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## Arbitrary Taxation & Extortion

### Villagers Forced to Buy Calendars of 64th Chin State Day

**5 November 2011:**

**V**illages in Falam Township, Chin State have been forced to buy calendars published in commemoration of the 64th anniversary of Chin State Day, a member of a village council reported to the Chin Human Rights Organization (CHRO).

The secretary of Township Administration Department came to Thipcang village in Falam Township on 7 November 2011 and forced six villages in Zawngte Village Tract to buy the calendars with 1,000 kyats per copy.

The village head paid the stipulated money to the township office since no one wanted to buy them and he did not know how to collect the amount later from the villages. The six villages forced to buy the calendars in Zawngte Village Tract were:

1. Haimual Village for 3 copies
2. Thipcang Village for 4 copies
3. Hnahthial (A) Village for 8 copies
4. Hnahthial (B) Village for 4 copies
5. Ngailan Village for 3 copies
6. Zawngte Village for 8 copies

In addition to collecting the money for the calendars, the secretary of the Village Administration Department of Thipcang also collected a total of 400 kyats from each household for the cost of syllabus for the Village Administration Department training at monthly regular meeting conducted by Township Administration Office. #

**Village Tracts Football Matches of Thantlang Township, Chin State (Photo: CHRO/Remte)**



### Money Collected from Students for Football Matches

**13 November 2011:** Students in Thantlang Township in Chin State have been collected money for the zonal football matches, a local staff from the Education Department reported to the Chin Human Rights Organization (CHRO).

Under the directions of the head of Township Education Department, schools were divided into groups for money collection purpose and the amount was fixed in line with the number of students.

Principals of each school group were responsible for submission of the money collected with the

deadline made on 15 November 2011.

From 4 November 2011, the amount of 270,000 kyats was collected from schools in Tlanglo and Tlangpi villages of the Tlangpi group, with another 400,000 kyats from schools in Lungding, Vanzang and Farrawn of the Farrawn group respectively.

A total amount of 21,000 kyats was then deducted from the monthly salary of the headmistress for 21 copies of the English Supplement and the same amount was collected again from 130 students of the Tlanglo primary plus school, according to the local.#

## Soldiers Forcibly Seized Medicines and Cosmetic Products

**22 November 2011:** Sergeant Myo Myint and his three soldiers from Burma Army Light Infantry Battalion (LIB) No. 268 based in Tibual village in Falam Township, Chin State forcibly seized some medicines and cosmetic products at Thipchang village near the Indo-Burma border, an eye-witness reported to the Chin Human Rights Organization (CHRO).

On 17 October 2011, the soldiers seized

by force some medicines and cosmetic products from Mr. Nung Kip Ling aged 47 from Sekan Village in Sagaing Division although he obtained a government approved license for dealing with medical products.

It is claimed that the seized goods cost 15,000 kyats in the current market price.

Mr. Ngun Kip Ling is known to have run his business by taking medicines and cosmetic products on credit from clinics in Kalaymyo and sold them near and across the Indo-Burma border to earn a living for his family. #

**“... the soldiers seized by force some medicines and cosmetic products although he obtained a government approved license for dealing with medical products. ...”**



## Army Soldiers Detained Chin Trader for 600,000 Kyats

**25 November 2011:** Soldiers from Burma Army Light Infantry Battalion (LIB) No. 268 seized 15 cattle and detained the Chin owner as he could not afford to pay the amount of cash on demand, a local eye-witness informed the Chin Human Rights Organization (CHRO).

An ‘unidentified’ Army Captain and his six soldiers from LIB No. 268 based in Tibual, Falam Township demanded a total of 600,000 kyats from the Chin trader from Siaphu village in Sagaing Division and his colleagues at Singai village on 24 October 2011.

“The captain was on his way to Tibual military camp

when Sergeant Myo Min and his three soldiers stopped the Chin trader with his cattle. The trader got 100,000 kyats after selling his three cattle to the local headmaster in a desperate situation. He pleaded Sergeant Myo Min several times to accept the money,” added the eye-witness.

“The sergeant kept denying to accept the money instead he detained one of his colleagues who looked after the cattle in lieu of the demanded money with a payment deadline set to 10 November 2011 and released the cattle owner,” said the local.

On 26 October 2011, the cattle owner went to Vaiphai village in Mizoram State of India to sell his cattle but was having difficulties to secure the release of his colleague detained by Burma Army soldiers. #



(Photo: CHRO)

## Money Forcibly Collected for Various Govt Funds

**28 November 2011:** Local authority in Haimual village in Falam Township, Chin State collected money by force from each household and from students to be spent for government expenses, a local reported to the Chin Human Rights Organization (CHRO).

The 'unnamed' responsible village administrative head was said to have collected a total amount of 800 kyats from each household and another 200 kyats from each student in the second week of September.

"The money was collected from each household and also from the students at the same time but no one didn't know exactly what it was for. And it was very difficult for a family having more than one student to pay the demanded amount of money," added the local.#

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*"Local authority collected money by force from each household and from students to be spent for government expenses."*



Primary School in Falam Township, Chin State (Photo: CHRO)

## Burmese Soldiers Forfeited Local 8 Buffaloes

**13 December 2011:** Burma Army Light Infantry Battalion (LIB) No. (140) based in Matupi, Chin State forfeited 5 big buffaloes and another 3 smaller ones belonging to the local as a penalty for trespassing their camp area, a local eye-witness reported to the Chin Human Rights Organization (CHRO).

The Chin owner lost 8 buffaloes in the last week of October 2011 to the soldiers with his knowledge as he was not informed of the incident, according to the local eye-witness.

"There is no fencing around the army camp and animals usually trespass the area. The owner of the buffaloes is from Phaneng village in Matupi. He is afraid of being named publicly as the owner because he knows that the soldiers would take severe action against him later," he reported.

Soldiers from LIB No. 140 and 304 based in Matupi have been accused of killing domestic animals such as mithuns, pigs and chickens under many pretexts and of forcibly demanding the cost of bullets used, according to sources. #

## Forced Labour

### Forced Labour, Extortion Persist in Chin State

01 November 2011:

Villagers in Chin State are still facing forced labour and arbitrary extortion committed by Burma Army soldiers on patrol and local government authorities, sources from the Chin Human Rights Organization (CHRO) said.

Captain Zarni Htun and four soldiers from Light Infantry Battalion No. 274 ordered four villagers from Bukphir, Tedim Township to carry an electric generator and their military rucksacks up to Darkhai village in Tonzang Township for about 12 hours in mid October.

One of the villagers, who eye-witnessed the situation, told CHRO that the four Chin locals, aged between 20 and 30, did not receive any payment for their labor for the two days that they were forced to work.

