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CITIZENS COMMISSION ON INDOCHINESE REFUGEES

CARE OF INTERNATIONAL RESCUE COMMITTEE, INC.

386 PARK AVENUE SOUTH • NEW YORK, NEW YORK 10016

TEL. (212) 679-0010 • CABLE: INTERESCUE, NEW YORK

May 6, 1980

Dear Ms. Greenfield:

Mr. Emmett Tyrrell Jr. in his May 5th column not only urged the termination of those policies with which Secretary Vance has been associated, but expressed doubt whether Cyrus Vance has had any compassionate feeling for the millions of victims who have suffered in the course of the turbulent events of recent years. In contrast, Tyrrell cited me as one of those who cared about the "death and unspeakable suffering".

The International Rescue Committee and the Citizens Commission on Indochinese Refugees have, of course, been deeply concerned with the plight of those who have fled tyranny. It is precisely in that connection that fairness requires me to say that the two missions of the Citizens Commission on Indochinese Refugees to the countries of flight in Southwest Asia led to our reporting our conclusions and recommendations to Mr. Vance. There is not one recommendation we made to him calling for changes and improvements in U.S. policy toward those refugees from Vietnam, Laos and Cambodia which Secretary Vance rejected. His compassionate, personal interest was clear and immediate. In fact, he concluded one meeting by telling us: "I want you to keep pressing me and members of my department."

On one such occasion, concerned as we were with those "boat people" who were drowning at sea, Secretary Vance went a considerable distance beyond our recommendation. We had urged that all ships carrying the U.S. flag in the waters of the Western Pacific be

Ms. Meg Greenfield
Editorial Page Editor
The Washington Post
1150 15th Street N.W.
Washington, D.C. 20071

Ms. Meg Greefield

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May 6, 1980

required to pick up all of the "boat people" aboard any frail craft in trouble. Cyrus Vance not only agreed but pointed out that our recommendation still left a large part of the problem unsolved. It was then the practice of some countries to refuse permission to ships carrying refugees to offload their cargo. Most countries refused to permit the refugees to land. The Secretary's answer to this aspect of the dilemma was to say he would require U.S. consular offices to assume responsibility and provide sanctuary in any ports where a ship carrying refugees landed. He added that he was in no position to assure that the U.S. Immigration and Naturalization Service could quickly facilitate emergency parole status for them, a step required if these refugees were in turn to be removed to the U.S. or any other country of final asylum. He encouraged us to seek such cooperation from INS. We met with its then Director, Leonel J. Castillo, that very afternoon, told him of Secretary Vance's proposal and left with a promise of complete collaboration in the Secretary's life-saving initiative.

It is not in the nature of Mr. Vance that he would volunteer this information, but whatever differences one may have with the foreign policies he shaped and administered, grateful acknowledgement must be made of his unfailing humanity and compassion.

Sincerely,

Leo Cherne

Change at State

R. Emmett Tyrrell Jr.

The Policy Must Go Too

How many millions of people died brutally during the period Secretary of State Vance presided so primly and irenically over our State Department? As many as died during the controversial reign of Henry Kissinger? As many as died during the reigns of William Rogers or Dean Rusk? It is, perhaps, a rude thing to contemplate, and in the genteel presence of Cyrus Vance one ought not be rude. We honor him for never having raised his voice, yet it remains a mystery whether Vance ever thought there might be anything in this world worthy of raising one's voice over.

Did Vance notice those millions of brutal deaths in Southeast Asia, the Middle East, Southwest Asia, Africa, Central America and less celebrated parts? Did he think it better that those deaths were attributable to murder rather than to warfare? Very few died with American-made weapons in their hands during his tenure. Most were starved or butchered as pawns in political struggles from which America has now totally withdrawn. Are we a better people for our forbearance? Now that we are no longer caricatured as the "world's policeman" have we grown in virtue and in world stature? Is America now more secure, and is the world a more peaceful place without our power looming over it?

Whether or not the former secretary of state ever thought about these questions is not clear. Certainly he never said much about them in public. In fact, he rarely raised any disturbing questions in public. If there was much danger beyond our shores, he never talked about it. Listening to him always left me with the impression that he felt

The writer is editor-in-chief of The American Spectator.

that the greatest dangers to peace existed not beyond our borders but here at home.

More people in more diverse places died while Vance inhabited the seventh floor of our State Department than during the peacetime tenure of any of his predecessors in this century, with the possible exception of Cordell Hull. Not only that, but most of those who died did not die fighting. They were murdered. Our foreign correspondents know this as surely as they know how much more difficult it is to get news and hospitality in foreign countries today as opposed to, say, 10 years ago. Humanitarians like Leo Cherne of the International Rescue Committee know this even as they know that death and unspeakable suffering continue to grind on—their precious foods and medicines piling ever higher, unused and unusable thanks to the rising tide of barbarism and aggression that has accompanied the gentlemanly tenure of Vance at State and Carter in the White House.

In leaving the State Department for his native Wall Street, Vance said he left with "one great sadness," that being that 53 Americans remain captives in Tehran. I would have thought that he had many more causes for sadness. There are the aforementioned dead and dying. There is the chaos in Iran, a chaos that began under the Carter foreign policy and would have endured with or without the hostages. The totalitarian menace increases in Central America. NATO drifts from us. The Soviets have surpassed us in tactical and strategic weaponry. Vance's SALT treaty languishes, and there is no Middle East settlement. Has any administration in this century presided over such a calamitous foreign policy? And has any administration created more confusion?

After all, just what is the meaning of this resigna-

tion? Did Vance leave because of that failed military rescue mission, the one we undertook 172 days after our embassy was turned into a prison? Did he resign because President Carter has left the doves and become a hawk? If the president is reacting more strenuously to the Soviets, is he admitting that the diplomacy of the past three and a half years proved unsatisfactory? Well, if President Carter is becoming more defense-minded, why was it reported on April 16 that he had ordered a cut in our 1980 defense outlays? Why last week did he throw his weight against efforts in the congressional budget committees to raise defense spending?

The Carter administration has been rampant with sonorities about peace and brotherhood, but in truth it has followed a most perilous course. Those of us who have grown to relish a world free of uniforms and the sound of artillery have reason to be very dyspeptic with the present regime of goody-goody obfuscators. Beneath all its guff about human rights and disarmament it has made the world a far more dangerous place than it was just four years ago.

The Carter foreign policy has been to be disarmed and abusive. Apparently the new policy will be to be even more abusive and no better armed. The dangers to world peace increase. This is a foreign policy wholly designed for home consumption. Carter and Vance are steeped in the left wing's canards that the real danger to world peace is the mob of red-necked Yanks living in the hinterland. Thus, they have crooned to us that our military strength is colossal and that to spend more would be inflationary. They act as though the world beyond our shores holds no danger even as the corpses pile up and the thugs of our time grow more restless and more powerful.

Thais pull back welcome mat for fleeing Cambodians

By Frederic A. Morlitz
Staff correspondent of
The Christian Science Monitor

Hong Kong

Thailand, which has sheltered nearly 1 million Cambodian refugees in camps on its borders, is sharply revising the controversial policies that have made it a "magnet" for hungry Cambodians.

The changes appear designed to reduce the financial drain on Thailand's economy, draw greater international assistance, reduce domestic political criticism, and perhaps even to pave the way for slightly improved relations with Vietnam.

So far Thailand has:

1. Designed a plan to thin out the massive 130,000-person Khao I Dang Cambodian refugee camp by moving some 60,000 of them to other holding camps by the end of June. About 60,000 refugees will go to four camps southeast and northeast of Bangkok, financed by the United Nations.

2. Tightened security to prevent more Cambodian refugees from moving secretly from border areas to holding centers inside Thailand such as Khao I Dang. Last week Thailand's new prime minister, Gen. Prem Tinsulanonda, reportedly said Thailand will not admit any more Cambodians into holding centers. Instead, the government would send food into Cambodia to prevent refugees from seeking food in Thailand.

3. Begun a voluntary repatriation program for refugees to return to Cambodia. In a recent interview, Thai Foreign Minister Siddhi Savetsila reportedly said refugees would not be forcibly pushed back, but would go only if they declared their willingness on a paper signed in the presence of a representative of the UN Office of the Commissioner for Refugees.

4. Started a crackdown on Cambodian refugee camps straddling the Thai-Cambodian border, where infighting between rival Free Khmer groups has led to dozens of deaths and razing of refugee huts. On April 12 Thai authorities closed down violence-wracked Camp 204 (opposite the Thai village of Nonmarkmoon) after 46 persons died in earlier factional fighting. The camp of about

nearby Camp 007.

5. Tightened restrictions on processing and acceptance of Vietnamese refugees who have fled across Cambodia to Thailand. Hundreds of these refugees, so-called "bicycle people," have been trapped in border camps of Cambodian refugees, where anti-Vietnamese Free Khmer leaders say they want them for interrogation to determine if they are spies. With these camps sometimes subject to Vietnamese artillery attacks, relief workers sometimes express fear that ethnic hatreds could lead to rape, beatings, torture, or murder of the Vietnamese refugees.

Thailand's changing policy appears influenced by recognition that continued hunger in Cambodia would drastically increase the refugee burden in Thailand, at a time when international willingness to help pick up the costs is declining. Also, some advisers to the new government suggest that ending former Prime Minister Kriangsak's "open door" policy could help improve relations with Vietnam, thus reducing the chances of armed clashes with Hanoi. Vietnam charges that Thai camps are sanctuaries for Chinese-backed Khmer Rouge who cross the border to fight in Cambodia.

On March 25 Thailand "closed" its border to new refugees, instituting more complicated entry procedures for those seeking to move from border-straddling settlements to camps actually inside Thailand.

At about the same time attention focused on Thailand's "task force 80," a military force that "voluntarily" repatriated to Cambodia at least 1,000 refugees from 130,000-person Khao I Dang. The discreet, behind-the-scenes operations of "task force 80" raised concern among some relief workers and others that the task force may be forcibly repatriating some refugees to Cambodia.

Still, outwardly at least, there is no sign the new Thai policies have improved relations with Vietnam or with the present Vietnam-backed government in Cambodia.

On April 10 that government's foreign minister, Hun Sen, said in Phnom Penh that his government had requested negotiations with Thailand on possible repatriation of hundreds of thousands of Cambodians living in Thai



Valéry Giscard d'Estaing

By Edward Girard
Special correspondent of
The Christian Science Monitor

Paris

France is determined to assert its independence over US policy in Iran in what appears to be a combination of economic self-interest and a different interpretation of events in the Islamic republic.

Although the European Economic Community is expected to decide whether it will impose sanctions against Iran at its April 27-28 summit in Luxembourg, the French government repeatedly has made it clear that breaking off diplomatic relations with Tehran will not solve the problem.

French President Valéry Giscard d'Estaing, who believes that France should maintain a special position as a mediator between the West and the third world, is reluctant to be drawn into any form of economic warfare with Iran. "President Carter's methods are a terrible way of coping with the situation," a government source said. "Shutting all doors like that will get one nowhere."

Over the past few months, President Giscard d'Estaing's Iranian and Afghan policies have been plagued by inconsistency. Privately, there is much sympathy for the US predicament in Tehran, but officially, the government is unwilling to be tarnished by appearing to be in cahoots with the US.

Similarly, although France, after initial hesitation, firmly condemned the Soviet invasion of Afghanistan, it feels that this should not also imply the abandonment of détente.

Arguing in the best of Gaullist tradition that France's sense of sovereignty will not damage Western solidarity, President Giscard d'Estaing is keen on reasserting that his country should remain faithful to the allies without losing its independence.

France sets its own course on Iran

Giscard determined to maintain French independence — and economic advantage

France, unlike West Germany and Britain, receives relatively little oil from Tehran, but most political parties here are against a disruption of economic relations with Iran. "Europe," maintains Socialist presidential aspirant Michel Rocard, "cannot afford to regard the Iranian situation with the same eyes as the United States. Our concern is more mercantile."

France, in particular, has high hopes of eventually selling its technology to Iran once the present political turmoil has subsided. It is also fearful of sullyng its pro-Islamic credentials in the Middle East.

The main criticism leveled against President Carter cites the manner in which he has handled the Iranian affair. "He has simply appeared too indecisive too often," one government official noted. "The Americans should therefore not be surprised that we Europeans must act cautiously rather than fall into step regardless of consequences every time Washington beckons."

There is also a strong feeling among the French that they are in a better position to judge the Iranian situation than the Americans because of traditional cultural ties. Michel Jobert, former French foreign minister under the late President Georges Pompidou and before that a close adviser to General De Gaulle, recently observed that the US should have acted with "complete indifference" with regard to the hostages.

"This is what we have learned with Algeria," he said. "By showing too much interest in their affairs, we only provoked trouble. Only by holding back have we been able to live together. It is rather like a husband whose wife has run away. By constantly following her, he only provokes trouble. By acting indifferently, everything calms down and they might even become friends again."

LAW OFFICES OF
HENRY C. FRIEND
CHARLES FRIEND
(1892-1943)
238 W. WISCONSIN AVE.
MILWAUKEE, WIS. 53203
(414) 276-1210

Jan. 10, 1930

Richard Mass
270 Martine Ave.
White Plains, N.Y.

Inter Religious Affairs Committee
American Jewish Committee
165 E. 56th St.
New York, N.Y. 10022

Prof. Bruce Fetter
2937 N. Summit Ave.
Milwaukee, Wis. 53211

American Jewish Committee
759 N. Milwaukee St.
Milwaukee, Wis. 53202

Gentlemen:

The American Jewish Committee has participated in an interfaith movement to help the refugees from Cambodia. We now have a comparable situation with the refugees from Afghanistan, with this difference, namely that some of the refugees from Afghanistan are Jewish. Should the representatives of the different faiths not develop a program for the relief of those Afghans who fled to Pakistan? According to the newspapers there are large numbers, and the Government of Pakistan has been allowing each of them 40 cents a day. They have insufficient food, inadequate shelter, etc.

It would appear to be in the best interests of the U.S. foreign relations, as well as humane, for us to initiate an international program.

It appears that there are many casualties through gun fire and the use of napalm, and since Afghan medicine is not well organized, this would appear to call for participation by the Red Cross and Red Crescent. Is anything being done?

Respectfully yours,

Bruce Fetter

Bruce Fetter, Chairman, Milwaukee Chapter

Henry C. Friend

Henry C. Friend, Vice Chairman

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STEPHEN BREYER, CHIEF COUNSEL

United States Senate

COMMITTEE ON THE JUDICIARY

WASHINGTON, D.C. 20510

January 28, 1980

Dear Friend:

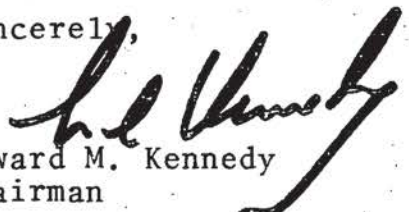
As you know, refugee problems have mounted around the globe in recent days. From the continuing crisis of people in Southeast Asia to the recent exodus of Afghanistan refugees, the total number of refugees has nearly doubled in just a few short months.

This critical situation calls for urgent international action, as well as for a generous and expeditious response from the United States. Knowing of your interest and concern in worldwide refugee problems, I wanted to let you know of a recent bill I introduced to provide emergency humanitarian assistance to help meet the needs of over a half a million Afghanistan refugees in Pakistan, and some 600,000 refugees in Somalia.

Also, the Congress has made good progress in moving the refugee reform legislation I introduced -- S. 643, "The Refugee Act of 1979." Following the Senate's passage of the bill on September 6, 1979 by an overwhelming vote of 85-0, the House of Representatives acted favorably on December 20th by a vote of 328-47. A conference committee will meet shortly to resolve the differences, and I am confident the bill will soon be signed into law -- representing the first major reform of our immigration laws since I floor managed the 1965 Act, and the first reform of our refugee laws in 28 years.

With all best wishes,

Sincerely,


Edward M. Kennedy
Chairman



United States
of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 96th CONGRESS, SECOND SESSION

Vol. 126

WASHINGTON, THURSDAY, JANUARY 24, 1980

No. 8

Senate

S 370

By Mr. KENNEDY:

S. 2217. A bill to amend the Foreign Assistance Act of 1961 to provide emergency relief, rehabilitation, and humanitarian assistance for refugees from Afghanistan and refugees in Somalia, and for other purposes; to the Committee on Foreign Relations.

ASSISTANCE TO AFGHANISTAN AND SOMALIAN REFUGEES

Mr. KENNEDY. Mr. President, I am introducing legislation today to provide emergency authority to respond to the growing needs of Afghanistan and Somali refugees.

A massive human crisis is developing in these two nations of major importance to the United States. In Pakistan, over a half million Afghan refugees have now flooded into its northern provinces, and in Somalia some 600,000 refugees have fled from Ethiopia.

It would be a tragic error if we were to focus solely on the military and security issues along this so-called "crescent of crisis," when there is also a human crisis equally compelling—and one that not only poses grave humanitarian problems, but also threatens the area's political and economic stability.

I fully support the recent proposals to provide Pakistan with long-term economic aid as well as military assistance. But we must also be prepared to support substantial humanitarian assistance, to meet the human needs of refugees fleeing the Soviet invasion into Afghanistan. As Pakistan's President has said, the in-

ternational aid to the Afghan refugees has been "a drop in the ocean." The bill I am introducing will help meet these needs, as well as anticipate a forthcoming appeal for funds from the U.N. High Commissioner for Refugees.

Mr. President, I believe we must learn from the tragedy of Cambodia—where no budget request for additional appropriations was ever received by Congress. We must act now to secure needed legislative authority. We cannot afford to wait for budget clearances that are too little and too late, while hundreds of thousands of refugees starve.

And we should have no problem finding surplus American food, now that President Carter has dumped \$2.8 billion in Russian grain back onto the American farmer and taxpayer. The least we can do would be to use this food, to the maximum degree possible, to support famine relief and to expand the Public Law 480 food-for-peace program.

Although the administration is moving on a \$5.5 million aid package for Afghan refugees, in response to the situation reported by the UNHCR many months ago, this will clearly be inadequate. Much more will be needed in the days ahead.

Current reports estimate the number of Afghan refugees along the northern border of Pakistan at close to 500,000, with another 400,000 threatening to cross in the weeks ahead, especially if the fighting escalates.

In Somalia, where the Ethiopian Army—equipped with Soviet weapons and reinforced by Cuban troops—has swept through the Ogaden border region, over a half-million refugees have already fled into Somalia, and the numbers are growing each day.

We cannot stand idle in the face of this wave of human tragedy, engulfing critical areas and countries of strategic importance to the United States. We must be prepared to respond immediately to the forthcoming appeals by the UNHCR and others for funds, and to contribute our fair share.

Mr. President, I ask unanimous consent that the text of the bill be printed at this point in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 2217

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Special Afghanistan and Somali Refugee Relief Act".

SEC. 2. The Foreign Assistance Act of 1961 is amended by adding at the end of chapter 9 of part I the following:

"SEC. 4951. AFGHANISTAN REFUGEE RELIEF AND REHABILITATION.—(a) The Congress, recognizing that prompt United States assistance is necessary to alleviate the human suffering arising from civil strife in Afghanistan and the armed intervention of foreign troops, authorizes the President to furnish assistance, on such terms and conditions as he may determine, for the relief and rehabilitation of refugees or other needy people from Afghanistan.

"(b) There are authorized to be appropriated to the President for the purposes of this section, in addition to amounts otherwise available for such purposes, such sums as may be necessary, which sums are au-

thorized to remain available until expended.

"(c) Assistance under this section shall be provided in accordance with the policies and general authority contained in section 491, and shall be distributed to the maximum extent practicable through the United Nations High Commissioner for Refugees and other international agencies.

"(d) Not later than 60 days after the date of enactment of appropriations to carry out this section, and on a quarterly basis thereafter, the President shall prepare and transmit reports to the Committee on Foreign Relations and the Committee on Appropriations of the Senate and to the Speaker of the House of Representatives regarding the programming and obligation of funds under this section.

"SEC. 495J. SOMALIAN REFUGEE RELIEF AND REHABILITATION.—(a) The Congress, recognizing the escalating crisis of refugees in Somalia resulting from the conflict along its borders, authorizes the President to furnish assistance, on such terms and conditions as he may determine, for the relief and rehabilitation of refugees or other needy people in Somalia.

"(b) There are authorized to be appropriated to the President for the purposes of this section, in addition to amounts otherwise available for such purposes, such sums as may be necessary, which sums are authorized to remain available until expended.

"(c) Assistance under this section shall be provided in accordance with the policies and general authority contained in section 491, and shall be distributed to the maximum extent practicable through the United Nations High Commissioner for Refugees and other international agencies.

"(d) Not later than 60 days after the date of enactment of appropriations to carry out this section, and on a quarterly basis thereafter, the President shall prepare and transmit reports to the Committee on Foreign Relations and the Committee on Appropriations of the Senate and to the Speaker of the House of Representatives regarding the programming and obligation of funds under this section."

May 14, 1980

Richie Maass

Lee Billig

YOUR PRESENTATION TO THE THREE AGENCIES AT THE FRIDAY MORNING SESSION

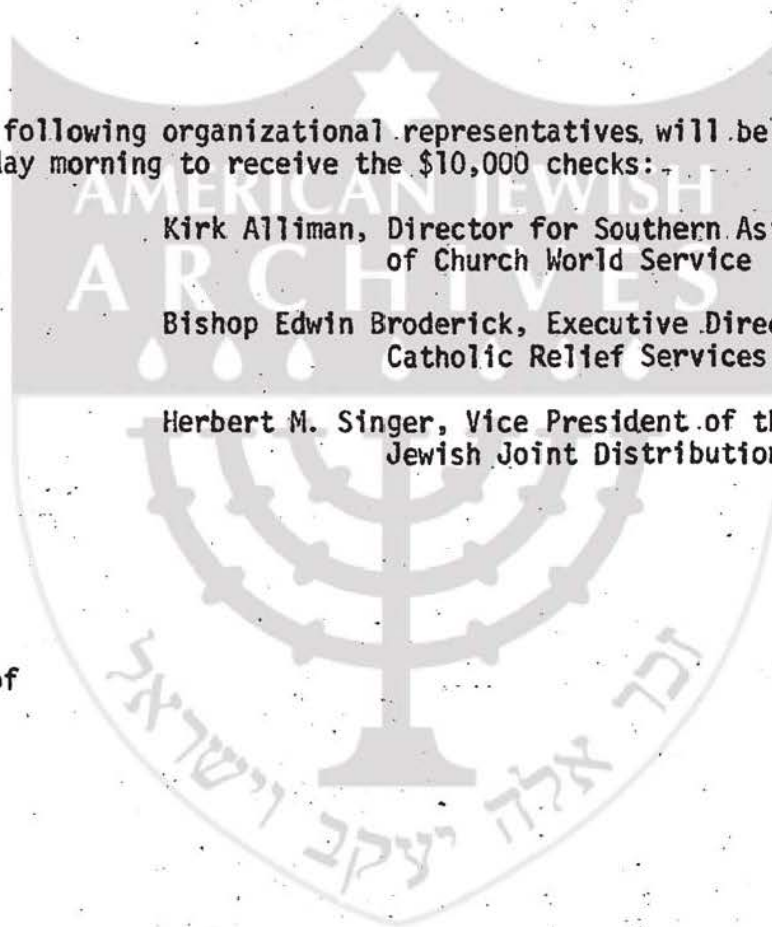
The following organizational representatives will be with us on Friday morning to receive the \$10,000 checks:

Kirk Alliman, Director for Southern Asia,
of Church World Service

Bishop Edwin Broderick, Executive Director of the
Catholic Relief Services

Herbert M. Singer, Vice President of the American
Jewish Joint Distribution Committee.

LB:bf



THE AMERICAN JEWISH COMMITTEE

date May 9, 1980
to Richard Maass
from Selma Hirsh
subject Notes for your Presentation (Friday A.M., May 16) to Agencies Active in Boat People and Cambodian Relief

Last Spring a telegram went forward from you to President Carter urging him to undertake an emergency sealift to help retrieve the thousands of Vietnamese Boat People, ethnic Chinese and Cambodian refugees to the United States and to provide the necessary emergency funding for such action.

