

WRITTEN SUBMISSION OF EVIDENCE FROM PROTECTION APPROACHES TO THE
INTERNATIONAL DEVELOPMENT SELECT COMMITTEE INQUIRY "DFID'S WORK ON
BANGLADESH, BURMA, AND THE ROHINGYA CRISIS

Executive Summary:

1. This submission addresses a number of the questions set out in the International Development Select Committee's terms of reference for the inquiry regarding the Rohingya crisis. It also sets out evidence-based recommendations that would place the Department for International Development and Her Majesty's Government in a position from which to a) contribute to the collective responsibility to protect the Rohingya Muslim populations from identity-based violence and mass atrocities and b) better predict and prevent future atrocities in the region
2. This submission surveys the DfID's Burma (Myanmar) policy and recent response to ongoing atrocities against the Rohingya. Evidence presented here and by others make plain that today's crisis could have been prevented and indeed was predicted. This submission therefore sets out a series of recommendations to address the gaps between MHG's strong rhetorical commitments to prevent atrocities and the absence of a joined up, whole of government strategy charged with the prediction and prevention of mass atrocities.
3. **This submission also provides:**
 - Immediate and longer term recommendations for HMG and DfID

About Protection Approaches:

4. Protection Approaches is the only organisation in the UK that works specifically to assist the UK in better predicting and preventing identity-based mass violence, particularly mass atrocity crimes (genocide, ethnic cleansing, crimes against humanity and war crimes). Protection Approaches is registered charity in England and Wales, charity number 1171433 For more information please see www.protectionapproaches.org.
5. This submission has been prepared by Dr. Kate Ferguson, Director of Research & Policy and Managing Director of Protection Approaches. Dr. Ferguson is an experienced analyst in the fields of atrocity prevention, violent extremism, and civilian protection. She is a member of the Centre for Science & Policy's Network for Evidence and Expertise at the University of Cambridge and the British Academy Network on the Responsibility to Protect. She is Editor of Refugee History and Honorary Research Fellow at the University of East Anglia where she lectures on human rights. She has a PhD from UEA, and an M.Phil in Russian and East European Studies from the University of Oxford.

Rationale

6. Violence and conflict has plagued Myanmar for decades, much of which is directed by the state, its army, and its auxiliaries against ethnic and religious minorities. Since before 2012, the Rohingya have been subject to a systematic process of identity-based violence and persecution that in a court of law would likely constitute crimes against humanity.
7. Other organisations including Amnesty International and Human Rights Watch are best placed to talk about what is happening on the ground, having well documented the

persecution and atrocities committed against the Rohingya both before and since the outbreak of organised violence in 2012. From this wide pool of evidence we have learned of horrifying accounts of torture, rape and arson at the hands of state and non-state actors perpetrated against the Rohingya, as a Muslim minority group¹².

8. In addition to the recommendations set out below, there is a clear need for DfID to understand the violence from the viewpoint of local peace building and monitoring initiatives in the field, and working with diaspora groups here in the UK.

9. This submission focusses on the UK's response to the crisis and its capacity and capabilities to improve or enhance its contribution to the collective protection of populations in Myanmar and Bangladesh from the gravest crimes:

10. When a state fails to protect populations within their borders from mass atrocity crimes the responsibility to ensure the safety of groups at risk falls to the international community. This includes the United Kingdom. The responsibility to protect people from all forms of identity-based violence begins at home but extends around the world.

11. This commitment was set out at the 2005 World Summit, where UN member states unanimously acknowledged the shared responsibility to protect people around the world from atrocity crimes. Successive UK governments have reiterated their commitment to this shared responsibility. Preventing conflict and building stability overseas is enshrined in numerous UK policy strands as being fundamental to the national interest³.

12. After three months of the most recent and extreme violence and mass displacement of the Rohingya, there still remains no UN Security Council resolution. The crisis faced by the Rohingya is a true test case for whether or not the international community have learned the lessons not just of the Holocaust, but of Rwanda, Bosnia, and Sudan. The UK government must work to uphold an international rules-based system, including but not limited to the 2005 outcome document on the Responsibility to Protect but also the UK's commitment to the principle of 'never again'.

13. This is a whole-of-government responsibility and cannot fall only to the Foreign and Commonwealth Office. In fact, if the responsibility to protect is first and foremost as responsibility to prevent, a proportion of the UK's contribution to the prediction and prevention of these crimes must lie with the Department for International Development.

