Persecution and coerced conversion of ethnic Chin Christians in Burma

Panel: Religion, Culture and Rights
Background
Historical background

- Around 500,000 Chin people live in present-day Chin State (estimated 1.2m in total in Burma)
- Ethnically, the Chin are very diverse (more than 60 sub-tribal groups)
- Following British occupation in 1871, relatively rapid conversion from different forms of animism to Christianity
- Today, almost 90% of the Chin are Christian
- Strong political identification with Christianity; Christianity as a unifying factor for the Chin
Roots of discrimination

- Burman nationalism long rooted in Buddhism
  [Lian H. Sakhong, 2003]
- Chin political identification with Christianity a source of resentment under successive military regimes, and today
- It is viewed as a threat to creating a ‘national identity’ rooted in Buddhism within Union of Burma
- Deep-rooted discrimination on dual basis of ethnicity [Chin] and religion [Christianity]

Resulting in:
- Decades-long pattern of human rights violations against Chin, including of religious freedom
- 70% + of Chin people live below the poverty line: among poorest in Burma [UNDP, 2010]
Current context in Burma

- Since March 2011, Pres. Thein Sein’s gov’t has initiated reforms, but not systemic
- Militarization has increased in Chin State in 2012
- Long-standing human rights issues not yet addressed
  [see reports by UN Special Rapporteur on Burma, Mr. Quintana]
- Ongoing HRVs by State actors against ethnic and religious minorities
- Current reforms in Burma do not yet extend to religious freedom
Religious freedom
International human rights framework

Right to freedom of religion is a fundamental human right:

- Art. 18 of UDHR
- Art. 18 of ICCPR
- Arts. 14 & 30 of CRC [Burma has ratified]
- 1981 UN Declaration
- Enshrined in various regional HR instruments
- Special Rapporteur on ‘religious intolerance’ mandated by the UN HRC since 1986, now ‘freedom of religion or belief’

Key points:

- In 2010 UN HRC extended the Special Rapporteur’s mandate by 3 years = key global HR issue
- Human Rights Committee [ICCPR monitoring body]: *forum internum* [right to choose a religion] is an absolute, non-derogable right
- Special Rapporteur on FoRoB: “Any form of coercion by State and Non-State Actors aimed at religious conversion is prohibited under international human rights law, and any such acts have to be dealt with within the remit of criminal and civil law.”
Religious freedom in Burma

- Religious freedom ‘protected by law’ under 2008 Constitution, but limitations ['public order and morality']
- In reality, Buddhism treated as de-facto State religion
- Discriminatory restrictions imposed on minority religions
- State resources used to aggressively promote and propagate Buddhism [majority religion]
- Different aspects of religious freedom routinely violated in the Chin case
Figure 2: Overview of the Ministry of Religious Affairs

- Ministry of Religious Affairs
  - State Sangha Maha Nayaka Committee
  - Department of Religious Affairs
    - Religious Affairs and Vinnicchaya Division
    - Examination Division
    - Administrative Division
    - Printing and Publishing Division
  - Department for the Promotion and Propagation of Sasana
    - Missionary Work in Border & Hilly Regions (Hill Regions Buddhist Mission)
  - International Theravada Buddhist Missionary University
The Chin case
The Chin case: Discriminatory restrictions & destruction of Christian infrastructure

Cross desecrated and destroyed by local Buddhist youths, following orders from Chin State gov’t [2011]

- Discriminatory restrictions [permission must be sought, and frequently denied, to build Christian infrastructure], in the context of State-led rapid expansion of Buddhist infrastructure
- 15 pagodas built with forced labour
- 13 large crosses destroyed over past two decades
- 4 of those destroyed since President Thein Sein’s government took power in March 2011

Chin Christians ordered to destroy a cross they planted [2010]
The Chin Case: Violations of freedom of religious assembly

Case Study A: Christian conference disrupted, Chin State

“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 March 2012]
The Chin Case: torture & ill-treatment of Chin Christians

- 40 separate incidents of torture or ill-treatment perpetrated by State actors documented by CHRO
- Pattern of torture based on discrimination on the dual basis of ethnicity [Chin] and religion [Christian]

[The document to the right first appeared in Chin State in 1992, and it continues to circulate in the area]
Coerced conversion & forced assimilation
The Chin case: Forced assimilation (1)

Protection from forced assimilation and coerced conversion:
- Art. 8 of UNDRIP
- Arts. 14 & 30 of CRC [Burma has ratified]
- Art. 18 of ICCPR [Burma hasn’t ratified]

Gov’t’s “Border Areas National Races Youth Development Training Schools” a.k.a. Na Ta La residential schools are targeted at impoverished Chin. Schools operating directly under the military, separately from the underfunded State education system.

