



# Waiting on the Margins:



## An Assessment of the Situation of the Chin Community in Delhi, India

*Chin Human Rights Organization  
April 2009*

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## I. Executive Summary

The steep mountain chains and deep valley gorges in Burma's northwestern Chin State is the homeland of some 1.5 million ethnic Chin. Due to ongoing human rights abuses, severe restrictions on basic freedoms, and widespread poverty within Chin State, only 500,000 ethnic Chin remain in Chin State. More than two-thirds of the Chin population have fled to other parts of Burma and neighboring countries in a quest for protection and survival.

Some 100,000 Chin are currently living in uncertain conditions in India's northeastern state of Mizoram, which shares a border with Burma's Chin State. Another 4,200 Chin have made their way to Delhi with the hope of obtaining protection from the United Nations High Commissioner for Refugees (UNHCR). Another 30,000 Chin have fled to Malaysia also with the hope of finding some form of protection and security.

This report examines the lack of protection and adequate living conditions of Chin refugees and asylum-seekers in Delhi. As India is not a party to the 1951 Convention Relating to the Status of Refugees or its 1967 Protocol, few protections are available to Chins living in Delhi. Although UNHCR is currently registering and recognizing refugees in Delhi, the Chin face long wait times due to processing delays. Resettlement is unduly slow and opportunities are limited. Although the Indian government allows UNHCR-recognized Chin refugees to obtain residential permits to stay in Delhi, the process to obtain such permits is complicated by redundant documentation requirements, corruption, and unnecessary delays.

While protection and permanent solutions are long in coming for the Chin community in Delhi, their wait is made more urgent by untenable living conditions, a lack of adequate and acceptable livelihoods, poor health, an inability for their children to receive an education, and the impossibility of integrating with the local community. Although UNHCR supports several programs to provide for and improve the welfare of Chin refugees, many of these programs are inadequate and ineffective to meet the needs of the community. Access to such programs are limited to UNHCR-recognized Chin refugees, excluding those not yet registered with UNHCR and those with cases pending before UNHCR.

Considering the human rights situation in Burma and ongoing violations against basic human rights and freedoms in Chin State, the Chin people of Burma will continue to require protection and accommodation in neighboring countries in the foreseeable future. For this reason, the Chin Human Rights Organization urges the Indian government and the UNHCR to:

- Ensure Chin refugees and asylum-seekers have unhindered access to effective and expedient protection mechanisms.
- Minimize processing delays and corruption that hinder members of the Chin community from obtaining protection and access to crucial benefits and services.
- Ensure Chin refugees and asylum-seekers have access to: acceptable and appropriate accommodations; stable and adequate sources of income and job opportunities; and quality and affordable healthcare and education.
- Promote, expand, and improve current humanitarian programs that benefit and serve members of the Chin community.

## **Methodology**

The Chin Human Rights Organization (CHRO) initiated this report out of concern for the Chin situation in Delhi. The last CHRO assessment of the Chin community living in Delhi was undertaken in June 2004. Considering that much has changed in Delhi since then and that Delhi continues to host a large population of Chin refugees and asylum-seekers, CHRO felt it timely to conduct a follow-up assessment into conditions for the Chin community in Delhi.

This report was prepared by CHRO's Delhi office and is based on information provided by community-based and other organizations that work closely with the Chin community. In support of this project, CHRO conducted interviews with 125 families as well as several surveys in 2008 on the legal, social, and economic realities of life in Delhi for the Chin community. CHRO also drew from previously conducted research and secondary materials. Information from various Chin communities in Delhi, including the Lai, Falam, Matu, Mara, etc., is represented in this report.

The focus of this report is to highlight the situation of the Chin community living in Delhi and their protection and humanitarian concerns. This report only briefly outlines the human rights situation in Burma- the major root cause contributing to the exodus of Chin into India. For more information about the human rights situation for the Chin in Burma, please visit CHRO's website ([www.chro.org](http://www.chro.org)). This report also does not expand on the issues and concerns impacting other large Chin populations living in Mizoram, India and Malaysia. Further information related to these communities can also be found on CHRO's website.

## **About the Chin Human Rights Organization**

CHRO is non-governmental, not-for-profit organization legally registered in Canada with branch offices in New Delhi and Aizawl, India, Chiang Mai, Thailand, and the United States. CHRO is working to protect and promote the rights of the Chin people living inside Burma and in exile. CHRO works closely with and supports the programs of Chin community-based organizations in India, Malaysia, Thailand, and in resettlement countries.

To find out more about our work and the issues affecting the Chin people of Burma, please visit CHRO's website at: [www.chro.org](http://www.chro.org) or contact one of our offices:

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## II. Background

### A. The Ethnic Chin of Burma<sup>1</sup>

Some 500,000 ethnic Chin live in Burma's northwestern Chin State and another 700,000 Chin live in other parts of Burma.<sup>2</sup> Although the Chin community in Burma is comparatively small, the Chin are as ethnically diverse as Burma itself. The six main Chin tribes, including the Asho, Cho (Sho), Khuami (M'ro), Laimi, Mizo (Lushai), and Zomi (Kuki), can be further broken up into at least 60 different sub-tribal categories.<sup>3</sup> Although the various Chin tribes share more commonalities than differences, communication and inter-tribal relations can be complicated by differences in language. The Chin speak more than 20 mutually distinct languages.<sup>4</sup>

Despite such diversity, the Chin are unified through a common history, geographical homeland, traditional practices, and ethnic identity. The missions of the American Baptist Church starting in the late 1800's served to further unify the Chin people through religion. In a country that is predominantly Buddhist, the Chin are 90 percent Christian with most belonging to the American Baptist Church.<sup>5</sup>

Chin State itself is typified by steep mountains and deep gorges with very little plain area. Despite its rugged terrain, the Chin people have survived for centuries as farmers and a majority of the population in Chin State continues to cultivate the land using traditional slash-and-burn farming methods.<sup>6</sup> Ethnic and religious discrimination, lack of development and infrastructure in Chin State, and restrictions imposed by the military regime limit other non-agricultural job opportunities for Chin living in Chin State.

### B. Root Causes of Flight

In 1962, Burma's democratically-elected government fell to a military coup. Ever since, successive military leaders have ruthlessly ruled Burma and held its people in an iron grip. In Chin State, rapid militarization in addition to widespread ethnic and religious discrimination has resulted in an overabundance human rights abuses perpetrated at the hands of the Burma Army. Incidents of extra-judicial killings, torture, arbitrary arrest and detention, rape and

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<sup>1</sup> In 1989, the military regime unilaterally changed the name of the country from Burma to Myanmar. The name change is seen as an effort to "Burmanize" national culture. The Chin Human Rights Organization uses the name Burma.

<sup>2</sup> Chin Development Initiative, "Facts about Chin State and its People," unpublished document on file with Chin Human Rights Organization, March 2006.

<sup>3</sup> Lian H. Sakhong, *In Search of Chin Identity: A Study in Religion, Politics and Ethnic Identity in Burma* (Denmark: Nordic Institute of Asian Studies, 2003), pp. 17-19.

<sup>4</sup> Id.

<sup>5</sup> Salai Za Uk Ling and Salai Bawi Lian Mang, *Religious Persecution: A Campaign of Ethnocide against Chin Christians in Burma* (Ottawa: Chin Human Rights Organization, February 2004).

<sup>6</sup> Chin Development Initiative, "Facts about Chin State and its People," unpublished document on file with Chin Human Rights Organization, March 2006.

sexual violence, forced labor and portering, and violations against people's freedom of association, assembly, movement, religion, and property are well-documented in Chin State.<sup>7</sup>

Such rampant human rights abuses have forced thousands of Chin to leave their homes, families, friends, and livelihoods in Burma in order to seek refuge in neighboring lands. Some 75,000 to 100,000 ethnic Chin from Burma are currently living on the India-Burma border in India's northeastern state of Mizoram. Despite sharing a common ethnic heritage, the Chin face considerable discrimination by the local population and live in constant fear of being forcibly returned to Burma. Although many Chin fear persecution in Burma and would likely qualify for refugee protection, UNHCR has no access and provides no protection to the Chin population living in Mizoram.

The only available means for Chin in India to obtain protection from UNHCR is to travel some 2,400 kilometers to Delhi. Due to the significant distance and expense of this trip, only a small minority of Chin are able to make it to Delhi. As of December 2008, the population of Chin in Delhi numbered 4,200.<sup>8</sup> Those who make it to Delhi face considerable hardships and difficulties.

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<sup>7</sup> See, Human Rights Watch, "'We Are Like Forgotten People,' The Chin People of Burma: Unsafe in Burma, Unprotected in India," January 2008.

<sup>8</sup> Chin Refugee Center- Delhi, December 2008.