In May this year, the International Labour Organization (ILO) made a visit to Hakha, Chin State, and conducted an awareness-raising on the issue of forced labour with the local authorities involving more than 160 officials from across the state.

Around mid last month, Chin locals from villages sharing the road connecting Falam Town of Chin

State and Vaphai, Mizoram State of India were forcibly asked to work on road maintenance and to repair bridges in preparation for an inspection visit by the Minister for Transport of Chin government.

CHRO's sources revealed early last month that Burma Army soldiers based in Bukphir village, Tedim Township shot a pig belonging to a local farmer for their military ration.

The soldiers were reported telling the Chin owner they took one-third of the meat for the cost of their bullet, adding: "They had mistaken the pig for a wild boar in the jungle."

Since July this year, soldiers from Light Infantry Battalion No. 304 on duty at the gate of Matupi Town, Matupi Township have been collecting 2,000 kyats from local travellers who do not bring their identity card with them on demand.

One local Christian pastor, whose details are kept anonymous, was also forced to pay the demanded fees on 31 August 2011, according to a source from CHRO.

Almost 92 percent of people surveyed in Chin State had been subjected to at least one incident of forced labour in the year before February/March 2010, according to a January 2011 report 'Life Under the Junta: Evidence of Crimes Against Humanity in Burma's Chin State' by the Physicians for Human Rights. #

Chin locals including children forced to work at night (Photo: CHRO/LL)



## Chin Villagers Forced as Porters by Army Soldiers

**18 November 2011:** Despite reforms and political changes voiced by the new government of Burma, villagers in Chin State are still facing forced labour, extortion and rights violations committed by soldiers on patrol.

Burma Army soldiers from Light Infantry Battalion No. 274 based in Darkhai village forcibly ordered Chin locals from 10 villages of six village tracts in Tedim and Tonzang townships on 20-22 October, according to the Chin World Media.

One of the Lalta villagers in Tedim Township was quoted by the Chin World Media as saying each village was ordered to hire six horses to carry military materials and a total of 60 horses were used.

"Each horse cost 6,000 kyats and the villagers had to pay for all the hiring fees, without any compensation from the authorities or army soldiers," added the Chin local.

However, it was later claimed that locals from Thuitang village in Tonzang Township received 5,00 kyats for each horse from the soldiers.

In some villages, children and women including school teachers were also involved as forced porters in carrying and accompanying the horses for at least six miles between Zampi and Darkhai villages in Tonzang Township.

Early this month, the Chin Human Rights Organization (CHRO) reported that Captain Zarni Htun and four soldiers from Light Infantry Battalion No. 274 forced Chin locals from Bukphir in Tedim Township to carry an electric generator and military rucksacks up to Darkhai village in Tonzang Township.

There are more than 50 military camps with 12 battalions of Burma Army soldiers stationed and on patrol across Chin State after 1988 when only two battalions were being deployed. #



## Six Villages Forced to Grow Three Acres of Jatropha

**30 November 2011:** Six villages in Falam Township, Chin State were forced to grow at least three acres of jatropha in each village, a local informed the Chin Human Rights Organization (CHRO).

The higher authority issued an order to Haimual villagers and forced to buy the seeds at the municipal department with 3,000 kyats for seven cups. Some of the villages were forcibly told to purchase at least 14 cups

of seeds while others had to get up to 28 cups.

The villages that were forced to grow the plant involved Haimual, Zawngte, Hnahthial (A), Hnahthial (B), Thipchang and Ngailan.

"The planting began at Haimual village with 14 local laborers on 22 June 2011, Zawngte with 30 people on 21 June 2011, Hnahthial (A) with 30 on 16 June 2011, Hnahthial (B) with 16 on 26 June 2011, Thipchang with 18 on 16 June 2011 and Ngailan with 7 on 16 June 2011," added the local.#

**Over 91 percent of Chin households were subject to forced labour between 2009 and 2010 by the Burmese authorities.**

**- Physicians for Human Rights (PHR).**

## **Coercion Continues under New Govt in Chin State**

**23 December 2011:** Chin locals in small villages are still suffering from various forms of coercive measures committed by authorities and Burma Army soldiers on patrol, the Chin Human Rights Organization's sources disclosed.

The Chin villagers including students have been forced to make financial contribution for government-related funds and to re-start a 'failed' jatropa cultivation with their own labour in some parts of Chin State.

Six villages in Falam Township including Haimual, Thipchang, Hnahthial-A, Hnahthial-B, Ngailan and Zawngte were forcibly ordered by Township Administration Department to buy a calendar at the price of 1,000 kyats per copy on 7 November 2011.

In the middle of last month, school students from Tlanglo, Tlangpi, Vanzang and Farrawn were coercively demanded money for village tract football matches, with the school principals made responsible for submitting the collection to

Township Educational Department.

Burma Army soldiers from Light Infantry Battalion No. 268 forcibly demanded 1,650,000 kyats from a local trader for his 15 cattle at Singai village in Falam Township during his way to Mizoram State of India in late October.

"When the cattle owner couldn't pay what was demanded, the army captain threatened and detained one of the cowherds. And the captain fixed a deadline for a full payment. The Chin trader was in big trouble," said an eyewitness.

Another six villages in Falam Township including Haimual, Zawngte, Hnahthial-A, Hnahthial-B, Thipchang and Ngailan have been ordered by force to buy jatropa seeds to restart the cultivation in a 'failed' programme initiated in 2003 by the authorities.

Over 91 percent of Chin households were subject to forced labour between 2009 and 2010 by the Burmese authorities, according to a report released in January 2011 by US-based rights group Physicians for Human Rights (PHR).#



## Freedom of Religion

### Burma Still Violates Religious Freedom under New Govt: CSW

20 November 2011:

**T**estifying before the US Congress on Thursday, Benedict Rogers, East Asia Team Leader of the Christian Solidarity Worldwide (CSW) said that violation of religious freedom continues in Burma.

Mr. Rogers, who has made several fact-finding trips inside Burma as well as to the eastern, northern and western borders, was speaking before the House of



Christian crosses demolished in Kanpetlet Township, Chin State  
(Photo: CHRC)

Representatives Committee on Foreign Affairs Subcommittee on Africa, Global Health and Human Rights, where he highlighted the recent attacks on Kachin Christian churches by Burma army soldiers.

He also told the Committee that Burmese authorities in one township in Kachin State had introduced an order requiring Christians to seek permission to pray, fast, read the Bible or hold a Sunday school, 15 days in advance.

"There is some talk of change in Burma. However, as long as the regime holds Buddhist monks and other prisoners of conscience in jail, attacks civilians in the ethnic states, and violates religious freedom, the United States should maintain pressure and re-designate Burma a Country of Particular Concern."

