



Australian Government

Refugee Review Tribunal

Country Advice

Myanmar

Myanmar – MMR38272 – Military Regime
– State Peace and Development Council –
Chin Christians – Destruction of Christian
Crosses – Ethnic Minority Groups –
Discrimination & Repression – Bribery of
Immigration Officials – Burmese Refugees
in The Philippines

8 March 2011

- 1. Please provide background information on the nature of government and key administrative structures in Myanmar, including the basic history of the current governing regime, and information on the military intelligence in Myanmar.**

Prior to the election held in November 2010, Myanmar, formerly known as Burma, had been under military rule for almost five decades.¹ The ruling military regime was the State Peace and Development Council (SPDC), led by Senior General Than Shwe. Formed in November 1997, the SPDC replaced the State Law and Order Restoration Council (SLORC) which had ruled since a military takeover in 1988.² In 1990 the SPDC ignored parliamentary election results in which pro-democracy party the National League for Democracy (NLD), led by Aung San Suu Kyi, won a landslide majority of seats.³ In 2008 the regime introduced a constitution which specified that the SPDC would continue to rule until the convening of a new parliament following the 2010 national election.⁴

The November 2010 election, the first in 20 years, saw the military-backed Union Solidarity and Development Party (USDP) win “an overwhelming victory...in a vote that was carefully engineered by the military to assure its continued grip on power”. The election was widely viewed as an attempt by the military to legitimise its rule under the banner of civilian government. The main opposition party the NLD refused to participate

¹ ‘Myanmar’ 2011, *The New York Times*, 31 January

<http://topics.nytimes.com/top/news/international/countriesandterritories/myanmar/index.html> – Accessed 3 March 2011 – Attachment 1

² ‘Myanmar (Burma)’ 2010, *Political Handbook of the World Online Edition*, originally published in Banks, A., Muller, T., Overstreet, W., and Isacoff, J. (eds.) 2010, *Political Handbook of the World 2010*, Washington: CQ Press – Attachment 2; Freedom House 2010, *Freedom in the World – Burma/Myanmar (2010)*, June <http://www.freedomhouse.org/template.cfm?page=363&year=2010&country=7792> – Accessed 10 September 2010 – Attachment 3

³ US Department of State 2010, *Country Reports on Human Rights Practices for 2009 – Burma*, 11 March, Introduction – Attachment 4; Freedom House 2010, *Freedom in the World – Burma/Myanmar (2010)*, June <http://www.freedomhouse.org/template.cfm?page=363&year=2010&country=7792> – Accessed 10 September 2010 – Attachment 3

⁴ US Department of State 2010, *Country Reports on Human Rights Practices for 2009 – Burma*, 11 March, Introduction – Attachment 4

in the elections, stating that “campaign rules were undemocratic and unfair”.⁵ The Political Parties Registration Law excluded from registration all party members who were serving prison terms. As many NLD leaders are political prisoners in Myanmar, this regulation was viewed as being considerably unjust.⁶

Although the opening of Parliament in January 2011 officially dissolved the junta, the military has effectively retained power, given that “[a] quarter of the seats are reserved for the military, and a military-backed party controls more than 80 percent of the rest”.⁷ The new government consists largely of current and former military officers, as well as former ministers of the previous military regime. The 30 ministers were proposed by former SPDC leader Than Shwe, and unanimously approved by parliament.⁸ The appointment of the country’s new president, Thein Sein, a former military officer, further cements the military’s retention of power. Sein is described by *The New York Times* as “a career army bureaucrat who as prime minister was the public face of the military government... [and] who is perhaps best known within the military for his fealty to Than Shwe”.⁹

International Crisis Group reports that legislative and executive power in Myanmar is partially being decentralised; “[t]here are now four key centres of power... presidency, military, parliament and party”. The president “wields supreme executive power as both head of state and head of government, and appoints the cabinet and the chief ministers of the fourteen regions and states. He chairs, but does not necessarily control, the powerful National Defence and Security Council”. The power of the military reportedly “rivals that of the president”. The military has the power to block constitutional reform, influence legislation and appoint key ministers.¹⁰

Whilst Myanmar was under military rule, Than Shwe held all legislative, executive and judicial power in the country.¹¹ Administrative control of Myanmar’s 14 states and divisions was “exercised from the central government through a system of subordinate executive bodies and regional military commanders”. The SPDC maintained strict

⁵ ‘Myanmar’ 2011, *The New York Times*, 31 January

<http://topics.nytimes.com/top/news/international/countriesandterritories/myanmar/index.html> – Accessed 3 March 2011 – Attachment 1; ‘Ex-military dominate Myanmar’s new cabinet: official’ 2011, Google News, source: *AFP*, 11 February

