

JANUARY 2009



SUMMARY AND RECOMMENDATIONS

# “WE ARE LIKE FORGOTTEN PEOPLE”

The Chin People of Burma: Unsafe in Burma, Unprotected in India

HUMAN  
RIGHTS  
WATCH



Chin prisoners forced to construct a road in northern Chin State, Burma, June 2007. Those without chains are scheduled to complete their sentences soon and less likely to run away.

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# “WE ARE LIKE FORGOTTEN PEOPLE”





**On the morning of October 20, 2007, L.H.L., a 28-year-old Chin university student, was leaving his village in Thantlang township to pay his exam fees at Kalaymyo University when Tatmadaw (Burmese Army) soldiers stopped him and ordered him to carry their rice rations to the next village, a three-hour journey by foot. When L.H.L. refused, the soldiers beat him and forced him to porter their bags of rice.**

Upon arriving at the village, the soldiers ordered L.H.L. to continue to carry their supplies to an army camp several days away by foot. When L.H.L. refused, the soldiers ordered the local police to arrest him. He spent one week in a police lock-up confined to a small cell and provided with little food. To gain his release, the police forced L.H.L. to pay 300,000 Burmese Kyat (US\$255) and sign a statement agreeing to comply with military orders and to refuse any contact with the ethnic opposition under penalty of re-arrest. Before being released, the police confiscated his national identity card. Without an identity card, L.H.L. could not travel outside his village. No longer able to attend university and living as a de facto prisoner in his village in fear of re-arrest, L.H.L. fled Chin State. Prior to this incident L.H.L. had served as a porter and forced laborer for the military more than 30 times.

L.H.L.'s account is one of many from Chin State, Burma, where abuses have led tens of thousands of Chins to flee, mostly to India, but also to Malaysia and Thailand. The perpetrators are members of the Burmese Army, or *Tatmadaw*, and other agents of the military government, the State Peace and Development Council (SPDC).

Ethnic communities in Burma have long borne the brunt of abusive military rule, which has prevailed in the country since General Ne Win staged a coup against the democratically elected government in 1962. This report documents ongoing human rights abuses and repression in Burma's western Chin State, which borders India. The conditions faced by ethnic Chin are largely underreported, in part due to restrictions imposed by the military government and the inaccessibility of the region.

Chins interviewed by Human Rights Watch in India and Malaysia between 2005 and 2008 provided reports of serious abuse perpetrated by the *Tatmadaw* and SPDC government. These include forced labor, torture and mistreatment, arbitrary arrest and detention, severe reprisals against members of the opposition, restrictions on movement, expression, and religious freedom, extortion and confiscation of property, abusive military conscription policies, and extrajudicial killings. To a lesser extent, Chin interviewees reported that Chin opposition groups, such as the Chin National Front (CNF) and its armed division the Chin National Army (CNA), extort money and commit other abuses against Chin civilians.

Families stay in bamboo huts. Four decades of military rule, political instability, and economic mismanagement has resulted in widespread poverty across Burma. In Chin State some 70 percent of the population lives below the poverty line. Chin State, Burma. October 2008.

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*[The military intelligence officers] tied my hands together and hung me from the ceiling. They used sticks to beat me. They had a tub of water and they covered my face with a cloth and would dunk my head under the water until I fell unconscious. When I regained consciousness, they would do it again. For the entire week, they didn't give me any water for drinking. I was so thirsty so I told them I wanted to use the toilet. When I got to the toilet I drank the toilet water.*

—FORMER CHIN POLITICAL PRISONER FROM HAKHA TOWNSHIP, CHIN STATE, BURMA

*The army has called me many times to porter, more than 10 times. When I cannot carry their bags, they beat me. [The soldiers] get angry and slap us and kick us. They tell us to go faster. When I tried to refuse, they beat me. They said, "You are living under our authority. You have no choice. You must do what we say."*

—CHIN WOMAN FROM THANTLANG TOWNSHIP, CHIN STATE, BURMA

*We need protection. We can be deported back at any time by the Mizoram government or the YMA [Young Mizo Association]. Most of us will be killed or permanently jailed if we are deported to Burma. We are refugees, but we are not recognized as such.*

—CHIN REFUGEE LEADER LIVING IN LUNGEI, MIZORAM, INDIA





Chin villagers seeking rice walk up to four days to cross the border to India, Chin State, Burma. August 2008.

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A Christian cross in Matupi township, Chin State, Burma, March 2005. Later that year the cross was destroyed by the Burmese Army, or Tatmadaw, to make way for a helicopter pad. In rural Burma, the military government repeatedly demonstrates its intolerance towards non-Buddhist religions. Several Chin interviewees told Human Rights Watch about the destruction of Christian churches and crosses by the SPDC in Chin State.