#### Petition Submitted to Naypyidaw

Meanwhile, local politicians in Chin State complained about the recent destruction of Christian crosses in the southern Township of Kanpetlet.

An official complaint, signed by 18 State parliamentarians, was reportedly submitted to Naypyidaw earlier this month.

Salai Ceu Bik Thawng, General Secretary of the Chin National Party (CNP), told Chinland Guardian: "After we had submitted a signature petition, organised by our party, of Chin MPs to President Thein Sein earlier this month, another collection of signatures from the Chin public we received have also been sent to Naypyidaw."

The petition made an inquiry as to who was responsible for the destruction of Christian crosses and appropriate actions should be taken in accordance with the laws, according to Salai Ceu Bik Thawng.

In an interview with the RFA (Radio Free Asia), Pu Zo Zam, CNP Chairman said the letter was signed by over 1,000 Chin Christians from Kanpetlet Township, adding: "Chin Christians have been suffering from some of the worst forms of religious discrimination."

UK-based Chin Christian pastor Rev. Shwekey Hoi-pang, originally from southern Chin State, told Chinland Guardian that the Chin locals in Kanpetlet Township and its surrounding villages are seriously concerned with the demolition of the two crosses planted on both sides of the Mung River.

"So far, a total of 1083 Chin Christians including pastors and community leaders signed the complaint letter. One of the pastors from Kanpetlet has been sent to Rangoon to follow up on the case," added Mr. Hoi-pang.

On 28 July 2011, 15 local Chin Buddhist youths were ordered by the local authorities to destroy two Christian crosses planted near the newly completed suspension bridge on Mung (Hmolog) River in Kyindwe village, Kanpetlet Township, Chin State.#

## Other Human Rights Violations

**"Due to his rough behaviour and violent manner, many students have run away from the school and now we have only two students in the 10th Standard in our village..."**

### Army Officer Forced Village Heads to Attend Meeting

**18 November 2011:** Major Zaw Moe Myint, Second Commanding Officer from Burma Army Light Infantry Battalion (LIB) No. 89 based in Kalaymyo in Sagaing Division, issued an order to the village heads to attend a meeting, one of the village heads reported to the Chin Human Rights Organization (CHRO).

On 10 November 2011, Major Zaw Moe Myint and his 20 soldiers came to Lungler military camp and forced the village heads from the nearby villages to attend a meeting scheduled on 15 November 2011.

"The Major directed the village heads to prepare all the name lists of health workers and educational staff working in the villages as well as the population and to submit them at the meeting to be held on 15 November 2011," added the local headman. #

### Local School Principal Accused of Corruption

**20 December 2011:** A Burmese High School principal, U Aung Min Oo, has been accused of siphoning off money collected from students in a small village near the Indian border in Chin State.

The students in Lungler Village of Thantlang Township complained that their new principal, who was transferred in the village in June this year, forcibly collected money for the so-called improvement of school facilities but has never done anything for the school.

One of the community leaders told Chinland Guardian: "Students from High and Middle schools were asked to contribute 2,500 kyats each and Primary 2,000 kyats, making a total of 500,000 kyats for repairing school furniture. We have learned that he spent only about 200,000 kyats and kept the rest for his own pocket."

Last month, U Aung Min Oo collected 150 kyats from each student of the Middle school, saying it would be used for organizing a literary competition, which didn't actually happen in the village, according to the local leader, who asked not to be named.

On another occasion, the Burmese principal also made a collection of 76,000 kyats from students for travel expenses of the Township educational inspection but he was known to have pocketed the money for his own personal use.

"Due to his rough behaviour and violent manner, many students have run away from the school and now we have only two students in the 10th Standard in our village," said another local leader.

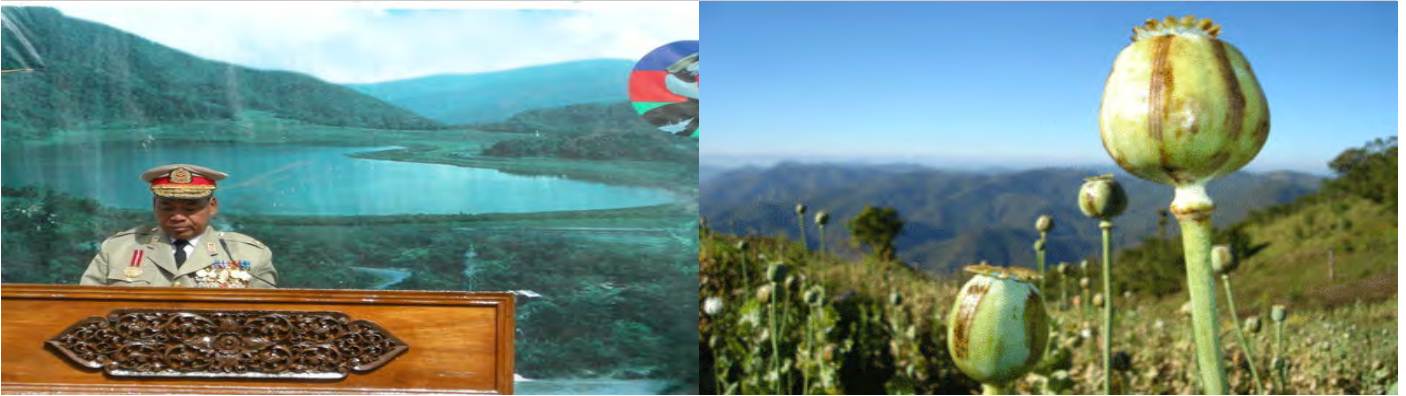
U Aung Min Oo is also reportedly cutting 500 kyats from salaries of the school teachers every month without giving reasons or obtaining the consent of the teachers.

"He [U Aung Min Oo] has been doing this by force and does not explain why their salaries are cut every month," added the local leader.

"Since his arrival in June 2011, he had been travelling until last month. No one knew what he was doing and where he was going."

Lungler, where Burma Army Light Infantry Battalion No. 89 is currently based, is one of the oldest military outposts in Chin State. #

## Humanitarian Situation



### Govt to End Poppy Cultivation in Chin State

03 November 2011:

In a 'rare' event where poppy seeds were surrendered and awareness-raising session was conducted, Chief Minister of Chin government last Friday signalled in his speech the end of an era for opium poppy cultivation in Chin State, sources said.

Ex-Gen Hung Ngai said local farmers will stop growing poppies and be provided necessary assistance to start other income-generating agriculture such as animal husbandry and farming, according to the Chin World Media.

The event, also attended by other Chin ministers, departmental officials and local leaders, had about 115.2 kilograms of poppy seeds handed over in Tonzang Town, Tonzang Township on 28 October 2011.