Gov’t: Schools a key component of a ‘30 year master plan for the development of border areas and national races’ – the language used to assert that the gov’t is actively promoting ethnic and religious minority rights as part of its obligations under CRC.

Na Ta La school in Tedim town, Chin State
Figure 3: Overview of the Ministry for Border Affairs

1. Directorate of Border Areas and National Races Affairs
2. Education & Training Dept.
3. Municipal Bank Ltd.
4. Dept. of Municipal Affairs
The Chin case: Forced assimilation (2)

- Chin Christians prevented from practising Christianity at the Na Ta La schools
- Forced to follow Buddhism; beaten when they can’t recite Pali scriptures on demand
- Ordered to shave their heads and wear monks and nuns robes
- Coerced to convert to Buddhism, primarily via the threat of military conscription

Na Ta La school in Kanpetlet
Case Study C:

“If you are so stubborn and refuse to be Buddhist, you need to do stand-up-sit-down exercises like this [x 3000] so that you will be strong when you are in military training. If you don’t want to be a monk, you must join the military.”

[Headmaster of Na Ta La school, 2010]

Case Study D:

“As a Christian girl it was not appropriate for me to carry on living at that school so I took off my nuns’ robes and left them there. I ran to a village, 20 miles away. The monks from the school came there with soldiers from Light Infantry Battalion 274, looking for me. They told me, ‘You have to come back to the school or else you will be forced to join the army.’ ”

[20 year-old Chin woman, May 2011]
Forced migration
• Aizawl, Mizoram State, India: 75-100,000

• New Delhi, India: 12,000

• Malaysia: 50,000

- Decades-long pattern of human rights violations = definition of persecution
- Resulted in forced migration
- Figures from local Chin refugee CBOs, include recognised refugees and asylum-seekers
- ‘Voluntary repatriation’ overwhelmingly rejected by Chin refugees as a durable solution [2012]
Forced migration: the situation of Chin refugees in Malaysia

- Malaysia not a signatory to the 1951 Refugee Convention or 1967 Protocol and no recognition of refugees under Malaysian law
- Vulnerable to arrest, abuse and extortion by RELA, police & immigration forces
- Prolonged detention in immigration detention camps in appalling conditions
- Inhuman punishments such as judicial caning
- No legal right to work
- Exploitation by employers
Forced migration: the situation of Chin refugees in Mizoram

- India not a signatory to the 1951 Refugee Convention or 1967 Protocol
- Ethnic kinship allows for Chin refugees to assimilate with the local community to some extent
- No form of legal protection from Indian gov’t
- No access to UNHCR or humanitarian assistance
- Vulnerable to protection threats such as mass arrest and forced return by the authorities and local communities
Forced migration: the situation of Chin refugees in Delhi

- Can take up to 2 years for Refugee Status Determination decision from UNHCR
  - Subsistence allowance only for recognised refugees
  - Very difficult to find work; high levels of exploitation
  - Increase in number of violent attacks by local people; no redress from police, v. limited assistance from UNHCR and partners. [117 attacks 2010-2012. Source: Chin Refugee Committee, New Delhi]
  - UNCHR India continues to pursue policy of local integration as primary durable solution, thereby limiting resettlement opportunities out of Delhi
Conclusions
- The Chin in Burma face ongoing persecution on dual basis of ethnicity & religion
- Concrete measures needed at all levels of Burma gov’t to tackle discrimination and protect and promote human rights
- Far-reaching reforms of gov’t Ministries are required, including: abolition of the Ministry of Religious Affairs and the military-run Dept. of Education & Training under the Ministry for Border Affairs
- Gov’t must devise & implement a plan for staged withdrawal of Burma Army troops from ethnic areas to begin before 2015 elections
- Voluntary repatriation for Chin refugees will not be a durable solution for the foreseeable future: UNCHR India must adopt cohesive policy of third country resettlement as the primary durable solution for refugees

Boys carrying rice 8 miles from Kanpetlet town to their village at the height of the food crisis [2010]