<http://www.google.com/hostednews/afp/article/ALeqM5hG30IBbArBbr5aH2jYfEeB8Lzf5A?docId=CNG.54bce2dbf3391e980f0ec85d38e21e9f.231> – Accessed 3 March 2011 – Attachment 5

⁶ UK Home Office 2010, *Country of Origin Information Report – Burma (Union of Myanmar)*, 23 July, p.16 – Attachment 6

⁷ ‘Myanmar’ 2011, *The New York Times*, 31 January

<http://topics.nytimes.com/top/news/international/countriesandterritories/myanmar/index.html> – Accessed 3 March 2011 – Attachment 1

⁸ Mydans, S. 2011, ‘Myanmar Hardens Stance on Opposition’, *The New York Times*, 20 February

http://www.nytimes.com/2011/02/21/world/asia/21myanmar.html?_r=1&ref=myanmar – Accessed 3 March 2011 – Attachment 7; ‘Ex-military dominate Myanmar’s new cabinet: official’ 2011, Google News, source: *AFP*, 11 February

<http://www.google.com/hostednews/afp/article/ALeqM5hG30IBbArBbr5aH2jYfEeB8Lzf5A?docId=CNG.54bce2dbf3391e980f0ec85d38e21e9f.231> – Accessed 3 March 2011 – Attachment 5

⁹ Fuller, T. 2011, ‘Parliament Picks Insider as President of Myanmar’, *The New York Times*, 4 February

<http://www.nytimes.com/2011/02/05/world/asia/05myanmar.html?ref=myanmar> – Accessed 3 March 2011 – Attachment 8

¹⁰ International Crisis Group 2011, ‘Myanmar’s Post-Election Landscape’, Asia Briefing N°118, 7 March

<http://www.crisisgroup.org/~media/Files/asia/south-east-asia/burma-myanmar/B118%20Myanmars%20Post--Election%20Landscape.ashx> – Accessed 8 March 2011 – Attachment 32

¹¹ International Crisis Group 2011, ‘Myanmar’s Post-Election Landscape’, Asia Briefing N°118, 7 March

<http://www.crisisgroup.org/~media/Files/asia/south-east-asia/burma-myanmar/B118%20Myanmars%20Post--Election%20Landscape.ashx> – Accessed 8 March 2011 – Attachment 32

authoritarian rule, making all policy decisions and appointing all government members. There were no checks on the centralised power of the SPDC. The regime's widespread abuse of power, corrupt practices, and severe repression of civilian rights and ethnic minority groups, has been widely reported.¹²

According to a 2008 Jane's *Sentinel Country Risk Assessment* on Myanmar, military intelligence was coordinated by the Office of the Chief of Military Affairs Security (OCMAS), also referred to as Military Security Affairs (MSA). Military regional commands were responsible for intelligence operations within their region, whilst administrative and analysis missions were conducted by central intelligence commands. MSA officers were responsible for political issues, including detaining those involved in activities perceived to be threatening to the regime, such as ethnic resistance groups. The military intelligence unit also conducted surveillance on the general population, making it likely that a person involved in political activity would become known to the regime.¹³

2. Please provide information on the treatment of Chin Christians in Myanmar, with particular reference to whether they are prohibited from worshipping, whether they are prevented from erecting churches, and whether they are prohibited from celebrating Christian festivals, etc.

Official statistics indicate that only 4 per cent of Myanmar's population is Christian.¹⁴ In Chin state, however, Christians constitute more than 80 per cent of the population,¹⁵ and more than 90 per cent of ethnic Chin people are Christian. Chin state is the only state in the country that does not have a Buddhist majority.¹⁶ Chin Christians in Myanmar are targeted and discriminated against both because of their faith, and because the ethnic Chin are generally opposed to the government. Christian Solidarity Worldwide (CSW) reports that the most violent suppression of Christians in Myanmar occurs in ethnic minority states, such as Chin state.¹⁷ Consequently, thousands of Chin Christians have been forced to flee to neighbouring countries such as Malaysia and India.¹⁸

Chin Christian churches are destroyed, construction of new churches and the printing of Bibles are restricted, worship services are disrupted, and pastors and church workers have been arrested, tortured, imprisoned, and killed by the authorities.¹⁹ Forced labour which

¹² UK Home Office 2010, *Country of Origin Information Report – Burma (Union of Myanmar)*, 23 July, pp.15-16 – Attachment 6