One of the locals from Tedim Town was quoted as saying that the ceremony was both an obvious evidence and an official acceptance of poppy cultivation in Chin State, which had been kept secret for years.

On Saturday, another event was held in Cikha Town, Tonzang Township where nearly 130 kilograms of poppy seeds were surrendered.

It is claimed that poppy cultivation in the northern parts of Chin State had increased since 2006 under the direct control of local military authorities in association of the Meitei underground rebel groups from Manipur State, India.

Grave concerns have been raised among Chin communities as an increasing number of youths and local villagers living near the poppy cultivation in Tonzang Township are known to have got addicted to the opiate products.

"It is very good that the Chin government took this kind of initiative in eradicating something that has destroyed our people. However, time will clearly tell whether the government takes serious action against it or they are just doing it as another pretext," a Chin community leader, whose name is kept anonymous, told Chinland Guardian.

In July this year, a Christian pastor working in Tonzang Township said the estimated acres of land used for opium poppy plantation must be around 5,000 while other sources claimed to be about 1,000.

It is not yet clear whether the 'long-standing' relationship between Burma's local military authorities and the Meitei rebel groups from India, who are claimed to have been travelling freely in Chin State and parts of Sagaing Division, will come to an end. #

## Disease Outbreak Sickens Over 80 Villagers, 47 Seriously

*Recently  
named Burma's  
poorest  
state by the  
United Nations,  
Chin State has  
only 12  
full-fledged  
hospitals for a  
population of  
half a million  
people.*

**28 December 2011:** Over 80 people have fallen ill after being contracted with a mysterious infectious disease in three villages in Falam Township, Chin State.

The outbreak, which started on December 18, has overwhelmed local health officials who scrambled an emergency response team to respond to a rapidly growing number of people falling ill in Hnahthial, Ngailan and Haimual villages.

At least 47 villagers are now described as being in 'serious' conditions.

A local villager told Chinland Guardian, "People came down with Flu-like symptoms such as fever, headache, nausea and coughing. Children under 10 years old particularly have contracted the disease."

While there has been no reported death, the local said that

there are reasons to be concerned about such a possibility.

Hnahthial village, which has about 40 households, has been hardest hit with about 50 of the villagers being sick. In Ngailan Village, which has only 14 households, 20 people have fallen ill. With a total of 22 households, Haimual Village has also seen 10 locals struck by the mysterious illness.

Local health officials have yet to identify the disease.

Recently named Burma's poorest state by the United Nations, Chin State has only 12 full-fledged hospitals for a population of half a million people.

Despite the extreme needs, the military-backed Union Solidarity and Development Party government did not set up a health or education ministry at the State level.#



(Photo: CHRO/B)



## Situation of Refugees

### Registration for Refugees in Malaysia Officially Announced

07 November 2011 -  
KUALA LUMPUR:

After months of confusion among refugees community, UNHCR on Monday officially announced that it will undertake a joint exercise with Malaysian Government to register refugees and asylum seekers staying in the country.

The move, expected to take off in January next year, involves some 94,800 refugees and asylum-seekers whose status are already confirmed by the UNHCR in Malaysia.

UNHCR representative Alan Vernon said that the inclusion of refugees' identity in a government database is expected to lead to greater protection for the refugees particularly against arrest and detention as their identities could then be easily verified by law enforcement officials.

"This will also help prevent prosecution

of persons holding UNHCR documents for immigration offences or deportation. It will also help address the problem of fraudulent UNHCR identification cards," he said in a statement on Sunday.

The joint exercise will be carried out in major cities where the refugees are located involving Malaysia Home and Foreign ministries, immigration, Malaysia National Security Council and the UNHCR.

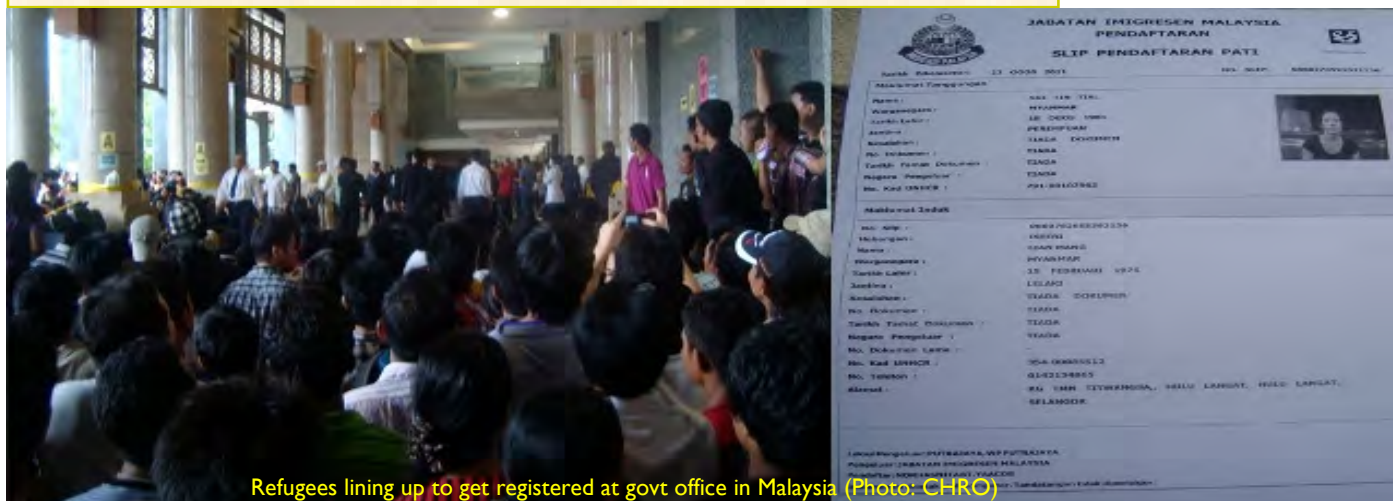
It was reported that Malaysian government and UNHCR started the registration program for certain groups of Burmese national refugees as early as August this year.

The registration exercises started without an official announcement by both Malaysian authority and UNHCR, causing confusion among different group of refugees who do not know when and how to register.

It's also causing grave concerns in fear of deportation to Burma over a registration document issued by the Malaysian Immigration which contains 'returning to your country of origin' written in local Malay language.#

Reporting by Thomas Chong

*It's also causing grave concerns in fear of deportation to Burma over a registration document issued by the Malaysian Immigration ...*



Refugees lining up to get registered at govt office in Malaysia (Photo: CHRO)



Chin refugees living in roadside shelters in Delhi, India (Photo: CHRO)

## Scotland's Photo Exhibition Reveals Struggle of Chin Refugees in Delhi

**14 November 2011:** A photo exhibition, which was officially launched last Saturday in Edinburgh, Scotland, highlights the plights and struggle of Chin refugees stranded in New Delhi, India.

