confidence that conflict in Rakhine is reducing and enhanced safety and rights, most Rohingya currently in Bangladesh are unlikely to choose to return.

We consistently raise Myanmar in our engagements with ASEAN and its member states, building on recent public commitment to the principle of voluntary, safe and dignified

returns and addressing conditions on the ground in Rakhine State. We note that ASEAN public statements in the last year have had positive language on Rakhine. We continue to engage with ASEAN member states on the need to accept Rohingya boat refugees.

In the immediate term, COVID-19 poses a new challenge in both Myanmar and Bangladesh and we are monitoring and adapting our humanitarian, development and diplomatic response to mitigate the effects and protect the most vulnerable communities, including the Rohingya. As noted in the Committee's report, this situation is especially acute in the camps in Bangladesh and across Myanmar, including the Internally Displaced People (IDP) camps in Rakhine. We are focusing our efforts on health and humanitarian programming and adapting our portfolio to address the primary and secondary impacts of COVID-19.

Without progress to de-escalate and address the conflict in Rakhine and Chin state between the Tatmadaw and the Arakan Army, the overarching aim of a more peaceful Rakhine will not be possible. We are working with the international community to try to exert direct and indirect leverage on this situation, both in country and through the UN Security Council. It will be very challenging to achieve consensus and make progress in resolving deep rooted grievances. We remain deeply concerned about civilians caught in the middle of the fighting, including ethnic Rakhine, Chin and Rohingya. The UK convened the UN Security Council on 14 May 2020 in light of the COVID-19 pandemic to call for a de-escalation of hostilities and greater humanitarian access in Rakhine and Chin. This built on the UNSC meeting of 4 February that focused on the provisional measures ordered by the ICJ in The Gambia's case against Myanmar. The UK also raised concerns about the conflict in the UN Human Rights Council.

We agree that the internet blackouts and the inability of the Rohingya and other vulnerable communities to communicate and receive information in both Rakhine and Cox's Bazar remains a serious and immediate concern. There needs to be transparency of actions in Myanmar and in the camps in Bangladesh as well as the ability to disseminate lifesaving information, including for vital public health messages on COVID-19. We are continuing to engage in constructive dialogue with the Governments of Bangladesh and Myanmar. We note and have responded to the Committee's recommendation on this in the Next Steps.

The UK Government is committed to improving the situation of Rohingya refugees in Bangladesh. We agree with the Committee that improving education should remain a core pillar of our response in the camps: it is a high priority for refugees and is vital to safeguard children's futures. DFID has provided £256 million to the crisis since August 2017 and are considering future funding options. Through this funding, over 75,000 children and adolescents from the refugee population and surrounding communities have been receiving better education, though COVID-19 has now resulted in the closure of schools. Agreement had, however, been reached with the Government of Bangladesh that education based on the Myanmar curriculum can be provided. This will prepare the young people for a return to Myanmar sometime in the future.

The IDC rightly note the impact on the host communities. We have ensured that support for host communities has been a focus of programming and UK aid has therefore been instrumental in improving the lives of both refugees and vulnerable host communities in Cox's Bazar.

We fully agree with the Committee's emphasis on the safety and wellbeing of aid workers. During the COVID-19 crisis, we have made every effort to ensure that the duty of care owed to agency personnel and delivery partners is prioritised. We are keeping in close touch with our partners, making clear that no one should undertake unnecessary risks. In Cox's Bazar, significant efforts have been made to have appropriate levels of personal protective equipment (PPE) and training for humanitarian workers, although this remains a challenge. We also continue to emphasise the importance of medical care for frontline staff.

We welcome Myanmar's engagement with the International Court of Justice (ICJ) process. While we do not agree with all of the analysis presented in the Independent Commission of Enquiry (ICOE), we recognise that it restates some of the key recommendations from the RAC report. There may therefore be an opportunity to achieve greater progress on these key issues in Rakhine State. The UK Government will continue to use international pressure, co-operation with Myanmar's neighbours and other influential countries, dialogue with the Myanmar authorities, and targeted assistance to urge progress on the RAC and ICOE recommendations.