### **III. Protection of the Chin Community in Delhi**

#### **A. Indian Government**

India is not a signatory to 1951 Refugee Convention Relating to the Status of Refugees or its 1967 Protocol. India also lacks a legal framework to determine asylum claims or recognize refugees. Rather, the treatment of refugees in India falls under India's Registration of Foreigners Act of 1939, the Foreigners Act of 1946, and the Foreigners Order of 1948. None of these Acts distinguish between undocumented migrants and refugees. As a result, India has no official procedural mechanism in place to protect refugees living within its borders. Instead, refugees in India are governed by way of ad hoc policies that differ substantially from nationality to nationality.

In the past, the Indian government has positively received refugees from Burma. In 1988, following the nationwide uprising in Burma, hundreds of refugees fled into India to escape harsh reprisals by the military regime. At this time, the Indian government criticized the actions of Burma's military regime and warmly accepted the incoming refugees. Narasimha Rao, the Indian External Affairs Minister, issued orders to protect refugees from Burma and the Indian government provided support to refugee camps established along the border.<sup>9</sup> India's hospitality towards refugees from Burma quickly turned in the early 1990s as political and economic relations between the two countries took precedence. By 1995, the Indian government withdrew support of camps housing refugees from Burma and the Mizoram government issued orders to close the camps.<sup>10</sup> Under today's policy, India bars UNHCR from conducting operations in Mizoram, where a substantial refugee population from Burma continues to exist.

Despite its resistance to openly accepting refugees from Burma, India does allow UNHCR to maintain a presence in its capital city of Delhi. The Indian government also generally respects documentation issued by the UNHCR as demonstrated by its policy of granting residential permits through the Ministry of Home Affairs to refugees from Burma who are recognized by UNHCR.

Protection and humanitarian relief for refugees and asylum-seekers, however, is limited. Refugees and asylum-seekers, including UNHCR-recognized refugees, face restrictions in terms of movement, accommodations, livelihood, and access to social services. Although UNHCR-recognized refugees are allowed to travel freely within Delhi, they are not allowed to travel outside Delhi. India denies work permits to refugees and access to certain government services.

#### **1. Residential Permits**

Under the Foreigners Act of India, UNHCR-recognized refugees from Burma are permitted to apply for a residential permit, an important document that authorizes residency in Delhi as a foreigner. A residential permit is required for Chin refugees to be eligible for certain

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<sup>9</sup> Soe Myint, "India and Burma: Working on their Relationship," March 1999.

<sup>10</sup> South Asia Human Rights Documentation Center, "The Situation of Burmese Refugees in Asia: Special Focus on India," undated, [http://www.hrdc.net/sahrdc/resources/burmese\\_refugee.htm](http://www.hrdc.net/sahrdc/resources/burmese_refugee.htm) (last visited March 13, 2009).

services in Delhi. Residential permits are also required in order to receive an exit permit to leave the country.

To apply, a refugee applicant must provide certain documentation to the Foreigners Regional Registration Office (FRRO), including:

- A valid refugee certificate issued by the UNHCR demonstrating his/her refugee status;
- Documentation showing his/her residency in Delhi; and
- Verification of his/her residency by the local police.

The process of applying for a residential permit, however, is complicated by demands by the FRRO for a superfluity of documents in order to demonstrate residency in Delhi, including documentation from landlords and house owners. Due to the informal housing arrangements of refugees and asylum-seekers in Delhi, landlords and house owners are often hesitant to provide proof of residency to refugees, fearing potential legal and tax consequences for housing foreigners. Starting in 2007, the FRRO also began requiring documents such as a ration card, driver's license, voting card, or utility bill, to demonstrate residency in Delhi. For refugees, however, these documents are difficult to obtain and, in some cases, are only available to Indian citizens.



Foreigners Regional Registration Office (FRRO), Delhi. Demands for excessive documentation and arbitrary payment by FRRO is making it more difficult for Chin refugees to obtain a residential permit, a document necessary for their security and survival in Delhi. (Photo by CHRO)

For verification of residency, the local police also require excessive payments or bribes of up to Rs. 300 (US\$5.80). For a refugee earning an average income of less than Rs. 70 (US\$1.35) per day, these payments are onerous. For those who are able to pay the fees demanded, their cases are processed in one to two weeks; those who are unable to pay have their cases put on hold for up to four months. Although there is no law or policy legitimizing this practice, such abuse often goes unreported.

### ***FRRO: No Permits Without Payment***

Starting in December 2008, the FRRO also began demanding arbitrary payments of up to Rs. 20,000 (US\$387) from members of the Chin community, making it near impossible to obtain a permit. It is reported that the payment is a penalty for “unpaid” taxes lodged against those who enter and remain in India without documents. In principle, the payments are determined by the date of entry into India to the date of application for a residential permit. According to Chin forced to pay this fee, however, there is no set fee schedule.

These charges by the FRRO are prohibitively expensive, particularly for Chin refugees who face difficulty accessing UNHCR procedures and experience delays while their cases are pending with UNHCR before receiving proper documentation. Many UNHCR-recognized Chin refugees are unable to afford the fees demanded by FRRO. In 2008, the FRRO withheld



permits to 60 Chin due to their inability to pay the required fee, which ranged from Rs. 4500 (US\$87) to almost 20,000 (US\$387). Many more will likely be denied in 2009 as the practice continues.

Although the process of receiving a residential permit should take no longer than two weeks, due to corrupt officials and the difficulties posed in obtaining the required documentation, the process for Chin refugees can take up to four months. During this lag time, refugees are at risk of severe consequences, including arrest by the police. Employers and house owners are also more hesitant to hire or rent to Chin refugees without a residential permit.

Further adding to these obstacles, the residential permit is only valid for six months, after which time it must be renewed. To renew the residential permit, an applicant must present a valid refugee certificate. If the residential permit expires without being renewed within the required time period, an applicant must make a special request to the Ministry of Home Affairs. After receiving permission to renew the permit, applicants must start all over again at the FRRO- providing documentation of residency in Delhi and obtaining verification of by the local police department. This is an exhaustive process requiring time, energy, and money and causing many hardships for Chin refugees with little expendable resources.

## **2. Exit Permits**

Once a refugee is accepted for resettlement to a third country, the government of India requires the refugee to apply for an exit permit from the FRRO in accordance with the 1948 Foreigners Order. This exit permit is necessary before a refugee is allowed to leave the country. In order to apply for an exit permit, an applicant must show a valid residential permit.

To obtain police clearance for an exit permit in a timely manner, the police again require payment of Rs. 500 (US\$9.70) per person. For those who are able to pay, their cases are processed within one month; those who are unable to pay have their cases put on hold for two to three months. In some cases, Chin refugees who could not pay the money demanded by the police and did not receive an exit permit in a timely manner were unable to depart for resettlement on the scheduled date. UNHCR and concerned Embassy officials have had to intervene to ensure exit permit are issued to refugees in a timely manner.

## **B. UNHCR Operations**

Although UNHCR has no formal status in India, it is allowed to maintain a presence in Delhi and is responsible for registering, recognizing, and resettling refugees living in India. The largest communities served by UNHCR-Delhi are refugees from Burma and Afghanistan. In collaboration with several implementing partners, UNHCR also provides support for certain forms of humanitarian relief and community welfare service for UNHCR-recognized refugees. For further information about these programs, please see section V. *UNHCR-Supported Programs*.

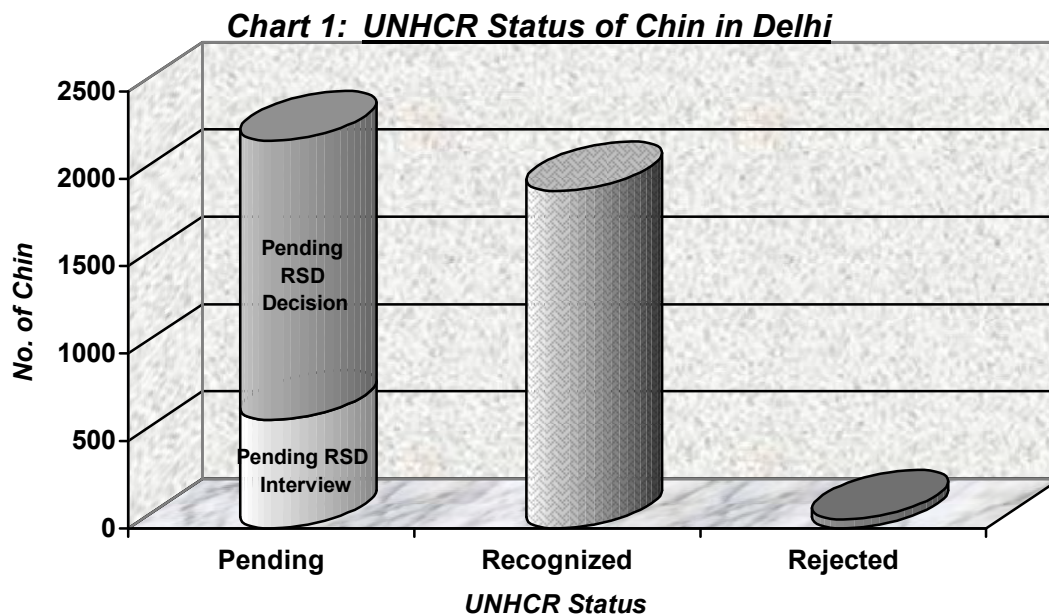
At the time of writing this report, UNHCR is



UNHCR gate, Delhi. All refugees from Burma seeking recognition and protection by UNHCR must travel to Delhi. (Photo by -----)

barred from accessing the substantial refugee populations in northeast India, including tens of thousands of Chin living on the India-Burma border in Mizoram State. All asylum-seekers from Burma seeking recognition and protection by UNHCR must travel to Delhi.