The exhibition *Searching for Home: Transforming Lives Among the Burmese Chin in Delhi* features the photographic work of Bharat Choudhary, an award-winning Indian documentary photographer.

In a statement, Bharat Choudhary said: "Rampant human rights abuses have forced thousands to leave their homes, families, friends and livelihoods in Burma in order to seek refuge in neighbouring lands like India."

"But after travelling 2,400 kilometres to New Delhi to obtain protection from UNHCR a new struggle for survival and settlement awaits them," added the Indian photographer.

Some 60,000 Chin people live in extremely difficult conditions in India, existing on scarce resources and sharing the plight of the local poor, plus additional discrimination in housing, employment, education and healthcare, according to the report.

It is estimated that there are more than 10,000 Chin refugees currently living in Delhi alone, out of about 100,000 in the whole of India, according to the Chin Refugee Committee in Delhi.

The show, sponsored by Burma Assist, a Scottish charity that supports a tailoring training centre run by Chin community in New Delhi, will run until the end of this month, according to Burma Assist's report on Friday.

Chris Barr, CEO of Burma Assist, highlighted the life-changing impacts of the six-month tailoring training on women, saying they not only got the skills but also improved their 'confidence, self-esteem and economic capacity'.

Burma Assist, a non-political Scottish Charity supporting the Chin refugee community from Burma in Delhi since 2006, is committed to helping develop sustainable livelihoods in partnership with local people. #



'Drunken' Chin refugee passing out on the street in Malaysia (left), CDAC helping a refugee out from the street (Photo: CDAC)



## Alarm over Chin Refugees' Involvement in Violent Assaults

15 November 2011:

Recent incidents in Kuala Lumpur where Chin refugees got involved in committing physical attacks and extortion have raised concerns among refugee communities in Malaysia.

Last Monday, three members of the Chin Community Disciplinary Team in Pudu of Kuala Lumpur were taken to hospital for head injuries after being attacked around 11pm at night by about 30 Chin youths, who were claimed to be under the influence of alcohol.

Six of the youths have been detained for interrogation over the attacks by the Malaysian authorities with the help of local people, according to a weekly published Chin journal, Seihnam.

Three other Chin male refugees were caught in the act of committing extortion from a Chinese man on the road toward Pudu Pasar in Kuala Lumpur around midnight on 6 November 2011.

Speaking to the Faiceu Chin Journal about the capture, one of the CDT members from Pudu area said: "We had suspicion that Chin individuals who went out after midnight might have plans to do something. Therefore, we followed them secretly."

Last Friday, another Chin was held over his involve-

ment with other two refugees from Rakhine State, Burma in attacking Pu Sang Khua Lian and his son near their apartment while on his way to go to work.

Lal Siam Mawi, President of the Chin Disciplinary Action Committee, said the community-based organization is planning to take proper actions in order to tackle the problems regarding the incidents.

**"...Most of the Chin refugees behaving violently in Malaysia are from villages in remote areas of Chin State, where there are no schools or education is available only limitedly."**

One of the Chin refugee community leaders told *Chinland Guardian*: "Most of the Chin refugees behaving violently in Malaysia are from villages in remote areas of Chin State, where there are no schools or education is available only limitedly."

Meanwhile, Salai Amos Thang Lian Cung, 21, from Falam Town in Chin State, was found dead in their rented apartment in Kuala Lumpur on Sunday. It was speculated he committed suicide but no details as to the cause of his sudden death have been known, according to the Falam Refugee Organization.

It is estimated that there are about 50,000 Chin refugees stranded in Malaysia after fleeing human rights violations and abuses committed by Burma's military soldiers and local authorities in Chin State, Burma. #

## Chin Refugees Arrested in Malaysian Crackdowns

**21 November 2011:** At least ten Chin refugees including women have been detained following a series of government-planned crackdowns on 'undocumented' foreign workers in Malaysia since last month.

The Chin refugees were arrested in different locations including Seremban, Ipoh, and Kepong of Kuala Lumpur in Malaysia, with only two being registered as refugees with the UNHCR, according to the Voice of Chin Refugees.

Six of them from Seremban City are known to have been sent to Lenggeng Immigration detention centre while a Chin man from Ipoh City is detained in Lenggeng Immigration detention centre and other

threes being put to a lockup in Seri-hatamas Jalan Duta Desa Immigration complex.

It is believed that Malaysian authorities will be in liaison with the UNHCR Office in Kuala Lumpur to see if the Chin detainees, among many, are refugees.

A member of the Chin Refugee Committee was quoted as saying that the detainees without the UNHCR registration card could face months of detention.

"With the immigration crackdown beginning, the Chin community fears for the displacement of thousands of family members still waiting in queue for registration from the office of the UNHCR."

There are more than ten thousand Chin refugees, who have not been registered with the UNHCR, according to ACR (Alliance of Chin Refugees) and CRC (Chin Refugee Committee).

According to a report earlier this month, the Malaysian government had arrested nearly 200 undocumented workers and 5 employers in three states across the country since 20 October.

The Malaysian government made an official announcement in October that it plans to deploy hundreds of thousands of enforcement officers and volunteers in an attempt to sweep out 'undocumented' foreign workers. #

## Chin State Government

### CNF to Meet with Chin State Govt in January in Capital Hakha

**22 November 2011:** The Chin National Front (CNF) is set to meet with state-level government officials of Chin State in Hakha Town in the first week of January 2012, sources confirmed.

The Chin underground political wing that has fought for freedom and ethnic equality since 1988 agreed to hold meeting with Chin State government authorities following a closed-door discussion with Minister of Railway Transport, U Aung Min, on Thai-Burma border last Saturday.

Dr. Sui Khar, Foreign Affairs Secretary of CNF, told Chinland Guardian: "We have agreed to meet with government authorities in a state-level meeting to discuss about the possibility of a ceasefire, pending further discussion about a political dialogue with the Union government."

During the 'informal' discussion with Present Thein Sein's representative, three ethnic armed groups including the Karen National Union (KNU), the Shan State Army-South (SSA-South) and the Chin National Front agreed to hold 'peace talk' as an initial step toward a political dialogue in the future.

Pu Zing Cung, Chairman of CNF, mentioned the vital need of holding public consultation before convening a nation-wide political dialogue. He called on the new government to immediately declare a cessation of hostilities and to put the ethnic issues on the national agendas in order to move forward in the interest of bring stability and peace into Burma.

Speaking to Chinland Guardian, Dr. Sui Khar also stressed that the Chin National Front is positive about the ongoing government's

approach only because the government's offers for peace talk involve a political dialogue, unlike previous ones.