14. In Myanmar, the risk indicators have warned of the very high threat of mass atrocity crimes being committed against Rohingya populations for over five years. Risk matrix prepared by the scholar Barbara Harff have, year on year, identified the Rohingya as one of the world's vulnerable populations most at risk of genocide. The US Holocaust Memorial Museum's Early Warning Project has made similar assessments. For half a decade the world has know that the Myanmar government was failing to protect populations within its borders. For half at least had a decade that responsibility has fallen to the international community, including the United Kingdom. ⁴

¹ Human Rights Watch, [All You Can Do is Pray: Crimes Against Humanity and Ethnic Cleansing of Rohingya Muslims in Burmas Arakan State](#), 2013

² Amnesty International, [My world is finished: Rohingya Targeted in Crimes Against Humanity in Myanmar](#), 2017

³ [2005 World Summit Outcome](#) United Nations General Assembly September 2005

15. DfID was and remains well placed to integrate prevention and protection approaches into its activities and decision making in Myanmar and the region.

16. In the past, collective failures to protect populations from mass atrocities in Bosnia, Rwanda, and Sudan have come in part from the triumph of the lack of political will and in part from the failure to identify the seriousness of the situation in a timely manner.

17. Today, rhetorically at least, there is political will to protect: The UK stands firm in its rhetorical commitment to learn the lessons of the Holocaust, and of the international failure to prevent genocide and ethnic cleansing in Bosnia, Rwanda, and Sudan. Earlier this year a report was published conceived by the late Jo Cox MP and Conservative MP Tom Tugendhat to bring ‘fresh thinking on how to prevent mass atrocities.’ Over the summer, the Conservative Party launched its Declaration Against Genocide and Identity-Based Violence - a strong document that acknowledges the challenge as a party priority but one that stands above politics. And last month (October 17th) MPs from all parties took the opportunity to condemn the violence against the Rohingya and stand in solidarity with the victims.

18. Continued rhetorical commitment on the part of HMG to protect vulnerable populations from atrocity crimes demonstrates that this is an issue of conscience not of politics and a priority that stands above parties. However, the assumption that once the point of violence has been reached that very little can be done risks dominating the UK’s response on Myanmar and the region. In fact, there are a range of tools and strategies that the UK can employ at all levels of its government and across departments that can enhance its capacity to predict, build resilience to prevent and place the UK in a position where it can better uphold its responsibility to protect.

19. First, there is confusion over the nature of the violence. There has been disagreement over how best to describe the violence perpetrated against the Rohingya in Myanmar; there has been much debate over whether the violence constitutes genocide or ethnic cleansing. These debates, while important in a court of law, do not help the people at risk; the responsibility to protect extends to all groups at risk of all atrocity crimes; be that genocide, ethnic cleansing, crimes against humanity or war crimes. Debates over how best to name systematic identity-based mass violence inhibited timely and effective protective action in Bosnia, Rwanda, Sudan, Syria and elsewhere.

20. Second, reluctance in HMG policy to address the challenges posed by mass atrocities or other forms of identity-based violence as being distinct from the agendas of preventing conflict is limiting HMGs’ contribution to prevention and protection in Myanmar and the region. UK efforts to address mass atrocities too often fall between the cracks of conflict prevention, tackling violent extremism, and international development; or between the remits of DFID and FCO. While two thirds of atrocity crimes occur during armed conflict, the rest-including the violence taking place in Myanmar, do not.

21. As a result, after consistently topping global risk analyses for half a decade, the UK

⁴ Harff, Barbara. "How to use risk assessment and early warning in the prevention and de-escalation of genocide and other mass atrocities." *Global Responsibility to Protect* 1, no. 4 (2009): 506-531; International Crisis Group [EU Watch List No 5](#). December 2015. ⁴ Genocide Watch. [Genocide Watch Alert: Burma/Myanmar](#) 2015.

did not integrate atrocity prevention strategies into its Myanmar policy. At a later date, this should be explored in more detail.

22. One tool that would assist DfID and HMG would be to applying an atrocity prevention “lens” to its decision making in Myanmar and the region. An atrocity prevention lens does not mean reinventing the development or conflict prevention wheel. It simply means adapting or augmenting existing strategies in such a way that would help close gaps and encourage consistency. It can also mean integrating atrocity prevention concerns into existing human rights mechanisms as recommended by the new UN secretary general in his first report on the implementation of the Responsibility to Protect⁵. The absence of such an approach leaves gaps; an atrocity prevention strategy across government would help close these gaps and facilitate early preventative, upstream action and—once the point of violence has been reached- codify the manner in which the UK can act⁶.