UNHCR first began recognizing refugees and asylum-seekers from Burma in 1989. Since then, the number of new asylum-seekers from Burma living in Delhi has grown steadily. Delhi currently hosts some 4,500 refugees and asylum-seekers from Burma, of which the ethnic Chin community accounts for about 98 percent.<sup>11</sup> Although the Chin were among the first waves of refugees coming from Burma in 1988, UNHCR did not begin granting refugee status to Chin until 1994. As of December 2008, the number of ethnic Chin in Delhi is 4,200.<sup>12</sup> Of this number, UNHCR has recognized some 1,930 (45 percent). Another 2,220 (53 percent) cases are pending and 50 have been rejected.<sup>13</sup>



## 1. Registration

*“Without a refugee certificate from UNHCR, there is no way for us to survive here.”*

-Chin asylum-seeker living in Delhi with his wife and three children.<sup>14</sup>

Registration with UNHCR is the first step for asylum-seekers seeking protection from UNHCR. Upon approaching UNHCR, new arrivals are provided with a letter stating that his/her case is under consideration by UNHCR. UNHCR then provides the new registrant with an appointment date to fill out an application form. Once the application form is submitted, UNHCR schedules an appointment to conduct the Refugee Status Determination (RSD) interview, during which the basis of a person’s claim for refugee status is assessed.

<sup>11</sup> Chin Refugee Center, December, 2008.

<sup>12</sup> Id.

<sup>13</sup> Id.

<sup>14</sup> CHRO interview September 2007.

The UNHCR registration is beleaguered by long delays at each step of the process. UNHCR Guidelines state that applications for refugee status should be processed in a timely and efficient manner and the wait period should not exceed six months from the date of registration to the date of RSD interview. Chin asylum-seekers in Delhi, however, typically wait four to six months after registering with UNHCR just to fill out the application form. It then takes another 12 to 18 months for the RSD interview. On average, the total time between when a new arrival first approaches UNHCR to when UNHCR conducts the RSD interview is about 16 months to two years- 10 to 18 months longer than provided by UNHCR Guidelines.



Chin refugees waiting outside UNHCR-Delhi. It typically takes two to three years for Chin refugees to receive UNHCR-recognition during which time they have access to little protection and few benefits. (Photo by CHRO)

Following the RSD interview, it typically takes another year before a refugee receives the results of whether his/her claim for refugee status is approved or denied. During this lag time, asylum-seekers with cases pending before the UNHCR are without documents, without access to UNHCR-supported services, and without financial support. Currently, some 2,000 Chin asylum-seekers, more than half the Chin population in Delhi, have cases pending before UNHCR.<sup>15</sup>

### ***Closure of the Registration Process***

UNHCR temporarily closed the registration process altogether in September 2007, during which time most new arrivals were blocked from initiating cases with UNHCR. UNHCR only registered “priority cases,” such as pregnant women, the elderly, the infirmed, etc. According to UNHCR, this measure was taken to clear the backlog of pending cases. Registration remained closed for one month. When the process reopened in late October, the processing time between registration and recognition remained unduly long.

## **2. Recognition**

After UNHCR approves a claim for refugee status, UNHCR issues a refugee certificate identifying that person as a UNHCR-recognized refugee. Refugee certificates are important identity documents and are required in order to access various UNHCR-supported services. Please see section *V. UNHCR-Supported Programs* for more information on UNHCR’s implementing partners and the services they provide to refugees. Refugee certificates are valid for 18 months, after which time they must be renewed.

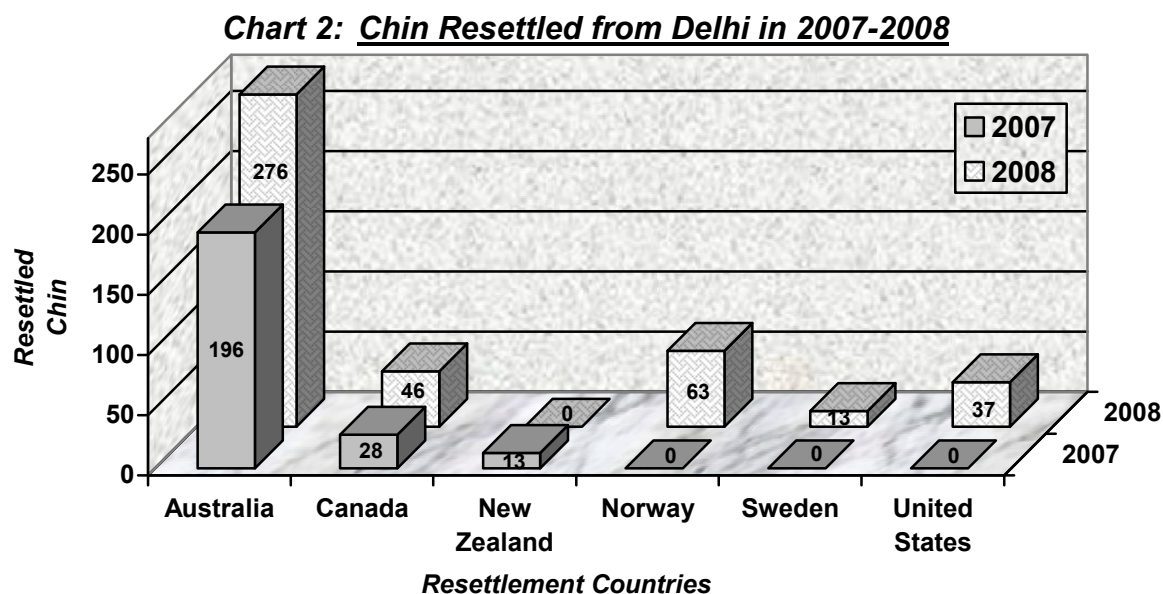
## **3. Resettlement**

*“We have no future here. Only when we leave can we hope for a future.”*  
- Chin refugee in Delhi<sup>16</sup>

<sup>15</sup> Chin Refugee Center, December 2008.

<sup>16</sup> CHRO interview, November 2006.

Due to the lack of local integration and realistic durable solutions in Delhi, resettlement is largely the only option for Chin refugees. In the resettlement process, UNHCR-recognized refugees are referred for relocation to a third country. In 2008, 435 Chin refugees were resettled to receiving countries such as Australia, Norway, Canada, the United States, Sweden, and New Zealand.<sup>17</sup>



\*Source: CRC, Dec. 2008

Before 2002, UNHCR managed a limited resettlement program for refugees from Burma. At this time, very few Chin were able to resettle annually- less than ten per year. In 2002, UNHCR altogether stopped referring refugees from Burma for resettlement, expecting the Chin assimilate into local society. At this time, the Canadian government agreed to accept small numbers of refugees from Burma and began processing cases directly through the Canadian Embassy. UNHCR finally reinitiated the resettlement program in 2005 following an independent survey exposing the challenges assimilation posed for refugees and asylum-seekers from Burma living in Delhi.

Although the doors of resettlement are now open for Chin refugees, the process remains very slow. Only a couple hundred Chin refugees leave every year for a third country through the resettlement process. Many have been waiting for more than nine years for an opportunity to resettle.<sup>18</sup>

<sup>17</sup> Chin Refugee Center, December 2008.

<sup>18</sup> Id.



## IV. Conditions for the Chin Community in Delhi

As of December 2008, some 4,200 Chin are living in Delhi, accounting for 98 percent of the total population of refugees and asylum-seekers from Burma.<sup>19</sup> Conditions in Delhi for the Chin are extremely difficult. Living arrangements are often cramped, unsanitary, and lack basic amenities. Employment opportunities are limited to the informal sector and are often low-paying, labor-intensive, and dangerous. The general community health is low and access to medical facilities limited. Due to differences in culture, language, and religion, integration within the local community is difficult.