We are clear that accountability for atrocities must form part of any long-term settlement for the people of Myanmar. We support the findings of the UN Fact Finding Mission that the Tatmadaw has committed serious human rights violations in Rakhine, Kachin and Chin States. We also note that ASSK and the domestic ICOE themselves have recently stated that the military may have committed atrocities in Rakhine in 2016 and 2017. We will continue to urge Myanmar to follow up on the ICOE's recommendations and seek to prosecute those who have committed atrocities. It is vital that any domestic criminal proceedings are credible and transparent. We see the role of the Independent Investigative Mechanism for Myanmar (IIMM) as vital in collecting and preserving evidence for use in future criminal proceedings. We will continue to support the IIMM's mandate in international fora. We have welcomed the ICJ's consideration of whether Myanmar has breached its obligations under the Genocide Convention and publicly called for Myanmar to abide by the provisional measures ruling.

The Myanmar Union Election Commission have announced that national elections will take place in November 2020. The UK remains committed to Myanmar's democratic transition and we recognise this will take time. Myanmar lived through decades of military dictatorship under which the systems of government were systematically dismantled, and these will not be rebuilt overnight. This is why DFID is focusing its support on sharing international best practice and helping to make elections more inclusive. The 2015 election was a landmark in Myanmar's transition. This was the first open election to be held since the start of military rule in 1962. The election had significant deficiencies. Over one million Rohingya were de-registered and polls were cancelled in areas where the security situation was deemed too unstable to hold the vote. It is likely that some of these deficiencies will occur again this year, especially in areas affected by conflict. It is unacceptable that the Rohingya will yet again be disenfranchised. Minister Adams raised these issues with U Kyaw Tin, Myanmar's Minister for International Cooperation, on 23 June, and pushed for progress towards fully inclusive elections. We will continue to raise these issues with the Government of Myanmar and push for progress towards an inclusive, democratic political settlement.

Government response to the IDC's next steps:**Bangladesh**

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

Government response: Agree

As the crisis becomes protracted, we hope to remain a significant donor to the humanitarian operation and also to support the development needs of affected communities in Cox's Bazar. This includes working with the UN, World Bank and partners on a development strategy for Cox's Bazar. The next phase of our support for the 2020 Joint Response Plan (JRP), which has recently been revised to include the impact of COVID-19, is under design.

As part of our engagement in the Strategic Executive Group in Dhaka we work closely with the UN and other bilateral and multilateral donors on the JRP. This sets out a vision for a coordinated response to address the needs of the refugees and mitigate the impact on affected host communities. By sharing information on donor contributions, gaps in overall funding levels are identified. Based on this, DFID encourages other donors—within their national strategic priorities and resources—to contribute.

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

Government response: Agree

The Minister of State for South Asia, Lord Ahmad, and the UK High Commission in Dhaka continue to raise telecommunications restrictions in Cox's Bazar District with the Government of Bangladesh and have repeatedly requested that these be lifted. We remain committed to helping to improve the means of sharing information available for the refugees in the camps. This is also particularly important for sharing information on COVID-19 with camp populations, for the health response, and to stop people trafficking.

We have urged the Government of Bangladesh at senior levels in Dhaka and in London to lift the current restrictions, particularly at a time when the mass access to information is vital for saving lives and maintaining stability. The internet and access restrictions limit the ability of agencies to share information with the refugees and with each other; and of the Rohingya to communicate among themselves.

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

Government response: Partially agree

We agree that it is important that Rohingya refugees' freedom of movement within the camps and access to services, particularly access to basic services and essential assistance, are maintained. Any restrictions to refugees' rights should be related to genuine security risks, be proportionate, and be in line with relevant human rights law.

We recognise the complexity of the environment, including criminality, deteriorating security in the border zone, and increasing tensions between the Rohingya and the host communities. The COVID-19 crisis is further complicating this. With the Government's programme of fencing the camps on hold due to the COVID-19 crisis, we are currently focusing our representations on the immediate Covid-19 response, including the impact of 3G/4G restrictions. We will continue to closely monitor the situation on fencing around the camps and the Government of Bangladesh's approach to security as the situation evolves. We will also continue to support protection services provided to the refugees as well as efforts to promote social cohesion rather than exclusion between the Rohingya and host communities.