In explaining the deep convictions of the AJC on this issue you stated: "As Jews who have suffered the trauma of being abandoned by the world when our brothers and sisters were being systematically put to death, we find it morally impossible to stand by idly while such destruction of human lives takes place before our eyes."

Throughout this period our organization has continued to be profoundly concerned with the fate of these people: Rabbi Tanenbaum has visited Indochina three times and in numerous articles, radio and TV commentaries and interviews, lectures and press conferences, he and others of us have sought to call attention to the heartbreaking problems of both the refugees and victims of famine in Cambodia. Hy Bookbinder has also been extremely active in Washington in the effort to secure effective governmental action.

AJC chapters have forged interfaith coalitions, arranged for teach-ins and press conferences, undertaken fundraising functions and called

for state and local government response to the plight of the Indochinese refugees.

AJC participated in an extensive advertising campaign in the general press and made a special plea in our own institutional Newsletter for funds to help meet these emergencies.

AJC members, as individuals, have responded generously to the call for an AJC Cambodian Fund and it is their response that makes possible the presentation of three checks today, for \$10,000 each, to the American Jewish Joint Distribution Committee, the Catholic Relief Services and the Church World Service.

(Representatives from each of these agencies will be there to receive the checks and you will be notified as to who they will be.)

SH/BF



MEMORANDUM

WILLIAM J. CASEY

Chairman

CITIZENS COMMISSION

MICHAEL R. JOHN AHERN
LEONEL J. CASTILLO
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CITIZENS COMMISSION ON INDOCHINESE REFUGEES

CARE OF INTERNATIONAL RESCUE COMMITTEE, INC.

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January 7, 1980

MEMORANDUM

To: Members of the Citizens Commission
From: Leo Cherne

This will be an inadequate effort to summarize the very large developments which have taken place during the last few weeks. They have their origin in a recommendation which was made by those members of the Citizens Commission who went to Thailand early in November to study the rapidly growing Cambodian tragedy.

While most of our recommendations dealt with the improvement in the assistance of Cambodians who had fled to Thailand, we concluded that the one most important means of assuring help to the larger number of Khmer concentrated in the western portion of Cambodia was to revive the proposal of truck delivery of personnel and supplies travelling from Thailand to Cambodia. In the form in which this proposal had been made by the several Senators and Congressmen, it had been rejected as an American meddling in the affairs of Kampuchea. We therefore recommended that the concept be revived in truly internationalized form in a manner most calculated to make it difficult for the occupying powers in Cambodia to reject it.

On December 18 the Center for Strategic and International Studies hosted a Congressional briefing breakfast in the Capitol, attended by approximately 100 people, more than half of them members of the House and Senate and their staff, together with large representation from the State Department, the White House and the press. The three Senators who first proposed the "land bridge" participated in this briefing on Cambodia. I am enclosing a copy of the Commission's statement made to that breakfast. The meeting ended with an appeal to the Commission by a number of members of Congress, actually to proceed with our recommendation and to try to organize a truck convoy to go to the border. A meeting of the members of the Commission who attended that breakfast led to a unanimous decision to proceed. Since this is entirely a non-governmental, non-political, private effort and the Commission is not an operating agency, the willingness of the International Rescue Committee to advance the funds needed to assemble a 20-truck convoy of vehicles filled with food and other essentials enabled us to move forward with a concrete proposal. We informally sought the permission of the Government of Thailand, without which the undertaking would have been still-born. We received that permission with the understanding that the convoy would not cross the border against resistance, and not unless permitted to do so by the authorities in Hanoi and Phnom Penh.

Even as we sought international leadership for this effort, we also began a parallel undertaking -- to invite a number of very prominent people from various walks of life to come to the border during the week or so that the convoy will

be making a daily effort to secure permission to cross, and to manifest with their presence the world's concern. Joan Baez has been extremely helpful in assembling the names of those who wish to be on the border during that interval. Those already include, beyond herself, Father Hesburg, William Shawcross, Father Ponchaud, Liv Ullmann, and possibly Mrs. Nelson Rockefeller. We in the meantime have been concentrating on reducing the American role in this undertaking and enlarging the active international participation. We have just completed an arrangement with Medicins Sans Frontières (MSF), two of whose officers travelled to New York to meet with us this weekend. By a coincidence, they had been working for several weeks on the nearly identical undertaking, concentrating on doctors, nurses, and medical supplies as well as food. They have already attracted the support of a half dozen major French organizations and the active support of most of the members of the French Assembly (other than those who represent the Communist party), and will be announcing what they have entitled "Cambodia March for Survival" at a press conference in Paris on January 18.

Our present departure date of the enlarged convoy from Bangkok to Aranyaprathet is February 5. Bob DeVecchi is in Bangkok at this moment to firm up all of the logistical details, including the utter unavailability of hotel and pension space in Aranyaprathet. The dignitaries will, I am afraid, have to be content with dormitory style sleeping bags and mosquito netting in one of several homes available in that town. We are being assisted additionally by Commission member Albert Shanker, whose liaison officer in Brussels, in contact with the International Federation of Free Teachers Unions, is now seeking to enlarge the European organizations' support. In addition, through the AFL-CIO, their representative in Paris has just informed me that the following have formally associated themselves with the effort: The International Postal, Telephone and Telegraph Workers of the World, representing 87 countries of all the free trade unions, with headquarters in Geneva. Their top two people are Stefan Nedzynski and André Bergeron, who is General Secretary of the Forces Ouvrières of France and Vice-President of the International Federation of Free Trade Unions. You will be happy to know that we are also working very closely on this project with Catholic Relief Services, which has made the major contribution thus far in getting food across the border.

Within these coming days we expect that Danish, Belgian, English and German unions, charitable organizations, etc., will be added. Similarly, MSF has already attracted more than forty of the most prominent individuals in French life who have associated themselves with this purpose. It is hoped that several of that group will also come to the border.

The expectation is that permission will not be granted by the Vietnamese authorities. In that event the truck convoy will daily make the trip from Aranyaprathet to the border crossing three kilometers away in order to ask whether there have been new instructions. If no crossing is permitted at any point, there are various plans for the off-loading of the trucks among the border camps as well as among displaced Thai villagers who have been moved to make way for the Cambodian refugees in Thailand.

Members of the Commission are not being urged to take this trip, with the exception of two or three whose presence will have a particular significance. If permission is given to cross the border, only those individuals who actively seek to be aboard the trucks, aware of the hazards despite the assurances of safe conduct which we are seeking, will accompany the convoy.

January 7, 1980

- 3 -

The fact that such a convoy is now in contemplation need not be kept private, but specific organizational details, though firmed, will be described as in process of negotiation so that we do not jump the Paris press conference coming up. Similarly, dates and intentions are not now being revealed, to minimize the notice to the Vietnamese until they have received the official request for permission which will go to Hanoi, Pnomh Penh, and the Kampuchean ambassador in Moscow. We will keep you informed.

Warmest regards.

Leo

LC:m
enclosure

P. S. - The letterhead of the Commission does not reflect the fact that in recent weeks we have unanimously elected to the Commission Mrs. Nelson Rockefeller, Father Robert Charlebois and Liv Ullmann.



The Citizens Commission on Indochinese Refugees, during its most recent study mission early in November 1979 focused its attention on the needs of the Khmer people, as refugees in hastily bulldozed camps in Eastern Thailand and in large aggregations along the border. The condition of those inside Kampuchea and the means of meeting their urgent needs preoccupied us equally and we sought whatever definitive information concerning this aspect of the continuing tragedy from all useful sources in Bangkok, Washington, U.N. agency representative, the refugees themselves and other sources.

It was not clear, during the period of our inquiry in Asia, whether the food which is being shipped into Kampuchea was being distributed to those for whom it was intended.

Several things were, however, very clear. The flight of nearly a quarter of Kampuchean surviving population was occurring or appeared to be imminent.

The physical condition of these people and the nature of their deficiencies and acute illnesses strongly suggested comparable problems among those on the other side of the border.

The fact that one-fifth the expected number of young children were among the survivors made it clear that a massive toll had been suffered by the very young and threatened a further loss among the young on both sides of the border.

The particular major illnesses, malaria, TB, acute pulmonary infection, advanced starvation, dysentery and parasitic diseases would require professional care in addition to drug therapies

administered under medical supervision.

The flight into Thailand, while then preponderantly from the Western sections of Kampuchea also included significant numbers who had fled from more remote areas.

Perhaps the strongest conclusion we reached was the absolute necessity of trucked food and other essential supplies from Thailand into the Western provinces of Kampuchea. The distribution of the Kampuchean population made it clear that sixty percent or more of the total Khmer population could not be reached by the food shipped into Kampong Som or Pnomh Penh even if energetic efforts were made to move those concentrated supplies into the interior to a radius of 100 kilometres -- unless the Vietnamese airforce made available substantial aircrafts for food delivery to the regional airports being used to transport troops and military supply.

Consequently shipment by road from Thailand emerged as the most efficient, fastest, cheapest and most penetrating means of supply.

The Commission recommended a prompt organization of a private, international, non-political formation of stocked truck convoys to perform this urgent task with the permission of the authorities in Pnomh Penh and the principal military authorities stationed in and controlling western and northwestern Kampuchea.

Previous efforts to secure such approval first by three U.S. senators and subsequently by a distinguished group of Congresswomen reflecting a diversity of political views were without favorable result.

The plan envisioned here seeks to meet the objections which were voiced in Pnomh Penh and Hanoi.

1. A pilot convoy of some twenty trucks stocked with food, and those medical supplies certified as useful without accompanying physicians, will move toward the Thai-Cambodian border on or shortly after Jan. 28th.

2. These plans are being organized by the International Rescue Committee which has substantial international staffs including doctors, nurses and paramedics in the various Cambodian camps.

3. The IRC is seeking with the help of leaders of other private groups functioning in Thailand, to identify a major non-American charitable, religious, union or other non-governmental organization which is willing to be the major group sponsoring this mission.

4. Whichever sponsor accepts the responsibility will cable the Foreign Minister in Pnomh Penh, the Foreign Ministry in Hanoi, the representative of the Peoples' Kampuchea Republic in Moscow.

5. These cables request will seek permission for safe passage of these trucks into Kampuchea.

6. The respective authorities may inspect the cargos, suggest safe routes beyond Pol Pet where sizeable aggregations of Kampuchean may be found and where the cargo may be offloaded progressively. Those assuming security to the trucks and those accompanying them may place around representatives aboard each truck. They may also suggest other reasonable requirements which will be followed meticulously.

7. The trucks will assemble in Aranyaprathet and will proceed to the one border crossing nearby.

8. No crossing will be made in the face of reprisal by the authorities at the Kampuchea border.

9. The trucks will not seek to enter Kampuchea if the replies to the requested permission are negative or not answered.

10. Such negative response will, however, be regarded as temporary or subject to favorable change. Therefore the trucks will each day advance from Aryaprathet to the border to inquire whether changed instructions have been received.

11. This procedure will be repeated for a period of days in the hope that there may be permitted to cross.

12. Distinguished citizens of many countries, eminent in various fields of activities will assemble at the border to manifest the wide international concern with and fraternity for the people of Kampuchea.

13. The urgency of the most rapid movement of these vital supplies flows from the desperate condition of those for whom this assistance is intended. We feel hopeful that this life and death reality will override, security, military, political or any other considerations.

14. The trucks and supplies will be privately chartered from commercial forwarders in Bangkok and the expenses will be borne by the charitable and other private voluntary organizations participating in this effort.

15. The trucks will be driven by private Thai personnel normally engaged in the private movement of goods and may include as well representatives of those groups sponsoring this effort or those private parties who express their wish to accompany the vehicles. No military personnel, other than those placed aboard by the military authorities

in Kampuchea will be permitted to participate.

16. If one or two Khmer speaking, non Kampuchean translators are available, their assistance would be valuable. In their absence French speaking parties will be required.

17. Those coming to Aryanaprathet to manifest with their presence their concern for the suffering Khmer people will be provided housing of some sort during their days at or near the border. Arrangements will also be made to enable them to visit several border camps and organized inland refuges to which some 700,000 Kampuchean have fled in Thailand.

18. Where there is the personal ability of such individuals to assume the costs of the journey, that fact will be welcomed. Where neither personal or organizational support is available the expenses will be assumed by the voluntary organizations directly carrying the responsibility for this mission.

19. Those coming to Thailand should assure themselves that they have the suggested disease-control injections and the recommended quantity of the preferred anti-malarial drug. Also visas.

20. Since the Citizens Commission on Indochinese Refugees has persuaded in the interest of speed and capability the International Rescue Committee to proceed with all organizational preparations, it does so with the hope that a major non-American organization will seek to take over or share these responsibilities and costs. In the absence of one such international group, a coalition of various charities, unions, civic groups etc., will be requested to accept that major role.

December 18, 1979

ALTON KASTNER

1/7/79

Dear Mori,

As mentioned.



CAMBODGE :

Médecins sans Frontières **ACCUSE**

Aujourd'hui, au Cambodge,
les enfants meurent de faim devant des tonnes de riz.

Aujourd'hui, au Cambodge,
par centaines de milliers, hommes et femmes abandonnent la terre où ils sont nés, fuyant la famine organisée, la maladie, la mort.

Le corps de santé a été entièrement décimé sous Pol Pot. Mais les centaines de médecins, chirurgiens et infirmières que nous tenons prêts se voient depuis des mois interdire l'entrée de ce pays.

Bloqués entre Phnom Penh et Kompong Speu, les organisations humanitaires effectuent la traditionnelle visite guidée.

- A leur retour, certaines d'entre elles témoignent et dénoncent.
- D'autres, jour après jour, discrètement, vainement, ont tenté d'obtenir du pouvoir en place l'autorisation d'arracher quelques malheureux de plus à la mort. Le Comité International de la Croix Rouge, après plusieurs mois de lutte incessante, vient d'engager son autorité morale en déclarant publiquement que les secours ne sont pas acheminés.
- D'autres, enfin, truqueurs ou naïfs mais en tout cas complices, essaient de faire croire que le Cambodge renaît. Ils vous trompent.

FACE A LEUR MENSONGE,

Médecins sans Fontières

NE PEUT PLUS SE TAIRE.

Il n'existe au Cambodge, nous dit-on que deux solutions : politique et humanitaire.

- La solution politique n'interviendra pas avant la mort du dernier Cambodgien.
- L'aide humanitaire est un devoir, et chacun jusqu'alors y a contribué. Mais bloquée par l'occupant, stockée, détournée, elle n'est qu'un rideau de fumée qui masque l'inexorable agonie du peuple khmer.

UNE TROISIÈME SOLUTION

est donc impérative, et puisqu'elle ne peut venir ni des gouvernements, ni des organisations humanitaires, c'est à nous de l'imposer.

Il faut entrer au Cambodge et convaincre l'occupant vietnamien de ne pas laisser mourir les rescapés du génocide khmer rouge. Et pour cela, nous créons aujourd'hui le mouvement

"CAMBODGE - MARCHÉ POUR LA SURVIE"

Il y a cinq ans, l'opinion publique internationale a fait cesser les bombardements au Vietnam.

Aujourd'hui, seule cette opinion publique forcera les vietnamiens à laisser l'aide humanitaire être distribuée au Cambodge.

Nous demanderons à la Thaïlande de nous permettre de traverser son territoire, et, si ce n'est pas possible, nous prendrons des bateaux pour entrer au Cambodge par la mer, et si nous sommes refoulés, nous viendrons par voie aérienne. Car il faut que tombent les barrières qui nous empêchent de secourir ces êtres en danger de mort.

AIDEZ-NOUS à organiser la marche d'hommes venus de tous les horizons, personnalités ou représentants d'associations, décidés à apporter sur ces lieux de tant de souffrance, nourriture, soins et médicaments afin que l'aide soit distribuée... pour que :

SURVIVE LE PEUPLE CAMBODGIEN

NEWS

FROM THE

COMMITTEE

THE AMERICAN JEWISH COMMITTEE Institute of Human Relations, 165 E. 56 St., New York, N.Y. 10022, (212) 751-4000

The American Jewish Committee, founded in 1906, is the pioneer human-relations agency in the United States. It protects the civil and religious rights of Jews here and abroad, and advances the cause of improved human relations for all people.

MORTON YARMON, Director of Public Relations

FOR IMMEDIATE RELEASE

NEW YORK, Jan. 31...Rabbi Marc H. Tanennbaum, National Director of Interreligious Affairs of the American Jewish Committee, will be among a delegation of prominent Americans due to leave for Thailand next week in an effort to secure entry into Cambodia for truckloads of food and medicines as well as medical personnel to help the starving Cambodian people.

Under the leadership of Leo Cherne, Chairman of the International Rescue Committee, the delegation, part of an international movement called "Cambodia: March for Survival," will accompany the truck caravan to the Cambodian border. If the authorities refuse to permit the truck to enter the country, Mr. Cherne has stated, the delegation will return to the border daily for several days. Should the continued effort prove unsuccessful, the supplies will be distributed to Cambodian refugees in the border area and to Thai people who have been displaced by the refugees.

Rabbi Tanenbaum, who has made two tours of the major Southeast Asia refugee camps in the past year, has played a leading role in alerting the American Jewish community to the plight of the Cambodian people. Together with Richard Maas, AJC National President, he has called attention to the similarities between the current genocide of the Cambodians at the hands of the Vietnamese and Cambodian communities and the genocide directed against Jews under the Hitler regime.

Others in the delegation include Joan Baez, representing the organization, Humanitas; Father Robert Charlebois, Director of Catholic Relief Services; Russian dissident Alexander Ginsburg; labor leader Nathaniel LaCour; attorney Oren Root; civil rights leader Bayard Rustin; actress Liv Ullmann; and author Elie Wiesel, Chairman of the President's Committee on the Holocaust. Several prominent Europeans will join the U.S. delegation,

-more-

Richard Maass, President; Maynard I. Wishner, Chairman, Board of Governors; Morton K. Blaustein, Chairman, National Executive Council; Howard I. Friedman, Chairman, Board of Trustees
Bertram H. Gold, Executive Vice President

Washington Office, 818 18th St., N.W., Washington, D.C. 20006 • Europe hq.: 41 rue Paul Doumer, 75016, Paris, France • Israel hq.: 9 Ethiopia St., Jerusalem, 95149, Israel
Mexico-Central America hq.: Av. E. National 533, Mexico 5, D.F.

including Winston Churchill III; Emma Vonino, the Italian parliamentarian; and Mairead Corrigan, recent winner of the Noble Peace Prize. Many of the trucks will be sponsored by religious and international trade union organizations, including the AFL-CIO.

Founded in 1906, the American Jewish Committee is this country's pioneer human relations organization. It combats bigotry, protects the civil and religious rights of Jews at home and abroad, and seeks improved human relations for all people everywhere.

80-960-29
1/29/80
A
EJP
REL



Mr. De Vecchi/KEG

Reception - For International Rescue Committee Delegation to
"The March for Survival"
Monday, February 4, 1980 - 1830 - 2000 hours
Ambassador's Residence
Sport shirt

Ambassador & Mrs. Morton I. Abramowitz HOSTS

Mr. Leo Cherne	Guest of Honor
Ms. Joan Baez	Humanitas
Father Robert Charlebois	Catholic Relief Services
Mr. Alexander Ginsburg	Soviet Dissident
Mr. Nathaniel Lacour	Labor Leader
Ms. Jeanne Murphy	Humanitas
Mr. Oren Root	Attorney
Mr. Bayard Rustin	Civil Rights Leader
Rabbi Marc Tanenbaum	American Jewish Committee
Ms. Liv Ullman	Actress
Mr. Elie Wiesel	President's Commission of the Holocaust
Mr. & Mrs. Winston Churchill, III	U.K. Member of Parliament
Ms. Emma Bonino	Italian Parliamentarian
X Ms. Mariead Corrigan	Nothern Ireland--Nobel Peace Prize
Mr. Robert DeVecchi	IRC
Mr. Allen Moore	Director of Legislation, Office of Senator Danforth
X Mr. Joseph Ravich	

DIPLOMATIC CORPS:

Ambassador Jean Soulier	French Embassy
Ambassador Fred Bild	Canadian Embassy

Ambassador Peter Tripp British Embassy

Ambassador Jean-Christophe Oberg & Madame Swedish Embassy

Ambassador Mordechai Lador Israeli Embassy

Ambassador Francesco Ripandelli Italian Embassy

THAI GOVERNMENT OFFICIALS:

Lt. Gen. Chalermchai Charuvastr Minister, Office of the PM

H.E. AM Siddhi Savetsila Minister, Office of the PM and SG,
National Security Council

Sq. Ldr. Prasong Sunsiri Deputy SG, National Security Council

Gen. Thuanthong Suwavadat Deputy Chief of Staff, Supreme Command Hq

Gen. Saiyud Kerdphol Chief of Staff, Supreme Command Hqs.

LTC Kamol Prachuabmoh Asst. Director, Displaced Persons
Operations Center, MOI

Mr. Winyu Angkanarak Under Secretary of State, MOI

LTC Sanan Kajornklam Joint Operations Center, Supreme Command

H.E. Gen. Lek Naeomali Minister of Interior

H.E. Arun Panupong Deputy Minister of Foreign Affairs

M.R. Kasem S. Kasemsri DG, Political Dept., MFA

M.L. *Birabhongse*
Mr. Somphan Kokilanon Chief of America Div., Political Dept.,
MFA

✓ *Dr. Ouwat*
Mr. Atsada Chaiyanam Chief of SE Asia Div., Political Dept.,
MFA

Mr. Aompongse Faichampa
Khunying Chintana Yossundara Chief, America Div.
Vice Rector, Ramkhamhaeng University

Dr. Kothum Ariya Professor of Engineering, Chulalongkorn
University; Human Rights Activist

Dr. Noranitr Setabut Dean, Faculty of Political Science,
Thammasat University

THAI POLITICIANS & LEGISLATORS:

✓ Dr. Thanat Khoman Former Minister of Foreign Affairs;
Democrat Party Leader

M.R. Kukrit Pramoj	
Lt. Gen. Chan Ansuchote	Chairman, House Foreign Affairs Committee
Col. Sanguan Kamvongsar	SG, NLA
Mr. Buntheng Thongsawat	Speaker of the House
MG Pramarn Adireksan	Leader, Thai Nation Party
Mr. Kanin Bunsawan	Social Action Party Parliamentarian
Mr. Narong Wongwan	Prachakon Thai Party
Mr. Anant Buranavanich	House Foreign Affairs Committee
Mr. Pinich Chandrasurin	House Foreign Affairs Committee
Mr. Chavalet Visestikul	Committee on Cultural/Social Affairs
Mr. Prem Malakun	Siam Reform Party
Mr. Uthai Pimchaicon	Political Leader (idealist)
Mr. Thongchai Tongbao	Human Rights Lawyer
Mr. Pramuan Kunlamat	Minister without Portfolio
Mr. Wiraworn Sitthitham	Independent

MEDIA:

Mr. Lee Aik Sim & Madame	Managing Director & Publisher, Hsiang Hsian Jit Pao
Mr. Barry Wain	Asian Wall Street Journal
Acharn Wanchai Thanawongnoi	Station Master, Thammasat University Radio Station

INTERNATIONAL ORGANIZATIONS & FOUNDATIONS:

Mr. Peter Geithner	Ford Foundation
Dr. William R. Young	Rockefeller Foundation
Mr. Tony Gillotti	IRC
Sister Catherine Callahan	IRC

Dr. Dan Weiner	IRC
Mr. Robert Ashe	Administrator, Christian Outreach
Mr. Reginald E. Reimer	Director, CAMA Services, Inc., SEA
Mr. Dean Sexton	Director, World Vision Foundation of Thailand
Mr. Joseph S. Curtin, Jr.	Director, Catholic Relief Services
Mr. Rudolph von Bernuth	Director, CARE
Ms. Nancy K. Bender	Program Co-ordinator, International Rescue Committee
Ms. Nancy McLaren	International Rescue Committee
Mr. William Sage	JVA
Dr. John Naponick	
Dr. Ronald Hill	

MISCELLANEOUS:

Ms. Yvette Pierpoli	Swiss-Inco
Mr. Murray McNair	Johnson & Johnson
Mr. Sanan Wonsuthit	National Council of Thai Labor
Mr. Mechai Viravaidya	Director, Community Based Family Planning Services
Ms. Tippiie Hedren	Actress
Mr. Marut Bunnag	Human Rights Lawyer
Khunying Chandhanee Santaputra	President, National Women Council
Mrs. Micki Burger	AWC
Khunying Kanitha Wichiencharoen	TATCA
Mr. & Mrs. Peter Sandersley	British Embassy
Mrs. Pat Ferguson	
Mr. Phaisarn Thawatchainan	President, Labor Congress of Thailand
Dr. Naythans Mathew	

Mr. Sumit Jumsai Architect

U.S. MISSION:

Mr. Burt Levin DCM

Mr. M. James Wilkinson POL

Mr. L. Desaix Anderson POL

Mr. Timothy Carney POL

Mr. Lionel Rosenblatt KEG

Mr. Michael Eiland KEG

Dr. Ronald K. St. John KEG

Mr. Paul O'Farrell KEG

Ms. Lauren Peters KEG

Mr. Mark van Fleet KEG

Mr. John Crowley KEG

Mr. George C. Warner KEG

Mr. Jack Williamson KEG

Mr. Robert Porter KEG

Mr. James Maes KEG

Mr. Douglas Johnson KEG

Mr. Kem Sos KEG

Mr. Sieng Lapresse KEG

Mr. William R. Lenderking, Jr. PA

Mr. MacAlan Thompson REF

Mr. Robert L. Chatten ICA

Mr. Lawrence D. Daks ICA

Total:-127

Cambodia - March for Survival

We are here because a human tragedy of massive proportion continues. The suffering of the people of war-torn Cambodia has disappeared from the headlines of the World press, but the horror lives on.