Neighborhood in West Delhi, where many Chin refugees reside. Garbage collection, water distribution and other basic public amenities are often not available in these areas. (Photo by CHRO)

### A. Living Conditions and Accommodations

A majority of the Chin community in Delhi live in the neighborhoods of West Delhi, intermingled with the local Indian population. Many of the neighborhoods where the Chin reside are very poor and inadequately maintained by the municipal government. Garbage collection, water distribution, and other basic public amenities are not available in these areas. Streets and drainage canals are lined with garbage attracting dogs, pigs, cows and other street animals that feed off the garbage.



Shared toilet in Chin housing unit. More than 30 people tend to share a single toilet. (Photo by CHRO)

The neighborhoods where the Chin live are often overcrowded. Housing is limited, cramped, and dilapidated. The Chin frequently live in unfinished or makeshift rooms without basic amenities, such as running water or electricity. In some cases where water and electricity is not available, the Chin are left to tap overhead wires for electricity and gather water from leaky pipes along garbage-lined canals. There is very little privacy and most rooms lack a private toilet or kitchen. Small rooms are typically shared by more than one family and a single toilet tends to accommodate more than 30 people. Despite the deplorable nature of these accommodations, rent ranges from Rs. 1,500 to 3,000 (US\$29 to \$58) per month, an onerous amount considering that the typical Chin salary in Delhi is less than Rs. 2,000 (US\$38) per month.

<sup>19</sup> Id.

Good landlord-tenant relations are hindered by cultural and language barriers between the local population and the Chin. Landlords with little patience for certain practices of the Chin, such as cooking traditional, strong-smelling, non-vegetarian foods or holding long and lively group prayer meetings, have been known to raise the rent and evict the Chin from their housing. In 2008, 22 Chin families were evicted from their homes by Delhi landlords without good cause.<sup>20</sup> When problems arise between local landlords and Chin tenants, communication and negotiation is hindered by the language barrier.



Chin family of four in their one-room flat. The Chin frequently live in unfinished or makeshift rooms without basic amenities, such as running water or electricity. (Photo by CHRO)

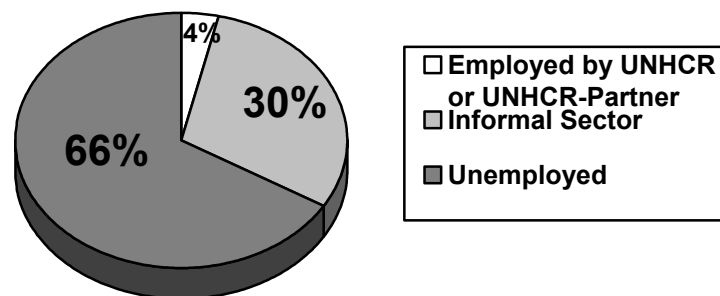
## B. Livelihoods

*"I used to work in a factory from 9:30 am to 9 pm every day, including Sunday, and earned just Rs. 1,000 a month. After six months, I was let go and haven't been able to find employment since. I've been unemployed now for one year. The only way I can support my wife and baby is by borrowing money from friends, but they also have very little money to spare."*

- Chin man living in Delhi<sup>21</sup>

The Indian government does not issue work permits to the Chin community. Even UNHCR-recognized Chin refugees are not able to obtain work permits. As a result, the Chin are relegated to the informal work sector where job opportunities are limited, low-paying, and sometimes labor-intensive.

**Chart 3: Employment Breakdown of Able-Bodied Chin in Delhi**



\*Based on a CHRO survey of 390 able-bodied Chin in Delhi, 2008

<sup>20</sup> Id.

<sup>21</sup> CHRO interview, November 2006.



Chin worker in a small factory in Delhi, India. Chin refugees are not able to obtain work permits in India and are relegated to the informal work sector. (Photo by CHRO)

The scarcity of job opportunities and a surplus of job-seekers have left more than half of the able-bodied Chin population unemployed. Chin workers have difficulty competing for jobs due to an inability to speak the local language, the lack of particular skill-sets as well as discriminatory hiring practices. Employers are also weary of hiring workers without proper documents, fearing the legal consequences. Chins who are able to find jobs typically work as

factory workers and general laborers for small local factories and companies in Delhi.

Due to the lack of proper working papers, Chin laborers are frequently subject to exploitative employers, long work days, and limited job security without any labor protections. Employers often pay less than initially promised or simply refuse payment altogether. Chin typically work 10 to 12 hours per day for less than Rs. 70 (US\$1.35) per day, generally 25 to 50 percent less than local laborers in the same position. Few employers allow time off for Sunday church services, illnesses, or other reasons. When problems arise in the workplace, Chin laborers are hesitant to make a complaint for fear of being fired.

Due to the difficulties in obtaining work and earning a sufficient income, daily survival is complicated. Many Chin can only afford one meal per day, typically consisting of poor quality rice and a few vegetables. Meat and spices are considered a luxury. Others are reduced to scouring the garbage left at the night market after it closes, competing for leftover vegetables with the local poor and street animals.



Chin refugees competing with street animals for leftover vegetables at the night market. (Photo by CHRO)

### **C. Health**

*"My wife has tuberculosis. She also suffered from complications when she gave birth to our baby and she had to undergo three surgeries. We had no money to pay for the surgeries but our church donated some money. She was prescribed some medicines at the hospital but we can no longer afford the medicines. I also cannot work because she is still too weak to care for the baby alone. I don't know what we will do."*

- Chin man living in Delhi with his wife and young baby<sup>22</sup>

Due to the difficult living conditions and daily hardships in Delhi, illnesses and medical problems are a common enemy of the Chin community. Out of 600 Chin interviewed, 25 percent suffered from some medical problem.<sup>23</sup> Common ailments include malnutrition, tuberculosis, typhoid, malaria, skin disorders, vitamin and calcium deficiencies, liver, kidney

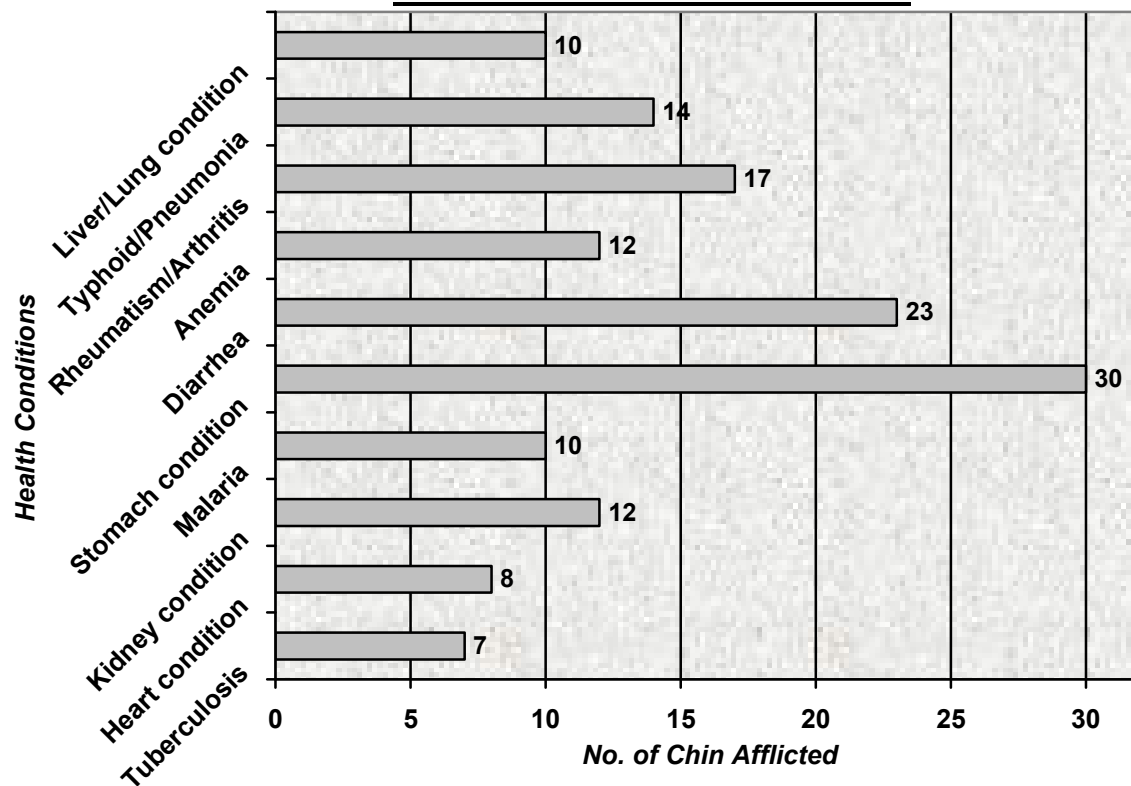
<sup>22</sup> CHRO interview, November 2006.

