

“Threats to Our Existence”:

Persecution of Ethnic Chin Christians in Burma



“Threats to Our Existence”: **Persecution of Ethnic Chin Christians in Burma**

September, 2012

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Nepean ON K2J 2L3
Canada
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Front cover: Chin Christians praying over a cross they were ordered to destroy by the Chin State authorities, Mindat township, July 2010.

Back cover: Chin Christian revival group in Kanpetlet township, May 2010.

Design & Printing:
Wanida Press, Thailand

ISBN: 978-616-305-461-6

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Acronyms

BSPP	Burma Socialist Programme Party, established by General Ne Win’s Revolutionary Council.
CCOC	Chins for Christ in One Century, an evangelical mission under the Evangelism and Mission Program of the Zomi (Chin) Baptist Convention 1983 – 1998.
CEDAW	1979 Convention on the Elimination of All Forms of Discrimination Against Women; accession by Burma in 1997.
CHRO	Chin Human Rights Organization, founded in 1995.
CNA	Chin National Army, armed wing of the Chin National Front.
CNF	Chin National Front, formed in March 1988.
CNP	Chin National Party, formed in 2010 and contested the 2010 elections.
CPP	Chin Progressive Party, formed in 2010 and contested the 2010 elections.
CRC	1989 Convention on the Rights of the Child; accession by Burma in 1991.
ENDP	Ethnic National Development Party, formed in 2010 and contested the 2010 elections.
HRBM	Hill Regions Buddhist Mission under the Department for Promotion and Propagation of Buddhism under the Ministry of Religious Affairs.
HRC	UN Human Rights Council
HRW	Human Rights Watch
IB	Infantry Battalion
ICC	International Criminal Court
ICCPR	1966 International Covenant on Civil and Political Rights, not signed by Burma.
ICERD	1965 International Convention on the Elimination of Racial Discrimination, not signed by Burma.
ICESCR	1966 International Covenant on Economic, Social and Cultural Rights, not signed by Burma.
ICTY	International criminal tribunal for the former Yugoslavia
ILO	International Labour Organization
IFI	International Financial Institution
INGO	International Non-governmental Organization
LIB	Light Infantry Battalion
MNHRC	Myanmar National Human Rights Commission
MoRA	Ministry of Religious Affairs, first established in 1953 by Prime Minister U Nu.
NGO	Non-governmental organization

NLD	National League for Democracy, political party led by Aung San Suu Kyi.
Na Ta La	Burmese acronym for Progress of the Border Areas and National Races Development Affairs.
PHR	Physicians for Human Rights
RC	Revolutionary Council, under General Ne Win's leadership.
SLORC	State Law and Order Restoration Council
SPDC	State Peace and Development Council
TPDC	Township Peace and Development Council
UDHR	Universal Declaration of Human Rights
UNDP	United Nations Development Programme
UNHCR	United Nations High Commissioner for Refugees
UPR	Universal Periodic Review for a country's human rights record, conducted under the UN Human Rights Council.
USDA	A mass-membership social organization established by Senior-General Than Shwe in 1993, later transformed into the Union Solidarity Development Party to contest the 2010 elections as the regime's proxy party.
USDP	Union Solidarity and Development Party
VCC	Village Council Chairman or village headman
VPDC	Village Peace and Development Council
WFP	UN Agency World Food Program
ZBC	Zomi (Chin) Baptist Convention

Dedication

This report is dedicated to the courageous Chin men and women who shared their personal stories with CHRO researchers, and to all Chin people who face persecution on the basis of their ethnicity and religion.

Acknowledgements

We are indebted to the following organizations for their ongoing support for CHRO’s core work, which made the research for this report possible:

- National Endowment for Democracy
- InterPares
- Open Society Foundations
- Christian Solidarity Worldwide
- Stefanus Alliance International

The publication and distribution of this report would not have been possible without generous financial support from the following organizations and groups:

- Freedom House
- Chin communities and churches from across Asia, Australia, North America and Europe

Our special thanks also go to the Chin volunteers in Malaysia who generously gave their time and energy to arrange interviews and provide interpretation.

About the Chin Human Rights Organization

The Chin Human Rights Organization (CHRO) is a non-governmental, non-profit human rights and advocacy organization legally registered in Canada. It was formed in 1995 on the India-Burma border by a group of Chin activists committed to promoting democracy in Burma, and documenting previously unreported human rights violations being perpetrated against the Chin people by the Burma army and State authorities. Since it was founded, CHRO has documented extra-judicial killing, arbitrary arrest and detention, torture, rape and sexual violence, land and property confiscation, violations of religious freedom, military conscription and the use of child soldiers, and forced labour in its bi-monthly publication *Rhododendron News*.

Rationale and methodology

In 2004, CHRO published *Religious Persecution: A Campaign of Ethnocide Against Chin Christians in Burma*. In 2010, Chin communities both in Burma and in exile around the world asked CHRO to produce a follow-up report. As such, this report serves two purposes. Firstly, as a historical record of the numerous problems facing the Chin people of Burma, forcing them to flee their homeland; and secondly, to contribute to the growing body of evidence of serious human rights violations perpetrated against the Chin.

Chin State is a very remote, isolated part of western Burma. Conducting human rights documentation work in the area is very challenging. Infrastructure in Chin State is very poor, with no fully paved roads, making access difficult. There is no road at all connecting the north and southwest of Chin State.¹ Many villages in Chin State are only accessible on foot, via a network of small tracks.

In the nine main towns, the government-supplied metered electricity is limited to just a few hours a week and is relatively expensive. Both landline and mobile phone access is limited. Although the number of publicly accessible internet cafes in major towns in Chin State has increased in the past two years², internet access remains difficult, particularly in southern Chin State. This poor basic infrastructure in Chin State makes it extremely difficult to collect timely information. As a result, most human rights violations are documented days or weeks after the fact, if at all.

In addition, Chin State is heavily militarized. At the time of writing, there are 54 Burma Army camps in the area, with troops constantly on patrol. In 1998, Michael En Za Pau was killed while working as secretary of CHRO. In 2000, CHRO fieldworker Salai Zothang and two Chin villagers, Pu Za Dun and Siamhmingthang, were summarily executed by Burma Army soldiers. As ongoing ceasefire negotiations between armed resistance group the Chin National Front and the government are ongoing, the risk of extra-judicial killing by the military has been greatly reduced.

¹ For example, to reach Paletwa township in the southwest of Chin State from the northern township of Tedim by road would require travelling to Kalaymyo in Sagaing Region, down to Mandalay in Mandalay Region, on to Sittwe the capital of Arakan State and by boat up the Kaladan river from Kyauktaw township in Arakan State to reach Paletwa town, a journey which takes around 6 days.

² There are now an estimated 43 internet cafes across the whole of Chin State, but only 9 are in the southern towns of Matupi, Mindat and Paletwa.



However, security issues for CHRO fieldworkers persist, as they are at risk of arrest and detention by the authorities during the course of their work to document the human rights situation in Chin State.

This report draws on over 100 in-depth qualitative interviews³, primarily covering incidents that took place between March 2004 and April 2012. Thirty-four of the interviews were conducted in Chin State in 8 out of the 9 main townships⁴, plus Kalaymyo town in Sagaing Region and Saw township in Magway Region, where sizeable Chin populations live. The other interviews were carried out with Chin refugees⁵ who have fled Burma and now live in Mizoram, Northeast India, New Delhi, and Malaysia. They were from all nine townships of Chin State, and some interviewees had been living in Rangoon or Arakan State at the time they experienced human rights abuses. In addition, this report draws on information collected by CHRO fieldworkers since 2004, published in *Rhododendron News*.

A wide range of religious freedom violations are documented in this report. Many of the issues are cross-cutting with other human rights abuses, such as forced labour, arbitrary arrest and detention, torture, and sexual violence. While the issues covered are broad, this report should not be taken as a comprehensive account of all human rights violations experienced by the Chin during the reporting timeframe. Due to the challenges and difficulties with human rights documentation outlined above, CHRO believes that the information presented in this report represents the tip of the iceberg.

As interviewees and their families face the threat of reprisals if identified, CHRO has withheld the names of interviewees and other potentially identifying information in order to protect them. Where testimony is quoted, the interviewee is identified only as pastor A, church worker B, villager C, farmer D etc. The month and year of the incident and the township area it took place in follows the quotation in brackets e.g. [December 2009, Village 1, Thantlang township]. The date and location of the interview itself are referenced in footnotes.

At the outset of each interview, its purpose was clearly explained and anonymity was guaranteed. The interviewee was given the opportunity to ask questions about the process, and then gave their oral consent to be interviewed. All of the interviews were conducted using open question techniques in accordance with documentation guidelines produced by the Network for Human Rights Documentation – Burma, of which CHRO is a member.⁶ All interviewees had the option of terminating the interview at any time. CHRO has made extensive efforts to corroborate the testimony quoted in this report. This was primarily done by checking key facts with another individual from the same village, unrelated to the original interviewee, with knowledge of the incident. Corroboration of cases of rape and sexual violence is particularly challenging, but CHRO made every effort to do so, taking into account the sensitivities surrounding reporting rape and the need to protect the anonymity of victims.

³ In Chin State, the majority of the interviews were done in the interviewee's native language, although occasionally Burmese was substituted. The other interviews were conducted in English, with interpretation into the interviewee's native language, although occasionally Burmese was used if a native language interpreter was not available.

⁴ For security reasons, it was not possible for CHRO's researcher to visit Matupi township area.

⁵ In cases where the interviewee was either an asylum-seeker or recognised refugee, the researcher also explained that the interview and the testimony given would not affect their claim for refugee status with the United Nations High Commissioner for Refugees (UNHCR) either positively or negatively.

⁶ See <http://www.nd-burma.org/documentation/resources.html>, accessed 4 August 2012.

Foreword

By Benedict Rogers

As signs of hope in Burma at last appear, there is a danger of premature euphoria. There is, certainly, cause for cautious optimism – the release of hundreds of political prisoners, including many very prominent dissidents, the relaxation of media censorship, increasing space for civil society, ceasefire agreements with many ethnic nationalities and the participation of Aung San Suu Kyi and the National League for Democracy (NLD) are all positive steps forward. Since Aung San Suu Kyi met President Thein Sein in August 2011, there has been, at least in some respects, a change of atmosphere and perhaps a change of attitude among some in the regime.

Nevertheless, there is still a very long way to go. The change of atmosphere has not yet resulted in a change of system. Several hundred political prisoners remain in jail, at the time of writing, and the Burma Army continues its brutal offensives against civilians in Kachin State. Sectarian violence, stirred up by elements in the security forces, between Buddhist Rakhine and Muslim Rohingyas in Arakan State, and state-sponsored persecution of the Rohingyas, denied citizenship despite living in Burma for generations, all indicate the many challenges still to be resolved. Repressive laws remain on the statute books, and serious constitutional reform, required if Burma is to become a genuine democracy, has not yet begun.

One of the most under-reported aspects of Burma’s human rights record has been the regime’s discrimination and persecution of religious minorities and violations of religious freedom. Although Burma has been categorised as a ‘Country of Particular Concern’ by the US State Department for many years, this issue has seldom received the attention it deserves.

For this reason, the Chin Human Rights Organisation (CHRO)’s new report is a vital and very welcome resource. The persecution of Chin Christians, alongside the persecution faced by Christians among the Kachin, Naga, Karenni and Karen, and the suffering of the Muslim Rohingyas, Buddhists among the Shan, Rakhine and Mon, and the imprisonment of Buddhist monks, all indicate that Burma’s government is in serious violation of the right to freedom of religion or belief enshrined in Article 18 of the Universal Declaration of Human Rights.

This report follows the CHRO’s previous excellent report, published in 2004, and Christian Solidarity Worldwide’s report *Carrying the Cross: The military regime’s campaign of restriction, discrimination and persecution against Christians in Burma*, published in 2007, in putting the spotlight on this important issue. If Burma is to become a genuine democracy, respectful of human rights, then violations of religious freedom must stop and freedom of religion or belief must be upheld. I hope that policy makers, political actors, religious leaders and other people of influence, within Burma and in the international community, will study this report closely, engage with ethnic, religious, political and civil society representatives and promote religious freedom and inter-faith harmony in the years to come.

Benedict Rogers

East Asia Team Leader, Christian Solidarity Worldwide, and author of several books on Burma, including *Burma: A Nation At The Crossroads* published in 2012.

Executive summary and key recommendations

Background

The Chin are ethnically one of the most diverse groups in Burma. The six main Chin tribes of Asho, Cho (Sho), Khumi (M’ro), Laimi, Mizo (Lushai), and Zomi (Kuki) can be further distinguished by at least 60 different sub-tribal categories. The missions of the American Baptist Church starting in the late 1800s served to unify very diverse peoples, despite language differences and geographical barriers. With conversion to Christianity, a new consciousness and political awareness of Chin cultural homogeneity developed, which provided a framework for Chin nationalism. Today the Chin are approximately 90 percent Christian, in a country that is predominantly Buddhist, and Christianity is largely viewed as an integral part of the Chin identity. This intersection between ethnicity (Chin) and religion (Christianity) is important in terms of understanding Chin identity.

After the assassination of Burma’s independence hero Aung San in 1947, his federal, secular vision for the Union of Burma was overshadowed by a return to Burman ‘traditional nationalism’, rooted in the importance of Buddhism, during Prime Minister U Nu’s era after Burma gained independence from British colonial rule. U Nu’s government abandoned Aung San’s secular, “unity in diversity” approach, preferring to adopt “unity in culture” – meaning religious and cultural assimilation into Burmese Buddhism - as a form of national integration, and by 1961 Buddhism was promulgated as the state religion. For the predominantly Christian Kachin and Chin in particular, this was wholly unacceptable and thousands of people protested. Buddhism as state religion gave rise to Chin and Kachin armed rebellion in the 1960s to defend their people from forced assimilation.

Following the military coup in 1962, successive military regimes viewed Christianity as a foreign religion, and therefore a threat to creating a homogenous national identity for citizens of the Union of Burma. Chin political identification with Christianity has arguably been at the root of extreme Burman nationalist resentment towards the Chin. The denial of religious freedom in Burma today, particularly for minority groups like Chin Christians, is rooted in discrimination on the dual basis of ethnicity and religion. This endemic discrimination is arguably a product of extreme Burman nationalism based on a distorted version of Buddhism characterized by the State Law and Order Restoration Council / State Peace and Development Council (SLORC/SPDC) regime. Widespread restrictions on freedom of religion were a central pillar of SLORC/SPDC’s drive to ethnically, culturally, linguistically, and religiously homogenize the ethnic minority areas of the Union of Burma as part of an unwritten forced assimilation policy known as “Burmanization”. As part of this drive, monks loyal to military rule were dispatched to Chin State by SLORC in the 1990s under the Hill Regions Buddhist Mission, and many cooperated closely with the military. Burma Army soldiers exacted forced labour from Chin Christians to build pagodas, and monasteries for the monks. CHRO’s documentation indicates that this policy of Burmanization continues to be implemented under the current nominally-civilian government.

Current context

Since the nominally-civilian government was formed in Burma in March 2012, President Thein Sein has initiated positive changes, most notably the release of political prisoners and ceasefire

talks with ethnic armed resistance groups. At the time of writing, 15 Points of Agreement between Chin armed resistance group the Chin National Front and the government’s Union-level peace delegation have been set down, specifying terms of reference for further talks, with the aim of “realizing eternal peace, justice, equality and socio-economic development through peaceful cooperation.” Point 13 of the agreement is on basic human rights, and makes specific mention of religious freedom. CHRO was the first independent group among Burmese exile organizations permitted to attend the May 2012 talks as an international observer. CHRO also attended public consultations organized by the Chin National Front, where the key concern raised by the Chin people was the continuing lack of religious freedom.

Summary of findings

For decades, the Chin have suffered deep-rooted, institutionalized discrimination on the dual basis of their ethnicity and religion. Since the SLORC / SPDC era, this has manifested as a pattern of widespread and systematic violations of their fundamental human rights, particularly religious freedom, perpetrated by State actors. CHRO’s documentation shows that over a period of many years, religious freedom violations have often intersected with other serious human rights violations, such as forced labour, torture, and other cruel, inhuman, or degrading treatment. For example, worship services and religious gatherings have often been disrupted by Burma Army soldiers, who have taken worshippers for portering and subjected them to torture and other ill-treatment.

Ongoing violations of religious freedom include: widespread restrictions on constructing and renovating Christian infrastructure; destruction of Christian crosses; violations of freedom of religious assembly; and threats, intimidation, and harassment of pastors and missionaries.

A distorted version of Buddhism continues to be imposed by the authorities on the predominantly Christian Chin as a tool of oppression, and arguably as part of an unwritten policy of forced assimilation. This has included forced relocation and land confiscation to build Buddhist infrastructure; forced labour exacted from Chin Christians to build pagodas and monasteries; and most recently, extortion to pay for Buddhist religious festivals.

In preparing this report, CHRO documented:

- The destruction of 13 Christian crosses, many of them large structures over 20 feet tall.
- 15 Buddhist pagodas or monasteries built with forced labour exacted from Chin Christians.
- More than 40 separate incidents of torture or ill-treatment, targeted at Chin on the dual basis of their ethnicity and religion.
- 24 official complaints of violations of religious freedom and other human rights abuses (including rape and extra-judicial killing) lodged by Chin Christians at various levels of government, where no action was taken against the alleged perpetrators.

As well as violations of the right to manifest their religion, proselytize, and assemble for religious gatherings, the Chin have also been subjected to induced and coerced conversion by State actors.

With more than 70 percent of Chin people living below the poverty line, abject poverty and the ongoing food security crisis in southern Chin State have left the Chin particularly vulnerable to induced and coerced conversion.

Of paramount concern to the Chin people today are the government’s Border Areas National Races Youth Development Training Schools (known locally as Na Ta La schools, as Na Ta La is the Burmese acronym for Progress of the Border Areas and National Races Development Affairs Programme), run under the Education and Training Department within the Ministry for Border Affairs, dominated by the military. Little research has been conducted into the Na Ta La schools until now.

The schools first opened in around 1994, mandated by a 1993 SLORC decree which provided for the promotion and propagation of Buddhism, and ‘vocational training’. They function as a separate education system, primarily targeted at ethnic and religious minorities like the Chin. Chronic underfunding of the mainstream State education system means that families must typically pay costs such as annual fees, school materials, and supplementary income for teachers. These constitute significant economic barriers to accessing education for the Chin. Entry to the Na Ta La schools is free or much cheaper within this alternative system, but CHRO’s documentation shows that the Chin are prevented from practising Christianity and face coercion to convert to Buddhism at the schools, despite claims by the government that trainees are free to follow their chosen religion.

CHRO’s research reveals that the Ministries for Border Affairs and Religious Affairs work in close cooperation in the implementation of the schools programme. One-third of Na Ta La trainees in 29 such schools across Burma are Chin, indicating that the Chin are specifically targeted for recruitment to the schools. CHRO’s documentation illustrates that monks and Buddhist laymen from the Hill Regions Buddhist Mission under the Ministry of Religious Affairs are involved in recruitment to the Na Ta La schools. Chin Christian attendees told CHRO that they faced forced coercion to Buddhism at the Na Ta La schools via the threat of military conscription and other coercive methods. Their testimony shows that monks, Buddhist laymen and Burma Army soldiers have worked together to track down Na Ta La attendees who fled from the schools. Today, the Na Ta La schools arguably function as a cornerstone of the unwritten policy of forced assimilation.

Analysis

The consequences of such human rights violations perpetrated against the Chin are far-reaching. There are an estimated 50,000 Chin refugees and asylum-seekers in Malaysia, 12,000 in New Delhi, and as many as 100,000 Chins living in Mizoram, Northeast India, which borders Chin State.

A prima facie analysis of the documentation presented in this report indicates that it would meet the widely-accepted definition of persecution under customary international law; namely the severe deprivation of fundamental rights on discriminatory grounds.

CHRO’s report follows the important 2011 report by Physicians for Human Rights, *Life Under the Junta: Evidence of Crimes Against Humanity in Burma’s Chin State*, and adds to a growing body

of evidence that the authorities in Burma may have carried out crimes against humanity against the Chin, with particular reference to persecution on religious and ethnic grounds. For detailed analysis of the six elements of persecution as a crime against humanity - as defined by the 2002 Rome Statute of the International Criminal Court, as opposed to customary international law - see **Chapter Three - The human rights legal framework.**

Although President Thein Sein’s government has initiated some positive changes in Burma, this report illustrates that the right to religious freedom is still routinely violated; the policy of forced assimilation of the SLORC / SPDC era continues to be implemented; and the culture of impunity for human rights violations remains deeply entrenched.

There is a long road ahead to ensure that the rights of the country’s ethnic and religious minorities are at the heart of democratic transition. Firstly, the right to freedom of religion must be respected, requiring far-reaching reform of government ministries. Secondly, concrete measures need to be taken at all levels of government and within State institutions like the Burma Army to tackle deep-rooted discrimination, and protect and promote human rights. Thirdly, the government must fully address fundamental, long-standing issues of self-determination for the country’s ethnic minorities at a deep systemic level, within a revised federal constitutional framework. Finally, the serious human rights violations documented by CHRO and other human rights groups warrant an international investigation. This would act as a significant deterrent for further human rights violations, and would be a major step forward in terms of tackling the deeply-entrenched culture of impunity in Burma.

Key recommendations

More detailed recommendations are contained in **Chapter Six – Conclusions and recommendations.**

To the Government of the Union of Burma:

1. Immediately and unconditionally lift all restrictive and discriminatory measures placed on the activities of Christian churches, pastors and missionaries, and end the policy of forced assimilation and other practices which amount to persecution of Chin Christians on the dual basis of their ethnicity and religion.
2. Support an independent and impartial international mechanism to investigate serious human rights violations in Burma, which would deter further violations and help to end the culture of impunity.
3. Invite the UN Special Rapporteur on freedom of religion or belief to visit Burma to investigate reports of religious freedom violations, and cooperate fully with his mandate.
4. Abolish the Ministry of Religious Affairs, implicated in human rights violations not only against religious minorities like Chin Christians, but also against monks and nuns for their perceived political activism.

5. Abolish the Education and Training Department under the Ministry for Border Affairs and reallocate the funding to the teaching of ethnic minority languages within the national curriculum, under a properly-financed, restructured and decentralized Ministry of Education.
6. Initiate substantive measures to tackle discrimination and protect and promote human rights at all levels of Government and within State institutions, including (but not limited to) reforming the domestic legislative framework to comply with international human rights standards, and revising the National Registration Card so that it no longer identifies the bearer’s religion or ethnicity.

To the International Community:

1. Support an independent and impartial international mechanism to investigate serious human rights violations in Burma, which would deter further violations and help to end the culture of impunity.
2. Do not further ease sanctions, unless and until the government of the Union of Burma demonstrates a robust commitment to human rights, as evidenced by:
 - > Thorough investigations leading to successful prosecutions of State perpetrators of human rights violations;
 - > Effective civilian control over the military;
 - > An end to human rights violations targeted at the country’s ethnic and religious minorities, perpetrated by State actors.
3. Strongly urge the government to lift all restrictive and discriminatory measures placed on the activities of Christian churches, pastors and missionaries, and end the policy of forced assimilation and other practices which amount to persecution of Chin Christians on the dual basis of their ethnicity and religion.
4. Urge the government to abolish the Ministry of Religious Affairs and the Education and Training Department under the Ministry for Border Affairs.
5. Publicly and privately call on the government to properly finance and restructure the Ministry of Education, and revise the national curriculum to include the teaching of ethnic minority languages.
6. Publicly and privately call on the government to initiate substantive measures to tackle discrimination and protect and promote human rights at all levels of Government and within State institutions, including (but not limited to) reforming the domestic legislative framework to comply with international human rights standards, and revising the National Registration Card so that it no longer identifies the bearer’s religion or ethnicity.



Chapter
One

The authorities and religious freedom in Burma

Chapter One provides an overview of religious freedom in Burma today, in an effort to place CHRO’s documentation in a wider context. It explores the complex relationship between successive military regimes and Buddhism; in particular, how the State Law and Order Restoration Council/State Peace and Development Council (SLORC/SPDC) regime was characterized by extreme Burman nationalism predicated on a distorted version of Buddhism, which is at the root of State-sanctioned discrimination and the denial of religious freedom for Muslims and Christians in Burma today. Finally, Chapter One provides an introduction to the government’s “Border Areas National Races Youth Development Training Schools”, which arguably function as a cornerstone of an unwritten policy of forced assimilation.

‘Ethnic nationality’ versus ‘minority’

Within the context of Burma, it is important to both understand and clarify the terminology used to refer to different ethnic groups within the country. Burma is a multi-ethnic country, and it is generally accepted that there are eight main ethnic groups, namely the Burman, Shan, Karen, Karenni, Mon, Arakanese/Rakhine, Chin and Kachin. Successive military regimes and the current nominally-civilian Union government have consistently referred to there being “over 100 national races”⁷, to support the rhetoric that without a strong military presence in the country, there will be secession and the disintegration of the Union of Burma. From a political perspective, ethnic leaders and resistance movements prefer the term ‘ethnic nationality’, to ‘national races’ or ‘minorities’. For many ethnic leaders, the term ethnic nationality has come to reflect principles of equality and non-discrimination, embodied in the spirit of the 1947 Panglong agreement.⁸ It also reflects the fact that although the ethnic Burman group constitutes a numerical overall majority in the country, in the respective ethnic states of Chin, Kachin, Karen etc, the Burmans are a minority.⁹ The population of the seven ethnic states constitutes approximately 40 percent of the overall population of Burma, while ethnic homelands make up 60 percent of the present-day Union of Burma.¹⁰ Moreover, a distinction is made between minorities and ethnic nationalities in the Burmese language.¹¹

⁷ See for example *Myanmar National Report, Human Rights Council Working Group on the Universal Periodic Review Tenth Session*, 10 November 2010, A/HRC/WG.6/10/MMR/1 and *The New Light of Myanmar*, 24 April 2011. 53 of the so-called “135 national races” are known to be sub-tribes of the Chin. See pp.33 of *Civil & Military Administrative Echelon*, July 2011, a Burmese-language compilation of information drawn from official government documents obtained and published by Network for Democracy and Development.

⁸ ‘Unity in diversity’; when leading representatives of territories not part of colonial-era ‘Burma Proper’ agreed to jointly form the independent Union of Burma in 1947.

⁹ See Dr. Chao-Tzang Yawngwe *Burma: State Constitutions and the Challenges Facing the Ethnic Nationalities*, in “Federalism, State Constitutions and Self-Determination in Burma”, 2003, as part of Series No.5. of *Peaceful Co-existence: Towards Federal Union of Burma*, eds. Chao-Tzang Yawngwe and Lian H. Sakhong.

¹⁰ See Harn Yawngwe, *Burma – Perspective of the Ethnic Nationalities*, paper presented at the Czech Parliament in Prague on 6 November 2007.

¹¹ *Lu-myo-zu* refers to ethnic nationalities, while *Lu-ne-zu* refers to minorities. See *Burma: State Constitutions and the Challenges Facing the Ethnic Nationalities*, *ibid.*

Figure 1 : Map of the present-day Union of Burma



From a human rights perspective it is important to utilize language and concepts from international human rights law. A working definition of ‘minority’ is, “[A] group numerically inferior to the rest of the population of the State, in a non-dominant position, whose members... possess ethnic, religious or linguistic characteristics differing from those of the rest of the population [emphasis added]”.¹² For example, within the context of present-day Burma, the Chin are an ethnic, religious, AND linguistic minority. Non-discrimination and equality are two basic principles of international human rights law and are at the heart of minority rights. In this sense, there is arguably some similarity between the human rights concept of ‘minorities’ and the term ‘ethnic nationalities’ in the context of Burma.

In addition, there are many commonalities between minorities and indigenous peoples, especially the fact that both groups are in a non-dominant position in society. Their languages, culture and religion may also differ from the majority or dominant group. The Chin identify themselves as indigenous peoples and lay claim to collective rights set out in the 2007 Declaration on the Rights of Indigenous Peoples, which are more comprehensive than minority rights, including, for example, ancestral land rights, self-determination, and the right to free, prior and informed consent with regard to development.¹³

Under successive military regimes, minority and indigenous rights have been systematically eroded in Burma. Under the 2008 Constitution, there is no recognition of collective rights (although there is reference to the country’s ‘national races’) and individual rights are conferred only “if not contrary to the laws, enacted for Union security, prevalence of law and order, community peace and tranquility or public order and morality”.¹⁴ Under the current nominally-civilian government, minority and indigenous rights continue to be marginalized.

¹² There is no internationally agreed definition of ‘minority’, but Francesco Capotorti, former Special Rapporteur of the Sub-Commission on Prevention of Discrimination and Protection of Minorities, proposed the above definition, here in full: “[A] group numerically inferior to the rest of the population of the State, in a non-dominant position, whose members... possess ethnic, religious or linguistic characteristics differing from those of the rest of the population and show, if only implicitly, a sense of solidarity, directing towards preserving their culture, traditions, religion or language.” Francesco Capotorti, Study on the Rights of Persons Belonging to Ethnic, Religious and Linguistic Minorities, Geneva and New York, 1991 [Human Rights Study Series, No. 5 (revised version of document E/CN.4/Sub.2/384). United Nations publication, Sales No. 91.XIV.2], para.568, quoted in *Racial Discrimination and Religious Discrimination: Identification and Measures*, study prepared by Mr. Abdelfattah Amor, Special Rapporteur of the Commission on Human Rights on religious intolerance, presented at the World Conference Against Racism, Racial Discrimination, Xenophobia and Related Intolerance, Geneva 1-5 May, 2000. It is commonly accepted that recognition of minority status should be based on objective criteria such as those proposed by Capotorti, but also subjective criteria such as the wish of individuals concerned to be considered part of that group. See *Minority Rights: International Standards and Guidance for Implementation*, UN OHCHR, 2010, pp.3.

¹³ Due to the diversity of indigenous peoples, an official definition of “indigenous” has not been adopted by any UN-system body. However, the term is understood to include some or all of the following elements: descendants of the peoples who inhabited the land prior to colonization or the establishment of State borders; distinct social, economic and political systems, languages cultures and beliefs, and are determined to maintain this distinct identity; strong attachment to ancestral lands; and self-identification as indigenous or tribal peoples. Minorities do not necessarily have the long ancestral attachment to their lands that are usually associated with indigenous peoples. See *Minority Rights: International Standards and Guidance for Implementation*, UN OHCHR, 2010, pp.3-4.

¹⁴ See Section 354 of the 2008 Constitution. Many such domestic laws have been used to criminalise political dissent. See *The Role of Political Prisoners*, AAPP, op cit.

The denial of religious freedom – particularly for minority groups such as the Rohingya Muslims and Chin Christians – is rooted in discrimination on the dual basis of ethnicity and religion. This endemic discrimination is arguably a product of extreme Burman nationalism based on a distorted version of Buddhism, held by Burma’s military rulers.

1.2. Burman nationalism and Buddhism

“Buddhism has been so much entwined with Burman culture, nationality and heritage that Burmese rulers have tended to use Buddhism – in a distorted and perverted form – for their political purposes, to be intolerant of other beliefs, and to distort Buddhism from a peaceful philosophy into a violent and nationalistic ideology.”²²

[Christian Solidarity Worldwide, 2007]

The origins of the saying ‘Buddha-Bata Myanmar-Lu-Myo’ – ‘to be Myanmar [Burmese] is to be Buddhist’ – can be traced back to the founding of the first Burman kingdom in 1044, when Buddhism was established as the State religion, and the King was defender of the faith. Since that time, Burman nationalism and Buddhism have been inextricably linked.²³ The turn of the 20th century saw the first anti-colonial Burman nationalist movements, led by monks and religious organizations like the Young Men’s Buddhist Association (YMBA), angry at the colonial rulers’ lack of respect for Buddhism. An anti-colonialist motto called on Burmans to protect ‘a-myo-ba-tha tha-thatana’ - race, language, religion. Under successive military regimes in Burma, this has now become synonymous with “Burmanization”, an unwritten policy of forced assimilation in the name of ‘nation-building’. This attempt to assimilate all ethnic minorities into mainstream Burman culture, in order to create a single national identity, is also known as the three Bs or “one race (Burman), one language (Burmese) and one religion (Buddhism)” policy.

The creation of the Union of Burma

Traditionally, the Burman nationalist movement had long been intertwined with Buddhism and many leaders had been either monks or lay religious leaders until Aung San emerged as a new, visionary leader.²⁴ At the heart of Aung San’s vision for nation-building was a radical non-racial, non-religious, inclusive approach.²⁵ This, together with his acknowledgement of the ethnic nationalities’ right to self-determination, won the trust of ethnic leaders and was a key factor in

²² Christian Solidarity Worldwide (CSW), *Carrying the Cross: the military regime’s campaign of restriction, discrimination and persecution against Christians in Burma*, pp.13.

²³ See *In Search of Chin Identity*, pp.108 and 187-190.

²⁴ *In Search of Chin Identity*, pp.187.

²⁵ *In Search of Chin Identity*, pp.192.

their engagement with him at the historic conference to discuss independence from British colonial rule at Panglong in 1947.²⁶

At Panglong, Aung San convinced the Chin, Kachin and Shan leaders of territories or homelands governed separately by the British to come together with the Burmans on an equal footing, to jointly create the independent Union of Burma. For the founding fathers of the Union of Burma, the right to ‘self-determination’ encompassed both an ‘external’ and ‘internal’ aspect. The external aspect related to the right to be free from colonial rule and to collectively establish a multi-ethnic, multi-religious sovereign state. The internal aspect incorporated the right to local autonomy and self-governance for the ethnic nationalities in their homelands, i.e. federalism.²⁷ Aung San promised the ethnic nationalities full autonomy and equality within the Union and the protection of minority rights.²⁸

Aung San’s federal, secular vision for the Union of Burma died along with him in July 1947 when he was assassinated before Burma achieved independence by militiamen of his former colleague in the Burman nationalist movement, U Saw. His radical secularism was never accepted by U Saw and others, who saw Buddhism as a political ideology on which the newly independent Burma should be based.²⁹

U Nu became the new leader, and ordered the redrafting of Aung San’s constitution, which had been based on the principles of equality, the right to self-determination, and protection of minority rights.³⁰ The new 1947 Constitution was rushed to completion and was neither truly federal nor secular. Powers were conferred on the state government bodies by the central government under a unitary system. The new constitution did not fully reflect the Panglong principle of ‘unity in diversity’ and set the course for decades of civil conflict in Burma.³¹

The U Nu and General Ne Win eras

U Nu became Prime Minister of newly independent Burma, which marked a return to Burman ‘traditional nationalism’ rooted in the importance of Buddhism.³² The redrafted version of the 1947 Constitution removed Aung San’s clause citing the State’s neutrality in religious matters,

²⁶ See *In Search of Chin Identity*, pp.209. Prior to the Panglong Conference, the Chin had hoped to be administered by the British under a province of the Commonwealth encompassing the whole of Chinland. However, this and other proposals to administer the non-Burman nationalities separately were vetoed by Clemence Attlee’s Labour government. Faced with this betrayal of their loyalty to the British, on arrival at Panglong the Chin had little choice but to make the best of the situation. For further discussion of the 1941 Crown Colonial Scheme, see *In Search of Chin Identity*, pp.186-187 and 210-211.

²⁷ See *In Defence of Identity*, pp. 68, op cit.

²⁸ *In Search of Chin Identity*, pp. 213. Interpreting mistakes, together with misunderstandings on the part of the Chin about the concept of federalism in subsequent negotiations, led to the establishment of the Chin Special Division rather than a separate state within the Union. The Chin tried to make their position clear by saying in Chin dialect, “We want to rule our country by ourselves according to our own political systems”, but unfortunately the Chin interpreter made fundamental errors in his interpretation. *In Search of Chin Identity*, pp. 212.

²⁹ See *In Search of Chin Identity*, pp.192-193.

³⁰ See *A Struggle for Democracy, Equality and Federalism in Burma: An Ethnic Perspective*, Lian H. Sakhong, in *Chin Forum Magazine*, 1998-2008.

³¹ For further exploration, see *The Basic Principles for a Future Federal Union of Burma*, Lian H. Sakhong, Chapter Four in *In Defence of Identity*.

³² U Nu declared, “In the marrow of my bones there is a belief that government should enter into the sphere of religion”, cited in *The New Face of Buddha*, Jerrold Schechter, 1967, Coward-McCann.

replacing it instead with recognition of “the special position of Buddhism as the faith professed by the great majority of the citizens of the Union”.³³ U Nu’s government abandoned Aung San’s secular, “unity in diversity” approach, preferring to adopt “unity in culture” – meaning religious and cultural assimilation into Burmese Buddhism - as a form of national integration.³⁴ This approach ignored the reality of the newly formed multi-ethnic, multi-religious Union of Burma, and set the stage for the erosion of minority rights. In 1953, U Nu established the Ministry of Religious and Cultural Affairs to promote the process of assimilation and by 1961 Buddhism was promulgated as the state religion.³⁵ For the Kachin and Chin in particular, this was wholly unacceptable and thousands of people protested.³⁶ Buddhism as state religion gave rise to Chin and Kachin armed rebellion in the 1960s to defend their people from forced assimilation.³⁷

Ethnic leaders came together at the 1961 Taunggyi Conference, where delegates agreed to seek the amendment of the 1947 Constitution in line with federalism to reflect the principles of equality and self-determination embodied in the Panglong agreement. But General Ne Win, head of the Burma Army or *Tatmadaw* since 1949, falsely equated federalism with secession and staged a military coup on the pretext of “saving the Union from disintegration”.³⁸ Ne Win set about systematically removing civil and political, religious and cultural rights by introducing restrictions on religious freedom and freedom of expression, including strict censorship laws which effectively brought an end to printing the Bible inside Burma.³⁹ In addition, Ne Win made foreign Christian missionaries the scapegoats of religiously motivated liberation movements like the ones led by the Chin and Kachin in the 1960s, and in 1966 expelled foreign Christian missionaries.⁴⁰ This association of Christianity with neo-colonial influence is at the root of extreme Burman nationalist resentment towards the Chin and other predominantly Christian groups.

The SLORC and SPDC era

SLORC and its later incarnation the State Peace and Development Council (SPDC) characterized the Burma Army as the ‘saviour’ of the Union of Burma at times of political unrest, like the 1988 popular uprising,⁴¹ and also as the ‘guardian’ of the Union – the sole institution capable of holding the Union together. The “three main causes” outlined by SLORC/SPDC - “non-disintegration of the Union”, “non-disintegration of national solidarity” and “perpetuation of national sovereignty” –

³³ Article 14 of Aung San’s version of the 1947 Constitution was completely redrafted. See *The Basic Principles for a Future Federal Union of Burma*, Chapter Four in *In Defence of Identity*, pp. 74.

³⁴ Historically, Buddhism had played an important role in promoting understanding between diverse ethnic groups such as the Burman, Mon, Shan and Rakhine / Arakanese. See *Human Rights Violations and the Denial of Minority Rights in Burma*, Lian H. Sakhong, in *Religious Persecution: A Campaign of Ethnocide against Chin Christians in Burma*, CHRO, 2004.

³⁵ A law was passed by the parliament in October 1961, which established Buddhism as the State religion. In effect it did not come into force due to the military coup by General Ne Win in March 1962.

³⁶ Thousands of people demonstrated in Kachin State, and in Falam and Mindat townships of Chin State. See Zomi Theological College, *Chin Church History*, 2007, Falam, Chin State, pp.148-151.

³⁷ See *Human Rights Violations and the Denial of Minority Rights in Burma; Christianity and Chin Identity*; and *The Future of Indo-Burma Relations: A View From Divided Peoples*, Chapters 3, 16 and 17 in *In Defence of Identity*.

³⁸ *The Legacies of Ne Win: Our Common Enemy*, by Salai Za Ceu Lian, published by Chinland Guardian, 14 August 2011.

³⁹ See *Human Rights Violations and the Denial of Minority Rights in Burma*, Lian H. Sakhong, in *Religious Persecution: A Campaign of Ethnocide against Chin Christians in Burma*, CHRO, 2004.

⁴⁰ *The Future of Indo-Burma Relations: A View From Divided Peoples*, in *In Defence of Identity*, pp.295.

⁴¹ See for example “History of Myanmar” section in *Chronicle of National Development*, SPDC, 2008.

are clumsy nation-building endeavours, which have long been at the heart of the extreme Burman nationalism underlining SLORC/SPDC rule.

After 1988, under SLORC and SPDC the aggressive policy of “Burmanization” or forced assimilation was taken to an extreme. This has been particularly evident in Chin State, which had never been part of the old Kingdom of Myanmar and where around 90 percent of Chins are Christian.⁴² SLORC/SPDC sought to harness Buddhism for its own legitimacy, and manipulated its version of Buddhism as a political tool of oppression. In 1991, the Department for the Promotion and Propagation of the Sasana was established under the Ministry of Religious Affairs by the SLORC regime, and hundreds of Buddhist monks were dispatched to Chin State (and other ethnic minority areas) as part of the Hill Regions Buddhist Mission, using State funds.⁴³ Monks dispatched to Chin State at that time were undoubtedly loyal to the regime, and there is evidence to suggest that at least some of them were Military Intelligence agents.⁴⁴ This aggressive, state-funded propagation of Buddhism was arguably part of the unwritten policy of forced assimilation, and must be understood in the context of widespread and systematic violations of religious freedom perpetrated against the Chin, particularly in the early 1990s (see **Chapter Two – Background on the Ethnic Chin from Burma**).