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***“The SPDC destroyed our prayer room a couple of years ago and they used the material from our prayer room to build their own houses.”***

— HUMAN RIGHTS WATCH INTERVIEW WITH N.S.,  
AIZAWL, MIZORAM, INDIA, MARCH 2, 2008.

In addition to the abuses perpetrated by the *Tatmadaw*, policies and practices of the military government have undermined the ability of Chin people to survive in Burma. Demands for forced labor by the military regularly disrupt people's trade, businesses, and daily work. Chin farmers and their families, who rely on their harvests for sustenance and livelihood, are particularly affected by the regular demands

for forced labor. Arbitrary fees and extortion by the SPDC further hinder the ability to own, hold, and dispose of personal property and income. Ethnic and religious discrimination by the SPDC limit the Chin Christians from obtaining better paying government jobs and promotions. Increased militarization of Chin State since 1988 when thousands were killed and imprisoned in a nationwide uprising against the military government has resulted in more abuses, causing many Chin to flee Burma.

This report also examines the discrimination and abuses Chin people face in India's Mizoram State at the hands of voluntary associations and Mizoram authorities, and the continuing lack of protection for Chin refugees there. Mizoram State in India, which shares a 404-kilometer border with Chin State, is the primary destination for Chin fleeing from Chin State. According to Chin community leaders and long-time residents of Mizoram, the Chin population in Mizoram is estimated to be as high as 100,000, about 20 percent of the total Chin population in Chin State. In addition to proximity, the people of Chin State and Mizoram also share a common history and ethnic ancestry, making Mizoram a particularly attractive place for Chin to seek refuge.

Although most Chin go to Mizoram to escape ongoing human rights abuses and persecution, the Chin in Mizoram also face abuses, severe discrimination, and religious repression. In part due to their lack of legal status and discrimination, they encounter serious obstacles to finding jobs, housing, and affordable education. During periodic “anti-foreigner” campaigns, Mizo voluntary associations and the Mizoram authorities target the Chin and threaten them with forcible return to Burma. Thousands of Chins have been rounded up and forcibly returned by Mizo voluntary associations and Mizoram authorities.

Chin in Mizoram lack basic protection of their rights and adequate humanitarian assistance. India does not offer protections promised to refugees under international law. India has not signed the 1951 Convention Relating to the Status of Refugees or its 1967 Protocol, and the Chin face discrimination and threats of forced return by Mizo voluntary associations in collusion with the Mizoram authorities.

Only those who make the 2,460-kilometer trek to New Delhi, where the United Nations High Commissioner for Refugees (UNHCR) has an office, may have their refugee claims decided and be considered for resettlement to third countries. So far about 1,800 Chin have made their way to New Delhi, of whom UNHCR has recognized 1,000 as refugees. As many as 30,000 Chin have fled to Malaysia hoping to obtain UNHCR recognition.



Chin villagers forced to build a road between Mindat and Matupi townships, Chin State, Burma.

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In Mizoram, the state and federal governments do not recognize the Chin living along the border as refugees and bar UNHCR from accessing them. Although India is not a party to the Refugee Convention, it is nevertheless bound by customary law to respect the principle of *nonrefoulement*, which protects refugees and asylum seekers from being returned to any country where their lives or freedoms would be threatened.

With continuing reports of abuses and severe food shortages spreading throughout the impoverished Chin State, it is unlikely that the exodus from Chin State will slow anytime soon. Without acceptance by the Mizo population, protection by the Indian and Mizoram government, or access to outside

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*We have to do a lot of work for the SPDC without getting paid any salary. We have to work for one full day and then we cannot do our own work for that day. Sometimes they called me one time per week; sometimes two times in one week.*

— HUMAN RIGHTS WATCH INTERVIEW WITH L.T.P., CHAMPHAI, MIZORAM, INDIA, MARCH 11, 2008.

humanitarian assistance, the Chin in Mizoram live in constant uncertainty. According to one Chin woman interviewed by Human Rights Watch in Mizoram, India, “we are like forgotten people.”



Sign posted in Chin State, Burma, marking land confiscated for a jatropha plantation. The sign says: "Falam Township Education Department, Jatropha Plantation, 2006-2007, 534 acres." The military government has increased efforts to develop potentially lucrative tea and jatropha plantations in Chin State. In some instances, army officials confiscate land for these plantations from villagers without compensation.

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*"If the crops are not successful, then my family needs to pay fines. We even need to buy the seeds to plant in the fields. If we can't pay the fines or buy the seeds, the SPDC just take it from the salaries of my father and brother. No one can own anything privately in Burma. The SPDC even takes the land away from the rightful owners to grow their own plantations."*

—HUMAN RIGHTS WATCH INTERVIEW WITH L., AIZAWL, MIZORAM, INDIA, MARCH 2, 2008.