The international relief and voluntary agencies are making heroic efforts to bring desperately needed help to the civilian population. The world's continuing support of these efforts must be encouraged. However, these valiant efforts notwithstanding, the fact remains that much more can and should be done to increase and improve the distribution of food inside Cambodia. We urge those with influence inside that country to strive to assure that every available means of food distribution is developed to the fullest, to reach the greatest number of Cambodian people as possible. This commitment is all the more critical in light of *data reports from authoritative sources that massive hunger in Cambodia is expected during the coming year following the May harvest season*

Of even greater importance than the problem of food and its distribution is the nearly total absence of any medical capability throughout all of Cambodia.

Hundreds of thousands of innocent Cambodian civilians - especially children - are needlessly suffering and dying. Yet this medical crisis which has an immediate life and death character has received virtually no world attention.

For more than a year, efforts have been made in vain to gain access for medical teams to work in Cambodia. Therefore, on behalf of the people of Cambodia, we insist that the authorities in Phnom Penh and Hanoi open Cambodia's borders to doctors and nurses, medicines and medical relief supplies. Only in this way can further senseless human catastrophe be prevented.

We know that a long range political solution to this situation must be achieved, but we recognize that the current prospects are not bright. Until an international conference or some other international effort is directed towards this purpose, we urge an immediate ceasefire to protect the innocent civilian population, especially those clustered along the Cambodian border with Thailand.

and unarmes

All this we do in the name of humanity and in peace.

CAMBODIA - MARCH FOR SURVIVAL

Cambodia - March For Survival brings together some 150 persons from Europe and the United States. They share a common concern - to help the Cambodian people. Over 50 communities and organizations are sponsoring this effort, representing tens of millions of people.

Formal requests for permission to enter Cambodia for this purpose have been sent to the appropriate authorities in Phnom Penh. No official reply to these requests has been forthcoming. No attempt will be made to enter Cambodia unless official permission is received and certain conditions regarding security and the distribution of medical supplies and food are met.

Organizational responsibility for the March has been delegated to two private voluntary agencies - Medecins Sans Frontieres and the International Rescue Committee.

Attached are copies of the list of participants and sponsoring organizations.

The following program has been agreed upon by the organizers:

February 5 - Participants will leave Bangkok by bus in the morning, visit the SAKEO Holding Center, and arrive in Aranyaprathet in the afternoon. Overnight accommodations will be provided by voluntary agency personnel living in the area.

A convoy of 20 trucks will depart Bangkok in the evening, arriving in Aranyaprathet the morning of February 6. The convoy will consist of 16 trucks of rice, 2 trucks of dried fish, 1 truck of assorted food supplements and 1 truck of medicines and medical supplies.

February 6 - The participants and the convoy will go to the border station at Aranyaprathet at 09:00 AM. They will walk from there to the bridge, followed by the convoy.

If permission to enter Cambodia is received and the conditions met, they will cross the bridge.

- If permission is not received and the conditions not met, they will remain on the Thai side. In the afternoon the participants will visit the KHAO I DANG Holding Center.

February 7

- If the effort on February 6 has not been successful, the participants will meet at the Thai Red Cross office in Aranyaprathet for a brief ceremony in which the medical supplies and food will be turned over for distribution in an equitable manner to Thai villagers displaced by the fighting on the Cambodian side of the border and the Cambodian refugees in need. The participants will then return to Bangkok.

February 8

- There will be an open, informal meeting with the participants and the press. The time and place for this have not as yet been established.

Dr. Claude Malhuret
MSF - Tel: 251-8762
White Inn - Tel: 252-7090 - Room 53

Robert P. DeVecchi
IRC - Tel: 252-2780
New Imperial Hotel - Tel: 252-8070 - Room 434

Bangkok
February 4, 1980

Cambodia - March For Survival

- The following persons comprise the Medecins Sans Frontieres delegation for the March For Survival.

Dr. Rony Brauman - President - Cambodge - March Pour La Survie
Christiane Gesquiere - Sec. Gen. - Cambodge - March Pour La Survie
Dr. Claude Malhuret - Sec. Gen. - MSF
Dr. Xavier Emmanuelli - President - MSF
Patrick Klebaner - MSF
Michel Chatel - MSF
Georges Mesmin - Deputy - CDS
M. Trillau - Former Director - Institut Pasteur - Phnom Penh
M. Donnez - Mayor - St. Amand Les Eaux, Deputy - European Parliament
M. de Luart - Senator, Mayor, Conseiller General
M. de Maigret - Deputy - UDF
Henri Yedid - MSF
M. Daled
M. Roux - Vice President - Association des Collaborateurs Parlementeres
M. Mainging - Director - Centre d' Hebergement de Bretagne
Pierre Delacroix - MSF
Bernard Henri Levy - AICF
Jean Martin Cohen Solac - President - Sante et Socialisme
Jacques Andre Prevost - Consultant
Jacques Touttain
Maurice Benassayag - P.S.
M. Fromentin - Mayor of Louviers, MRG
Christian Bunicourt - AICF
M. Bellergeot
Daniel Benassaya - AICF
Yues Garric
M. de Villepain - Mayor of Joledive
M. Courbis
M. Leotard - Deputy - UDF
Claude Auriac - Writer
Claude Fontes - Mayor of Morlas
Catherine Collin
Dr. Jacca
Andre Montimel
Thierry Jeantet - Sec. General - MRG
M. Gouzot - Mayor of VALENDE
Denis de Kergorlay - MSF
Evelyne Sullerot - Write, member of Economic and Social Council
M. Verstraten - Philosopher
Dominique Becquart - Representative of 70 groups of Welcome for Southeast Asian refugees.
Victor Moisan - President - Agricultural Cooperative
M. Kosciusko - Morizet - Ambassador of France
Claude Evin - Mayor of St. Nazaire, Deputy PS
Guy Romagnani
Guy Horlin
Daniele de Betak

Dr. Herry - Federations Syndicales des Medecins de Groupe
Etienne Louis - Conseiller General - P.S.
M. Rannou - Amis de la Terre
Renato Castelli - Italy
Italo Bassi - Italy
Gian Carlo Ricci - Italy
Marco Panella - Radical Party - Italy, European Parliament
Mecciano Pelicani - Italy
Alian Madelin - Deputy - UDF
Michel Rosseau - Mayor
Francois Massot - Deputy - MRG
Alain Richard - Deputy - P.S.
Philippe Marchand - Deputy P.S.
Guy Leneounnic - FEN
M. Simbron - FEN
Dr. Tran - Association of Khmer Medical Doctors in France
Arrabal - Writer
M. de Selys Longchamp - Belgian - Cambodian Friendship Society, Belgian
League for the Rights of Man
Jean Monneret - Pres. - Salon des Independents, Painter
Jacques Esparbier - Cons. Gen. of the Tarn, Journalist
Jean Louis Canova - MSF
Alain Daniel
Robert Duclos - Pres. AFDI, Administrator - FNSEA
Bernard Laurens - Mayor, Jouy en Josas
Robert Jaulin - Ethnologist
Margueritte Colin - Mayor, St. Pol de Leon
M. Heulot - Association Avoir Faim
M. Helary - Association - France - Cambodge
Jean Claude Sergentini - MSF
M. Herry - Federations des Medecins de Groupe
Yves Laurent - MSF
M. Egu - Conseiller General, Pres. des Maires - Ile et Vilaine
Anne Marie Troux - MSF
Marcel Delcour - MSF
Jean Luc Lubrano - MSF
Antoine Vial - MSF
Philippe de Dieuleveux - MSF
Sylvie Rommel - MSF
Jean Pierre Terville - MSF
Guillaume Charpentier - MSF
Philippe Sergeant - MSF
Alan Dubos - MSF
Dominique Barrault - MSF
M. Crouan - MSF
Claudine Bouyssou - MSF
M. Deveze - Senator, CNIP
M. Barbier - Deputy - UDF
M. Kas - Comite d' Accueil Aux Refugies du Sud Est Asiatique
M. Roux

Genevieve Carrier - Assoc. Pulau Bidong
Joseph Wattelier - Mayor, P.S.
M. Serri - Representative, Mayor of St. Germain en Laye
Pierre - Noel Debret - Terres des Hommes - Nord
Stephane Remet - MSF
Nina Kemayan - Writer
Gilles Kremer
Yvonne Solary - MSF
Marie Sergeant - MSF
Jan van Hierlo - Pres. Democratic Mouvement - Holland
Sylvia de Leur - Actress



CAMBODIA - MARCH FOR SURVIVAL

The following persons comprise the IRC Delegation for the March For Survival.

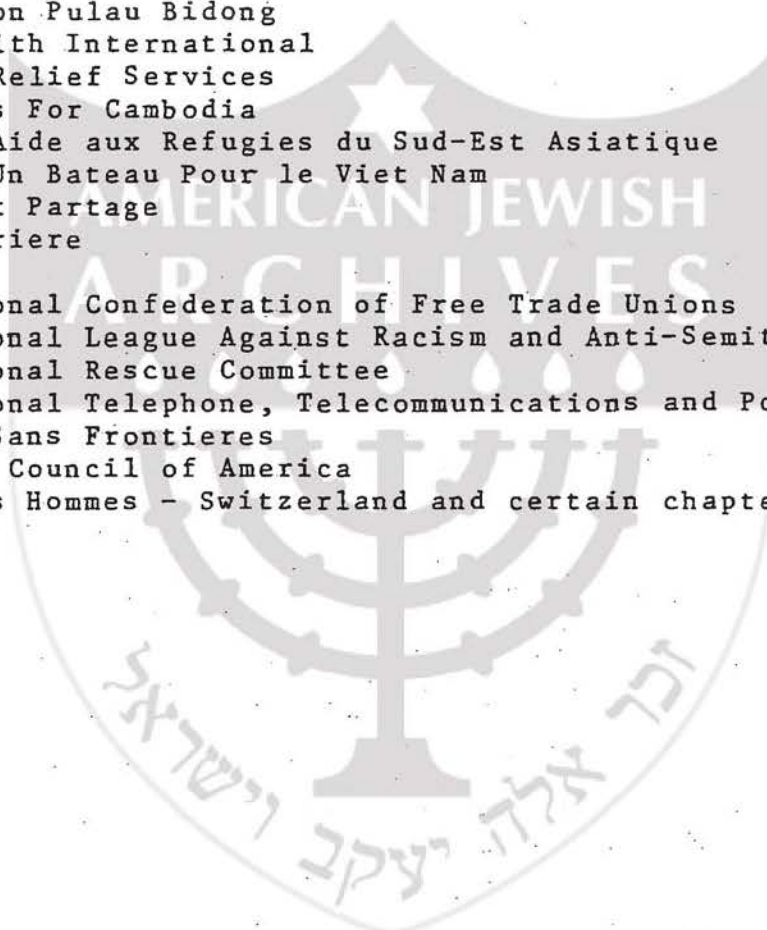
Leo Cherne	- Chairman - IRC
Joan Baez	- Humanitas
Emma Bonino	- European Parliamentarian - Italy
Sister Catherine Callahan	- Catholic Relief Services
Father Robert Charlebois	- Catholic Relief Services
Winston Churchill and Mrs. Churchill	- Member of Parliament - United Kingdom
Alexander Ginsburg	- Soviet Dissident
Nathaniel Lecour	- Labor Leader
Allen Moore	- Legislative Analyst, U.S. Senate; Former Peace Corps Volunteer
Jeanne Murphy	- Humanitas
Oren Root	- Attorney
Bayard Rustin	- Civil Rights Leader
Rabbi Marc Tanenbaum	- American Jewish Committee
Liv Ullman	- Actress
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Cambodia - March For Survival

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Synagogue Council of America
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CITIZENS COMMISSION ON INDOCHINESE REFUGEES

CARE OF INTERNATIONAL RESCUE COMMITTEE, INC.

386 PARK AVENUE SOUTH • NEW YORK, NEW YORK 10016

TEL. (212) 679-0010 • CABLE: INTERESCUE, NEW YORK

February 10, 1981

Dear *Marc*

I am enclosing a memo which went to the Secretary of State. The urgency of the situation to which it addresses itself made it impossible for me to consult any of the individual members of the Commission. Our staff, however, did carefully consider the subject and provided important help.

The urgency arose from the following facts. I learned on February 8th that the OMB, in order to assist President Reagan to quickly formulate the major budget cuts he will be presenting to the nation, planned by February 10th to meet with the key State Department officials on the number of important changes in the budget for this fiscal year as well as the budget for FY 1982. Among the proposed budget cuts was a sharp reduction in the number of Indochinese refugees to be resettled in the United States between now and October 1st when this fiscal year ends. This is a difficult time for the State Department to deal with this urgent negotiation with OMB because neither of the two key refugee officials have yet been appointed to replace the absent Coordinator of Refugee Affairs, Ambassador Victor Palmieri and the Assistant Secretary of State for Refugee Affairs, Frank Loy. I have been assured that our memorandum will be received and welcomed by the Secretary. It should be in his hands today, just prior to the OMB process which they hope to complete by this weekend. I hope you will agree with the wisdom of my moving promptly. I can assure you that its content has been checked thoroughly.

Needless to say, it will be helpful to have any other judgments the memo to Secretary Haig stimulates.

With warmest regards,

Sincerely,



Leo Cherne
Chairman

February 9, 1981

TO: Secretary of State, Alexander Haig
FROM: Leo Cherne, Chairman, Citizens Commission on Indochinese Refugees
SUBJECT: The Indochinese Refugee Program and the Budget

A reduction in the number of Indochinese refugees to be resettled in the United States during FY '81 would have serious consequences:

1. It would go back on our commitment to first asylum countries in Asia to reduce the heavy, though diminishing, burden they still carry.
2. It would give sharp impetus to the developing pressure toward repatriation of those who have fled back to the Communist countries and to discourage others from fleeing.
3. It would convey a signal to countries of second asylum, notably France, Australia and Canada, that our previous efforts to increase their rates of resettlement no longer have merit and inevitably would lead them to reduce their commitment to resettle these refugees.
4. Since heavy, though diminished, escape from Vietnam and Laos continues, it would stimulate the refusal by countries of first asylum to accept new refugees either by pushing boat people back to sea or by refusing sanctuary to those who come by land.
5. It would give impetus to the increasingly popular rationalization that these refugees are, in fact, economic migrants, and that there is no sufficient political reason to flee the Communist nations of Indochina.
6. It would, above all, penalize victims of Communist repression and aggression with whom we have a special relationship.

These are not speculative consequences. A reduction of the agreed-to monthly rate of flow of 14,000 during the last four months has already

begun to have each of these effects. This reduction in refugee flow has been temporary and arbitrary for reasons which are stated in the accompanying amplification.

The deleterious effects have thus far been limited because it has been assumed by the countries of first asylum and their fellow ASEAN nations that the slowdown in movement was temporary and seasonal and would be made up in the remainder of FY '81. In fact, decisions to do just that have already been taken.

We agree with the desirability of reducing the budgeted dollars required by the U.S. refugee resettlement program. Inadequate attention toward this end has been given to the mushrooming of costs and bureaucracy in the United States, all part of a well-meaning effort to "ease the resettlement process". This trend, a development of the last few years, is in sharp contrast to the long-standing views of the most respected voluntary agencies that an early emphasis on entry-level employment and self-sufficiency rather than welfare and social services produces a more useful permanent resettlement for the refugee at a lower cost. Present practices often slow resettlement and create welfare dependency at a cost which is now so high it has become a reason to cut admissions. Thus, a misguided humanity in the resettlement process threatens to defeat the basic humanity of the refugee program.

If the Indochinese refugee program budget is to be cut, I suggest most savings come from the domestic resettlement area and that an OMB-led task force with the State, HHS, and private sector voluntary agency representatives be formed to design a domestic resettlement system more in harmony with the philosophy of this Administration.

Amplification and Detail:

The monthly admission level of 14,000 refugees was set in June, 1979 (in response to the boat refugee crisis to deal with the severe humanitarian and political problems in Southeast Asia generated by the flood of refugees then being expelled from Vietnam). This level was reviewed in September, 1980 and renewed for FY 1981 in view of the continuing substantial flow of refugees out of Indochina and the almost 350,000 refugees still in camps and holding centers in the region.

The United States program to date has been a major success and is widely recognized as such. It has significantly enhanced stability in the region, has met our obligations to a refugee population formerly closely associated with us and has projected our image as continuing to accept a leadership role in the region. It is also a program which, within a foreseeable period, can be significantly reduced.

However, there continues to be 328,000 refugees in camps and the monthly escape rate has averaged 11,800 refugees over the past year.

The 14,000 per month admission rate was set for FY 1981 as the level needed to achieve a continuing reduction in camp population and to ensure the continued maintenance of first asylum in the region. To draw back from this level, announced by Secretary Muskie at the last ASEAN Foreign Ministers' Conference, would signal a reduction in the United States commitment which would not only seriously endanger first asylum but would confirm the tendency, already evident in other resettlement nations, to view the problem as largely over and phase down their own programs.

We led the world's positive response to this refugee crisis and our lessened interest would surely be mirrored as well. In light of the continuing severe political pressures forcing refugees to flee these

countries, lessened receptivity raises the specter of renewed boat push-offs and forced repatriation by the few countries presently willing to receive them. Not only would such actions lead to a severe loss of life, but the considerable political tensions felt in 1979, both within ASEAN itself and between ASEAN and the United States, would be renewed. These pressures would be felt particularly severely in Thailand as the nation most impacted by this problem.

There has been a great deal of discussion lately about whether some of the Indochinese are economic migrants rather than political refugees. This arises both because the crisis nature of the problem has subsided somewhat and because, like all refugee flows, some Indochinese are impelled at least partly by economic motives. In addition, however, it seems clear to me that the swelling discussion of this subject is in part being orchestrated by those, such as the UNHCR, OXFAM, the Friends Society, some countries and others who, for philosophical reasons, wish to diminish the status of the refugees and their reasons for leaving with a view to refurbishing the reputation of Vietnam in the hope of speeding the process of reconciliation. It is clear that the continuing repression being applied in the process of communization of the societies of Indochina is entirely sufficient to create the flow of refugees which we are experiencing.

A technical reason attracting the budget cutters is the fact that only 10,000 refugees per month were actually admitted to the United States during the first four months of FY 1981. This has technical answers which OMB should take into account:

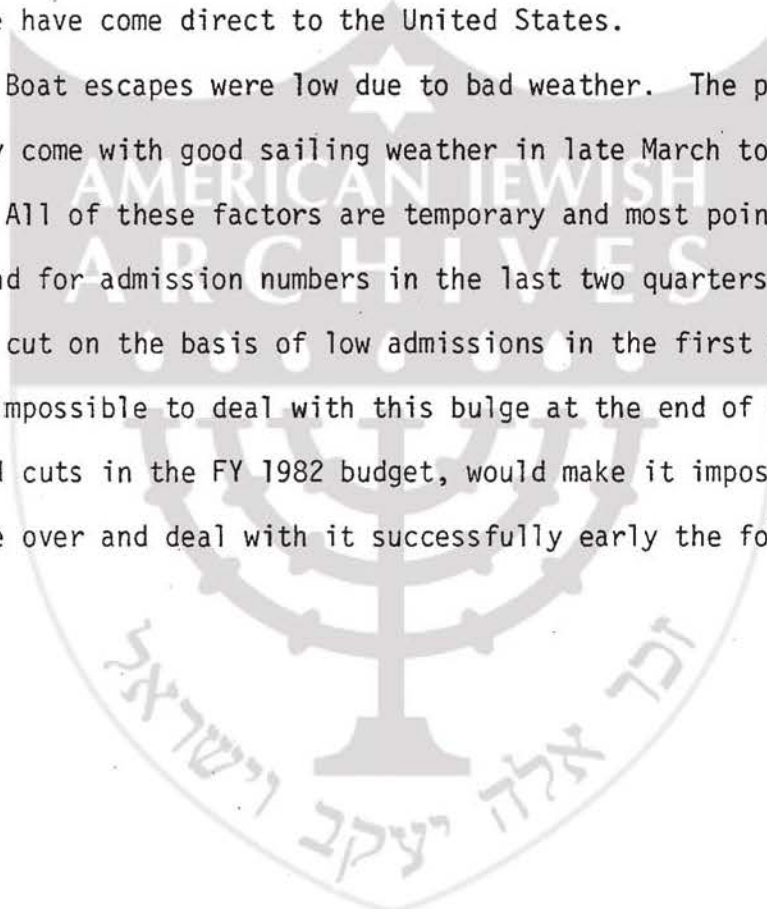
-- The previous Administration delayed too long the acceptance of qualified Khmer refugees into the United States program. In about the past six weeks, Bangkok has been authorized to include up to 33,000 additional Khmer.

-- Some 50,000 qualified Hmong in camps in Thailand are temporarily delaying accepting resettlement in the illusory hope that political conditions in Laos might change so greatly that they could return home.

-- The filling up of the Refugee Processing Centers in the Philippines and the decision to conduct English-training programs while the refugees wait for resettlement, have temporarily siphoned off refugees who would otherwise have come direct to the United States.

-- Boat escapes were low due to bad weather. The peak escape rates generally come with good sailing weather in late March to June.

All of these factors are temporary and most point to a bulge in the demand for admission numbers in the last two quarters of the fiscal year. A cut on the basis of low admissions in the first quarter would make it impossible to deal with this bulge at the end of the year and, projected cuts in the FY 1982 budget, would make it impossible to carry the bulge over and deal with it successfully early the following year.



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February 18, 1981

Dear *Marc*

When I wrote you the hasty note a week ago and enclosed the memorandum to Secretary Haig a significant cut in the admission of Indochinese refugees seemed likely. The approved level of 14,000 a month arranged between the Carter administration and the Congress for the balance of this fiscal year was immediately in question. Informal conversations suggested that the OMB would seek to reduce this number to 10,000 a month for the remainder of this fiscal year and to 7,000 refugees to be resettled a month during fiscal '82.

Our former co-chairman, Bill Casey, agreed to hand deliver the memo to Alexander Haig since time was of the essence. Therefore, it is with great relief that I convey the information I have received. According to that information there will be no cut in the authorized numbers of refugees from Vietnam, Laos or Cambodia either during this fiscal year or the one that begins on October 1.

The greatest significance of this involves the Cambodian refugees. Their movement has been impeded in a variety of ways. Reduced resettlement numbers would therefore have made equity for them almost impossible to achieve. That will not now be the case especially since our previous intervention has resulted in substantial correction of these inequities with these adjustments just about to go into effect.

The fact that resettlement has not been reduced will also diminish the pressure which has been building to identify many in this group as economic migrants rather than refugees.

