



LAST MONTH IN PARLIAMENT

A summary of Burma-related issues
in the British Parliament

SEPT
2015

Answers to Written Parliamentary Questions

Rape and Sexual Violence in Conflict

18 September 2015 Baroness Kinnock of Holyhead: To ask Her Majesty's Government what funding they provide to organisations that support women in Burma to ensure the proper documentation of sexual violence resulting from conflict in that country.

Baroness Anelay of St Johns: Sexual violence in Burma remains a significant problem. Our work to date has included funding for an international non-governmental organisation to provide training to various local non-state actors on the protection of women in armed conflict and supporting a project that creates legal aid centres and provides training to paralegals to help provide advice and assistance on documenting crimes of sexual violence. Our work to provide educational courses to the Burmese military has also included components on sexual violence in conflict. The lack of effective documentation means that many cases go unreported and unpunished. During his visit in July, the Minister of State for Foreign and Commonwealth Affairs, my right hon. Friend the Member for East Devon (Mr Swire), launched the International Protocol on the Documentation and Investigation of Sexual Violence at an event in Rangoon attended by Burmese civil society groups. The International Protocol provides the know-how to enable governments and civil society organisations to produce effective reporting to an evidentiary standard capable of supporting prosecutions.

Rohingya

7 September 2015 Rushanara Ali: To ask the Secretary of State for International Development, what reports she has received on the levels of malnutrition in camps for internally displaced Rohingya in Rakhine State, Burma; and what aid the UK Government is providing to those camps.

Mr Desmond Swayne: According to Save the Children, the level of acute and chronic malnutrition in the camps is poor. The most recent reports state that acute malnutrition was between 8.5% and 11.8% in the different camp areas, and stunting up to 52%.

DFID is providing funding for treatment of severe acute and chronic malnutrition, as well as funding for water and sanitation work that helps to prevent malnutrition. Over 126,000 internally displaced and conflict affected people in Rakhine benefit from our support to water and sanitation and nutrition. DFID is one of the largest bilateral humanitarian donors in Rakhine, and has provided over £18 million since 2012.

24 September 2015 Lord Hussain: To ask Her Majesty's Government what representations they are making to the government of Myanmar about revising its citizenship laws, which place restrictions on non-indigenous residents who have lived in Myanmar for a long period of time from becoming full citizens.

Baroness Anelay of St Johns: We have a number of concerns about Burma's 1982 Citizenship Law, and particularly how it deals with the Rohingya community. The British Government has consistently called for a sustainable solution to the issue of Rohingya citizenship which meets international standards. Most recently, the Minister of State for Foreign and Commonwealth Affairs, my right. hon. Friend the Member for East Devon (Mr Swire), raised this at senior level with the Burmese authorities, both with the central government and in Rakhine State, during his visit to Burma in July.

24 September 2015 Lord Hussain: To ask Her Majesty's Government what representations they are making to the government of Myanmar about abolishing ethnic and religious classifications for identification cards.

Baroness Anelay of St Johns: We have a number of concerns about how identity cards and citizenship are obtained in Burma and the role of religion and ethnicity. Of particular concern are how these apply to the Muslim Rohingya community in Rakhine State, the requirement for Rohingya to identify as 'Bengali' to apply for citizenship, and the cancellation, on 31 March 2015, of all 'White Card' identity documents – the only form of identification held by many Rohingya.

We have repeatedly made our views known to the Burmese authorities on both questions. The Minister of State for Foreign and Commonwealth Affairs, my right hon. Friend the Member for East Devon (Mr Swire), pressed the Burmese authorities on the issue of identity cards and a pathway to citizenship for the Rohingya during his visit to Burma in July.

War Crimes

16 September 2015 Valerie Vaz: To ask the Secretary of State for the Home Department, whether the Burmese Home Affairs Minister, Lt. Gen. Ko Ko, is excluded from entering the UK.

James Brokenshire: It is Home Office policy not to comment on whether an individual is, or is not, excluded from the UK unless the person concerned has already put this information into the public domain themselves, or if the information is already in the public domain.