¹³ UK Home Office 2010, *Country of Origin Information Report – Burma (Union of Myanmar)*, 23 July, p.34 – Attachment 6

¹⁴ US Department of State 2010, *International Religious Freedom Report for 2010 – Burma*, 17 November, Section I – Attachment 9

¹⁵ Minority Rights Group International 2010, *State of the World's Minorities and Indigenous Peoples 2010*, 1 July – Attachment 10

¹⁶ Human Rights Watch 2009, "We Are Like Forgotten People" *The Chin People of Burma: Unsafe in Burma, Unprotected in India*, January, p.48 – Attachment 11

¹⁷ Rogers, B. 2007, *Carrying the Cross: The military regime's campaign of restriction, discrimination and persecution against Christians in Burma*, Christian Solidarity Worldwide, January, pp.9-10 <http://www.csw.org.uk/Countries/Burma/Resources/Carryingthecross.pdf> – Accessed 23 September 2010 – Attachment 12

¹⁸ Minority Rights Group International 2010, *State of the World's Minorities and Indigenous Peoples 2010*, 1 July – Attachment 10

¹⁹ Rogers, B. 2007, *Carrying the Cross: The military regime's campaign of restriction, discrimination and persecution against Christians in Burma*, Christian Solidarity Worldwide, January, p.3 <http://www.csw.org.uk/Countries/Burma/Resources/Carryingthecross.pdf> – Accessed 23 September 2010 – Attachment 12; 'Spike in anti-Christian violence feared before Burma elections' 2010, *Compass Direct*, 21

deliberately targets Christians and interferes with religious practices is widespread in Chin state. Pastors and other church leaders are often forced to build Buddhist pagodas, including on Sundays and religious holidays, as a way to disrupt their prayer services. Chin Christians have also reportedly been forced to worship in Buddhist temples.²⁰

A recent survey of Chin Christian households who reported government repression found that 51 per cent had experienced physical harm, while 28 per cent had received threats of harm, death, or destruction of their homes or villages.²¹ In 2009, Chin Christian students from Kalaymyo were arrested, detained, and released with a warning after reporting the destruction of their church building by “extreme Buddhists” to the local authorities.²²

A 2011 report by Physicians for Human Rights indicates that the government implemented a campaign to convert all Chin Christians to Buddhism, by forcing Buddhist monks to move to Chin state, ordering the construction of Buddhist pagodas in all main villages, and encouraging forced conversion.²³ Government jobs in Chin state are promised to graduates of a government-run high school which is only open to Buddhist students. Christians who wish to attend the school are forced to convert to Buddhism. In addition, some government officials allegedly placed Chin Christian children in Buddhist monasteries, where they converted to Buddhism without their parents’ knowledge.²⁴ Chin Christian officers in the army have also reportedly been advised to convert to Buddhism if they wish to be promoted.²⁵

3. Please provide information on whether there is state or private discrimination against Christians and ethnic minority groups in Myanmar.

Ethnic Minority Groups

Approximately 30 to 40 per cent of Myanmar’s population belongs to an ethnic minority group.²⁶ Aside from the dominant Burmans, the seven major ethnic minority groups include the Shan, Karen, Karenni, Mon, Kachin, Chin, and Arakan or Rakhine. Smaller ethnic groups include the Rohingyas and the Nagas.²⁷ Ethnic armed resistance groups such

January – Attachment 13; Human Rights Watch 2009, “*We Are Like Forgotten People*” *The Chin People of Burma: Unsafe in Burma, Unprotected in India*, January, p.49 – Attachment 11

²⁰ Rogers, B. 2007, *Carrying the Cross: The military regime’s campaign of restriction, discrimination and persecution against Christians in Burma*, Christian Solidarity Worldwide, January, pp.37-38

<http://www.csw.org.uk/Countries/Burma/Resources/Carryingthecross.pdf> – Accessed 23 September 2010 – Attachment 12; Human Rights Watch 2009, “*We Are Like Forgotten People*” *The Chin People of Burma: Unsafe in Burma, Unprotected in India*, January, pp.48, 51 – Attachment 11

²¹ Sollom, R. et al 2011, *Life Under the Junta: Evidence of Crimes against Humanity in Burma’s Chin State*, Physicians for Human Rights, 19 January, p.51 – Attachment 14

²² ‘Spike in anti-Christian violence feared before Burma elections’ 2010, *Compass Direct*, 21 January – Attachment 13

²³ Sollom, R. et al 2011, *Life Under the Junta: Evidence of Crimes against Humanity in Burma’s Chin State*, Physicians for Human Rights, 19 January, p.49 – Attachment 14