A third consequence may occur during the spring and summer months. Flight by boat from Vietnam will increase during that period of more favorable weather. In addition, there are ominous rumblings that Vietnam may return to its earlier practice of facilitating the flight of boat people if they can pay a substantial ransom in gold. Had the figures of admissible refugees been cut there would have been strong incentive for the major countries of first asylum to deny refuge to these victims.

It must be acknowledged that in this first test of the new administration's refugee policy Secretary Haig has remained firm in the commitment which Ronald Reagan made in the closing paragraph of his nomination acceptance speech when he said "Can we doubt that only a Divine Providence placed this land, this island of freedom, here as a refuge for all those people in the world who yearn to breathe free? Jews and Christians enduring persecution behind the Iron Curtain; the boat people of Southeast Asia, Cuba and of Haiti, the victims of drought and famine in Africa, the freedom fighters in Afghanistan, and our own countrymen held in savage captivity."

With warm regards.

Sincerely,



Indochina Refugee Action Center

1424 Sixteenth Street NW, Suite 404

Washington, D.C. 20036

(202) 667-7810

MOBILIZING PUBLIC OPINION AND EXISTING RESOURCES TO ACHIEVE MORE EFFECTIVE REFUGEE RESETTLEMENT

An analysis of public opinion regarding Indochinese refugees reveals two prevailing myths which bear upon public acceptance of refugees and U.S. admissions policies:

- Confusion over the legal definitions of a refugee which results in debate around the topic of political refugee or economic migrant.
- fears that refugees either compete for and take scarce jobs away from Americans, or become dependent on public assistance and are therefore a continuing burden to American society.

Economic As A Form of Persecution

Unfortunately the first factor has been complicated further by misunderstanding of the nature of persecution under oppressive regimes. Those who have lived under communism know that "...economic persecution is just as bad as any other type of persecution, and it's one of the specialties of the type of communist government that's running Indochina these days..." ^{1/}. In other words, our current definition of a refugee as someone who is persecuted due to race, religion, nationality, membership in a particular social group, or political opinion should include persons fleeing persecution by governments using economic strategies as tools of repression in the same manner as torture and other methods. In short, economic persecution in Indochina is an applied form of political persecution. This accounts for the fact that, despite all the dangers facing them on land or on sea, many are willing to risk their lives. ^{2/}

-
- ^{1/} "Refugee and Reason". The Wall Street Journal, August 24, 1981. The article continued: "...Being denied the right to profit from your work strikes us as no less oppressive than being denied the right to pray or speak. And if Indochina's refugees are fleeing so they can get to a place where they can keep the fruits of their labors, we ought to write a law that is generous toward them..."
- ^{2/} "...Fifty-seven refugees from Vietnam are reported to have died of starvation while adrift in a boat on the China Sea. The United States Navy has said that 29 survivors - emaciated and highly dehydrated - were rescued by an American frigate 300 miles off South /sic/ Vietnam. The survivors said that the others had died during the six weeks they were at sea..." (BBC Broadcast, July 20, 1981)

The second factor — welfare dependency and competition for scarce jobs and resources — contains enough elements of truth to be a very tricky dilemma, one needing careful thought and comprehensive solutions.

Economic arguments against admitting refugees are fallacious. Historically, refugees and immigrants have contributed more to the United States than the initial cost of their resettlement. This country, after all, was built by refugees and immigrants. Their talent has always proven to be an invaluable human resource — not a long-term economic burden. Simply stated, the presence of hard-working, courageous persons with the determination necessary to survive the refugee experience adds to both the labor force and the number of consumers, eventually creating more jobs, goods, and services. Nevertheless, it is true that the welfare dependency rate among recent Indochinese arrivals is high. This has happened because pre-literate and rural persons need basic maintenance for a longer period of time than the traditional sponsorship system can support. Furthermore, many so-called "dependent" refugees are working and only receiving a supplemental cash assistance grant because they have large families and are working at minimum wage jobs. Certainly inflation has also impacted this situation as has the reality that medical assistance is too closely allied with eligibility for, and receipt of, cash assistance. It is important to realize that incoming refugees need English language and some vocational training if they are going to work consistently and pay increasing taxes over time. To some extent, welfare has provided a form of subsistence income during the initial period while refugees receive this basic training to upgrade their skills. In general, refugees are not long-term welfare recipients.

Policy and Program Management Strategies

It's time now to turn this trend around. Some suggestions to do so include:

- Separating medical assistance from cash assistance by making refugees presumptively eligible for medicaid for one year, as envisioned by the Refugee Act of 1980.
- Enforce eligibility requirements for refugees requesting cash assistance.
- Hold anchor relative responsible for support of sponsored refugees: a refugee family could sponsor relative(s) only if able to support the relative.
- Implement results-oriented ESL and vocational training programs which are intensive during the first year in an American community.
- Foster economic development efforts within refugee communities and community-based organizations to create enduring possibilities for refugees to support themselves and strengthen the American economy.
- Utilize magnet placement strategies of refugee resettlement to build on the strengths of ethnic clusters, diversify from high impact areas to geographic locations where housing and jobs are available; target initial services to improve their effectiveness and cut down on the causes of secondary and tertiary migration.

None of these ideas are new. They have been discussed for years. Somehow, however, no one has been able to implement a workable, comprehensive resettlement program. The main reason for this failure is that the missing link — refugees themselves — have neither been listened to nor enabled to effect refugee resettlement policy and programs, and because the federal government has not seen its role as fostering a more specific partnership and division of labor between public and private

sector institutions helping refugees. To a large extent and with good intentions, we have worked for refugees instead of with them.

To influence public opinion, refugee community leaders, in partnership with Americans, can educate, motivate and prepare receiving communities for the influx of refugees, thereby improving mutual understanding and averting potential community tensions and conflict over scarce resources. Consciousness-raising is likewise needed within the emerging Indochinese and other refugee communities. Refugees themselves must understand the necessity for reducing welfare dependency among their own people.

Ethnic Development Strategy

There is an effective way to accomplish this mobilization of public opinion through both an educational and participatory process. Indochinese leaders across the country have been identified and can be called upon to motivate their communities in order to affect positive attitudinal change and greater involvement. Refugee self-help groups are beginning to coalesce into national networks and to become active participants at the local level. These are an available vehicle for effective communication and training with the refugee population-at-large, if their help is accepted by the other resettlement structures.

A word of caution, however, is in order. As the reality of diminishing public funding for social service and refugee programs is hitting local communities, many people have discussed dumping the unfunded portions of the refugee program into the laps of refugee self-help groups. This will not work. Refugee organizations cannot be expected to take on all of the tasks of public and private agencies, funded or not. In fact, community-based refugee associations need a substantial amount of capacity-building assistance, encouragement, and some funding to function in a complementary, cost-effective role.

While the policy to achieve this goal is a national one, its implementation lies with the states and communities which have been assisting Indochinese and other refugees. The current national debate is fostering a sense of direction and partnership which may become a decentralized, but coordinated, system of refugee services. Resettlement can really be effective through the involvement of the private sector and refugee communities, coupled with better management of both public and private sector resources.

Several concrete steps remain to be taken in order to begin this process of creating a favorable climate for continued refugee resettlement in this country:

- Consultation, in Washington, D.C., with refugee leaders, to elicit suggestions for reducing the welfare dependency rate among refugees, to be followed by concrete action by refugee associations, States, and resettlement agencies on the recommendations.
- Education and cross-cultural communication within both the local refugee communities and surrounding American communities by means of refugee self-help groups.
- Development and implementation of government and resettlement agency policies at federal, state and local levels that provide for refugee input and involvement.
- Implementation of a capacity-building strategy/program to strengthen refugee community groups so they will be available to function over the long term.

- Community-based economic development to promote refugee businesses, volunteer programs, cooperatives, etc., and improve the local tax base; strategies aimed at specific private sector involvement in resettlement, most especially to create jobs and design targeted work-experience and training programs for refugees.



This paper was prepared by Diana D. Bui, Jesse Bunch and Le Xuan Khoa

September 1, 1981

PREFACE

The Special Refugee Advisory Panel (SRAP), in accordance with its mandate, has carried out an evaluation of the refugee situation in Southeast Asia, has reviewed present U.S. policies and programs in relation thereto, and herewith submits to the Secretary of State a report on the results of its mission together with Findings and Recommendations.

The report consists of two main parts - (1) Overview, Findings and Recommendations, and (2) An annex setting forth the history of the problem and its current status.

The report is based on Washington briefings and meetings, followed by a 25-day trip to Geneva to meet with representatives of international organizations, then to Thailand, Malaysia, Singapore, Indonesia, Hong Kong, the Philippines and Japan, for meetings with top leaders, U.S. and other government officials, and representatives of international organizations and voluntary agencies involved in refugee work. The Panel also visited refugee camps, "holding centers" and processing centers for talks with refugees and those dealing directly with their problems.

The Panel sought in every way to approach the problem comprehensively and objectively in terms of U.S. long-range national and international interests, as well as in accordance with our nation's humanitarian concerns and traditions. The Panel members particularly appreciate the way in which U.S. Embassies facilitated access to varying viewpoints relating to this problem, including those critical of current U.S. policies and programs.

The members wish to emphasize at the outset their great admiration for those many dedicated people - in government, international organizations, voluntary agencies and in communities where refugees are resettled - who, working together to grapple with one of the most compelling, complex and tragic problems of our times, have added a notable achievement to the annals of humanitarian endeavor.

The American role in this vast undertaking deserves special commendation.

I. OVERVIEW

Since the fall of the governments of Laos, Cambodia and Vietnam in 1975, some 1.4 million Indochinese have fled the new communist regimes to seek asylum in neighboring countries or elsewhere. The refugee flow increased rapidly in late 1978 and early 1979 primarily because of warfare in Cambodia and Vietnamese persecution and expulsion of ethnic Chinese. The increased exodus, already seen as a threat to regional stability, hardened the attitudes of Southeast Asian countries against granting asylum and led to urgent calls for international action to share the burden. The ensuing Geneva Conference in July 1979 resulted in a systemization of first asylum procedures, a marked expansion of international resettlement and successful pressures on Vietnam to curb its expulsions.

Of the almost 1.4 million who have fled Indochina, over three-quarters have been resettled. The U.S. has admitted almost 500,000 Indochinese refugees; other western countries have resettled almost 300,000 (including 70,000 in France, 70,000 in Canada and 45,000 in Australia); and 265,000 Vietnamese, mainly of Chinese ethnic origin have been resettled in China, although some of the latter are now seeking secondary asylum in Hong Kong and Macao. Just short of 2,000 refugees have been voluntarily repatriated to the Indochinese countries.

The refugee camp population in Southeast Asia now totals 210,000, plus about 95,000 Khmer now living in "holding centers" in Thailand and designated "illegal immigrants" by the Thai. In addition, there are estimated to be over 150,000 Khmer in encampments along the Thai-Cambodia border. Refugee flows are down from their high levels in 1979, but Vietnamese boat refugee arrivals for the first half of 1981 are up from comparable period arrivals last year.

As in FY 1980, after consultations with the Congress, the Administration adopted plans to admit up to 14,000 Indochinese refugees monthly in FY 1981. For a number of reasons, actual admissions are likely to be closer to 10,000 per month. Priority is given to those with close family members and to former U.S. Government employees and those closely associated with the United States. However, increasingly, refugees who do not have these connections with the United States are included in our resettlement program for humanitarian reasons when they are not resettled in other countries.

There appears to be continuing widespread domestic support for our Indochinese refugee resettlement program. Offers of refugee sponsorship and Congressional votes to fund refugee assistance and resettlement have fully met resettlement demands. Support derives from the United States' historic humanitarian concern for the homeless and persecuted together with unique factors relating to our pre-1975 involvement in Vietnam and the nature of the present Hanoi regime. There is also broad appreciation of the foreign policy interests of the United States that the program serves. United States assistance and resettlement

have been vital factors in maintaining stability and unity among the ASEAN nations.

Yet there have been mounting criticisms over the past two years. While relatively few question U.S. contributions to international refugee relief, more question our ability to maintain a large refugee admissions program for Indochina as well as for untold numbers of other refugees. Problems with Cubans and Haitians, Afghans in Pakistan, and millions of displaced persons in Africa have not only tended to divert attention from Southeast Asia, but they have suggested the importance of our moving toward a refugee policy that realistically addresses the magnitude of the problems looming ahead. Questions relating to migrant workers and undocumented aliens have further complicated the issue.

Worrisome aspects of our Indochinese resettlement program include: (1) charges that an increasingly large proportion of the refugees are motivated primarily by "pull" factors such as economic betterment rather than by "push" factors such as persecution; (2) the fact that more and more of those entering our program have no immediate family connections in the U.S. nor direct connections with the U.S. in pre-1975 Indochina; (3) charges that there is a growing tendency among refugees to exploit our welfare system and complaints about the high costs of resettling refugees at a time when other social programs are being cut; and (4) the fact that, as other nations resettle fewer refugees, the United States is absorbing an increasingly large proportion of them.

It must be emphasized that the Indochina resettlement program is not an Asian solution to an Asian problem. It is essentially an American or Western solution. It has been the stated policy of the ASEAN countries not to accept refugees or settle displaced persons. Their willingness to provide first asylum to refugees from Indochina was and is contingent upon expeditious third country resettlement. Hence, if refugees arrive in ASEAN countries in numbers exceeding what third countries are willing to accept, they may once again be pushed back to sea or across borders. This is a solution with which we cannot live in all conscience, bearing particularly in mind our deep pre-1975 involvement in Indochina and our association with many of those who are fleeing.

On the other hand, the Panel came across evidence of a somewhat more favorable direction in terms of a diminishing refugee population in the ASEAN countries as a whole, and an overall decline in new arrivals. It is important here to make a distinction among the ethnic groups involved. While there has been stabilization of the Lao, Hmong, and Khmer flows, this is not true of the Vietnamese boat people.

The key first asylum country is Thailand, "the front-line state," since it alone fronts on Laos and Cambodia and receives

a sizeable share of the boat people from Vietnam. The refugee population in Thailand, which had been steadily growing through 1979, stabilized in 1980 and has dropped 9% so far this year. Our Embassy in Thailand estimates that, on the basis of "average" conditions of refugee arrivals and departures, the residual population in camps in Thailand will drop by 60,000 refugees between October 1980 and October 1981 to a new level of 123,000.

Thailand, meanwhile, has taken steps to decrease the "pull" factor which has undoubtedly been drawing many lowland Lao and Khmer to Thailand. The outstanding example is Thailand's introduction of austere conditions in its camps for lowland Lao and its avowed intention to close down its largest Lao refugee camp in Nong Khai, which is visible to countless people in the Lao capital area just across the Mekong. It plans to transfer the residual population to another camp. Thailand is also doing what it can to encourage and support voluntary repatriation of Lao and Khmer. With regard to the Khmer, it is supporting efforts by the UNHCR to achieve agreement by all parties concerned with regard to safe land, air and sea routes for those choosing voluntary repatriation from Thailand to the interior of Cambodia. With regard to Vietnamese boat refugees, Thailand has just indicated its intention to close Songkhla camp, effective August 15, and to hold all new boat refugees in an austere camp for an indefinite period. Thai authorities have said that these refugees will not be eligible for resettlement, but that pre-August 15 refugees will be moved to a processing center for resettlement.

In effect, Thailand, the key country, is beginning to deal with the problem on its own in an effort to reduce radically the number of new refugees. It remains to be seen whether the austere camp conditions will comport with internationally accepted standards. Acceptable progress along these lines will depend on (1) expeditious resettlement in third countries of those granted first asylum by Thailand, who are not amenable to voluntary repatriation, (2) Thailand's continuing to receive adequate outside financial and other support for its refugee efforts, (3) UNHCR access to these camps for monitoring purposes, and (4) coordination with other ASEAN countries.

It is important that this "Thailandization" of the program continue in a way that maintains a sound alignment of Thailand's interests and those of others involved in dealing with this issue. This requires, above all, mutual trust based on good faith and close consultation between the ASEAN countries involved and the third countries supporting resettlement.

In the latter regard, a principal objective of the U.S. Government has been to ensure that the Indochina refugee problem is recognized as an international problem and that the responsibilities -- including care and maintenance as well as resettlement -- are properly shared. While prospects for the

involvement of more countries in resettlement do not seem bright, renewed efforts in that direction are in order. So are efforts to ensure that principal resettlement countries consult closely and do not reduce numbers so precipitously as to create serious problems amongst themselves and a hardening of ASEAN attitudes towards first asylum. Further efforts must also be made to enlist the financial support of countries which are limited in their ability to resettle, but are able to support international efforts financially.

The continuing turmoil in Indochina, including worsening living conditions, raises a possibility that at any time there could be an upsurge of refugee flows beyond the capability of other countries to absorb. Warfare in Cambodia may largely frustrate voluntary repatriation from Thai holding centers to the interior of Cambodia as well as Khmer food relief in the interior. Of particularly concern is the prospect of continuing, possibly increased, flows of Vietnamese boat refugees.

The prospect of an ongoing, substantial exodus strongly underlines the urgency for humane measures to deter the flow of increasing numbers of refugees whose reason for fleeing derives more from normal migration motives than from fear of persecution. Certain deterrents, such as austere camps, sealing of borders, or keeping people in holding centers or refugee camps for long periods of time, are not attractive prospects. Yet these and other measures, such as ensuring that VOA, BBC and Radio Australia give adequate coverage of the extreme perils and hardships involved in taking to boats or crossing Cambodia by foot, must be considered. Objection to these measures out of hand by the United States will fuel the false belief, echoed throughout the region, that the resettlement program itself is the primary cause for the outflow of refugees.

A few critics of United States policy have even charged that failure to deter the flow stems from a deliberate American effort to destabilize Vietnam, a reckless charge for which the Panel found absolutely no grounds whatsoever.

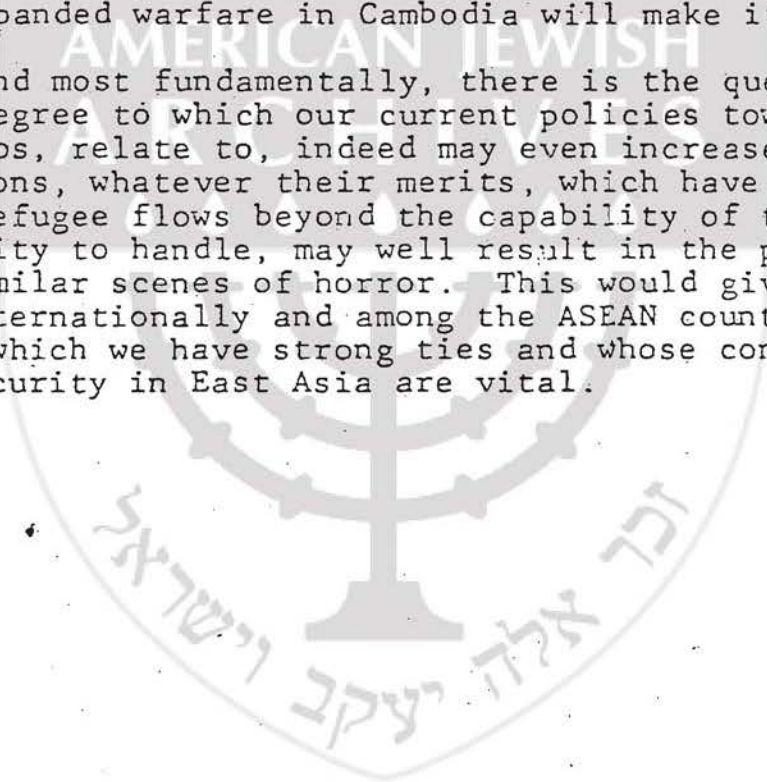
The Panel, however, does not wish to exaggerate the potential impact of various deterrents on the total outflow of refugees. The fact remains that, as long as conditions of life in Indochina remain harsh and fighting in Cambodia persists, and as long as the Indochinese communist regimes oppress their people, many thousands will flee every year. This could continue for many years to come.

The Panel dealt at great length with the fundamental issue of Vietnam's attitudes toward the refugees and the means available to address these attitudes. The Orderly Departure Program (ODP), launched in 1980 after the UNHCR worked out procedures with Hanoi, is now in a state of suspension due to a de facto Vietnamese

moratorium on its continuation. A thoroughly revised and proper functioning ODP offers the best way of maximizing the orderly, safe departure from Vietnam of those for whom we have a special interest by virtue of close family ties in America or close pre-1975 associations with the United States Government while also significantly reducing the number of boat refugees.

As to Cambodia and Laos, the Panel sought to determine whether there was any way in which the United States could, without unduly assisting these communist regimes, prevent famine conditions in these two countries not only for basic humane reasons, but also to mitigate refugee flows. Food relief measures have already been taken in Cambodia to good effect and this continuation seems acceptable to all parties concerned. Yet, there are worrisome signs that food relief may not continue to receive deserved attention or that expanded warfare in Cambodia will make it impossible.

Finally, and most fundamentally, there is the question of determining the degree to which our current policies toward Vietnam, Cambodia and Laos, relate to, indeed may even increase, the refugee flow. Actions, whatever their merits, which have the effect of generating refugee flows beyond the capability of the international community to handle, may well result in the pushing off of boats and similar scenes of horror. This would give rise to strains both internationally and among the ASEAN countries - countries with which we have strong ties and whose contributions to peace and security in East Asia are vital.



II. FINDINGS

1. General

The Panel fully endorses the general direction of the Indochina refugee program. It believes any major departure from current policy would invite discord among the friendly parties involved: namely the countries of first asylum, the resettlement countries, and concerned international organizations and private voluntary agencies. Mutual trust and cooperation must be maintained; consultations must be close and continuous; there should be no sudden, uncoordinated departures from current lines of action.

The Panel also believes that commendable progress has been achieved in dealing with a problem which, if mishandled, could undermine relations between nations sharing basic interests and having common long-range objectives. The ASEAN nations, deeply affected by events in Indochina, enjoy closer relations today than ever before. ASEAN now commands world-wide respect as a regional grouping of nations seen as a force of major consequence for long-range stability, peace and progress in East Asia and the Pacific.

Unity among these friendly nations must be preserved. At the same time, basic humanitarian needs of victims of persecution and harsh treatment in communist Indochina must be addressed.

The Panel recognizes -- and the following Findings and Recommendations reflect -- the need to assure that United States policy in the years ahead adequately addresses: (1) maintenance of the integrity of refugee status, including support of and obligations toward the refugee on the part of the international community; (2) the prospect of a long-term continuation of the exodus of boat people from Vietnam; and (3) the potential for increased land refugee flows from Laos and Cambodia in view of worsening conditions of life and the threat of widening hostilities.

Determination of the Indochina refugee admission level for FY 82 should be premised on these considerations. In any event, no major reduction of the current actual admission level should be pursued without initial close consultations among all concerned first asylum and resettlement nations. The FY 82 level should also take into account the need to reduce the number of first asylum refugees now in camps and to afford as equitable a sharing of the burden as possible among the resettlement countries.

2. Legal

The mass human exodus from Vietnam, Cambodia and Laos following the withdrawal of the United States from the area has created a continuing problem which simultaneously involves legal, humanitarian, political and security considerations. All

of these considerations must be weighed in defining a proper policy for the United States to follow as long as the human flow continues and, assuredly, as long as any sizeable number of people remain in camps facing an unresolved future.

All of those who fled their homeland are generically referred to as "refugees," in that they seek a place of refuge either on a temporary or permanent basis. In the strict sense of the term, however, it appears that some number of them, difficult to ascertain with accuracy, may not qualify as a "refugee" within the meaning of the term, defined in the 1967 U.N. Protocol Relating to the Status of Refugees, which was adopted by the United States in the Refugee Act of 1980. A "refugee" is defined as someone outside his country of nationality who is unwilling or unable to return to that country "because of persecution or a well-founded fear of persecution on account of race, religion, nationality, membership in a particular social group, or political opinion," and who is not firmly resettled in any foreign country. The Act limits admissions to those refugees "of special humanitarian concern" to the United States.

Interviews among camp inhabitants indicate a mixture of motives on the part of many who fled their homeland in Indochina. A large number clearly faced persecution or have a fear, on a well-grounded basis, of persecution if they returned home. Others, however, manifest a desire for an improved station in life, and fled primarily because of the economic or social conditions prevailing in their country of origin.