The relationship between successive military regimes and Buddhism has been complex. Buddhism has been distorted and used cynically, and in fact military rulers have had no real respect for any religion. Successive military regimes have sought to sideline monks from politics. Leading clergy were replaced by monks more favourable to SLORC/SPDC.⁴⁵ As a mass organization, the Buddhist *Sangha* [order of monks] was a threat to the military’s absolute grip on power and had to be controlled. In 1980 the *State Sangha Maha Nayaka Committee* was formed, followed by a decree banning all other *Sangha* organizations in 1990 during the State Law and Order Restoration Council (SLORC) era.⁴⁶

Successive regimes cracked down hard on politically active monks, most visibly in September 2007’s “Saffron Revolution”, which saw thousands of monks take to the streets to protest at military rule.⁴⁷ Violent retribution taken against monks and nuns (including killings, arbitrary arrest, detention, torture and forcible disrobing) undoubtedly constituted grave violations of human rights and religious freedom.

‘Burmanization’ in other ethnic areas

Other parts of Burma, like Shan State where historically Buddhism has been the predominant religion, have not escaped ‘Burmanization’. For example, the Shan, like the Burmans, follow

⁴² See Appendix A, Translation of demographic information held by the Ministry of Religious Affairs in Chin State, 2010.

⁴³ From the Ministry of Religious Affairs website: “In religious sector, for implementation of the three objectives of purification, perpetuation and propagation of the Sasana, it is necessary to strive for development of promotion and propagation of the Sasana in hilly regions with added momentum.” See http://www.mora.gov.mm/mora_sasana1.aspx, accessed 4 August 2012.

⁴⁴ See *Religious Persecution: A Campaign of Ethnocide against Chin Christians in Burma*, CHRO, 2004.

⁴⁵ See *The Resistance of the Monks*, pp.53; 59-62.

⁴⁶ This organization has historically been viewed as under the control of the regime. See *The Resistance of the Monks: Buddhism and Activism in Burma*, Human Rights Watch, September 2009.

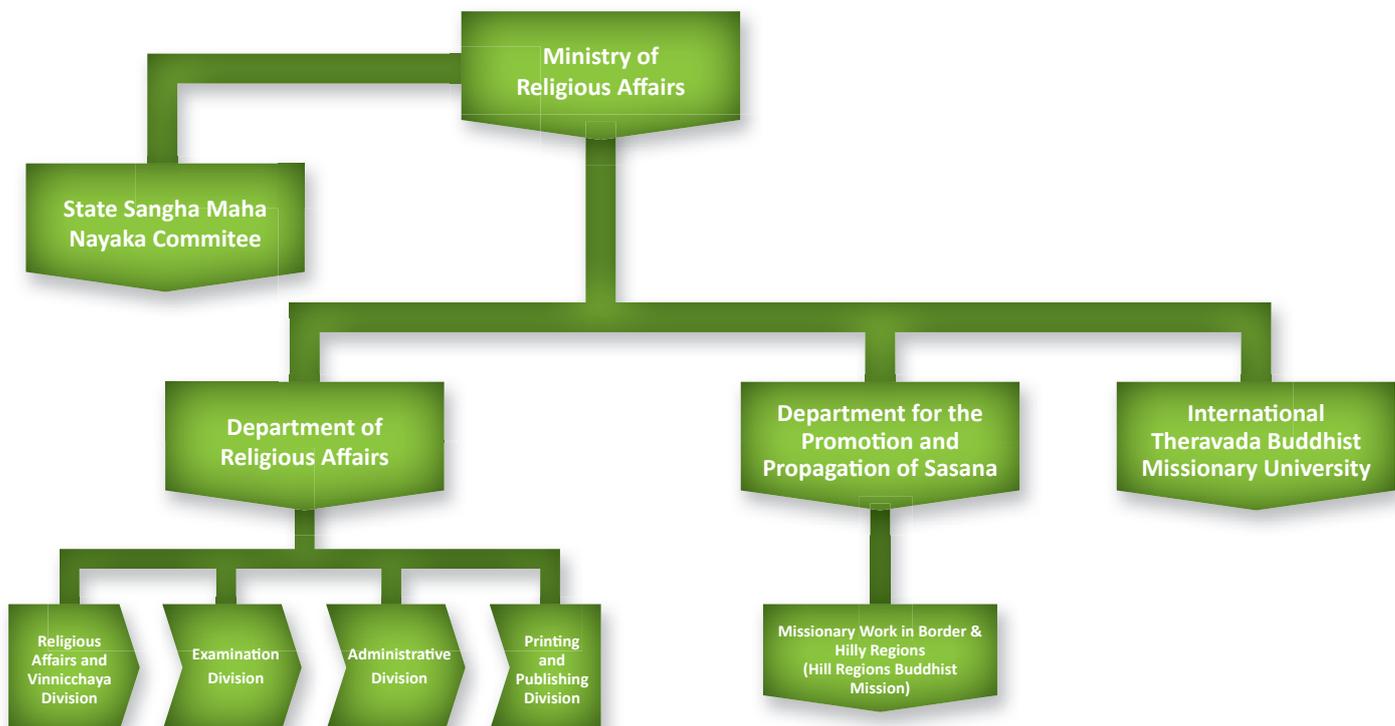
⁴⁷ The brutal crackdown in 2007 was the worst ever assault on the *Sangha* by the military regime. However, previous regimes had also cracked down against politically active monks in 1974, 1988, 1990, 1996 and 2003. See *The Resistance of the Monks*.

Theravada Buddhism although they have their own style of monasteries and pagodas which differ quite substantially from the Burman tradition. Under the SLORC (and later SPDC) era, increased militarization saw Burma Army camps being built in the compounds of Shan palaces, monasteries and pagodas. Local Shan temples were desecrated during military campaigns; some Shan temples were destroyed and replaced with Burman-style temples; and since the mid-1990s, replicas of the famous Burman Shwedagon pagoda have been built across Shan State, sometimes by exacting forced labour from the local Shan population.⁴⁸

The current nominally-civilian government and Buddhism

The three “main causes” outlined above are still commonly referred to in the State-controlled media today, and by President U Thein Sein.⁴⁹ One of the basic principles of the 2008 Constitution is that the Burma Army must be “able to participate in the national political leadership role of the State”⁵⁰, and current and former Burma Army members continue to wield considerable power in the new nominally-civilian Union government.⁵¹ The 2008 Constitution still recognizes the “special position of Buddhism as the faith professed by the great majority of the citizens of the Union”.⁵²

Figure 2 : Overview of the Ministry of Religious Affairs



⁴⁸ See *Forbidden Glimpses of Shan State: A Brief Alternative Guide*, Shan Women’s Action Network, November 2009. See also *Living on Edge* by Withaya Huanok, Shan Herald Agency for News, 20 December 2005.

⁴⁹ See for example the President’s ‘State of the Union’ address to parliament on 1 March 2012, in *The New Light of Myanmar*, 2 March 2012.

⁵⁰ See 6(f) of Chapter 1, Basic Principles of the Union, Constitution of the Republic of the Union of Myanmar, 2008.

⁵¹ President Thein Sein is an ex-General in the Burma Army. Under the 2008 Constitution, the President may declare a state of emergency, at which time fundamental rights may be suspended and the Commander-in-Chief can assume executive and judicial powers. See *The Role of Political Prisoners in the National Reconciliation Process*, AAPP, March 2010, pp. 31.

⁵² See Article 361 of the 2008 Constitution. This is the same wording used in the 1947 Constitution. The 1974 Constitution did not include the “special position of Buddhism”.

Under the nominally-civilian Union government today, harassment of monks and nuns perceived to be politically active is still a regular occurrence. The Sangha Maha Nayaka committee is still under the direct control of the Ministry of Religious Affairs, and the Ministry itself has played a role in the mistreatment of monks and nuns released under recent political prisoner ‘amnesties’ in late 2011 and early 2012. There are some reports that released monks and nuns have been refused sanctuary in monasteries, effectively forcing them to disrobe and live as lay people.⁵³ Ministry of Religious Affairs officials were involving in detaining prominent dissident monk and key leader of the Saffron Revolution Ashin Gambira on at least two occasions in early 2012.⁵⁴ However, it is important to note that the monks and nuns have not been targeted for their religious beliefs, but for their actual or perceived political activism.⁵⁵

Border Areas National Races Youth Development Training Schools

In May 1989, SLORC created the Border Affairs Development Programme, renamed in 1994 as Progress of the Border Areas and National Races Development Programme.⁵⁶ A 1993 SLORC decree set out the objectives of the programme, which were ostensibly about development and preserving “the culture, literature and customs of the national races”.⁵⁷ In reality, development projects under the programme have been synonymous with forced labour⁵⁸, and the economic, social, and cultural rights of ethnic and religious minorities living in Burma’s border areas continue to be routinely violated.⁵⁹

The SLORC decree also provides for “the promotion and propagation of the sasana” [Buddhist teachings], and “establishing and opening schools for giving vocational education”.⁶⁰ The first of the government’s “Border Areas National Races Youth Development Training Schools” (known locally as Na Ta La schools, as Na Ta La is the Burmese acronym for Progress of the Border Areas and National Races Development Programme) opened at around the same time as the SLORC

⁵³ See *Dissident Monk Ashin Gambira Disrobes*, the Irrawaddy, 20 April 2012, accessed 31 May 2012.

⁵⁴ See *Gambira faces criminal charges: state-run newspaper*, Mizzima, 20 February 2012, accessed 31 May 2012 and *Ashin Gambira Interrogated Overnight*, the Irrawaddy, 12 March 2012, accessed 31 May 2012.

⁵⁵ Laws used to criminalize the peaceful political activism of Buddhist clergy are still in force today, under Burma’s Penal Code Section 295.

⁵⁶ *Ethnic Groups in Burma: Development, Democracy and Human Rights*, Martin Smith in collaboration with Annie Allsebrook, Anti-Slavery International, 1994, pp. 100.

⁵⁷ The stated objectives of the programme are a) To develop the economic and social works and roads and communications of the national races at the border areas, in accordance with the aims which are the non-disintegration of the Union, non-disintegration of the national solidarity and perpetuation of the sovereignty of the State; b) To cherish and preserve the culture, literature and customs of the national races; c) to strengthen the amity among the national races; d) to eradicate totally the cultivation of poppy plants by establishing economic enterprises; e) to preserve and maintain the security, prevalence of law and order and regional, peace and tranquility of the border areas. SLORC Law no. 11/93 *The Development Of Border Areas and National Races Law (1993)*

⁵⁸ In Chin State, each of the ‘main roads’ was expanded with forced labour exacted from thousands of local people in the mid-90s. Buddhists were reportedly exempt from the work. In Sagaing Region, every mile of the 312-mile Kalaymyo – Gangaw – Pakkoku – Chaung U railway (stretching to Magway Region to the south) was built with the forced labour of villagers and convicts, and several deaths were documented in connection with the project. See *SLORC Abuses in Chin State: An Independent Report from the Karen Human Rights Group From Information Provided by the Chin Human Rights Organization*, March 1997; *A Chin Compendium – A Report by Project Maje*, September 1997; and *All Quiet on the Western Front? The Situation in Chin State and Sagaing Division, Burma*, Images Asia, Karen Human Rights Group, and the Open Society’s Burma Project, January 1998.

⁵⁹ See for example the Special Rapporteur on Burma’s report to the Human Rights Council, doc. A/HRC/19/67, 7 March 2012 as well as his report to the UNGA, 16 September 2011, doc. A/66/365.

⁶⁰ SLORC Law no. 11/93 *The Development Of Border Areas and National Races Law (1993)*, Chapter V Duties and Powers of the Ministry, art. (g), (h) and (i).

decree was declared.⁶¹ At the time of writing there are 29 such schools across Burma, with more than one-third located in Chin State and Sagaing Region.⁶²

Figure 3 : Overview of the Ministry for Border Affairs

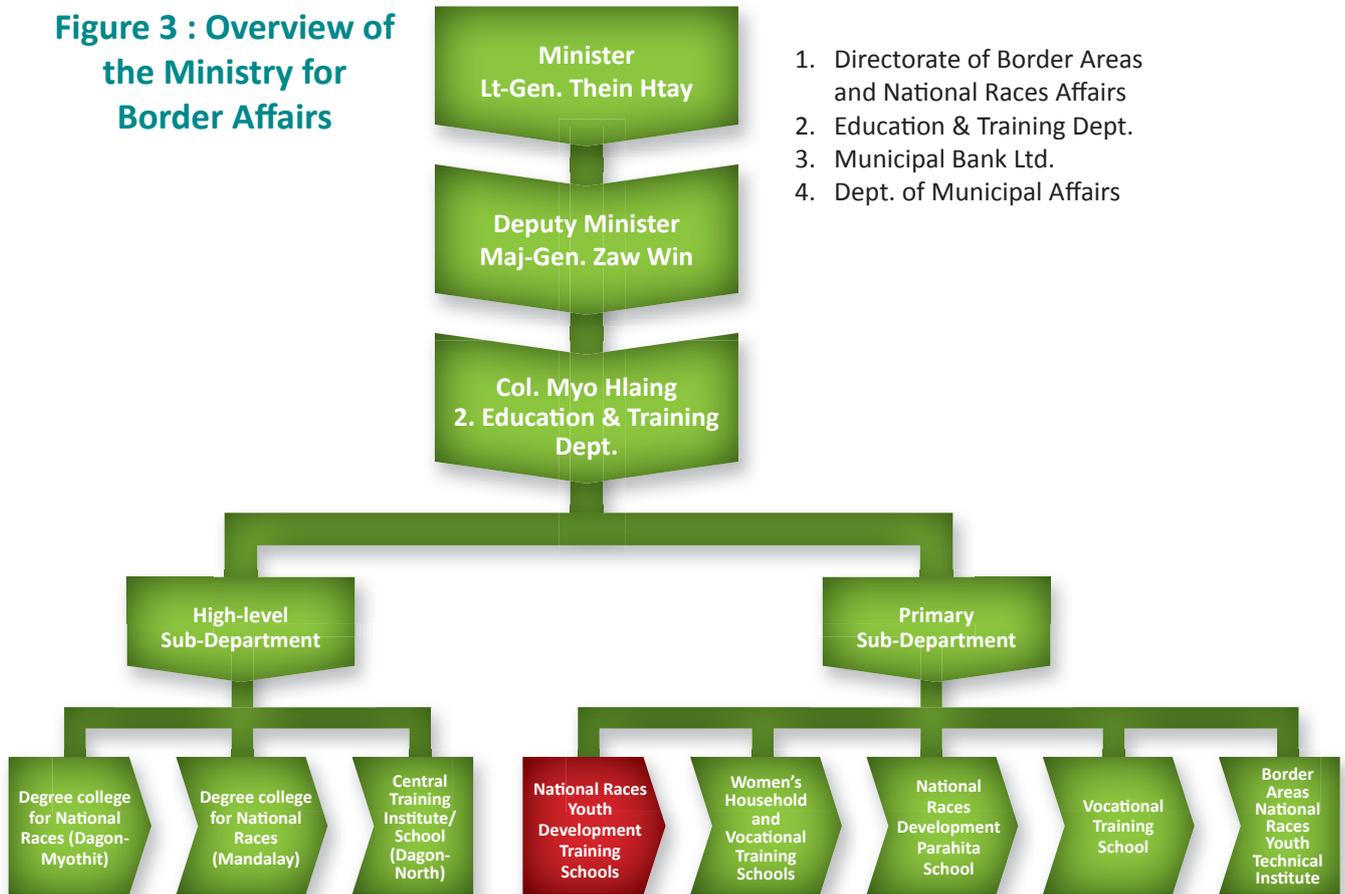


Figure 4 : Progress of Border Areas and National Races Programme



⁶¹ For example, in 1994 Chin Christians were targeted for recruitment to one such school in Rangoon. See *Religious Persecution*, CHRO, 2004, op cit.

⁶² See *The New Light of Myanmar*, 14 September 2011.

As shown in Figure 3, the Ministry for Border Affairs, which is responsible for implementing activities in accordance with instructions from a Central Committee headed by President Thein Sein (see Figure 4), is overwhelmingly dominated by the military.⁶³ While there is little publicly-available information about the work of the Border Affairs Ministry, three of the departments appear to focus on the financing, planning and implementation of public works, such as the construction of roads and bridges. However, the Education and Training Department under the command of Burma Army Colonel Myo Hlaing effectively functions as an alternative, State-funded education system specifically targeted at the country's ethnic and religious minorities.

The 'Border Areas National Races Youth Development Training Schools' programme under the Education and Training Department within the Ministry for Border Affairs effectively creates a two-tier education system for the ethnic and religious minorities like the Chin. On the one hand, chronic underfunding of the mainstream State education system means that families must typically pay costs such as annual fees, uniforms, school materials and supplementary income for teachers. These constitute significant economic barriers to accessing education for the Chin. On the other hand, while entry to the Na Ta La schools is free or much cheaper within this alternative system, CHRO's documentation shows that the Chin are prevented from practising Christianity and face coercion to convert to Buddhism.

Education continues to be a low priority for the current government. As the UN Special Rapporteur on Burma has noted, resources allocated to education are woefully inadequate and fragmented, with 13 ministries – including the Ministry for Border Affairs – running education institutes.⁶⁴ The government has described the Na Ta La schools as a key component of a '30-year master plan for the development of border areas and national races'⁶⁵ - the language used to assert that the government is actively promoting ethnic and religious minority rights as part of its obligations under the Convention on the Rights of the Child (CRC).⁶⁶ The government has also claimed that the schools facilitate cultural exchange between the diverse ethnic groups, and that students have the right to follow their chosen religion at the schools.⁶⁷ The documentation presented in **Chapter Five – Induced and Coerced Conversion of Chin Christians** illustrates that fundamental rights for the Chin are routinely violated at the schools. Today, the government's Border Areas National Races Youth Development Training schools arguably function as a cornerstone of an unwritten policy of forced assimilation.

⁶³ Diagram drawn from information contained in *Civil & Military Administrative Echelon*, July 2011, a Burmese-language compilation of information drawn from official government documents secretly obtained, published by Network for Democracy and Development.

⁶⁴ Progress report of the Special Rapporteur on the situation of human rights in Myanmar, Tomás Ojea Quintana, Human Rights Council, 7 March 2011, doc.A/HRC/16/59, para.54.

⁶⁵ See *CEDAW Combined Second and Third Periodic Report of States Parties – Myanmar*, doc. CEDAW/C/MMR/3, 4 September 2007, para.173.

⁶⁶ See *Report of the Working Group on the Universal Periodic Review – Myanmar*, doc. A/HRC/17/9, 24 March 2011, para.100, published in *UPR Reports 2011*, op cit, pp.79; and also *Union of Myanmar CRC Third and Fourth National Report on the Implementation of the Convention on the Rights of the Child (2001-2006)*, doc. CRC/C/MMR/3-4, paras. 317-329, published in *CRC Report 2011*, Human Rights Education Institute of Burma, 2011, pp.180-181.

⁶⁷ See quote from Border Affairs Minister Lt.-Gen. Thein Htay in *The New Light Of Myanmar*, Wednesday 14 September 2011, pp.9.

1.3. Discrimination, repression, and persecution of Muslims

Mistrust and antipathy towards Muslims is deeply rooted in Burma, dating back centuries when large numbers of predominantly Muslim migrant workers of South Asian origin arrived during British colonial rule.⁶⁸ Successive military regimes exploited religious and racial tensions for political gain, particularly at times of economic or social crises, to divert the public’s attention away from substantive issues. Under military rule, attacks or communal violence directed against Muslims were instigated by the police, Burma Army, Military Intelligence, local authorities or the Union Solidarity Development Association (USDA).⁶⁹ This included the circulation of hate literature such as an anti-Islamic pamphlet entitled “*Beware of Losing National Identity*”.⁷⁰

Today in Burma, like Christians, Muslims are also denied freedom of religion. They also face restrictions on different aspects of religious freedom, including: the freedom of assembly to worship; freedom of movement; use of loudspeakers for the call to prayer; educational activities; proselytizing; restoring and constructing mosques; and publishing and importing religious literature. The authorities have also ordered the destruction and desecration of mosques and cemeteries.⁷¹

In June 2012, sectarian violence broke out in northern Arakan State between Arakan Buddhists and Rohingya Muslims (an ethnic, religious, and linguistic minority residing in northern Arakan State for several generations), following the rape and murder of an Arakan Buddhist woman, allegedly by three Muslims, and the killing of 10 Muslims by an Arakan mob. Thousands of Rohingya rioted in the northern Arakan town of Maungdaw causing an unknown number of deaths. Killings, violence, and the burning of homes and villages have been carried out by both Rohingya and Arakan communities, but the suffering of Arakan communities has been widely underreported by the international media. According to Human Rights Watch, local police, Burma Army soldiers, and the border security force Na Sa Ka have responded disproportionately to the crisis, targeting the Rohingya community with mass arrests and unlawful use of force.⁷² They have also been implicated in killings and other violations perpetrated against Rohingya during the crisis, continuing a long record of abuse and discrimination carried out by State actors against the minority group.

Described by the UN as “one of the most persecuted peoples in the world”, the Rohingya are denied citizenship under Burma’s highly discriminatory 1982 citizenship law, effectively rendering them stateless. As well as the limitations on religious freedom described above, they face draconian restrictions on marriage and pregnancy, and are targeted for arbitrary arrest, detention, torture, rape, and forced labour. They are also denied socio-economic rights, particularly the right to

⁶⁸ Religious and ethnic tensions arose in areas where they settled, leading to communal violence. See Human Rights Watch, *Crackdown on Burmese Muslims*, July 2002, and *Easy Targets: The Persecution of Muslims in Burma*, Karen Human Rights Group (KHRG), May 2002.

⁶⁹ This kind of violence took place in 1991-92, 1996-97, and 2001. See also *Easy Targets*, KHRG. The USDA is a mass-membership social organization established by Senior-General Than Shwe in 1993, later transformed into the Union Solidarity Development Party to contest the 2010 elections as the regime’s proxy party.

⁷⁰ See *Religious Freedom in Burma: a divisive and suppressive practice of the military regime*, Khin Maung Win, Burma Lawyers’ Council, October 1999.

⁷¹ See *July-December, 2010 International Religious Freedom Report, Burma*, US State Department, Bureau of Democracy, Human Rights and Labor, 13 September 2011.

⁷² See “*The Government Could Have Stopped This*”: *Sectarian Violence and Ensuing Abuses in Burma’s Arakan State*, HRW, August 2012.

healthcare and education.⁷³ Attempts by Rohingya politicians to raise questions about their rights and citizenship in parliament have been rebuffed by Union Minister for Immigration and Population U Khin Yi.⁷⁴ In response to the deepening crisis in Arakan State, President Thein Sein stated that the government would not recognize the Rohingyas and that they were willing to ‘hand over’ the Rohingyas to the UNHCR in preparation for them to be resettled in any third country “that are willing to take them”.⁷⁵

The recent violence in Arakan State has reignited a fierce popular debate over citizenship in Burma; sadly, often characterized by racist vitriol towards the Rohingya group.⁷⁶ Some human rights and pro-democracy groups (including CHRO) have publicly called for the 1982 citizenship law to be replaced with legislation that is in line with principles of equality and non-discrimination, in order to meet Burma’s international human rights obligations; and for political parties, including Aung San Suu Kyi’s National League for Democracy party, to support that position.^{77 78}

1.4. Discrimination, repression and persecution of Christians

Christianity has historically been viewed as a ‘foreign’ religion, even prior to British colonial rule in Burma.⁷⁹ Successive military regimes sought to portray Christians as affiliated with neo-colonialists, and disloyal to the Union of Burma.⁸⁰

Christians are also routinely denied freedom of religion in Burma. They face restrictions on different aspects of freedom of religion, including: the freedom of assembly to worship; educational activities; proselytizing; restoring and constructing churches; and publishing and importing religious literature.⁸¹ Church compounds and graveyards have been desecrated, often to make way for

⁷³ See *The Arakan Project Submission to the UN Universal Periodic Review*, July 2010 and *Crimes Against Humanity in Western Burma: the Situation of the Rohingyas*, Irish Centre for Human Rights, June 2010.

⁷⁴ See *The New Light of Myanmar*, 30 August 2011 and *Govt affirms policy of racial profiling*, Democratic Voice of Burma, 1 September 2011. U Khin Yi is a former police chief.

⁷⁵ See *UN Rejects Thein Sein’s Potential Rohingya Plan*, Democratic Voice of Burma, 13 July 2012, accessed 4 August 2012.

⁷⁶ See *Burma’s Mised Righteous: How Burma’s pro-democracy movement betrayed its own ideals and rehabilitated the military*, Foreign Policy Magazine, 5 July 2012, accessed 31 July 2012.

⁷⁷ See *Situation in Rakhine (Arakan) State and the Rule of Law - Statement by 30 Organisations*, 9 July 2012, accessed 31 July 2012.

⁷⁸ At the time of writing, Aung San Suu Kyi has effectively side-stepped the issue, calling only for the ‘rule of law’. See *Aung San Suu Kyi Calls for Rule of Law in Burma*, VOA News, 14 June 2012, accessed 31 July 2012. Prominent member of the 88 Generation Students Group Ko Ko Gyi has effectively positioned the group on the populist side of the debate, proclaiming that, “the Rohingyas are not a Burmese ethnic group” and referring to the issue as a matter of immigration and national sovereignty. See *Attack in Sittwe Raises Tensions in Arakan State*, the Irrawaddy, 10 June 2012, accessed 31 July 2012.

⁷⁹ In the territory of the Kingdom of Myanmar, early Christian missionaries - such as Philip de Brito y Nicote from Portugal in the early 17th century - showed no respect for Buddhist monuments and pagodas. See Anne Schreiber, *Human Rights in Myanmar/Burma: the Church Under Military Dictatorship*, Missio, 2004, pp.8. After King Bagyidaw’s succession to the throne in the Kingdom of Myanmar in 1819, rumours spread that Christians could expect persecution for subversion, espionage or treason. Christian Solidarity Worldwide (CSW), *Carrying the Cross: the military regime’s campaign of restriction, discrimination and persecution against Christians in Burma*, pp.13.

⁸⁰ In 2005, then Chairman of Kachin State SPDC and Northern Commander, Brigadier-General Ohn Myint, made a speech which clearly made this inference. See CSW, *Carrying the Cross*, pp.40. See also Anne Schreiber, *Human Rights in Myanmar/Burma: the Church Under Military Dictatorship*, Missio, 2004.

⁸¹ See *July-December, 2010 International Religious Freedom Report, Burma*, US State Department, Bureau of Democracy, Human Rights and Labor, 13 September 2011.

Burma Army camps. Christian crosses have been torn down on the orders of the authorities. Such orders and restrictions are most vigorously enforced in ethnic Chin, Naga and Kachin areas, particularly in rural areas, where the majority of the local population is Christian. Various pamphlets denigrating Christianity, allegedly published by the Ministry of Religious Affairs, have been circulated in Chin State, Rangoon, Mandalay, and eastern border areas.⁸²

It is clear from the documentation presented in Chapters Four and Five of this report that Chin Christians have continued to face such violations of religious freedom since the November 2010 elections and the formation of the nominally-civilian Union government in March 2011. Likewise, the Kachin (also estimated to be 90 percent Christian⁸³), who already faced religious repression during the 17-year ceasefire in Kachin State, have recently seen this drastically deteriorate during renewed conflict. In April 2011, two crosses – one Catholic, one Baptist – were ordered to be removed at the site of the Myitsone Dam project.⁸⁴ The controversial project was one of the triggers for conflict breaking out between the Kachin Independence Army (KIA) and the Burma Army. Since the Burma Army broke the ceasefire on 9 June 2011, they have been widely accused of perpetrating gross human rights violations against Kachin civilians.

Destruction of churches is to some extent part of the wider military offensive in conflict zones by the Burma Army.⁸⁵ Brutal reprisal attacks against Christian clergy, congregations and churches have been widely documented during the recent military offensive in Kachin State. These have included the gang-rape of a woman in a church; shooting at worshippers in a church; taking church members for portering; and the looting and ransacking of churches.⁸⁶ Despite the mounting evidence of pervasive human rights violations perpetrated by the Burma Army against ethnic Kachin civilians, the conflict has been largely overlooked by the international community, which has instead focused primarily on the positive political developments in the country.

In summary, the denial of religious freedom by the authorities in Burma today must be understood in the context of extreme Burman nationalism predicated on a distorted version of Buddhism, characterized by the SLORC/SPDC regime. Widespread restrictions on freedom of religion were a central pillar of SLORC/SPDC’s drive to ethnically, culturally, linguistically, and religiously homogenize the ethnic minority areas of the Union of Burma as part of an unwritten forced assimilation policy.⁸⁷ In the context of the Chin experience, denial of religious freedom and coerced conversion to Buddhism at the government’s Border Areas National Races Youth Development Training Schools are an indicator that the unwritten policy of forced assimilation is still being implemented under the current nominally-civilian Union government.

⁸² A version entitled, “Programme to destroy the Christian religion in Burma” circulated in Rangoon, was included in Christian Solidarity Worldwide’s *Carrying the Cross* report. See pp.17. See also *All Quiet on the Western Front? The Situation in Chin State and Sagaing Division, Burma*, Images Asia, Karen Human Rights Group, and the Open Society’s Burma Project, January 1998.

⁸³ See CSW *Carrying The Cross*, pp.15.

⁸⁴ See *Gov’t Orders A Catholic Church to Remove Cross*, Mizzima News, 18 April 2011 and *Two Churches Pressured to Relocate Crosses*, Kachin News Group, 14 April 2011.

⁸⁵ See Karen Human Rights Group, *Tatmadaw soldiers shell village, attack church and civilian property in Taungoo District*, 25 November 2011 available at <http://www.khrg.org/khrg2011/khrg11b46.html>, accessed 4 August 2012.

⁸⁶ See press release by the Kachin Women’s Association Thailand *Gang-rape in church highlights Burma Army impunity for sexual violence in Kachin conflict*, 18 May 2012, available online at <http://www.kachinwomen.com/advocacy/press-release/37-press-release/93-gang-rape-in-church-highlights-burma-army-impunity-for-sexual-violence-in-kachin-conflict.html> and CSW press release, *Burma Army Attacks Church in Kachin State, Shooting and Torturing Worshippers*, 8 November 2011, available at <http://cswusa.com/Burma.ihtml?id=607540#burma110811>; CSW press release, *Burma Army Ransacks Church in Bhamo District*, 26 March 2012, available at <http://dynamic.csw.org.uk/article.asp?t=press&id=1338>, as well as “Untold Miseries”: *Wartime Abuses and Forced Displacement in Kachin State*, Human Rights Watch, March 2012 and *Crimes In Northern Burma: Results from a Fact-Finding Mission to Kachin State November 2011*, Partners Relief and Development. Links accessed 31 May 2012.

⁸⁷ *Crimes Against Humanity in Western Burma: the Situation of the Rohingyas*, Irish Centre for Human Rights, pp.132.



Chapter
Two

Background on the ethnic Chin from Burma

The Chin are ethnically one of the most diverse groups in Burma. The six main Chin tribes of Asho, Cho (Sho), Khumi (M’ro), Laimi, Mizo (Lushai), and Zomi (Kuki) can be further distinguished by at least 60 different sub-tribal categories.⁸⁸ There is no up-to-date census data for Burma, but according to some statistics, the Chin population within Chin State itself is around 500,000.⁸⁹ Chin State is predominantly rural, with much of the population living in approximately 1,500 villages⁹⁰ spread out across six principal mountain ranges.⁹¹ Another estimated 250,000 Chin live in other parts of Burma.⁹² The Chin speak more than 20 mutually distinct languages, and they have no common language. The missions of the American Baptist Church starting in the late 1800s served to unify very diverse peoples, despite language differences and geographical barriers. Today the Chin are approximately 90 percent Christian, in a country that is predominantly Buddhist.⁹³ Chapter Two of this report explores the role of Christianity in the formation and strengthening of Chin ‘national identity’; the consequences of rapid militarization under military rule for the Chin; and the current political, economic and social context in Chin State.

2.1. The role of Christianity in the formation of Chin ‘national identity’

The Chin⁹⁴ are Tibeto-Burman peoples who migrated south from China centuries ago. They originally settled in the Chindwin and Kale-Kabaw valleys, but later most migrated further west to the mountainous area which came to be known as *Chinram* or Chinland.

During this last phase of migration, the Chin split into tribal groups according to where they settled, separated by mountain ranges. Over time, the Chin developed their own tribal dialects, identities, and customs.⁹⁵ Although the Chin tribes shared the same tenets of a spirit worship belief system, they developed different manifestations of this belief system, and local ritual practices.⁹⁶

The Chin effectively governed their homeland under a tribal chief system of rule undisturbed for several centuries, until the British invasion of Chinland beginning in 1871, which instigated a crisis for the Chin and marked the turning point in Chin socio-political history.⁹⁷ The British occupation

⁸⁸ See *In Search of Chin Identity – a Study in Religion, Politics and Ethnic Identity in Burma*, Lian H. Sakhong, NIAS Press, Thailand, 2003, pp.19.

⁸⁹ See Appendix A, demographic information about the Chin held by the Ministry of Religious Affairs in 2010, obtained by CHRO.

⁹⁰ Source: *Facts About Chin State and its People*, Chin Development Initiative, March 2006 (unpublished document on file with CHRO).

⁹¹ From north to south, these are Thang range in Tedim; Inbuk range in Falam; Rung range in Hakha; Bawipa range in Thantlang, Ataraw range in Matupi, and Victoria Khawnu M’tung range in Mindat and Kanpetlet townships. In Paletwa township there is also a range known as Kimoe or Kyaukpantaung, surrounded by cliffs. Source: *Facts About Chin State and its People*, op cit.

⁹² Source: *Facts About Chin State and its People*, op cit.

⁹³ See Appendix A, demographic information about the Chin held by the Ministry of Religious Affairs in 2010, obtained by CHRO.

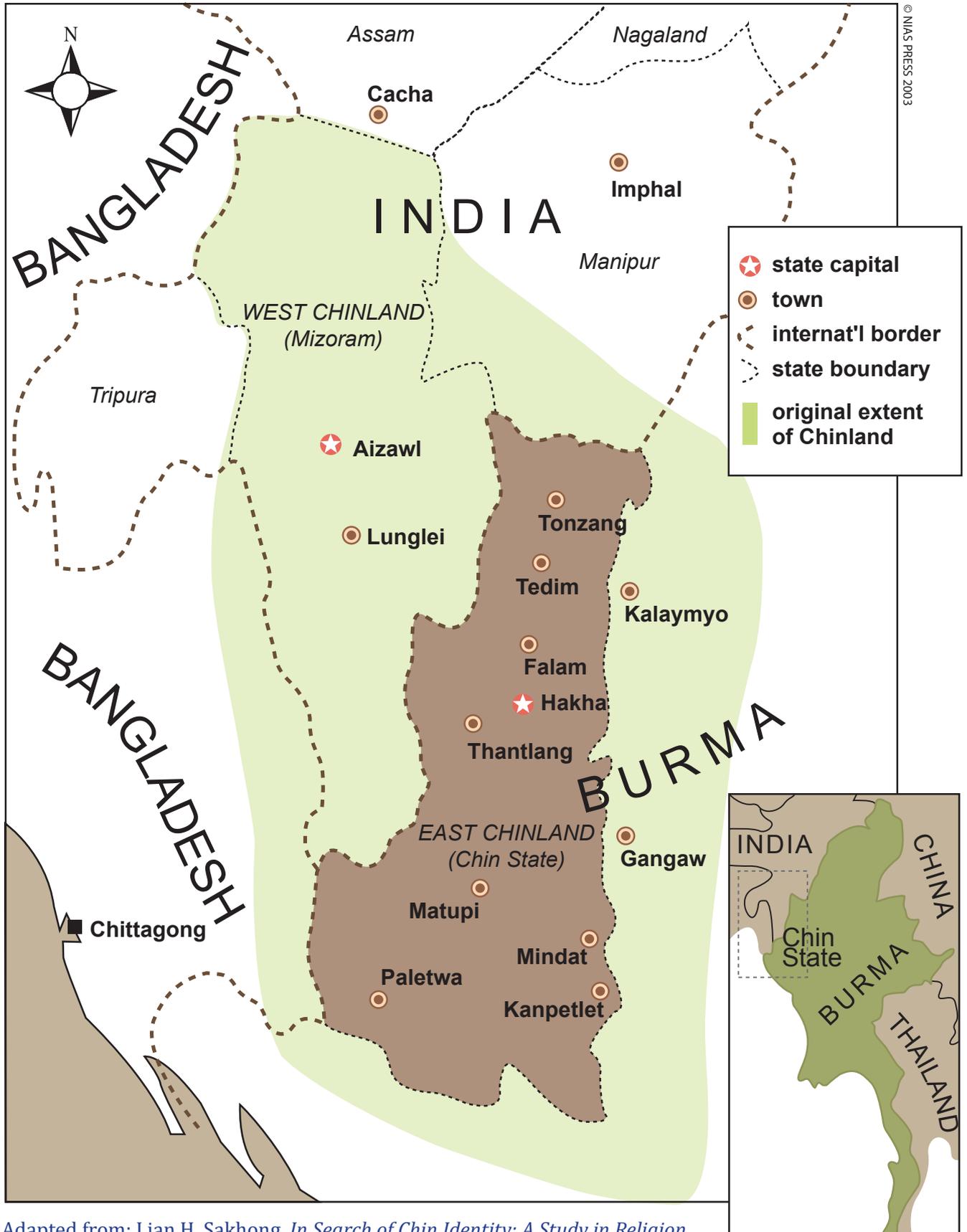
⁹⁴ For discussion of the origins of the term “Chin”, see *In Search of Chin Identity*, Chapter One.

⁹⁵ See *In Search of Chin Identity*, pp.18.

⁹⁶ See *In Search of Chin Identity*, pp.85.

⁹⁷ For several decades prior to this, since 1826 and the British occupation of Arakan, Assam and Manipur, the Chin made an increasing number of raids on nearby British territory, which arguably led to the British invasion of Chinland. See *In Search of Chin Identity*, pp.86-7.

Figure 5 : Map of historic Chinland



Adapted from: Lian H. Sakhong, *In Search of Chin Identity: A Study in Religion, Politics and Ethnic Identity in Burma* (Denmark: Nordic Institute of Asian Studies).

of Chinland united the different Chin tribes against a common enemy, and Chin resistance was fierce.^{98 99} In 1896 the British promulgated the 1896 Chin Hills Regulation, which recognized the common historical and cultural heritage of the Chin tribes and referred to their collective name “Chin”.^{100 101} It divided Chinland into three administrative districts, which would later see the division of the Chin people into three separate countries following the end of British colonial rule (the Chin Hills District, present-day Chin State in Burma; the Lushai Hills District, Mizoram State in India; and the Chittagong Hill Tracts of Bangladesh).¹⁰²

Other powers, such as the surrounding Bengali, Indian or Burman, had never conquered the Chin, and by extension Islam, Hinduism and Buddhism had never reached the Chin.¹⁰³ The British occupation of Chinland gave rise to the arrival of the first Christian missionaries from the American Baptist denomination in 1899, and ultimately led to the relatively rapid conversion of the Chin to Christianity. While this undoubtedly meant the loss of traditional spiritual beliefs, practices, and ways of life, it served to further unify the Chin. There are notable similarities between the Chin traditional belief system and Christianity, and many Chin traditions – such as feasts – were modified to conform to Christianity.¹⁰⁴ Where local ritual practices differed under the Chin traditional religion, and were a barrier to the unity of the Chin, Christian worship brought Chin tribes together in a shared manifestation of their faith.¹⁰⁵

With conversion to Christianity, a new consciousness and political awareness of Chin cultural homogeneity developed, which provided a new framework for Chin nationalism.¹⁰⁶ In other words, “Chin self-awareness and common identity, especially after the colonial period, mirrored Chin political identification with Christianity.”¹⁰⁷ Today, Christianity is largely viewed as an integral part of the Chin identity.

2.2. The strengthening of Chin national identity

In the years after the military coup in 1962, Chin political identification with federalism came to the fore¹⁰⁸, alongside political identification with Christianity. From 1969 – 1972, Chin university

⁹⁸ See *In Search of Chin Identity*, pp.95.

⁹⁹ See *In Search of Chin Identity*, pp.101.

¹⁰⁰ See *In Search of Chin Identity*, pp.102.

¹⁰¹ This was the de-facto constitution for British administration of the Chin and other territories, which was entirely separate from their rule over Burma Proper. This included the Naga in the then Naga Hills District. See *In Defence of Identity – the Ethnic Nationalities’ Struggle for Democracy, Human Rights and Federalism in Burma – A Collection of Writings and Speeches, 2001-2010*, Lian H. Sakhong, Orchid Press, Thailand, 2010.

¹⁰² See *In Search of Chin Identity*, pp.102.

¹⁰³ *In Search of Chin Identity*, pp.85.

¹⁰⁴ See *In Search of Chin Identity*, pp.xviii. Christmas, New Year and Easter became the most important social feasts and festivals for the new Chin Christian community. See *Religious Persecution: A Campaign of Ethnocide Against Chin Christians in Burma*, CHRO, 2004, pp.27.

¹⁰⁵ Lian Sakhong argues that this theological continuity “is also a reason why Christianity could provide the Chin people a means of preserving their identity and promoting their interests in the face of powerful change.” *Ibid.*

¹⁰⁶ See *Religious Persecution: A Campaign of Ethnocide Against Chin Christians in Burma*, CHRO, 2004, pp.27.

¹⁰⁷ Dr. Lian H. Sakhong, *Religion and Politics Among the Chin People of Burma (1896-1949)*, Uppsala University, Sweden, quoted in *Religious Persecution: A Campaign of Ethnocide Against Chin Christians in Burma*, CHRO, 2004, pp.133.