<sup>23</sup> Based on a survey conducted by CHRO, 2008.



and lung problems, gynecological problems, and other acute issues. Diarrhea and stomach problems are particularly common within the Chin community in Delhi.

**Chart 4: Health Conditions of Chin in Delhi**



\*Based on a CHRO Survey of 600 Chin in Delhi, 2008



Women's ward in DDU Hospital, one of the main hospitals where Chin refugees go to receive treatment. The lack of interpreters makes it difficult to receive adequate medical attention. (Photo by CHRO)

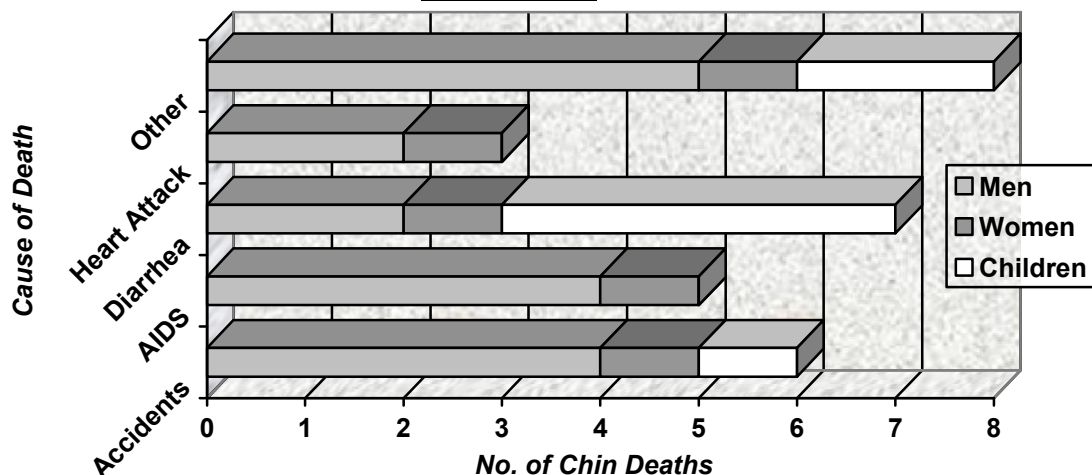
The Chin community has access to several health clinics as well as government hospitals. The New Delhi Young Men's Christian Association (NDYMCA), a UNHCR-implementing partner, provides primary healthcare as well as referrals for more complicated treatments for UNHCR-recognized refugees. The services of NDYMCA are restricted to UNHCR-recognized refugees. However, Chin are also able to access treatment at government hospitals, such as the Deen Dayal Upadhyay (DDU) Hospital located in Harinagar in West Delhi and the All India Institute of Medical Science (AIIMS) located in South Delhi.

Receiving adequate medical attention at the government hospitals is complicated by the lack of interpreters to communicate symptoms, diagnosis, and treatment options. Many Chin also cannot afford the cost of transportation to government hospitals.



Financial concerns, inability to communicate their conditions, fear of discrimination, and lack of transportation to access health services in Delhi hospitals inhibit many Chin from seeking necessary medical treatment. Chin in Delhi often die from easily preventable and treatable diseases, such as diarrhea. In 2007 and 2008 alone, the Chin Refugee Center in Delhi recorded the deaths of eight Chin, half of whom died of diarrhea.<sup>24</sup> Chin women and children make up a disproportionate number of those who have died in Delhi. Between 2004 and 2008, more than 60 percent of the deaths recorded by the Chin Refugee Center in Delhi were women and children.<sup>25</sup>

**Chart 5: Deaths Recorded in the Chin Community**  
**(1998-2008)**



Source: CRC, Dec. 2008

## D. Education

In accordance with its international legal obligations as well as domestic laws, India is required to ensure *all* children living in India, regardless of their nationality, have access to an education. As a party to the Convention on the Rights of the Child as well as the International Covenant on Economic, Social and Cultural Rights, India is bound by provisions that guarantee the right to education for everyone.<sup>26</sup> In 2005, the Parliament of India affirmed its obligations by adopting an amendment to the Constitution of India that provides “free and compulsory education to *all* children.”<sup>27</sup>

Despite these provisions, few Chin children are able to obtain a formal education in Delhi. Out of the estimated population of 400 Chin children living in Delhi, less than 25 percent of Chin school-aged children are enrolled in school.<sup>28</sup> Admission and documentation

<sup>24</sup> Chin Refugee Center, December, 2008.

<sup>25</sup> Id.

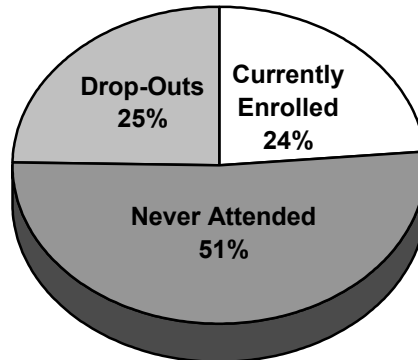
<sup>26</sup> International Convention on the Rights of the Child, adopted November 20, 1989 (entered into force September 2, 1990, acceded to by India January 11, 1993), article 28; International Covenant on Economic, Social and Cultural Rights, adopted December 16, 1966 (entered into force January 3, 1976, acceded to by India April 10, 1979), article 13.

<sup>27</sup> Constitution of India, Article 25.

<sup>28</sup> Based on a survey conducted by CHRO of Chin school-aged children, 2008.

requirements, language barriers, and prohibitively high school costs effectively limit Chin children from attending schools in Delhi.

**Chart 6: Education of Chin School-Aged Children in Delhi**



\*Based on a CHRO survey of 282 parents of school-aged children, 2008.

In order to attend government schools in India, which are generally free, Chin children must meet admissions requirements, such as competency in Hindi, as well as provide documentation, such as a birth certificate and prior school transcript. As refugees and asylum-seekers, it is difficult to produce the necessary paperwork for admission. In addition, the medium of instruction in Delhi's government schools is Hindi, posing a serious learning obstacle for most Chin children who are completely unfamiliar with the Hindi language. As a result, there is not one Chin child that attends a government school in Delhi.

Due to the inaccessibility of government schools, private schools are the only available alternative for Chin children living in Delhi. Private schools, however, are prohibitively expensive. On average, private schools charge monthly fees of Rs. 500 to 1,000 (US\$9.70 to \$19.35). In addition, parents must pay for books, uniforms, and transportation expenses. In general, it costs about Rs. 18,000 (US\$348) to attend one year of private school in Delhi. For refugees and asylum-seekers struggling for their basic survival, these costs are unaffordable.

### ***E. Integration***

Integration with the local population in Delhi is extremely difficult for the Chin. In general, the Chin speak a different language, share different physical attributes, practice a different religion, and come from a different culture than the local population in Delhi. The general lack of resources in India further heightens tension between the Chin and the local communities in Delhi, particularly among the local poor who see the Chin as competition for scarce resources.

As a result of these differences, the Chin often feel ostracized and discriminated against by members of the local population. Occasional problems between the Chin and local population have led to evictions, physical violence, and other issues. Chins have reportedly been evicted from their accommodations for cooking traditional, non-vegetarian food, for receiving guests, or for holding organized prayer meetings. Other Chin have reported beatings, having rocks thrown at them, or being raped or sexually violated by members of the local population. Most abuse is perpetrated with impunity- either because it is unreported or a lack of enforcement.

When problems arise between local landlords and Chin tenants, it is difficult to resolve differences and misunderstandings due to the language barrier.

## V. UNHCR-Supported Programs

In response to the myriad of needs of the refugee communities in New Delhi, UNHCR has developed programs in conjunction with implementing partner organizations to help recognized refugees maintain a certain standard of living and gain access to employment, health, education, and legal services. In addition to programs run directly by UNHCR, such as the subsistence allowance program, services are provided by four UNHCR-implementing partners. These organizations are supported by UNHCR and include:

- The Don Bosco Ashalayam (DBA), which provides job placement assistance and implements the “top-up” salary program.
- The New Delhi Young Men’s Christian Association (NDYMCA), which provides health and educational assistance to refugees.
- The Women’s Protection Clinic (WPC), which provides counseling and other services to refugee women.
- The Social and Legal Information Center (SLIC), which provides legal assistance to refugees.

These services, however, are limited to only UNHCR-recognized refugees. Those who are not yet registered with UNHCR or with cases pending before UNHCR are not eligible to receive such services and struggle for their daily subsistence.