While it can properly be argued that these conditions derive from the prevailing political situation, the desire to improve one's life condition does not constitute, in itself, persecution within the legal meaning of that term. A proper refugee policy must distinguish between those who fled out of a fear of persecution for the reasons stated in the definition of the term, as against those who seek to emigrate to ameliorate living conditions. The former is the underpinning of a special type of humane concern, shared by the world community, whereas the latter comprises the human flow encompassed by normal immigration laws and procedures.

It is imperative that the refugee, as defined, remain a distinctive category of person. The vast majority of nations adhere to the U.N. Protocol and can properly be called upon to assume a fair share of the burden which arises from war, political upheavals and similar events. Although it might be desirable for all nations to adopt a more liberal or generous immigration policy, there is no international normative yardstick to define such a policy and nations are under no international obligation to do so. Similarly, while the United States has adopted a generous immigration policy, it should not stretch the concept of refugee beyond its proper boundaries lest the

term itself be debased. In other words, the provisions of the Refugee Act of 1980 should apply to true refugees, not to those who must seek admission on other grounds as provided in the Immigration and Nationality Act.

If this distinction is clear in principle, it is, however, exceedingly difficult to apply in practice as to Indochinese refugees. Determination of motivation for fleeing is a highly subjective matter for the interviewer, requiring skill and painstaking effort and a general knowledge of the cultural and political situation which is operative. In circumstances of emergency which accompany most refugee exoduses, it becomes even more difficult a task to ascertain.

The Panel is of the view that, as far as the Indochinese refugees are concerned, it is proper to maintain the current presumption that all those who have fled to date and available for resettlement are refugees within the meaning of the Refugee Act. Accordingly, subjective intent on the part of any individual refugee now in camps and available for resettlement need not be determined by the Immigration and Naturalization Service (INS) as a precondition for entry to the United States. This presumption, however, must be periodically reviewed to determine its continued validity.

The Panel is of the belief that most people fleeing from Vietnam are unwilling to return and they would face persecution on the stated grounds were they to do so. Moreover, they are unable to return as Vietnam will not accept them back. They are therefore entitled to refugee status. The same conclusion was reached as to the Hmong people of the Laotian highlands. The Panel was less certain of the validity of this conclusion as to Lao lowlanders and to many fleeing severe economic conditions in Cambodia. It believes the presumption as to these two latter groups should be reviewed after empirical data is available as to the impact of humane deterrent policies now in force in Thailand.

ASEAN countries of first asylum, largely in response to requests of the United States and other third countries, have been granting asylum to people fleeing from Communist Indochina without attempting to distinguish between those who were primarily motivated by political factors and those primarily motivated by economic or "pull" factors. The ASEAN countries have done this in large part because they have assumed that countries of resettlement like the United States would continue to operate on the presumption that all granted first asylum had refugee status. Thus, any reversal of U.S. screening procedures on that key point would not only be regarded as an act of bad faith, but it might result in upsetting the progress which countries of first asylum are hopeful of achieving in reducing refugee flows through measures of humane deterrence.

In any event, the Panel believes the State Department is the proper U.S. Government agency to determine the prevailing political situation in the nation of origin of the refugees, and to review same from time to time; its conclusion as to presumption of refugee status should be binding on the INS. When the presumption of refugee status is not reached, INS must then review each refugee on a case-by-case basis, and its conclusions should be final in these cases. If an individual is refused refugee status, he should in no case be forcefully repatriated. Arrangements for voluntary repatriation must be in place between the UNHCR and the countries of origin, or some other holding operation be established.

3. Repatriation and Resettlement

The Indochinese refugee problem can be broken down into four distinct components, corresponding to the four major ethnic groups involved, e.g., lowland Lao, Hmong, Khmer and Vietnamese. By and large the repatriation and resettlement policies developed to deal with each group are reasonable and are being implemented effectively and humanely.

A. Lowland Lao: The character of the Lao flow has changed over the past year. Some Lao continue to come for essentially political reasons: to escape persecution for close association with the past regime or oppression under the new system. However, the majority of people now fleeing seems to be primarily motivated by a desire to improve their basic living conditions. Indeed, Nong Khai Camp, housing about half of all Lao refugees and lying just across the Mekong from Vientiane, bustles with commercial activity, and was considered by interviewed camp dwellers a more attractive place to live than Vientiane.

A large number of Lao have resettled in the United States and other third countries. Only about one-third, however, is now seeking resettlement, and this essentially for reasons of family reunification. The potential resettlement pool among Lao has shrunk accordingly.

Under these circumstances, the Panel concluded that, in the case of many Lao, voluntary repatriation could represent a feasible long-term solution. According to UNHCR, some 300 people have already been successfully resettled. Thai/UNHCR efforts to arrange for repatriation under a safe-conduct transfer and ongoing surveillance hold reasonable prospects for success and should be pursued vigorously. Provision for resettlement for family reunification and other high-category cases will remain clearly necessary.

B. Hmong: Almost all of the Hmong mountain people are motivated to leave Laos as a result of persecution and military operations -- including reported use of chemical weapons and defoliants -- by the Pathet Lao and Vietnamese soldiers. Nevertheless, very few of the 55,000 Hmong now in Thai camps evidently

wish to resettle permanently in third countries. Since they cannot return to Laos safely at this time, the Hmong have indicated they wish to stay where they are for the time being. This is understandable because they also harbor a strong desire to remain together and to preserve their culture. Under these circumstances, the Panel concluded that third country resettlement opportunities should be available to the Hmong, but not forced upon them, pending development of a feasible long-term solution within the area.

C. The Khmer: The majority of Khmer (Cambodians) sought refuge in neighboring Thailand for a mixture of reasons. Fear of renewed fighting between the various contending forces in Cambodia, horror at the prospect of a return of Pol Pot to a position of power or control, and bad economic and social conditions stemming from these circumstances, seem to be the dominant motives. Some clearly have fled from political persecution under the Vietnamese puppet regime of Heng Samrin.

The Khmer divide essentially into two groups: (1) over 150,000 held in agglomerations along the Thai-Cambodian border now closed to all refugees seeking to enter Thailand; and (2) about 95,000 in holding centers within Thailand.

Khmer who are in the border agglomerations have been maintained and supported by international organizations and voluntary agencies. They do not have access to the holding centers and the resettlement stream. The Khmer are able to come and go from the encampments, where they can obtain food and other support as necessary. Many have returned home. These border areas are occasionally scenes of internecine fighting. While the Panel considered these circumstances less than ideal, ICRC, UNICEF and voluntary agency support for these people should be continued until the situation ameliorates.

As to Khmer in the holding centers, UNHCR is currently attempting to negotiate a voluntary repatriation program between the Thai Government and Phnom Penh authorities which appears to have some prospects for success. This would be a preferred solution. To the extent it does not succeed, the United States, which has already agreed to resettle 45,000 from the holding centers, and other resettlement countries should be prepared to take additional Khmer.

D. Vietnamese: People flee Vietnam for diverse reasons. The vast majority is now coming from South Vietnam. Many represent the educated class, or had ties with U.S. forces in Vietnam, or have completed a term in a harsh reeducation camp and still do not adjust to the new order in Vietnam. At this time a relatively small portion of the refugees are ethnic Chinese who fear persecution. Statistics confirm a growing number of

unaccompanied young males with no family ties in resettlement countries who perhaps represent an "anchor" to furnish a basis for other family members to follow. Many state they cannot make a living or have no hope for the education of their children. Many just do not like the new system. Other resettlement countries, such as Australia and Canada, have expressed concern over the latter trend in motivations. The Panel found it almost impossible to ascertain the predominant motives for escape on the part of any individual refugee.

The Vietnamese constitute the hard core of the long-range refugee problem. After extensive questioning throughout its trip, the Panel concluded that these refugees, who arrive largely by boat after a hazardous trip where they are exposed to piracy, murder, rape and sinkings, cannot be feasibly repatriated to Vietnam; nor can the smaller number who arrive by foot in Thailand, after crossing Cambodia, be repatriated. The Panel was advised that discussions with Vietnam undertaken by Western diplomats in Hanoi as to possibilities of repatriation offer no prospects in the foreseeable future. Moreover, no refugees are willing to be repatriated to Vietnam as long as present harsh conditions prevail.

Local resettlement of Vietnamese was rejected sharply by all ASEAN nations.

The Panel recognized that serious efforts must be made, to the extent possible, to minimize the outflow of Vietnamese. Allegations were made by some that Voice of America and other radio broadcasts continue to advise and inform Vietnamese listeners on best escape routes and methods of leaving, and do not give enough attention to the perils of escape and difficulties of resettlement. The Panel concluded that some of these claims were exaggerated. VOA indicates it merely reports the news events concerning rescues at sea. The Panel believes that broadcasts should be balanced and clearly report the hazards to life involved in seeking refuge and the difficulties attendant upon resettlement.

It was also suggested that pick-up vessels be removed from the Gulf of Thailand, that the Seventh Fleet not patrol these adjacent waters and that such facts then be broadcast widely. The Panel did not deem these to be practical or advisable recommendations. Nor did it approve of suggestions which would diminish efforts to control piracy in the Thai Gulf, even though high rates of piracy might conceivably deter refugees from fleeing by boat. To the contrary, the Panel felt that further measures should be taken to combat piracy, which continues to involve murder, rape, abduction and sinking of boats.

The subject of categories in selection of refugees is complex and technical and not one which the Panel has studied at

length. Of specific concern, however, are several aspects: a) whether the category system has not itself produced an added "magnet" effect; b) whether the United States resettlement program has not been including individuals who are more legitimately the responsibility of other countries; and c) whether the system reflects properly real United States concerns.

4. Humane Deterrence

Despite their continued willingness to offer first asylum, governments in the region are showing increasing impatience with the continuing flow of refugees and inability to stem that flow. While hoping that circumstances will bring about a cessation of refugees, first asylum countries are now seriously considering measures which, while not life-threatening or known to be overly harsh, are designed to discourage all but the most desperate of would-be refugees. Thailand, in particular, has shown interest in such "humane deterrence," and has started implementing this policy. It has established an "austerity camp" for Lao refugees where a bare minimum of food, shelter and medical care is provided. International and voluntary personnel are not admitted to this camp. Foreign visitors, including the Panel, have also been denied access. Resettlement from this camp is not now permitted.

In addition to minimum care, deterrence measures contemplated include detention of refugees for a lengthy time period before determining their ultimate disposition either by resettlement or repatriation.

The Thai Government recently stated it plans to set up a similar camp or camps for Vietnamese boat refugees arriving after August 15, who would be held in indefinite detention and not processed for resettlement. Indeed, it has already practiced this form of deterrence as to land Vietnamese who cross Cambodia on foot into Thailand, by holding them indefinitely in border camps surrounded by hostile Khmer. The Panel considers this latter practice to be dangerous to the Vietnamese. Moreover, as previously mentioned, Thailand's sealing of its border with Cambodia is, in itself, a form of deterrence.

It is too early to determine whether austere camp conditions and long periods of detention without a clear prospect of resettlement will deter the flow of additional refugees in the future. There is, however, some indication that deterrence measures have had some effect on lowland Lao. The Panel felt considerable concern as to the inability of the international agencies, particularly UNHCR and ICRC, to monitor the standards and quality of life within the austere camp established to date for these Lao. Moreover, it is apparent that detention beyond some reasonable time period would post serious problems for the Thai should

the numbers of refugees increase without guarantees of ongoing resettlement which other countries might not be willing to give. Paradoxically, should resettlement resume, it might well negate the deterrent effect of this measure.

Extensive discussions with responsible government officials in all countries visited, as well as with employees of international organizations and volunteer agencies, led to considerable doubt as to the likely effect of austere conditions and lengthy detention on the outflow of Vietnamese refugees. Life in Vietnam is such that it appears many refugees would find even these conditions bearable if resettlement ultimately could be achieved. Moreover, conditions in austere camps must necessarily meet internationally accepted standards of care and health; some monitoring device would therefore be required to ensure that this obtains. Conditions prevailing in camps such as those in Hong Kong, which are already stretched to their maximum capacity, probably come close to being austere by any reasonable definition of that term, and this situation has not served to deter Vietnamese refugees. Accordingly, the Panel was not optimistic that harsh camp conditions and prolonged detention would in fact serve to deter any sizeable number of refugees from Vietnam, and might, conversely, pose impossible burdens if the numbers of those arriving build up to intolerable levels.

5. Cambodian Relief

Both for humanitarian and political considerations, it is important that amounts of food necessary to sustain life in Cambodia be assured. Otherwise, people will be forced to flee their homes and seek refuge elsewhere, thereby adding to the burdens of their neighbors and the instability of the region.

International relief must continue to be extended to Cambodia for these reasons, as well as to encourage voluntary repatriation of as many refugees as possible who are now in holding centers in Thailand and to facilitate a reduction in the numbers of Khmer now massed in border agglomerations. From a humanitarian viewpoint, these measures are all the more vital in view of Thailand's sealing of the Thai-Cambodian frontier, denying further Khmer refugee entry into Thailand.

Unfortunately, after a two-year massive worldwide response to famine conditions in Cambodia in 1979, there is a growing misperception that the food problem in Cambodia has been solved. Agricultural experts indicate that this is not at all clear. Shortfalls are already threatened for this year and next. At the same time, many of the private voluntary agencies which led in the initial efforts to provide food and medical relief to Cambodia in 1979, have terminated or suspended their appeals. UNICEF, which played a lead role, has already formally announced

the cessation of its emergency appeal. Donor governments have greatly reduced their appropriations for food or other forms of aid.

In 1979 and 1980, practically all of Cambodia's food shortfall requirements were covered from abroad. Supplemental food shipments have continued this year as well. However, an initial crop planted by mid-1980 yielded a small harvest, and subsequent provisions of rice seed and other agricultural supplies only narrowly assured the planting of the crop in some areas this year. Any marginal shortfall in the harvest due, for example, to vicissitudes of weather or the military situation, could again raise the spectre of famine, thus increasing migration flows.

The Panel therefore feels that this issue should be immediately reviewed so that a comprehensive set of evaluations and recommendations for upcoming rice and rice seed needs can be shared with other governments, appropriate UN agencies, such as UNICEF, ICRC, FAO, and the voluntary agencies. A considerable degree of lead time is required, as well as logistical support, to ensure the success of a timely and effective program.

6. International Resettlement

The Indochinese refugee problem in all its aspects must continue to involve the international community. Resettlement and its attendant costs should be more widely shared than at present.

Belize, Surinam, and Suyana have expressed interest in Indochinese resettlement projects financed with outside assistance; some success has already been achieved along those lines in French Guiana for Hmong resettlement with the help of the French government.

Latin America offers the best prospect in this regard. Approaches to Latin American countries might well be more effective if made through non-governmental channels than by governments or international organizations. Official outside assistance, however, would unquestionably be required to make any such arrangement acceptable to the host country, and should be forthcoming in those cases.

To support these efforts, it would be helpful to have in hand a systematic study, enlisting the knowledge of informed specialists of areas, especially in Latin America, where resettlement projects would be most feasible and of greatest advantage to the communities and countries concerned. We understand that no such study has been undertaken to date.

Having said this, the Panel nevertheless does not wish to leave the impression that it believes these efforts to expand international

participation in resettlement, commendable as they are, will have much impact on the total problem or spread the current resettlement burden to any significant extent. Indeed there is a real danger, to judge from conversations the Panel had with diplomatic representatives of principal resettlement countries, that some of these countries may soon reduce the numbers of Indochinese refugees they are currently accepting for resettlement.

7. Dealing with the Vietnam Problem at its Source

Policies of humane deterrence and other measures taken by countries of first asylum, as indicated earlier, will probably have but limited impact on the flow of Vietnam boat refugees. Heretofore, these refugees have not been intimidated by well-known risks of which they are fully aware. The same holds true as to the dangers which land refugees from Vietnam are prepared to face in making their way overland through Cambodia to Thailand.

It is in the interest of all parties concerned that there exist between Vietnam and other countries effective bilateral arrangements for the peaceful departure of emigrants or refugees. In the case of the United States, our primary concern is to ensure that those who seek to go to the United States and who are qualified for entry are able to depart in a safe and lawful manner.

A total of nearly 2,000 people were moved to the United States from Vietnam in 1980 and through early 1981 under the Orderly Departure Program (ODP) negotiated by the UNHCR and agreed to by Vietnam and the United States. However, this program was in effect suspended by Vietnam in late January, 1981, and our efforts to reactivate the program have failed. Meanwhile, at great risk to their lives, refugees are still seeking to escape from Vietnam, mainly in small boats. The Panel believes that continuation of this situation is intolerable and poses severe strains on the first asylum countries.

Recently the Thai government made an appeal for orderly departure procedures from Vietnam. This appeal should be supported although it is unlikely to elicit any acceptable response from Vietnam. At best, Hanoi would be likely to continue to require other countries to receive people it does not want in return for acceptance for emigration of those for whom resettlement countries have an interest.

The UN Conference in 1979 led to a major reduction in the forced expulsion from Vietnam of ethnic Chinese. It is to be hoped that, through a similar international meeting to be called on the Vietnamese boat problem and its causes, a more normal, orderly way of dealing with departures from Vietnam can be ultimately achieved.

The Panel views this matter as one of great urgency, and hopes that the ASEAN and other concerned countries will act to promote an orderly departure process both through bilateral channels as well as through multilateral diplomacy.

8. The Impact of Indochina Policy on the Refugee Problem

The Panel does not consider it within its mandate to comment on basic United States policy toward Indochina. It was, however, repeatedly and forcibly struck by causal relationships between the political/military confrontation in the region and the generation of refugee flows. Both refugee flows and costs must be taken into account when formulating policy. Policies or actions which escalate conflict may well escalate refugee numbers.

It is evident that the Soviet Union has a major design in Southeast Asia, aligning itself for that purpose with Vietnam's expansionist designs in Indochina. This has drawn China ever more deeply into supporting Khmer resistance forces, especially the Khmer Rouge, in opposing Hanoi's occupation of Cambodia.

These developments presage rising levels of armed conflict in Cambodia, which in turn are likely to cause:

- (1) increased refugee flows, especially toward Thailand;
- (2) greater difficulty in effecting voluntary repatriation to the interior of Cambodia from holding centers in Thailand; and
- (3) increased need for, but greater difficulties in, delivering international relief supplies to the interior of Cambodia.

If the conflict escalates to the point of another direct attack on Vietnam by China, Hanoi's leaders could reinstate an organized program of massive departures of the approximately one million Sino-Vietnamese estimated to be remaining in Vietnam.

Increasing refugee flows would be even more difficult to handle than in the past and will give rise to accelerated tensions. If the flow of refugees from Indochina is beyond the capacity of ASEAN states to handle, or is beyond the capability of resettlement countries to absorb, the results could damage relations among the ASEAN countries and between them and other countries, including the United States.

Whatever the impact of policies and events in Cambodia on refugee flows, the central fact remains that refugees will almost certainly continue to flee Vietnam, perhaps in increased numbers, until such time as Hanoi changes its ways. The exodus

from Vietnam is due in part to a worsening economic situation there and the great attraction of a better life elsewhere. Yet, more fundamentally, it derives from Hanoi's attitudes towards the Vietnamese people. Some are regarded as unwanted, like the ethnic Chinese. Others are regarded as subjugated former enemies of the Socialist Republic of Vietnam. All are regarded as subject to the will of a government bent on a radical reordering of its society.

9. Domestic Findings

The Panel is keenly aware of domestic aspects of the problem, although it did not, as a Panel, have an opportunity to study resettlement problems in the United States comprehensively. Members of the Panel did discuss domestic resettlement with officials in Washington and voluntary agency leaders and visited both impacted and other refugee resettlement areas for talks at the local level. The Panel's overall conclusion is that there is immediate need for an up-to-date comprehensive and independent study of domestic problems. These aspects of the problem should command highest priority attention.

Government and voluntary agencies appear to be successfully settling a large number of refugees quickly into productive, self-sufficient lives. There are, however, substantial and growing problems in some areas, particularly in impacted areas where refugees are concentrated.

First, there are questions about welfare benefits for refugees. Concerns have been expressed to members of the Panel about the increasing size of the refugee welfare budget, inequities in the distribution system whereunder a few refugees may receive more benefits than other welfare recipients, and the lengthening time many refugees appear to spend on welfare rolls. The Panel also found it disturbing that some refugees in Southeast Asian camps are fully aware of the U.S. welfare program, and there was evidence that, to some degree, knowledge of welfare contributed to the "magnet" effect of drawing Indochinese out of their homelands to the U.S. Clearly there is need for a comprehensive evaluation of all these issues, including ways to increase cost effectiveness and to reduce outlays and the average length of time it takes to move a refugee to self-sufficiency.

Refugee-related problems within the United States and attendant strains on communities are magnified in areas of greatest refugee concentration and they are further exacerbated by secondary migration to these areas. Ways to encourage and maintain wide geographic distribution need to be sought.

Concerned voluntary agencies have made immeasurable and essential contributions to all aspects of domestic as well as

foreign refugee programs. Not only have they served the refugees well, but they have also contributed to a sense of community by bringing thousands of Americans into close touch with Indochinese refugees. Nonetheless, the accountability and responsibilities of these groups need to be evaluated. At the same time ways to keep them fully engaged and better used as a means of reducing welfare costs might be explored.

10. Looking Ahead

The Indochinese refugee program grew out of a special set of circumstances flowing from United States involvement in Vietnam for more than a decade. Humanitarian considerations prompted an unparalleled response from a large number of nations and unprecedented involvement by people and private organizations the world over. Expectation that the program would be of finite duration is giving way to a realization that political considerations operative today in Indochina, and Hanoi's unremitting hostility to a large portion of its own people who resist the new order, or who are stigmatized by reason of past associations or for ethnic considerations, will generate flows of refugees for the foreseeable future.

In the eyes of first asylum countries and many of the resettlement nations, the United States is the ultimate guarantor to ensure that all refugees not otherwise settled or repatriated will be absorbed within our country. This is a formidable responsibility, especially if events in Indochina should produce another massive wave of refugees in addition to the steady accretion now unfolding month by month. The United States cannot shirk this responsibility; resolution of the problem will necessitate close cooperation with other involved nations friendly and vital to our security and basic interests in Asia on this profoundly difficult and emotionally charged issue.

The Indochinese refugee dilemma is a unique chapter in our modern history. Clearly, we and other non-communist nations cannot absorb all who seek to flee oppression. The flight of millions of people from communist rule places a heavy burden on other nations and may contribute to instability and friction among them.

This prospect absolutely requires that (a) the integrity of the definition and status of "refugee" be preserved in accordance with existing international instruments and (b) there be far greater international focus on dealing with refugee problems at the source, including arrangements for normal orderly departures of those accepted for immigration.

III. RECOMMENDATIONS

1. As long as the present political situation and governmental attitudes prevail in Vietnam, Laos, and Cambodia, a substantial flow of refugees must be anticipated and planned for in the foreseeable future. Accordingly, the United States must maintain adequate support for current programs to deal with the Indochina refugee problem, and should plan its activities on a long-term basis to ensure coherence, continuity and flexibility in the program.

2. The United States should continue to coordinate its policies on the closest possible terms with the ASEAN and other countries of first asylum, as well as with resettlement countries, to avoid abrupt changes which would be unsettling to these countries, if not destabilizing. Consultative mechanisms amongst them should be improved.

3. The United States should continue appropriate levels of support for the UNHCR, UNICEF, ICM and all other international organizations involved in the Indochinese refugee program, as it is essential that the world community be engaged in the effort at all times.

4. In determining admissibility of Indochinese refugees to the United States, it should be presumed that all those now in refugee camps outside their country of origin, who are otherwise admissible, are refugees within the meaning of the Refugee Act of 1980, for the reasons stated in the above Findings. Accordingly, a case-by-case determination of refugee status on the basis of individual motivation should not be required. Persons fleeing Vietnam in the future, whether by land or boat, should continue to be presumed to be refugees within the meaning of the Refugee Act of 1980 since their voluntary repatriation for the foreseeable future is not possible. Accordingly, a case-by-case determination of refugee status should not be required as to Vietnamese fleeing their country.