¹⁰⁸ Christian values such as equality and representative governance (embodied by then in various Baptist Associations), in part shaped



Cross, Paletwa township

movement, Rev. Dr. Sang Awr and Rev. Hniar Kio, went on to play a leading role in the 1983-1998 *Chins for Christ in One Century* (CCOC) movement.

CCOC was an evangelical mission under the Evangelism and Mission Program of the Zomi (Chin) Baptist Convention, formed of the representatives of about 30 Chin Baptist Associations. The purpose of CCOC was to bring Christianity to all Chin people, especially in the Southern area of Chin State, before one hundred years of the arrival of the Gospel in Chin State (i.e. before 1999). The program was launched in 1983 during the Burma Socialist Party Programme era. As such, its General Principles were couched in careful apolitical terms in an effort to avoid unwanted scrutiny from the government.¹¹² However, CCOC also promoted Chin cultural homogeneity, and by

students led what came to be known as the Chin Federal Movement, a bid to mobilize the Chin in favour of federalism and influence the constitution redrafting process taking place under General Ne Win's Revolutionary Council (RC) at the time. The Chin Federal Movement successfully garnered support from all walks of life.¹⁰⁹ In October 1972, Ne Win's regime cracked down on the Chin Federal Movement and almost 50 Chin leaders – including students, Burma Socialist Programme Party (BSPP) functionaries, high-ranking government servants, lawyers, teachers and doctors – were arrested and detained without trial¹¹⁰ for nearly two years. This mass arrest of Chin leaders led many to believe that lawful demands for federalism would never be met by the military regime.¹¹¹

Pu Lian Uk, the leader of the Chin Federal Movement, and two of his fellow law students who were also imprisoned for their roles in the

the Chin response to the 1947 Constitution, which reserved parliamentary seats in the Chamber of Nationalities for the six main Chin tribes. The Chin initially could not agree on how the traditional chieftainship system could fairly represent the tribes. In February 1948, over 1,000 Chin tribal leaders attended the historic Chin National Assembly in Falam to discuss the issue, where they voted overwhelmingly to abolish the chieftainship system in favour of the adoption of a democratic system of rule. 20 February 1948 became known as Chin National Day and marked a key juncture both in terms of the formation of Chin national identity and the Chin struggle for self-determination. See *In Defence of Identity*, pp. 190.

¹⁰⁹ Almost 70 percent of proposals advocating for pure federalism submitted to the Constitution Drafting Commission originated from the Chin Special Division. *Suppression of Chin National Movement for Federalism*, pp.50.

¹¹⁰ With the exception of Pu Lian Uk, who was convicted under Section 17 of the 1908 Unlawful Association Act and sentenced to two and half years' imprisonment, and Pu Suang Za Khup, who was acquitted.

¹¹¹ This was a factor in the resurgence of armed resistance with the establishment of the Chin National Front (CNF) in March 1988. The CNF was founded on the India-Burma border by veterans of the Mizo-Chin struggle for self-determination in India, and later joined by students and youth who fled the crackdown after the 1988 pro-democracy uprising in Burma. The CNF aims to secure self-determination for the Chin people within a federal Union of Burma based on democracy and freedom. See *Suppression of Chin National Movement for Federalism*, pp.43 and also <http://www.chinland.org/cnf>, accessed 31 May 2012.

¹¹² See for example: "4. The mission is merely a call to service in sole testimony of the love of Christ, and therefore shall strictly refrain from narrow-minded nationalism and political ideology in its work; and 7. While one needs not be a Christian to be a good citizen, we do believe that good Christians do make good citizens. It is therefore our desire to work within the framework of religion to assist the Socialist Republic of the Union of Burma in achieving national unity, security and peace by producing good Christians through the CCOC." Translation of CCOC General Principles, from *The History of CCOC 1899-1999 Volume 1*, published by the Zomi Baptist Convention.

extension, Chin national identity. CCOC General Principle Six noted that, “We firmly believe that the work of the CCOC can contribute positively to cohesion and unity amongst us....”

Under the Chins for Christ in One Century program, hundreds of Chin volunteers were enlisted as “ambassadors”. As lay Christians, they were given training to enable them to proselytize and support newly-converted Christians in practising their faith by living in their communities.¹¹³ The volunteers were primarily sent to the southern townships of Mindat, Matupi, Kanpetlet and Paletwa, but also to northern townships in Chin State, and other parts of Burma with sizeable Chin populations.¹¹⁴ During the time of CCOC, Chin communities erected large wooden crosses on mounds and hilltops near their villages and towns to symbolize their faith in Christianity; to remind them of the fact that Christianity had played an important role in shaping their modern society and culture, in anticipation of the Chin Christian centennial; and to show that their homeland was Christian.¹¹⁵ As a result of the program, hundreds of new churches were planted and thousands of Chin converted to Christianity.¹¹⁶ The overall impact of the program was even more far-reaching. CCOC became a key juncture both in terms of unifying the Chin, and strengthening the Chin national identity rooted in Christianity.

“I was a CCOC missionary to Paletwa from 1987-1990. The main trouble-makers were the monks. They quoted some scriptures from the Bible and insulted Christianity. I argued with them a lot and was put in jail for three days.”

[Pastor, May 2010]

After the military coup in 1988 when the State Law and Order Restoration Council (SLORC) seized power, Burman nationalism predicated on a distorted version of Buddhism was taken to an extreme. As a mass religious movement based on a religion perceived as ‘foreign’ by SLORC’s military rulers, CCOC would have been deemed a threat to the absolute power of the regime.¹¹⁷ Pastors, church workers, and volunteer missionaries began to face serious difficulties in their work from both Burma Army soldiers and monks dispatched to Chin State by SLORC. A pattern of grave human rights violations and religious persecution emerged. In 1992, a document entitled *The Facts to Attack Christians* inciting hatred and violence against Christians began circulating in Chin State. It is still in circulation today.

¹¹³ The use of lay Christians as missionaries was a key component of the program, proposed by Pu Lian Uk. See *Rev. Dr. Sang Awr Once As A Colleague*, Pu Lian Uk, in “Our Theological Journey III: Writings in Honour of Prof. Rev. Dr. Sang Awr”, ed. Practical Dept. Myanmar Institute of Technology, 2009.

¹¹⁴ For example, Ambassadors were sent to Tamu township in Homalin district, Sagaing Region; Gangaw township, Magway region; and Ann township in Arakan State. See *Chin Church History*, pp. 230-231, op cit.

¹¹⁵ In some cases, the erection of crosses was also in response to what the Chin regarded as State-sponsored importation of Buddhism into Chin State with the construction of pagodas and temples in urban areas, which began in the 1970s. See *Religious Persecution: A Campaign of Ethnocide Against Chin Christians in Burma*, CHRO, 2004.

¹¹⁶ An estimated 200 churches were planted and at least 20,000 people were converted. See *Chin Christianity Centenary 1904-2004*, Rev. Pa Hrang Hmung, and *Chin Church History*, pp.221 – 230, op cit.

¹¹⁷ For further discussion of these issues, see Chapter Three, *The authorities and religious freedom in Burma*.

Figure 6 : "The Facts to Attack Christians" Missionaries, Honorable Monks, Cleansing Organization

1. *To attack Christian families and the progress of Christians.*
2. *To criticize against the sermons which are broadcast from Manila, Philippines.*
3. *To criticize God as narrow-minded and egotistical who himself claimed that "There is no god except eternal God."*
4. *To be against corrupted youth and inappropriate fashion.*
5. *To criticize the preaching of Christians wherever it has penetrated.*
6. *To criticize Christianity by means of pointing out its delicacy and weakness.*
7. *To stop the spread of the Christian movement in rural areas.*
8. *To criticize by means of pointing out "it is not salvation but purchased by blood."*
9. *To counterattack by means of pointing out Christianity's weakness and overcome this with Buddhism.*
10. *To counter the Bible after thorough study.*
11. *To criticize that "God loves only Israel but not all the races."*
12. *To point out ambiguity between the two testaments.*
13. *To criticize on the point that Christianity is partisan.*
14. *To criticize Christianity's concept of the Creator and compare it with the scientific concept.*
15. *To study and access the amount given in offerings.*
16. *To criticize the Holy Spirit after thorough study.*
17. *To attack Christians by means of both non-violence and violence.*

Recopy, Myo Chit, Wah Mah Tah, 2639 True Copy (Sa Win).¹¹⁸

In 1993, Rev. Luai Thang, the first evangelist pastor sent to Paletwa township under CCOC, was brutally tortured by Burma Army soldiers and later secretly killed. That same year, four Chin Christians were brutally tortured and extra-judicially killed by the Burma Army in a village in Homalin district of Sagaing Region. Crosses and churches were desecrated. Pastors, missionaries

¹¹⁸ This was first published in CHRO's 2004 report *Religious Persecution: A Campaign of Ethnocide Against Chin Christians in Burma*.

and church workers faced arbitrary arrest and detention; endured ill-treatment and torture; and had their property destroyed.¹¹⁹ Although they faced risks and difficulties, volunteer missionaries chose to continue their work. The pattern of human rights violations continued after the centennial in 1999, as documented in CHRO’s 2004 report *Religious Persecution: A Campaign of Ethnocide Against Chin Christians in Burma*. It still continues to a large extent, as documented in Chapters Four and Five of this report.

Chin political identification with Christianity has arguably been at the root of extreme Burman nationalist resentment towards the Chin. Successive military regimes viewed Christianity as a foreign religion, and therefore a threat to creating a homogenous national identity for citizens of the Union of Burma.

2.3. Rapid militarization post-1988 and its consequences

Prior to 1988, no Burma Army battalions were based in Chin State. At that time, Light Infantry Battalion (LIB) 89 stationed in Kalaymyo, Sagaing Division operated in northern Chin State, while LIB 50 based in Gangaw, Magway Division covered southern Chin State.¹²⁰ After the military coup in September 1988, militarization rapidly increased. At the time of writing, there are 14 battalions operational across Chin State, and 54 Burma Army bases. Each battalion has on average 400 soldiers in its ranks, meaning that there are more than 5,000 Burma Army soldiers in Chin State at any given time.

¹¹⁹ See *Religious Persecution: A Campaign of Ethnocide Against Chin Christians in Burma*, CHRO, 2004. The testimony quoted above is from interview TO3, 8 June 2010. In conducting research for this report, CHRO documented additional religious freedom violations in connection with CCOC, most of which took place in southern Chin State in interviews TH14, 17 April 2011 (torture of volunteer missionary in Paletwa township); TH15, 21 July 2011 (torture of volunteer missionary, destruction of property in Kanpetlet township); TH16, May 2011 (torture of volunteer missionary in Kanpetlet township and Tamu township, Sagaing Region); R5, June 2011 (denial of right to manifest religious beliefs in Paletwa township); TH17, 14 March 2011 (denial of right to manifest religious beliefs in Paletwa township); MI3, 17 May 2010 (ill-treatment of CCOC pastors by monks in Kanpetlet township), KPT5, 15 May 2010 (denial of right to manifest religious beliefs in Kanpetlet township).

¹²⁰ “We Are Like Forgotten People” *The Chin People of Burma: Unsafe in Burma, Unprotected in India*, Human Rights Watch, January 2009, pp.22; and *Unsafe State: State-sanctioned sexual violence against Chin women in Burma*, Women’s League of Chinland, March 2007.

Figure 7 : Map of Burma Army Camps in Chin State

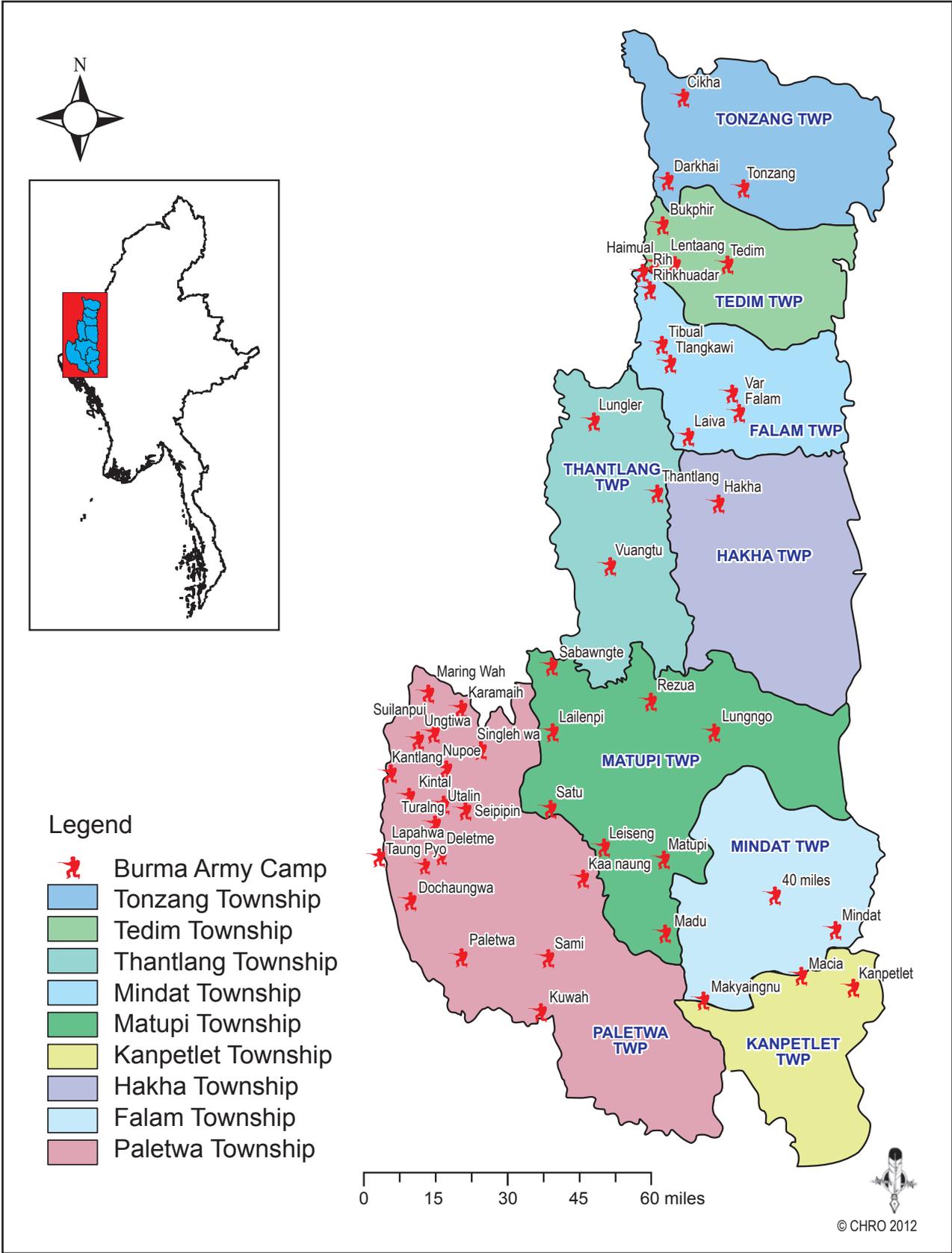


Figure 8 : Table of Battalions Operational in Chin State

No.	Battalion No.	Regional Command	Base Location	Commander
1.	LIB 266	North western	Hakha	Lt. Col. Htay Aung
2.	LIB 268	North western	Falam	Lt. Col. Kyaw Kyaw Lin
3.	LIB 269	North western	Tedim	Major Saw Lwen (Temp)
4.	LIB 274	North western	Mindat	Lt. Col Khin Maung Cho
5.	LIB 140	North western	Matupi	Lt. Col Saw Myint
6.	LIB 289	Western Command	Paletwa	Lt. Col Zaw Ye Myint
7.	Artillery Platoon 85		Hakha	
8.	LIB 87 [^]	North western	Kalaymyo	Major Myint Thein
9.	LIB 89 [^]	North western	Kalaymyo	Major Htun Lwen Aung
10.	LIB 50 [~]	North western	Gangaw	Lt. Col Aung Myo Thant
11.	LIB 228	North western	Kalaymyo	Major Moe Win Aung (Temp)
12.	LB 304	North western	Matupi	Lt.Col Kyaw Soe Min
13.	LIB 550 [*]	Western Command	Ponnagyun	Lt.Col Aye Naing
14.	LIB 551 [*]	Western Command	Buthitaung	Lt.Col Soe Win

[^]Operating in Chin State but based in Sagaing Region

[~]Operating in Chin State but based in Magway Region

^{*}Operating in Chin State but based in Arakan State

After the military coup in 1988, there was little distinction between the Burma Army and the State. SLORC occupied Chin State on three fronts: by rapid militarization and the establishment of Burma Army camps across the territory; by sending Burman army captains and other military personnel to take up senior township-level administrative positions¹²¹; and by dispatching large numbers of Buddhist monks loyal to military rule, via the Hill Regions Buddhist Mission programme under the Ministry of Religious Affairs.¹²² Under SLORC, pervasive violations of religious freedom were perpetrated against the Chin by Burma Army soldiers and other State actors, including the destruction of crosses, and the extra-judicial killing, torture and ill-treatment of CCOC workers outlined above. Monks from the Hill Regions Buddhist Mission Burma Army soldiers working in consort built Buddhist monasteries and pagodas, often by exacting forced labour from Chin Christians.

Since 1988, heavy militarization - coupled with State-sanctioned, deep-rooted discrimination towards the Chin on the dual basis of their ethnicity (Chin) and religion (Christianity) - has led to widespread and systematic human rights violations being perpetrated against the Chin, by the Burma Army in particular. The pattern of human rights abuses in Chin State is closely linked to the location of Burma Army camps and troop movements.

¹²¹ They were later replaced by Burman civil servants. During the BSPP era, local officials were mainly ethnic Chin.

¹²² *Religious Persecution: A Campaign of Ethnocide Against Chin Christians in Burma*, CHRO, February 2004.

Religious freedom violations are extensively documented here and in CHRO's 2004 report *Religious Persecution: A Campaign of Ethnocide Against Chin Christians in Burma*. Other pervasive human rights abuses documented by CHRO on a regular basis are forced labour and extortion, including the confiscation of food and livestock by the Burma Army in accordance with its 'self-sufficiency' policy. Since the organization was founded in 1995, CHRO has also extensively documented extra-judicial killings; rape and sexual violence¹²³; arbitrary arrest, detention and torture; military conscription and military training, including of child soldiers; and land confiscation.¹²⁴ Two major reports by Human Rights Watch and Physicians for Human Rights (PHR) in recent years have corroborated CHRO's documentation.¹²⁵

Deep-rooted discrimination, heavy militarization, pervasive human rights violations, and abject poverty and food insecurity are all inextricably linked, and have forced thousands of Chin to flee their homeland. At the time of writing, there are an estimated 50,000 Chin refugees and asylum-seekers in Malaysia;¹²⁶ 12,000 in New Delhi;¹²⁷ and as many as 100,000 Chin living in Mizoram, Northeast India.¹²⁸

2.4. The current political, economic, and social context

The November 2010 elections

Despite unfair election laws and significant economic barriers to participation, three Chin parties - the Chin National Party (CNP), Chin Progressive Party (CPP), and Ethnic National Development Party (ENDP) - all fielded candidates in the November 2010 elections. Chin people largely chose to participate rather than boycott the elections, not because they believed that the elections represented effective democratic transition,¹²⁹ but because boycotting would have simply meant giving the junta proxy the Union Solidarity and Development Party (USDP)¹³⁰ a free hand in Chin State. The Chin parties offered a viable alternative to the USDP.

Despite widespread tactics of intimidation by USDP members¹³¹ and vote rigging through advance voting,¹³² the Chin denied the USDP a clear victory in Chin State. Twenty-one out of 39 contestable

¹²³ See also *Unsafe State: State-sanctioned sexual violence against Chin women in Burma*, The Women's League of Chinland, March 2007.

¹²⁴ See all editions of *Rhododendron News*, available at <http://www.chro.ca/publications/rhododendron.html>, and CHRO's *Individual Submission to the UN Universal Periodic Review of Burma*, July 2010

¹²⁵ See "We Are Like Forgotten People" *The Chin People of Burma: Unsafe in Burma, Unprotected in India*, HRW, January 2009; and *Life Under the Junta: Evidence of Crimes Against Humanity in Burma's Chin State*, PHR, January 2011.

¹²⁶ Figure provided by Chin refugee community-based organizations in Malaysia.

¹²⁷ Figure provided by CHRO's office in New Delhi.

¹²⁸ See *Seeking Refuge: The Chin People in Mizoram State, India*, December 2011.

¹²⁹ Monitoring of the May 2008 Constitutional Referendum in Chin State by CHRO showed that the vast majority of Chin people rejected the constitution, contrary to official reports by the State Peace and Development Council. See <http://www.chro.ca/media/press-releases/51-2008/166-threat-intimidation-and-manipulation-shroud-burmas-referendum.html>

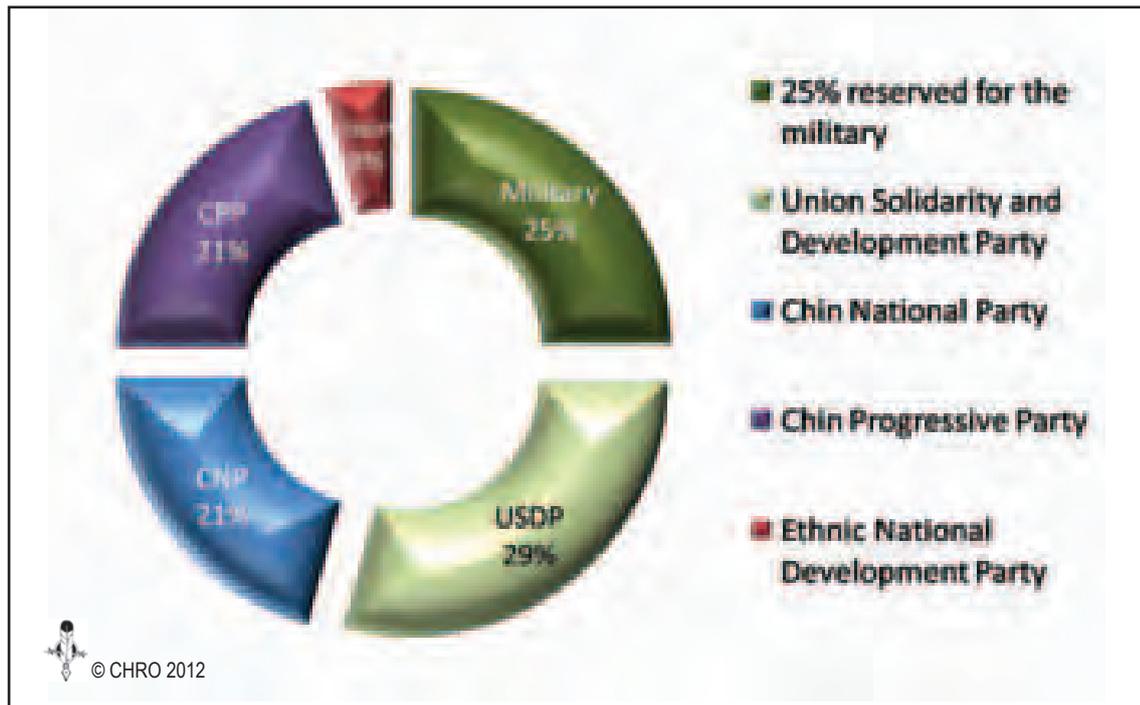
¹³⁰ The Union Solidarity Development Party was formed out of the Union Solidarity Development Association - a mass-membership social organization established by Senior-General Than Shwe in 1993 - to contest the 2010 elections as the regime's proxy party.

¹³¹ See *Electoral Process Marred by Human Rights Violations in Chin State*, CHRO, 6 November 2010 available at <http://www.chro.ca/action-alerts/advocacy-a-campaign.html>

¹³² Official tabulations of results in Constituency No. 1 of the Chin State Legislature and Constituency No. 6 of the *Amyotha Hluttaw* / Upper House in Tedim township obtained by CHRO clearly show that in both cases the advance vote won the seat for the USDP candidate over the Chin National Party candidate who polled more votes on election day.

seats across the *Amyotha Hluttaw* (Upper House/National Parliament), *Pyithu Hluttaw* (Lower House/People’s Parliament), and *Pyine Hluttaw* (State Legislature) were won by Chin parties. At almost 46 percent, the 2010 elections resulted in Chin State receiving the highest percentage of ethnic party representation in any of the State Parliaments.¹³³

**Figure 9 : 2010 Election results in Chin State:
Share of *Pyine Hluttaw* / State Assembly Seats**



The six military appointees¹³⁴ to the Chin State Parliament, representing the 25 percent allocation to the military designated under the 2008 Constitution, were all army officers of Burman ethnicity. Colonel Zaw Min Oo, one of the six ethnic Burman military appointees to the Chin State Legislature, was made Minister of Security and Border Affairs, despite being implicated in a range of human rights violations perpetrated against Chin people.¹³⁵

The formation of the Chin State government has been the subject of some political wrangling. At the time of writing, nine ministers have been appointed, but their portfolios, roles and responsibilities are far from clear.¹³⁶ There remains widespread disappointment that there is no

¹³³ For comparative analysis of other State legislatures, please see *Burma At Crossroads*, by Dr. Lian H. Sakhong, published by Chinland Guardian on 4 March 2011 <http://www.chinlandguardian.com/articles/1224-burma-at-crossroads.html>

¹³⁴ Colonel Zaw Min Oo, Major Thet Lwin, Major Nyi Nyi Oo, Captain Kyaw Zin Maung, Captain Maung Maung Thwin and Captain Aung Zaw Htet.

¹³⁵ These violations include conscription of high school students into the Burma Army; arbitrary taxation; and arbitrary arrest, detention and torture. See *New Recruitment Drive Targets High School Students*, Rhododendron News Nov-Dec 2007; *Unfair Tax and Restriction Imposed on Chin Farmers*, Rhododendron News, Jan-Feb 2008; *Two Women Among Arbitrarily Detained and Tortured*, Rhododendron News, Jul-Aug 2008 and *Soldiers on Killing Spree of Livestock for Meat*, Rhododendron News, Jul-Aug 2008.

¹³⁶ The Ministries are: Security and Border Affairs; Finance and Planning; Economics; Agriculture; Mining and Forestry; Transport, Communication and Construction; Social Affairs; Management and Industry; and Electric and Industry. Source: *The New Light of Myanmar*, 31 March 2011 and 23 September 2011.

Ministry of Health, Education or Cultural Affairs, arguably the most essential ministries to meet the needs of the Chin people. Chin State is the only state without any kind of ministry with a mandate to cover these issues.¹³⁷ These differences reflect the ambiguity of provisions in the 2008 Constitution, and highlight the power of the Chief Ministers in appointing ministers without appropriate checks and balances.¹³⁸

For their part, the two main Chin parties are trying to focus on issues of paramount importance to the Chin, both in the State parliament and in the *Hluttaws*. The Chin National Party has played a leading role in the *Nationalities Brotherhood Forum*, an alliance of five ethnic parties,¹³⁹ which has been outspoken on human rights issues such as the right to teach ethnic languages in schools; forming a peace committee to resolve Burma's ethnic conflicts; and the situation of political prisoners.¹⁴⁰ The Chin Progressive Party has focused on poverty alleviation and development measures.¹⁴¹ No by-elections were held in Chin State in April 2012. Under the 2008 Constitution, when MPs from the Upper and Lower Houses of Parliament (*amyotha hluttaw* and *pyithu hluttaw*) are appointed to the Union-level Executive, a by-election must be held to elect a new representative. However, this does not apply in the States and Regions.¹⁴²

Ongoing ceasefire talks

Prior to 1988, armed ethnic Chin resistance had been sporadic, and although the Chin National Front/Chin National Army was established in March 1988, soldiers in its ranks spent several years receiving training in Kachin State and were not operationally active in Chin State until late 1993. Local people felt the full force of the Burma Army's well-documented "four cuts" policy in retaliation. The "four cuts" policy is designed to undermine support for armed insurgency groups by cutting off access to funds, recruits, food and information.¹⁴³ Village headmen, who were suspected of having allowed CNA soldiers to either spend the night in the village, or collect taxes or food, were arbitrarily arrested, detained and often brutally tortured and sometimes extra-judicially killed.¹⁴⁴

At the time of writing, 15 Points of Agreement between the CNF and Union-level peace delegation have been set down, specifying terms of reference for further talks, with the aim of "realizing

¹³⁷ According to *The New Light of Myanmar*, 31 March 2011, Kayah/Karenni State does not have a Ministry of Health or Education, but it does have a Ministry of Information and Culture.

¹³⁸ See Article 188 (and Schedule Two) "The Region or State Hluttaw shall have the right to enact laws for the entire or any part of the Region or State related to matters prescribed in Schedule Two of the Region or State Hluttaw Legislative List." See also Article 262, which sets out the powers of the Chief Ministers of the Region or State Hluttaws.

¹³⁹ The five ethnic parties include the Chin National Party (CNP), the Shan Nationalities Democratic Party (SNDP), the All Mon Region Democratic Party (AMRDP), the Rakhine Nationalities Development Party (RNDP), and the Phalon-Sawaw Democratic Party (PSDP).

¹⁴⁰ See *Ethnic Parties in Push for Mother Tongue*, Democratic Voice of Burma, 17 May 2011; *Establish 'Peace Committee': Ethnic Parties*, Chinland Guardian, 4 August 2011; and *Political Parties Called for Release of Ethnic Leaders*, Chinland Guardian, 16 October 2011.

¹⁴¹ See *CPP Proposes Poverty Alleviation Measures in Chin State*, Mizzima, 1 September 2011.

¹⁴² Article 232 (i) of the 2008 Burmese constitution states: "If the Union Minister is a representative of a Hluttaw, it shall be deemed that he has resigned from the day he is appointed as a Union Minister." However, this provision doesn't apply to a State or Region Member of Parliament who is appointed to the cabinet post.

¹⁴³ See Lambrecht, *Oxymoronic Development – The Military as Benefactor in the Border Regions of Burma*, in *Civilizing the Margins: Southeast Asian Government Policies for the Development of Minorities*, ed. Duncan, Christopher R., National University of Singapore Press, 2008, pp.171.

¹⁴⁴ See CHRO's *Individual Submission to the UN Universal Periodic Review of Burma*, July 2010, available at <http://www.chro.ca/action-alerts/advocacy-a-campaign.html>

eternal peace, justice, equality and socio-economic development through peaceful cooperation.”¹⁴⁵ Point 13 of the agreement is on basic human rights, and makes specific mention of religious freedom.¹⁴⁶ CHRO was the first independent group among Burmese exile organizations permitted to attend the May 2012 talks as an international observer. CHRO also attended public consultations organized by the Chin National Front, where the key concern raised by the Chin people was the continuing lack of religious freedom.

The ongoing ceasefire talks are undoubtedly a significant step forward for peace in Chin State, and the initiative is welcomed by the Chin people. However, it is important to note that although the ceasefire negotiations should bring an end to active conflict in Chin State, as yet they have not touched on a key issue vital to the safety and security of the Chin people: the withdrawal of Burma Army troops from Chin State. As long as the Burma Army maintains a strong presence in the area – and effective civilian control over the army is absent - human rights violations perpetrated by Burma Army soldiers against Chin people are likely to continue. Recent political changes in the country have yet to translate into systemic changes with regards to religious freedom in Chin State, or other collective rights such as the right to development in accordance with Chin needs and interests.

Economic and social conditions

There are no industries or factories in Chin State, and very few job opportunities. An estimated 85 percent of the population in Chin State are subsistence farmers, using slash-and-burn practices, also known as shifting cultivation.¹⁴⁷ State agricultural policies have sought to forcibly replace Chin people’s traditional subsistence farming of staple foods with commercial production of cash crops such as tea and *jatropha* or physic nut, an inedible bio fuel¹⁴⁸, and have led to widespread land confiscation.



Planting Jatropha is a national duty



Chin State Must Be Tea Plantation State

¹⁴⁵ Preamble to the Points of Agreement. See *Text of CNF-Govt Agreement (Unofficial Translation by CG)*, Chinland Guardian, 17 May 2012, accessed 31 May 2012.

¹⁴⁶ Ibid.

¹⁴⁷ Source: *Facts About Chin State and its People*.

¹⁴⁸ Although the SPDC’s figures are notoriously unreliable, according to their publication *Chronicle of National Development – comparison between period preceding 1988 and after (Up to 31-12-2007)*, by the end of 2007 there were 126,329 acres of *jatropha*/ physic nut plantations in Chin State. While this may not be entirely accurate, it at least illustrates the importance the SPDC placed on this agricultural policy.

Some Chin people attempt to earn a living as cross-border traders by selling cattle and goods in Mizoram State, India. The profit margins are meagre,¹⁴⁹ and traders have to contend with high levels of extortion imposed by police and soldiers at informal check points along the border.¹⁵⁰

High costs and chronic understaffing are both major impediments to accessing basic education in largely rural Chin State. In many areas, one primary school is shared by up to four to five villages in the area.¹⁵¹ To overcome the teacher shortage and to meet the students' educational needs, many rural communities have resorted to the practice of hiring additional private teachers at their own expense. In some instances where families cannot afford to contribute to the community's costs, their children have dropped out of school.¹⁵²

In June 2011, the United Nations Development Programme (UNDP) published a *Poverty Profile* of Burma, a joint undertaking with the Ministry of National Planning and Economic Development.¹⁵³ The report indicates that Chin State is by far the poorest state in Burma, with 73 percent of people currently living below the poverty line, rising to 80 percent in rural areas of Chin State.¹⁵⁴ This compares with a national average of 25 percent.¹⁵⁵

A quarter of Chin people live below the 'food poverty' line, defined as, "the amount required to meet caloric requirements assuming that *all* household income is spent on food. As such, it represents a level of **extreme hardship** [emphasis added]."¹⁵⁶ This compares with a national average of 5 percent. Although the incidence of food poverty has decreased, in Chin State it remains five times higher than the national average, compared with four times higher in 2005.¹⁵⁷ This indicates increased disparity between Chin State and the rest of the country.



Shifting cultivation

¹⁴⁹ For example, a cattle trader hopes to make around 100,000 – 200,000 kyats (\$100 – 200) profit for each cow sold.

¹⁵⁰ For recent examples, see *Rhododendron News*, January – February 2011; March – April 2011; and May – June 2011, available at <http://www.chro.ca/publications/rhododendron.htm>

¹⁵¹ See *Overview of the Right to Education for the Chins in Burma*, CHRO, January 2011.

¹⁵² A local researcher who conducted an independent survey of 90 villages in three townships of Chin State found that 97 percent of the villages had hired private teachers, and that on average, communities are supporting at least two additional teachers in every village. See *Massive Shortage of Teachers Puts Education; Communities in Jeopardy*, Chinland Guardian, 29 May 2011.

¹⁵³ The *Poverty Profile* is based on a second Integrated Household Living Conditions Survey in Myanmar (2009-2010) following a previous survey conducted in 2004-2005. The second survey was also supported by the United Nations Children's Fund (UNICEF) and the Swedish International Development Cooperation Agency (SIDA). It is a useful broad assessment of current levels of poverty in the country; however, some limitations should be noted. It is unlikely that surveyors were able to reach conflict-ridden areas of the country, and therefore poverty levels in Karen, Shan and Kachin States may be significantly higher than those presented in the report. In addition, the report does not take into account human rights violations as a contributing factor to poverty in Burma.

¹⁵⁴ *Poverty Profile*, Integrated Household Living Conditions Survey in Myanmar (2009-2010), June 2011, pp.12. The next poorest state is Arakan/Rakhine, at 44 percent.

¹⁵⁵ While the national average has fallen by six percentage points since 2005, in Chin State it has remained the same.

¹⁵⁶ *Poverty Profile*, pp.6. The next highest incidence of food poverty is in Arakan/Rakhine State, at 10 percent.

¹⁵⁷ In 2005 the *national* average stood at 10 percent, while in Chin State it was 40 percent.

Abject poverty and food insecurity, the high cost of education within the standard school system, and the lack of job opportunities have left Chins vulnerable to recruitment to the government’s free or much cheaper alternative Border Areas National Races Youth Development Training Schools, where the Chin are prevented from practising Christianity and have been subjected to forced conversion (see **Chapter Five – Induced and coerced conversion of Chin Christians**).



Shifting cultivation



Chapter Three

The human rights legal framework

Chapter Three dissects the right to freedom of religion under international human rights law and underlines the urgent need for Burma to ratify all core human rights instruments, including (but not limited to) the International Covenant on Civil and Political Rights (ICCPR), the International Convention on the Elimination of Racial Discrimination (ICERD), and the International Covenant on Economic, Social and Cultural Rights (ICESCR). Chapter Three also explores the intersection between ethnicity and religion, and presents the concept of aggravated discrimination with regard to the Chin. Finally, this chapter sets out the deeply-entrenched culture of impunity in Burma, and raises the possibility that the serious human rights violations documented in this report involve the commission of the crime against humanity of persecution on religious and ethnic grounds, requiring an internationally-led investigation.

3.1. The right to freedom of religion under international human rights law

The 1948 Universal Declaration of Human Rights (UDHR), together with the International Covenants on Civil and Political Rights and Economic, Social, and Cultural Rights, form the so-called International Bill of Human Rights.¹⁵⁸ Article 18 of UDHR proclaims:

“Everyone has the right to freedom of thought, conscience and religion; this right includes freedom to change his religion or belief, and freedom, either alone or in community with others and in public or private, to manifest his religion or belief in teaching, practice, worship and observance.”

The right to freedom of religion or belief is widely recognized as having customary international law status. It is guaranteed under Article 18 of ICCPR, which has been described by the Human Rights Committee, the monitoring body for the ICCPR, as “far-reaching and profound”.¹⁵⁹ It is also given legal form in the various regional human rights instruments.¹⁶⁰

In addition, since 1986 the UN Commission on Human Rights (now the UN Human Rights Council, HRC) has mandated a Special Rapporteur on religious intolerance, now known as the Special Rapporteur on freedom of religion or belief. The primary instruments upon which the Special Rapporteur on freedom of religion or belief bases his activities are article 18 of the 1948 UDHR, article 18 of the 1966 ICCPR, and also the 1981 Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief (hereinafter referred to as the 1981

¹⁵⁸ See *International Human Rights Law* at www.ohchr.org, accessed 31 July 2012.
¹⁵⁹ See General Comment No.22: The right to freedom of thought, conscience and religion (Art.18): 07/30/1993 CCPR/C/21/Rev.1/Add.4, Human Rights Committee.
¹⁶⁰ These include Art. 8 of the 1981 African Charter on Human and Peoples’ Rights; Art. 9 of the 1990 African Charter on the Rights and Welfare of the Child; Art. 12 of the 1969 American Convention on Human Rights; Art. 9 of the 1950 European Convention on Human Rights; and Arts. 7 & 8 of the 1995 Framework Convention for the Protection of National Minorities.

3.2. The intersection between ethnicity and religion

As the former Special Rapporteur on religious intolerance has noted, “religions are systems of beliefs and practices, myths, rites and worship that have the effect of uniting members of a group and ensuring the group’s existence **and often even its ethnic identity** [emphasis added].”¹⁶⁹ As explored in Chapter Two of this report, this is particularly true for the Chin, as Christianity helped to unify them and create a shared common identity as ethnic Chin.

The preamble to the 1981 Declaration on Religion establishes a causal link between religious freedom and the elimination of racial discrimination in stating, “...freedom of religion and belief should also contribute [...] to the elimination [...] of racial discrimination”.¹⁷⁰ Article 5 of the 1965 International Convention on the Elimination of Racial Discrimination, ICERD (to which Burma is not a State party), further establishes this link:

“...States Parties undertake to prohibit and to eliminate racial discrimination in all its forms and to guarantee the right of everyone, without distinction as to race, colour, or national or ethnic origin, to equality before the law, notably in the enjoyment of the following rights: [...] (vii) the right to freedom of thought, conscience and religion.”

In 2000, the former Special Rapporteur on religious intolerance argued that racial discrimination aggravated by religious discrimination (and vice versa) constituted a new more serious offence of ‘aggravated discrimination’, often perpetrated against minorities. Although there is no explicit recognition of this concept under international human rights law, it is very useful in understanding the intersection between ethnicity and religion, which is of particular relevance for the Chin, and discrimination on this dual basis:

“A person who is a victim of discrimination based on religion or belief [...] may be subjected to aggravated discrimination if he or she belongs to a readily identifiable group of people [...] Discrimination is all the more aggravated because it is so difficult to determine which of the two co-existing characteristics is targeted by the person guilty of discrimination.”¹⁷¹

As noted in Chapter One of this report, under the 2008 Constitution, “the Union recognizes special position of Buddhism [sic] as the faith professed by the great majority of the citizens of the Union”

¹⁶⁹ *Racial Discrimination and Religious Discrimination: Identification and Measures*, study prepared by Mr. Abdelfattah Amor, Special Rapporteur of the Commission on Human Rights on religious intolerance, presented at the World Conference Against Racism, Racial Discrimination, Xenophobia and Related Intolerance, Geneva 1-5 May, 2000, pp.9.

¹⁷⁰ Amor, *Racial Discrimination and Religious Discrimination*, op cit, pp.17 para.56.

¹⁷¹ Amor, *Racial Discrimination and Religious Discrimination*, op cit, paras. 9 & 36.

(Article 361). As the former Special Rapporteur on religious intolerance points out, “aggravated discrimination tends to intensify or become more likely to occur when the State itself officially adopts the religion of the majority... **or subscribes to a particular ideology** [emphasis added].”¹⁷² In practice, the nominally-civilian Union government in Burma openly subscribes to Theravada Buddhism, and state resources are allocated to the aggressive propagation of the faith while other religions are subjected to restrictions and repression.