Myanmar

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

Government response: Agree

The UK is very concerned by the Rakhine/Chin internet bans. In our view these actions are not compliant with standards and expectations on freedom of expression and access to internet. These concerns have been raised repeatedly, including by Minister Adams in a meeting with U Kyaw Tin, Myanmar's Minister for International Cooperation, on 23 June, and by the UK Ambassador to Myanmar and DFID Country Director at senior levels of the Myanmar Government. The UK also raised concerns about access to the internet in Rakhine in a statement after the UN Security Council on 14 May. We will continue to make representations to the Government of Myanmar at every given opportunity.

DFID is supporting civil society action including the Myanmar Responsible Business Forum's work to engage companies to raise this issue, in line with the Global Network Initiative Principles. These organisations collectively advocate for Government to lift the ban. Freedom of expression through access to internet services should be maintained for humanitarian purposes, especially during times of conflict and COVID-19.

The UK continues to urge the Government for progress on the Rakhine Advisory Commission (RAC) recommendations and on the domestic Independent Commission of Enquiry recommendations (ICOE). The ICOE report reemphasises some of the issues set out in the RAC including freedom of movement, camp closures, security, social cohesion, sustainable development, gender empowerment, education and health. However, it fails to address other critical issues covered by the RAC including; citizenship, humanitarian access, media access, communal participation and representation and border issues.

The recommendations provide a potentially valuable entry point for engaging with the Government on these issues. DFID is already supporting efforts on life-saving support, education, health and social cohesion. We are ready to work with the Government on issues where our support will help them to operate in a way that is consistent with international standards.

We welcome the International Court of Justice's decision on provisional measures. The Court was clear Myanmar must do more to protect the Rohingya. We encourage the Government of Myanmar to comply with the provisional measures, which are legally-binding, and implement the Commission's recommendations in full. On 23 May, Myanmar submitted its first report to the ICJ, but it has not been made public.

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

Following the military action in Rakhine which led to an exodus of over 700,000 Rohingya to Bangladesh, DFID Myanmar reassessed its strategy. This was based around '4 shifts' towards a greater focus on inclusion, areas affected by conflict, providing support towards refugees and displaced people, and greater focus on policy reform through our engagement with the Myanmar Government.

All programmes were reassessed through this new lens, resulting in rapid shifts in programme priorities and geographic focus. Some programmes were closed or stopped, including planned work with the Ministry of Industry and Energy, and DFID lobbied against World Bank budget support and the EU's proposed sector budget support on Education. The design of our health work was adapted to focus on the multi-donor Access to Health Fund on conflict affect areas. Our programme on education support was modified to increase the allocation to children affected by conflict. A £35 million cost extension to the Livelihoods and Food Security Trust Fund focused on reaching Rohingya who remained in Rakhine.

DFID commissioned an internal review of the 4 shifts in November 2018. This highlighted the extent to which DFID had altered its programme since the crisis. It also noted some of the risks of realigning programming into complex new areas and the need to tackle the causes of Myanmar's crises rather than just focusing on the symptoms or the effect it has on people. As a result, the office initiated a strategic review of our approach to identify the 'big changes' that are required over the longer term. We continued to develop the new strategy through early 2020 and this remains the framework for our engagement, now linked to the COVID-19 response.

The long-term strategy that has arisen from this process aims to respond to immediate needs as well as support long term changes that will benefit people across the country. The key long-term changes are a) supporting inclusive and sustainable job creation; b) strengthening the state-society compact and making it more inclusive, c) reducing violent conflict and its impact and d) increasing the resilience of the most vulnerable. We have also made a number of changes to our portfolio to deliver on this strategy

including establishing a risk assessment and context analysis programme to increase our understanding of delivery challenges in areas of conflict, setting up enhanced due diligence to guard against supporting military linked businesses, bringing together our programmes to focus more on local governance processes; working more on durable solutions to conflict and displacement; and mitigating the impacts of climate change.