16 September 2015 Valerie Vaz: To ask the Secretary of State for Foreign and Commonwealth Affairs, if he will make an assessment of the implication for his policies of the Harvard Law School report entitled War Crimes and Crimes Against Humanity in Eastern Myanmar published in November 2014; and if he will make a statement.

Mr Hugo Swire: I refer the hon. member to my answer of 3 December 2014.

Which was:

3 December 2014 Valerie Vaz: To ask the Secretary of State for Foreign and Commonwealth Affairs, if he will make an assessment of the implications for his policies of the Legal Memorandum: War Crimes and Crimes against Humanity in Eastern Myanmar published by the International Human Rights Clinic at Harvard Law School in November 2014.

Mr Hugo Swire: The findings of the Harvard Law School report are of serious concern. A judgement on whether war crimes or crimes against humanity have been committed is a matter for the courts, but we remain committed to the principle of accountability for all crimes through an independent and transparent judicial process.

Our wider priority is for a permanent solution to the conflicts in Burma. We are encouraging this by funding experts with experience of the peace process in Northern Ireland to support the peacemaking dialogue in Burma.

Military training

16 September Valerie Vaz: To ask the Secretary of State for Foreign and Commonwealth Affairs, what information he holds on whether Burmese army soldiers who have received training from the UK Government are serving in conflicts in (a) Kachin and Shan states or (b) Kokang areas.

Mr Hugo Swire: As we have previously stated we do not provide combat training to the Burmese Army.

National Ceasefire

24 September 2015 Lord Alton of Liverpool: To ask Her Majesty's Government, further to the answer by Baroness Anelay of St Johns on 15 September (HL Deb, col 1741), what assistance they have given to the

Karen and other ethnic minorities in Burma in overcoming obstacles to a comprehensive national ceasefire, particularly in regard to (1) the placing of weapons beyond use, (2) the restitution of land, and (3) the extension of the franchise to Burmese refugees living in refugee camps on the border between Burma and Thailand.

Baroness Anelay of St Johns: We welcome the continuing talks between the Burmese government and ethnic armed groups to agree a National Ceasefire Agreement. Throughout the negotiations the UK has funded specialists to provide expert advice in support of the peacemaking dialogue in Burma to both sides of the conflict. This includes support to the National Ceasefire Coordination Team, the ethnic groups' negotiation team of which Karen groups are a part. We are also a member of the Peace Donor Support Group which is directly supporting work to move from ceasefire agreements to political dialogue with all of Burma's ethnic groups.

The signing of a ceasefire would only be the start of a wider peace process. The next stage, as envisaged by the draft National Ceasefire Agreement, is a National Political Dialogue. It is at this stage that issues such as decommissioning of weapons, land restitution and resettlement of internally displaced people will be discussed. To date we have not been asked to assist with any of these issues, and we would only do so with the consent of both sides. However, as I highlighted in the debate to which the noble Lord refers, the UK has earmarked £3million in flexible funding to support such activities in support of the continuing peace process through the multi-donor Peace Support Fund, with the potential to increase this to £5million. We have raised with the Burmese authorities the issue of extending voting to internally displaced people. Most recently our Ambassador lobbied the head of the Union Election Commission on the inclusion of internally displaced people in Burma on the voter lists.

Funding through religious organisations

16 September 2015 Valerie Vaz: To ask the Secretary of State for International Development, what her Department's policy is on the provision of funding for education through religious organisations in Burma.

Mr Desmond Swayne: DFID Burma's funding for education through religious organisations has the key policy objective of increasing the number and proportion of children who complete a quality basic education. The programme is delivered through the Myanmar Education Consortium which works with a range of Non-Governmental Organisations, including faith-based organisations, provided that i) the education services are available to members of different religious communities, ii) the project activities supported do not aim to proselytize or explicitly promote a particular religion, iii) where possible promote inter-communal peace and conflict resolution, and iv) do not engage in any action that could promote inter-communal tensions.

Andy Hall

14 September 2015 Kerry McCarthy: To ask the Secretary of State for Foreign and Commonwealth Affairs, what information his Department holds on the reasons for which Andy Hall is being prosecuted in Thailand.