The former Special Rapporteur on religious intolerance has also noted that, “the overlap between racial and religious discrimination is a common phenomenon that is especially grave and often has very tragic consequences.”¹⁷³ The documentation presented in Chapters Four and Five of this report suggests that aggravated discrimination on the dual basis of ethnicity and religion has given rise to widespread and systematic human rights violations perpetrated against the Chin.

3.3. Persecution as a crime against humanity

In 2011, Physicians for Human Rights (PHR) published its report *Life Under the Junta: Evidence of Crimes Against Humanity in Burma’s Chin State*, based on a quantitative survey of human rights violations experienced by Chin households between 2009 – 2010.¹⁷⁴ PHR found that the Burmese authorities perpetrated serious human rights violations committed within the context of a widespread of systematic attack against the population of Chin State including the following prohibited acts: forced labour (widely accepted to qualify as the crime against humanity of enslavement¹⁷⁵); group persecution; arbitrary arrest, detention, or imprisonment; abduction or disappearance; torture; rape; killings; and other inhumane acts.¹⁷⁶ A key finding of the report was that almost 92 percent of Chin households surveyed were victims of forced labour during the one-year timeframe. In addition, 14 percent of households had experienced persecution on the basis of their religious and/or ethnic identity, and one out of seven Chin households had reported torture and inhumane treatment at the hands of Burma Army soldiers.

A prima facie analysis of the qualitative evidence presented in this report - violations of religious freedom, often cross-cutting with other serious human rights violations, perpetrated by State actors against Chin Christians on the dual basis of their ethnicity and religion - indicates that it would meet the widely-accepted definition of persecution under customary international law; namely the severe deprivation of fundamental rights on discriminatory grounds¹⁷⁷. The

¹⁷² Amor, *Racial Discrimination and Religious Discrimination*, op cit, para.119.

¹⁷³ *Rapporteur’s Digest on Freedom of Religion or Belief*, op cit, pp.50.

¹⁷⁴ The survey was conducted in February and March 2010, and covered a 12-month recall period. CHRO was one of five Chin organizations whose fieldworkers were trained by PHR, and conducted the survey in Chin State. PHR employed strict inclusion criteria for each reported human rights violation to be included in their analysis. The respondent had to provide detailed information about each incident, including about the perpetrator. See *Life Under the Junta: Evidence of Crimes Against Humanity in Burma’s Chin State*, PHR, January 2011, pp.23.

¹⁷⁵ Jurisprudence from various international tribunals establishes that under customary international law, forced labour is a component of the crime of enslavement. In addition, the ICC Elements of Crimes specifically provide (in a footnote) that such deprivation of liberty “may, in some circumstances, include exacting forced labour or otherwise reducing a person to a servile status as defined in the Supplementary Convention of the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery of 1956.” ICC Elements of Crimes, Article 7(1) (c) Crime against humanity of enslavement, fn.11.

¹⁷⁶ For a list of the other types of human rights violations documented by PHR, see *Life Under the Junta*, op cit, pp. 29.

¹⁷⁷ William A. Schabas, ‘The International Criminal Court, A Commentary on the Rome Statute’, Oxford University Press, 2010, p. 175.

jurisprudence of the *ad hoc* international criminal tribunal for the former Yugoslavia (ICTY) has helped to clarify what constitutes a persecutory act under customary international law. Such acts may “take numerous forms, so long as the common element of discrimination in regard to the enjoyment of a basic or fundamental right is present”.¹⁷⁸ An ICTY Trial Chamber in the *Blaskic* case referred in particular to “acts rendered serious not by their apparent cruelty but by the discrimination they seek to instil within humankind”¹⁷⁹. Acts of harassment, humiliation and psychological abuse may also amount to persecution¹⁸⁰, but “it is not the case that any type of act, if committed with the requisite discriminatory intent, amounts to persecutions as a crime against humanity”¹⁸¹. Further, “Acts of persecution will usually form part of a policy or at least of a patterned practice.”¹⁸² Chapter Four of this report clearly sets out the institutionalized discrimination faced by Chin Christians, including widespread restrictions on the right to manifest their religion.

The qualitative evidence presented here also adds to the growing body of evidence that the authorities in Burma may be carrying out crimes against humanity perpetrated against the Chin, particularly persecution on religious and ethnic grounds. The crime against humanity of persecution under the Rome Statute, article 7(1)(h), is described as “Persecution against any identifiable group or collectivity on political, racial national, ethnic, cultural, religious, gender ... or other grounds that are universally recognised as impermissible under international law, in connection with any act referred to in this paragraph or any crime within the jurisdiction of the Court ...”¹⁸³. The ICC’s Elements of Crimes describe the crime against humanity of persecution as requiring proof of six elements; firstly the perpetrator(s) severely deprived persons of fundamental human rights. Secondly, the perpetrator(s) targeted such persons by reason of the identity of a group. And thirdly, such targeting was based on a range of grounds, including ethnicity and religion.¹⁸⁴ The article 7(1)(h) definition of persecution specifically requires that the persecution is connected to another enumerated act in Article 7 (1) of the Rome Statute (the fourth element). In other words, for persecution to rise to the level of a crime against humanity, it must be connected to acts of murder, extermination, enslavement (including forced labour), deportation or forcible transfer of population, imprisonment, torture, rape, enforced disappearance, apartheid, or other inhumane acts. This requirement is not, according to the jurisprudence of the ICTY, consonant with customary international law.¹⁸⁵

For persecution to constitute a crime against humanity, two contextual elements must also be proven: firstly, that the conduct was committed as part of a widespread or systematic attack directed against a civilian population, and secondly, that the perpetrator(s) knew that the conduct was part of such an attack. It is important to note that the ‘attack’ “need not constitute a military

¹⁷⁸ *Prosecutor v. Tadić* (Trial Judgment) IT-94-1-T (7 May 1997) at para.697, quoted in *Crimes Against Humanity in Western Burma: the Situation of the Rohingyas*, Irish Centre for Human Rights, June 2010, pp.137.

¹⁷⁹ *Blaskic* (IT-95-14-T), Judgment, 3 March 2000, at para. 227.

¹⁸⁰ *Kvočka et al* (IT-98-30/1-A), Judgment, 28 February 2005, at paras 324-325.

¹⁸¹ *Blaskic* (IT-95-14-A), Judgment, 29 July 2004, at para. 139.

¹⁸² *Kupreškić et al*, (Trial Judgment), IT-95-16-T, (14 January 2000) at para.636, quoted in *Crimes Against Humanity in Western Burma: the Situation of the Rohingyas*, Irish Centre for Human Rights, June 2010, pp.138.

¹⁸³ Rome Statute, Article 7(1)(h).

¹⁸⁴ See Elements of Crimes, Doc. ICC-ASP/1/3, pp.5.

¹⁸⁵ *Kupreskić et al.* (IT-95-16-T), Judgment, 14 January 2000, at paras 579-581.

attack”.¹⁸⁶ More important is the need to demonstrate “the multiple commission of acts against any civilian population, pursuant to or in furtherance of a State or organizational policy”.¹⁸⁷ **Chapters Four (Discrimination, repression, and persecution of Chin Christians) and Five (Induced and coerced conversion of Chin Christians)** of this report document serious human rights violations, including multiple enumerated acts under the Rome Statute - arbitrary arrest and detention; torture and ill-treatment; rape and sexual violence; and forced labour - all targeted at Chin Christian civilians, based on their ethnicity and religion. Given that these violations illustrate a pattern of abuses perpetrated by State actors (primarily Burma Army soldiers) across all nine main townships of Chin State, a geographical area of some 14,000 square miles, they may constitute a widespread and systematic attack against Chin Christian civilians, in pursuance of the unwritten State policy of forced assimilation described in Chapters One and Two.

Although it is difficult to prove perpetrators’ knowledge of such an attack, it is implicit from the pattern of State actors perpetrating the enumerated acts on a systematic basis. In addition, the *Facts To Attack Christians* document obtained by CHRO set out in Chapter Two could indicate discriminatory intent to commit acts of violence against Chin Christians.

Such serious human rights violations, which could constitute the crime against humanity of persecution on religious and ethnic grounds, warrant a thorough, independent and impartial investigation. However, at the time of writing, in the prevailing political climate, the culture of impunity in Burma is so deeply entrenched in Burma that any domestic or nationally-led investigation would be very unlikely to be independent or impartial.

3.4. The culture of impunity in Burma

Impunity is effectively enshrined in Article 445 of the 2008 Constitution.¹⁸⁸ During the 2011 Universal Periodic Review of Burma¹⁸⁹, seven members of the UN Human Rights Council raised concerns about the issue of impunity.¹⁹⁰ The official response was,

¹⁸⁶ Elements of Crimes, Doc. ICC-ASP/1/3, pp.5.

¹⁸⁷ Article 7.2 (a) of the 2002 Rome Statute.

¹⁸⁸ Article 445, Chapter XIV Transitory Provisions of the 2008 Constitution: “All policy guidelines, laws, rules, regulations, notifications and declarations of the State Law and Order Restoration Council and the State Peace and Development Council or actions, rights and responsibilities of the State Law and Order Restoration Council and the State Peace and Development Council shall devolve on the Republic of the Union of Myanmar. **No proceeding shall be instituted against the said Councils or any member thereof or any member of the Government, in respect of any act done in the execution of their respective duties** [emphasis added].”

¹⁸⁹ The Universal Periodic Review (UPR) of Burma took place for the first time at the Human Rights Council in 2011. The UPR is a relatively new mechanism for reviewing the human rights obligations and commitments of all UN member states every four years. As the UPR covers a broad range of human rights issues, it is a particularly useful mechanism for scrutinizing the human rights record of a country like Burma, which has only ratified two of the core international human rights treaties, the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) and the Convention on the Rights of the Child (CRC). It is a unique process, in that a variety of stakeholders – the State under review; UN agencies; and civil society organizations – have the opportunity to submit information about the human rights situation in the State under review. See *UPR Reports 2011*, op cit. See also *CHRO Individual Submission to the UN Universal Periodic Review of Burma, July 2010*, available at <http://www.chro.ca/action-alerts/advocacy-a-campaign.html>

¹⁹⁰ The seven countries were Sweden, Hungary, Ireland, Italy, New Zealand, the UK and France. See *Report of the Working Group on the Universal Periodic Review – Myanmar*, doc. A/HRC/17/9, 24 March 2011, published in *UPR Reports 2011*, op cit.

“The Government is committed to investigate any allegations of human rights violations and takes action against any perpetrator in accordance with the law. [...] There is no impunity in Myanmar. No one is above the law. The legal maxim *nemo est supra leges* is the accepted principle. Citizens, military and police personnel are not above the law and action will be taken against them when the law is breached.”¹⁹¹

In practice, there is little evidence to support the government’s assertion. In September 2011, the government claimed that 106 military personnel had been given ‘severe punishment by Military Act’ for committing sexual abuse in the first half of 2010, but no further details were provided.¹⁹² In March 2012, a high-profile case concerning the alleged abduction, gang-rape, and disappearance of ethnic Kachin woman Sumlut Roi Ja by Burma Army soldiers was thrown out by Burma’s Supreme Court, casting further doubt on the authorities’ willingness to effectively investigate and hold to account alleged perpetrators of serious human rights violations.¹⁹³

That same month, the government signed a Memorandum of Understanding with the International Labour Organization, which included a commitment to the elimination of all forms of forced labour in the country by 2015. In May the ILO and the government developed a comprehensive strategy to meet this ambitious target. At the time, senior military officials announced that Burma Army personnel suspected of exacting forced labour would be prosecuted under civilian (and not military) law.¹⁹⁴ However it remains to be seen if such prosecutions under civilian law will in fact be successful, given that much-needed, substantive reforms of the judiciary to ensure its independence and impartiality have yet to be carried out.¹⁹⁵

In the course of compiling this report, CHRO documented twenty-four official complaints of violations of religious freedom and other human rights abuses (including rape and extra-judicial killing) lodged at various levels of government, where no legal action appears to have been taken against the alleged perpetrators. In fact, in two such incidents, complainants faced reprisals in the form of arrest and arbitrary detention.¹⁹⁶

¹⁹¹ During the UPR process, members of the HRC have the opportunity to propose recommendations to the State under review, which are then considered and accepted or rejected by the State. See *Report of the Working Group on the Universal Periodic Review – Myanmar*, doc. A/HRC/17/9, 24 March 2011, paras. 96 and 103 (g), published in *UPR Reports 2011*, op cit. pp.79 & 80. The government also rejected a recommendation made by New Zealand to repeal Article 445 of the 2008 Constitution.

¹⁹² See *Information provided in follow up to the concluding observations of the Committee, Myanmar*, 13 September 2011, doc. CEDAW/C/MMR/CO/Add.3, pp.3, para.12.

¹⁹³ See *Top Court Drops Chin Abductee Case*, Democratic Voice of Burma, 21 March 2012, accessed 6 August 2012. <http://www.dvb.no/news/top-court-drops-kachin-abductee-case/20960>

¹⁹⁴ See *Soldiers using forced labour to be prosecuted*, Democratic Voice of Burma, 9 May 2012, accessed 24 July 2012. During a high-level ILO mission to Burma in January 2012, representatives of the military provided information to the mission about the prosecution of 166 military personnel for breaches of the forced labour and under-age recruitment laws. A range of penalties were imposed, prescribed by Chapter VII of the 1959 Defence Services Act (rather than the civilian Penal Code), but only three cases resulted in dismissal from the military and imprisonment. See ILO doc. GB.313/INS/6, 15 March 2012.

¹⁹⁵ In his September 2008 report to the UN General Assembly (UNGA), the Special Rapporteur on Burma Tomas Ojea Quintana set out four core human rights elements to ‘pave the road to democracy’, to be completed prior to the 2010 elections. He has consistently referred to these four elements in subsequent reports to the UNGA and HRC. In brief, they include a. review of national legislation in accordance with international human rights obligations; b. release of prisoners of conscience; c. reform of the armed forces; and d. reform of the judiciary. See *Situation of human rights in Myanmar*, 5 September 2008, A/63/341.

¹⁹⁶ Interviews: KMO3, 17 June 2010, Chin State; KMO4, 15 June 2010, Chin State; S1 & S2, 17 May 2010, Magway Region; P2, 4 May 2010, Chin State; TE2, 13 June 2010, Chin State; TO2, 16 June 2010, Chin State (reprisal taken against Chin pastor for submitting an official complaint); MI2, 17 May 2010, Chin State; TH5, 20 June 2010, Chin State; Case Study Two; Case Study Four; series of nine complaint letters from Ann Township, Arakan State, dated from 1998 – 2007, on file with CHRO, detailing dozens of human rights violations – see Appendix E for an example; *Burmese Soldiers Rape Mother of Four Children*, Rhododendron News, May –

Myanmar National Human Rights Commission

In September 2011, the Myanmar National Human Rights Commission (MNHRC) was established by presidential decree, with a mandate to promote and safeguard the rights set out in the 2008 Constitution.¹⁹⁷ The commission is largely composed of former SPDC ambassadors and retired civil servants. In his March 2012 report to the Human Rights Council, the Special Rapporteur on Burma Tomás Ojea Quintana noted that, “[M]any questions remain about the composition, role and functioning of the commission, and, to date, there are no indications that it is fully independent and compliant with the Paris Principles.”¹⁹⁸

Following his trip to Burma in August 2012, Quintana noted that the MNHRC was trying to address its shortcomings, and recognized the “important activities” of the MNHRC, including a recent visit to Kachin State to investigate human rights violations. At the time of writing, the MNHRC has publicly recognised human rights abuses by both sides to the Kachin conflict, and has said it will publish a report.¹⁹⁹ However, it remains to be seen if the MNHRC will make any concrete recommendations to the government. In addition, in August Quintana also noted that, “[T]here is a long way to go before this body is fully compliant with the Paris Principles and independent,”²⁰⁰ underlining the considerable doubt about the credibility of the MNHRC.

In the final parliamentary session of March 2012, the legislature refused to approve the government’s budget proposal to fund the human rights body, on the grounds that the MNHRC was not formed in accordance with the 2008 Constitution.²⁰¹ At the time of writing, the implications of this decision are still unclear.

In the absence of an independent, transparent mandate and mechanism for the National Human Rights Commission in its current form - and the necessary technical capacity, financial resources, and willingness to carry out investigations into credible allegations of widespread and systematic human rights violations - an international mechanism is required to investigate serious human rights violations.²⁰² Such an investigation should establish the facts and analyse the factors which contribute to the commission of these violations, and maintain impunity. If the investigation points to the likelihood that crimes against humanity have occurred, it should make recommendations to the government of Burma and the international community to address those crimes according to international standards. Such an investigation would act as a significant deterrent for further human rights violations, and would be a major step forward in terms of tackling the culture of impunity in Burma.

June 2006; *Villagers Detained for Writing Complaint Letter to Sr. Gen. Than Shwe*, Rhododendron News, May – June 2007 (reprisals taken against Chin community for lodging complaint about extra-judicial killing); *Impunity for Army Officer Accused of Sexual Assault*, Rhododendron News, March – April 2009; *Questions Over Govt’s Plan to Construct New Buddhist Pagoda in Chin State*, Rhododendron News, March – April 2012; and *Over 160 Families in Trouble After Forced Relocation in Kalaymyo*, Rhododendron News, May – June 2012.

¹⁹⁷ See *Myanmar National Human Rights Commission Formed*, in the New Light of Myanmar, 6 September 2011.

¹⁹⁸ The Paris Principles were adopted by UN General Assembly resolution in 1993, and set out an operational framework for national human rights institutions, covering: Competence and responsibilities; composition and guarantees of independence and pluralism; and methods of operation. See <http://www2.ohchr.org/english/law/parisprinciples.htm> See also *Progress Report of the Special Rapporteur on the situation of human rights in Myanmar*, Tomás Ojea Quintana, 7 March 2012, doc. A/HRC/19/67. para. 19.

¹⁹⁹ See *Human Rights Commission Recognises Kachin Abuses*, 7 August 2012, accessed 9 August 2012.

²⁰⁰ Statement of the Special Rapporteur on the Situation of Human Rights in Myanmar By Tomás Ojea Quintana, 4 August 2012, Yangon International Airport, Myanmar, <http://unic.un.org/imucms/yangon/80/110/home.aspx> accessed 6 August 2012.

²⁰¹ See *Human Rights Commission Formed Without Parliament’s Approval*, Mizzima News, 27 March 2012 <http://www.mizzima.com/news/inside-burma/6836-human-rights-commission-not-formed-with-parliaments-approval.html>, accessed 6 August 2012.

²⁰² In July 2012 Navi Pillay, UN Commissioner for Human Rights, called for such an investigation events in Arakan State. See *UN Seeks Probe Into Rakhine Crisis*, Radio Free Asia, 29 July 2012, accessed 6 August 2012.

Pagodas Built with Forced Labour

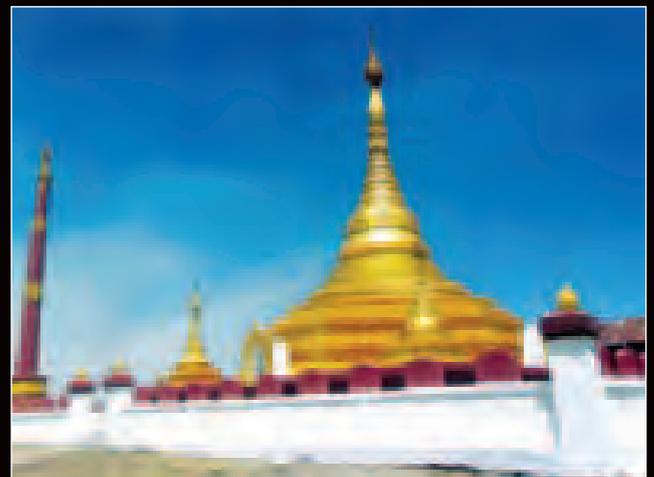
CHRO documentation shows 15 pagodas and monasteries were built with forced labour across Chin State over the past two decades



Yan Pyay Man Pyay pagoda built in 1994 with forced labour exacted from high school students in Falam Township



A Buddha Statue, next to Yan Pyay Man Pyay pagoda built with forced labour



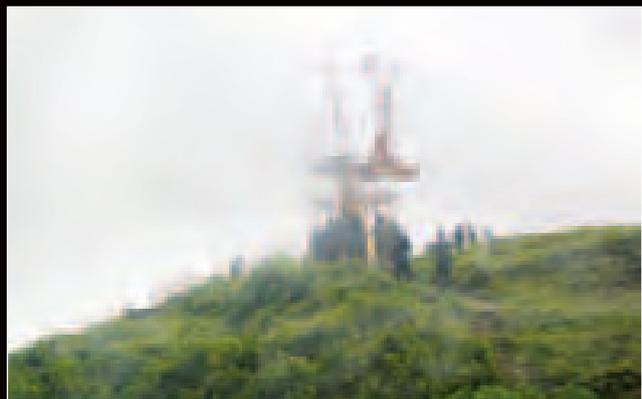
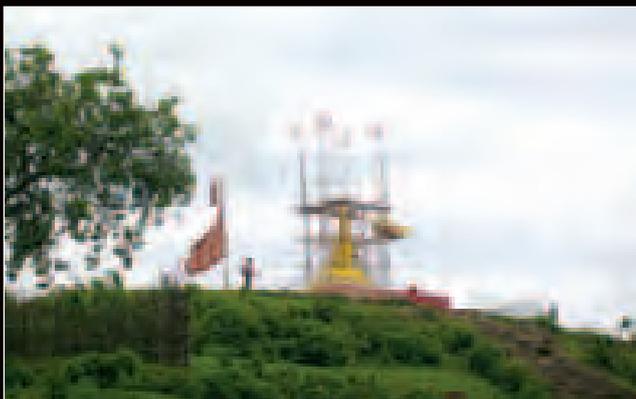
Lay Kyun See Me Sutaungpyih Aung Daw Mu pagoda on Kennedy Mountain built with forced labour in the early 1990s in Tedim Township



Tabba Thukha Teikdih Kabaraye Sudaungpyih Pagoda built in 1995 with forced labour exacted from high school students in Thantlang Township



Yan Aung Yadana pagoda built in 2000 with forced labour in Kanpetlet Township



Pagoda built with forced labour in Thantlang Township

Burmese soldiers inspecting pagoda built with forced labour in Thantlang Township



Kabar Nyeinchan pagoda built with forced labour exacted from children as young as seven years old in Tonzang Township



Pagoda built on site of destroyed cross, Falam Township

Destruction of Crosses

13 Christian crosses, many of them large structures over 20 feet tall, were destroyed across Chin State over the past two decades



This 23-foot tall concrete structure near Mindat was destroyed by order of the Ministry of Religious Affairs on 24 July 2010



(This scanned photo of the destroyed cross was attached in a letter from the District level Religious Affairs official to the State level official as proof that the cross had been dismantled as instructed – see Appendix D)



Buddhist youths destroyed and burned two crosses on orders of the Chin State Government in Kanpetlet Township (July 2011)



This 30-foot tall concrete structure near Matupi was defaced and pulled down on orders of the Burmese authorities in January 2005



Local Christians inaugurating the construction of cross



Villagers performing forced labour to remove rubble from destroyed clock tower with Christian cross on top in Tedim Township (April 2012)

Na Ta La

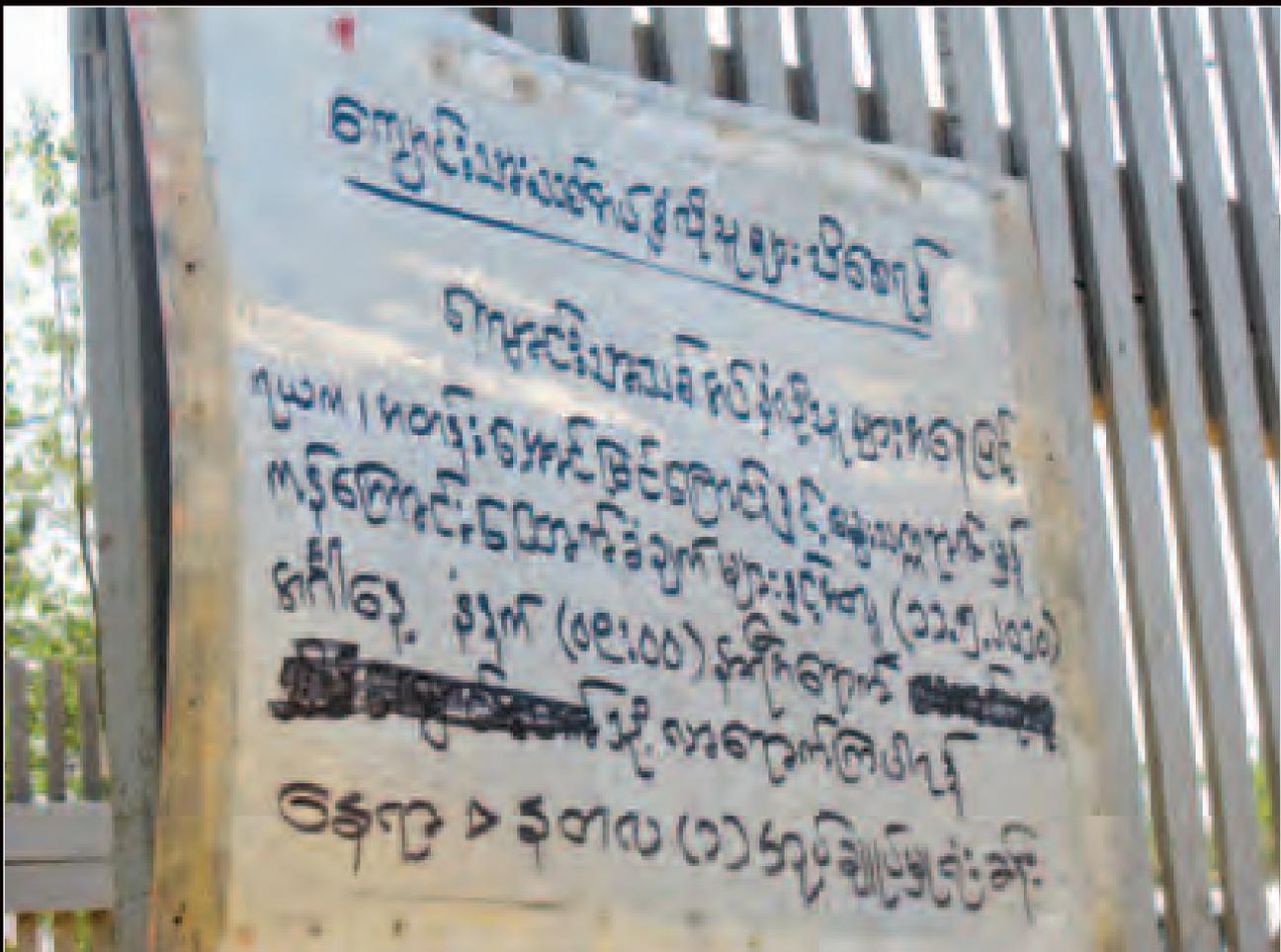
(Border Areas National Races Youth Development Training Schools)



Na Ta La School (No.1) in Mindat



Na Ta La School (No.2) in Mindat



This sign reads: (Notice to new students wishing to register) Those new students wishing to register are hereby notified to come to Faung-Pulu monastery [Erased out] by 9:00 am on 11/5/2010, together with exam pass certificate and letter of authentication of date of birth from Yayaka Village/Ward Peace and Development Council office.

Place: Na Ta La (1) Administration Office



Na Ta La School in Kanpetlet



Na Ta La School in Thantlang



Na Ta La School in Tedim



Na Ta La School in Tedim Township bordering Kalay, Sagaing built on land confiscated from Chin people



Construction of Kanpetlet Baptist Church halted by orders of local authorities



Church foundation destroyed on orders of local authorities in Kalay Township, Sagaing



Chin Christians congregating at a makeshift church after the foundations of their new church were torn-up by order of local authorities



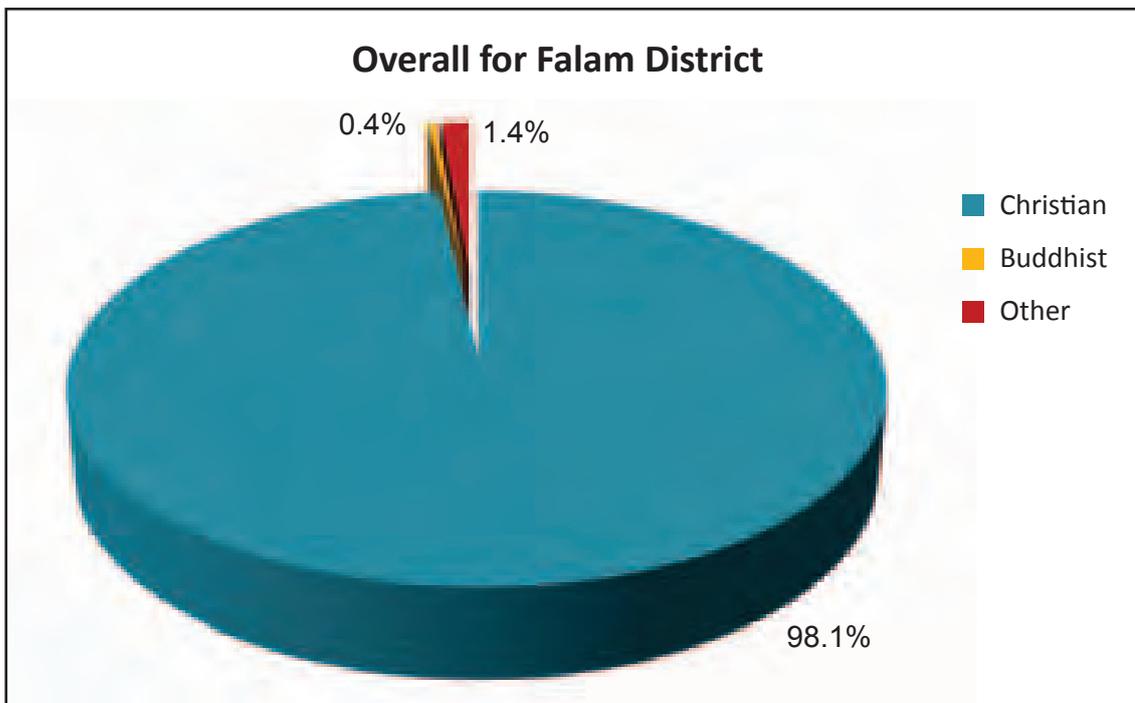
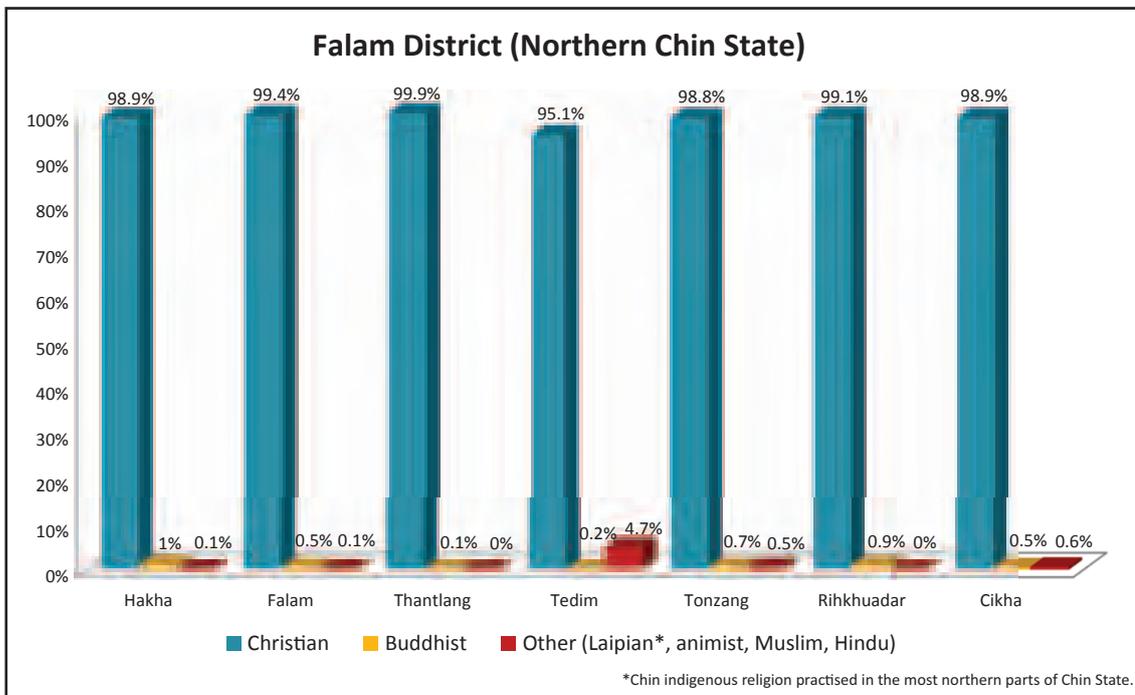
Buddha statue donated by Senior General Than Shwe and his wife in Hakha

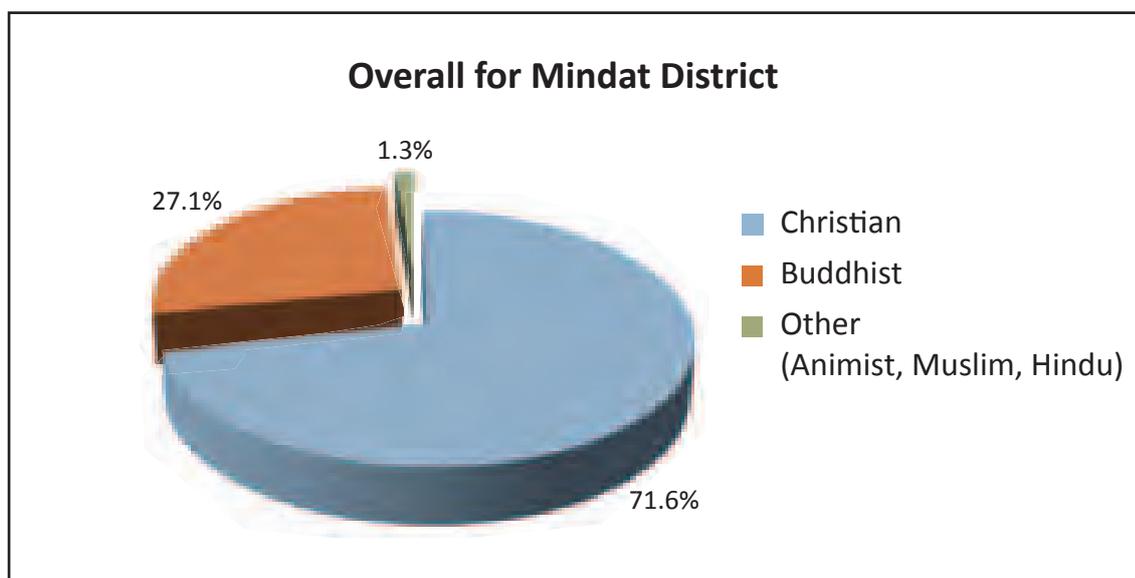
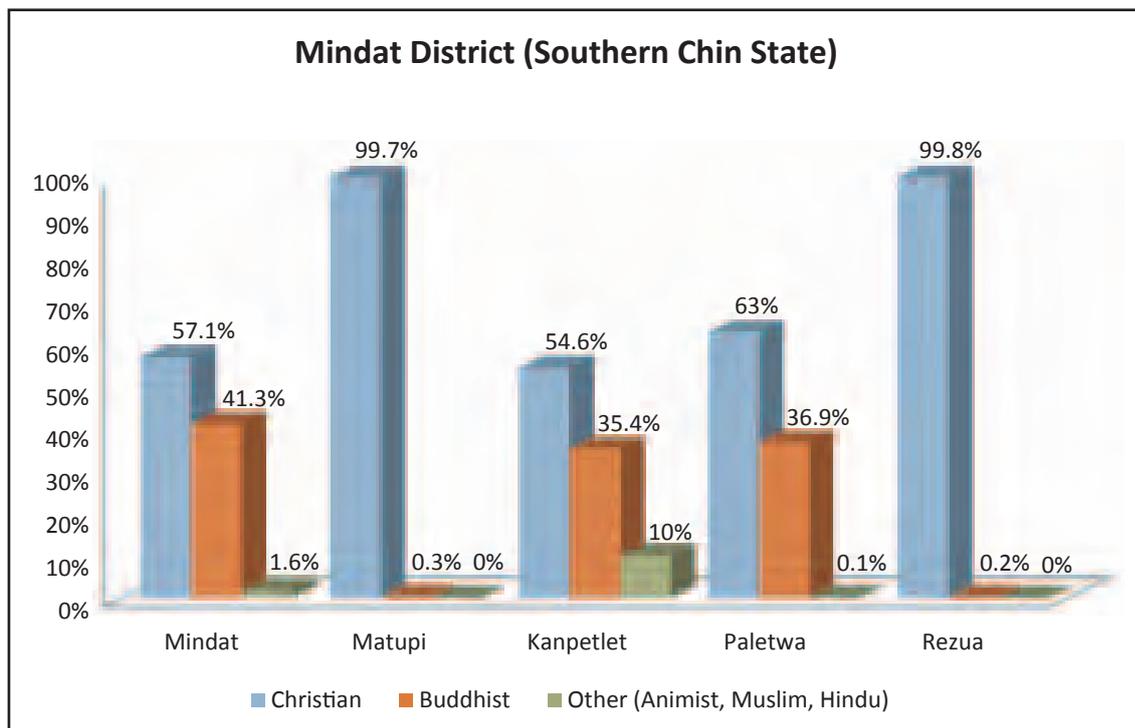


Chapter
Four

Discrimination, repression,
and persecution of Chin Christians

Figure 10 : Graphs of religious demography by township in Chin State





Today, Chin Christians are able to secure low-level civil service positions, but very few are given promoted positions.²⁰⁷ At the Chin State-level, just 14 percent of the departmental head positions are held by Chin Christians.²⁰⁸ At the township level, only one quarter of the Township Administrative Officer positions are held by Chin Christians; the rest are occupied by Burman Buddhists.²⁰⁹ Although the 2008 Constitution created State-level legislatures and executives in the eight ethnic

²⁰⁷ The few Chin Christians who have been given promoted positions are respected members of society with long records of service.

²⁰⁸ 6 out of 42 departmental heads at the Chin State level are Chin Christians. One is a Chin Buddhist, one is a Shan Buddhist, and the rest are Burman Buddhists. Detailed information on file with CHRO.

²⁰⁹ The Township Administrative Officers in the northern townships of Tonzang, Hakha and Thantlang are Chin Christians. Detailed information on file with CHRO.

States, only powers equivalent to a municipality are conferred on the new State governments, and the base of power continues to be with the central government in Naypyitaw.²¹⁰ In Chin State, senior civil servants continue to take direction from Naypyitaw, while State-level Ministers (most of whom are Chin) are reportedly very unclear about their roles and responsibilities.²¹¹

In the case of Chin State, reserving high-level civil service positions for Burman Buddhists is indicative of institutionalized discrimination against ethnic and religious minorities. Sometimes, such discrimination – coupled with the imposition of Buddhism as the de facto State religion - has a far-reaching impact for Chin Christians, as it interferes with the right to manifest one’s religion.²¹² A common complaint among those interviewed for this report was being called to official meetings on Sunday mornings, always at the time when local church services are normally held.²¹³ In July 2011, around 1,000 women employees of government departments in Hakha were ordered to participate in a ceremony marking Myanmar Women’s Day at 10am on a Sunday morning.²¹⁴ Civil servants fear that they will lose their jobs if they don’t follow such orders.

Discrimination is particularly abhorrent in powerful State institutions like the Burma Army. Twenty-six year-old villager A was forcibly conscripted into Light Infantry Battalion 147 in Shan State for over a year in 2008, before running away:

“I am Christian, so I asked to go to church. My superiors told me I could go, but only if I cleaned the toilets when I got back. They used to say to me, “You Chins are nothing.” They often used to say very bad things about Chin people. When I tried to read the bible, they took it from me and gave me the Buddhist scriptures to read instead. The leaders from the Battalion told me, ‘Christianity is not from Burma, it came from America so you should only follow Burmese religion [Buddhism].’ In the summer holidays they shaved my head and forced me to go to the monastery in Pannyu area in Lashio town for one month as a novice monk.”

[2008 – 2009, Shan State]²¹⁵

Burma’s 1982 highly discriminatory citizenship law narrowly defines the rights of citizenship, and in 1990 SLORC amended the format of the national identity card to show the bearer’s ethnicity and religion.²¹⁶ This has had a far-reaching impact on ethnic and religious minority groups like the Chin. People of non-Burman and non-Buddhist origin are easily identifiable, which leaves

²¹⁰ Article 232 (i) of the 2008 Burmese constitution states: “If the Union Minister is a representative of a Hluttaw, it shall be deemed that he has resigned from the day he is appointed as a Union Minister.” However, this provision doesn’t apply to a State or Region Member of Parliament who is appointed to the cabinet post.

²¹¹ A Chin State-level cabinet member, for example, admitted to his constituents in January 2011, 10 months after his appointment, that he was unclear about his role as a Minister.

²¹² Article 6(h) of the 1981 Declaration on Freedom of Religion includes the freedom, “to observe days of rest and to celebrate holidays and ceremonies in accordance with the precepts of one’s religion or belief.”

²¹³ Interviews F4, 3 June 2010; H4, 1 June 2010; MA7, 30 November 2010; TO4, 8 June 2010.

²¹⁴ *Women In Hakha Forced to Attend Myanmar Women’s Day on Sunday*, 6 July 2011, Rhododendron News, Jul-August 2011.