²⁴ US Department of State 2010, *International Religious Freedom Report for 2010 – Burma*, 17 November, Section II – Attachment 9

²⁵ ‘Spike in anti-Christian violence feared before Burma elections’ 2010, *Compass Direct*, 21 January – Attachment 13

²⁶ US Department of State 2010, *Country Reports on Human Rights Practices for 2009 – Burma*, 11 March, Section 6 – Attachment 4

²⁷ Rogers, B. 2007, *Carrying the Cross: The military regime’s campaign of restriction, discrimination and persecution against Christians in Burma*, Christian Solidarity Worldwide, January, p.11
<http://www.csw.org.uk/Countries/Burma/Resources/Carryingthecross.pdf> – Accessed 23 September 2010 –

as the Chin National Front have been demanding autonomy for their states for decades.²⁸ Although some groups have signed a ceasefire with the government, Chin and Karen armed forces continue to wage an insurgency against the regime, seeking independence or self-determination.²⁹

Ethnic minority groups in Myanmar are subject to widespread government and social discrimination, including “extrajudicial killings, arbitrary arrest and detention, torture and mistreatment, forced labor, severe reprisals against members of the opposition, restrictions on movement, expression, and religious freedom, abusive military conscription policies... extortion and confiscation of property”, and lack of access to jobs and promotions.³⁰ The military regime particularly targets those believed to be involved with ethnic opposition groups, although regularly arrests and detains members of the general community in order to intimidate villagers and stifle political dissent.³¹

Ethnic villages in some areas have reportedly been displaced for economic development purposes.³² Schools, hospitals, religious sites, and homes in ethnic minority states have also been destroyed. In January 2010 attacks by the Burmese Army forced more than 2000 Karen villagers to flee from their homes.³³ In government-controlled areas, even in ethnic minority states, minority languages are not offered in state schools, and there are very few minority-language publications.³⁴ The Muslim Rohingya face particularly harsh treatment and exploitation, and have been refused Burmese citizenship since 1982.³⁵

Christians

In 2010 Christian news source *Compass Direct* reported that many Christians in Myanmar belong to ethnic groups that are involved in armed struggle against the government. However, the military regime does not discriminate between these individuals, and Christians who are not political. Consequently, all Christians, particularly those residing in ethnic minority states, are generally perceived by the authorities to be a threat.³⁶ As mentioned in the response to question two, Christians in Myanmar are thus targeted both

Attachment 12; UK Home Office 2010, *Country of Origin Information Report – Burma (Union of Myanmar)*, 23 July, p.71 – Attachment 6

²⁸ ‘Spike in anti-Christian violence feared before Burma elections’ 2010, *Compass Direct*, 21 January –

Attachment 13; US Department of State 2010, *International Religious Freedom Report for 2010 – Burma*, 17 November, Section II – Attachment 9

²⁹ Beech, H. 2009, ‘A closer look at Burma’s ethnic minorities’, *Time Magazine*, 30 January – Attachment 15

³⁰ Human Rights Watch 2009, “*We Are Like Forgotten People*” *The Chin People of Burma: Unsafe in Burma, Unprotected in India*, January, p.4 – Attachment 11; US Department of State 2010, *Country Reports on Human Rights Practices for 2009 – Burma*, 11 March, Section 6 – Attachment 4; Freedom House 2010, *Freedom in the World – Burma/Myanmar (2010)*, June

<http://www.freedomhouse.org/template.cfm?page=363&year=2010&country=7792> – Accessed 10 September 2010 – Attachment 3; Beech, H. 2009, ‘A closer look at Burma’s ethnic minorities’, *Time Magazine*, 30 January – Attachment 15

³¹ Human Rights Watch 2009, “*We Are Like Forgotten People*” *The Chin People of Burma: Unsafe in Burma, Unprotected in India*, January, pp.26-27 – Attachment 11

³² US Department of State 2010, *Country Reports on Human Rights Practices for 2009 – Burma*, 11 March, Section 6 – Attachment 4

³³ United States Commission on International Religious Freedom (USCIRF) 2010, *Annual Report 2010 – Countries of Particular Concern: Burma (Myanmar)*, 29 April – Attachment 16

³⁴ US Department of State 2010, *Country Reports on Human Rights Practices for 2009 – Burma*, 11 March, Section 6 – Attachment 4

³⁵ Beech, H. 2009, ‘A closer look at Burma’s ethnic minorities’, *Time Magazine*, 30 January – Attachment 15

³⁶ ‘Spike in anti-Christian violence feared before Burma elections’ 2010, *Compass Direct*, 21 January – Attachment 13

on religious grounds, and because they generally belong to ethnic groups opposed to the government.³⁷