Mr Hugo Swire: On 24 August, Bangkok's Criminal Court indicted Mr Hall for criminal defamation and violating the Computer Crimes Act. Charges were brought by the Natural Fruit Company Ltd, but Thailand's Attorney General later joined the prosecution. Our Embassy observed this hearing along with counterparts from other EU Embassies. The Court summoned Mr Hall to appear next on 19 October.

The charges relate to an Aljazeera interview Mr Hall gave in Rangoon, Burma in which he discussed his involvement in conducting research for Finnwatch's 2013 report, Cheap Has a High Price. This examined workers' rights and possible abuses in the fruit industry in Thailand.

14 September 2015 Kerry McCarthy: To ask the Secretary of State for Foreign and Commonwealth Affairs, what reports he has received of the effect on (a) due process and independence of the judiciary and (b) freedom of expression and labour standards in Thailand of the decision by the Thailand Attorney General to appeal against the court dismissal of the charges against Andy Hall.

Mr Hugo Swire: We are following these issues in Thailand closely. We have been clear that we support freedom of expression unequivocally and have expressed our concerns to the Thai authorities.

We have raised Mr Hall's case with the Thai Justice Minister, the Ministry of Foreign Affairs and other Thai authorities. We have also raised his issues with the National Legislative Assembly and passed them a report from him. We are in touch with the UN High Commission for Refugees, the International Organisation on Migration and non-government organisations about the rights of migrant workers, refugees, trafficking and other labour issues.

Our officials continue to monitor and observe Mr Hall's case closely. We will ensure that his case is raised with the Thai authorities where appropriate and remind the authorities of their obligations to ensure international human rights standards are upheld.

09 September 2015 Kerry McCarthy: To ask the Secretary of State for Foreign and Commonwealth Affairs, what steps his Department is taking to protect human rights defenders in Thailand.

Mr Hugo Swire: The UK fully supports the right of activists to carry out their work and voice their opinions in order to promote human rights in a peaceful manner. In Thailand, our Embassy works bilaterally and in concert with EU representatives to raise human rights issues with the Thai authorities, including through the promotion of the EU Guidelines on Human Rights Defenders. When appropriate, the Government issues statements on cases of concern and reminds the authorities of their obligations to ensure that international human rights standards are upheld.

Migrant workers and refugees in Thailand

14 September 2015 Kerry McCarthy: To ask the Secretary of State for Foreign and Commonwealth Affairs, what recent discussions he has had with (a) Ministerial colleagues and (b) UK-based companies on human rights and the treatment of migrant workers in Thailand.

Mr Hugo Swire: Our officials in Thailand raise both human rights, including upholding the Paris Principles, and wider migration issues regularly with the Thai authorities. We also work closely with representatives of the European Union. We have raised these issues with British and Thai companies. Our Embassy engages the UN High Commission for Refugees, the International Organisation for Migration, and non-governmental organisations supporting their work and engagement on migrant workers and refugees with the Thai authorities.

14 September 2015 Mark Pritchard: To ask the Secretary of State for Foreign and Commonwealth Affairs, if he will make representations to the government of Thailand on upholding the Paris Principles for (a) migrant workers and (b) refugees.

Mr Hugo Swire: Our officials in Thailand raise both human rights, including upholding the Paris Principles, and wider migration issues regularly with the Thai authorities. Our Embassy engages with the UN High Commission for Refugees, the International Organisation for Migration, and non-government organisations supporting their work and engagement on migrant workers and refugees with the Thai authorities.

Answers to Oral Parliamentary Questions

Burmese Elections

15 September 2015 Baroness Kinnock of Holyhead: To ask Her Majesty's Government what assessment they have made of the situation in Burma in advance of the first general election in that country since 2010, which is due to take place in November.

The Minister of State, Foreign and Commonwealth Office (Baroness Anelay of St Johns) (Con): My Lords, although there remain unresolved issues around Burma's constitution, which continues to need reform, the elections in November 2015 have the potential to be a milestone in the country's transition to democracy. We continue to press the Burmese Government to ensure that the elections are credible, inclusive and transparent, and underpinned by freedom of expression and respect for human rights. The

UK is funding technical advice to the election commission, voter education and monitoring.