23. The failure to protect the Rohingya from the latest episode of violence was not one of early warning. Unchecked hate speech, lack of government control over security forces, presence of non-state and pseudo-non-state armed groups, growing nationalist support of the military and increased incidences of identity-based attack, were all serious indicators of the escalating violence against the Rohingya.

24. However, by enhancing its monitoring of the early warning signs that are distinct from the indicators of traditional conflict and instability, the UK would have been more alert to these indicators and therefore have been able to better predict and perhaps prevent the latest episode of identity-based mass violence. The UK does not currently integrate an index of risk factors for identity-based violence even through this would help predict incidence of violence extremism, mass atrocities, institutional violence, campaigns against LGTBQ+ communities, and other manifestations.

25. The gaps between early warning and early action need to be prioritised. Once half a million people have been displaced by a systematic campaign of identity-based violence, options for the International community on how best to protect them are invariably limited because the failure to protect has already occurred.

26. The UK’s capacity to protect the Rohingya extends beyond bringing an end to the violence and meeting the humanitarian needs of the displaced populations. The violence is likely to increase. The Christmas period is often a particular time of risk in contexts such as this; architects of atrocity crimes are aware that many parliaments are dissolved and policy makers take a break. This must be anticipated. For DfID, its programmatic response must have the prediction and prevention of future atrocities at its heart.

27. The need to monitor and respond to indicators of identity based violence does not end once the violence has begun; as DfID funded humanitarian assistance is delivered, it is essential that a lens of prediction and prevention is integrated into activities and monitoring and evaluation. This would highlight indicators of identity based violence in the refugee camps such as grievance, rumour, hate speech and support for reprisals.

⁵ Implementing the Responsibility to Protect: Accountability for Prevention; Report of the Secretary-General United Nation August 2017.

⁶ Dr Kate Ferguson, with Ben Willis, [Maintaining momentum in a changing world](#): Atrocity Prevention in UK Policy, Protection Approaches, May 2017

28. Likewise, the UK must ensure any strategy for Myanmar and the Rohingya addresses the roots of the crises not just the symptoms. While the majority of violence against the Rohingya is carried out via state and state sponsored armed groups, the systematic discrimination, dehumanisation and delegitimisation of Rohingya is widespread. Plans to rebuild and resettle the Rohingya communities in Rakhine State must be accompanied by the need to address root causes of identity based violence and the processes that incite violence and promote impunity. Even before this process begins, an understanding of these divisive processes can be integrated into humanities programmes via education, media development, interactive dialogue, and community strategies.

29. **This recent crisis is a reminder that the UK, unlike the USA and other states, has no clear policy on atrocity prevention.** There is a clear need for the UK government to build an effective atrocity prevention strategy into our foreign policies and international development strategies, with the ultimate objective being to not only protect the lives of those at risk but prevent atrocity crimes.

30. DfID continues to maintain that atrocity prevention is not an issue of international development. Therefore, far too often international development programming does not collect early warning signs nor seek to mitigate them. By framing atrocity prevention as a Foreign Affairs issue alone, the severely limits its capacity to contribute to the prediction and prevention of these crimes. This is not only a matter of ‘doing what is right.’ Studies have shown that it costs the world economy £14 trillion a year to contain conflict (including mass atrocities) yet only 1 percent of OECD overseas development assistance goes towards mitigating violence.

31. It was the absence of this ‘lens’ or focus that led to an incoherent UK position on Myanmar. The absence of a policy mechanism charged with predicting and responding to threats of mass atrocities had led to an incoherent and ineffectual UK policy on Myanmar. Concern expressed by the UK office at the UN was not matched in the UK's trade policy, in its international development focus, or in its wider diplomatic efforts. This hindered earlier, more effective protective interventions.

32. Had a comprehensive and holistic strategy been applied, the escalating violence we see against the Rohingya in Myanmar today could have been prevented in the years since the outbreak of organized violence in 2012, had there been a joined up atrocity prevention strategy. It is impossible to quantify what would have been prevented but the human and financial costs of failing to protecting the Rohingya are already too high and will only increase.

33. Any office of mechanism charged with viewing DfID decision making through a lens of preventing identity-based violence would have alerted others to the warning signs emerging from Myanmar and initiated a processes of sharing information, scrutinising UK policy, and communicating with other atrocity prevention and local stakeholders here in the UK and abroad. It could have provided advice gathered from previous cases and monitored indicators of risk - and assessed how the UK and/or other actors could best respond.