5. Presumption of refugee status of persons not yet in camps who may flee in the future should be reviewed from time to time on the basis of all empirical data available as to the possibility of voluntary repatriation. If significant numbers of lowland Lao, Hmong and Khmer refugees, respectively, can be repatriated voluntarily, then a case-by-case determination should be required to determine whether any individual may properly be deemed a refugee within the meaning of the Refugee Act of 1980.

6. The United States should encourage all reasonable and appropriate methods to reduce the numbers of refugees from Indochina for resettlement in third countries. In this regard, it should:

- (a) support efforts by UNHCR to arrange for voluntary

repatriation of the maximum number of Khmer now being held in Thailand and for measures to encourage those in the border agglomerations to return to their homes. To this end, the United States should further support arrangements being worked out by UNHCR among all parties concerned for safe land, sea and air passage from the Thai border to the interior of Cambodia and for maintenance of ongoing surveillance. Timely Khmer relief (see below) is important in promoting repatriation.

(b) support and assist UNHCR and Thai efforts for voluntary repatriation of lowland Lao, preferably to home villages, provided a safe conduct can be assured and ongoing surveillance maintained.

(c) support and encourage local resettlement in ASEAN countries of certain refugees whose presence would be acceptable to the local population, and stand ready to appropriate the funds required to aid in this effort.

(d) be prepared to continue an appropriate level of food relief and make available an adequate supply of rice seed to Cambodia in order to alleviate conditions which compel people to flee that country.

7. Voice of America and other radios heard in Indochina should take utmost care to present balanced reporting on refugee developments, including coverage of perils of escape, difficulties of refugee camp life, duration of detention before resettlement is available, problems of employment in resettlement countries and similar matters.

8. The United States should urge the Thai government to permit UNHCR monitoring of austere camps established in Thailand for the lowland Lao, and, if set up, for the Vietnamese, in order to assure compliance with internationally accepted standards of care and maintenance.

9. The United States should seek to maintain and expand international support for third-country efforts, both in terms of an equitable sharing of costs and of increasing the number of countries and areas for resettlement. This should include approaches through private channels backed by offers of funding assistance as required.

10. The United States should make every reasonable attempt, in concert with other resettlement countries and in response to Thailand's recent initiative, to reactivate Orderly Departure Programs (ODP) from Vietnam as the best means to minimize the flow of refugees fleeing Vietnam under hazardous conditions and to substitute normal, regulated immigration programs in its stead. Efforts in that direction have been unavailing and are likely to continue to be frustrated by Hanoi unless backed up by

concerted international action. It is accordingly hoped that the ASEAN countries will take the lead in this matter through insertion of the issue of Indochinese Refugees on the agenda of the forthcoming session of the United Nations! General Assembly, looking toward Vietnam's acceptance of orderly departure programs which Vietnam would agree to respect. This issue should be addressed urgently as the present situation entails loss of life, heavy burdens for many countries supporting Vietnamese refugees, and continuing danger to the peace and stability of Southeast Asia.

11. The United States must keep in mind the refugee factor in whatever course of action it pursues with regard to Cambodia. It should also recognize that, barring the institution of an effective orderly departure program in Vietnam, refugee flows from Vietnam are likely to continue and may even increase.

12. An examination similar to the one undertaken by the Panel should now be made of major domestic resettlement issues, as well as the problem of proper application of the categories for selection of refugees, as mentioned in Finding 3 above.

13. In determining the Indochina refugee admission level for FY-82, it is hoped that the consultation procedure will take the Findings and Recommendations of this report into consideration.

Respectfully submitted,

Marshall Green, Chairman

James F. Greene

Rita E. Hauser

Richard W. Wheeler

(Date)

Thailand gives red light to more Indochina refugees

SE Asian nation says 'enough is enough'; it sees latest influx as 'economic refugees,' fleeing poverty, not persecution

By Neil Kelly
Special to The Christian Science Monitor

7/7/81

Bangkok

Thailand has cut its intake of Indochina refugees and closed one Cambodian refugee camp. It is expected to close another for Vietnamese boat people in the next few days.

These moves reflect a growing conviction in Thailand and throughout Southeast Asia that the tide of refugees must be checked. Governments in the area are concerned that they may face a growing burden as international efforts to meet the problem with financial aid and resettlement lose steam.

There is also a widespread feeling that more refugees are leaving to seek better economic conditions, rather than to escape persecution.

Cambodian, Vietnamese, and Laotian refugees in Thailand now total 250,000. This is 12,000 fewer than six months ago and more than 50,000 fewer than at this time last year.

The largest camp of all, the Khao I-Dang camp, eight miles from the Cambodian frontier, has seen its refugee population shrink from 140,000 in mid-1980 to fewer than 40,000 today.

No new Cambodian refugees have been admitted for almost a year. Like the Cambodians, Vietnamese who have trekked across Cambodia are being prevented from crossing into Thailand, and the former flood from Laos has abated.

The Thais are employing subtle persuasion, threats, and tough action to lick the refugee problem, which has plagued them since the communist victories in Indochina in 1975. There is general agreement among civilian and military authorities that the time has come to say "enough is enough," but differences remain on how to execute that policy.

Some say the tough policy is popular domestically and note that foreign governments also respond to it. Since the rumblings began in Bangkok, the United States has indicated it will remove immigration impediments which have caused a backlog of Cambodian refugees to build up, and some other countries have promised to take more.

Some of the Thai leaders even advocate enforced repatriation, but most Cabinet members favor more humanitarian policies.

Thai Premier Prem Tinsulanonda is on record as saying that no refugee would be forced to go home against his will. The United Nations High Commissioner for Refugees has said his organization would not participate in any enforced repatriation.

United Nations officials, in fact, insist that

Thai policy has not changed and that Thailand will not force anyone to go back.

Nevertheless, the Thais are not prepared to regard anyone escaping from communism as a genuine refugee. They feel too many are merely economic refugees seeking better lives outside their own countries.

That feeling is behind Thai refusals to admit 358 Vietnamese refugees now stranded among Cambodian guerrillas near the Thai border.

The International Committee of the Red Cross says their lives are in danger while they remain surrounded by tens of thousands of Cambodians who have a deep-seated hostility toward the Vietnamese.

Despite ICRC pleas to the prime minister to give sanctuary to the Vietnamese, military and security chiefs have refused to give way. They say the safety of the Vietnamese is not Thailand's responsibility.

One Thai official said the Vietnamese had left at their own risk and had bribed Vietnamese and Cambodian officials all the way along to get to Thailand. The Thais have even ignored American assurances that the Vietnamese would probably be eligible for admission to the US.

Meanwhile Vietnamese boat refugees are still being allowed ashore although there have been threats to push them back out to sea. A supreme command spokesman said Thailand did not want to encourage refugees to keep on coming. He added that the Vietnamese were not refugees in the true sense but discontented people seeking better economic opportunities.

Thousands of Cambodians have left Thailand in the past year. Some have gone all the way back to their home villages equipped with rice seed and farming implements to resume their old lives. But many more have stayed in the primitive border encampments hoping for something better to turn up.

Thai policy is directed at discouraging them to go away, for, according to military leaders, they are a security risk to Thailand and their own lives are in danger.

Thai and United Nations officials are planning the voluntary repatriation of 30,000 to 40,000 Cambodians still in holding centers inside Thailand. Safe roads must be found for them through areas where Khmer Rouge guerrillas and Vietnamese soldiers are fighting.

The Thais are determined to go ahead with the plan despite Vietnam's threat to attack the Thai border again if repatriation takes place without help from the Vietnamese-installed government in Phnom Penh.

MEMORANDUM

August 7, 1981

TO: USCR Board Members

FROM: Roger P. Winter

Enclosed for your information is a copy of the testimony provided by Wells Klein on behalf of USCR before the Senate Judiciary Subcommittee on Immigration and Refugee Policy on July 31. The subject of the hearing was U.S. government policy regarding mass asylum.

I have not yet had the opportunity to meet most of you and hope the occasion will present itself soon. There are many activities in which we are now engaged on which your counsel and direction would be most welcome.



created severe work problems for us. We continue to be asked to assist resettlement of Haitian refugees from the intolerable conditions of Krome North Camp in Miami and now possibly Federal Prisons and Puerto Rico. Our resettlement experience has shown that Haitians are often denied necessary social services and fall into exclusion proceedings in the community they choose to live in. This is probably the most dangerous aspect of our lack of an asylum policy: the handling of the asylees' legal status and INS documentation, a critical issue for a domestic resettlement program. Willing sponsors are still confused over "entrant status." Our future refugee resettlement work has been complicated by the inactions and lack of policy of this program.

We receive reports continually from around the country of confusion and misunderstanding of the procedures and methods used to conduct asylum interviews. Certainly this is reflected in the recent June 1981 closed group courtroom hearings of Haitians in Miami who did not have access to counsel and did not fully understand their rights or the proceedings.

We are also aware of the continued difficulties Salvadorans are having in applying for political asylum. Over 4,500 applications nationally are pending. All this as the State Department continues to decide if conditions in El Salvador merit these claims of a fear of persecution if returned.

The creation of refugees and refugee-producing situations has become a daily global phenomenon, and recent events seem to reinforce the words of former INS Director Leonel Castillo: "The next 20 years will see an untold number of homeless and poor people knocking at our door for admission—how will we respond, in what way will we decide who shall enter who should we welcome."

What should be the policy considerations of the U.S. for asylees? The following are three suggestions: international awareness of this problem, equity and enforcement; and getting to the root causes.

INTERNATIONAL AWARENESS OF THIS PROBLEM

Today, mass asylum is not a U.S. phenomenon but part of a global migration of people seeking a new life and opportunity. In 1980 Germany recorded over 100,000 asylum applications, and over 10,000 East Europeans, mostly Poles, are crowded in camps in Austria today.

The same pressing concerns are heard in France, Greece and Italy. Recognition and action is required by the international community. What is needed now is a system of criteria and standards that can be adopted by member governments, ensuring some degree of equity to the increased asylum requests being received by states today.

Asylum has increasingly been stretched, confused and misunderstood. Certainly this is of deep concern to our national voluntary networks and religious communities. People in uncertain status are vulnerable to abuse. For the U.S., this means coming to terms with a policy and program to deal with the reality of mass asylum. There are several guidelines that deserve serious consideration.

The final report to the President in March 1981 of the U.S. Select Commission on Immigration and Refugee Policy offers sensible goals and objectives such as: (1) the maintenance of the U.S. as a "country for asylum for those fleeing persecution" (2) the adoption of policies and procedures that will deter abuse of asylum, and (3) expeditious handling of individual asylum claims.

We strongly support the Commission's recommendation for the establishment of an interagency body like a Refugee and Asylum Review Board to oversee all aspects of the process. This Board could help to develop

and clarify asylum standards and procedures; periodically review selected applications for political asylum as a means of providing uniformity of treatment for all countries and in all INS districts and to consult with Congress and the Executive branch when emergency situations arise.

We support the Select Commission's recommendation about creation of federal asylum processing centers, provided they offer fair treatment and free access; this especially in light of the present use of Federal Correctional Institutions and Fort Allen, Puerto Rico, for Haitians and the possible due process violations these people may incur.

We feel that the protection of a review of asylum applicants on a case by case basis must be respected by INS Regional Directors. We also urge the use of extended voluntary departure as a means of meeting emergency asylum needs.

The Select Commission's recommendation of a group profile raises questions, as yet unanswered, as to how objective assessment of refugees producing conditions can be accomplished.

But most important is the need for improving the efficiency of the asylum process. The present system of individual review with the State Department's Bureau of Humanitarian Affairs is hopelessly bogged with the present national caseload which now exceeds 185,000.

We are also aware that lengthy and costly litigation in our courts is not the answer to this problem.

The present INS interim regulations for asylum requests under the Refugee Act of 1980 lack clarity and direction. There is a little logic in refugee matters bureaucratically falling under the mandate of the State Department's U.S. Refugee Coordinator's office and asylum matters under the mandate of the Bureau of Human Rights and Humanitarian Affairs (BHRHA). Refugees and asylees are directly interconnected and should be managed from one office.

In conclusion, we must protect the welfare and safety of the asylum seeker who has a well-founded fear of persecution. This means creating an asylum policy that is applied with equity. The recent experience of treatment of asylees demonstrates what in policy and program should not happen.

American Council for Nationalities Service.
American Fund for Czechoslovak Refugees.
Buddhist Council for Refugee Rescue and Resettlement.
Church World Service.
HIAS.
International Rescue Committee.
Lutheran Immigration and Refugee Service.
Migration and Refugee Services, United States Catholic Conference.
Polish American Immigration and Relief Committee.
The Presiding Bishop's Fund for World Relief.
Tolstoy Foundation.
World Relief.
Young Men's Christian Association.

STATEMENT OF MR. WELLS KLEIN

Mr. Chairman, members of the Subcommittee, my name is Wells Klein, I'm executive director of the United States Committee for Refugees. We appreciate the opportunity you have afforded USCR to testify before you today.

Our appearance before the Subcommittee stems from a very specific concern of USCR, namely—the manner in which the United States responds to the difficult public policy issue of mass asylum will directly and immediately affect our nation's leadership role with respect to fundamental issues of ref-

ugee asylum at an international level. The policy we adopt will confirm or compromise our historical leadership and moral authority in the field of human rights and, most specifically, refugee acceptance and assistance. The world is, in fact, closely watching how we handle this issue.

We must be forthright. We know the policy decisions that result from these deliberations will not please everybody. The issue is complex and not amenable to easy resolutions simply on the basis of good will.

Public attitudes on immigration currently run deep, largely because of the Mariel boat-lift of 1980. The nation felt violated and, indeed, was. Mariel introduced a new migration phenomenon to America, one that other nations have experienced before, but not the United States, that which we call "mass asylum."

Our current immigration policy has not anticipated mass arrival on our shores. As you know, current refugee admission policy is based on the assumption that, by and large, screening will occur in a country of first asylum and that those we choose to admit will arrive through an orderly process.

The experiences of the recent past demand that our government articulate a clear policy with respect to mass asylum situations, both so we will be prepared to respond in an adequate fashion to any future episode and so that those who would consider coming will know the results of their actions. The result of our policy must be predictable so that those who don't fit won't come. And should there again occur a mass expulsion to our shores, we must be prepared to react with humanity, but with full recognition of our need to be in control of our own immigration policy. This translates into an immediate request for international cooperation and assistance, and international sanctions against the expelling country.

Failure to clearly articulate a mass asylum policy will inevitably undermine what has always been our country's commitment to a liberal, flexible and humane policy with particular respect to those legitimately seeking asylum and for those refugees fleeing persecution.

To repeat ourselves, this is a complex public policy issue. We believe the only way to come to grips with this issue is by reference to three fundamental principles that should guide U.S. policy.

1. The U.S. must have control, and must appear to have control, of the flow of people permanently entering into this society. We have neither at present. This failure prejudices the constructive expression of the inherent reservoir of good will within the American public to respond positively to genuine refugee emergencies. While we might ideally wish to see the free movement of people across all national boundaries, we do not yet live in the best of all possible worlds.

2. Our mass asylum policy—the result of these deliberations—must be consistent with what we ask of other nations in similar circumstances. Such consistency is fundamental to our continuing role of leadership in the free world.

3. We must fully observe the fundamental tenets of due process in the way in which we deal with the varying circumstances of asylum seekers.

The right to due process is one of the few qualities that distinguishes us from much of the rest of the world. Granted, due process does not always yield the most efficient system. But it is that which separates us from Hitler's Germany, Stalin's Russia and Idi Amin's Uganda. Due process is not only our way, it is also the only practical way. A policy that does not provide for due process for individual as well as group asylum seekers will be consistently and repeatedly chal-

lenged in our courts, thus tying up our whole system as has occurred in the past with respect to Haitians. Due process is, therefore, a prerequisite for a workable policy.

The term "mass asylum" is to loosely used and incorporates, in the vernacular, some other related issues we would like to touch on separately. In our view a mass asylum situation exists when a large number of asylum seekers arrive on or shores in a constrained period of time resulting in a situation with which regular asylum processes are unable to cope. There are, however, two other asylum situations with which we must be concerned.

The first is that in which significant numbers of individuals already in the United States in nonimmigrant status are caught here by significant events, usually military, in their own countries. While application for political asylum may eventually be a viable alternative for some of these individuals, by and large, the majority are in need of temporary safe haven. This, we believe, can be easily accomplished, and without threat to our control of immigration, by extending such individuals indefinite voluntary departure until such time as they are able to return home.

The second situation is that in which significant numbers of individuals seek to enter the United States as asylum seekers after transiting a third country, most obviously Mexico. In this situation we feel that the country to which they initially fled, be it Mexico or another, should be considered by the United States as the country of first asylum. Practically, and in terms of political realities, we may need to assist that country in the care and maintenance of these persons in first asylum status as we have done elsewhere, for example Thailand. But we should not confuse this situation with one of mass asylum as defined above.

The heart of the matter, however, is another Mariel or the Haitian asylum phenomenon that faces us today. We propose a mass asylum policy based on the following guidelines:

1. However uncomfortable the immediate implications we must accept the obligation of being a country of first asylum. In practice this means we do not interdict at sea and we do not push boats off our shores.

2. In accepting our responsibility as a country of first asylum, we must reserve the right to detain asylum applicants or permit them temporary access to our society either on a group by group or case by case basis, depending on what we deem to be in our best interests.

3. We must recognize there are far more people in the world, including applicants in a mass asylum situation, who meet our definition of refugee than this country can, or can be expected to, integrate into our society. It follows, therefore, that we must involve the UN High Commissioner for Refugees in any mass asylum situation and internationalize our response to those legitimately seeking asylum on the basis of a well founded fear of persecution.

4. It also follows that those who do not meet the test of a well founded fear of persecution must be repatriated or otherwise relocated short of permanent admission to our society.

Mr. Chairman, I personally and we as an agency are not entirely comfortable with the position we have just taken. It results from a good deal of soul-searching. We return, however, to our original set of principles and the conviction that America's long range world leadership and our ability as a nation to provide haven for truly needy refugees hinges on a responsible policy in which the American public can have confidence.

In conclusion, Mr. Chairman we would like to briefly touch on some implications of "due process" in a mass asylum situation. These

are in addition to the normal safeguards currently embodied in the law and the intent of the law. First, if due process in a mass asylum situation is to be a reality both for the asylum applicant and ourselves as a nation, adjudications must be handled with reasonable speed. We endorse the concept of group profiles for purposes of establishing a well founded fear of persecution.

We do not endorse the concept of group profiles as the basis for rejecting asylum applications. Rejections must be handled on a case by case basis no matter how inefficient this may be.

Secondly, we feel that the implications for individuals in the rejection of asylum applications are far too great to permit the decision to be made by one individual or one body. There must be an appeal or review mechanism separate from the original adjudication. Every effort should be made to make this a fair and impartial process that strives to give the applicant every reasonable benefit of doubt. We do not, however, believe the appeal or review process should go on ad infinitum, keeping the applicant in a limbo and tying up our adjudication system.

Finally, Mr. Chairman, we must realize that many asylum applicants may have no familiarity with our language, customs or with our laws, and therefore, must have the right to representation in the adjudication and particularly in the appeal process.

Mr. Chairman, we feel our nation cannot allow the ineffective confused type of government response that occurred during the Mariel exodus to occur again. We believe a clearly enunciated policy with rapid implementation in a mass asylum emergency will deter those who fall outside our policy from coming. We believe that clarity of authority and responsibility within the context of the policies we have enumerated will foster a continued willingness on the part of the American public to be positively responsive to the legitimate needs of those seeking asylum. And that is what we are after.

Mr. Chairman, separately we are submitting to your staff a series of detailed suggestions for executive branch implementation of mass asylum policy for your further consideration. We hope you will find these useful.

STATEMENT BY RONALD F. GIBBS

(Associate Director for Human Resources)

Mr. Chairman, honored members of the subcommittee, I am Ronald Gibbs, Associate Director for Human Resources, of the National Association of Counties (NACo).

NACo welcomes the opportunity to testify before you on the issue of the United States as a country of first asylum. It is an issue of great concern to counties—particularly those in Florida—which last year experienced an influx of more than 150,000 Cubans and Haitians seeking asylum in this country.

Although the Federal Government is responsible for determining national immigration and refugee policies, it is county government which must deal on a daily basis with the effects of these policies.

Given the political and economic climate in many Caribbean and Latin American nations, the issue of the United States as a country of first asylum is likely to continue—as evidenced by the arrival of an additional 462 Haitians in South Florida last weekend.

NACo's positions on the issues being addressed at this hearing reflect the work of the NACo Task Force on Refugees, Aliens and Migrants, chaired by Harvey Ruvin, Commissioner, Dade County, Florida. The task force is composed of 40 elected and appointed county officials from across the country. At NACo's annual conference, held in Louisville earlier this month, the NACo membership adopted the resolutions on immigration and refugee policies developed by the task force.

Our position on the issue of the U.S. as a country of first asylum are as follows:

CONTINGENCY PLANS

The widespread confusion and lack of coordination in the handling of the recent Cuban/Haitian influx points to the need for the Federal Government to develop contingency plans for handling future mass asylum situations. Such plans should identify the lead Federal agency responsible for directing the Federal Government's efforts in this area, as well as identifying the programmatic responsibilities of other relevant agencies. To the extent that the contingency plans involve either the selection of sites in which to detain applicants for asylum or the resettlement of asylees into communities, state and local elected officials should be consulted in the planning process.

ENFORCEMENT MEASURES TO PREVENT ILLEGAL ENTRY INTO THE UNITED STATES

Stronger measures are needed to prevent a recurrence of the Mariel Boatlift in 1980, in which American vessels brought thousands of Cubans illegally into south Florida. The Mariel boatlift represented not only a gross violation of U.S. immigration laws, but also a hazard to the safety of persons involved, resulting in a number of deaths. In the case of the Mariel Boatlift, existing statutes proved to be inadequate; therefore, NACo would support the enactment of legislation to more effectively deter persons from bringing aliens into the country illegally.

We believe that the U.S. should proceed cautiously before implementing a policy of interdiction of illegal migration on the high seas. Although strong enforcement on our borders is desirable, we recognize that interdiction would be operationally difficult, and hazardous to the safety of persons involved. In addition, if the U.S. turned away "boat people" seeking asylum here, it would weaken our efforts to discourage other nations, such as in Southeast Asia, from doing the same.

EXCLUSION AND DEPORTATION PROCEEDINGS

Without negating the rights of persons to due process, we feel that the current asylum application process should be changed in order to reduce the length of time it takes. Currently, it can take years to complete.

DETENTION

NACo favors a policy of temporarily detaining mass asylum applicants in Federal facilities, pending a determination of their immigration status. With the exception of initial processing centers, the detention facilities should be located outside of areas, such as Florida, which are directly affected by mass asylum. State and local elected officials should be consulted in the selection of sites for the detention facilities. The asylum applicants should also be treated as humanely as possible. Health and safety conditions at the Krome North facility in Dade County, Florida, where Haitians are being detained, are deplorable.

To the extent that it appears that exclusion proceedings for individual applicants are likely to take a long period of time, those applicants who do not represent a danger to the public should be resettled into communities. We believe it is inhumane to keep persons for months and even years in detention facilities without just cause. Moreover, long-term detention is far more costly than resettlement.

RESETTLEMENT OF MASS ASYLEES

The Federal Government should develop placement strategies for resettling mass asylees which take into account the capacity of communities to successfully absorb them. That is, consideration should be given to the availability of housing, employment and other resources which they will need. In addition, resettlement should not take place in

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INTERNATIONAL RESCUE COMMITTEE, INC.



MEDICAL PROGRAMS DIVISION

DANIEL L. WEINER, M.D.
Medical Director

LOUIS A. WIESNER
Administrator

August 10, 1981

The Honorable William R. Smyser
S / R - RP, Room 7526 - New State
Department of State
Washington, DC 20520

Dear Dick:

Having received a copy of my July 22 letter to you, our Pierce Gerety in Bangkok wrote a memorandum specifically addressed to the broad political and humanitarian issues arising out of the continuing influx of Indochinese refugees into Thailand. I enclose a copy.