Baroness Kinnock of Holyhead (Lab): Does the Minister share the widely held concern that hundreds and thousands of Burma's ethnic Rohingya have had the right to vote taken away from them and have been denied the right to stand as candidates for elections when they occur? When 25% of seats in Parliament are reserved for the army and generals predominate in the Government, where is the evidence of that promised transition from military rule that we heard so much about? In the light of these realities, do the British Government still believe that it is possible for those elections to be considered free, fair or credible in any way?

Baroness Anelay of St Johns: My Lords, we should recall that this is an opportunity that has not been available since 1960 for people in Burma to have a vote in a free and fair election. A lot of effort has been put in by countries such as the UK and all our partners to provide that opportunity for people to vote—after 55 years. We have made sure that we have done all we can to support correct voter registration, helping the election commission, but the noble Baroness is right to point out the serious matters that remain. We have consistently called, in public and in private, for the elections to be inclusive of all Burma's people. That includes those who have had their white cards removed. If not now, it should be soon—not a matter of when.

Baroness Cox (CB): While recognising the enormous significance of these elections, is the noble Baroness aware that I recently visited the Thai-Burma border and Shan state, where I met refugees from Kachin and Shan states, where fighting with the Burmese army continues, displacing tens of thousands of civilians? What measures have Her Majesty's Government taken to ensure the success of the national ceasefire agreement and to support credible, free and fair elections in Kachin and Northern Shan states, where the fighting continues?

Baroness Anelay of St Johns: My Lords, the noble Baroness is right: fine words from politicians need to be backed up with practical work. The UK is a leading member of the Peace Support Group. We are supporting the dialogue towards a national ceasefire agreement by funding experts who have direct experience of these matters to assist the process. We are putting our money where our mouth is: we are the largest bilateral donor to Kachin State and we announced a further £13.5 million for humanitarian work there in 2013. In addition, we have earmarked £3 million of flexible funding to support the peace process. It is practical work, but one has to have a long-term view and not give up in difficult circumstances.

Lord Wallace of Saltaire (LD): My Lords, we are well aware that the British Army has close relations with the Burmese army, and is currently providing training. The Burmese army has been running the country for too long, and factions within it are clearly not prepared to give up. That is part of the problem that we face. Will the Minister tell us how we and other defence representatives in Burma are working with the Burmese army to persuade it that civilian control is what it also should observe?

Baroness Anelay of St Johns: The noble Lord is right to raise that matter. Clearly, our engagement has been nothing to do with combat training. As the noble Lord is aware, we discussed these matters when I worked with him. The Burmese military remains a clear political force in Burma. It is right that we should encourage and support reforms so that there is a completely civilian Government in future. Our defence engagement with the Tatmadaw is aimed at encouraging it to support the reform process through a programme of defence education work that is limited to non-combat education courses focused on the core principles of democratic accountability, international law and human rights.

Lord Alton of Liverpool (CB): My Lords—

Lord Howarth of Newport (Lab): My Lords—

Baroness Nye (Lab): My Lords—

Lord Tebbit (Con): My Lords—

The Lord Privy Seal (Baroness Stowell of Beeston) (Con): My Lords, it is actually the turn of the Conservative Party.

Lord Tebbit: My Lords, does my noble friend recollect that a couple of years ago, in this House, our noble friend Lord Lawson observed that a prerequisite of a democracy to work was that there should have been the rule of law for 100 years? Does she think that that is so, and, if so, has it been established yet in Burma?

Baroness Anelay of St Johns: My Lords, I have just arrived here from launching the Magna Carta partnerships, which is a new FCO fund to promote the rule of law. I thank my noble friend for raising that point. I am impatient: 100 years would be too long to wait for the rule of law in Burma or elsewhere. We all, as parliamentarians, have a role to play. Our voices can ring out around the world. Let us make sure they do.

Baroness Nye: My Lords, everyone shares the Minister's hope that the elections will be fair, credible and inclusive, but, while the military still has a veto over constitutional change as a guarantee of the 25% of parliamentary seats, is denying Aung San Suu Kyi the opportunity to stand for president, and is banning opposition parties from criticising the military or the constitution during the election campaign, is it not time for the British Government to suspend military training by the British Army until Burma stops the recruitment of child soldiers and the use of rape and sexual violence against ethnic women by the Burmese army?