The US Department of State similarly reported in November 2010 that “[t]he government has tended to view religious freedom in the context of potential threats to national unity or central authority”. The “abuse of religion for political purposes” is prohibited under the constitution. Religious freedom in Myanmar is restricted, particularly for minority religious groups such as Christians.³⁸ Security forces effectively restricted rights to religious worship by monitoring and infiltrating religious meetings and activities. Proselytising by members of all religions was discouraged, although this particularly affected some evangelistic Christian denominations.³⁹

Christians have been targeted in various parts of the country, including Rangoon (Yangon), where at least eight churches were closed down in 2009.⁴⁰ Christian groups often face difficulties in obtaining permission to build new churches or hold religious ceremonies in most regions. In Rangoon, the SPDC ordered 100 churches and church-related meeting places to cease religious services, forcing church leaders to sign pledges agreeing to the demand.⁴¹ In some local areas, Christian ministers moving to the region have been denied residency permits.⁴² Furthermore, Christians are subject to forced labour, in which they are made to destroy churches and build Buddhist monasteries.⁴³

In 2007 it was reported by various sources that a document outlining a campaign to destroy Christianity in Myanmar had been circulated in Rangoon. Called *The Facts to Attack Christians*, the 17-point document allegedly originated from the Ministry of Religious Affairs, although it is also argued that it “may have been produced by a state-sponsored Buddhist group, but with the tacit approval of the military junta”. Despite denying that it had produced the document, the military regime reportedly “made no public attempt to refute or repudiate its contents”.⁴⁴

4. Deleted.

³⁷ Rogers, B. 2007, *Carrying the Cross: The military regime’s campaign of restriction, discrimination and persecution against Christians in Burma*, Christian Solidarity Worldwide, January <http://www.csw.org.uk/Countries/Burma/Resources/Carryingthecross.pdf> – Accessed 23 September 2010 – Attachment 12; US Department of State 2010, *International Religious Freedom Report for 2010 – Burma*, 17 November, Section I – Attachment 9

³⁸ US Department of State 2010, *International Religious Freedom Report for 2010 – Burma*, 17 November, Section II – Attachment 9

³⁹ US Department of State 2010, *Country Reports on Human Rights Practices for 2009 – Burma*, 11 March, Section 2c – Attachment 4

⁴⁰ Minority Rights Group International 2010, *State of the World’s Minorities and Indigenous Peoples 2010*, 1 July – Attachment 10; Thang, V. B. 2009, ‘SPDC Authorities Shut Down Chin Church In Rangoon’, *Chinland Guardian*, 26 April – Attachment 17

⁴¹ US Department of State 2010, *International Religious Freedom Report for 2010 – Burma*, 17 November, Section II – Attachment 9; United States Commission on International Religious Freedom (USCIRF) 2010, *Annual Report 2010 – Countries of Particular Concern: Burma (Myanmar)*, 29 April – Attachment 16

⁴² US Department of State 2010, *International Religious Freedom Report for 2010 – Burma*, 17 November, Section II – Attachment 9

⁴³ United States Commission on International Religious Freedom (USCIRF) 2010, *Annual Report 2010 – Countries of Particular Concern: Burma (Myanmar)*, 29 April – Attachment 16

⁴⁴ UK Home Office 2010, *Country of Origin Information Report – Burma (Union of Myanmar)*, 23 July, pp.66-68 – Attachment 6

5. Deleted.

6. Is there any information to suggest that the military harass or discriminate against Chin Christian Ministers, or that the military authorities would torture, detain, or extract forced confessions from Chin Christian Ministers?

Chin Christian ministers and pastors are reportedly subject to harassment, physical assault, arrest, torture, and detention by the military regime. According to the Chin Human Rights Organisation (CHRO), “in some instances, pastors, evangelists and missionaries have been abducted, tortured and even killed by the Burmese soldiers”.⁴⁵ Benedict Rogers of CSW claims that when the junta “attacks villages in conflict zones, churches and pastors are often among the first to be attacked”.⁴⁶ As mentioned previously, Chin Christian pastors are also vulnerable to forced labour, including on Sundays and religious holidays.⁴⁷

In November 2010, a Baptist church pastor was interrogated and forced to cease holding worship services for refusing to wear an election campaign T-shirt supporting the military-backed USDP. Another Chin pastor reported being held at gunpoint and forced to pray in a Buddhist pagoda.⁴⁸ In April 2007, a Chin Christian pastor and his wife were threatened with imprisonment for converting a Buddhist couple to Christianity, but avoided arrest by paying a bribe to the authorities.⁴⁹

Furthermore, in April 2002, “two highly respected Christian ministers” in Dagon North were arrested and detained for three nights by the military junta before being transferred to Insein Prison. The ministers refused to sign a release condition under which they would have to cease preaching.⁵⁰

7. Please provide information on whether a Christian Minister who is regarded as being political is likely to be targeted by military authorities in Myanmar.