Gerety's new memorandum is a penetrating and nuanced analysis of the problems which these refugees pose for Thailand, of the Thai response, and of the consequences for United States policy and for the voluntary agencies. He comes out as follows: "Concretely, I have come reluctantly to the conclusion that we should not oppose experiments - such as more austere holding centers and a moratorium on resettlement - that are designed to reduce the rate of new arrivals into Thailand, and that we should help facilitate truly voluntary repatriation of people like Khmer farmers who are no more at risk than the rest of their countrymen. The paramount objective of preserving asylum for people who are in danger of death or imprisonment could be lost if we refuse to support Thailand's efforts to deter those whose reasons for leaving home are less imperative."

While Pierce Gerety's reasoning is clear and persuasive, I wonder whether we in the US and you in the UNHCR need to accede to all the Thai measures, including denial of resettlement opportunities to many who have been in Khao I Dang or other holding centers for a year or more and who will not go back voluntarily to Kampuchea as long as the Vietnamese and Khmer Communists control that country.

Pierce's memorandum is, in my opinion, a valuable contribution to the policy discussion, and I am pleased to transmit it to you.

With best regards,

Sincerely yours,

Louis A. Wiesner

cc: Shepard Lowman
Henry B. Cushing

INTERNATIONAL RESCUE COMMITTEE

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TEL. 2523946-7, 2523745, 2523460

July 30, 1981

To: Carel Sternberg (cc: Louis Wiesner) ✓
From: Pierce Gerety
Re: The Current Situation of Refugees in Thailand

As I mentioned in the memo transmitting the CCSDPT conference proceedings, Thai refugee policy is now focusing on ways to "deter" people from becoming refugees, and with regard to Khmer, with promoting voluntary repatriation. Noting the interest generated by a hastily written "situation report" last month, I think it might be useful to describe the situation in greater detail.

The critical fact for Thailand is that after the biggest resettlement effort they have known, they are left with almost as many displaced persons on Thai territory as before it began. As the economic situation continues to deteriorate in Laos and Vietnam, the Thais are afraid of being left once again with what they see as the burden of caring for hundreds of thousands of illegal immigrants. Slight declines in arrival rates are not sufficiently reassuring - the Khmer experience shows that enormous numbers can arrive almost without warning. Steps therefore are to be taken to deter new arrivals and to encourage departures, particularly repatriation. Although there is a convergence of policies concerning different groups, it is clearer to discuss them separately.

1. Lowland Lao Most observers agree that the majority of the lowland Lao are not fleeing persecution, but rather leaving a deteriorating country in a search of better prospects. The Thais believe that most come in the hope of going to the United States. JVAR staff are not so sure, since a substantial number don't want to leave. Many have found the relaxed life in Nong Khai camp quite acceptable. As you know, it is full of markets, and passes to town are easily obtained.

In an effort to deter those who not truly in danger, it was decreed that all Lao arriving after Jan. 1, 1981 would be segregated from the others, denied resettlement opportunities, kept under more austere conditions and eventually transferred to a new camp at Nakhon Phanom, from which foreigners would be excluded. This is now happening.

This policy of "humane deterrence" now has the support of Lionel Rosenblatt as well as of UNHCR, who feel that if they do not acquiesce the Thais may close the border and forcibly repel new arrivals. Despite the prohibition on foreigners, I have sent IRC staff members to visit Nakhon Phanom. The latest report is that it is a reasonably good camp, but much more strictly administered than others. There is no market, no permission to leave the camp, daily roll calls, etc. Medical care is provided at the local provincial hospital and is equivalent to what is available to Thai villagers.

The Nakhon Phanom "philosophy" is the subject of a great deal of discussion here, and a good deal of concern has been expressed about maintaining morale in the camp. This concern is reflected in the statement I was asked to write on behalf of the Volags and deliver at the conference, particularly the references to respect for the basic human dignity of refugees. Some of us have worried that the camp might be made, not just austere, but deliberately unpleasant in order to discourage refugees and to induce them to return. This does not appear to be the case at Nakhon Phanom although conditions in the detention facility at Nong Khai were unacceptably bad.

A subject under discussion now is when and how resettlement can be offered to refugees at Nakhon Phanom who would clearly be subject to persecution if they returned. Some in UNHCR have proposed case-by-case screening under the refugee criteria contained in the refugee protocol and in U.S. law.

A subject not discussed, because taboo, is the integration of the Laos into Thailand. There are more Lao-speakers in Thailand than in Laos; unlike the Khmer and the Vietnamese, the Lao are easily accepted into Thai society. A more farsighted way of countering Vietnamese influence in Laos, I should think, would be to settle their compatriots in Thailand and prepare for eventual Anschluss. Instead, the Thais insist that repatriation and resettlement are the only acceptable solutions.

2. Hill Tribes The options of resettlement or repatriation are ritualistically repeated for the Hmong and other hill tribe people as well as the ethnic Lao. But there seems to be a tacit belief that in the long run most of them will stay in Thailand.

3. Khmer In February, March and early April over 30,000 Kampuchean were transferred from the holding centres to Mairut and Panat Nikhom to undergo processing for eventual resettlement in the U.S. or elsewhere. The 90,000 remaining are considered "off-limits" for resettlement until after the completion of a program of voluntary repatriation which is now being negotiated.

Ineligibility for resettlement had been the normal situation for those in the holding centres until the latter part of last year. Now that the best-educated and best-connected Khmer have left, those who remain are more inclined to believe that they have little chance of going abroad. U.S. officials have done nothing to dispel this impression. Even close family reunifications have been put off for six months or more by the Thai authorities.

The Thais have sponsored a program of informal voluntary repatriation which takes the form of voluntary transfers from the holding centres to the border camps. A few hundred go by truck each day. This is not approved by UNHCR, but efforts are made to ensure that no one is placed on a truck against his will. I have not heard of any coercion in the camps where we work (Sakeo and Khao-I-Dang). On the other hand, it is said that some people go to the border so that they will not be caught up in a mass repatriation, whether voluntary or not.

The vast majority of these "relocatees" in fact stay in the border camps. Some say it is too dangerous to go farther. (It may also be too expensive: a recent defector from the Heng Samrin government tells of 80 check-points where guards must be paid about 50 cents.) In any case, the population of the camps on the border is gradually increasing. The increase includes new arrivals from inside Kampuchea.

According to UNHCR, systematic interviews with several hundred heads of family in Khao-I-Dang revealed that many former farmers would be willing to return to their villages if they could be assured safe passage. This is what UNHCR Regional Coordinator Zia Rizvi is now negotiating between the Royal Thai Government, the Vietnamese and the Phnompenh regime. All sides are said to be open to the idea, but formal agreement could not be achieved in the political atmosphere that preceded the Kampuchean conference in New York. Rizvi comes back this week to resume the process. The arrangements under discussion would involve UNHCR trucks and buses going to the border near Aranyaprathet (the site of the March for Survival) and being

met by trucks under UNHCR escort from inside Kampuchea. Flights to Phnompenh have also been discussed. A key point for UNHCR is that returnees be taken to their own home villages.

One problem with the plans is the possibility of hostile Khmer Rouge action, although it is assumed that the Thais could ensure that this does not occur.

Many of us expatriate workers are convinced that voluntary repatriation is the best solution for most of the Khmer people now in the camps. By all reports the Heng Samrin regime bears no grudge against farmers and laborers, and for now even non-communist professionals are welcomed. The continued presence of the Khmer Rouge in the border areas and their continuing guerilla activity are probably the biggest factors dissuading people from returning. The Vietnamese presence is an insult to Khmer nationalism and their puppet government is unpopular but in general people do not fear it as they fear the Khmer Rouge. The exceptions to this are the former professional people, merchants, civil servants and former students in Khao-I-Dang, who fear that they would be "re-educated" and regimented by any Communist regime.

Having said this, I would insist that almost all the Khmer at Khao-I-Dang are "refugees" within the definition of the Refugee Act because the instability of the political situation makes their fear of persecution by the Khmer Rouge quite reasonable. So long as the Chinese keep arming the Khmer Rouge, with logistical support from the Thais and diplomatic support from the United States, as well as U.S.-financed food from the World Food Program, the possibility of their taking over a town or a region and massacring unsympathetic residents is real. This possibility is in fact the mainstay of the Heng Samrin regime; it is supported by everyone's mortal fear of the Khmer Rouge.

For more than a year, it has been the Thais' policy that conditions in Khao-I-Dang (and to a lesser degree in Sakeo and Kamput) should be "no better" than in nearby Thai villages or at the border. All goods entering the camp are strictly regulated. There is no legal market. Food rations are kept at the vital minimum.

Any programs that would encourage interest in third countries or prepare refugees for resettlement have long been forbidden. English classes are not allowed. Technical training is theoretically restricted to skills useful in rural Kampuchea. It is only by special dispensation that English can be taught to hospital and health-care workers.

On the other hand, other kinds of programs are flourishing. 15,000 children attend the Khmer primary schools administered by IRC. A pre-school program is growing rapidly. IRC's Technical School offers training in mechanics, drafting, and engine repair to hundreds of serious and assiduous young men. A fish-farming project is in operation. Handicraft centers produce Khmer musical instruments, paintings, sculpture, baskets, mats and cloth. A camp-wide sports program is underway. IRC's machine and hand sewing programs are oversubscribed. Gardens have sprung up everywhere. Two IRC playgrounds teem with children. The urban community of Khao-I-Dang is by no means a place of unmitigated gloom. But many of the adults are discouraged about their prospects for resettlement, and worried about having to return to their own country.

The Thai authorities are becoming stricter. Money payments to refugees have been banned - all stipends are paid in kind, in an effort to reduce the black market. Foreign remittances are forbidden, and it is said that refugee letters are opened to ensure that they contain no money. Volag-sponsored parties - which always involved extra food and drink - are now forbidden in the camp.

There continue to be shootings outside the camp. For the most part these involve black-market traders or people trying to sneak into the camp. (Khao-I-Dang was closed to new arrivals in January 1980.) There continues to be a steady trickle of new arrivals from Kampuchea, including people employed by the Heng Samrin government. All new arrivals risk their lives to enter the camp; Thai policy requires them to stay on the border. UNHCR officials seem to do their best in the area of protection. Flagrant abuses are brought quickly to the attention of the Thai authorities in Bangkok. But so long as refugees and traders are willing to risk their lives in defying Thai regulations, killings will continue.

4. Vietnamese Unlike the Lao and the Khmer who are seen as a burden, the very presence of Vietnamese on Thai soil is viewed as a threat to the security of the nation. It is not a matter of their politics; anti-Communist Vietnamese are no more acceptable than any others. Thus policies that would otherwise be seen as inhumane are applied without compunction to the Vietnamese.

The treatment of Vietnamese land people is the clearest case. The "safe haven" near the border, known as NW 9, has been closed. New arrivals from Vietnam are not allowed further into Thailand than the Khmer border camps, where they are in constant danger (the Khmer Serei and Khmer Rouge are no more friendly than the Thais). They are allowed to congregate in the hospital areas at Non Samet and Nong Chan. There are reliable reports of massacres of Vietnamese refugees in the Khmer Rouge camps.

Despite protests from the U.S. government, ICRC and volags, this policy has been maintained. The Thais claim that if there is a safe haven for Vietnamese on the border, the flow across Kampuchea will be unmanageable. According to ICRC, the number arriving when NW 9 was still open was quite acceptable, but the Thais do not respond to this argument.

They do hold out some hope that once a detention center is set up for boat people (see below), land people might be sent there as well.

ICRC has been pursuing this issue with exceptional vigor, in public and in private.

With regard to Vietnamese boat people, the Thai authorities seem to be more worried than the facts would justify. In fact, Vietnamese have been moving for resettlement as fast as or faster than they arrive. But the Thais feel that it is essential to act quickly to reduce the flow. It has been announced that the camp at Songkhla will be closed. Those now there will be moved to the processing center at Panat Nikhom.

All Vietnamese arriving after August 15 will be denied the opportunity for resettlement. They will be kept in an austere detention center, possibly on an island, indefinitely. The Thais hope that news of this policy will be broadcast in Vietnam and that the number of boat people will decline drastically.

The idea of an island has received considerable support from the Refugee Office at the U.S. Embassy. UNHCR officials who have worked on islands are more skeptical, and insist that no funds are available for new capital construction.

Once again the question arises of how long genuine refugees can be legitimately denied not only the opportunity for resettlement but even the knowledge that the opportunity will eventually be accorded.

The problem is that if some refugees are resettled, more will come. As the Thai authorities have said, so long as resettlement is available, they are concerned that the flow will be endless. If the United States will not accept them all, they will be left on Thai soil, which is politically unacceptable.

The logical alternative would be repatriation of those who the U.S. believes will not be subject to persecution. But those who have risked rape, robbery and the highseas will not accept repatriation willingly, and the Thais do not want to be put in a position where the only way to relieve themselves of the Vietnamese "burden" is forcible repatriation. Despite Foreign Minister Siddhi's abjuration of "drastic measures", Squadron Leader Prasong's declarations suggest that they would take such measures if there is no other way to get rid of the Vietnamese.

One indication of the intensity of anti-Vietnamese feelings is the standing order to all Thai vessels that their masters will be subject to arrest if they assist boat people in reaching Thai shores.

5. In General. For all refugees, Thai policies are focusing more and more clearly on the objective of reducing the number in Thailand by repatriation, resettlement, or reducing the arrival rate. Camp policies are increasingly subject to analysis in terms of this objective.

The Royal Thai Government is faced with two dilemmas in its efforts to attain its objectives. The first is the resettlement dilemma, which is that increased resettlement leads to increased arrivals in Thailand. With Lao, Khmer and Vietnamese, the current moratorium on resettlement of new arrivals is an attempt to break out of this dilemma by eliminating the "pull factor" of resettlement, while continuing resettlement of the old caseload.

The second dilemma I call the repatriation dilemma. It results from the contradiction between the Thai refugee policy goal of getting the Khmer to return to Cambodia and the Thai foreign policy objective of getting the Vietnamese out of Cambodia. Opposition to the Vietnamese occupation dictates support for guerilla struggles, the Khmer Serei and especially the Khmer Rouge, as well as refusal to open the border to trade. Voluntary repatriation of refugees, on the other hand, would require an end to the turmoil and to the Khmer Rouge threat, and would involve a measure of recognition of the Heng Samrin government as the de facto authority in the country. The current Thai cooperation with UNHCR's attempts to negotiate with Phnompenh suggests that for the time being repatriation is seen here as the more urgent objective.

Since the United States is evidently not willing to resettle an endless flow of Indochinese, and since the Thais are clearly not willing to keep them, a prudent concern for the welfare of present and future refugees in Thailand requires that we cooperate with Thai efforts to resolve these dilemmas humanely now, so that they do not resort to forcible repatriations or push-offs in the future. Concretely, I have come reluctantly to the conclusion that we should not oppose experiments - such as more austere holding centers and a moratorium on resettlement - that are designed to reduce the rate of new arrivals into Thailand, and that we should help facilitate truly voluntary repatriation of people like Khmer farmers who are no more at risk than the rest of their countrymen. The paramount objective of preserving asylum for people who are in danger of death or imprisonment could be lost if we refuse to support Thailand's efforts to deter those whose reasons for leaving home are less imperative. If we oppose what the Thais are calling "humane deterrence" they will, sooner rather than later, send them all back, as they did with the Khmer in April and June of 1979, and as Hong Kong is doing now for new arrivals from China.

Even if the new measures proposed by the Thais do not succeed, our cooperation will help postpone the day when Thai borders and shores are closed to everyone. At the same time it will strengthen our ability to insist on decent treatment for all the refugees who make their way here, including the Vietnamese "land-people".

Implications for IRC's Thailand Program

Thai officials would like to make refuge in Thailand less desirable to potential refugees. To them it seems too desirable because of (1) the conviction of refugees that the camps are the gateway to the United States, and

(2) the relatively high standard of living in the camps, resulting from the indulgence of expatriate volags.

Nakhon Phanom, with (1) no resettlement and (2) no farang volag personnel, is one possible answer. Such a camp offers an additional, unmentioned advantage which is that involuntary repatriation can be accomplished, if necessary, with minimal risk to Thailand's reputation, since there are no farang witnesses.

Because the Royal Thai Government knows how hard it is to refuse reasonable requests from idealistic farangs, they have found it better to exclude them entirely from Nakhon Phanom. Thus our zeal to protect and assist refugees has led in this case to our inability to assist them at all.

To me, this suggests that we should all be more circumspect than we have been in providing benefits to refugees, more careful to ensure that the level of services is not grossly disproportionate to those in rural Thailand or in the country of origin. Self-restraint on our part may be essential in order to protect our right to help refugees at all. On the other hand, we should not tolerate refugee camps where the basic human needs of refugees are not met, where their physical and mental health are not protected.

With regard to medical care, it is difficult to strike the right balance. The ethics and training of our medical staff impel them to do everything they can to save each patient. There is nothing in the status of refugee, or Asian, or Cambodian that should deprive them of the opportunity to receive the best possible treatment. On the other hand, our ability to continue treating may depend on our managing to avoid giving offense to the sensibilities of the Thai authorities concerning what is appropriate.

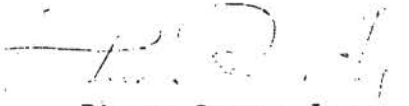
Although I think the long-term danger of denial of access to refugees is real, it should not be exaggerated. No complaints have been expressed recently about the high quality of medical care in the camps. The Thai authorities have cooperated in the

reconstruction of Khao-I-Dang hospital. Moreover, at the CCSDPT conference, we were repeatedly asked to "stay", to continue our work. The Thai military officers in charge of the Kampuchean camps, as well as the MOI officials, seemed genuinely concerned when I pointed out (in a private meeting) that there was a flagrant contradiction between inviting us to stay and excluding us from new camps like Nakhon Phanom. So long as we are careful not to give offense and are not seen as subverting the policy of austerity, it is likely that we will be able to continue almost as before. It is even possible that the farang exclusion policy at Nakhon Phanom might be relaxed somewhat.

The refugees' need for our services is as great as ever. The elimination of money payments to refugees and the suppression of the black market at Khao I Dang will probably mean poorer nutritional status for the population as a whole because there will be less opportunity to supplement the basic ration. We already have doubts about its adequacy, but it requires sustained efforts by fully-staffed public health and pediatric teams to be able to compile the data necessary to establish the facts. The increased population at the border has coincided with a decrease in the medical staff at Nong Chan, and consequently more work for Khao I Dang hospital.

When the pressure of work is great, we have found that there is no substitute for a dedicated expatriate staff for whom the work is a mission, not just a job. The fact that they are paid far less than they could earn at home is a guarantee of high motivation. Our occasional reports of low morale must not be misunderstood: High spirits in the face of infant deaths such as those that occurred on the pediatrics ward in May and June would be a sign of indifference, not good adjustment. Complaints about low staffing are motivated not by a concern for personal comfort but by a concern for the welfare of patients and a refusal to provide second-rate care.

Finally, the constant presence of expatriate refugee workers serves an important protection function, and is a way of ensuring that any repatriation programs are really voluntary.


Pierce Gerety, Jr.
30 July 1981

Flow of 'Boat People' May Rise, State Department Panel Advises

By Don Oberdorfer
Washington Post Staff Writer

A State Department advisory panel said yesterday that the United States should plan to accommodate a continuing and perhaps increasing flow of "boat people" fleeing from Vietnam in the months ahead.

Reporting on a 25-day trip through Asia to explore the Indochina refugee problem, the four-member panel endorsed "the general direction" of U.S. policies, and said that they are being implemented "effectively and humanely."

The study group stopped short of recommending how many future refugees the United States should accept. But it concluded that any major shift from current policies would "invite discord" among friendly countries, and recommended that "there should be no sudden, uncoordinated departures from current lines of action."

Retired diplomat Marshall Green said it is very important to "deal with the problem at its source" in Vietnam. However, he said the study panel did not meet with any officials of the Vietnamese government, with which the United States has no diplomatic relations.

The study panel did not comment on basic U.S. policy toward Indochina, but said that it was "repeatedly and forcibly struck" by the relationship between the political and military confrontation in the region and the flow of refugees. "Policies or actions which escalate conflict may well escalate refugee numbers," the panel said.

As recently announced by Secretary of State Alexander M. Haig Jr., U.S. policy seeks to isolate Vietnam politically and economically due to its occupation of Cambodia. The United States is also giving political support to Cambodian rebel forces fighting the Vietnamese.

The panel said it found "absolutely no grounds" for charges that the United States is seeking to continue the flow of refugees in order to destabilize the regime in Vietnam.

Regarding the legal status of the Indochinese refugees — an increasingly controversial question in Congress and some segments of the executive branch — the panel ap-

proved a "presumption" that all those who have fled to date are "refugees" in the meaning of U.S. law. While conceding that some have fled Vietnam largely for economic reasons, the panel viewed as crucial the fact that the Vietnamese government refuses to accept them back and that they would face persecution if they were able to return.

The Hmong people of the highlands of Laos are entitled to the same "presumption" that they are legitimate refugees, the panel said, but it expressed uncertainty about refugees from lowland Laos and Cambodia.

New York attorney Rita Hauser, a panel member, said a natural "pull factor" of attraction for a better life, sometimes spurred by letters from relatives who have resettled in the United States, is among the important reasons for the outflow. The panel recommended that broadcasts by the Voice of America be "balanced" in order to depict the hazards and difficulties of fleeing.

Hauser said that the U.S. resettlement program, costing more than \$1 billion yearly, must be carefully studied in the light of a flow of people seeking refuge in this country from Poland, Central America and other areas.

Unless the United States and other western countries continue to be willing to accept the Indochinese refugees, "they may once again be pushed back to sea or across borders" by Asian countries unwilling to accept them, the panel said.

"This is a solution with which we cannot live in all conscience, bearing particularly in mind our deep pre-1975 involvement in Indochina and our association with many of those who are fleeing," the panel said.

Green, at a press conference on the panel report, said it is "a good question" without a ready answer how longlasting should be the American special obligation toward Vietnamese resulting from the heavy U.S. involvement in the 1960s and early 1970s.

In addition to Green and Hauser, the other members of the panel were James Greene, former deputy director of the Immigration and Naturalization Service, and Richard Wheeler, senior vice president of Citicorp.

FAD/D

August 27, 1981

Bertram H. Gold

Abraham S. Karlikow

Deportation of Haitians

Irving Haber of HIAS just called me following a meeting of the American Council of Voluntary Agencies. Great concern was expressed about the fate of the Haitians who have sought to enter the United States. U.S. Government plans are to move them to a site in Puerto Rico and then to examine the case of each individual; but representatives of the State Department and the INS who were present at the meeting estimated that no more than 5% would be allowed to stay in the country.

The prospect that there will be the repatriation of the overwhelming majority of the Haitians greatly exercises the ACVA Agencies. Indeed, they already have come up with a plan for legal representation of the Haitians. This calls for qualified legal advisers to work in Puerto Rico as the Haitian cases are examined. At today's ACVA meeting, I understand from Mr. Haber the seven other groups each pledged equally to participate in a budget of about \$80,000, for a six month's period. * Attached

HIAS did not participate in this, Mr. Haber said, partially because its own role in Haitian resettlement is very small compared with the others (150 or so) and because it has not been involved in such advocacy efforts. Which is why he called me to ask if AJC was interested.

I believe it is something in which we should be interested in supporting given:

- 1) Our stand in support of Haitians to date, in terms of both moral interest and our interest in immigration legislation and procedure;
- 2) The communal and public relations aspect involved. I should hate to see Catholic and Protestant and secular

.../continued

(2)

relief organizations of ACVA unanimous in assisting
Haitians and Jews not be involved.

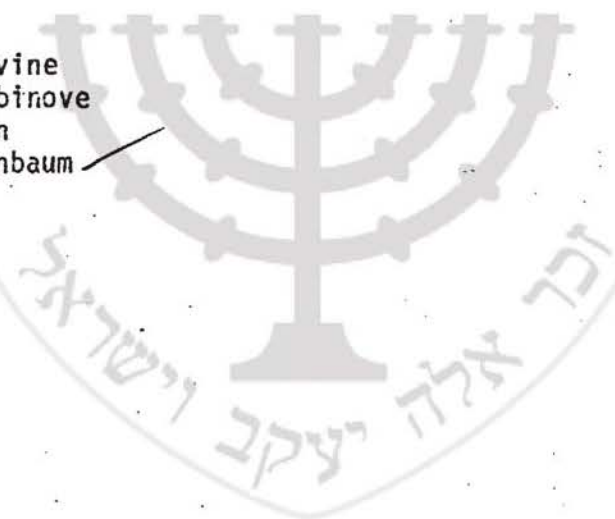
It would seem to me that this is the kind of project behind which we should rally some of our Jewish organizations and individuals, as we did in the case of the Vietnamese Boat people. Both Irving Levine -- who happened to be in my office when Mr. Haber called -- and I sought to impress this point of view upon him but it is clear that he will not be taking the lead on this, and his organizational leaders are on their way to Israel just now. He is sending me a copy of the proposed budget.