²¹⁵ Interview MA2, 1 October 2010, Kuala Lumpur, Malaysia.

²¹⁶ See Karen Human Rights Group, *Easy Targets: The Persecution of Muslims in Burma*, May 2002, pp.12.

them highly vulnerable to discrimination and in some cases, targets of human rights abuses by State actors.

4.2. Widespread restrictions

“[P]laces of worship are an essential element of the manifestation of the right to freedom of religion or belief... **[A]ttacks or other forms of restriction on places of worship or other religious sites and shrines in many cases violate the right not only of a single individual, but the rights of a group of individuals forming the community...** [emphasis added].”

[UN Special Rapporteur on Freedom of Religion or Belief]²¹⁷

Restrictions on renovating and constructing churches

“If you want to construct a church building, permission must be obtained from the Ministry of Religious Affairs. You will never get it even if you ask...there is no change in the religious policy in terms of constructing church buildings.”

[Pastor, March 2012]

Complex bureaucratic procedures must be followed in order to construct or renovate Christian churches. First of all, land ownership must be ascertained by the local land registration and township administration offices, and form 105 must be approved. Those applying to construct or renovate a church must then also approach the local religious affairs office for a second tier of permission. Requests are made via a separate document, form 106, which is forwarded by the local religious affairs office to the central Ministry of Religious Affairs [MoRA] in Naypyitaw for approval. Other arbitrary requirements are also often imposed.²¹⁸

For Christian organizations, such permissions are notoriously hard to obtain from MoRA in Naypyitaw. There are usually excessively long delays in the process, and requests are frequently ignored, denied, or no decision is ever made by MoRA. According to the interviews conducted by CHRO, such bureaucratic procedures and lengthy delays are only applicable to religious minorities

²¹⁷ Rapporteur’s Digest on Freedom of Religion or Belief, pp.20 paras.50-51, op cit.

²¹⁸ Interviews KMO1, 17 September 2010, Shillong, India; KMO3, 16 June 2010, Sagaing Region.



Kanpetlet Baptist Church

like Chin Christians. They are an example of the ‘misrule’ of law in Burma: the arbitrary and unfair application of draconian laws and procedures designed to control and subjugate certain sectors of the population.²¹⁹

Many Chin Christians have sought to circumvent these restrictions by applying for permissions in the name of an individual, rather than a Christian organization. However, if such buildings are suspected of being used for worship, permission to construct is later withdrawn.²²⁰ As an absolute last resort, some organizations have reluctantly paid bribes to the local authorities, viewing it as their only recourse available in order to be able to have a place of worship.²²¹ Even when official permission is secured – more often than not, verbally – it can be revoked at any time. Decisions are arbitrary, and powerful monks loyal to military rule (dispatched to Chin State under the Hill Regions Buddhist Mission by SLORC in the 1990s), backed up by the Ministry of Religious Affairs, often wield considerable influence.²²²

Since 2011 there have been some small signs of relaxation in the enforcement of such restrictions, for example in the Hakha area:

²¹⁹ See Case Studies One and Two. Also interview TH18, 24 March, Chiang Mai, Thailand.

²²⁰ Sources: interviews KPT1 & KPT4, and KMO1 & KMO3.

²²¹ Sources: interviews TO3, TE2, F3, and KMO5.

²²² Sources: interviews MI2, F3, KPT1, KPT4, and P9.

“Some new buildings have been constructed recently, although I don’t know how they were able to construct. The most recent was the Peniel Baptist Church, inaugurated in June 2011. In my own village, we were able to construct a church building, which we finished in April. We didn’t seek permission, or pay a bribe, it was all OK. Maybe it’s because ours is a small village in a rural area.”

[October 2011, Hakha town and Village 2, Hakha township]²²³

However, these changes are not systemic. Pastors B and C explain:

“If you want to construct a church building, permission must be obtained from the Ministry of Religious Affairs. You will never get it even if you ask. It is important that an understanding is established with the local authorities, so that the matter does not go any further, beyond the local government level. All of this can only be done through personal understanding and friendship; there is no change in the religious policy in terms of constructing church buildings.”

[March 2012, Thantlang town]²²⁴

Chin people living in Sagaing Region face similar restrictions today. More than a third of students are ethnic Chin at the Government Technological University outside Kalaymyo.²²⁵ No accommodation is provided on campus, and Chin students who don’t have relatives in Kalaymyo rent rooms in predominantly Burman Buddhist villages close to the campus. For several years Chin Christian students based in one such village have tried to construct a church. At the time of writing, their only option is to worship in a simple wooden structure covered in tarpaulin, amidst intimidation and threats.²²⁶



Makeshift church, Kalaymyo township

²²³ Interview H8, 15 October 2011, Chiang Mai, Thailand.

²²⁴ Interview TH18, 24 March, Chiang Mai, Thailand.

²²⁵ In academic year 2011, 37 percent of the students at the university were ethnic Chin. See *Chin Christians Banned to Rent and Construct Buildings*, Rhododendron News, Jul-Aug 2011.

²²⁶ Ibid.

Chin Christians have been threatened with eviction by Burman Buddhist house-owners if they gather to worship in a rented property, and a previous effort to construct a building which they intended to use for worship was blocked in 2008.²²⁷ The Chairman of the Kalaymyo Township Peace and Development Council ordered the students to stop the construction, and threatened them with expulsion from the university.²²⁸ Backed up by the Kalaymyo TPDC, the village headman at the time, together with other villagers, destroyed the foundations of the church and confiscated the building materials.²²⁹



Church foundation destroyed, Kalaymyo township

In compiling this report, CHRO has documented twenty-four separate incidents in almost every township of Chin State, and areas of Magway and Sagaing Regions with sizeable Chin populations, where permission to construct (or in a few cases, renovate) a church or other Christian building has been either refused by the central Ministry of Religious Affairs, or effectively blocked by delays lasting months and years.²³⁰ Such restrictions must also be understood in the context of State-sponsored, rapid expansion of Buddhist infrastructure in Chin State, often by extorting local Chin Christians and exacting forced labour from them (see **4.9. Distortion of Buddhism as a State tool of oppression** below).

²²⁷ The students were fully aware of the restrictions and difficulties with securing permission to construct a church, and so chose to apply for permission to construct a boarding house for Chin students instead, with the intention of using the premises as a place to worship.

²²⁸ KMO3, 16 June 2010, Kalay Township, Sagaing Region. Copies of official letters from the Kalaymyo TPDC on file with CHRO.

²²⁹ See *Church Building Foundation Destroyed in Tharyarwaddy Village*, Rhododendron News, CHRO, Nov-Dec 2008; *Church Construction Materials Storage Destroyed*, Rhododendron News, CHRO, Nov-Dec 2009; *Students Held Decennial Celebration at 'Junta-Banned' Church*, Rhododendron News, May-Jun 2010; *Chin Christians Banned to Rent and Construct Buildings*, Rhododendron News, Jul-Aug 2011.

²³⁰ Sources: interviews F3, 3 June 2010, Chin State; TE2, 13 June 2010, Chin State; TO3, 8 June 2010, Chin State; TH2, 12 June 2010, Delhi, India; MA7, 30 November 2011, Kuala Lumpur, Malaysia; MI2, 17 May 2010, Chin State; P2 & P5 4 May 2010, Chin State; H8, 15 October 2011, Chiang Mai, Thailand; KPT1, 29 November 2010, Kuala Lumpur, Malaysia; KPT2, 16 September 2010, Shillong, India; KPT3, 13 May 2010, Chin State; KPT4, 13 May 2010, Chin State; KMO1, 17 September 2010, Shillong, India; KMO2, 31 May 2010, Aizawl, Mizoram; KMO3, 16 June 2010, Sagaing Region; *Construction of Baptist Church Ordered to Halt in Matupi*, Rhododendron News, CHRO, May-June 2004; *Partially Constructed Church Building Ordered Shut*, Rhododendron News, CHRO, Jan-Feb 2009; *Students Held Decennial at 'Junta-Banned' Church*, Rhododendron News, May-Jun 2010; *Pastors Ordered to Stop Church Construction*, Rhododendron News, CHRO, Nov-Dec 2010; *Church Ordered to Stop Construction, Worship Service and School by Authorities*, Rhododendron News, CHRO, Jan-Feb 2011; *Christian Religious Building Ordered to Stop Construction*, Rhododendron News, CHRO, Jan-Feb 2011.

CASE STUDY ONE: Discriminatory restrictions, Chin State

February 2009: *The authorities in Burma have historically viewed Christianity as a foreign religion and therefore anti-government, and a threat to creating a homogenous identity for citizens of the Union of Burma. This case illustrates how local authorities, and monks loyal to military rule dispatched to Chin State under the Hill Regions Buddhist Mission in the 1990s by SLORC, have wielded their power to restrict religious freedom.*²³¹

Between 2003 and 2008, local Christian missionaries sought the necessary permissions to purchase land and build a missionary’s residence in _____ village, Kanpetlet township. Finally, in January 2009, the local Township Land Registration Office gave permission with the approval of form 105. On 25 February 2009, they laid the foundation stone and started building the house. The very next day, the local authorities issued orders for the construction to stop, alleging that the building was actually intended to be a church (see Appendix B). All the local monks in the area signed a document in protest at the construction. The document *The Facts to Attack Christians* (see Chapter Two) was posted in two locations at night, by unknown persons; one document was posted by the roadside and another beside the house under construction.

One of those involved in the case, pastor D, 42, male, explained, “The head of the Religious Affairs Office U Ling Thang, the chief of the local police, and the Chairman of the Township Peace and Development Council summoned us. They insisted that the building was meant for a church and that we didn’t have the necessary permission. We kept explaining that the building is consistent with an ordinary house and that we were trying to work within the law, as we had form 105 approved. We were threatened with arrest and imprisonment if we carried on with the construction. We kept trying to explain that we were not doing anything anti-government. But we were forced to stop the construction, and haven’t been able to resume it. We lost one million kyats [US\$1,000]²³² in the process.”²³³

Another man involved in the case, pastor E, explained, “Buddhists can build a *Dhama Yone* [community hall for religious purposes] without seeking permission.... Generally, the relationship between Christians and Buddhists is good. However, when it comes to issues like building a missionary house, or celebrating Christmas, the local authorities and the monks disrupt us. As the power is in their hands, they have the final say. As missionaries, whenever we want to travel out of the village, we have to inform the local authorities and police, and the same again on our return.”²³⁴

²³¹ Sources: Interviews KPT1, 29 November 2010, Kuala Lumpur, Malaysia and KPT4, 13 May 2010, Chin State. See also Appendix B.

²³² Exchange rates vary greatly in Burma, especially over the time period covered in this report (2004 – 2012). Therefore prices quoted in kyats are converted at a rate of 1000 kyats = US\$1 to give an idea of approximate values.

²³³ Interview KPT1, 29 November 2010, Kuala Lumpur, Malaysia.

²³⁴ Interview KPT4, 13 May 2010, Chin State.

Closure of churches, ‘house’ churches, and orphanages

At politically sensitive times for the former regime, such as during the Saffron Revolution in 2007 and in the aftermath of Cyclone Nargis between 2008 and 2010, Chin churches in Rangoon have been ordered to close. In some cases, this was on the pretext that they did not have the necessary official permissions.²³⁵ In other cases, in Rangoon and in the Irrawaddy delta area, this seemed to be in direct response to Chin Christian communities’ efforts to help victims of Cyclone Nargis.²³⁶

Due to the difficulties in gaining official permission to restore and construct churches, Chin community members have established ‘house’ churches in private homes in urban areas like Rangoon. However, many of these house churches also faced closure in 2009 and 2010 when more than 100 churches were shut down by the authorities and at least 50 pastors were forced to sign documents promising not to hold church services, under threat of imprisonment if they refused.²³⁷ At the time of writing, most of the ‘house’ churches that were shut down have not re-opened. In some cases this was due to pressure from the local authorities on house-owners, to stop them renting property to pastors or missionaries.²³⁸ However, some new ‘house’ churches have been established and operate without any problems to date.

4.3. Destruction of crosses

The Human Rights Council urges States, “To exert the utmost efforts... to ensure that religious places, sites, shrines and symbols are fully respected and protected and to take additional measures in cases where they are vulnerable to desecration or destruction [emphasis added].”²³⁹

“This [cross] destruction in Chin State clearly shows the military’s ruthless attempts in dismantling our Christian faith, and eliminating the Christian Chins by means of systematic persecution.”

[Pastor, September 2010]

²³⁵ See *Chin Church in Rangoon Closed Down by Authorities and More Churches Locked Up By Authorities*, Rhododendron News, CHRO, Jan – Feb 2009.

²³⁶ See *More Churches Locked Up By Authorities*, Rhododendron News, CHRO, Jan – Feb 2009, and *Churches Closed Down in Irrawaddy Division*, Rhododendron News, CHRO, May-June 2010.

²³⁷ See *CSW Condemns Crackdown on Churches in Rangoon*, CSW press release, 15 January 2009 available at <http://dynamic.csw.org.uk/article.asp?t=press&id=820>. CHRO’s research indicates that many of those affected believed that the closures carried out as punishment for church involvement in distribution of aid following Cyclone Nargis.

²³⁸ Information obtained by CHRO during the corroboration process.

²³⁹ Human Rights Council resolution 6/37, cited in *Rapporteur’s Digest on Freedom of Religion or Belief*, pp. 17, op cit.

In Burma, State actors have been directly responsible for the destruction of Christian crosses. CHRO has documented the destruction of thirteen crosses - many of them large structures over 20 feet tall - in each of the main townships of Chin State.²⁴⁰ Most of the crosses were on hilltops overlooking towns, on land considered to be sacred according to the Chin tradition. For Chin Christians, the planting of crosses on sacred sites is a very important manifestation of their religious beliefs.

In April 2012 a cross on top of a clock tower (a structure more than 33 feet high) in a village in Tedim township was destroyed when it was razed to the ground by bulldozer, apparently to make way for a new road.²⁴¹ The order was given by village headman Pa Hau Khan Nang, a Tedim-based USDP party organizer, without any consultation with the villagers. Local people faced extortion to pay for the road construction, led by the village headman. Together with policemen brought from Tedim town, Pa Hau Khan Nang collected financial ‘contributions’ and gallons of diesel from local people. In addition, the local authorities confiscated land from some villagers for the road construction, without paying any compensation.²⁴² After the clock tower and cross were destroyed, the village headman exacted forced labour from the villagers to clear the rubble.²⁴³

Villager A.K.A. told CHRO:

“Local people only found out about the destruction when it was already happening. They don’t dare to complain about it, I think because Pa Hau Khan Nang brought policemen with him to threaten those who couldn’t afford to pay the ‘contribution’ to build the road. The woman who lives right behind the clock tower told me she was crying as she watched it being destroyed.”

[April 2012, Village 24, Tedim township]²⁴⁴

In February 2012 Colonel Aung Min from LIB266, Commander of Tactical Operations Command 1 ordered a 3-foot high cross on Mount Rungtlang near Hakha town, within sight of the LIB266 army base at Hakha, to be destroyed. He gave the order to Police Officer Lieutenant Eric Van Bik, who tried to negotiate with the family that planted cross. They refused to comply with the order, and the cross was later removed but not destroyed.²⁴⁵

²⁴⁰ For cross destruction in Tonzang, Hakha, Thantlang and Falam townships, see *Religious Persecution: A Campaign of Ethnocide Against Chin Christians in Burma*, CHRO, 2004, op cit. In Matupi township (where two major crosses have been destroyed), see *Christian Cross Destroyed by SPDC in Matupi*, Rhododendron News, CHRO, May-June 2004 and *Burmese Army Destroyed a Christian Cross in Matupi Township*, Rhododendron News, Jan-Feb 2005. In Mindat township, see *CHRO Condemns Destruction of Christian Cross in Chin State*, press release by CHRO, 24 August 2010. Two crosses were destroyed in Kanpetlet township in July 2011; see Case Study Two. In Paletwa town a cross was destroyed in 2007 by local Buddhists. It had been built a few months earlier local Christians. Nobody dared to complain about the incident, and no action was taken by the authorities over its destruction.

²⁴¹ See *Christian Cross Destroyed by USDP Members in Tedim Township*, Chinland Guardian, 19 April 2012, accessed 1 August 2012.

²⁴² Interview TE7, 13 June 2012, Chiang Mai, Thailand.

²⁴³ Ibid. During the corroboration process, CHRO learned that villagers from one particular quarter of the village were ordered to do the forced labour, or else face a fine of 2,000 kyats per day.

²⁴⁴ Ibid.

²⁴⁵ Information obtained by CHRO in March, but not previously published.



Villagers forced to clear rubble after the clocktower and cross were destroyed

Later that same month, a separate incident sparked huge anger among the Chin people. At a Chin State-level ministerial meeting, cabinet members took a decision to build a pagoda at the entrance to Hakha town; a proposal reportedly put forward by the Chief Minister Hung Ngai and Minister of Security and Border Affairs Col. Zaw Min Oo.²⁴⁶ The decision caused controversy as very few residents of Hakha town are Buddhist (see Appendix A); mainly high-level Burman civil servants and Burma Army soldiers. In addition, questions were raised about how a Chin State cabinet composed of six Christians, four Buddhists, and one subscribing to indigenous religion Laipian, could arrive at such a decision.²⁴⁷ It later emerged that Burman Buddhist U Myo Aung Htay - the State-level General Administrator and the highest-level civil servant in Chin State - was allowed to vote, in violation of the 2008 Constitution.²⁴⁸ One Chin community leader complained:

“This is unfair, unjust and undemocratic because they [government] easily made a decision to build a Buddhist pagoda, while we Christians are still prevented from obtaining official permission for construction of any religious buildings on our native land.”

[April 2012, Hakha town].²⁴⁹

The Chin National Party (CNP) wrote a formal complaint to the Chief Minister Hung Ngai, calling for the decision to be annulled on the grounds that it was ‘illegal and unconstitutional’.²⁵⁰ At the time of writing, CNP has not received any official response. A group of Chin activists known as the Chin Advocacy Group also organised a petition in protest at the unconstitutional decision,

²⁴⁶ See *Questions over Govt’s Plan to Construct New Buddhist Pagoda in Chin State*, Chinland Guardian, 19 March 2012, accessed 1 August 2012.

²⁴⁷ See *Questions over Govt’s Plan to Construct New Buddhist Pagoda in Chin State*, Chinland Guardian, 19 March 2012, accessed 1 August 2012.

²⁴⁸ Article 248 of the 2008 Constitution defines the State government as including only the Chief Minister, Ministers, and the Advocate-General.

²⁴⁹ See *Govt’s Decision to Build Pagoda in Hakha ‘Invalid’: CNP*, Chinland Guardian, 17 April 2012, accessed 1 August 2012.

²⁵⁰ Ibid.



Site of removed cross with Burma Army base in the background

and religious discrimination in Chin State, signed by over 5,000 people and submitted to Chief Minister Hung Ngai, President Thein Sein, and Thura Shwe Mann, speaker of the National Parliament on 28 May 2012.²⁵¹

In response, Chief Minister Hung Ngai called for a meeting with members of the Chin Advocacy Group on 26 June 2012. At the time of writing, CHRO understands that the Chief Minister Hung Ngai has offered to withdraw the decision to build the pagoda in Hakha. But, in response to the issue of religious discrimination raised by the Chin Advocacy Group, he reportedly laid blame with Chin Christians who don't follow the proper procedures for 'religious land ownership'.²⁵² As noted above, the procedures are onerous, and in the vast majority of cases the Ministry of Religious Affairs in Naypyitaw simply doesn't respond to requests to build Christian infrastructure in Chin State. As a result, many Christian organizations no longer apply for permission, or else negotiate or pay a bribe to officials at the local level.

Chief Minister Hung Ngai has also been implicated in orders to destroy Christian crosses in Chin State. In 2010, as leader of the Chin State Peace and Development Council, he was implicated in the order to destroy a cross in the Mindat area in July of that year (see Case Study Four). Two crosses were destroyed in a village in Kanpetlet township in July 2011 on the orders of the Chin State government, of which he is Chief Minister (see Case Study Three).

²⁵¹ Interview TH19, 13 June 2012, Chiang Mai, Thailand.

²⁵² Information obtained during the corroboration process, and follow-up from interview TH19, op cit.

Other earlier orders to destroy crosses have also come from senior levels of government in Chin State, including former Tactical Commanders in the Burma Army.²⁵³ Such orders have also involved officials from the Ministry of Religious Affairs (see Case Study Four). The orders are variously implemented by Burma Army soldiers, local authorities, the police, and local people themselves who are forced to follow orders under threat of punishment if they refuse.

Sometimes, destroyed Christian crosses, symbols, and buildings have been replaced by Buddhist structures. In Hakha town, the large cross destroyed in 1995 was replaced with a statue of a Buddhist monk. In the Falam area, a cross destroyed in 1996 was replaced with a pagoda, built with forced labour exacted from the local people. In Hakha and Matupi towns, the Burma Army built bases in the areas where the destroyed crosses once stood; in places considered sacred by the Chin people. Likewise, CHRO has received reports of the Burma Army committing similar violations in more remote villages in Chin State.²⁵⁴



Christian Cross, Mindat township



Hakha Zay Yar Teih Di Statue of Buddha funded by Snr-Gen Than Shwe and his wife, statues of monks funded by other SLORC ministers



Two crosses were cut down, desecrated and burned in Kanpetlet township

²⁵³ For example, the destruction of one of the Matupi crosses was ordered by then-Tactical Commander Col. Hla Swe. The second Matupi cross was destroyed on the orders of Col. San Aung, another Tactical Commander. Sources: *ibid*.

²⁵⁴ CHRO has documented two such cases, but believes there are likely to be more in other remote parts of Chin State. In 2006 in Madu village, Matupi township, the Burma Army confiscated the Presbyterian church compound. First they built their base there, and then exacted forced labour from the villagers to build a Buddhist temple in the compound. Source: Interview MA8, 24 May 2011, Kuala Lumpur, Malaysia. In 1998 in Old Darkhai village, Tonzang township, the Burma Army confiscated land from the Assembly of God church. The Army threatened to cut down the cross there, and so villagers moved it to another location in the village. Villagers were forced to build the army camp, and then in 2003 were again forced to build a pagoda in the grounds of the army camp. Source: Interview TO5, 23 May 2011, Kuala Lumpur, Malaysia.

CASE STUDY TWO: Cross destruction, Chin State

July 2011 to date: *This case illustrates that Buddhism continues to be imposed as the de-facto State religion at all levels of government, despite provisions in the 2008 Constitution safeguarding freedom of religion.²⁵⁵ The Chin State government, under the leadership of Chief Minister Hung Ngai, issued an order for the destruction of two Christian crosses.²⁵⁶*

On 16 July 2011, two wooden crosses were planted by local Chin Christians at either end of a new bridge they had paid for and constructed in _____ village, a predominantly Buddhist village in Kanpetlet township. According to interviews conducted by CHRO, no prior permission was sought to plant the crosses on the basis that Buddhists are not required to seek permission to build pagodas or other Buddhist infrastructure, and Christians are rarely granted permission from the Ministry of Religious Affairs in Naypyitaw to build religious infrastructure.

Less than two weeks later, the village police station and Village Tract General Administrative Office,²⁵⁷ citing an order from the Chin State government, instructed the three men who had planted the crosses to destroy them (see Appendix C). This appears to have been a unilateral executive order, not sanctioned by the Chin State parliament, issued by the Chin State government under the leadership of Chief Minister Hung Ngai.

The three men refused to comply with the order and a few days later a group of local Chin Buddhist youths destroyed the crosses, following further instructions from a Buddhist monk, U Win Tin, the Police Officer in charge of the village Police Force, two village headmen U Mya Phyu and U Aung Kyaw, U Chit Sein aka Thang Bu (a school teacher and graduate from the University for the Development of National Races), and a local villager, Maung Maung aka Kyin Htwe.

On 9 October 2011, local Chin Christians wrote a petition letter signed by more than 1,000 people from Kanpetlet and Mindat townships, submitted to President Thein Sein's office, demanding that action be taken in accordance with the law. This was followed a month later by an official complaint written by the Chin National Party and signed by 9 MPs from the Chin State parliament (including one Chin Christian MP from the USDP).

In response to the complaints, Dr. Ba Maung, a Chin Buddhist native of the village and Chin Minister of Social Affairs, made several trips to the area accompanied by Chief Minister Hung Ngai the first time. They warned local people that they had not followed the correct 'procedures' by submitting their petition directly to President Thein Sein's office. Dissatisfied with the response, local Chin Christians decided to organise a demonstration, prompting a second visit from Dr. Ba Maung. During that visit, Dr. Ba Maung asked the local Chin Christians to submit a letter stating their demands to the Chin State government. They did as asked, and made three demands. Firstly, they asked for the incident to be investigated and for two new crosses to be planted in the same place. Secondly, they requested permission to construct churches in the village, and for the right to freedom of religion and religious assembly to be respected throughout Chin State. Thirdly, they asked for financial support from the Ministry of Religious Affairs for all religions in Chin State, allocated in proportion with religious demography. Dr. Ba Maung made a third appointment with the local people, which was understood as an opportunity to discuss the demands they had made.

However, when Dr. Ba Maung returned to the village he stated that he was there in a personal capacity, and not as a representative of the Chin State government. Without any kind of meeting to discuss the local Chin Christians' demands, he unilaterally arranged a reconciliation ceremony in accordance with Chin tradition. During the ceremony he apologised for what had happened, but when pressed on the matter he claimed he was not authorised to agree to the demands set out in the letter to the Chin State government.

At the time of writing, no investigation has been undertaken into the destruction of the crosses. The demands submitted to the Chin State government have not been addressed, and there has been no response to the petition by President Thein Sein's office. The reconciliation ceremony prepared by Dr. Ba Maung is largely viewed as an effort to whitewash the issue of religious freedom in Chin State.

²⁵⁵ Article 34 of the 2008 Constitution provides for freedom of religion, although it is somewhat limited by the wording, "Every citizen is equally entitled to freedom of conscience and the right to freely profess and practise religion subject to public order, morality or health and to the other provisions of this Constitution."

²⁵⁶ See *Two Christian Crosses Demolished, Burnt Down in Chin State*, Rhododendron News, September – October 2011, and Appendix C. Interview TH20, 20 June 2012, Chiang Mai, Thailand. Petition letter on file with CHRO. Additional information was also collected by CHRO from various sources during the corroboration process.

²⁵⁷ This is the new equivalent of Village Peace and Development Council.

CASE STUDY THREE: Cross destruction, Chin State

July 2010: *This case shows that the orders to destroy Christian symbols come from the very highest levels of government, indicating direct State responsibility and chains of command for violations of religious freedom.*²⁵⁸

On 24 July 2010, a 23-foot high concrete Christian cross in the Mindat Township was forcibly destroyed on direct orders of the authorities.

Earlier that month, local Chin Christians were called to a meeting with township-level officials, including the District and Township level Peace and Development Council, the District Religious Affairs Department, a Mindat abbot from the Hill Regions Buddhist Mission²⁵⁹, District law officers, the Township judge, and local police. The local people were ordered to destroy the cross by 24 July 2010.

A letter from the Mindat District Religious Affairs Office obtained by CHRO shows that the order to destroy the cross came from the highest authority in Chin State, the Chin State Peace and Development Council under the leadership of Hung Ngai (see Appendix D). The letter confirms the destruction of the cross as per the instruction from the Chin State Peace and Development Council and includes photographic evidence “that the job has been completed”.

Originally built with wood, the cross was replaced with a concrete structure in 2008 with official permission from the local authorities. The cross had been planted on a 20-acre “Prayer Garden” that has traditionally carried spiritual significance for the local people.

The incident prompted Chin refugees in New Delhi to stage a demonstration. Speaking at the rally, pastor G said, “This destruction in Chin State clearly shows the military’s ruthless attempts in dismantling our Christian faith, and eliminating the Christian Chins by means of systematic persecution.”



This scanned photo of the destroyed cross was attached in a letter from the District level Religious Affairs official to the State level official as proof that the cross had been dismantled as instructed – see Appendix D

²⁵⁸ Sources: See Appendix C and *CHRO Condemns Destruction of Christian Cross in Chin State*, press release by CHRO, 24 August 2010; *Christian Cross Dismantled in Southern Chin State and Protest Against Cross Destruction in Chin State*, Rhododendron News, CHRO, Sep-Oct 2010.

²⁵⁹ Local people told CHRO this was Ashin Pyinyar Thiri, also implicated in human rights violations documented in Chapter Five – Induced and Coerced Conversion of Chin Christians.

4.4. Violations of freedom of religious assembly

“Who do you think you are? I will kill you. I don’t give a [expletive] about you being a Member of Parliament.”

[Burma Army Captain threatening Chin MP
at Christian conference, March 2012]

The right to freedom of religion explicitly includes the freedom, “to worship or assemble in connection with a religion or belief.”²⁶⁰ In Chin State today, permission to hold large Christian gatherings usually needs to be obtained at least one month in advance from the township-level or nearest Religious Affairs office. Locally-based Burma Army soldiers must also be informed of the event.²⁶¹ Pastor A.J.A. relates his experience in 2011:

“After the election happened and the new government formed, we thought it wasn’t necessary to seek such permissions to worship or for religious assembly, and we haven’t had any problems in Falam town. On 29 May 2011, we went to Rihkhuadar [a sub-township on the border with India] for a religious gathering. We thought the situation would be the same there, so we didn’t seek permission in advance. While around 35 of us were holding our gathering in the _____ church in Rih, three soldiers in uniform came and interrupted us and told us to go home, because we didn’t have permission. When the soldiers told us that, it felt like they were threatening us in an indirect way. They told us, ‘If you want to continue staying here you have to inform the higher-ranking officer.’ In the end some members of our group went to the officer and paid a bribe, around 100,000 kyats (US\$100) I think. After that they told us we could carry on, but they told us you must always ask permission from the Burma Army first.”

[May 2011, Rihkhuadar]²⁶²

Without such official permission, large gatherings face interruption or in some cases are prevented from going ahead.²⁶³

²⁶⁰ Article 6(a) of the 1981 Declaration of the UN General Assembly on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief.

²⁶¹ Interview TH18, 24 March 2012, Chiang Mai, Thailand.

²⁶² Interview F6, 15 June 2012, Chiang Mai, Thailand.

²⁶³ Cases documented in Hakha town, April 2008 (interview TH2, 12 June 2010, New Delhi, India); Matupi town, April and May 2006 (interview MA1, 3 June 2010, Chin State) and May 2010 (interview MA7, 30 November 2010, Kuala Lumpur, Malaysia).

CASE STUDY FOUR: Christian conference disrupted, Chin State

March 2012: *This case shows that there is a lack of respect for the right to freedom of religious assembly in Chin State, even when prior permission has been sought in accordance with tight controls in place over Christian gatherings. It also illustrates that Burma Army soldiers do not consider themselves under any kind of civilian control, and believe they can act with complete impunity.*²⁶⁴

On 10 March 2012, more than 1,000 delegates from 80 local branches of a particular church gathered at _____ village in a remote area of Matupi township, southern Chin State, close to Burma's border with India. Organizers of the event had obtained prior permission for the event from the Matupi Township General Administrative Office.

Several Burma Army soldiers, including Captain Aung Zaw Hteik and Captain Myo Min Hteik from Matupi-based Light Infantry Battalion 140 who are stationed at an army camp in the village, disrupted the gathering and publicly rebuked the village headman for not reporting the event to the army camp.

Pu Van Cin, a Member of Parliament from the Ethnic National Development Party elected to the Chin State parliament in the November 2010 elections, saw the soldiers confronting the village headman. He tried to intervene and introduced himself as an MP to the officers. According to witnesses, Captain Aung Zaw Hteik was in uniform but Captain Myo Min Hteik, who is in charge of the army camp next to the village, was only wearing civilian clothes. Captain Myo Min Hteik pointed a gun at Pu Van Cin's stomach and said, "Who do you think you are? What are you talking about? I will kill you. I don't give a [expletive] about you being a Member of Parliament. We are not under the control of the Chin State authorities. We take orders from the North Western Regional Command."

The soldiers continued to disrupt the conference for the next 24 hours by patrolling in the village, disrupting worship service, and spending the night in the village, although their army camp is just a short distance away. Pu Van Cin apparently reported the incident to Colonel Zaw Min Oo, Minister for Border and Security Affairs in Chin State, but it is unclear whether or not the Minister intervened to allow the conference to continue. At the time of writing, CHRO understands that no disciplinary action has been taken against the soldiers from LIB140.

²⁶⁴ See CHRO press release, *Burma Army Soldiers Disrupt Christian Conference; Threaten Chin MP at Gunpoint*, 20 March 2012, available at <http://www.chro.ca/media/press-releases/79-2011.html> and VOA Burmese language interview with Pu Van Cin available at http://www.voanews.com/burmese/news/chin_christian_meeting-143487306.html accessed 31 May 2012.

4.5. Threats, intimidation, and harassment of pastors and missionaries

Since the time of the November 2010 elections, CHRO has documented several incidents of threats, intimidation and harassment against Chin pastors and missionaries perpetrated by the authorities.

On 9 November 2010, pastor J, 47 of _____ village in Gangaw township, Magway Region, was summoned by the Election Commission in the town. Although he was not officially arrested or held in detention, he was ordered not to leave the town and was interrogated for one week. Local village headman U Than Chaung falsely accused the pastor of convincing Christian voters in the village to vote in favour of the National Unity Party. The Gangaw Religious Affairs office took further action, accusing the pastor and local church leaders in the village of not having obtained the necessary permissions to construct a church and nursery school, and forced them to sign a document promising that the construction and worship services would stop.²⁶⁵

In August 2011 Chin Christian K, a US citizen on a return visit to his home town, was preaching at a Christian crusade [Chin term for a Christian spiritual retreat] in Thantlang when the gathering was interrupted by local authorities. He was banned from preaching and ordered to leave the town, on the accusation that he had spoken about politics rather than the gospel at the gathering.²⁶⁶

Although proselytizing is an inherent aspect of Christianity, and is protected under international human rights law,²⁶⁷ the authorities in Burma have shown little respect for it. Chin missionaries have been singled out for threats, harassment, and serious human rights abuses (documented below). In August 2011, a Chin Christian missionary was ordered to discontinue his work and leave Kyaukhtu town in Magway Region where he had been living for three years, because of his activities as a missionary.²⁶⁸ In a separate incident in February 2011 in a village in Gangaw township, the Magway Region Department of Religious Affairs and local police chief summoned a missionary and Chin Christian headmaster and interrogated them in response to a complaint submitted by a local monk about their work to proselytize. Locals who converted to Christianity were also summoned to the local police station and interrogated. While no other action was directly taken against the missionary, the headmaster was transferred to Chin State.²⁶⁹

²⁶⁵ During the election period the U Than Chaung had given the pastor a USDP t-shirt, which he refused to wear. After the USDP was defeated by the National Unity Party (NUP) in the election, U Than Chaung filed the report. See *Burmese Officials Order Closure of Chin Church*, Rhododendron News, CHRO, Nov-Dec 2010 and *Church Ordered to Stop Construction, Worship Service and School by Authorities*, Rhododendron News, Jan-Feb 2011.

²⁶⁶ *Chin Preacher from USA Ordered to Leave Town in Thantlang*, Rhododendron News, Sep-Oct 2011

²⁶⁷ See Art.19 of the ICCPR Art.6 of the 1981 Declaration on Freedom of Religion. For further discussion, see also *Rapporteur's Digest on Freedom of Religion or Belief*, pp.31-33, op cit.

²⁶⁸ See *Chin Christian Pastor Ordered to Leave Town in Magway Division*, Rhododendron News, Sep-Oct 2011.

²⁶⁹ See *Complained by Monk, Pastor Interrogated over Christian Mission Work*, Rhododendron News, May-Jun 2011.

4.6. Arbitrary arrest, detention, torture and ill-treatment of church workers, pastors and missionaries

“[T]orture means any act by which severe pain or suffering, whether physical or mental, is intentionally inflicted on a person for such purposes as [...] punishing him for an act he or a third person has committed or is suspected of having committed, [...] or for any reason based on discrimination of any kind, when such pain or suffering is inflicted by or at the instigation of or with the consent or acquiescence of a public official or other person acting in an official capacity [emphasis added].”

[Article 1 Convention Against Torture]²⁷⁰

“Christianity is not the state religion therefore one day your Christianity may be persecuted to the point of it being wiped-out by the government. We are authorised to persecute you and all the Christian missionaries.”
[Local authorities’ representative, Arakan State, September 2010]

Chin church workers, pastors and missionaries run the risk of arbitrary arrest and detention. Particularly severe punishment is meted out to pastors, missionaries, or church workers who take a stand against the authorities in some way, typically by refusing to allow patrolling soldiers to spend the night in the local church.²⁷¹ Often, pastors and missionaries are clearly targeted simply on the basis of their Chin Christian identity, and their work to proselytize.²⁷²

The prohibition on torture is absolute and a norm of customary international law, which is binding on all States.²⁷³ Torture is also one of the enumerated prohibited acts under the 2002 Rome Statute of the International Criminal Court.²⁷⁴ One of the key findings of the 2011 Physicians for Human Rights report *Life Under the Junta: Evidence of Crimes Against Humanity in Burma’s Chin State*, was that one out of seven Chin households surveyed had reported torture and inhumane treatment

²⁷⁰ This is the most widely accepted definition of torture, from Article 1 of the 1984 UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.

²⁷¹ For example, refusing to perform forced labour (*Three Chin Christian Pastors Detained One Night for Defying SPDC Order*, Rhododendron News, May-Jun 2004); building a church without permission (interview F3, 3 June 2010, Chin State); refusing to allow soldiers to spend the night in the church (interviews C1 & C2, 21 May 2011, Kuala Lumpur, Malaysia)

²⁷² Interviews MI7, 4 July 2011, Kuala Lumpur, Malaysia; R3, 12 June 2010, New Delhi, India.

²⁷³ Such rules apply in Burma, despite the fact that the government has not ratified CAT. The rules of customary international law derive from consistent state practice and the consistent view among states, courts, and experts that these rules are universally binding, regardless of any individual state’s treaty status. See *The Repression of Ethnic Minority Activists in Myanmar*, Amnesty International, February 2010, pp.11.

²⁷⁴ See Article 7.2 (e) for the definition of torture used by the ICC.

at the hands of Burma Army soldiers. When the victims were asked why they thought the soldiers had tortured them, 35% responded, “To persecute us” and a further 22% said, “Because they hate us”.²⁷⁵

These findings support CHRO’s own extensive documentation. In the course of preparing this report, CHRO documented more than forty separate incidents of torture²⁷⁶ or ill-treatment²⁷⁷ perpetrated by State actors against Chin Christians, including Chin pastors, church workers and missionaries. These incidents followed a pattern of torture or ill-treatment based on discrimination, on the dual basis of ethnicity (Chin) and religion (Christian).²⁷⁸

In 2009 Missionary L was travelling past a village in Matupi township, where there is a Burma Army camp. He encountered a soldier, and asked his name. Missionary L related:

“The soldier responded, ‘Why are you asking me this?’. He took me to the army camp where five soldiers surrounded me, cocked their guns, and pointed them at me. I told them I am a religious worker, a very simple person; I didn’t mean any harm with my question. They checked my national registration card and religious worker card. The camp officer in charge kicked and slapped me and beat me with a stick and his gun, and the others joined in. They beat me for almost an hour, then released me. I was badly suffering, my face was very swollen. Three soldiers followed me and expelled me from the camp, and told me to carry on my journey. As I was badly hurt I slept in the jungle that night, and then fled to Mizoram.”

[April 2009, Village 4, Matupi township]²⁷⁹

²⁷⁵ See *Life Under the Junta*, op cit, pp.39.

²⁷⁶ According to CHRO’s documentation, 24 of the incidents would meet the definition of torture under Art. 1 of CAT. Sources: Interviews: TH1, 12 June 2010, New Delhi, India; TH2, 12 June 2010, New Delhi, India; TH5, 20 June 2010, Chin State; TH14, 17 April 2011, Chin State; TH15, 21 July 2011, Chin State; TH16, May 2011, Chin State; TE5, 24 May 2011, Kuala Lumpur, Malaysia; TE6, 2 July 2011, Cameron Highlands, Malaysia; C3, 21 May 2011, Kuala Lumpur, Malaysia; C5, 22 May 2011, Kuala Lumpur, Malaysia; R2, 12 June 2010, New Delhi, India; R3, 12 June 2010, New Delhi, India; F2, 12 June 2010, New Delhi, India; H2, 1 June 2010, Mizoram, India; MA3, 30 September 2010, Kuala Lumpur, Malaysia; MA9, 2 July 2011, Cameron Highlands, Malaysia; MA10, 2 July 2011, Cameron Highlands, Malaysia; MA11, 2 July 2011, Cameron Highlands, Malaysia; MA13, 2 July 2011, Cameron Highlands, Malaysia; TO1, 12 June 2010, New Delhi, India; TO6, 21 May 2011, Kuala Lumpur, Malaysia; Case Study Five (multiple incidents); Case Study Six.