### A. Subsistence Allowance (SA)

Recognizing the difficulties faced by Chin refugees living in Delhi in terms of making ends meet, UNHCR allows Chin refugees to participate in the Subsistence Allowance (SA) program. The SA program was designed to ensure refugees are able to maintain a certain standard of living in Delhi by providing monthly cash assistance to those who are eligible. As of December 2008, those who qualify for SA receive Rs. 2,245 (US\$43) plus Rs. 750 (US\$14.50) for each dependent up to three dependents.



Chin family of four sharing one bowl of soup. Only 10 percent of the Chin refugee population is eligible to receive subsistence allowance from UNHCR, although more than 70 percent live below the poverty line. (Photo by CHRO)

Although many Chin live far below the poverty line in Delhi, only a small minority are able to receive SA from UNHCR. Chin refugees with UNHCR-recognition are eligible for the SA program if they fit within one of the following categories:

- Newly-Recognized Refugee
- Disabled or Extremely Vulnerable Individual (EVI)
- Unaccompanied Minors

Only those in the category “Disabled or EVI” can continue to receive SA as long as necessary. The other two categories of Chin refugees receive the full amount of 2,245 Rs. (US\$43) in SA for only six months. After six months, the amount is reduced to Rs. 1,400 (US\$27). Those receiving SA as a newly-

recognized refugee are completely cut-off from assistance after one year. Unaccompanied minors are cut-off once they attain the age of 18.

This system is problematic on several levels. For one, only 10 percent of the Chin refugee population is eligible to receive benefits under this system even though more than 70 percent of the population live below the poverty line.<sup>29</sup> A majority of those who do receive assistance under the program receive inadequate amounts for their basic survival and are cut-off altogether before they can properly provide for themselves. This progressive slashing of the allowance is insensitive to the daily realities of refugee life in Delhi. Furthermore, the program fails to account for the needs of large families with more than three dependents. It is common to have very large families within Chin society, however, the SA is capped at Rs. 4,495 (US\$87)- an amount that is further reduced to Rs. 3,650 (US\$71) after six months. This results in extreme hardships for families with many members.

## **B. Employment Assistance**

### **The “Salary Top-Up” Program**

For UNHCR-recognized refugees living in New Delhi, the Don Bosco Ashalayam (DBA), an implementing partner of the UNHCR, provides assistance in the employment sector. On 2 May 2005, the “Salary Top-Up” program was introduced in an attempt to bring the salaries of refugee workers up to the official Delhi Minimum Wage Act. Under the program, DBA supplements the salaries of UNHCR-refugee workers to ensure they earn at least Rs. 3,166 (US\$61) per month, Delhi’s minimum wage. The plan was initiated

with the idea that the subsidy would gradually be reduced as the worker received periodic raises by the employer. It was also introduced as part of a “self-reliance” scheme to end refugee dependence

on UNHCR’s subsistence allowance. In reality, the program is very limited and has created a secondary labor market where employers are accustomed to paying less to refugee laborers.



Chin workers in a local electronics factory. Due to the lack of work permits, Chin laborers are subject to long work days, limited job security, and no labor protections. (Photo by CHRO)

Under the job placement and top-up salary program, DBA places participants with a DBA-qualified employer. To become a DBA employer, employers must agree in advance to comply with certain minimum working standards before accepting refugee workers. Although most DBA jobs are for unskilled laborers in the informal sector, DBA monitors employers to ensure working conditions are safe and in compliance with the DBA program criteria. A refugee may also accept employment from an outside employer and still register for DBA top-up benefits.

To be eligible for the top-up program, Chin refugees must:

- Be recognized as a refugee by UNHCR;
- Hold a valid residential permit;

<sup>29</sup> Chin Refugee Center, December 2008.

- Be the only income-earning member of their household;<sup>30</sup>
- Demonstrate that no one in their family is a recipient of UNHCR subsistence allowance; and
- Agree to work at least 26 days per month, ill health and other reasons notwithstanding.

To facilitate job placement, DBA provides a 15-day training to prepare applicants for the workplace. Limited classes are also available for those who have difficulty finding a placement as well as those under 18 years of age. Classes include English language and computer skills trainings. DBA also assists refugees in finding jobs within conveniently located neighborhoods. For individuals who have difficulty obtaining or maintaining a job, DBA also provides a 15-day psycho-social counseling program. Those who are unable to successfully maintain job placements are cut off from the program completely after three unsuccessful placements.

Since November 2007, DBA has limited subsidies under the salary top-up program to one year. After one year, DBA stops providing subsidies regardless of the salary paid by the employer. Since there is no real incentive for employers to increase the salary of refugee laborers once the subsidies are cut-off, refugee laborers must accept the lower salary or return to the job market in the hopes of finding a better-paying job. In essence, refugees are typically no better off after one year than when they first approached DBA for assistance. Worse, the salary top-up program regularizes a practice among employers to pay less for refugee laborers making it even more difficult for refugees to find acceptable



Chin workers in a local clothing factory. Chin workers receive Rs. 1,500 to 2,000 (US\$29 to \$38) per month whereas local laborers earn about 25 to 50 percent more. (Photo by CHRO)

employment after the subsidies are cut-off. Presently, Chin workers receive Rs. 1,500 to 2,000 (US\$29 to \$38) per month whereas local laborers earn about 25 to 50 percent more for performing the same task.

Limited enrollment, lack of proper jobs, and widespread exploitation in the informal sector as well as the high cost of living in Delhi has further limited the effectiveness of this program and left many Chin refugees without any means for their survival. Although many Chin refugees are without jobs and are earning far below the Delhi minimum wage, less than five percent of the Chin population are enrolled in the DBA top-up salary program.<sup>31</sup>

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<sup>30</sup> For families with less than four members, there can be only one income-earner; for families of more than four, there may be two income-earning members.

<sup>31</sup> According to the Don Bosco Ashalayam, only 142 Chins are enrolled in the salary top-up program, December 2008.



## C. Health Programs

### 1. Health Clinics

The New Delhi Young Men's Christian Association (NDYMCA) implements education and healthcare programs for refugees. Up until early 2007, the Voluntary Health Association of Delhi (VHAD) was responsible for providing free basic healthcare services to UNHCR-recognized refugees. After VHAD closed for lack of resources, the NDYMCA took over as the UNHCR-implementing partner for healthcare services. NDYMCA provides primary



Refugees outside NDYMCA office. NDYMCA provides basic healthcare services to UNHCR-recognized refugees. (Photo by CHRO)

healthcare as well as referrals for more complicated treatments. For emergency or more serious cases, the NDYMCA provides a shuttle service to transport Chin patients along with community interpreters to government hospitals.

NDYMCA services, however, are limited to only UNHCR-recognized refugees. For more than half the Chin population, including those with cases pending before UNHCR and cases rejected by UNHCR, access to NDYMCA is denied. As a result, most Chin living in Delhi have no access to proper healthcare services. Day laborers also have difficulty accessing NDYMCA services due to the limited office hours of 9:30 am to 5:30 pm. Chin refugees who

are unavailable during the day or who experience medical problems after NDYMCA's office hours have very little alternative options available to them.

The UNHCR also set up the Women's Protection Clinic (WPC) in December 2005 to provide psycho-social counseling to refugee women. The WPC also provides referrals to UNHCR of at-risk cases. Those who are referred by WPC are given priority by UNHCR. The clinic is run directly by UNHCR. The staff are female UNHCR legal and social officers who provide services at the clinic on a rotating basis and the interpreters are also employees of UNHCR. Besides some minimal counseling and ensuring priority access to UNHCR for some refugee women, the WPC provides little other services that benefit the refugee community.

### 2. Medical Reimbursements

NDYMCA also provides medical reimbursements for UNHCR-recognized Chin refugees. Reimbursements are available for treatments received and medicines prescribed by government hospitals with proper documentation.

Only refugees who are recognized by UNHCR are eligible for medical reimbursement. Those who are not yet registered with UNHCR or with cases pending before UNHCR must bear the full financial burden of medical



Patient waiting area inside NDYMCA. NDYMCA does not provide medical reimbursement for treatment received at a private clinic or for certain medicines or surgeries. (Photo by CHRO)

treatment. NDYMCA also does not provide reimbursement for treatment received in private hospitals. This can be problematic for those who experience a medical emergency after the NDYMCA free clinic closes. Despite the proximity of private hospitals, Chin patients must travel long distances at great personal expense to access government facilities in order to ensure reimbursement of their treatment. Otherwise, they must bear the high cost of medical treatment at a private hospital or clinic without financial assistance. Certain medicines and surgeries that are very expensive are also not eligible for reimbursement. As a result, refugees suffering from particularly serious and life-threatening illnesses are often left to bear the cost of drugs and surgeries without any financial assistance.