"This step that we are accepting is only in the stage of 'confidence building'. More discussions will be needed to establish trust and create a common ground along the process. Therefore, we will need time, patience and mutual trust to be successful," added Sui Khar, who is also the current General Secretary of the Ethnic Nationalities Council (ENC).

Formed on 20 March 1988, the Chin National Front (CNF) is dedicated to securing the self-determination of the Chin people, to restoring democracy, and to establishing the federal Union of Burma. #



## Conference Endorsed Peace Talks Between CNF and Chin State Govt

**19 December 2011:** An emergency conference of the Chin National Front has unanimously endorsed the decision of CNF leadership to meet with the Chin State Government in a move welcomed by the Chin public.

The first ever emergency conference was held at a location on the Indo-Burma border with 150 participants on 12-16 December 2011, in light of the changing political scenarios in Burma.

Attended by Chin MPs, politicians, religious and community leaders, scholars and university students from both inside and outside Burma, the conference took place ahead of the upcoming meeting between CNF and Chin State government.

Paying respect to those who lost their lives in the Chin revolution of over 23 years, Pu Zing Cung, former Chairman of CNF, said: "We are not engaged in this struggle for own personal interests but for our collective national cause, which is directly related to each one of us. We are in the most important time of period to be united. Therefore, everyone has a role to play and contribute towards achieving our goals for our nation."

CNF's statement released today said the purpose of the conference was to enable Chin people from all walks of life, including political leaders, intellectuals and the different Chin tribal groups from all regions, to be a part of the armed revolutionary struggle for bringing self-determination, federalism and democracy to Burma.

In addition, the conference also discussed issues related to the strengthening CNF and CNA, the upcoming meeting between CNF and Chin State government, and modification of CNF's organizational structure, with new leaders elected for the next term.

The conference unanimously elected Dr. Za Hlei Thang as Chairman of The Supreme Council, Pu Lian Uk as Vice-Chairman-I, Salai Kipp Kho Lian as Vice-Chairman-II, Tang Nang Lian Thang as Vice-Chairman-II, Pu Zing Cung as Secretary General, Pu Paul Si Tha as Secretary-I, Dr. Sui Khar as Secretary-II and Pu Khua Uk Lian as Secretary-III, with a total of 46 Central Committee members.

In his moving speech as a newly elected chairman of the Supreme Council, Dr. Za Hlei Thang, Chin MP during the 1990 election, told the conference it was a historical day in the Chin revolutionary movements and highlighted his connection with the Chin National Front since early 1990s.

"I don't deserve this post before my seniors but I feel much encouraged when we all meet here for our national cause once again. Unity and discipline are most needed, and without them, our organization would fall," added the newly elected chairman.

A physician by profession and leading member of the student movements in the 1970s, Dr. Za Hlei Thang was elected a Member of Parliament from Falam Constituency in the 1990 elections on the Chin National League for Democracy ticket.

A 10-member delegation of the Chin National Front is set to meet with Chin State government officials in Hakha on 5-6 January 2012, as an initial process towards 'peace talk' offered by Burma's new government late this year.#

## Opinion

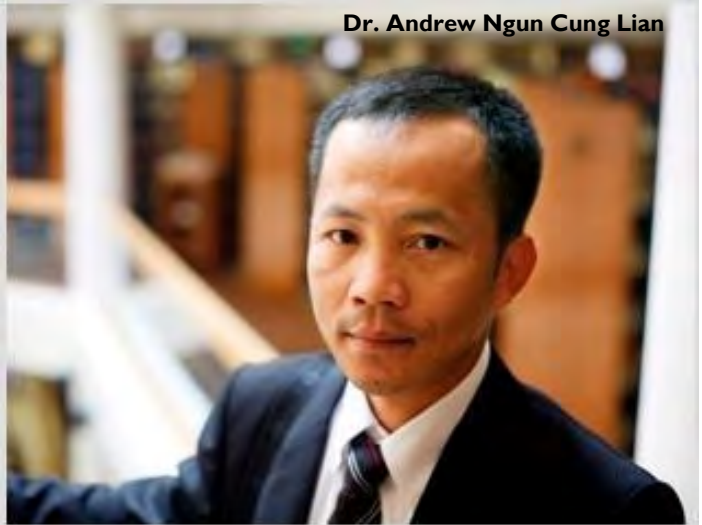
### Burma Must Repeal Repressive, Outdated and Unconstitutional Colonial Era Laws

**23 November 2011: (Legal Analysis)** The post-independence civilian and military regimes in Burma uniformly detest the British colonial regime (1800s-1948); however, Burmese governments seem to love the hundreds (perhaps thousands) of laws that were enacted by the British regime to suppress its colonial subjects. Indeed, post-independence governments in Burma have continuously utilized colonial laws to suppress Burmese citizens. These laws are in direct conflict with the Nargis Constitution (the Constitution of the Republic of the Union of Burma, 2008) and contradict international human rights standards. Accordingly, they should be repealed outright or amended by the current Hluttaws with President Thein Sein's signature and declaration. The following are among the many colonial-era laws utilized by President Thein Sein's government to defend itself and to suppress the people.

#### **The Arms Act (1878)**

The Arms Act, enacted by the British colonial regime in 1878, prohibits the possession, production and usage of arms. The colonial regime used this law to subdue the freedom and independent fighters among their colonial subjects. The successive Burmese governments proudly inherited this law from their colonial master and used it to prevent ethnic minorities from acquiring arms, thus curbing their defense from military oppression. Instead of repealing the colonial law, the independent Burma's parliament amended the Arms Act (1878) in 1951 under the new title "The Arms (Temporary Amendment) Act," and the authoritarian socialist regime re-amended the law in 1977 as the "Regulation on Holding of Firearms". The original law enacted by the British in 1878 and the two amended laws enacted by the Burmese governments in 1951 and 1977 prohibit possession of arms, and forbid manufacturing, converting, selling, importing, exporting, and transporting without license any arms or ammunition (including air guns).

Since 1878, these laws have deprived the people of Burma of the right to possess certain arms. Moreover, they have deterred the people from protecting themselves from encroachment of their funda-



Dr. Andrew Ngun Cung Lian

mental rights guaranteed by the constitution and international human rights instruments. Furthermore, the worst is that the post-independent governments in Burma often utilized these century-old laws, and the subsequent amended versions, to suppress innocent citizens and remain in power.

The present government must repeal these laws and amend them accordingly so that the people of Burma can protect themselves from all dangers.