It is likely that a Christian Minister in Chin state would be regarded as being political and, as a result, be targeted by the authorities. The military regime in Myanmar targets, monitors, and harasses people believed to hold anti-government views.⁵¹ As previously discussed, Christians in Myanmar are often targeted on grounds of imputed political opinion, on the basis that they generally belong to ethnic groups opposed to the government.⁵² Benedict Rogers of CSW states that the military regime does not

⁴⁵ Rogers, B. 2007, *Carrying the Cross: The military regime's campaign of restriction, discrimination and persecution against Christians in Burma*, Christian Solidarity Worldwide, January, pp.30-31, 36-37
<http://www.csw.org.uk/Countries/Burma/Resources/Carryingthecross.pdf> – Accessed 23 September 2010 – Attachment 12

⁴⁶ ‘Spike in anti-Christian violence feared before Burma elections’ 2010, *Compass Direct*, 21 January – Attachment 13

⁴⁷ Human Rights Watch 2009, “*We Are Like Forgotten People*” *The Chin People of Burma: Unsafe in Burma, Unprotected in India*, January, p.51 – Attachment 11

⁴⁸ ‘Burmese officials order closure of Chin church’ 2010, *Compass Direct*, 18 November – Attachment 18

⁴⁹ Human Rights Watch 2009, “*We Are Like Forgotten People*” *The Chin People of Burma: Unsafe in Burma, Unprotected in India*, January, p.49 – Attachment 11

⁵⁰ Ling, S. Z. U. and Mang, S. B. L. (undated), *Religious Persecution: A Campaign of Ethnocide against Chin Christians in Burma*, Chin Human Rights Organisation, pp.40-41 – Attachment 19

⁵¹ US Department of State 2010, *Country Reports on Human Rights Practices for 2009 – Burma*, 11 March, Section 2a – Attachment 4

⁵² Rogers, B. 2007, *Carrying the Cross: The military regime's campaign of restriction, discrimination and persecution against Christians in Burma*, Christian Solidarity Worldwide, January

discriminate between Christians involved in armed struggle against the government, and Christians who are not political.⁵³

Furthermore, a 2007 report by CSW states that the SPDC occasionally accuses Christians, sometimes falsely, of being involved in political activities. In 2006, three pastors were arrested for the construction of new churches and charged with violations of land laws, rather than religious regulations. In addition, a pastor in Chin state was arrested and detained on accusation of “harbouring Chin separatists”, although “[i]t was widely believed that the charge was completely false and that the real reason for her arrest was that she was a Christian pastor”.⁵⁴

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11. Please provide information on whether there are reports of the desecration of Christian crosses in the hills of Chin land.

The destruction of Christian crosses in Chin state has been reported by a number of sources. Despite their construction being restricted to mountain peaks, most of the crosses in all of the major townships of Chin state have been destroyed. In some instances, Buddhist pagodas have been built on the site of a destroyed cross, occasionally by local Christians under forced labour.⁵⁵

Christian Solidarity Worldwide reports that in Chin state, “the regime has been systematically destroying churches and crosses, which the Chins have traditionally built on hilltops and road-sides as a symbol of their faith”. CHRO director Salai Bawi Lian Mang states that “destruction of crosses started around the early 1990s with the rapid increase in army battalions established across Chin State. Since then, almost every cross in all the nine townships in Chin State has been destroyed by the regime”.⁵⁶

<http://www.csw.org.uk/Countries/Burma/Resources/Carryingthecross.pdf> – Accessed 23 September 2010 – Attachment 12; US Department of State 2010, *International Religious Freedom Report for 2010 – Burma*, 17 November, Section I – Attachment 9

⁵³ ‘Spike in anti-Christian violence feared before Burma elections’ 2010, *Compass Direct*, 21 January – Attachment 13

⁵⁴ Rogers, B. 2007, *Carrying the Cross: The military regime’s campaign of restriction, discrimination and persecution against Christians in Burma*, Christian Solidarity Worldwide, January, p.30

<http://www.csw.org.uk/Countries/Burma/Resources/Carryingthecross.pdf> – Accessed 23 September 2010 – Attachment 12