²⁷⁷ 19 of the incidents would be defined as cruel, inhuman or degrading treatment (Art. 16 of CAT) or ill-treatment, widely accepted to include the three elements of a) significant pain or suffering, whether physical or mental; b) inflicted intentionally by c) a State actor. See Human Rights Documentation Manual Series: Documenting Torture and Other Forms of Ill-Treatment in Burma, ND-Burma, 2008, pp.9. Sources: Interviews: MA2, 1 October 2010, Kuala Lumpur, Malaysia; MI2, 17 May 2010, Chin State; MI3, 17 May 2010, Chin State; MI6, 4 July 2011, Kuala Lumpur, Malaysia; MI8, 1 July 2011, Cameron Highlands, 2011; MI10, 1 July 2011, Cameron Highlands, Malaysia; MI11, 9 August 2011, phone interview; MI13, 2 July 2011, Cameron Highlands, Malaysia; MI14, 1 July 2011, Cameron Highlands, Malaysia; MI15, 1 May 2012, phone interview; MI16, 12 June 2012, Chiang Mai, Thailand; R1, 29 September 2010, Kuala Lumpur, Malaysia; S2, 17 May 2010, Magway Region; P6, 4 May 2010, Chin State; TE6, 2 July 2011, Cameron Highlands, Malaysia; TH3, 29 May 2010, Chin State; TH6, 22 May 2011, Kuala Lumpur, Malaysia; TH10, 23 May 2011, Kuala Lumpur, Malaysia; TO5, 23 May 2011, Kuala Lumpur, Malaysia.

²⁷⁸ CHRO has also documented many other incidents of torture perpetrated against Chin by State actors in other contexts, primarily during arrest and detention on suspicion of support for Chin armed groups. See CHRO’s *Individual Submission to the UN Universal Periodic Review of Burma*, July 2010.

²⁷⁹ Interview P7, 3 June 2010, Aizawl, Mizoram.

CASE STUDY FIVE: Torture of church worker, Chin State

March 2004 – July 2008: *This case illustrates the severe consequences of heavy militarization and deep-rooted discrimination against the Chin on the dual basis of their ethnicity and religion. It also highlights how the ‘misrule’ of law in Burma has been applied to persecute ethnic and religious minorities like the Chin.*²⁸⁰

“As long as you are Christian, you will be held here [at hard labour camp].”

[Soldiers guarding Church worker N. at hard labour camp
in the Kabaw Valley, 2007]

30 year-old church worker N described what happened during a four-year period from 2004 – 2008, after he stood up to Burma Army soldiers who came to his village:

“I was the warden of my village church, and I sometimes preached in Cikha town. On 20 March 2004, a group of about 15 Burma Army soldiers from the army base in Cikha came to my village and asked me for the keys to my church. They told me they were going to stay in the church. I replied that they could stay in the village headman’s house, because the church is not a shelter. One of the soldiers said, ‘This is our country and we can do whatever we want.’ They went to the church and one of them broke open the padlock of the church with the butt of his gun. After that they prepared to drink alcohol on the pulpit. I went to the soldiers and I told them, ‘The pulpit is sacred for us, don’t drink alcohol there.’ I left the church and prepared a table for them outside. I went back to the soldiers, I was going to take the bottle of alcohol and take it outside. But the officer-in-charge ordered the soldiers to beat me. They beat me up very badly; I was bleeding a lot.

The soldiers then went to my house and went through my belongings, including a box I had for safekeeping. They found my diary, which had a photo in it of me presenting a bible to Captain Khin Zaw’s son, who had recently converted to Christianity in Cikha town. The officer had disowned his son because of that; it was even in the newspaper. The captain was worried about his promotion prospects. I also had a photo of my father, an NLD member, with Aung San Suu Kyi in Monywa. After they saw those things, the soldiers told me I was against the government.

They took me to Cikha and I was held there for three days. Then I was sent to Kalay prison, no court hearing, nothing. Before I was jailed I asked the soldiers under what law I was being detained and they simply responded, ‘The law is in our mouths, and in our hands.’ I was in Kalay prison for three years, then I was sent to Thanan yebet [hard labour camp in the Kabaw valley] where I was shackled the whole time [Church worker N has deep scars on his hands and feet from being shackled].

In prison and in the hard labour camp, I was tortured. I was beaten with a baton, and electrocuted. In prison I endured water torture – drops of water, slowly dripping on my head. I also had the iron rod torture, where the guards roll an iron rod up and down the shins until the skin peels off. Torture was the most severe in the yebet. I was beaten every day on the back of my neck and head with a baton. The soldiers used to tell me, ‘As long as you are Christian you will be held here.’ “We had to till the fields, in the same way as the bullocks do, only we prisoners were doing it. Yebet is known as a place you never come back from. At least three persons a day died, every day. They were just buried where they died; there was no graveyard or any kind of ceremony. Family members were not allowed to bury their loved ones; the prisoners usually had to bury them, together with the wardens.”

After a year and three months, church worker N managed to escape the hard labour camp with the help of a Chin prison guard who spoke the same dialect as church worker N. He arrived in Malaysia in July 2008.

²⁸⁰ Interview C1, 21 May 2011, Kuala Lumpur, Malaysia.

Torture and ill-treatment of Chin pastors and missionaries in Arakan State

Historically, the Chin have lived in parts of present-day Arakan State for centuries (see Figure 5).²⁸¹ Although accurate, up-to-date census information for Burma is not available, the Chin population in Arakan State is significant enough to qualify for representation in the Arakan State parliament.²⁸² Estimates place the Chin population of Ann township at 44 percent, and Myebon township at 20 percent.²⁸³

CHRO’s documentation shows that persecution of Chin Christians in Arakan State appears to have begun in earnest around 1995, at the height of SLORC rule and two years after the arrival of Chins for Christ in One Century missionaries to areas of Arakan State populated by the Chin.²⁸⁴ A series of complaint letters written between 1998 – 2007 by Chin missionaries in Ann township, obtained by CHRO, set out in detail a pattern of human rights violations in many different villages, amounting to persecution (see Appendix E). The letters clearly indicate that Buddhist monks from the Hill Regions Buddhist Mission, Burma Army soldiers, police and local authorities all collaborated in perpetrating human rights abuses in dozens of separate incidents, including: coercing Christians to sign documents denouncing their Christian faith in favour of Buddhism, under torture and threat of torture; destruction of property belonging to missionaries by arson and stoning; violations of freedom of religious assembly; forcible evictions; and travel restrictions imposed on missionaries.

The missionaries sent their complaints to many different levels of government, including the Minister of Religious Affairs in Naypyidaw. No investigations appear to have been undertaken in response to the complaints.²⁸⁵

²⁸¹ Christianity has also been widely practiced by the Chin in Arakan State since around 1882.

²⁸² Articles 161(b) and (c) of the 2008 Constitution provides for a special constituency for any ethnic group living in a state or region whose numbers are enough to constitute 0.1 percent or more of the total population of the Union. The elected representative is automatically made (for example) the Chin Affairs Minister, to represent Chin interests in the state or region where they live. The Chin have such representation in Sagaing and Magway Region parliaments, as well as Arakan State parliament. In its 2010 Universal Periodic Review submission to the UN Human Rights Council, the government of Burma estimated the country’s population at 59 million, which would indicate that the Chin population in Arakan State, Magway and Sagaing Regions is at least 59,000. 2003 estimates placed the Chin population in Arakan at 70,000; 30,000 in Magway; and 150,000 in Sagaing. See *Chin Church History*, Zomi Theological College, 2007, pp.230.

²⁸³ These estimates are from 2003. See *Chin Church History*, Zomi Theological College, 2007, pp.230.

²⁸⁴ One missionary was sent to Ann township in 1992, followed by 10 in 1993. Op cit.

²⁸⁵ Not only was there no action taken by the authorities to investigate or hold the perpetrators to account, but one of the missionaries was himself forced to sign a document agreeing to an order to restrict his freedom of movement by the head of the Religious Affairs Department in Arakan State. Source: letter ZBC4, on file with CHRO.

CASE STUDY SIX: Torture of pastor, Arakan State

September 2010: *Chin Christian pastors and missionaries in Arakan State still face difficulties, and tensions between local Christians and Buddhists continue to exist. This case shows that although there are some signs of the authorities taking steps to resolve such issues, these are still clearly ad hoc rather than evidence of deeper systemic change.*²⁸⁶

On 19 September 2010, a village headman and three other members of the VPDC interrupted a Sunday worship service taking place in a Baptist church in a Chin village in Minpya township, Arakan State. The village headman called pastor O out of the church, and insulted him by saying, “Christianity is not the state religion, therefore one day your Christianity may be persecuted to the point of it being wiped-out by the government. I and the other villagers hate Christianity. We are authorised to persecute you and all the Christian missionaries.” He and the other VPDC members also threatened the other members of the congregation. Pastor O responded by saying, “If the law says there is freedom of religion, what can you do? That is why I am practising my own Christian religion.”

The village headman ordered the pastor to be quiet and began beating him, together with the other three VPDC members. A local witness reported that the pastor was punched in the face and chest, kicked in the legs and his torso, and was beaten about the head and back with bamboo sticks. The pastor suffered bruising and injuries to his body as a result of the beating. A church member said, “The children were crying and women were screaming. They were so scared of what had happened to them.”

The case was covered in the exile media in October 2010 and came to the attention of the Sittwe District Court. The pastor was summoned to the District Court that same month. He was asked not to report such incidents to the exile media, and was promised that the problem would be resolved according to the law. The case was then handed down to the Minpya Township judge, himself a Chin Christian, who summoned the pastor and the alleged perpetrators of the incident. The judge explained the laws surrounding freedom of religion, and warned the perpetrators not to violate freedom of religion again. He mediated in accordance with Chin tradition, which requires forgiveness and reconciliation, and the case was then closed.

Pastor O reports, “Since then I have been able to do my missionary work better than before, even though there are still difficulties. It is evident that there is not yet complete freedom of religion in Arakan State; however, harassment and intimidation are decreasing.”

²⁸⁶ Sources: *Christian Pastor Beaten Up in Arakan’s Minpya Township*, Rhododendron News, September – October 2010, and follow-up interview with pastor O, 12 March 2012.

4.7. Rape and sexual violence

“The Committee expresses its deep concern at the high prevalence of sexual and other forms of violence, including rape, perpetrated by members of the armed forces against rural ethnic women, including Shan, Mon, Karen, Palaung and Chin women. The Committee is also concerned at the apparent impunity of the perpetrators of such violence – although a few cases have been prosecuted – and at reports of threats against and intimidation and punishment of the victims.”

[CEDAW Committee]²⁸⁷

Over the course of the period covered by this report, CHRO documented seven incidents of rape – 4 of them gang-rapes – and 3 attempted rapes of Chin women, all perpetrated by Burma Army soldiers.²⁸⁸ Given that there is still tremendous stigma surrounding rape and that there are threats of reprisals if rape is reported to the authorities, CHRO considers these 10 incidents to be the tip of the iceberg.²⁸⁹

Like torture, rape and sexual violence are also enumerated prohibited acts under the 2002 Rome Statute of the International Criminal Court.²⁹⁰ The PHR report *Life Under the Junta* found that 2.8% of households surveyed reported members of their family being raped over the previous year. The report noted that, “More than 90% of all families reporting family members being raped believed the military targeted their families because of their Chin ethnicity (47%) or that they wanted to kill (18%) or persecute (29%) them.”²⁹¹ As noted in Chapter Three, in terms of Chin identity the intersection between Chin ethnicity and Christian religion makes it very difficult to distinguish on which basis Chin people are targeted for persecution; in effect, they are targeted on the dual basis of their ethnicity and religion.

In the incidents documented by CHRO, Chin women were raped in or nearby their homes²⁹²; while walking home from church²⁹³; and while being forced to ‘entertain’ visiting high-ranking officials from the SPDC.²⁹⁴ In most rape cases, the victims themselves did not report the incident to the

²⁸⁷ *Concluding Observations of the Committee on the Elimination of Discrimination against Women, Myanmar*, 7 November 2008, doc. CEDAW/C/MMR/CO/3 pp.7 para.24.

²⁸⁸ Most of the incidents took place in Chin State, but one incident was documented in Rangoon; another in Kalaymyo township, Sagaing Region; and another in Kyaukdaung township, Arakan State.

²⁸⁹ As noted in the Rationale and methodology section, reports of rape are particularly difficult to corroborate. CHRO has made every effort to corroborate the incidents of rape documented here, taking into account the sensitivities surrounding reporting rape, and the need to protect the anonymity of victims.

²⁹⁰ See Article 7.1 (g) of the 2002 Rome Statute.

²⁹¹ *Life Under the Junta*, op cit, pp.34.

²⁹² Interviews TO1, 12 June 2010, New Delhi, India (2010 incident); F2, 12 June 2010, New Delhi, India (2010 incident); and R3, 12 June 2010, New Delhi, India (2007 incident); and *SPDC Captain Tried to Rape A Married Woman*, Rhododendron News, September – October 2004; *Burmese Soldiers Rape Mother of Four Children*, Rhododendron News, May – June 2006; *15 Year-Old Girl Raped by Burmese Soldier*, Rhododendron News, January – February 2009; and *Impunity for Army Officer Accused of Sexual Assault*, Rhododendron News, March – April 2009.

²⁹³ *A Chin Girl Raped by Burmese Soldier*, Rhododendron News, September – October 2005.

²⁹⁴ *School Teacher Raped by SPDC Cabinet Minister*, Rhododendron News, May – June 2008; and *SPDC Cabinet Minister and His Aides Accused of Rape*, Rhododendron News, July – August 2009.

authorities for fear of reprisals against them or their families. In two cases where the victims did report the incidents, no action was taken against the perpetrators²⁹⁵; while in one case the Township Court simply ordered that the perpetrator pay a fine of 30,000 kyats (US\$30) in compensation to the victim.²⁹⁶

Former Brigadier-General Thura Aung Ko held two ministerial positions under the SPDC, Deputy Minister for Religious Affairs and Deputy Minister for Science and Technology. While serving as Deputy Minister for Religious Affairs, he was accused of the rape of a woman from a village in Kanpetlet township, forced to ‘entertain’ the minister in 2008 during an official visit to the area.²⁹⁷ Just over a year later, as Deputy Minister for Science and Technology, he was implicated in another rape when another woman was forced to spend the night with him under similar circumstances. At the same time, seven of his security aides from LIB 274 were accused of gang-raping three other local Chin women from the same village.²⁹⁸ Thura Aung Ko resigned from the Burma Army and contested the elections as a USDP candidate in Kanpetlet township - the only ethnic Burman to do so in Chin State - and secured a seat in the *Pyithu Hluttaw* (Lower House/People’s Parliament). To date, no investigation has been conducted into the allegations of rape against the former SPDC minister.

²⁹⁵ *Burmese Soldiers Rape Mother of Four Children*, Rhododendron News, May – June 2006; and *Impunity for Army Officer Accused of Sexual Assault*, Rhododendron News, March – April 2009.

²⁹⁶ *A Chin Girl Raped by Burmese Soldier*, Rhododendron News, September – October 2005.

²⁹⁷ See Rhododendron News, May-Jun 2008.

²⁹⁸ See Rhododendron News, Jul-Aug 2009.

CASE STUDY SEVEN: Torture and rape, Chin State

March 2010: *This case highlights how aggravated discrimination on the dual basis of ethnicity (Chin) and religion (Christianity) has led to a pattern of serious human rights violations perpetrated by State actors.*²⁹⁹

35 year-old farmer Q is a lay preacher from a village in the northern township of Tonzang. Farmer Q told CHRO that in 1996 his father R, a Christian pastor, refused to follow orders from Burma Army soldiers to destroy a cross the villagers had built on a nearby prayer mountain. As a result, his father was badly tortured and later passed away from his injuries. Efforts by CHRO to independently corroborate his testimony revealed that his father was also detained in Tonzang and Hkamti prisons and died in prison. While no further information could be obtained from the prison authorities about the cause of death, it is widely believed that he died as a result of torture.

“After my father passed away, I served as an evangelist in my village; I tried to follow in my father’s footsteps. In Cikha town nearby my village there is an army camp. On 28 March 2010 the soldiers raided my village. It wasn’t the first time. The soldiers had already told me to stop my preaching many times. When I came back from my farm at around 6pm that day, there were four Burma Army soldiers at my home. They had raped my wife. I believe they did that to bring shame on my family, and to disrupt my work as a lay preacher by causing scandal. After I found them at my home, one of them tortured me; he beat me really hard with the butt of his gun.

They took me to the village headman’s house and held me there. The village council members killed a pig for the soldiers and provided alcohol for them. After they were all drunk and passed out, many of the villagers took the opportunity and fled to Mizoram. In our village, there were 40 households but almost everyone fled to Mizoram, only two families are left. Those two families converted to Buddhism in 1999, they receive help and assistance from the Burmese soldiers themselves.”

²⁹⁹ Interview TO1, 12 June 2010, New Delhi, India.

4.8. Porter for the Burma Army in Chin State

The lack of even the most basic road infrastructure, combined with the heavy militarization of Chin State and deep-rooted discrimination towards the Chin, has meant that portering for the Burma Army has been very prevalent in Chin State for more than two decades. The report *Life Under the Junta* found that over 59 percent of households surveyed had been forced to porter supplies for the Burma Army on average three times between 2009-2010.³⁰⁰ Porter for has often been cross-cutting with violations of freedom of religious assembly. CHRO's documentation shows a pattern of church services and other religious gatherings disrupted by Burma Army soldiers, and worshippers taken away for portering.³⁰¹

In May 2011, the International Labour Organization (ILO) held an official awareness-raising workshop in Hakha involving more than 160 officials, including administrators, judges, police and Burma Army personnel. This was the first official workshop of its kind held in Chin State and an important step towards tackling the issue of forced labour in the area. However, at the time of writing CHRO has documented 12 separate incidents of forced labour since the workshop took place, 50 percent portering exacted by Burma Army soldiers and the other half by civilian authorities, including the Chief Minister of Chin State.³⁰²

At the time of writing, CHRO has not documented any incidents of portering exacted by the military in Chin State in 2012. However, as noted in the **Rationale and methodology section**, the poor infrastructure in Chin State makes it very challenging to collect timely information and much of rural Chin State is very remote and difficult to access; it is therefore very possible that portering has taken place which CHRO has been unable to document. The lack of documentation of portering should not be interpreted as evidence of systemic change in the behaviour of the military in Chin State. However, it may be an early indication of efforts on the part of the military - under significant pressure from the ILO - to eradicate the practice of portering. As yet, such efforts are not irreversible and pressure must be sustained to ensure systemic changes in the behaviour of the military.

Selective portering

In the southwestern township of Paletwa, the population is ethnically and religiously more diverse than the rest of Chin State, comprising Khumi (Chin), Mara (Chin), and Arakanese. According to the Ministry of Religious Affairs statistics, 63 percent of Paletwa township is Christian; 36 percent Buddhist; and the remaining one percent Muslim and Hindu.³⁰³

³⁰⁰ Porter for the Burma Army was the third most prevalent type of forced labour documented in the report, behind building roads and other infrastructure (78%) and growing jatropha or another crop (77%).

³⁰¹ In compiling this report, CHRO documented 13 incidents where Chin Christians were particularly targeted for portering. Sources: Interviews: MI7, 4 July 2011, Kuala Lumpur, Malaysia; C3, 21 May 2011, Kuala Lumpur, Malaysia; C4, 21 May 2011, Kuala Lumpur, Malaysia; C5, 22 May 2011, Kuala Lumpur, Malaysia; P3, 4 May 2010, Chin State; P4, 4 May 2010, Chin State; P6, 4 May 2010, Chin State; TE5, 24 May 2011, Kuala Lumpur, Malaysia; TO5, 23 May 2011, Kuala Lumpur, Malaysia; Case Study Eight; *Advance Christmas Celebration Disrupted by Forced Labor Conscripted*, Rhododendron News, January – February 2006, *Burmese Soldiers Stopped Worship Service, Took Them for Porter*, Rhododendron News, March – April 2006.

³⁰² Sources: issues of Rhododendron News, Jul-Aug; Sep-Oct; Nov-Dec 2011; and Mar-April 2012. See also press release by CHRO, *Chief Minister of Chin State Orders Forced Labour*, 7 September 2011. Interviews: MI17, 12 June 2012, Chiang Mai, Thailand; TE7, 13 June 2012, Chiang Mai, Thailand.

³⁰³ See Appendix A.

Paletwa township is the most heavily militarized area of Chin State, with 20 of the 54 Burma Army camps there. Chin Christians in the area have described being deliberately targeted for extortion³⁰⁴, militia training³⁰⁵, and portering for the Burma Army³⁰⁶, on the basis of their ethnicity and Christian religion. Villagers S, T, and U explain the situation in their village in 2010:

“There are only three Christian families in our village; the other families are Nat Barthar [traditional spirit worshippers]. When the Arakan Buddhists came to our village around 1997, they could easily persuade members of Nat Barthar to follow Buddhism, as Nat Barthar is quite similar to Buddhism. They couldn’t convince us to convert to Buddhism, and we were pushed out of the village. Now we live beside a small stream on the outskirts of the village. When Burma Army soldiers want porters, they just inform the village head and he always chooses us, the Christian families. We are forced to work for the Burma Army for free, to transport rice in our boats. For example, soldiers from LIB234 force us to carry rice bags from Kyaukdaw to Paletwa in our boats, which takes two days. Even if there is a big boat running the same day, they force us to carry the rice for them. Then we have to carry the bags from the river to their camp. If we refuse, we might be put in jail or beaten until we are half-dead.”

[May 2010, Village 6, Paletwa township]³⁰⁷

Violations of freedom of religious assembly and portering for the Burma Army

In rural areas, particularly in remote parts of Chin State, Burma Army soldiers interrupt both regular Sunday worship service,³⁰⁸ and special gatherings like Christian youth festivals and crusades [Chin term for Christian spiritual retreat],³⁰⁹ to demand porters to carry their belongings and supplies. Pastors V and W described the situation in heavily militarized Paletwa township in 2010:

“There are mainly three Light Infantry Battalions in the Paletwa area: LIB 289, 234 and 538. They patrol the area along the Burma-Bangladesh border. Villagers along that area have to porter at least twice every three months. The soldiers and village heads also come to worship services to collect people to carry the soldiers’ bags. In

³⁰⁴ Interview P1, 4 May 2010, Chin State.
³⁰⁵ Interview P6, 4 May 2010, Chin State.
³⁰⁶ Interviews P3, 4 May 2010, Chin State; P4, 4 May 2010, Chin State; P6, 4 May 2010, Chin State.
³⁰⁷ Interview P3, 4 May 2010, Chin State.
³⁰⁸ See *Burmese Soldiers Stopped Worship Service and Took Them for Porter*, Rhododendron News, Mar-April 2006; also interviews P6, 4 May 2010, Chin State; C4, 21 May 2011, Kuala Lumpur, Malaysia; and C5, 22 May 2011, Kuala Lumpur, Malaysia.
³⁰⁹ See *Advance Christmas Celebration Disrupted by Forced Labour Conscriptio*n, Rhododendron News, Jan-Feb 2006; also interviews TO5, 23 May 2011, Kuala Lumpur, Malaysia and TE5, 24 May 2011, Kuala Lumpur, Malaysia.

the villages where the battalions made their camps, the villagers are forced to hold a market every Sunday. The villagers are forced to kill their pigs and chickens to sell. The soldiers take enough food to last a week, and make the village headmen pay for it. Our missionaries and Christians in these villages informed us that they can't hold worship service on Sunday mornings. It's not just because they have to perform this market duty, but also because they are afraid of being taken away from the worship service for portering."

[May 2010, Paletwa Town]³¹⁰

Christian youth leader X from a village in the far north of Chin State related his experience before he fled in 2008:

"Soldiers used to raid my village often. Some of the villagers were required to show their national registration card, where it is written that their religion is Christianity; so they were taken for portering. Or the soldiers would come to our church while we were worshipping, and force us to come with them for portering. Often, when the soldiers raided our village, they demanded mats and so on to stay in our church. If we didn't have enough they would go on to other denominations and take from them instead. The religious leaders in the village wanted to complain, so we did, to the head of the TPDC in Cikha. The next time the soldiers came they were angry and said, 'If you are going to behave like that, we will stay more often and persecute you even more. Burma is a Buddhist country, not a Christian country. So we can do whatever we want.' One day while we were praying in the church, 15 soldiers came to our village again. They interrupted our worship service and forced 10 of us to carry their bags. They told us to take our national registration cards with us, and then they confiscated them. I just couldn't take it anymore. The soldiers fought among themselves, and I saw an opportunity and ran away."

[July 2008, Village 5, Cikha township]³¹¹

Torture and ill-treatment during portering

Almost all of those interviewed by CHRO who described being forced to porter for the Burma Army also experienced ill-treatment and torture at the hands of the soldiers, ranging from being slapped and kicked, to serious beatings resulting in injury, and psychological torture.

³¹⁰ Interview P6, 4 May 2010, Chin State.

³¹¹ Interview C5, 22 May 2011, Kuala Lumpur, Malaysia.

CASE STUDY EIGHT: Torture of missionary, Chin State

November 2009 – March 2010: *This case highlights the nature of psychological and physical torture perpetrated by Burma Army soldiers against Chin Christian missionaries, and highlights the complicity of monks dispatched to Chin State under SLORC, who are loyal to military rule.*³¹²

Twenty-nine year-old missionary Y and his wife 24 year-old Z from Matupi town described what happened to them between November 2009 and March 2010.

Missionary Y related, “I was travelling around with Pastor A.A., doing missionary work and preaching. While we were walking just outside _____ village, we encountered a column of around 10 soldiers from LIB304. They forced us to porter for them to _____ village, where there is a monastery right next to a Burma Army camp. The loads were so heavy.

Once we arrived at the monastery, the soldiers told the monks that we are Christian missionaries, and forced us to debate religion with the monks and argue with them. After that, they tried to force us to bow down before the statue of Buddha. We told them, ‘We cannot do that, we are Christians.’ Then we were told we had to bow down before the monks, but again we refused. We told them, ‘We cannot fulfill your requests; it is enough that we already carried your things, we have done what your ordered us to do. It’s not fair that you also force us to bow down and worship the monks.’

The soldiers were very angry with us and verbally abused us, and then they began beating us. When they beat me I tried to protect myself with my hands. They hit me in the face with the butts of their guns, and four of my teeth were broken. At some point I passed out and was unconscious for a while. When I came to I was in a different place, it was late at night and very dark, and I was alone, separated from the pastor. I took my chance and ran away back to my home in Matupi. I don’t know what happened to the pastor.”

His wife Z related, “When my husband came home [from portering], he was wounded. After that he had to run away, he wasn’t safe anymore. Soldiers from LIB304 came to my house looking for my husband. They questioned me, they kept saying, ‘Where is your husband? You have to tell us where he is.’ I just replied that I didn’t know where he was. They came back again and again, four times I think, each time with the Ward Chairman. The last time they threatened me by saying that if I didn’t produce my husband, they would come and arrest me. So I ran away too.”

³¹² Interview MA13, 2 July 2011, Cameron Highlands, Malaysia.

4.9. Distortion of Buddhism as a State tool of oppression

As described in Chapter Two, successive military regimes led by extreme Burman nationalists have distorted Buddhism and manipulated it for their own political ends, in particular as a means of imposing a homogenous national identity. State-sponsored propagation of Buddhism began in Chin State in the 1970s during General Ne Win’s era with the construction of pagodas and temples in urban areas.³¹³ The construction of Buddhist infrastructure stepped up under SLORC and SPDC to the point where - according to the 2010 Ministry of Religious Affairs statistics - there are now 192 Buddhist *kyaung* (a term used to describe monasteries or learning centers) across Chin State.³¹⁴ This aggressive propagation of Buddhism has been accompanied by human rights violations. According to CHRO’s documentation, at least 15 of the Buddhist structures were built by exacting forced labour from Chin Christians, as described below (see also Figure 11).

A Burman Buddhist scholar interviewed by CHRO gave his view on the State’s role in the propagation of Buddhism:

“I absolutely do not accept U Nu’s promulgation of Buddhism as the State religion. Back then, a lot of Buddhists did not accept it. The nation suffered ruin because U Nu made Buddhism the State religion. The emergence of Kachin rebels was because of U Nu’s mistake. I consider most leaders in this government, including the President, to be so-called Buddhists. What a Buddhist should strictly follow are the five noble precepts, and *adindra nada* [a Pali term] or to refrain from any injustice. My point is the present government doesn’t follow these concepts. Although they profess to be Buddhists, they don’t live or behave as true Buddhists.”

[November 2011, Rangoon]³¹⁵

In another instance of Buddhism being imposed on Chin Christians, for many years residents in Hakha (where over 98 percent of the population is Christian) are forced to make contributions towards *Thingyan*, the Buddhist New Year water festival in April.³¹⁶ In 2012 Hakha residents were forced to contribute between 1,500 and 2,000 kyats (US\$1.50 and \$2). Civil servants also faced a reduction in salary on top of the contribution demanded from each household. The festival took place at a time of acute water shortages in the area, against the will of the majority of the town’s residents.³¹⁷

³¹³ See *In Defence of Identity*, op cit, pp.56.

³¹⁴ See Appendix A.

³¹⁵ Interview R6, 21 November 2011, Rangoon, Burma.

³¹⁶ See *Chins Forced to Contribute Money for Hakha Water Festival*, Chinland Guardian, 14 April 2012, accessed 2 August 2012. See *Christian Pastors Forced to Take Part At Buddhist Water Festival*, Rhododendron News, May-Jun 2004. Pastors A.T. and S. described a similar situation in Paletwa in 2009 in interview P6, 4 May 2010, Chin State. For cases of extortion, see *SPDC Authorities Collect Money From Local Residents for Buddhist Water Festival*, Rhododendron News, May – Jun 2006 and *Residents Forced to Pay for Buddhist Festival*, Rhododendron News, Mar-Apr 2010. Extortion under very similar circumstances has also been described by Chin Christians living in Kalaymyo township, Sagaing Region (Interview KMO4, 15 June 2010, Aizawl, Mizoram).

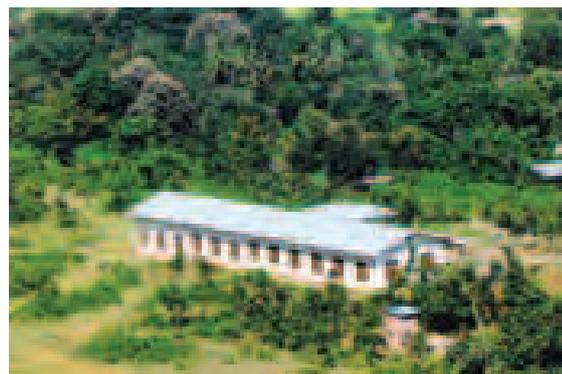
³¹⁷ See *Chins Forced to Contribute Money for Hakha Water Festival*, Chinland Guardian, 14 April 2012, accessed 2 August 2012.

Forced relocation and land confiscation to build Buddhist infrastructure

Chin Christians have been forcibly relocated without adequate compensation to make way for Buddhist infrastructure, such as the expansion of a monastery in Hakha in 2006.³¹⁸ Land has also been confiscated without compensation from Chin Christians living in Kalaymyo township, Sagaing Region, to make way for Buddhist orphanages.³¹⁹ In one particular case, this was for the construction of a Border Areas National Races Youth Development Training a.k.a. Na Ta La school under the patronage of Colonel Aung Myo Myint. Villager A.B. described what happened to his family’s land in 2006:

“36 households were instructed to come to a meeting by the local authorities. We were told we have to donate our land to the authorities ‘for the good of the people’. We asked why, but they refused to answer our questions. Finally we got a letter stating that the authorities had taken our land for the Ministry of Religious Affairs to use. Our land is near Kalay Univeristy, and they wanted to build a dhama yone [Community hall for religious purpose] for the university and also a Na Ta La school. We lost about one and a half acres of land, and altogether about 10 acres of land were confiscated from Chin Christian families. We might have been calm about it if the land was for the university, and would benefit Chin students. But now they have built the monastery and Na Ta La school, and persuade poor Chin Christian children and youth to convert to Buddhism to that they can get a good education and a good job in government offices.”

[March 2006, Village 7, Kalaymyo township, Sagaing Region]³²⁰



Na Ta La School built on land confiscated from local Christians

³¹⁸ See *Fifty Households to be Evicted for Monastery Expansion*, Rhododendron News, Jul-Aug 2006, and interview H5, 2 June 2010, Chin State.

³¹⁹ See *Confiscated Land for Buddhist Orphanage School*, Rhododendron News, Sep-Oct 2007 and *Land Confiscated for Buddhist Monastery*, Rhododendron News, Jul-Aug 2006.

³²⁰ Interview KMO4, 15 June 2010, Sagaing Region. See also *Land Confiscated for Buddhist Monastery*, Rhododendron News, Jul-Aug 2006.

Forced labour to build pagodas and monasteries

“I had to do the forced labour for building the pagoda at least 15 times... I missed school so many times because of it.”

[Villager, 2009]

CHRO has documented 15 separate incidents of monasteries and pagodas being built with forced labour exacted from Chin Christians between 1992 and 2009.³²¹ Most of these incidents took place in towns in the early-mid 1990s. Later incidents primarily involved forced labour to build either pagodas or monasteries inside or very close to Burma Army camps in rural areas. There is a clear pattern of soldiers, local authorities and monks working together to exact the forced labour. As noted earlier, in at least one location, a pagoda was built using forced labour on the very site where a Christian cross had been destroyed by Burma Army soldiers. In the towns, high school students were frequently ordered to provide the labour, severely disrupting their right to education.³²² In the rural areas, in several cases more than one village at a time was ordered to provide the labour.³²³ In all cases, the forced labour was exacted under threat of punishment or monetary fine, and usually performed under the guard of Burma Army soldiers.



Pagoda built in 1995 with forced labour exacted from high school students



View from pagoda built with forced labour

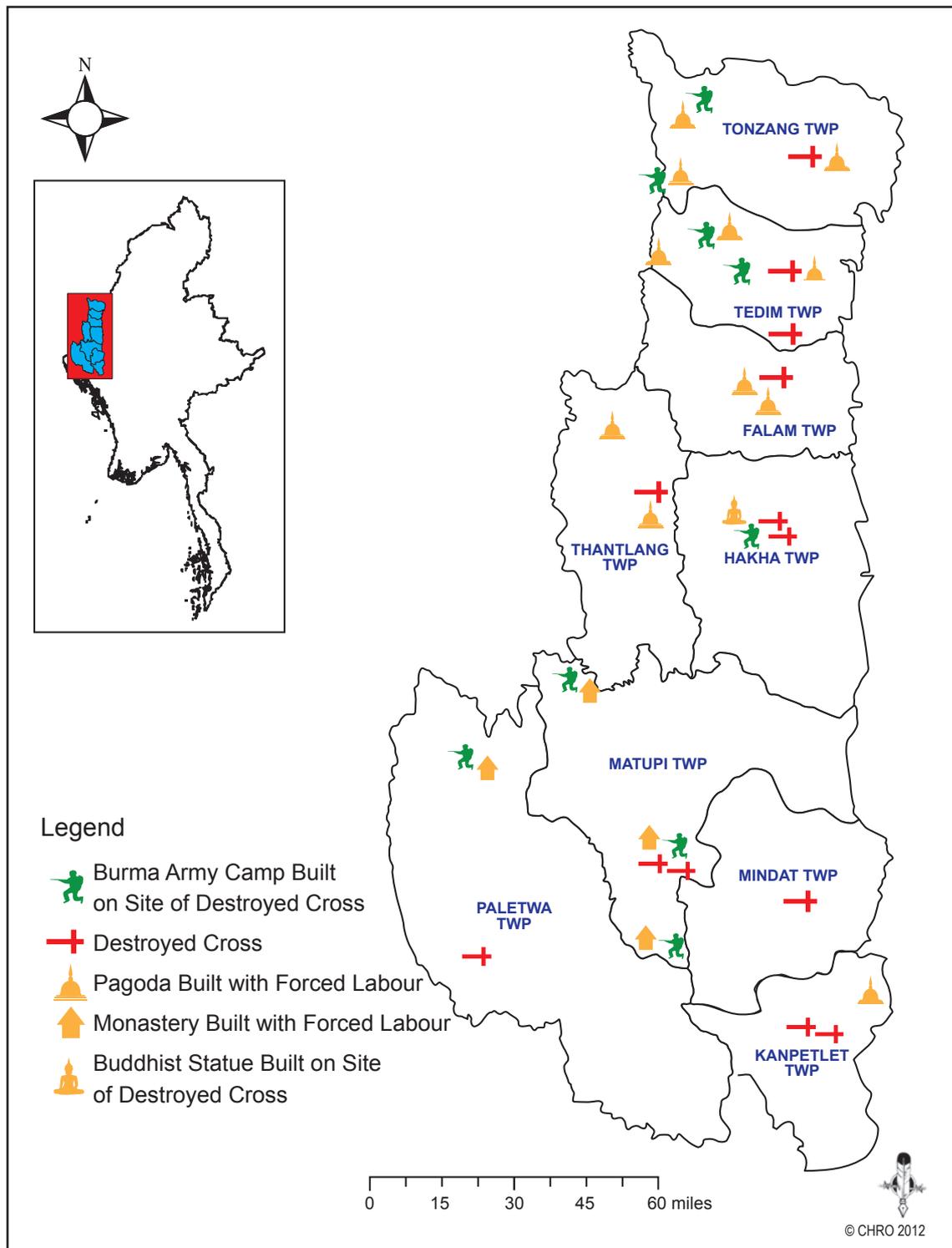
³²¹ Sources: Interview TO1, TO1, 12 June 2010, New Delhi, India; TO2, 16 June 2010, Chin State; TO3, 8 June 2010, Chin State; TO5, May 2011, Kuala Lumpur, Malaysia; TO6, 21 May 2011, Kuala Lumpur, Malaysia; TE2, 13 June 2010, Chin State; TE3, 12 June 2010; F3, 3 June 2010, Chin State; F5, 1 June 2010, Mizoram, India; MA8, 24 May 2011, Kuala Lumpur, Malaysia; KPT1, 29 November 2010, Kuala Lumpur, Malaysia; KPT3, 13 May 2010, Chin State; TH6, TH7, TH8, TH9, TH10, 22 May 2011, Kuala Lumpur, Malaysia; TH4, 29 May 2010, Chin State; Religious Persecution, CHRO, 2004, op cit; Rhododendron News, Jan-Feb and May - Jun 2005; Rhododendron News, Mar - Apr 2007.

³²² This documented as happening in Tonzang town in 1992; Falam town in 1994; Thantlang town in 1995; and Kanpetlet town in 2000.

³²³ See for example *Chin Christians Forced to Contribute Money and Labor for Construction of Buddhist Monastery*, Rhododendron News, Jan - Feb 2005, as well as the following quote.

CHRO does not consider this to be an exhaustive list of pagodas and monasteries built with forced labour in Chin State. As set out in the **Rationale and methodology** section, due to the difficulties of documenting human rights violations in Chin State - particularly in remote rural areas, where most of the 54 Burma Army camps are located - it is highly likely that more than 15 of the reported 192 Buddhist *kyaung* (monasteries or learning centers) in Chin State were built using forced labour.

Figure 11 : Map of destroyed crosses, and pagodas and monasteries built with forced labour in Chin State, 1992 – 2012



There have been at least two cases where church-owned land has been confiscated - first for the construction of Burma Army camps, and later Buddhist pagodas or monasteries have been added - built with forced labour exacted from Chin Christians.³²⁴ 31 year-old villager A.C. describes his experience of life in his village in the northern township of Tonzang between 1998 and 2003:

“Above the village there is a clearing. The Assembly of God church owned that land and built a cross there. The Burma Army confiscated the land in 1998 so that their camp could be built there. It’s on our sacred land, we believe that land is blessed. The soldiers threatened to cut down the cross, so we villagers took down the cross and moved it to a different place. We were forced to build the army camp starting that same year, doing things like digging trenches and building fences. It happened many, many times. It was too much work for the people from our village, so sometimes they called people from several other villages to do it too [A.C. named five other villages]. Around 2003, three villages including mine were forced to help build a pagoda inside the army camp. We had to fetch bags of sand from a stream about 5 miles away, and to collect pebbles. Some people were also forced to construct the actual pagoda.”

[1998-2003, Village 8, Tonzang township]³²⁵



Burmese soldiers inspecting pagoda built with forced labour in Thantlang Township

³²⁴ Village 9, Matupi township – interview MA8, 24 May 2011, Kuala Lumpur, Malaysia; and Village 8, Tonzang township – interview TO5, 23 May 2011, Kuala Lumpur, Malaysia.

³²⁵ Interview TO5, 23 May 2011, Kuala Lumpur, Malaysia.

CASE STUDY NINE: Forced labour to build a pagoda, Chin State

February – July 2009: *This case is an example of how Buddhism has been distorted as a State tool of oppression against Chin Christians in Burma. It also illustrates what daily life is often like for villagers who have a Burma Army camp in their village in Chin State.*³²⁶

CHRO interviewed five young people aged 17 - 25 from _____ village, Thantlang township, where there is a Burma Army camp. All five had been subjected to forced labour to build a pagoda near the under the orders of Light Infantry Battalion (LIB) 266, over a six-month period in 2009. At least nine villages nearby were also affected by extortion, and demands for food, construction materials, and horses by soldiers from LIB266.

22 year-old A.D., female, explained the general situation in the village:

“There is a standing order that two people from our village must always be ready to go and do whatever the soldiers ask, like cleaning their camp or whatever they want. I was 17 years old the first time I had to do portering. I cannot count how many times I’ve done it; it was just too many times to count.”

In February 2009 the order came from LIB266 for forced labour to build the pagoda. A.D. explains how the order was implemented:

“The soldiers talked first to the village headman then the soldiers went to each house to get people with the village headman with them. The village headman had to translate as most of our villagers don’t speak Burmese... because there is a military camp in our village, the village headman has to be someone who speaks Burmese. He has no choice. He has to do that job for at least two years. Every family was involved. If they didn’t want to go, they could pay a fine of 3,000 kyats [US\$3] per day they missed, so those who could afford it did that. Most days there were 20-30 of us working on the pagoda. In total there are more than 100 families in Lungler, and everyone was affected in one way or another.”