A three-year-old boy is suffering from worms in Chin State, Burma. In Chin State, 40 percent of the population are without adequate food sources. Access to healthcare is limited.

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Unharvested corn on the stalk, eaten by rats, Paletwa township, July 2008.

Rats began decimating harvests in Chin State in late 2007, and the effects are expected to last for at least another two or three years. As one woman said *“There are many, many rats. They eat all our rice in the field. Most people in my village do not have food to eat so they take roots from under the ground and eat that instead of rice. ...At the same time, we need to spend a lot more money to pay for the food and the fees for school. This is the situation.”*

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***“Although the famine has been reported, the SPDC has done nothing about it.”***

— HUMAN RIGHTS WATCH INTERVIEW WITH THE CHIN FAMINE EMERGENCY RELIEF COMMITTEE, AIZAWL, MIZORAM, INDIA, MARCH 9, 2008.



A woman from Chin State collects plastic in a garbage dump in Mizoram, India. March 2008. Many Chin reported discrimination in employment and a lack of stable job opportunities in Mizoram. Without proper documents, Chin are relegated to informal work, performing jobs that are typically temporary, labor-intensive, low-paying, and sometimes dangerous.

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The only hope for many Chin is change in Burma. For change to occur, the Burmese government should:

- Acknowledge and prevent ongoing rights abuses in Chin State.
- Develop a legal framework to investigate, prosecute, and address abuses.
- End the *Tatmadaw's* forced extraction of money, food, and labor from Chin communities.
- Allow United Nations (UN) and humanitarian agencies unfettered access to all areas of Chin State.

Considering the prolonged presence of the Chin community in Mizoram and the likelihood of continued flows of Chin into Mizoram from Burma, Human Rights Watch urges the Indian and Mizoram governments to:

- Prevent all arbitrary arrests, forced evictions, assaults, acts of intimidation, and forcible returns of Chin people by Mizoram authorities and Mizo voluntary associations, such as the YMA.
- Allow UNHCR access to asylum seekers and refugees living on the Mizoram-Burma border.
- Establish a process for Chin to obtain work permits and ensure labor protections extend to Chin laborers. Create accessible complaint mechanisms for Chin workers who face discrimination or abuse in the workplace. Remove and rehabilitate children involved in hazardous occupations in accordance with Indian law.
- Ensure all children have access to primary education without requiring proof of legal identity.

(right) A woman from Chin State collects plastic in a garbage dump in Mizoram, India. March 2008. Many Chin reported discrimination in employment and a lack of stable job opportunities in Mizoram. Without proper documents, Chin are relegated to informal work, performing jobs that are typically temporary, labor-intensive, low-paying, and sometimes dangerous.

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A Chin cross-border trader and her son collects vegetables in Chin State to sell to shoppers in Mizoram, India. March 2008. Some Chin find work as cross-border traders to support their families in Chin State. Burmese Army soldiers impose additional arbitrary charges on cross-border traders carrying goods from Chin State to Mizoram, and failure to comply may result in arrest.

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## “WE ARE LIKE FORGOTTEN PEOPLE”

### The Chin People of Burma: Unsafe in Burma, Unprotected in India

Ethnic Chin of Burma’s far-flung western Chin State have long borne the brunt of abusive military rule. Ongoing repression and abuses by the Burmese military, combined with policies and practices of the military government have caused thousands of ethnic Chin to flee the country. Most go across the border to India, and some to Malaysia and Thailand.

Using firsthand testimony, *“We Are Like Forgotten People”* highlights everyday accounts of forced labor, arbitrary arrest and detention, killings, torture, and other serious human rights violations perpetrated against the Chin. To a lesser extent, Chin people also describe extortion and other abuses at the hands of Chin opposition groups.

Based on approximately 140 interviews over three years, this report sheds new light on human rights violations in one of Burma’s poorest states. Abuses in Chin State are largely underreported, in part due to restrictions imposed by the military government and the inaccessibility of the region, which makes the Chin “like forgotten people.” The Burmese government should acknowledge and end all abuses against Chin people, and allow the UN and humanitarian agencies unfettered assistance to Chin state.

*“We Are Like Forgotten People”* also examines the situation across the border in Mizoram State, India, where Chin people face discrimination, religious repression, and other abuses. Thousands of Chins have been rounded up and forcibly returned by voluntary associations and local authorities. The Indian government should extend protection to Chin living in Mizoram, which means stopping them from being forcibly returned to Burma, and allowing UNHCR access to refugees and asylum seekers in Mizoram.

*A prisoner in chains is forced to construct a road in northern Chin State, Burma, June 2007.*

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