Baroness Anelay of St Johns: My Lords, there are a lot of important points in that question, but the underlying issue is whether we should cease our training of the military. The training is education to persuade the military that constitutional reform is not only right but necessary, and necessary now. She is right to point out that the constitution as it stands prevents the ability of Aung San Suu Kyi to stand for election because she has foreign-born children. That kind of provision should be amended.

Lord Alton of Liverpool: My Lords, during a visit last week to the Karen refugee camps and the Karen State, I was reminded by many Karen people of the statement by Lord Mountbatten of Burma that the Karen were our bravest and most loyal allies during the Second World War. Some 110,000 of them are in the refugee camps to this day, from a war that began in 1949. Will the Minister tell us whether we are now close to signing a permanent ceasefire and whether Her Majesty's Government are able to help with the permanent decommissioning of weapons throughout the Karen State, the restitution of land and the resolution of the other remaining outstanding issues? Will she call for those in the camps to be given the chance to vote in the forthcoming elections?

Baroness Anelay of St Johns: My Lords, we have made it clear that the franchise should be an inclusive process. However, to try to answer one other question key to the points made by the noble Lord, in welcoming the continuing peace process we are under no illusion how difficult it is. We have committed £3 million in flexible funding to support that peace process. That is to address intercommunal violence through the Peace Support Fund. It is only through such practical work that we can lead by example. I do not expect this to be a short process but inclusivity is vital to the success of the elections.

Burma mentioned in Westminster Hall Debate on Arms Trade (Human Rights)

17 September 2015 Dr Lisa Cameron: (...) In June 2013, the United Nations set a goal of having no child soldiers anywhere in the world by 2016. Of the eight Government armies listed for the recruitment and use of children, six have committed to making their armies child-free. In 2012, South Sudan, Myanmar, Somalia and the Democratic Republic of the Congo signed action plans with the UN, and Afghanistan and Chad made similar commitments the previous year. Discussions initiated with the Governments of Yemen and Sudan are expected to lead to action plans. (...)

<http://www.publications.parliament.uk/pa/cm201516/cmhansrd/cm150917/halltext/150917h0001.htm#15091734000001>

Burma mentioned in House of Lords Debate on Middle East and North Africa

16 September 2015 Lord Anderson of Swansea: (...) One final thought: we are now seeing a new and widespread global migration. Syria, Iraq and Afghanistan may be the first, but there are many failed states

on the horizon—Libya, Yemen and certain west African countries are already in that category. We must surely be prepared, with the international community, to meet potentially even greater challenges to our hospitality and principles. At present it is Hispanics from central and South America seeing the US as the promised land; Afghans looking to Australia; Burmese Rohingya Muslims fleeing south; or those from the Middle East and north Africa looking to Europe. The world is far from finding a solution to these increasing migratory flows. (...)

For full debate, see:

<http://www.publications.parliament.uk/pa/ld201516/ldhansrd/text/150916-0002.htm#15091645000338>

Burma mentioned in House of Lords Debate on Sustainable Development Goals

17 September 2015 Lord McConnell of Glenscorrodale (Lab): My Lords, 2015 is in danger of being remembered in 21st century history as a year when the poorest and most desperate people in the world—whether from northern Burma, Syria, Libya or Eritrea, or even recently from Burundi—either climbed on to boats with their children and took the terrifying journey to try to find peace and security elsewhere, or moved back into refugee camps in central Africa that we thought had been long closed. (...)

For full debate, see:

<http://www.publications.parliament.uk/pa/ld201516/ldhansrd/text/150917-0001.htm#15091736000775>

Burma mentioned in House of Lords debate on Women in Broadcasting

8 September 2015 Lord Dobbs (Con): (...) The BBC, along with others, has a vital role to play in that global battle for tolerance. Aung San Suu Kyi, the Burmese leader who was under house arrest for 15 years, has told of how the BBC kept her in touch throughout her struggle. She said: “Everywhere I have been, the BBC has been with me”. (...)