⁵⁵ Rogers, B. 2007, *Carrying the Cross: The military regime’s campaign of restriction, discrimination and persecution against Christians in Burma*, Christian Solidarity Worldwide, January, p.36

<http://www.csw.org.uk/Countries/Burma/Resources/Carryingthecross.pdf> – Accessed 23 September 2010 – Attachment 12; Human Rights Watch 2009, “*We Are Like Forgotten People*” *The Chin People of Burma: Unsafe in Burma, Unprotected in India*, January, pp.50-51 – Attachment 11; ‘CHRO Condemns destruction of Christian cross in Chin State’ 2010, Network for Human Rights Documentation – Burma, 25 August – Attachment 20; Or, E. K. Y. 2005, ‘Chin Launch Campaign against Burmese Christian Persecution’, Christian Today website, 28 January

<http://www.christiantoday.com/article/chin.launch.campaign.against.burmese.christian.persecution/2039.htm> – Accessed 2 March 2011 – Attachment 23

⁵⁶ Rogers, B. 2007, *Carrying the Cross: The military regime’s campaign of restriction, discrimination and persecution against Christians in Burma*, Christian Solidarity Worldwide, January, p.36

The most recent incident occurred in July 2010, when a 23-foot high Christian cross located on a hill in Mindat, southern Chin state, was forcibly destroyed on orders of the military regime.⁵⁷ In January 2005, the authorities ordered the destruction of a 50-foot Christian cross located “on the top of Mount Boi near Matupi” in southern Chin state, believed to be one of the last remaining crosses in Chin state.⁵⁸ A 30-foot Matupi cross had previously been destroyed in March 2002.⁵⁹

In June 2003, a man trying to protect a Christian cross in Chin state that the authorities planned to destroy and replace with a Buddhist pagoda was threatened with arrest.⁶⁰ A cross built on a hilltop of Thantlang Township was destroyed by police in 1999. Six Christian pastors who had refused to destroy the cross themselves were arrested and interrogated. Christian crosses have also been destroyed in Tonzang in 1994 and in Hakha in 1995.⁶¹

12. Please provide information on whether immigration officials are reported as accepting bribes to permit Myanmar citizens to leave Myanmar to travel to the Philippines, or to extend passport validity in the Burmese embassy in the Philippines.

The issuance of passports and exit visas in Myanmar is strictly controlled, leading to extensive corruption whereby applicants are “sometimes forced to pay bribes of up to 400,000 kyat (approximately \$400), roughly equivalent to the average annual salary of a skilled worker”.⁶² In October 2005, the Department of Foreign Affairs and Trade (DFAT) advised that bribery “is standard practice for obtaining passports in Burma regardless of whether one is in trouble with authorities or not”.⁶³

A March 2010 article from a Burmese news source based in India states that “[o]fficials at the passport office on Rangoon’s Pansodan Street have...made accepting a bribe from applicants a semi-official practice, with it impossible for applicants to receive a passport without paying-off the officers. With numerous Burmese traveling abroad in search of

<http://www.csw.org.uk/Countries/Burma/Resources/Carryingthecross.pdf> – Accessed 23 September 2010 – Attachment 12

⁵⁷ ‘CHRO Condemns destruction of Christian cross in Chin State’ 2010, Network for Human Rights Documentation – Burma, 25 August – Attachment 20

⁵⁸ Rogers, B. 2007, *Carrying the Cross: The military regime’s campaign of restriction, discrimination and persecution against Christians in Burma*, Christian Solidarity Worldwide, January, p.37

<http://www.csw.org.uk/Countries/Burma/Resources/Carryingthecross.pdf> – Accessed 23 September 2010 – Attachment 12; Or, E. K. Y. 2005, ‘Chin Launch Campaign against Burmese Christian Persecution’, Christian Today website, 28 January

<http://www.christiantoday.com/article/chin.launch.campaign.against.burmese.christian.persecution/2039.htm> – Accessed 2 March 2011 – Attachment 23

⁵⁹ Rogers, B. 2007, *Carrying the Cross: The military regime’s campaign of restriction, discrimination and persecution against Christians in Burma*, Christian Solidarity Worldwide, January, p.36

<http://www.csw.org.uk/Countries/Burma/Resources/Carryingthecross.pdf> – Accessed 23 September 2010 – Attachment 12

⁶⁰ Human Rights Watch 2009, “We Are Like Forgotten People” *The Chin People of Burma: Unsafe in Burma, Unprotected in India*, January, pp.50-51 – Attachment 11

⁶¹ Rogers, B. 2007, *Carrying the Cross: The military regime’s campaign of restriction, discrimination and persecution against Christians in Burma*, Christian Solidarity Worldwide, January, pp.36-37