#### **Unlawful Associations Act (1908)**

The Unlawful Associations Act of 1908 is among the oldest colonial-era laws still in force in Burma. The British colonials adopted this law in order to crush those who opposed colonial rule and fought to regain freedom and independence from their colonial master. Appallingly, since 1948 successive regimes in Burma have used this law to promote, protect and safeguard their safety, wellbeing, benefits, and interests; and, to suppress their opponents and minorities who are demanding equality. Indeed, almost all prisoners of conscience behind bars today in Burma are being charged under this injudicious colonial law.

The Unlawful Associations Act is not only antagonistic to Article 354 of the Constitution of the Republic of the Union of Burma, but also unambiguously in conflict with the Universal Declaration of Human Rights and other international human rights

instruments. Moreover, this law directly opposes the Freedom of Association and Protection of the Right to Organize Convention (1948) (No. 87), to which Burma has an obligation of strict compliance. President Thein Sein's government must not use this law as a shield to protect itself, and to suppress its citizens.

Given that Burma favored the adoption and promulgation of the Universal Declaration of Human Rights and will chair the Association of Southeast Asian Nations (ASEAN) in 2014, the current Burmese government must repeal this law immediately and unconditionally, and release all prisoners of conscience who are being charged under this law.

### **The Official Secrets Act (1923)**

The British colonial regime adopted the Official Secrets Act in 1923 in order to achieve their aims by denying their subjects the right to freedom of information. The Official Secrets Act makes it an offence to possess, control, receive or communicate any document or information where disclosure of which may have an adverse effect on the sovereignty and integrity of their colonials, or may affect colonial countries' foreign relations, or threaten the safety of their empire. This colonial-era law grants the Burmese regime the authority to classify any information as secret.

For example, when President U Thein Sein suspended the Myitsone Dam project all information regarding the project and its suspension was sealed. Vice President U Tin Aung Myint Oo stated that the reason for sealing the information was based on the "Trade Secret Act," without referencing the exact provision or relevant information in the Act.

The Official Secrets Act (1923), which has been utilized by the British colonials and the successive Burmese regimes, prevents transparency and accountability of the government.

Enforcing the prohibition of freedom of information on the basis of national interest is in direct violation of Article 19 of the Universal Declaration of Human Rights, which secures the citizens'

fundamental right to know what their government has been doing. Therefore, the Official Secrets Act should be repealed immediately and unconditionally.

### **The Burma Wireless Telegraphy Act (1933)**

The British colonial regime enacted the Burma Wireless Telegraphy Act in 1933, prohibiting the possession of any "wireless telegraphy apparatus" without official permission. The State Law and Order Restoration Council amended the colonial law in October 1995, prohibiting the possession of fax machines without license; and further amended the Act in 1996 by prohibiting the possession of computer modems. Anyone in possession of these apparatuses without official permission is liable to face imprisonment for up to three years or fines of up to 30,000 kyats. The prohibition of acquiring information through modern technologies not only violates Article 19 of the Universal Declaration of Human Rights but also breaches the fundamental rights of the people enshrined in the Constitution of the Republic of the Union of Burma. Therefore, President U Thein Sein's government must repeal this colonial law and re-write it in accordance with the constitution of Burma and international standards.

We are living in the 21st century and not in the 1900s, therefore these colonial-era laws must be updated in accordance with Burma's Constitution and international human rights standards. Failure to repeal the colonial regime's outdated laws, or to amend the laws in conjunction with Burma's Constitution and in compliance with universal human rights standards, will not only undermine the credibility of President U Thein Sein's government but also will hinder the restoration of democracy, human rights, rule of law and national reconciliation in Burma.

**By Dr. Salai Ngun Cung Lian**

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*The author is a Post-doctoral Appointee at Indiana University Maurer School of Law and Assistant Director of Center for Constitutional Democracy.*

## Without Diversity, There Can Be No Unity



Salai Za Ceu Lian

**24 November 2011:** The recent political developments unfolding in the Union of Burma are positive signs showing that we could possibly see the restoration of democracy and national reconciliation we have long sought for. The NLD – the party of Aung San Suu Kyi – has decided to formally register its party to vie for power; there have been high-level meetings aimed at resolving conflict between Minister Aung Min and leaders of ethnic opposition armed groups; and finally, the U.S. has intensified its diplomatic efforts.

All this is reason for optimism, and yet there are still reasons to be cautious. Burma's "new" regime is still a semi-authoritarian/quasi-civilian government that has many times demonstrated its capacity for ruthlessness and coniving to maintain the status quo: hegemonic unity without diversity. Time and again, resolutions to Burma's political conflict have proven to be a futile zero-sum game where the rulers take all. As long as any party in negotiation insists on attaining 100% of what it demands, negotiations will be doomed to failure from the outset. The military government

must make concessions prove their sincerity and embrace lasting solutions to Burma's internal conflict. More than anything, they must recognize that without diversity there can be no unity!

At the moment, leaders need to focus on building trust, finding common ground and negotiating a nationwide ceasefire. But to fulfill Burma's ultimate destiny, leaders will eventually also have to bear the same understanding of what it means to form a stable union, and we know from history that "**stability**" and "**unity**" do not mean "uniformity," for uniformity only leads to unstable conflict. In the long term, democratic civilian rule will have to take the shape of a federal structure that reflects the diversity of the union, just like the structure of Canada, the United States, or other federations. As I will explain, this does not refer to autonomy, but to self-rule for each constituent member of the union and shared-rule for the common union.

Consider how governments since General Ne Win have conflated "unity" with unrealistic "uniformity." With brute force, these governments have in reality only achieved conflict. They claim that only the army can maintain the union's stability and define its three basic responsibilities as (1) non-integration of the Union, (2) non-integration of national unity, and (3) perpetuation of sovereignty.

Their stubbornly dogmatic characterization of the term "unity" is really one of "monolithic uniformity" where they choose to live in

fruitless denial about the existence of minorities. Words matter in this context. The term "non-integration" is deceptive because while it sounds like minorities are to be protected, in practice, the term means that all ethnic national minorities will be absorbed into the Burman/Bama ethnicity. This approach has proven futile. In fact, under this pretext of non-integration of the union, the successive military governments' assimilationist policy only intensifies armed resistance and leads to further mistrust.

After all, the Union of Burma is clearly still made up of eight national ethnicities: Chin, Kachin, Karen, Karenni, Shan, Mon, Bama/Burman, and Arakan. We still speak our languages and celebrate our cultural history. This will not change. While military leaders tend to view federalism as anathema, it's based on a false equation of federalism with secession – a falsehood that in fact inspired General Ne Win's initial military coup federal seminar.[1] It's sad to think that this misconception that has led to the death of thousands and the denial of basic rights to millions.