For full debate, see: <http://www.publications.parliament.uk/pa/ld201516/ldhansrd/text/150908-0001.htm#15090849000022>

Burma mentioned in House of Lord’s debate on UN: Senior Appointments

10 September 2015 Baroness Falkner of Margravine (LD): (...) Let me deal with the most important issue to do with the UN’s effectiveness: the perception—widely held across both the global north and south—that the UN is again ineffective in dealing with international peace and security. Whether you are a Rohingya in Myanmar fleeing for your life, or an Iraqi or Syrian citizen living under years of war, what is clear to you is that the UN has been pretty much absent in terms of resolving the crisis that afflicts you. I do not mean absent in terms of providing humanitarian assistance, but ineffective in resolving or ending the conflict. It is not even capable of providing a safe haven, which it was able to do in the mid-1990s. (...)

For full debate, see: <http://www.publications.parliament.uk/pa/ld201516/ldhansrd/text/150910-0003.htm>

Early Day Motions

ACCESS FOR HUMANITARIAN AGENCIES TO RAKHINE STATE IN BURMA (Early Day Motion 58)

Date tabled: 01.06.2015

Signatures: 55

That this House expresses its concern at the number of Rohingya Muslims from Burma and Bangladesh who have fled their countries since the start of the year, risking their lives in order to reach Indonesia, Malaysia and Thailand; calls on the Government to make clear to the Burmese government the need to address the reasons that people feel forced to do so; and further calls on the Government to ask the UN Secretary-General to take a personal lead in negotiating with the Burmese government to allow access for humanitarian agencies to Rakhine State.

TREATMENT OF THE ROHINGYA IN BURMA (Early Day Motion 121)

Date tabled: 15.06.2015

Signatures: 42

That this House notes that the continuing persecution of the Rohingya people in Burma has caused and continues to create a humanitarian disaster in the area; further notes that the Muslim Rohingya minority have been described as the most persecuted people in the world; further notes that they are subject to violence, murder, displacement and as a result many of them are forced to flee; further notes that the Burmese government's refusal to accept the Rohingya as full citizens alongside its failure to stop the toxic anti-Muslim rhetoric and propaganda has led to a situation that can only be described as ethnic cleansing; and further notes that this government along with the regional governments of Indonesia, Malaysia, Thailand and Bangladesh must act decisively to force the Burmese authorities to take action to defend the Rohingya people and restore their basic human rights and freedoms as a matter of the utmost urgency.

RESTRICTIONS ON JOURNALISTS IN BURMA (Early Day Motion 57)

Date tabled: 01.06.2015

Signatures: 51

That this House deplores the restrictions recently imposed on journalists in reporting proceedings in the Burmese parliament, the Assembly of the Union; notes that the restrictions have now been lifted; believes that the reporting of parliamentary proceedings is vital for public information and to hold Members accountable; further notes the importance of the fight by John Wilkes to secure reporting of Parliament in the development of the UK's own democracy; further notes the latest report on Burma in 2015 by Human Rights Watch that highlights increasing intimidation of the media over the past year, including new restrictions on both foreign and domestic journalists; further notes the current imprisonment of 13 journalists and the shooting in October 2014 of the freelance reporter, Ko Par Gyi, by the army whilst held in custody; and calls on the Government to raise concerns about the restrictions on parliamentary reporting in Burma and to express its determination to monitor developments in media freedom in Burma in the future.

All-Party Parliamentary Group on Democracy in Burma

On Wednesday 9th September the APPGs for Burma and Thailand held a joint meeting on the case of British citizen and human rights defender Andy Hall. Andy Hall faces up to seven years in prison in Thailand and an £8 million fine for exposing human rights abuses of Burmese workers in the Thai fruit processing industry. The company Natural Fruit has brought defamation and computer crimes charges against Andy for research he did for the organisation Finnwatch. The charges are widely believed to have been made to scare other researchers and human rights activists into silence.

Owen Tudor, Head of European Union and International Relations Department at the TUC, has followed Andy's case closely and briefed the APPGs on Andy's case. The Thai Ambassador to the UK declined an invitation to the meeting.

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Thank you.

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