34. While predicting and preventing systemic violence is complex, difficult to prove, and often not politically salient, there are a series of concrete measures the UK could take

which would strengthen its national capacity to predict, enhance its approach to prevention, and therefore increase its contribution to the shared responsibility to protect peoples around the world from the gravest crimes.

35. The continued escalation of violence against the Rohingya, and the ongoing atrocities in Syria, Iraq, Yemen, Burundi, Central African Republic, Sudan, South Sudan and elsewhere, show current approaches to international development and traditional conflict prevention are not working.

36. Moreover, the UK appears to be lagging behind the United States and others in its reluctance to acknowledge atrocity prevention as a specific global challenge and matter of national interest. FCO, DfID, MoD, and Home Office all have a role to play in ensuring that the UK upholds its responsibility, as too do the police, security services, army, and NGOs. For example, the failure (or reluctance to) prosecute individuals suspected of committing mass atrocity crimes resident in the UK illustrates the inconsistent application of a commitment to tackling these grave crimes. A joined up approach to atrocity prevention and civilian protection would ensure the UK Government was able to respond earlier and in a more efficient manner to warning signs.

37. Identity-based violence, of which mass atrocities are a particularly extreme manifestation, needs to be seen as a preventable, global phenomenon much like the challenges and threats posed by violent extremism. Violent extremism is itself a form of identity-based violence and many of the processes, pathways and risk factors PVE programmes seek to address also mitigate risks of atrocity crimes.

Recommendations:

38. While the international community, including the UK, has so far failed to adequately respond to the frequent warning signs and repeated episodes of identity-based mass violence in Myanmar, there is still opportunity for HMG to lead by example. The immediate challenge is now about resolving a dire humanitarian crisis but it must also secure civilian protection. The solution to the Rohingya crisis will only be found by addressing roots of the politically motivated identity-based violence, which lie in the organs and individuals of the Myanmar state but stretch throughout parts of the country's bureaucracy, public institutions, religious and cultural life and to the communities.

39. Immediate recommendations for Her Majesty's Government action:

- Work to secure a robust UN Security Council resolution that sets out a coherent roadmap for how the international community will uphold its shared responsibility to protect the Rohingya from ongoing atrocity crimes
- Use all diplomatic channels to call upon Myanmar's State Counsellor Aung San Suu Kyi and Commander of Myanmar Security Forces Sr. Gen. Min Aung to put an end to the violence and facilitate full, unfettered access to humanitarian aid and international observers.
- Support the UN Security Council and the European Union in imposing a comprehensive arms embargo and targeted travel bans, asset freezes, and sanctions against key figures of Myanmar's military and political elite.
- Work with regional partners and ASEAN in building multilateral support at the UN with nations and international organisations that have a vested interest in the economic

and social welfare of Myanmar and in maintaining international peace and security in the region.

40. Immediate recommendations for DfID/ HMG bilateral action:

- Integrate indicators of identity-based violence into DfID activities in the region
- Integrate activities that address the divisive social processes that lead to and worsen identity-based violence, including but not limited to education, media development, social and community cohesion, inter communal dialogue, early warning and local resilience programmes
- Resource the Myanmar embassy with training on recognising and monitoring indicators of identity-based violence (such as grievance and hate speech, rumour) and in facilitating inter-communal dialogue.

41. Long-term recommendations for DfID and HMG (Institutionalising atrocity prevention)

Mass atrocity violence poses one of the biggest threats to global stability. This violence is on the rise. These crimes can often be prevented and it is clearly in the UK's national interest to do so. The UK can make the following simple but effective changes to strengthen its contribution to the worldwide prevention of mass atrocity crimes:

- Acknowledge the prevention of identity-based violence and mass atrocities as a distinct global challenge and a national priority
- Adopt a whole of government approach to the global challenge of identity-based violence
- Integrate mass atrocity prevention into existing policy commitments and decision-making processes, on the party level and across government
- Create a cabinet portfolio or cross party special advisor with a mandate to raise early warning signs and make recommendations for action.
- Increase cross-party cooperation within parliament.
- Engage with the UK Working Group on Atrocity Prevention, coordinated by Protection Approaches.

42. For more information please contact Dr. Kate Ferguson on Kate.Ferguson@protectionapproaches.org or 020 3488 2996