Since ethnic national minorities have been subjugated for so long, the only way to restore trust and preserve it institutionally is to adopt a federal system. Ethno-cultural identification has only strengthened under Ne Win, to the point where identifying oneself as Chin, Shan, Karen, or Kachin now comes before identifying as a Burmese citizen. I'm not alone in my thinking. As Political Scientists McGarry, O'Leary, and

Simeon argue, “accommodation is necessary when groups exist powerful enough to resist assimilation but not strong or united enough to achieve secession.”[2] Moreover, Arend Lijphart argues that public recognition of this fact through a constitutional arrangement is a pre-requisite to lasting peace.

A lack of constitutional recognition could again result in discrimination and exclusion, forced assimilation, civil war, ethnic cleansing, and even genocide. [3] Though no political system is perfect as institutional design, out of the systems that we have, constitutional federalism that ensures both elements of self-rule for a federating units and shared rule for the federation government – Union government – is the most viable system practically applicable to a multi-ethnic country like Burma, divided and plural. Moreover, it reduces conflict and increases stability: the very goals of the current government. Yash Ghai argues that “self-rule is a tool of conflict reduction because it promotes integration, not disintegration; it provides a basis for interaction between the region and the centre that is satisfactory to both. Autonomy should be chosen not because of some notion of preserving sovereignty but in order to enable different groups to live together, to define a common public space.”[4]

Despite their long national grievances, none of the ethnic groups today call for secession. All are committed to preserving the common Union of Burma

and actively nurturing harmony. The semi-authoritarian regime must now acknowledge the failures and damages of assimilation and brute force. They must redefine a new set of national responsibilities that embraces the principle of unity in diversity.

**By Salai Za Ceu Lian**

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[1] Josef Silverstein, *Burma: military rule and the politics of stagnation*, (New York: Cornell University Press, 1977), 29.

[2] Sujit Choudhry. *Bridging comparative politics and comparative constitutional law: constitutional design in divided societies: Inegration or Accommodation?.* (Toronto: Oxford University Press, 2009),29.

[3] Choudhry, Sujit, “Constitutionalism in a divided society,” *International Journal of Constitutional Law* (October, 2007) :573- 575.

[4] Yash Ghai, *Autonomy as a Strategy for Diffusing Conflict*, in P.C. Stern and D. Druckman (eds), *International Conflict Resolution after the Cold War*. (Washington, D.C: National Academy Press), 483.

## Poem

### A Poem of Amicable Contradiction

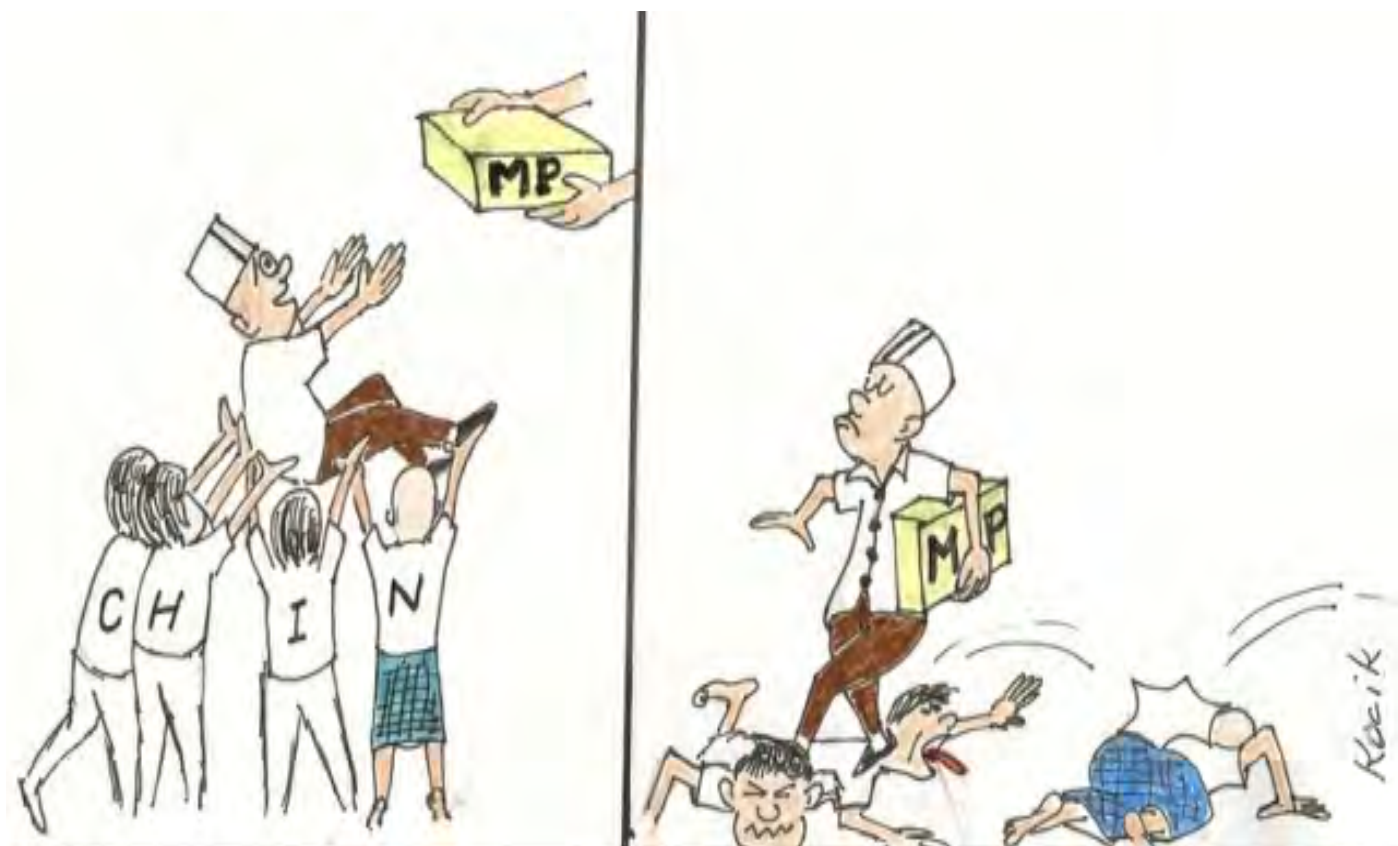
14 November 2011 | C. Van Lian Tu

Some people live by power  
In which one and one differ  
Some people live by money  
In which one and one envy  
Some people live by pride  
In which one and one collide  
Some people live by hatred  
In which one and one shred

Some people live by justice  
In which one and one make peace  
Some people live by the truth  
In which one and one smooth  
Some people live by love  
In which one and one approve  
Some people live by deed  
In which one and one proceed

Some people ask what I have  
Nothing save a place called Grave  
Some people ask what I see  
What people can't see in me  
Some people ask where I live  
Among pieces I give or receive  
Some people ask who I am  
I laugh and call it a poem

## Cartoon



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