## **D. Educational Support**

### **1. NDYMCA-Run Schools**

In addition to implementing the healthcare programs for refugees, the New Delhi Young Men's Christian Association (NDYMCA) provides educational support for refugee children from Burma living in Delhi. To meet the needs of young refugee children, NDYMCA established three schools in 2003. The schools are conveniently located in neighborhoods where many Chin live, namely Mahindra Park, Asalatpur, and Buddela. There are currently six teachers and one monitor in each school. The teachers are largely from the Chin community and they teach English, Hindi, and music to the children. The schools are typically able to provide one mid-day snack for the children, such as biscuits, rice, bananas, or samosas. As of December 2008, 266 Chin children ranging from age three to 12 years old are attending the NDYMCA schools.<sup>32</sup>



NDYMCA school for Chin children. The schools are only accessible to children with UNHCR-recognition. Few educational opportunities exist for other Chin children. (Photo by CHRO)

The NDYMCA schools also hold adult classes in Hindi and English for UNHCR-recognized refugees from Burma. NDYMCA provides a stipend of Rs. 10 per day to cover the cost of transportation to refugees interested in attending adult classes. As of December 2008, 78 Chin refugees participate in the adult-learning courses offered by NDYMCA.<sup>33</sup>

The schools are only accessible to UNHCR-recognized refugees. Children who are not recognized by UNHCR have few educational opportunities available to them. Adult courses held by NDYMCA are also limited to UNHCR-recognized refugees. This makes it difficult for refugees to obtain new and necessary skills for the job market during their long wait in Delhi.

### **2. Tuition Assistance**

In addition to operating schools for refugee children, NDYMCA provides financial assistance to cover the educational expenses of school-aged, UNHCR-recognized refugee children. For a

<sup>32</sup> NDYMCA, 2008.

<sup>33</sup> Id.



one-year period, these subsidies total Rs. 2,300 (US\$44.50) for primary level students and Rs. 3,500 (US\$68) for middle and high school level students.

The subsidies, however, are insufficient to meet the admissions fees, books, uniforms, and other educational expenses incurred during the year. Although the government schools are largely inaccessible to the Chin due to unduly burdensome admissions requirements, NDYMCA tuition subsidies are calculated based on the cost of attending a government school. The cost of a private education is much higher. At minimum, private schools require Rs. 18,000 (US\$348) for one year of instruction. Due to the lack of adequate financial assistance by NDYMCA, a majority of Chin refugee children living in Delhi are unable to obtain an education.

### ***E. Legal Assistance***

The Social Legal Information Center (SLIC) is the UNHCR-implementing partner responsible for providing legal services and general assistance to refugees living in Delhi. Refugees are able to renew their refugee certificate through the SLIC office. SLIC is also meant to assist refugees in obtaining the residential permit from the Foreigners Regional Registration Office (FRRO). When problems arise within the refugee community or between refugees and the local community, SLIC provides help in filing reports with the police and provides mediation services. If the case is serious, such as a rape or arrest case, SLIC provides a lawyer to represent refugees in court. SLIC responds to about two to seven cases per month. Altogether, SLIC employs six staff- two Indian women oversee the project, two serve as administrative workers, and two are case workers from the refugee community. There is only one Indian lawyer working for SLIC on a part-time basis.

In reality, SLIC's assistance to the refugee community is quite limited. Most of the work is done by the refugee case workers, who have difficulty dealing with the local community and Indian authorities. Refugee case workers are not as effective in negotiating with the local community during interventions and mediations. Higher level Indian SLIC workers who are more familiar with Indian society and comfortable dealing with the Indian authorities are typically not available to provide assistance to the refugee community. As a result, most abuse against the Chin community is perpetrated with impunity, regardless of SLIC intervention. SLIC is also hesitant to get involved in certain cases, such as unwarranted evictions, exploitative work environments, harassment and severe discrimination. In addition, SLIC has failed to develop strong connections within the refugee communities and does not coordinate its activities with community-based organizations, such as the Chin Refugee Committee. Such lack of communication and coordination with the refugee communities limits the effectiveness of SLIC's activities.

## VI. Chin Community-Based Organizations

Several Chin community-based organizations have been established over the years in Delhi in order to respond to the many needs within the Chin community in Delhi and fill the gaps of coverage left by UNHCR-sponsored programs. Below are just some of the more active community-based organizations that provide direct services to the Chin community. In addition, each Chin sub-ethnic group is represented by respective ethnic leaders and ethnic community organizations.

### A. Chin Refugee Committee

The Chin Refugee Committee (CRC) in Delhi was established in 1995 after the arrival of the first wave of Chin refugees to Delhi. CRC initially formed in order to assist the Chin community in Delhi and bring attention to the plight of the Chin. The committee is now responsible for collecting information of relevance to the Chin community and representing the Chin community before the UNHCR.



CRC office, Delhi. (Photo by CHRO)



CRC providing food aid to Chin woman. Many Chin refugees can only afford one meal a day. (Photo by CHRO)

To effectively advocate on behalf of the Chin community, CRC maintains updated and detailed records about the Chin population in Delhi, including the population breakdown and the status of Chin cases with the UNHCR. To assist new arrivals to Delhi, CRC provides guidance about navigating the UNHCR process and issues letters of recommendation to those seeking registration with UNHCR. CRC also collects information about problems impacting the refugee community and communicates these concerns to UNHCR. When problems arise within the refugee community or between the refugee and the local community, CRC tries to mediate a solution. In particular, CRC is active in negotiating with house owners and employers in dealings with the Chin community. CRC also provides some humanitarian relief, such as rice rations, to Chin families in need and without other sources of support.

The operations of CRC are run by and funded through the support of the Chin community. CRC is comprised of 11 committee members, representing different Chin ethnic communities. Each community representative is elected by their respective community and serves as a volunteer with CRC for a two year term.

### B. Health Services

Due to the extensive and serious health needs within the refugee community and the gaps in healthcare coverage by UNHCR-sponsored programs, the refugee community has established two community-based health clinics in Delhi- the Women's Rights and Welfare Association of Burma (WRWAB) and the Yamuna Clinic. These clinics receive 50 to 60 patients per day.<sup>34</sup>

<sup>34</sup> WRWAB and Yamuna Clinic, 2008.

WRWAB was established in 1996 and is located in Asalatpur. WRWAB has a medical staff of three and provides services to refugees and asylum-seekers from Burma. The Yamuna Clinic was opened in August 2002 in Vikaspuri. The clinic is run by Dr. Tint Swe, a minister of Burma's government in exile, and five volunteer medical staff. The Yamuna Clinic has taken a special focus in assisting pregnant women in delivering their babies. Since 2006, the Yamuna Clinic has helped deliver 63 healthy babies.<sup>35</sup>

Both clinics hold alternating evening hours to ensure day-laborers also have access to medical services- WRWAB is open in the evening on Monday, Wednesday, and Friday and the Yamuna Clinic is open on Tuesday, Thursday, and Saturday in the evening. Medicines and treatment are free at these clinics and are provided by the National Health and Education Committee (NHEC), an umbrella organization supporting the health and education of the ethnic nationalities and democracy-supporters of Burma. For their operating costs and other expenses, both clinics rely primarily on private donations and donations from members of the resettled community.

### **C. Chin Churches and Fellowship Services**

The church plays a very important role within the Chin community. As 90 percent of the Chin community is Baptist, most Chin in Delhi are members of a church. There are at least 16 different Chin churches and fellowships representing various Chin ethnic tribes. For a full listing of the Chin churches and fellowships in Delhi and their membership size, please see Appendix I. These religious institutions are located primarily in Janakpuri, Vikaspuri, and Uttam Nagar- neighborhoods where many Chin live. More than 4,000 Chin in Delhi are members of these Chin churches and fellowships.<sup>36</sup>



A Chin Christian fellowship in Delhi. (Photo by CHRO)

Besides overseeing the spiritual growth and religious practices of the Chin community, the Chin churches and fellowships in Delhi play a vital role during times of hardship. Chin churches and fellowships help provide necessary aid and emergency relief provisions to members of its congregation in cases of serious illness, accidents, death, and other problems. As respected members of the Chin community, Chin pastors and religious leaders are also able to effectively mediate conflicts and problems within the community.

<sup>35</sup> Dr. Tint Swe, Yamuna Clinic, 2008.

<sup>36</sup> Based on information provided by each Chin church, 2008.

## VII. Conclusions and Recommendations

Although tens of thousands of Chin have fled from Burma's brutal military regime in search of security from persecution and freedom from intolerable oppression, only a few thousand have found some form of protection in India. Mere access to protection procedures in India requires travel from the India-Burma border to Delhi, a costly trip requiring several days of travel. Refuge in Delhi, however, is hard to find. The Chin community in Delhi face considerable hardships and difficulties.