<http://www.csw.org.uk/Countries/Burma/Resources/Carryingthecross.pdf> – Accessed 23 September 2010 – Attachment 12

⁶² US Department of State 2010, *Country Reports on Human Rights Practices for 2009 – Burma*, 11 March, Section 2d – Attachment 4

⁶³ DIMA Country Information Service 2005, *Country Information Report No. 05/60 – Burmese passport and departure procedures*, (sourced from DFAT advice of 12 October 2005), 14 October – Attachment 24

jobs and greener pastures, the passport application process has been a lucrative affair for officials”.⁶⁴

Myanmar has consistently been ranked by Transparency International as one of the world’s most corrupt countries. A June 2009 reports states that “rampant corruption pervades all levels of the political and administrative systems”.⁶⁵ Freedom House similarly reports that “corruption and economic mismanagement are rampant at both the national and local levels”. According to the US Department of State, “officials frequently engaged in corrupt practices with impunity. A complex and capricious regulatory environment fostered corruption”.⁶⁶

Nevertheless, no information was located on immigration officials accepting bribes to extend passport validity in the Burmese embassy in the Philippines.

13. Please provide information on the extent to which information on the availability of protection visas in the Philippines is generally available within Manila. Please also provide information on the number of Myanmar refugees accepted by the Philippines from 2007 to 2010. Is there any information on the general level of awareness as to the availability of access to protection visas on the part of Christian pastors in Manila?

According to the United Nations High Commissioner for Refugees (UNHCR)’s Statistical Online Population Database, there were 3 recognised refugees from Myanmar residing in the Philippines in 2007, and 4 in both 2008 and 2009. No data was available for 2010.⁶⁷ The UNHCR estimates that there were a total of 95 recognised refugees in the Philippines as of January 2010, and 55 asylum seekers whose protection application was pending.⁶⁸

A June 2010 article in the *South China Morning Post* highlights the work of the UNHCR in Manila, stating that refugees from various countries “have made a fresh start in Manila and the surrounding area without judgment or scorn from Filipinos”. UNHCR employee Bernard Kerblat reportedly “felt the quality of asylum and integration for urban refugees in the country is remarkable. In many countries, refugees are seen as a burden but not in the Philippines, where they can contribute to a community that welcomed them”.⁶⁹ However, no specific mention is made of refugees from Myanmar.

The current level of awareness and information in Manila about the availability of, and access to, protection visas in the Philippines, including for Christian pastors, is unclear. There appears to be an organisation in the Philippines called the Christian International

⁶⁴ Thet, M. 2010, ‘Burma begins issuing machine-readable passports’, *Mizzima*, 30 March – Attachment 25

⁶⁵ ‘Overview of corruption in Burma (Myanmar)’ 2009, The U4 Anti-Corruption Resource Centre and Helpdesk, Transparency International website, June <http://www.u4.no/helpdesk/helpdesk/query.cfm?id=205> – Accessed 8 June 2010 – Attachment 26

⁶⁶ UK Home Office 2010, *Country of Origin Information Report – Burma (Union of Myanmar)*, 23 July, p.62 – Attachment 6

⁶⁷ ‘Refugee Population in the Philippines Originating from Myanmar’ 2011, UNHCR Statistical Online Population Database <http://apps.who.int/globalatlas/dataQuery/default.asp> – Accessed 2 March 2011 – Attachment 27

⁶⁸ ‘Philippines: Statistical Snapshot’ 2010, UNHCR website, January <http://www.unhcr.org/cgi-bin/texis/vtx/page?page=49e489296> – Accessed 2 March 2011 – Attachment 28

⁶⁹ Carney, J. 2010, ‘Manila is heart of a new home for refugees’, The Living Rice blog website, source: *South China Morning Post*, 20 June <http://thelivingrice.blogspot.com/2010/07/many-foreign-refugees-find-new-lives-in.html> – Accessed 2 March 2011 – Attachment 29

Refugee Mission (Philippines, Inc.), although no further information about the group could be located.⁷⁰

The UNHCR reported in 2004 that its main role in the Philippines will include efforts “to raise public awareness and clarify the roles of the Government and UNHCR in the protection of refugees...[and] address the lack of knowledge by the greater public and key stakeholders concerning basic notions of refugee protection and law”.⁷¹

Attachments

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⁷¹ UNHCR 2004, ‘Country Operations Plan: The Philippines’, UNHCR website <http://www.unhcr.org/3f79864e4.pdf> – Accessed 2 March 2011 – Attachment 31

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