³²⁶ Interviews TH6, TH7, TH8, TH9, TH10, 22 May 2011, Kuala Lumpur, Malaysia. The five young people also had extensive experience of portering for the Burma Army, and each of them had individually been forced to flee Chin State after one too many bad experiences of portering. Also interview TH4, 29 May 2010, Chin State, and *Christians Ordered to Contribute Wood to Pagoda Construction*, Rhododendron News, March – April 2009.

21 year-old A.E., male, explained:

“I had to do the forced labour for building the pagoda at least 15 times, because my father was sick at the time. If we didn’t do the forced labour we had to pay a fine of 3,000 kyats [US\$3]. My family couldn’t afford that, so I missed school so many times because of the forced labour. There were at least 20 high school students in the same situation over that six month period.”

A.D. described the tasks she and others were forced to perform:

“Before we started work on the pagoda we had to collect sand from the Tio river [7 miles away] and carry it to the pagoda site. The sacks were very big and heavy. From February to July I had to work for the pagoda many times. I had to collect firewood from the jungle for one week. We were forced to make the bricks, fire the bricks, and carry them to the site. That went on until the pagoda was finished. We never got paid; it was on the direct order of the soldiers. When they were making the concrete I had to fetch water many times. Before the pagoda was built, we had a water supply provided by the United Nations Development Program (UNDP). But the soldiers cut the water to our village and it was diverted to nearby the pagoda site.”

All of those interviewed described similar tasks. A.F., male, explained:

“I was 15 years old at the time. The soldiers forced us to carry sand, and bricks. They also forced us to dig the ground to prepare the area. Sometimes they cut trees down and left them by the path where we used to go to our farms. On the way back they forced us to carry those tree trunks. We were never paid, or given any food. When we were at the pagoda site, one soldier was there all the time, guarding us.”

When the pagoda was finished, Brigadier-General Hung Ngai – then Chairman of Chin State Peace and Development Council, now Chief Minister of Chin State – came to the inauguration ceremony on 16 July 2009.

In summary, deep-rooted discrimination against the Chin on the dual basis of ethnicity and religion has manifested as a pattern of widespread and systematic violations of their fundamental human rights, particularly religious freedom, perpetrated by State actors. As documented here, religious freedom violations are often cross-cutting with other grave human rights violations, especially forced labour, torture, and other ill-treatment. In addition, a distorted version of Buddhism has been imposed by the authorities on the predominantly Christian Chin as a tool of oppression and arguably as part of an unwritten policy of forced assimilation.



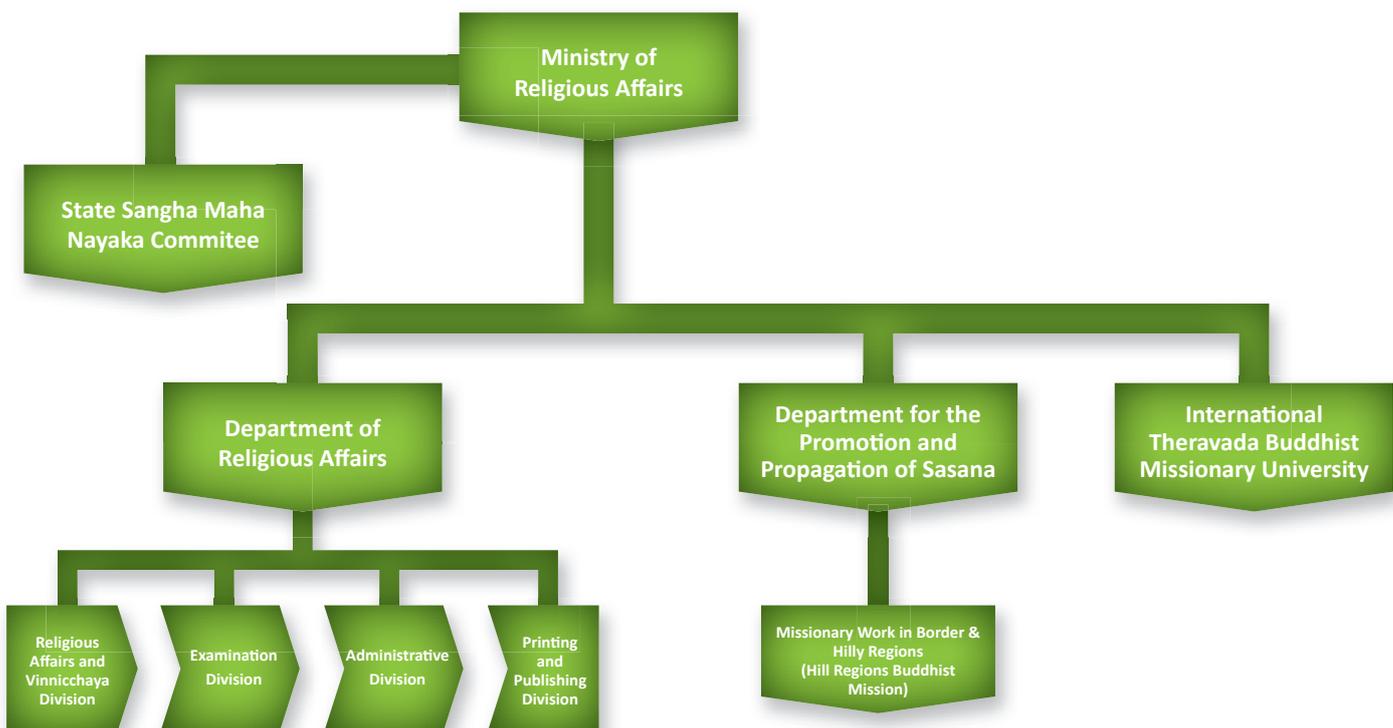
Chapter
Five

Induced and coerced conversion of Chin Christians

Chapter Five highlights the discrimination and poverty which has left Chin Christians highly vulnerable to induced and coerced conversion, particularly during the ongoing food security crisis in southern Chin State. Coercion to change a person’s religion, whether it is by State or non-State actors, is prohibited under international human rights law and should be dealt with under criminal law. As the documentation presented in Chapter Five shows, State actors like Burma Army soldiers, together with quasi-State actors - monks dispatched to Chin State, and Buddhist laymen trained under the Hill Regions Buddhist Mission, funded by the State – commit coercive acts with complete impunity against Chin Christians. In particular, Chapter Five focuses on the government’s Border Areas National Races Youth Development Training Schools, which arguably operate as a cornerstone of the unwritten forced assimilation policy still being implemented by the current government.

5.1. The role of the Ministry of Religious Affairs

Figure 2 : Overview of the Ministry of Religious Affairs



This diagram of the Ministry of Religious Affairs³²⁷ illustrates that the Hill Regions Buddhist Mission (under which hundreds of monks loyal to military rule were dispatched to Chin State in the 1990s), operates under the Department for the Promotion and Propagation of Buddhism.

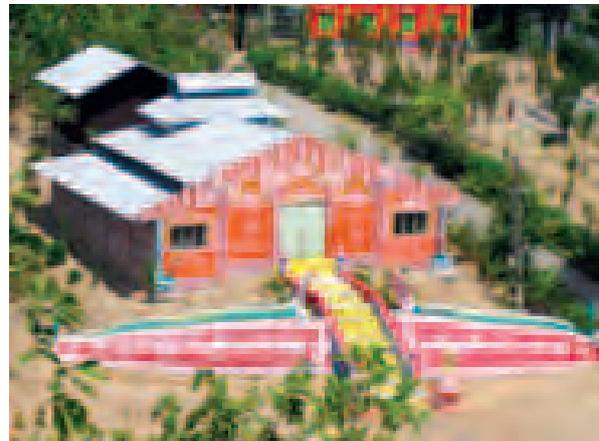
³²⁷ Diagram drawn from information published in *Civil & Military Administrative Echelon*, July 2011, a Burmese-language compilation of information drawn from official government documents published by Network for Democracy and Development.

Pastor A.G. from a village in the southern township of Kanpetlet, described the role of the *Thar Htun Pyant* [Department for the Promotion and Propagation of Buddhism] in Kanpetlet town:

“The head of this office is U Ling Thang. Whenever Christians in town hold a ceremony or try to build a church, he tells us to stop. His reason is that the monks in Kanpetlet told him that Thar Htun Pyant is only for Buddhism, not for other religions, and that if other religions try to develop and expand, he should stop them.”

[May 2010, Kanpetlet town]³²⁸

CHRO’s research indicates that monks from the Hill Regions Buddhist Mission have now become synonymous with the Border Areas National Races Youth Development Training Schools, (known locally as Na Ta La Schools as Na Ta La is the Burmese acronym for Progress of the Border Areas and National Races Development Affairs Programme); there is little or no distinction between the two. The establishment of the Na Ta La schools began in the early-mid 1990s, soon after the Department for the Promotion and Propagation of the Sasana was created.³²⁹ In Chin State, the schools began to open from around 1997 onwards.³³⁰



Mindat residence of Taung Pu Lu Sayadaw Ashin Pyinyar Thiri

During a field visit to Chin State in 2010, a CHRO researcher visited *Taung Pu Lu* monastery in Mindat town, where Ashin Pyinyar Thiri is the head monk. He is a powerful monk reputed to be a Military Intelligence agent, who has been based in Mindat town since the early 1990s.³³¹ Ashin Pyinyar Thiri approached CHRO’s researcher and asked whether he was Christian or Buddhist. After learning that he was Christian, he invited CHRO’s researcher in to his temple to discuss religion and disclosed his views on Christianity. Ashin Pyinyar Thiri’s views reflect extreme Burman nationalism. He told CHRO’s researcher:

“Burma is a Buddhist country where our culture is Buddhism itself. The colonialists just wanted access to our resources in Myanmar and came first with their merchants,

³²⁸ Interview KPT3, 13 May 2010, Chin State.

³²⁹ The first human rights violations in connection with the schools were documented by CHRO in 1994, at a school in Rangoon. See *Religious Persecution*, op cit.

³³⁰ Interview MI13 with three men who had attended Na Ta La school in Mindat between 1997 and 2006, 2 July 2011, Cameron Highlands, Malaysia.

³³¹ Several local people contacted by CHRO’s researcher while in the Mindat area expressed this view, and claimed that is widely-known that he carries a gun. Also interview MI7, 4 July 2011, Kuala Lumpur, Malaysia.

then their missionaries, and finally their military might [this is a common Burmese interpretation of the British occupation and colonization of Burma]. The missionaries came to Myanmar to colonize and brainwash our people by religion.”³³²

[May 2010, Mindat town]

When asked for his views about the Hill Regions Buddhist Mission and the Na Ta La schools, Ashin Pyinyar Thiri replied:

“We came here to Chin State not because we want to come here, but for the sake of Buddhism. If we didn’t come here, our people will lose our national identity. We cannot let it happen. We cannot let all our people convert to a western religion. We have never persuaded people to become Buddhist by force. The government sent us here for the sake of Buddhism. We are official.”³³³

[May 2010, Mindat town]



Mindat Taung Pu Lu Monastery complex

³³² Interview MI4, 17 May 2010, Chin State.

³³³ Ibid.

Missionary M.H. from a remote village in Mindat township described his experience in 2008, which forced him to flee Chin State:

“When I prayed for some patients who were sick, there was a miracle from God and they converted to Christianity. After that, the lu thatana pyu and the VCC [Village Council Chairman or village headman] became my enemies. I was summoned by the VCC who gave me a warning, then I was summoned to the police station and I had to sign a statement to say that I would stop my missionary work. After that, I was called by the military, soldiers from LIB274, and warned by them too. They forced me to porter for them from my village to _____, 20 miles away. They warned me, you must not pray for the sick, and you must not preach the gospel. Even though I signed the declaration I carried on with my work. I got another warning from the VCC; he told me I would be arrested soon, so I ran away.”

[November 2008, Village 14, Mindat township]³⁴⁰

Monks sent to Chin State under the Hill Regions Buddhist Mission have also been implicated in harassment and abuse; primarily in connection with the Na Ta La schools (see **5.4. Border Areas National Races Youth Development Training a.k.a. Na Ta La schools**), but also in other incidents.

Pastor A.I. from Mindat town related his experiences in 2010:

“We have been facing oppression and disruption on many Christian occasions, and while trying to construct a church in Mindat. Taung Pu Lu Sayadaw [Burmese honorific term, used to refer to Ashin Pyinyar Thiri, head monk at Taung Pu Lu monastery] is the one who gives all the orders. He has influence on staff and officials over everything, to the point where if he says no, no one dares to do anything anymore. In Ward No.5, there are lots of Christians so we are trying to build a small church with the oral permission of the chairman of the TPDC, but as the monk told us to stop the construction, the Chairman gave the order for us to stop.... Once, Taung Pu Lu sayadaw arrived in _____ village. Everyone except the Christian missionary bowed down to worship him. He forced her to bow down too, but she refused. So he beat her with his stick. We reported this case to the local authorities, but they still haven’t taken any action.”

[May 2010, Mindat town]³⁴¹

As the abbot or head monk in charge of the monastery in the eastern area of Mindat, Ashin Pyinyar Thiri was also implicated in the destruction of the cross in the Mindat area in July 2010 (see Case Study Three).

³⁴⁰ Interview MI7, 4 July 2011, Kuala Lumpur, Malaysia.

³⁴¹ Interview MI2, 17 May 2010, Chin State.

5.2. Induced conversion

In the 2004 report *Religious Persecution*, CHRO documented issues of induced and coerced conversion of Chin Christians across Chin State. This included conversion for financial incentives, food rations, and to secure job promotion. Chin Christians have also converted to Buddhism to avoid demands for forced labour and extortion from the Burma Army and local authorities. For some, conversion provides a sense of security: a means to try and avoid becoming the target for human rights abuses, and to ease economic hardships.³⁴² This continues to be the context to a greater or lesser extent across Chin State. However, at the time of writing it is most evident in poverty-stricken southern Chin State, where food insecurity is a major problem.

Ongoing food security crisis

In early 2006 the *Melocanna baccifera* bamboo, which covers approximately one-fifth of Chin State, began to flower and produce fruit; a natural phenomenon which happens once every 50 years. The bamboo flowering was first reported in the northern township of Tonzang and gradually spread south, reaching the southern township of Kanpetlet in 2009. The rich fruit produced by the bamboo attracts forest rats, which then reproduce at a rapid rate.³⁴³ The effects of this process are far-reaching. When the fruit supply is exhausted, the rats turn on people's farms and fields, quickly depleting rural villagers of their primary food supplies. The consequences of what is known locally as *mautam* (bamboo hunger) are long-lasting, while people struggle with the explosion in the rat population, the destruction of their livelihoods, increased hunger, malnutrition, and disease.³⁴⁴ In addition, recovery from this natural phenomenon can take several years.

At the time of writing, Paletwa, Mindat, Matupi, and Kanpetlet townships in the south are still facing ongoing food shortages.³⁴⁵ A March 2012 *Emergency Food Security Assessment in Southern Chin State* published by the World Food Programme (WFP) found that the 2011 monsoon harvest saw significant crop failures in Matupi and northern Paletwa townships. Seventy-five percent of households in Paletwa and 98 percent of households in Matupi reported inadequate diets. Although the WFP assessment acknowledges the disruption to the 2010 harvest throughout southern Chin State due to the rat infestation, it surprisingly refers to "an emerging food security

³⁴² See CHRO's 2004 report, *Religious Persecution: A Campaign of Ethnocide Against Chin Christians in Burma*, op cit.

³⁴³ The bamboo fruit apparently triggers a hormonal response in the rats, which causes them to rapidly multiply.

³⁴⁴ For more detailed information about the background to the food crisis in Chin State, see *Critical Point: Food Scarcity and Hunger in Burma's Chin State*, CHRO, July 2008; and *On The Edge of Survival: the Continuing Rat Infestation and Food Crisis in Chin State, Burma*, CHRO, September 2009, both available at <http://www.chro.ca/publications/special-reports.html>

³⁴⁵ In addition to the rat infestation, crop losses have also been reported due to plagues of insects and flooding. See *Government Ignored Food Crisis in Thantlang Township*, in *Rhododendron News*, January – February 2011, Volume XIV, Issue I, CHRO. Heavy rains in October 2010 at the time of Cyclone Giri damaged paddy fields, upland farms and irrigation channels essential for cultivating rice in Thantlang, Hakha, Kanpetlet, Mindat, Paletwa and Matupi townships, leaving the Matupi area particularly hard-hit. See *Villages Severely Affected by Floods in Chin State*, Chinland Guardian, 20 October 2011; *Food Shortage Likely to Worsen as More Farmlands Destroyed*, Chinland Guardian, 30 May 2011; *Chin Humanitarian Update*, OCHA Myanmar, issued 31 October 2010. Chin villagers have also been affected by sharp increases in rice and commodity prices, particularly in areas badly affected by flooding during the 2011 rainy season, where destruction of infrastructure left some villages cut off from supply routes. See also *Chin Humanitarian Update*, OCHA Myanmar, issued 8 April 2011 and *Appeal for Assistance Launched as Flood Hits Parts of Chin State*, Chinland Guardian, 21 August 2011.



Mother and child cooking together



Boy cooking rats caught on his farm in Kanpetlet township in 2010

crisis”.³⁴⁶ According to CHRO’s own assessments and other reports received from Chin State, CHRO considers the food security crisis in the south to have been ongoing for at least four years. A report published in January 2012 by INGO Solidarités International on the food security situation in the southern township of Kanpetlet found that more than 90 percent of crops were destroyed by rats in 2010. 65 percent of the households surveyed had “poor” food consumption scores, and over 95 percent were in debt due to borrowing cash to buy food.³⁴⁷

Debt is a problem in other southern townships too. Twenty-eight year-old A.L.A., from a village in Mindat township, described the situation in his village in June 2012:

“In my village there are 60 households. Around half of the villagers in my village are still struggling with debt from the 2008 rat infestation. About two-thirds have enough to eat; the other third are struggling.”

[June 2012, Village 25, Mindat township]

Throughout the food security crisis, the authorities have been accused of both playing down the crisis, and ignoring it altogether.³⁴⁸ CHRO research uncovered discrimination during the distribution of limited supplies of food aid in southern townships, and severe restrictions imposed on church-based groups who attempted to organize their own food aid distribution (see **5.3. Discrimination and the food security crisis**, below). The combination of discrimination, poverty, and food insecurity has left Chin Christians highly vulnerable to induced and coerced conversion.

There is often a fine line between induced and coerced conversion, as the following testimony illustrates. Pastor A.M. described the situation in Paletwa town in 2010:

“Starting in December 2009, the local authorities offer rice to Christians if they convert to Buddhism. The famine started in the Mizoram area, but now it’s moving through the Paletwa area, and people are suffering. In my opinion, the authorities are Buddhist, we Chin are Christian, and they intentionally want to convert us. Not only that, but we Chin people are very poor now because of the famine, so they know many people will convert to Buddhism because of that. Not less than 15 households have converted to Buddhism for this reason.”

[May 2010, Paletwa town]³⁴⁹

³⁴⁶ *Emergency Food Security Assessment in Southern Chin State*, WFP, March 2012, pp.3.

³⁴⁷ *Food Security Surveillance Survey Comparative Report – Southern Chin State, Kanpetlet Township, June & October 2011*, Solidarités International, January 2012, pp.5. It is important to note that WFP and other NGO food security assessments do not take into account the significant impact that human rights violations such as forced labour, portering, land confiscation, and food misappropriation have had on livelihoods and food insecurity.

³⁴⁸ In 2011, villagers in the Thantlang township area told CHRO they had informed the local authorities about the crop destruction in their area, who continued to ignore the situation. See *Government Ignored Food Crisis in Thantlang Township*, in *Rhododendron News*, January-February 2011, Volume XIV Issue I, CHRO.

³⁴⁹ Interview P8, 31 May 2010, Aizawl, Mizoram, India.

A.J., a farmer from a village in Kanpetlet township, described the situation in 2010 at the height of the food crisis in his local area:

“Because of rats, we face a severe food crisis. As the Buddhist families get enough assistance from the monastery, many families are converting to Buddhism.... If things carry on like this for a long time, I think everyone in my village will convert to Buddhism. To survive we need food, and the food is only coming from Buddhist sources.”

[May 2010, Village 15, Kanpetlet township]³⁵⁰

5.3. Discrimination and the food security crisis

“Article 18.2 [of ICCPR] bars coercion that would impair the right to have or adopt a religion or belief, including the use of threat of physical force or penal sanctions to compel believers or non-believers to adhere to their religious beliefs [...] or to convert. **Policies or practices having the same intention or effect**, such as, for example, those restricting access to education, medical care, employment [...] are similarly inconsistent with article 18.2 [emphasis added].”

[Human Rights Committee]³⁵¹

“For Buddhists, they have their own way to get assistance via the monasteries, but it’s only for Buddhists. They can ask for assistance to whomever they want, wherever they want, but we Christians face restrictions in getting assistance from other organizations.”

[Pastor, May 2010]

CHRO has documented discrimination by the local authorities against Chin Christians, effectively denying or severely restricting access to humanitarian aid during the ongoing food security crisis in the southern townships of Paletwa, Mindat, and Kanpetlet. Such practice arguably has the same intention as coercion to convert, and therefore constitutes a violation of religious freedom.

In those three southern townships, Christian organizations were informed they had to secure up to five different levels of permission, which in practice would be extremely difficult or impossible

³⁵⁰ Interview KPT5, 15 May 2010, Chin State.

³⁵¹ Human Rights Committee general comment 22, paras. 3 & 5, quoted in *Rapporteur’s Digest on Freedom of Religion or Belief*, op cit.

CASE STUDY TEN: Discriminatory practices, Chin State

May 2010: *This case illustrates how discriminatory practices implemented by the local authorities during the ongoing food security crisis in the remote southern township of Paletwa have had a far-reaching impact on Chin Christian families, including depriving them of much-needed food assistance; driving them deeper into poverty and debt; and forcing them to migrate to earn a living. These practices arguably amount to coercion to convert; a violation of religious freedom.*³⁵⁵

Chin Christian farmers A.O., A.P., and A.Q. are from a small village of 21 households in the Paletwa township area. Their village is not yet officially registered with the Paletwa Land Registration Office. They explained the problems they faced during the food security crisis between 2007 and 2010:

“Since 2007, we have come under immense pressure to register as a Buddhist village. Because of the food crisis in the Paletwa area, we applied for humanitarian assistance to the TPDC and also to UNDP. UNDP helped us once; they gave us 1,900,000 kyats [\$1,900]. But the TPDC said they couldn’t help Christian villages in Paletwa township [the population of their village is predominantly Christian]. Our local church association helped us once, but how can they help us all the time? This food crisis is not just for a while; it has been three years already. UNDP has been lending us money, what they call micro credit. We took the money, but how can we pay them back if we don’t even have enough money to buy food?

When we tried to register our village, the Land Registration and TPDC offices demanded 400,000 kyats [US\$400] per office. On the other hand, they told us that if we become a Buddhist village, they will register us officially free of charge. We can’t pay them; it’s a lot of money for us. Even if we could pay, we won’t pay it, as we don’t trust them. Besides, being Buddhist or Christian has nothing to do with making our village ‘official’.

Until 2007, the relationship between Buddhists and Christians in our village was quite good. Since late 2007, the local authorities allocated the Buddhist families better paddy fields, and they didn’t have to pay tax. They were given rice and oil every month. Rice packages were brought to them. But for us Christians, we had to queue at the Paletwa TPDC for a whole day and got half a package of rice. So, that has caused problems between the Christians and Buddhists in our village. At first there were only three Buddhist families, but since early 2010 there are eight Buddhist families.

Now many of the men in our village work in Kyaukdaw and Sittwe, and they even go as far as Pha Kant and Mine Shu [mining towns in Kachin State] to earn money. All of this happened because the local authorities are so unjust.”

³⁵⁵ Interview P4, 4 May 2010, Chin State.

CASE STUDY ELEVEN: Restrictions on humanitarian aid, Chin State

October 2008: *This case illustrates how deep-rooted discrimination against Chin Christians led the district and township authorities in the Mindat area to deny the severity of the food crisis in the area; restrict humanitarian aid for Chin Christians; and call for the arrest of a Chin Christian pastor who compiled a report about the situation and brought it to the attention of a registered NGO in Rangoon.*³⁵⁶

CHRO interviewed two pastors from the Mindat area about their efforts to secure humanitarian aid for their township in 2008. Pastor A.R. explained:

“For Buddhists, they have their own way to get a lot of assistance via the monasteries, but it’s only for Buddhists. They can ask for assistance to whomever they want, wherever they want, but we Christians face restrictions in getting assistance from other organizations. The Christian organizations in Mindat were warned not to write any kind of report or letter about the food crisis to any other organization. They told us that if we wanted to write such a report, first we had to get permission from the TPDC, Land Registration Office, Police, Ministry of Religious Affairs and the Municipality. Only after getting permission from these five different offices would we be able to write the report or send letters to other organizations about the situation. We tried to get permission, but only the Land Registration Office and the Municipality gave us permission, the other three offices just didn’t reply. We knew that we would never get permission from them, so we just did the field research anyway, and wrote a report and proposal for humanitarian assistance. We sent our Youth Director to Rangoon with the proposal.”

The Youth Director Pastor A.S., now a refugee in Malaysia, described what happened to him:

“Before our report was written, the central government had asked the District and Township-level PDC if there was a problem, but they reported no. The TPDC repeatedly ignored reports of the food crisis from local VCCs [village headmen]. They claimed the authorities had distributed rat poison, and said that the problems were manageable. The heads of the TPDC and DPDC made fun of the situation. They don’t care about us, they are both ethnic Burmans. There is so much discrimination [against Chin Christians] and they do nothing to support development.

We collected data from 32 villages. The data showed that in some areas, the rats had destroyed everything; in other areas maybe two-thirds or half the crops. It also included photos. I took the report and went to the office of I Love Myanmar in Rangoon [an NGO led by a Chin] to ask for assistance. I Love Myanmar asked for permission from U Thein Sein to visit the area and provide aid. So, the SPDC had two versions of the situation: one provided by the Mindat authorities, and the data we had provided to I Love Myanmar.

When I got back to Mindat, my wife was very scared. She asked me, “What did you do against the government, because they are going to arrest you now?” I found out then that before I even got back to Mindat, staff from the township authorities had travelled around and done their own fieldwork. Their conclusion was that the situation was fine, nothing had been destroyed. I was summoned to a meeting by the TPDC Chairman, with all the local officials present. They asked me for the names of all the people who had collected the data. They accused me of lying; of providing false information to another organization; and of disrupting the work of the government. They warned me not to leave Mindat. After that Military Intelligence officers kept following me. My friends and colleagues kept telling me I would be arrested soon, and that I should run away. Finally I did. After I left, the police searched my home and office. They took a photo of me from my wife. They went to my home every day looking for me. My wife finally told me it would be better to run to Malaysia.”

³⁵⁶ Sources: Interview MI1, 29 September 2010, Kuala Lumpur, Malaysia, and MI2, 17 May 2010, Chin State.

5.4. Border Areas National Races Youth Development Training a.k.a. Na Ta La Schools and the Chin

“By inculcating Union Spirit into them [Na Ta La students], youth forces [are] equipped with strong Union Spirit that could safeguard Our Three Main National Causes at the risk of their lives....”

[Union Border Affairs Minister, September 2011]

There are nine Border Areas National Races Youth Development Training Schools (hereinafter referred to as Na Ta La schools) in Chin State.³⁵⁷ In 2011, Union Border Affairs Minister Lt.-Gen. Thein Htay reported that of 3,057 trainees attending the twenty-nine schools across Burma, more than a third were Chin.³⁵⁸ This would suggest that Chin students are particularly targeted for recruitment to the schools. CHRO’s documentation shows that the ongoing food security crisis has been a key factor in recruitment.

Figure 12 : Border Areas National Races Youth Development Training Schools³⁵⁹

Area	Number of Schools
Chin State	9
Sagaing Region	2
Naga Self-Administered Zone	2
Arakan State	1
Kachin State	4
Shan State	7
Rangoon Region	1
Magway Region	1
Karenni State	1
Karen State	1
Total Number of Schools	29

³⁵⁷ According to CHRO sources, there is one each in the townships of Tonzang, Tedim, Falam, Thantlang, Hakha, Matupi, and Kanpetlet, and two in the southern township of Mindat.

³⁵⁸ Of 3,057 trainees, the Union Minister reported that 1,036 are Chin. See *New Light of Myanmar*, 14 September 2011, pp.9.

³⁵⁹ Source: *The New Light of Myanmar*, 14 September 2011.

training schools, and at the same time it is needed to avoid making habits and behaviours that could lead to racism, religiosity either internationally [sic] or unintentionally with great cautiousness. By inculcating Union Spirit into them, youth forces equipped with strong Union Spirit that could safeguard Our Three Main National Causes at the risk of their lives and it is needed to understand that trainees that completed the courses at the training schools and joined the career and have considerably strong Union Spirit have the rights to follow their preferred religion freely in accordance with the provisions of Article 362, 363 of Chapter (8)- Fundamental rights and Duties of Citizens of the constitution.”³⁶¹

[September 2011, Rangoon]



In preparing this report CHRO conducted in-depth interviews between 2010 and 2012 with twelve Chin Christians who attended the Na Ta La schools either as students or teachers. The documentation presented here demonstrates that Chin Christian Na Ta La attendees face forced coercion and other human rights violations at the schools. Coerced conversion of children at the Na Ta La schools was first documented by CHRO in 1994. An order issued by Thantlang (where the population is almost 100 percent Christian) township Law and Order Restoration Council offered food, clothing and education to children under 14, stating that they would be “trained to be refined individuals without any racial or religious discrimination [...] They will be allowed to worship and practise their own religion.” In fact, the children were taken to a monastery in Rangoon where the boys were forced to novitiate against their will, and they were cut off from their parents. They were later rescued. A similar incident was documented in 2003.³⁶²

Many other Chin Christians interviewed by CHRO raised concerns about the Na Ta La schools, particularly about a suspected ‘divide-and-rule’ strategy being implemented by the government, as described by Pastor D:



“The way things are right now, it will be even more difficult for Chin Christians under the new government, because of the Na Ta La scheme. They are basically trying to convert young people to Buddhism. These students who are sent to the school convert to Buddhism, and then as soon as they graduate they are given a position in the local government. If you carry an ID card that says you are Christian, it’s very difficult to get a good job. But Buddhists enjoy all the advantages.... Since July 2010, head of the Na Ta La school U Hung Om has been telling male high school students to change what’s written on their identity card from Christian to Buddhist. If they change their religion, they will get a school uniform for free, and a monthly rice and lentil ration. Even though the Buddhist and Christian populations are more or less the same in number in our area, the Na Ta La graduates will secure these positions and dominate all the power. Therefore we will face increasing discrimination.”

[November 2010, Kanpetlet town]³⁶³



³⁶¹ *The New Light Of Myanmar*, Wednesday 14 September 2011, pp.9.
³⁶² See *Religious Persecution*, CHRO, 2004, op cit.
³⁶³ Interview KPT1, 29 November 2010, Kuala Lumpur, Malaysia.

Management of the Border Areas National Races Youth Development Training Schools

There is very little publicly-available information about the Na Ta La schools programme. Figure 8 shows that the Ministry for Border Affairs is overwhelmingly dominated by the military, with the Minister for Border Affairs Lt.-Gen. Thein Htay reporting directly to the Committee headed by President Thein Sein. All of the education institutes - including the 29 Na Ta La schools - are under the command of Burma Army Colonel Myo Hlaing.

“I realized that as long as I am in the country, the soldiers have good connections and they can trace me wherever I am. So I had no choice but to flee the country.”

[Woman who fled Na Ta La school in May 2011]

CHRO’s research into the Na Ta La schools programme indicates that the Ministries for Border Affairs and Religious Affairs work in close cooperation in the implementation of the programme. As noted earlier, the 1993 SLORC decree *The Development Of Border Areas and National Races Law* provided for “the promotion and propagation of the sasana in the development areas”. While the Department for the Promotion and the Propagation of the Sasana – and by extension, the Hill Regions Buddhist Mission - operates under the Ministry of Religious Affairs, the Na Ta La schools are under direct military command within the Ministry of Border Affairs. The documentation presented here indicates that monks and Buddhist laymen from the Hill Regions Buddhist Mission are involved in recruitment to the Na Ta La schools; and also teach at the schools in Chin State. Monks, Buddhist laymen and Burma Army soldiers also work together to track down Na Ta La attendees who run away from the schools. In addition, the threat of military conscription is used to coerce young people to convert to Buddhism. These factors strongly suggest a symbiotic relationship between the two Ministries.



This sign reads: (Notice to new students wishing to register) Those new students wishing to register are hereby notified to come to ~~Faung Pulu monastery~~ [Erased out] by 9:00 am on 11/5/2011, together with exam pass certificate and letter of authentication of date of birth from Yayaka [Village/Ward Peace and Development Council office.] Place: Na Ta La (1) Administration Office

Key factors in recruitment

Abject poverty and the ongoing food security crisis are two key factors that have left Chin Christians particularly vulnerable to recruitment to the Na Ta La schools. Na Ta La attendee A.Z. from a village in Mindat township was recruited at the age of 17 in June 2010, and sent to Na Ta La school in Rangoon. He explained:

“My parents are very poor. At the time [I was recruited], because of the rats, there was a famine and food was very scarce; we were all facing a lot of difficulties because of that. Some families sent one child to the Na Ta La school, others sent two. I think around 15 young people from my village ended up going to Na Ta La schools, but I don’t know exactly because we were split up and sent to different places.”

[June 2010, Village 19, Mindat township. See also **Case Study Fourteen**]³⁶⁴

The impact of the food security crisis in northern townships has also driven families to send their children to Na Ta La schools. Na Ta La attendee A.A.A. from a village in Tedim township was also recruited at the age of 17, and was sent to the Na Ta La school in Tahan, Kalaymyo township in Sagaing Region. He told CHRO:

“In 2008, there was a food crisis around my area. My parents had problems feeding us, and could not afford to send me to school anymore. So, they sent me to Na Ta La school in Tahan in the summer of 2008. Three people from my village went, including me.”

[April 2008, Village 20, Tedim township. See also **Case Study Fifteen**]³⁶⁵

A.B.A., A.C.A., and A.D.A. are all from the same village in Mindat township. They were all recruited to the Na Ta La school in Mindat in 1997, at the ages of 16, 16, and 8 respectively. They each spent between six and nine years at the school before running away separately. At the time they attended the school, there were around 100 students, two-thirds of them Chin Christians. They explained:

“Our families were all very poor and couldn’t afford to pay for our schooling anymore, so finally they sent us to the Na Ta La school in Mindat. We had to pay a one-off entrance fee of 10,000 kyats [US\$10], after that we didn’t have to pay anything else. It was much cheaper than the normal school, because once we had paid the entrance fee there was nothing else to pay, and everything we needed was provided by the school.”

[1997, Village 21, Mindat township]³⁶⁶

³⁶⁴ Interview MI10, 1 July 2011, Cameron Highlands, Malaysia.

³⁶⁵ Interview TE6, 2 July 2011, Cameron Highlands, Malaysia.

³⁶⁶ Interview MI13, 2 July 2011, Cameron Highlands, Malaysia.

Other Na Ta La attendees interviewed by CHRO came from single-parent families. A.E.A. was recruited to Na Ta La school in 2003, at the age of 18. He related:

“My mother passed away and I was living with my father. I have five other siblings. At the time, my father had financial problems; he couldn’t afford to pay the school fees for me. Soldiers from LIB274 along with workers from the Municipal Affairs Department rounded up orphans [in the Chin context this term is used after the mother passes away]. I was one of them. The soldiers told us that our school fees and all of our other needs would be met, and that there would be no religious discrimination. We were taken to Mindat town, and from there we were sent to Na Ta La school in Pakokku, Magway Region. We were taken to Pakokku in army trucks. There were around 100-120 of us altogether. There were only two trucks; more than 50 people in each truck.”

[2003, Village 22, Mindat township]³⁶⁷

Inducements and methods of recruitment

As noted above, the government has asserted that students are free to practise their own religion at the Na Ta La schools. None of the Na Ta La attendees were informed of the need to convert to Buddhism; for those who entered Na Ta La at 8th, 9th and 10th standard, the main inducement was the promise of free education and a guaranteed government position after graduation. A.Z. from Village 19 in Mindat township told CHRO:

“Before we went to the school, I had no idea we would be expected to convert to Buddhism. We were just promised we would be provided with the best education, so that we could come back to Chin State and work for our people.”

[June 2010, Village 19, Mindat township. See also **Case Study Fourteen**]³⁶⁸

A.F.A. is from the same village in the Mindat area as A.Z. He was 19 and had already passed 9th standard when he was recruited to the Na Ta La school in Rangoon in 2010, at the same time as A.Z:

“I am the eldest son in my family. At that time, my father was seriously ill and had to stay at home. My mother and I were working on our farm. There were so many

³⁶⁷ Interview MI6, 4 July 2011, Kuala Lumpur, Malaysia.

³⁶⁸ Interview MI10, 1 July 2011, Cameron Highlands, Malaysia.

rats then. We almost lost everything on our farm, and we didn't have enough food to eat. U Thang Ha and his friends came to our village and they stayed for a week. He said that he is Ashin Pyinyar Thiri's [from the Taung Pu Lu monastery in Mindat town] trusted friend. There are many ordinary Mindat people living at the monastery. They are Mindat people. They are helping the monks because the monks cannot speak the Mindat language [he is referring to lu thatana pyu]. He told my father that the monk would look after all the poor kids on behalf of their families. He also promised my parents that we will pass matriculation, even if we cannot do well in the exam, and we will be supported until we finish college. He also said we will be given a high-level position after finishing college. U Thang Ha never mentioned about Christianity or Buddhism. He just said we will get a good education. He also promised my parents two sacks of rice and 50,000 kyats [US\$50]. So, my father told me to go with them as he wanted me to pass my matriculation and to be able to support my family. I found out later they never got the money or the rice.”

[June 2010, Village 19, Mindat township. See also **Case Study Fourteen**] ³⁶⁹

A.A.A. from a village in Tedim township told CHRO how he was recruited in 2008, at the height of the food crisis in his local area:

“Some people from the Tedim TPDC came to my village. First, my father was called to a meeting. We thought that the TPDC was going to help us by providing food, as the rats had destroyed all our crops and eaten all the food stores at home. Along with people from the TPDC, there were some Burmese who said that they had come to our village to support students to get a better education. At that time I had just finished 7th standard. So, my father told me to go with these Burmese people as he couldn't support me anymore.”

[April 2008, Village 20, Tedim township. See also **Case Study Fifteen**] ³⁷⁰

A.H.A., a trained teacher, applied for a position at the Na Ta La school in Hakha town in 2006. He told CHRO:

“I went to see the headmaster of the school, an ethnic Burman. He gave me a small booklet entitled ‘Union Spirit’. It included the same four economic and four social objectives that are listed every day in the New Light of Myanmar newspaper. It included information about Buddhist philosophy. I had completed official teacher

³⁶⁹ Interview MI11, 9 August 2011, by phone. CHRO conducted separate interviews with three young men from the same village, all of whom were recruited to Na Ta La under similar circumstances (Interviews MI9, MI10, and MI11). H.N.'s parents (interview MI10) were also promised money and rice, but never received it. H.N. and A.L. ran away from the Na Ta La school in Rangoon at the same time.

³⁷⁰ Interview TE6, 2 July 2011, Cameron Highlands, Malaysia.

training, and I had never seen anything like this booklet as part of the official curriculum. It was propaganda. The headmaster told me that speaking Burmese fluently was key, and that I must fully accept Buddhism. He told me that the students have greater ambition than other State students, because they will become government officials, and will have more opportunities. He told me the government would support them to get higher positions, and the same for teachers. He gave me one week to consider the offer, but I never went back.”

[2006, Hakha town]³⁷¹

Only A.G.A. from a village in Mindat township, who attended the Na Ta La school in Mindat town from 2010 – 2011 when she reached 10th standard, had heard that she would be expected to practise Buddhism. She was not given official notification of this, but believed she had no other choice – see **Case Study Thirteen**.

Other Chin Christians told CHRO that there are no other boarding schools in either Mindat or Kanpetlet; so unless those from remote areas have relatives they can stay with in town while they attend high school, their only other option to continue their education may be the Na Ta La schools.³⁷² The lack of alternative boarding educational facilities for Christians must also be understood in the context of widespread restrictions on building Christian infrastructure.



Kanpetlet Na Ta La School Signboard

³⁷¹ Interview H6, 4 July 2011, Kuala Lumpur, Malaysia.

³⁷² Interview MI5, 17 May 2010, Chin State; and KPT2, 16 September 2010, Shillong, India.

CASE STUDY TWELVE: Coerced conversion, Chin State

November 2009: *This case highlights how conversion to Buddhism offers powerful incentives such as a high salary or a high-level position in the military; but at the same time, refusal to convert brings the threat of military conscription or arrest.*³⁷³

Twenty-four year-old A.I.A. taught at Na Ta La school no.1 (East) in Mindat town for a few months in 2009. A relative who works in the Na Ta La program offered him a job at the school teaching English to 3rd, 4th and 5th graders for a good salary. He explained what happened after he started work at the school:

“They paid me 50,000 kyats [US\$50] per month. Other teachers at the Na Ta La school told me that I would get more salary if I converted to Buddhism, as I was working in a Buddhist school. After a while, some monks tried to persuade me to join them and to try and be a monk like them. They told me I would get a promotion and more money. I refused their request. I told them I joined the school at the invitation of my relative; it wasn’t my intention to teach there indefinitely. So, the problems started from there.