Protection of Chin refugees and asylum-seekers must be made a priority by the Indian government and UNHCR. The documentation and renewal requirements for residential permits must be reviewed and the system purged of costly corruption. While recognition of UNHCR-recognized Chin refugees is greatly appreciated, the Indian government must be sensitive to their situation in Delhi and ensure Chin are able to obtain residential permits and exit permits without unnecessary cost or delay.

UNHCR also must expedite its procedures to ensure registration and recognition of Chin refugees and asylum-seekers is conducted in a timely manner. Two to three years, the average time it takes to receive UNHCR-recognition, is too long for refugees to wait for access to much-needed benefits and services. The resettlement program must also be expanded and prioritized for Chin refugees living in Delhi, particularly within large resettlement countries such as the United States. Without the possibility of local integration and realistic durable solutions in Delhi, resettlement is often the only option for Chin refugees. Chin refugees, however, are forced to wait more than nine years before getting an opportunity to resettle. This is too long for Chin refugees to wait in difficult conditions in Delhi without any certain future.

Considering the prolonged wait periods that Chin refugees and asylum-seekers experience before receiving protection from UNHCR and an opportunity to resettle to a third-country, it is necessary to develop and improve on current support structures to ensure a basic standard of living for all Chin in Delhi. Chin must have access to necessary amenities, such as clean and potable water, food, electricity, and proper accommodations. Employment must be safe, stable, and properly paid. Those without or unable to secure an adequate source of income should be eligible for subsistence support for as long as necessary. All Chin, including those not yet recognized by UNHCR, should have access to affordable and quality medical care and educational institutions in Delhi.

While UNHCR and UNHCR's implementing partners are accorded a large degree of responsibility to assist and provide for the basic needs of the Chin community, these programs must be reviewed to ensure the main objectives of each program is satisfied and gaps in services are identified and filled. As community-based projects are often more effective and efficient to provide services within a particular community, implementing partners should work in closer cooperation with these projects.

Without adequate and timely protection mechanisms and proper community-support structures in place, the quest for protection and survival for Chin in Delhi will continue unabated.

## **Recommendations**

### **To the Government of India:**

- Accede to the 1951 Convention Relating to the Status of Refugees and the 1967 Protocol. Develop accessible domestic laws and legal structure to process asylum claims and extend protection to refugees in India.
- Promote the operations of UNHCR in India and ensure all asylum-seekers, including those located outside of Delhi, have access to UNHCR. Promote and provide support to UNHCR and UNHCR-implementing partners that provide services to refugee communities in Delhi.
- Review and reform the requirements for Chin refugees to obtain residential permits by minimizing the number and type of documents necessary to demonstrate residency in Delhi. Give special consideration to the circumstances of Chin refugees who may have difficulty producing certain documents.
- Streamline the process for Chin refugees to obtain residential and exit permits and eliminate verification requirements that necessitate interaction between the refugee community and local police departments. Investigate, prosecute, and address allegations of corruption and exploitation in government offices and services, particularly within local police departments.
- Increase the validity of residential permits to at least 18 months for Chin refugees.
- Establish a process for Chin to obtain work permits and ensure labor protections extend to Chin laborers.
- Amend requirements for admission to government schools to ensure Chin children have full and fair access to educational institutions.
- Increase education and awareness about refugee issues in India, particularly among local communities. Promote non-discriminatory practices towards the Chin and other refugee communities living in India.

### **To the UNHCR:**

- Urge the government of India to accede the 1951 Convention Relating to the Status of Refugees and the 1967 Protocol. Encourage the development of domestic laws and a legal structure to process asylum claims and extend protection to refugees in India.
- Expedite and reduce prolonged delays in the registration and recognition process for Chin refugees and asylum-seekers. Ensure protection mechanisms are in place and Chin have access to essential benefits and services while cases are pending with UNHCR.
- Expand and promote the resettlement process for Chin refugees, particularly among large refugee receiving countries such as the United States. Increase the number of referrals of Chin refugees for resettlement.
- Develop closer working relations and coordination with community-based refugee committees, such as the Chin Refugee Committee, to improve protection mechanisms and increase information-sharing.
- Ensure all Chin, including those not yet recognized by UNHCR, have access to adequate access to basic amenities, such as clean and potable water, food, electricity, and proper accommodations; safe, stable, and properly paid employment.

- Increase education and awareness about refugee issues in India, particularly among local communities. Promote non-discriminatory practices towards the Chin and other refugee communities living in India.
- Review and reform eligibility requirements for Chin to obtain subsistence allowance. Ensure all Chin households living below the poverty line and earning less than Delhi's minimum wage are eligible for subsistence allowance. Determine payments based on household needs and continue payments until beneficiaries secure a stable and adequate source of income.

**To the UNHCR-Implementing Partners:**

- Review and reform programs to ensure objectives are met and gaps in services are filled. Consult with beneficiaries and community representatives to critique current program activities and develop feasible solutions. Adopt and incorporate the community-based models and the participatory approach into restructured programs.
- Engage in regularly scheduled consultations with beneficiaries and community representatives to increase information-sharing, dialogue, and community-based participation. Increase efficient and effective implementation of programs by developing closer working relations and coordination with community-based organizations.
- Ensure all Chin requiring assistance and services, including those not yet recognized by UNHCR, have full and free access to participate in programs. Expand programs to ensure comprehensive and complete coverage.

***To Don Bosco Ashalayam (DBA):***

- Eliminate the one-year cut-off on subsidies paid under the salary top-up program and expand eligibility to allow all unemployed Chin access to the program. Increase access to adult English and computer classes and develop a larger array of skill-based training courses to qualify refugees and asylum-seekers for the job market.

***To the New Delhi Young Men's Christian Association (NDYMCA):***

- Increase access to free medical services by opening free clinics in heavily populated refugee neighborhoods or by developing a mobile clinic program. Extend clinic hours into the evening and develop options to provide treatment and referrals for after-hours and emergency medical needs of the refugee community.
- Base tuition subsidy payments on the actual costs of education for Chin children, determined on a case-by-case basis. Increase payments to cover admissions fees, uniforms, books, transportation, and other expenses. Maintain the payment of adequate subsidies until completion of matriculation or a change in household circumstance.

***To the Social Legal Information Center:***

- Hire more Indian case workers to provide effective legal and mediation services for the Chin community. Develop closer working relations with the Chin community and community-based organizations.

**To the International Communities, NGOs, Other Concerned States**

- Pressure the government of India and UNHCR to ensure the Chin community in India has access to adequate protection mechanisms and proper social services.
- Support and promote the operations and programs of UNHCR in India.
- Encourage governments to accept more Chin refugees through the resettlement program. Give preferential treatment to Chin refugees referred by UNHCR for resettlement.
- Support and provide financial assistance to UNHCR-implementing partners and community-based projects that provide benefits and services to the Chin community in Delhi. Support initiatives to build the capacity of the Chin community in Delhi.

## Appendix I: Chin Churches and Fellowships in Delhi

Name	Membership	Location
Delhi Burmese Christian Fellowship	550	Janakpuri
Chin Christian Fellowship	650	Jevan Park, Uttam Nagar
Chin Believer Church	110	Chanakya Place, Uttam Nagar
Lai Christian Church	220	Janakya Place, Uttam Nagar
Delhi Matu Christian Fellowship	256	Asalatpur, Janakpuri
Matu Christian Fellowship	300	Asalatpur, Janakpuri
Zomi Christian Fellowship	590	Vikaspur
Delhi Zomi Church	104	Vikaspuri
Burma Christian Association	250	Buddella, Vikaspuri
United Pentecostal Church	150	Jevan Park, Uttam Nagar
Living Faith Baptist Church	120	Buddela, Vikaspuri
Gospel Baptist Church	250	Buddela,
Seven Day Church (1)	230	Sitapuri, Uttam Nagar
Seven Day Church (2)	260	Hastal , Vikaspuri
Mizo Fellowship	190	Jevan Park, Uttam Nagar
<i>Assembly of God</i>	47	Buddela, Vikaspuri



## Acknowledgements

CHRO thanks InterPares for their concern for the Chin people and financial support for our programs. CHRO is grateful to the Chin community groups, leaders, and churches for their endless support and contributions to CHRO's work. In particular, CHRO would like to thank the Chin Refugee Committee (CRC) of Delhi for their tireless dedication in collecting and documenting on a consistent and sustained basis all categories of data relevant to the Chin community in Delhi. This report would not have been possible without CRC's contributions. Most importantly, CHRO is grateful to the Chin individuals and families in India who generously shared their time, energy and personal experiences.