After the first time I refused their request, I continued teaching for another two weeks, but they came to me again and again. They told me, ‘If you become a Buddhist, and serve here for a while, you can join the military and you will automatically get a high rank. Or if you don’t want to join the military, just work here and you will get more than 100,000 kyats [US\$100] per month soon.’ But I have been a Christian since I was born, I cannot be Buddhist. I totally resisted their demands and pressure.

I couldn’t stand being there anymore, and came back to my village without informing them first. They sent some Na Ta La people to call me back, who told me they would pay me more money when I came back. But I knew that if I went with them, I would either have to convert to Buddhism or join the military, so I refused.

I went into hiding near my farm. The police and high-ranking officials from the Hill Regions Buddhist Mission came to arrest me. They came back again and again looking for me. I had to run deeper into the jungle and hide there. I couldn’t go back to my village, because there are three Buddhist households who act like agents for the authorities [he is referring to Buddhist laymen or lu thatana pyu]. I knew I wasn’t safe anymore and decided to flee the country.”

³⁷³ Interview MI12, 1 July 2011, Cameron Highlands, Malaysia.

Kalaymyo township, Sagaing Region. A.A.A. recounted discrimination and cruel and inhuman treatment at the school:

“The headmaster of the school was U Tun Sein. He is not a monk, but a devout Buddhist, an ethnic Burman. He invited monks to come and teach us Buddhism every Saturday. U Tun Sein always used to say to us, ‘We are going to teach you what the real culture and religion of Myanmar are. You will know the truth and become a follower of Buddha. Christianity was brought in by the British colonialists. They wanted people to follow them, so they used religion as a tool. Since 1947, we got independence. So, we should practise our own religion.’ If we tried to say grace before eating, he shouted at us. He forced us to memorise a Buddhist prayer in Pali. For those who couldn’t memorize the Pali, he made them cook for all the other students. Sometimes they had to stand outside the dorm for the whole night, and run around our compound 50 times. So later on, no-one dared to stand up to him.”

[2008-2009, Taung Phi La Na Ta La school in Tahan, Sagaing Region.

See also **Case Study Fifteen**]³⁷⁷

Hard labour and military training

In most cases, it was not immediately obvious to the Na Ta La students that the schools were under military command. For example, it is unclear if the headmasters of Na Ta La schools are soldiers in civilian uniform (see for example **Case Study Fourteen**) or if they are civil servants who report to the military (see for example **Case Study Fifteen**). However, the role of the military became more obvious either at the point when the students faced coerced conversion or when they ran away from the institutions (see **Case Studies Twelve, Thirteen, and Fourteen**).

In A.E.A.’s case, the role of the military was clear from the outset. As noted above, he was recruited by soldiers from LIB274 at the age of 18, and transported by military truck to the Na Ta La school in Pakokku. He described his experience at the school in 2003:

“When we arrived, we were received by soldiers, but I won’t know which battalion they were from. The main man in charge of the Na Ta La school wore a camouflage uniform, not like the normal soldier’s uniform, but it didn’t have a battalion number on it.

At the school, we were taught Buddhism by monks. Most of the monks treated us badly; for those who didn’t want to study Buddhism the punishment was severe. Caning wasn’t that bad for me; the soldier training was worse. We had to do that

³⁷⁷ Interview TE6, 2 July 2011, Cameron Highlands, Malaysia.

every morning and evening, before and after school. They made us shave our heads in the style of the soldiers – one inch of hair left at the front, the rest all shaved, just like soldiers. They taught us how to shoot, and how to carry heavy loads, especially rice sacks. If there were not enough soldiers, we were called on to do their duties. The rice was imported to Pakokku by ship [up the Irrawaddy river], and we had to carry the rice sacks for about three furlongs [about 600 metres], from the port to where the trucks were waiting. They told us we had to do that to pay for our school fees.

The worst thing for me was being forced to wear monks’ robes. Usually they made us do that for one week out of every month. We also had to do hard labour. Every Saturday and Sunday we had to carry stones to repair roads in Pakokku town.”

[2003, Pakokku town]³⁷⁸



The boys from Village 19 in Mindat township, who attended Na Ta La school in Rangoon in 2010, also described being forced to do hard labour (See **Case Study Fourteen**).

Coercion to convert to Buddhism

“If you don’t want to be a monk, you must join the military.”

[Headmaster of Na Ta La school, 2010]

The most common - and the most recently reported - form of coercion was the threat of military conscription (see **Case Studies Thirteen and Fourteen**).³⁷⁹ When A.A.A. made it clear he wasn’t willing to convert to Buddhism, he was effectively conscripted (see **Case Study Fifteen**). Other forms of coercion included the threat of arrest and/or imprisonment.³⁸⁰ A.J.A., who attended the Na Ta La school in Matupi from the age of 13 until he fled in 2006, aged 17, told CHRO:



“We were often threatened. The headmaster Aung Myint Tun and the others used to say, ‘If you don’t want to be Buddhist, we can arrest you, we can put you in prison, we can do anything we want to you. You are just like a toy in our hands.’ We were all really insulted by that, and I was scared I would be put in prison. So in fear of that, I ran away from Na Ta La.”

[2006, Na Ta La school in Matupi]³⁸¹



³⁷⁸ Interview MI6, 4 July 2011, Kuala Lumpur, Malaysia.

³⁷⁹ Also Interview MI9, 1 July 2011, Cameron Highlands, Malaysia.

³⁸⁰ Interview MI12, 1 July 2011, Cameron Highlands, Malaysia; Interview MI6, 4 July 2011, Kuala Lumpur, Malaysia.

³⁸¹ Interview MA9, 2 July 2011, Cameron Highlands, Malaysia.

Other forms of coercion included cruel and inhuman treatment³⁸² and also the threat of financial penalties. A.D.A., who attended Na Ta La school in Mindat from the age of 8 until he fled in 2006, aged 17, explained:

.....
“In 2006, I was appointed leader of the Na Ta La school. Actually I didn’t want to stay, but when I tried to leave the headmaster told me and my family that we would have to pay huge compensation if I really wanted to leave. It would have been a lot of money, more than we could afford. So I was forced back to the school. I ran away later that year.”

[2006, Eastern Na Ta La school, Mindat town]³⁸³

.....

³⁸² E.g. K.S.K.’s testimony quoted above. Interview TE6, 2 July 2011, Cameron Highlands, Malaysia. See also Case Study Fifteen.

³⁸³ Interview MI13, 2 July 2011, Cameron Highlands, Malaysia.

CASE STUDY THIRTEEN: Coerced conversion, Chin State

May 2011: *This case illustrates how monks and soldiers cooperated to use the threat of military conscription in an attempt to coerce a young Chin woman to convert to Buddhism, and complete her 'training' at the Border Area National Races Youth Development a.k.a. Na Ta La school in Mindat.*³⁸⁴

20 year-old A.G.A. attended Na Ta La school in Mindat from 2010-2011. She described her experiences at the school:

"If I wanted to finish my high school education, I had to attend Na Ta La school in Mindat town; if I didn't go to the Na Ta La school, I wouldn't be able to continue my education. There was an order issued for that. We were also promised positions as government servants at Na Ta La school. As I wanted to finish my high school education, and I believed that attending Na Ta La school was the only way to do it, I had to join the school even though I had heard from others that I would have to practise Buddhism. [Note: during the corroboration process, CHRO confirmed that an announcement rather than an order was issued].³⁸⁵

The man in charge of the school is U Kee Ling Maung, another Mindat Chin. He is not a monk, but he is trusted by the monks. He is part of the Hill Regions Buddhist Mission, which is the same as Na Ta La. We had to wear robes for nuns; the boys had to wear monks' robes. There are two schools, West and East. In total we were 932 students, from pre-school – even some three-year old kids – up to 10th standard. The younger students were mostly Buddhist, but those in 9th and 10th standard were mainly Christian. We were 21 girls and 19 boys who were Christians.

We Christian students received worse treatment than the Buddhists. We were accused of not following the rules and regulations properly.³⁸⁶ Besides the usual subjects, we had to recite Pali and other Buddhist scriptures. If we couldn't get it exactly we were beaten by the monks. They slapped me about the face, or beat me with sticks on my legs and back.

As a Christian girl it was not appropriate for me to carry on living at that Na Ta La school, so I ran away. I took off my nuns' robes and left them there. I ran to _____ village, 20 miles from Mindat town. The monks from the Na Ta La school came there with soldiers from LIB274, looking for me. They told me, 'You have to come back to the school in Mindat, or else you will be forced to join the army.' They told me there is an order for that; even women aged 18-35 have to perform military service, and men aged 18-45. They said there is no choice, everyone has to be a soldier. [Note: in January 2011 the People's Military Service Law SPDC Law No. 27/2010, signed and dated 4 November 2010, was published in the Union of Myanmar Gazette. The law therefore was promulgated but is not being enforced at the time of writing.] At the time I was sick, so I pretended to promise them that I would definitely come back in three days, when I was better. I realized that as long as I am in the country, the soldiers have good connections and so they can trace me wherever I am. So I had no choice but to flee the country."

³⁸⁴ Interview MI8, 1 July 2011, Cameron Highlands, Malaysia.

³⁸⁵ An announcement was made that high school students could secure a government job easily if they went to Na Ta La school. There were also some conditions for Christian students whereas Buddhist students could easily join the school. Conditions for Christian students included for example, obey all orders; commit to the rules, regulations and procedures of Na Ta La schools even after matriculation; and rules must be obeyed without complaint. It is likely A.G.A. and her family understood this as an order, especially if they had no way to support her education beyond 10th Standard.

³⁸⁶ Ibid.

CASE STUDY FOURTEEN: Coerced conversion, Rangoon

June-August 2010: *This case underlines the ongoing food security crisis in southern Chin State as a key factor in recruitment to the Border Areas National Races Youth Development Training a.k.a. Na Ta La schools. It also sheds some light on the role of the military in the running of the schools and the threat of military conscription to coerce young Chin people to convert to Buddhism.*³⁸⁷

A.Z. and A.F.A. were recruited to Na Ta La school in Rangoon by members of the Hill Regions Buddhist Mission in 2010 when they were 17 and 19, at the height of the rat infestation and food shortages in their village. Their families were persuaded to send them to Rangoon with the promise of free education, 50,000 kyats [US\$50] and two sacks of rice (which their families never received). They spent several days at Ashin Pyinyar Thiri’s monastery in Mindat, before travelling to Rangoon via Pakokku. They reported that there were over 250 students in the school. At the time, most were Burmese, but there were also some Chin (over 30) and Naga (around 10).

A.F.A. explained, “For the first three of four weeks, the teachers were really kind to us. They brought us to the cinema, the zoo, the Shwedagon and Sule pagodas, the National Museum, and the Ethnic Nationalities Village. We even got new shirts and trousers, and a watch. But after that, I felt like I was in prison, because they wouldn’t let us go out. They forced us to do hard labour to build one new dormitory. We had to dig the construction site, carry bricks, and move heavy planks of wood. The Burmese students were mostly working in the kitchen or flower garden [A.Z. also said that only the Chin and Naga were required to do the hard labour]. It was so unfair. We were also forced to memorize and recite Pali.”

A.Z. related, “The man in charge of the school wore plain clothes during the daytime, but then at night-time he changed into soldier’s uniform. I couldn’t see the battalion number as he wore a jacket over the uniform. But I recognised the uniform, because I have seen soldiers before in the Mindat area. If we couldn’t memorize the Pali properly, or refused to bow down before the Buddha image, he would punish us. He ordered us to do ‘stand-up-sit-down’ exercises about 3,000 times. He said to us, ‘If you are so stubborn and refuse to be Buddhist, you need to exercise like this so that you will be strong when you are in military training.’ Later on, we were so afraid of him, that we just did whatever he asked us to do. But we did not believe in Buddhism in our minds.

After two months, he asked us, ‘Do you regard yourself as a monk?’ and we replied ‘No, we are Christians.’ Then he said, ‘Those who want to be a monk, go to that side, and those who do not, move to the other side,’ and we were divided into two groups. He said, ‘If you don’t want to be a monk, you must join the military.’ And just in front of us, he was saying to the other teachers, ‘If they don’t want to do either of those two choices, it means they are opposing the government.’ And he made us do the exercises.”

After enduring three months of intolerable pressure to convert to Buddhism and cruel and inhuman treatment, the two young men escaped from the Na Ta La school and fled to Malaysia.

³⁸⁷ H.N. and A.L. were interviewed separately by CHRO. Interview MI10 with H.N., 1 July 2011, Cameron Highlands, Malaysia; and MI11 with A.L., 9 August 2011, by phone.

CASE STUDY FIFTEEN: Coerced conversion and de-facto military conscription, Sagaing Region

May 2009: *This case sheds some light on the role of the military in the running of the Youth Development Training a.k.a. Na Ta La schools. It shows how young Chin people come under intolerable pressure to convert to Buddhism; and how refusal can result in de facto military conscription.*³⁸⁸

“I think portering [at the front line] is like being sent to certain death. We are so lucky that we ran away. If not, we would have died from hunger or been shot dead.”

[Na Ta La attendee, sent to the frontline in eastern Burma in 2009]

A.A.A. is from a village in the northern Chin township of Tedim. His parents sent him to the Taung Phi La Na Ta La school in Tahan in 2008 at the age of 17. His family was badly affected by the food security crisis and they could no longer afford the school fees, so when members of the Tedim TPDC visited them and offered free education, food and board for their son, they seized the opportunity. A.A.A. and his family were promised that he could return home to his family in the summer holidays. After he arrived at the school, he was only allowed to contact his family once, the week after he arrived. There were 120 students at the school, all of them Chin and of high-school age, from Mindat, Tedim and areas of Sagaing Region.

“In Na Ta La, they provided us with everything: food, clothes and materials for studying. They taught us all forms of Buddhist teachings, as well as ordinary lessons. We were not allowed to practice our Christianity. Many of us didn’t want to learn the Buddhist teachings. The headmaster of the school U Tun Sein – who is not a monk, but a devout Buddhist – and the other teachers kept asking us, ‘Why do you believe in Christianity?’ We couldn’t answer them. They asked us again, ‘Why don’t you believe in Buddhism, what is wrong with Buddhism?’ Again we couldn’t answer. So they divided us into two groups: students who still want to be Christian and students who want to be Buddhist.

When the academic year ended, during summer 2009, we thought we would go home for the summer holidays, as promised. The students who had opted to become Buddhist had their heads shaved and wore monks and nuns robes until the end of Thingyan [Buddhist New Year in April] and then the school helped them to go home to their villages. But we Christian students didn’t have any money to go home, and the school refused to help us. U Tun Sein told us we could earn the money to go home if we agreed to porter for the Htaut Poh [military supply and transportation] battalion. We didn’t dare refuse, and he told us it would be easy work. So, he called the Htaut Poh army base and soldiers came to the school and took 12 students. We were locked into their military truck and taken to their nearby military base at Ta Da Oo [Ta Da Oo is a ward in Tahan town].

³⁸⁸ Note: CHRO carried out two in-depth interviews with K.S.K., totaling around 3 hours interview time. The full testimony was too long to be included in the case study, so parts of it are also quoted elsewhere in Chapter Five. TE6, 2 July 2011, Cameron Highlands, Malaysia.

They kept us at the Ta Da Oo army base for about a week. They forced us to wear military and do military training. We had to run, carry heavy sand bags, do push-ups, climb a 20-foot high wall and jump down again, crawl in the mud, and do sitting-and-standing exercises. There was no way to escape from them. There were big walls all around the military compound and the gates were always guarded by soldiers.

After a week, one of the soldiers told us, ‘You are going to ride in a big military truck for four days, and then carry things to the front line. If you come back to Ta Da Oo alive, we will give you money to go back to your village.’ After that, they hooded us and took us out in the truck. We were just given food in the truck, we were not allowed to get down, so we had no idea where we were. We travelled for four days in the truck, and we were given enough to eat. But then when the road ended, they forced us to carry their very heavy bags. We portered for two days and nights in the jungle, we were only fed once a day, and we just had to drink as much as we could whenever we came across a small stream. There were four soldiers guarding eight Na Ta La students; our group got split up, I don’t know what happened to the other four from the school.

After the first time, we were taken back to the military base at Ta Da Oo, and we thought we would be able to go home. But they locked us up in a big house; I don’t know for how many days, because we couldn’t see outside. Then we were taken by military truck again, for quite a long time again. When we got down we saw there were six military trucks. In the jungle, we met other groups of soldiers and porters, not only from Htaut Poh. The loads were so heavy, extremely heavy. I was kicked and beaten by the soldiers, and one of them hit me in the face with the butt of his gun and broke my nose. Another guy from Mindat twisted his leg because he couldn’t carry his load and he fell down. The soldiers near him kept kicking him, and I saw his hands were broken and his legs were wounded and he couldn’t walk anymore. I really wanted to help him, but I couldn’t as I had my own heavy load to carry. Besides, if I had helped him, the soldiers would have kicked me too. On the way I saw several injured porters who couldn’t carry their heavy loads, and the soldiers kicked them with their military boots.

Whenever we approached a village, the soldiers took our loads; they pretended that they carried the bags themselves. They threatened us with their guns and told us not to run away. Once, as we were approaching a village, they were walking quite fast and forgot to look back. So with two of my friends, we ran away. We walked in the jungle for two days and nights, hiding all the time because the soldiers had walkie-talkies and had warned us that it would be very easy for them to catch us if we ran away. We came across a road and saw a sign for Moulmein [note: Moulmein town in Mon State is close to conflict zones in Eastern Burma]. We took a chance and walked to the town. On the way, a jeep passed us. We were so lucky, they stopped and helped us. I think portering is like being sent to certain death. We are so lucky that we ran away. If not, we would have died from hunger or been shot dead.”

In summary, deep-rooted discrimination and poverty has left Chin Christians highly vulnerable to induced and coerced conversion, particularly during the ongoing food security crisis in southern Chin State. As documented here, Chin Christians face coercion to convert to Buddhism by State and quasi-State actors at the government’s Border Areas National Races Youth Development Training Schools, which arguably operate as a cornerstone of the unwritten forced assimilation policy still being implemented by the current government.



Chapter
Six

Conclusions and recommendations

“Religious intolerance or discrimination is non-existent in Myanmar [Burma]. The majority of the population are Buddhists. Nonetheless, other religions such as Christianity, Islam and Hinduism coexist and flourish in Myanmar. Religious tolerance and freedom of worship is guaranteed by law and practised throughout the country.”

[Government of Burma, May 2011]³⁸⁹

“Our people are still faced with threats to our existence... forced assimilation attempts, attempts to coerce us to convert our religion, the various restrictive measures, and finally the attempts to force us into submission under the tight control of one centralized government.... The situation in our homeland has pushed many of our people out of the country... What matters the most now is our attitudes towards our homeland and the future survival of our people.”

[Rev. Dr. Sang Awr, 2010]

Summary of findings

For decades, the Chin have suffered deep-rooted, institutionalized discrimination on the dual basis of their ethnicity and religion. Since the SLORC / SPDC era, this has manifested as a pattern of widespread and systematic violations of their fundamental human rights, particularly religious freedom, perpetrated by State actors. CHRO’s documentation shows that over a period of many years, religious freedom violations have often intersected with other serious human rights violations, such as forced labour, torture, and other cruel, inhuman, or degrading treatment. For example, worship services and religious gatherings have often been disrupted by Burma Army soldiers, who have taken worshippers for portering and subjected them to torture and other ill-treatment.

Ongoing violations of religious freedom include: widespread restrictions on constructing and renovating Christian infrastructure; destruction of Christian crosses; violations of freedom of religious assembly; and threats, intimidation, and harassment of pastors and missionaries.

A distorted version of Buddhism continues to be imposed by the authorities on the predominantly Christian Chin as a tool of oppression, and arguably as part of an unwritten policy of forced assimilation. This has included forced relocation and land confiscation to build Buddhist

³⁸⁹ Report of the Working Group on the Universal Periodic Review, Myanmar – Addendum: Views on Conclusion and / or recommendations, voluntary commitments and replies presented by the State under review, doc. A/HRC/17/9/Add.1, 27 May 2011 para. 11, published in *UPR Reports 2011*, Human Rights Education Institute of Burma, 2011, pp.97.

infrastructure; forced labour exacted from Chin Christians to build pagodas and monasteries; and most recently, extortion to pay for Buddhist religious festivals.

In preparing this report, CHRO documented:

- The destruction of 13 Christian crosses, many of them large structures over 20 feet tall.
- 15 Buddhist pagodas or monasteries built with forced labour exacted from Chin Christians.
- More than 40 separate incidents of torture or ill-treatment, targeted at Chin on the dual basis of their ethnicity and religion.
- 24 official complaints of violations of religious freedom and other human rights abuses (including rape and extra-judicial killing) lodged by Chin Christians at various levels of government, where no action was taken against the alleged perpetrators.

As well as violations of the right to manifest their religion, proselytize, and assemble for religious gatherings, the Chin have also been subjected to induced and coerced conversion by State actors. With more than 70 percent of Chin people living below the poverty line, abject poverty and the ongoing food security crisis in southern Chin State have left the Chin particularly vulnerable to induced and coerced conversion.

Of paramount concern to the Chin people today are the government's Border Areas National Races Youth Development Training Schools, run under the Education and Training Department within the Ministry for Border Affairs, dominated by the military. The schools first opened in around 1994, mandated by a 1993 SLORC decree which provided for the promotion and propagation of Buddhism, and 'vocational training'. CHRO's research reveals that the Ministries for Border Affairs and Religious Affairs work in close cooperation in the implementation of the schools programme. One-third of Na Ta La trainees in 29 such schools across Burma are Chin, indicating that the Chin are specifically targeted for recruitment to the schools.

CHRO's documentation illustrates that monks and Buddhist laymen from the Hill Regions Buddhist Mission under the Ministry of Religious Affairs are involved in recruitment to the Na Ta La schools. Chin Christian attendees told CHRO that they faced forced coercion to Buddhism at the Na Ta La schools via the threat of military conscription and other coercive methods. Their testimony shows that monks, Buddhist laymen and Burma Army soldiers have worked together to track down Na Ta La attendees who fled from the schools. Today, the Na Ta La schools arguably function as a cornerstone of the unwritten policy of forced assimilation.

Analysis

The consequences of such human rights violations perpetrated against the Chin are far-reaching. There are an estimated 50,000 Chin refugees and asylum-seekers in Malaysia, 12,000 in New Delhi, and as many as 100,000 Chin living in Mizoram, Northeast India, which borders Chin State.

A prima facie analysis of the documentation presented in this report indicates that it would meet the widely-accepted definition of persecution under customary international law; namely the severe deprivation of fundamental rights on discriminatory grounds.

CHRO’s report follows the important 2011 report by Physicians for Human Rights, *Life Under the Junta: Evidence of Crimes Against Humanity in Burma’s Chin State*, and adds to a growing body of evidence that the authorities in Burma may have carried out crimes against humanity against the Chin, with particular reference to persecution on religious and ethnic grounds.

“Since the election and the new government, people are cautiously hopeful that things will get better... but we dare not believe real change will come for certain. Based on their own personal experiences, people are very wary of anything involving the army. And the key persons in the new government are still from the army.”

[Pastor, March 2012]

Although President Thein Sein’s government has initiated some positive changes in Burma, this report illustrates that the right to religious freedom is still routinely violated; the policy of forced assimilation of the SLORC / SPDC era continues to be implemented; and the culture of impunity for human rights violations remains deeply entrenched.

There is a long road ahead to ensure that the rights of the country’s ethnic and religious minorities are at the heart of democratic transition. Firstly, the right to freedom of religion must be respected, requiring far-reaching reform of government ministries. Secondly, concrete measures need to be taken at all levels of government and within State institutions like the Burma Army to tackle deep-rooted discrimination, and protect and promote human rights. Thirdly, the government must fully address fundamental, long-standing issues of self-determination for the country’s ethnic minorities at a deep systemic level, within a revised federal constitutional framework. Finally, the serious human rights violations documented by CHRO and other human rights groups warrant an international investigation. This would act as a significant deterrent for further human rights violations, and would be a major step forward in terms of tackling the deeply-entrenched culture of impunity in Burma.

Recommendations

To the Government of the Union of Burma:

1. Immediately and unconditionally lift all restrictive and discriminatory measures placed on the activities of Christian churches, pastors and missionaries, and end the policy of forced assimilation and other practices which amount to persecution of Chin Christians on the dual basis of their ethnicity and religion.
2. Support an independent and impartial international mechanism to investigate serious human rights violations in Burma, which would deter further violations and help to end the culture of impunity.
3. Invite the UN Special Rapporteur on freedom of religion or belief to visit Burma to investigate reports of religious freedom violations, and cooperate fully with his mandate.
4. Abolish the Ministry of Religious Affairs, implicated in human rights violations not only against religious minorities like Chin Christians, but also against monks and nuns for their perceived political activism.
5. Abolish the Education and Training Department under the Ministry for Border Affairs and reallocate the funding to the teaching of ethnic minority languages within the national curriculum, under a properly-financed, restructured and decentralized Ministry of Education.
6. Initiate substantive measures to tackle discrimination and protect and promote human rights at all levels of Government and within State institutions, including (but not limited to) reforming the domestic legislative framework to comply with international human rights standards, and revising the National Registration Card so that it no longer identifies the bearer's religion or ethnicity.
7. Establish effective civilian control over the military, evidenced by the Burma Army's compliance with orders issued by the relevant civilian authorities, which should include parliamentary oversight.
8. Ratify the core international human rights instruments, including (but not limited to) the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights and the Convention Against Torture and their optional protocols; and the International Convention on the Elimination of all forms of Racial Discrimination.
9. Ensure that the current ceasefire talks progress to substantive national political dialogue, involving equal representation of ethnic minorities, to address the key issue of self-determination for ethnic minorities within a federal constitutional framework.
10. Devise and implement a plan for the staged withdrawal of Burma Army troops from ethnic areas to begin before the 2015 elections.

To the International Community:

1. Support an independent and impartial international mechanism to investigate serious human rights violations in Burma, in order to deter further violations and to end the culture of impunity.
2. Do not further ease sanctions, unless and until the government of the Union of Burma demonstrates a robust commitment to human rights, as evidenced by:
 - > Thorough investigations leading to successful prosecutions of State perpetrators of human rights violations;
 - > Effective civilian control over the military;
 - > An end to human rights violations targeted at the country’s ethnic and religious minorities, perpetrated by State actors.
3. Press the government to lift all restrictive and discriminatory measures placed on the activities of Christian churches, pastors and missionaries, and end the policies and practices which amount to group persecution against Chin Christians on the dual basis of their ethnicity and religion.
4. Press the government to abolish the Ministry of Religious Affairs and the Education and Training Department under the Ministry for Border Affairs.
5. Publicly and privately call on the government to properly finance and restructure the Ministry of Education, and revise the national curriculum to include the teaching of ethnic minority languages.
6. Publicly and privately call on the government to ensure that the current ceasefire talks progress to substantive national political dialogue, involving equal representation of ethnic nationalities, to address the key issue of self-determination for ethnic nationalities within a federal constitutional framework.

To International Donors, IFIs, INGOs, and the UN Country Team:

1. Ensure that development projects are developed and implemented according to the 2008 United Nations Development Group *Guidelines on Indigenous Peoples’ Issues*, in particular by fully adopting the principles of the UN Common Understanding on the Human Rights Based Approach.
2. Ensure that development aid prioritizes human development and grass-roots empowerment, as well as infrastructure development.
3. Ensure that humanitarian and development aid is not linked to the construction of special economic zones and business ventures, and must not be used to put pressure on refugees or IDPs to return home involuntarily or to provide labour for projects.
4. In future, any humanitarian and development aid process that intends to promote peace must be transparent and include all community-based organizations from all sectors in overall strategy planning, to ensure that peace is promoted amongst all sectors.



Appendices

Appendix A: Translation of demographic information held by the Ministry of Religious Affairs in Chin State

Sl.#	Township	Buddhist		Christian		Islam		Hindu		Laipian (Chin traditional religion in Tedim and Tonzang townships of northern Chin State)		Animist	Township Population
		Population	Monastery/ Pagoda	Population	Church	Population	Mosque	Population	Temple	Population	Church		
Falam District		1,289	29	309,571	1,053	7	1	13	2	3,254	31	1,383	315,517
1	Hakha	538	8	51,869	122					32	1		52,439
2	Falam	337	9	65,260	273	2	1	13	2	48			65,660
3	Thantlang	54	3	65,916	135								65,970
4	Tedim	134	5	86,754	330	5				2,957	31	1,347	91,197
5	Tonzang	124	2	23,972	94					132		36	24,265
6	Rihkhuaadar	51	1	5,755	32								5,806
7	Cikha	51	1	10,044	67					85			10,180
Mindat District		58,910	162	155,781	905	130	1	28				2,681	217,530
1	Mindat	18,255	50	25,272	193							719	44,246
2	Matupi	133	10	50,447	246								50,580
3	Kanpetlet	6,926	33	10,687	123							1,962	19,575
4	Paletwa	33,575	68	57,379	306	130	1	28					91,112
5	Rezua	21	1	11,996	37								12,017
Total no.		60,199	192	465,352	1,958	137	2	41	2	3,254	32	4,064	533,047

Appendix B:
Translation of correspondence regarding orders to stop construction,
Case Study One

Officer-in-Charge of Christian Religion
_____ Village Tract
_____ Village
Kanpetlet Township

Date: 16 February 2009

Subject: Letter to Stop Construction of Christian Church for The Time Being

1. In regard with objections to construction of a Christian church in _____ village, _____ Village Tracts of Kanpetlet Township by a local Buddhist group with an accusation of not obtaining an official construction permission, it is learned that Pastor _____ said at a discussion with members of Village Peace and Development Council, Myanmar Police Forces, and village leaders that it is not a Christian church building but a house that is being constructed in the plot of land in prevention of possible intrusion of other constructions.
2. This is to inform that the building construction be stopped for the time being in order to avoid religious conflict and that the construction be continued only under the directions of Township Peace and Development Council.

Signature
Chairman
Village Tracts Peace and Development Council
_____ Village, Kanpetlet Township

Copy:

- Officer, Township Department for Religion, Kanpetlet Town
- Buddhist Monk, Hte-ra-wa-da Buddhist School, _____ Village
- Office record

Village Tracts Peace and Development Council
_____ Village Tracts, _____ Village
Letter No. 01/2-1/yah-yah-kah

Date: 2 March 2009

Chief of Police Station
Myanmar Police Force
_____ Police Station

Subject: Notice Letter to Ban Workers of Permanent Building

- Reference 1: Submitted letter dated 26.2.09 by Association of Buddhist Chief Executive
- Reference 2: Submitted letter date 26.2.09 by _____ Village public
- Reference 3: Letter of Prohibition dated 26.2.09 by this office

With regards to the above-mentioned subject and according to the letters submitted by Association of Buddhist Chief Executive of _____ Village Tracts and _____ Village public, it is learned that a Baptist church is unfairly constructing a building, not a private house, in _____ village for religious purpose in a plot of land given by former chairman of Village Peace and Development Council.

It is found that the construction is still carried out even though a letter of prohibition has been sent by this office. For this reason, it is to inform that the construction be stopped for the time being and that it will be continued only after obtaining an official permission from the relevant authority.

Therefore, it is to inform that the ongoing construction be banned and that necessary actions be taken against _____ group by the Baptist church that does not act in accordance with the letter of prohibition issued by relevant government authority.

Signature
Chairman
Village Tracts Peace and Development Council
_____ Village
Kanpetlet Township

- Copy:
- Pastor _____, _____ Village
 - Office record

Date: 3 March 2009

To
Chairman
Village Tracts Peace and Development Council
_____ Village Tracts

Subject: Letter of Confirmation for Construction of Private House, not Christian Church

It is to confirm that a private house, not a Christian church, is being constructed in a plot of land at No. 7 in _____ village, _____ Village Tracts, Kanpetlet Township.

Signature
Pastor _____
_____ Village

Copy:
- Office record

Date: 3 March 2009

To
Chief of Police Station
Myanmar Police Force
_____ Village

Subject: Letter of Notice for Discontinuation of Building Construction

Reference: Telegram Letter No. 4/U 6/031600 Time (09/march) Ref of Mah-yah-kah (Kah-pah-lah)

1. Letter of notice from Township Peace and Development Council to stop a building construction in _____ village, _____ Village Tracts of Kanpetlet Township is received as the above-mentioned reference.
2. It is therefore to inform that the building construction is stopped from 16:30 exactly.

Signature
Pastor _____
_____ Village

Copy:
- Office record

Appendix C: Translation of official instructions to destroy cross, Case Study Three

Village Tract – General Administrative Office
_____ Village Tract – _____ Village
Letter No. : 01/2-4/Oo 6
Date: 24 July 2011

TO _____

Subject: Letter of Notice to Demolish Crosses Already Erected

1. With regards to the above-mentioned subject about the crosses constructed by you, respected leaders, we have been informed by the Chin State government through a telegraph message;
 - a) That an official permission be obtained in conformity with procedures
 - b) That the leaders involved in constructing the crosses themselves destroy the current crosses.

This order has already been made known to you.

2. Therefore, this is to inform that those crosses must be demolished without fail by 10am in the morning on 25 July 2011 and that failing to do so will make you responsible for the consequences.

Signature
General Administrative Officer of Village Tract
_____ Village Tract
Kanpetlet Township

- Copy:
- Township General Administrative Officer, Department of Township General Administrative Office, Kanpetlet Township
 - Police Officer in Charge, Myanmar Police Force, _____ [sent so that action can be taken as necessary]

_____ Police Station
Kanpetlet Township
Letter No 01 (1) 232/U 11
Dated 24 July 2011

To _____

Subject: Matter regarding the construction of crosses on east and west ends of a bridge over

References

- (1) Letter of General Administrative Officer of Kanpetlet Township 221336 1 U 6 Yah/Tah Nah
- (2) Letter of General Administrative Officer of Kanpetlet Township 221600 Ching 2 U 6 (1) Tah Nah

With regards to the construction of crosses on the east and west ends of _____, we have received instruction from the Chin State Government containing the following points:

- (a) If you wish to carry out [the construction] you must follow proper procedures
- (b) The Police Chief should summon those leaders involved in the construction of the crosses to inform them that they themselves should destroy the crosses

Therefore, you are hereby informed to come to the _____ Township Administration Office as soon as you received this letter so that the police chief can explain to you about the above matters.

Lah – 156743/Police Chief Win Tint
Station Chief
_____ Police Station
Kanpetlet Township

Copies to:

- Kanpetlet General Administrative Office, Kanpetlet
- Office copy

Appendix D: Translation of official order to destroy cross, Case Study Three

[Impression of Seal]

Office of the District Religious Affairs Department
Mindat District – Mindat Town
Letter o 22/ha Tha ah – o (/ Oo) (136)

Date: 29 July 2010

To State Religious Affairs Officer
Chin State
Hakha

Subject: Matter Relating to the Construction of Cross

Ref: Letter of the Chin State Peace and Development Council dated 22/6/2010, o. 5/7/10 (Pah Yah ah) Oo 6.

1. I refer to the above reference letter in which you notified us about the construction of approximately 25 foot tall, steel-reinforced concrete cross on a hill top (at _____) located near _____ Village of _____ Village Tract, Mindat Township, without any official permission from the relevant local authorities, including the Ministry of Religious Affairs.
2. Therefore, as per your instruction regarding the cross, the job has been successfully carried out on 24 July 2010. Photo evidence showing that the job has been completed is hereby attached.

Signed
(Win Myint)
Assistant Director
Office of the District Religious
Affairs Department
Registered
Letter No318/2010
Date 11/8/2010
Time 1:30 p.m.



Appendix E:

Sample of translated complaint letters filed by Chin Christian missionaries in Ann township, Arakan State, 1998 – 2007

To: General Secretary

Date: 4.6.2007

Subject: Reporting on a step-by-step occurrence of religious oppression, torture and persecution

With regards to the above matter, Buddhist monk _____ from _____ Chin village and a Buddhist monk from _____ village as well as Buddhist Trustee members violently tortured Christian members of Baptist and Roman Catholic denominations in _____ and _____ villages, Ann Township, Rakhine State.

Buddhist monk _____ together with a _____ Buddhist monk, claimed to be sent from Naypyidaw, stepped up violent religious oppression under the leadership of U Ba Win, U Win Kyaw, and U Than Maung. _____ Village Tract chairman and U Saw Hlah, a local in charge of 100 households from _____ as well as members of Village Peace and Development Council, openly neglected this matter.

A Step-by-Step Occurrence of Violence and Interrogation

On 17.2.2007, Buddhist monk _____, U Ba Yin, U Win Kyaw and U Than Maung called a meeting after claiming they received an order from the township authority. They ordered in a written letter Rev. _____ from _____ village to attend the meeting without fail. Some local Christians also went to the meeting out of fear after being threatened with sticks at their houses.

At 8pm on 17.2.2007, member of Buddhist Trustees U Ba Yin and two monks, Lance Corporal Kyaw Myint Hlaing and two Privates threatened leaders of Baptist Christians and Rev. _____ to attend the meeting held at the house of U Saw Hla, a local in charge of 100 households in _____ Chin village. Police Officer, Buddhist monks and Buddhist Trustee member U Ba Yin said each Christian family in _____ Chin village would have to contribute 15 posts of 14 inches dimension and about 7 ft in length for building _____ Chin village Buddhist monastery fences. Rev. _____ asked Police offices, monks and Buddhist trustee members if they could cancel the fixed numbers (15 posts) but rather let the poverty-stricken Chins donate as much as they can afford and they replied that 15 posts must be donated without fail.

Around mid-day on 21.3.2007, Leader of _____ Baptist Church _____ was summoned to the Buddhist monastery and threatened that the Baptist Christians would be evicted to a new location about 9 miles away from the village if they didn't donate 15 posts for building Buddhist monastery fences.

At 8:20am on 22.3.2007, a Buddhist monk from _____ Chin village, _____ Buddhist monk, and members of Buddhist Trustees arrived at _____ village and shouted in the village that Rev. _____ would be hand-cuffed behind his back and beaten up, that his wife would be arrested and killed if the pastor was not there, according to _____. It occurred at the same time when the pastor was going to his farm and his wife _____ was out searching for something to cook.

At 11am on 22.3.2007, the pastor arrived at _____ village to have meal and was told what the monks and his group had threatened as below:

“The pastor would be killed; his wife would be killed. They asked the villagers and some women hid in fear. Some teenagers playing the village including a 10-year-old girl _____, a 12-year-old boy _____, and an 18-year-old high school student girl _____ were asked and threatened with sticks if they knew where the pastor was, and _____ ran away.”

At 2:29pm on 22.3.2007, two Buddhist monks and their group arrived at _____ village again. At that time, the pastor and his wife _____ were staying at his father-in-law _____ house. When the Buddhist monks and their group got in front of _____ house, they asked if the pastor was there but were not answered. They went to the pastor’s house and destroyed the house with hammers and spades. (The pastor’s house was used as a worship place as they didn’t have a church). It was heard during the destruction: “Christian religion will be wiped out; Christianity is a foreign religion; don’t they know Burma’s government do not want a foreign religion – Christianity?” At that time, Rev. _____ and his wife as well as some Christian members controlled their anger and stood crying sadly. People openly suffered from religious persecution and oppression like a kingless country. Wood planks and materials from the destroyed house were taken with two bullock-carts to _____ Chin village.

About 7:30am on 24.3.2007, _____ and her son _____, Baptist members in _____ Chin village, were severely beaten up by people from Buddhist monastery of _____ village, and informed a Christian pastor in _____ village of the incident while they were still bleeding from the attacks. Relatives of the victims who tried to take revenge out of anger were persuaded to forgive. The family members who had serious injuries were comforted by saying that the government would take serious action against Buddhist monk and his group who not only burnt down bullock carts belonging to Catholic members but also ruthlessly attacked Christians just like a killer against the Buddhist culture and practices. At 8:30am on 24.3.2007, _____ and her son _____ were taken to _____ Police Station, Ann Township to report the incident.

At 4pm on 24.3.2007, Police Officer in charge of _____ Police Station Aung Naing and some policemen came to _____ Rakhine village, summoned a Christian pastor from _____ village again and conducted an interrogation.

At 4:20pm on 24.3.2007 under the leadership of District Police Officer U Than Soe, Township Peace and Development Council Chairman U Kyi Win, Head of Ann Township, Ann Township Religious Affairs Officer U Win Myint and his members interviewed a Christian pastor and me about the incident at the _____ Rakhine Village Primary School of _____ Village Tract. District Police Officer U Than Soe said action would be taken against them according to the laws.

What U Win Myint told Rev. _____ in front of District Police Officer and his members was that Ministry of Religious Affairs and Office of Ann Township Religious Affairs had been informed that not only Christian members but also other religion believers/followers across Myanmar would make contributions for building monastery fences and other materials needed. When Rev. _____ asked for the document, U Win Myint said he forgot it at the office of Ann Township Religious Affairs Department.

The above-mentioned matter had been reported in a written form dated 27 March 2007 to Township Police Officer of Rakhine Township.

Signature

(Rev. _____)

_____, Ann Township

Copied to:

- Minister, Ministry of Home Affairs, Naypydaw
- Minister, Minister of Religious Affairs, Naypyidaw
- Chief Commander, Northern Regional Command, Ann Town
- Head of State Police Force, Sittwe Town, Rakhine Township
- Head of District Police Force, Kyaukphyu Town, Rakhine Township
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“Our people are still faced with threats to our existence... forced assimilation attempts, attempts to coerce us to convert our religion, the various restrictive measures, and finally the attempts to force us into submission under the tight control of one centralized government.... The situation in our homeland has pushed many of our people out of the country. What matters most now is our attitudes towards our homeland and the future survival of our people.”

**The late Rev. Dr. Sang Awr,
former President of the Zomi (Chin) Baptist Convention**