I understand that a leading figure here is IRC's Director, Mr. Sternberg, and that it is the World Church Council that has been a prime mover in this scheme.

AMERICAN JEWISH
ARCHIVES

ASK:en

cc: Irving Levine
Samuel Rabinove
Gary Rubin
Marc Tanenbaum



Haitian - Haitian advocacy group. Will have to consult with other agencies.
KANS, LIRS, LWS, WRS, LRC vs. Episcopal (?)

Phyllis Hines

Haitian Advocacy: Ft. Allen, Puerto Rico

Project Costs for six months.

The following tentative budget is based upon projections by those working in Haitian advocacy in Puerto Rico and the statements of some individuals on the mainland with experience in the field.

The budget is predicated on the premise that legal activities will be concentrated on procedural and discrimination issues, and, as was the situation in Krome North (Miami), there will be 100-150 hearings a week.

Personnel

One FT Coordinating attorney	\$9,500
Two FT assistant attorneys	\$16,000
Four FT "paralegals"/interpreters	\$22,000
One FT secretary	\$5,500
	<u>\$53,000</u>

Operating Costs

Duplicating and Printing	\$11,500
Phone	\$1,000
Equipment (photocopier rent and purchase of two typewriters)	\$1,000
Transportation (\$20 per trip from San Juan 7-10 trips per week)	\$1,200
Rent	\$3,000
	<u>\$17,700</u>

Training Costs

It will be necessary that lawyers, experienced in Haitian asylum, travel to Puerto Rico to train staff for the Ft. Allen advocacy effort. This will likely involve two trips of 3-4 days each.

Air Fare	\$600
Local travel	\$100
Food lodging	\$400
	<u>\$1,100</u>

Grand Sub-total \$71,800

Contingency \$ 7,180

Grand Total \$78,980

Miscellaneous

1. There are supposed to be three courtrooms in Ft. Allen, thus necessitating at least three lawyers.
2. It is envisioned that much of the clerical/paralegal-type work will be accomplished by volunteers from the local Catholic law school. It takes, at minimum, 150 man hours to administer an asylum application.
3. 100-150 hearings a week means 50-75 asylum applications weekly.
4. It is unlikely that the full-time staff, who must be hired from San Juan, will be willing to live near Ft. Allen (in Ponce). Therefore, transportation costs to facilitate their commute will be high.
5. There is the possibility, however, that a house can be rented for combined office/living space. This would enable full-time staff to reside near Ft. Allen during most or part of the week, yet return to their homes in San Juan on weekends. Such an arrangement would lower transportation costs, but raise rental costs.
6. A lawyer from Miami is in Puerto Rico now gathering more specific information on advocacy needs of the Haitians in Ft. Allen.

August 27, 1981

LEO CHERNE
Chairman

BAYARD RUSTIN
Co-Chairman

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CITIZENS COMMISSION ON INDOCHINESE REFUGEES

CARE OF INTERNATIONAL RESCUE COMMITTEE, INC.

386 PARK AVENUE SOUTH • NEW YORK, NEW YORK 10016

TEL. (212) 679-0010 • CABLE: INTERSCUE, NEW YORK

September 8, 1981

To: Members of the Citizens Commission

From: Leo Cherne

A Citizens Commission meeting was held on August 20 in accordance with my memorandum to you on August 11. A substantial number of members attended, and I am enclosing the statement and recommendations that resulted from the meeting.

The situation is still critical, as I indicated in my August 11 memorandum, and we will have to do everything possible to stem the anti-refugee sentiment that endangers the Indochinese resettlement program. Any assistance you can provide will be important.

LEO CHERNE
Chairman
BAYARD RUSTIN
Co-Chairman

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THE INDOCHINESE REFUGEE CRISIS TODAY: STATEMENT AND RECOMMENDATIONS

The Citizens Commission views with anxiety the radical change in American attitudes toward refugees which has occurred since its first fact-finding trip to Southeast Asia in early 1978. The growing refugee flow at that time aroused a strong and compassionate response by Americans as well as people of other countries. Public sympathy intensified in the months that followed and reached a crescendo in 1979 when the exodus of Vietnamese boat people, and then the Cambodians, became a human tidal wave. Support for these refugees, stirred by outrage at the ruthless and even genocidal acts responsible for their flight, was equal to that given in other major refugee emergencies in the past. Intensive media coverage helped to create awareness and to mobilize both public support and governmental action.

The American people and their government can be proud of upholding our nation's traditional solidarity with uprooted victims of tyranny. Many other countries, large and small, joined the effort to offer help and new homes to refugees fleeing from Vietnam, Cambodia and Laos.

The sudden, uncontrollable influx last year of 125,000 Cubans was perhaps the principal event which has created a climate of bewilderment and anxiety in certain quarters, and hostility in others. The arrival of many other Latin Americans

(including Haitian refugees), and those undocumented aliens who cross the Mexican border who do not assert a claim to refugee status, has raised widespread apprehensions as to even greater refugee flows and the limits of our hospitality. These developments have been coupled with inflationary pressures and budget cuts affecting social welfare programs in urban communities where most refugees settle.

The voluntary agencies involved in refugee resettlement do not believe, however, that our country's compassion has been exhausted. Even as hostility has grown in certain circles, there remains an overwhelming willingness among a broad cross section of the American people to extend a welcoming hand to those who flee tyranny.

The world is indeed in the midst of a refugee crisis of unprecedented dimensions. Many have drawn the mistaken conclusion that the millions of refugees throughout the world all clamor for resettlement in the United States. The fact is that the overwhelming majority do not seek to come to this country or to any other country. Their sole desire is to return to their homelands. They represent a human tragedy of enormous proportions. They do not in any sense claim our hospitality.

Increasingly, the expression "economic migrant" is being applied to groups of legitimate refugees. One tends to overlook the fact that economic and political factors are intertwined in totalitarian countries. Collectivization, new economic zones, forced labor camps are locked into a system where the State is both the employer and the wielder of absolute power -- creating such unbearable conditions that even people who have no clear perception of the root cause of their suffering flee at great risk to their lives.

The acceptance of the designation "economic migrant" for bona fide refugees by many decent people would be less disturbing if it were not such a painful reminder of what happened in the 1930's. The expression itself - Wirtschaftsemigrant - was coined for Hitler's victims who were seeking a haven abroad but were found wanting because, after all, they lost only their jobs or their business or could not send their children to school. If they were later forced to wear yellow stars, that

could perhaps be considered harassment but not persecution. It was only in the third stage that they were rounded up and sent to extermination camps, and by then it was too late to help them.

The story of the St. Louis, the voyage of the damned, has been invoked in connection with Vietnam's boat people. It helped to create the worldwide concern for people who set out in their flimsy boats on a trip which, they had reason to fear, only half of them would survive. Yet today the same boat people, we are told by some, brave the risk of seeing their children drown and their wives and daughters raped by pirates for no other reason than their hope of economic betterment. *) And not so long ago it was considered necessary to continue the fighting in Indochina in order to prevent a bloodbath. The bloodbath happened in Cambodia and three million people perished. Are we now to deny refugee status to those Cambodians who escaped when escape became possible?

The growing sentiment against refugees exists not only in the United States but in other major resettlement countries such as Australia and France, and the problem is magnified by changing attitudes in first asylum countries. Thailand, at no small sacrifice to its own internal problems, has since 1975 responded to the influx of Indochinese refugees with extraordinary patience and generosity. But Thailand now, too, speaks of stern measures to block the refugee flow and of action leading to "repatriation."

That in brief is the situation today. And it is within the context of realities, and recognizing conflicting interests of nations, that we again approach the

*) Henry Kamm, in The New York Times of August 19, illustrates this point in its starkness: "Tran Thi Yen, her husband and their three young children fled from Vietnam because, she said, 'we wanted to have a future for the children.' Three other young women from southern Vietnam nodded sympathetically, as if to say that they had escaped for the same reason. Today, three of the four are widows, and 9 of their 11 children are dead. How many people died on their boat, how many families were lost without survivors, will never be known."

And in a related article, Mr. Kamm quoted an ethnic Chinese refugee from North Vietnam as follows: "We no longer want to live in a Communist country. We want to live in a free country, that is why we left."

problem of Indochinese refugees. We seek not to criticize or to moralize, but to urge steps that reflect both our humanitarian tradition and the national interests of our country. To that end, the Citizens Commission on Indochinese Refugees submits this statement and offers the following proposals:

1. The harsh political and economic restructuring of the three Indochina states will continue to force substantial numbers of their citizens to flee. Vietnam, backed by the Soviet Union, is a nation at war, with a terrible price being paid by its citizens. Cambodia and Laos are in all major respects occupied countries. The national minorities (Hmong and ethnic Chinese) are under heaviest pressure, and other groups such as the Roman Catholics in Vietnam are being singled out for persecution. Those who succeed in reaching a country of first asylum, having suffered persecution or having well-founded fear of persecution if returned, are refugees within the explicit meaning of the United Nations Refugee Convention and the U.S. Refugee Act of 1980.

Refugees must not be confused with the far greater number of persons who apply for admission to the United States as immigrants, nor with undocumented aliens such as those who cross the Mexican border. We support the statement of the Special Refugee Advisory Panel which recently, at the request of the Secretary of State, reviewed U.S. policies and programs on Indochinese refugees: "It is imperative that the refugee, as defined, remain a distinctive category of person." We also endorse their related conclusion: "It is proper to maintain the current presumption that all those who have fled to date and are available for resettlement are refugees within the meaning of the Refugee Act."

2. It is important to recognize that those who are readily accepted as refugees at one time may have their status questioned at another time. Changing circumstances and attitudes in receiving countries are far more important in altering perceptions of people in flight than the underlying character of the refugees. There is, in fact, only one reliable method to determine the nature and motivation of refugees. It flows from an understanding of the societies from which they flee. Such a determination -

as well as an evaluation of the punishment they would be exposed to if returned - can come only from the State Department which, within the U.S. Government, is best equipped to perform this function. It is the only agency endowed with the necessary experience and knowledge.

3. If our country feels that we have done all we could or should to help the Indochinese refugees, let us say so. But let us not demean the defenseless and trivialize their motives by calling them economic migrants. If, on the other hand, the United States remains true to its principles and best instincts, we will continue to bear our full share of the burden, in close collaboration with the other countries of resettlement and the ASEAN states. We do not recommend a quota for the fiscal year ahead. Rather, we endorse the concept of a ceiling figure for domestic and international planning purposes. That ceiling figure for FY 1982 should be at least 120,000. If conditions do in fact require that we resettle fewer, so much the better.

4. The Citizens Commission reiterates its profound gratitude to the countries of Southeast Asia which have provided asylum to Indochinese refugees over the past six years. We are sympathetic in particular to the problems faced by the government of Thailand which has responded to the refugee flow with patience and generosity. It is incumbent on the United States and other free nations to help Thailand to deal with its continuing burden in a humanitarian way. That is why the phrase "humane deterrence" fills us with deep concern. Thailand's border with Cambodia is already sealed. Refugees from Laos are being placed in "austere" camps with minimal services and virtually no international presence. Vietnamese boat people arriving after August 15 are to be placed in similar detention, and are not eligible for resettlement. On this issue, we again quote the Special Refugee Advisory Panel report and endorse its conclusions: "Conditions in austere camps must necessarily meet internationally accepted standards of care and health; some monitoring device would therefore be required to ensure that this obtains." And: "The Panel was not optimistic that harsh camp conditions and prolonged detention would in fact serve to deter any sizable number of refugees from

Vietnam, and might, conversely, pose impossible burdens if the numbers of those arriving build up to intolerable levels."

5. The issue of "voluntary repatriation" is a complex and sensitive one. As long as it is voluntary it is unobjectionable as a concept. But we must point out that illegal flight from a totalitarian state is a political act. It is considered a crime against regimes which have tenacious memories and are not inclined to forget or forgive acts of insubordination. Moreover, the line between voluntary and involuntary repatriation can become easily blurred, and the fate of the returnees may never be known.

We cannot help but wonder if there has been a desire in some quarters to blur the political nature of flight from Indochinese countries. The enormous risks taken by the refugees, the danger of drowning and constant attacks by pirates, are too often and inexplicably overlooked. Also passed over is the vast apparatus of terror and internal exile in Vietnam and the countries it dominates.

If repatriation of Indochinese refugees becomes a practical possibility, it must be approached with the clear understanding that it be truly voluntary; that it be to home villages if they desire; that safe conduct be assured and ongoing protection maintained. In the absence of such conditions, the refugees would be put in jeopardy.

6. There have been irresponsible speculations from supposedly responsible sources that the United States is encouraging refugees to flee. Some even imply that U.S. Naval Forces in the South China Sea are there in order to act as a magnet and should, therefore, stop rescuing refugees in distress. We reject any such thoughts and, indeed, encourage all ships at sea to redouble their efforts to save those in peril of drowning.

7. Efforts to implement a program of "orderly departure" of those seeking to leave Vietnam by legal means have not proven to be as successful as hoped. Vietnam is responsible for this failure. Nonetheless, we believe these efforts should be intensified. To this end we recommend the convening of an international conference

for the purpose of agreeing upon procedures whereby those wishing to leave Vietnam, and eventually Laos and Cambodia, and for whom there are offers of resettlement by a third country, can do so without the risks involved in a clandestine flight.

8. The Citizens Commission recognizes the burden carried by American communities in which Indochinese refugees have resettled in large numbers. On the whole, however, the refugees have taken their place in our midst with little dislocation. Some say that too many refugees are dependent on public assistance. But we point out that even in the most impacted areas they are just a small fraction of our welfare population. Improvements can certainly be made and economies realized through greater emphasis on employment and self-sufficiency. Economic austerity for the newcomers is to be neither decried nor discouraged, and the Indochinese would be among the first to expect hardships. Refugees over the centuries have willingly accepted the challenge and the opportunity to start at the bottom of the economic ladder.

9. One tends to dwell on negatives and to neglect the fact that more than a half-million Indochinese refugees - with the help of public and private agencies and large numbers of concerned individuals - have been received by the United States since 1975 and are building new lives. As a nation, we have never had reason to regret the asylum we have offered to people "who yearn to breathe free." We can conclude our statement and recommendations in no better way than to quote President Reagan's conclusion to his acceptance speech at the 1980 Republican Convention:

"Can we doubt that only a Divine Providence placed this land, this island of freedom here as a refuge for all those people in the world who yearn to breathe free? Jews and Christians enduring persecution behind the Iron Curtain; the boat people of Southeast Asia, Cuba and of Haiti; the victims of drought and famine in Africa, the freedom fighters in Afghanistan, and our own countrymen held in savage captivity."

On Behalf of the Citizens Commission

Leo Cherne, Chairman
Bayard Rustin, Co-Chairman
September 10, 1981

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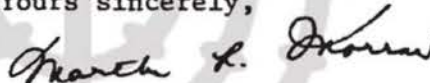
July 7, 1983

Rabbi Marc H. Tanenbaum
National Director
Interreligious Affairs
The American Jewish Committee
Institute of Human Relations
165 East 56 Street
New York, NY 10022

Dear Rabbi Tanenbaum:

Mr. Kitagawa has returned safely from his lecture tour of Japan and is delighted to have located and had refurbished his statement made at last March's Refugee Conference. We appreciate your patience and understanding in waiting for it.

Yours sincerely,



Martha R. Morrow
Secretary to Mr. Kitagawa

Enclosure



Opening Statement of the Rapporteur
Conference on
Ethical Issues and Moral Principles in
United States Refugee Policy

Joseph M. Kitagawa

I am sure that I am not alone in realizing the unusual significance of this conference, which has brought together such a variety of people -- those in government, religion, the academy; civic leaders and members of volunteer groups -- for an unofficial and off-the-record exchange of ideas concerning ethical issues and moral principles in United States refugee policy. It is my happy duty, on behalf of all of us here, to express our thanks to Ambassador H. Eugene Douglas and his staff in the office of the United States Coordinator for Refugee Affairs, and to the Reverend Canon Samir Habiby and his colleagues on the Religious Advisory Committee on Refugee and Migration Affairs, for making this occasion possible.

Questions may be raised as to why an agency of the government and various religious groups co-sponsor such a conference. So many people hold stereotyped notions of the church-state relationship that skeptics might well ask what the government wants from religious groups, and vice versa. In a recent article entitled, "Caesar and the Religious Domain in America," which appeared in the journal Teaching Political Science, Paul Seabury depicts six models of the church-state relationship: 1) the secular-political as exterminator of the religious; 2) the political presiding over the religious, the "imperial state" over the "non-political" religious; 3) the church as agency of the political; 4) the "two-swords," the religious and political condominium; 5) the secular-

political as guarantor of the religious; and 6) the political authority as agency of the religious (theocracy). Professor Seabury astutely points out that "the missing factor in these categories, which modifies each, in providing a substance and meaning to the relationship, is the culture within which the religious and the political meet and interact."¹ (Italics mine.)

In consideration of this insight, we might suggest that American culture has been basically religious, not because every citizen attends the synagogue, church, or temple, but because American culture has been nurtured by the Jewish and Christian affirmations in the sovereignty of the Divine, the dignity of individuals as beings created in His image, and the human responsibility to organize individual and corporate life according to the principles of love and justice. It is this cultural-religious heritage which makes America "a nation with the soul of a church," to use the phrase of Sidney Mead. It is in this sense that the policies of the government, including those pertaining to refugees, must be guided by the ethical and religious heritage of American culture.

Ironically, today many people -- parents; teachers; religious, civic, and government leaders -- lament the erosion of American culture. The buoyant optimism that characterized American culture in the past, bolstered by the abundance of material blessings which reinforced our forefathers' religious vision of progress, has been severely tested in our own century by domestic and global crises of great magnitude. We are beginning to understand the simple truth that culture "is a product of the human spirit, and that particular sort of product which is never finally produced; that is, culture is nothing but the life of human beings, and for culture to be alive means that human beings live in it."² We are beginning as well to participate in the task of preserving and improving this culture.

Sadly, however, even after two hundred years of democratic experiment, significant populations among us have not had meaningful participation in common social and cultural life. Our cultural crisis is also intensified by what John Dewey called an "eclipse of the public" from our communities. Our society has grown too big and too atomized; and our institutions, including the government, have become too bureaucratic and dehumanized.

Given our cultural situation today, we can readily understand that it is exceedingly difficult to pursue cogent discussions on the global problem of the refugees, or on American policy in dealing with the problem. To be sure, many people are concerned with the issues of the refugees -- for the right or the wrong reasons. Because it is related to so many other factors, to many people who are not well informed the problem of refugees seems to be too complex. The problem also has fuzzy edges: to differentiate refugees from immigrants and undocumented aliens is difficult for many people. Moreover, people are overwhelmed by the enormous and never-ending character of refugee problems. On the one hand, the problem is too big for most citizens or groups to deal with, and the fact that they cannot find easy solutions makes people feel helpless and frustrated. On the other hand, some people concentrate all their humanitarian efforts in assisting a few refugees who come into direct contact with them but pay little attention to the larger issues of human dislocation or policy implications for the nation.

Under the circumstances, what this conference can accomplish may be very little. What is intended is not that we look for an immediate miraculous cure for this tangled problem. As stated in the program, our three-fold purpose is:

1) To review the external environment which creates refugee flows and the consequences here and abroad.

2) To articulate traditional American values and the Judeo-Christian ethic as it relates to refugee affairs, to clarify the moral and ethical issues involved.

3) To provide an opportunity, hopefully, to build a new consensus among leaders on how to deal with refugee problems at home and abroad.

With these modest but still demanding objectives in mind, we will have three successive panel sessions: one on the "Contemporary World Scene"; a second on the "Response of the World Community"; and a third on "United States Refugee Policy." Toward the end of the afternoon, we will have a brief summary session.

As we now move into the first session, let us recognize that we are concerned with refugee problems from various perspectives; and that because we feel strongly about our convictions, we tend to advocate our views passionately. Let us recognize, too, however, that the value of a conference such as this is enhanced only if we listen carefully to others and appreciate legitimate differences in opinions and perspectives. The time is limited and the issues are complex. I hope that we can utilize these precious hours to our best benefit.

NOTES

¹Paul Seabury, "Caesar and the Religious Domain in America," Teaching Political Science, vol. 10, no. 1 (Fall 1982): 22.

²William A. Earle, "Notes on the Death of Culture," Noonday I (1958): 4.



DAVID GELLER



PRESS STATEMENT

SOUTH AFRICA - CODE OF CONDUCT

FOURTH COMMUNITY ANALYSIS OF NATIONAL REPORTS ON THE IMPLEMENTATION
OF THE CODE OF CONDUCT FOR EUROPEAN COMMUNITY COMPANIES
WITH SUBSIDIARIES IN SOUTH AFRICA.

JULY 1981 - JUNE 1983

THE TEN DISCUSSED THE FOURTH COMMUNITY ANALYSIS OF NATIONAL
REPORTS ON THE IMPLEMENTATION OF THE CODE OF CONDUCT BY
EUROPEAN COMMUNITY COMPANIES WITH SUBSIDIARIES IN SOUTH AFRICA.
THEY DECIDED TO TRANSMIT THE ANALYSIS TO THE EUROPEAN PARLIAMENT.
THE REPORTS COVER PERIODS FROM JULY 1981 TO JUNE 1983. IN ALL,
THE RESPONSES OF 224 COMPANIES EMPLOYING 141,679 BLACK
WORKERS ARE ANALYSED.

.../... PAGE 2

.../...

SINCE THE CODE OF CONDUCT WAS ADOPTED IN 1977 IMPORTANT DEVELOPMENTS HAVE TAKEN PLACE IN LABOUR PRACTICE IN SOUTH AFRICA. THE RACIAL FEATURES HAVE BEEN REMOVED FROM PARTS OF THE LEGISLATION DEALING WITH LABOUR MATTERS AND FREEDOM OF ASSOCIATION HAS BEEN EXTENDED TO ALL BLACK WORKERS. ACCORDINGLY THE INFLUENCE OF REGISTERED AND NON-REGISTERED BLACK TRADE UNIONS HAS INCREASED MARKEDLY. THE GROWTH OF TRADE UNION ACTIVITY IN E.C. COMPANIES WAS A NOTABLE FEATURE OF THE PERIOD UNDER REVIEW AND THE TEN ARE PLEASED TO NOTE THAT E.C. COMPANIES AGAIN SHOWED AN INCREASED WILLINGNESS TO RECOGNISE BLACK UNIONS. THE TEN REGARD A CONCILIATORY AND ENCOURAGING ATTITUDE TO UNIONS BY EMPLOYERS AS IMPORTANT IF PROGRESS IS TO BE MADE TOWARDS THE ACHIEVEMENT OF INTERNATIONALLY ACCEPTED STANDARDS OF INDUSTRIAL RELATIONS.

THE TEN NOTED THAT THERE HAD BEEN A SLIGHT FALL IN THE PERCENTAGE OF WORKERS PAID ABOVE THE LEVEL RECOMMENDED IN THE CODE OF CONDUCT. THIS IS APPARENTLY DUE TO RECESSION IN THE SOUTH AFRICAN ECONOMY. HOWEVER, THEY ALSO NOTED THAT THE LOT OF THE LOWEST PAID WORKERS APPEARED TO HAVE IMPROVED, ALTHOUGH THERE IS STILL SCOPE FOR PERSUADING COMPANIES WHICH HAVE NOT YET DONE SO TO OBSERVE THE GUIDELINES RECOMMENDED BY THE CODE.

THE TEN WELCOME THE CONTRIBUTION WHICH COMPANIES CAN MAKE IN REDRESSING IN PART THE INEQUITIES OF THE EDUCATIONAL SYSTEM IN SOUTH AFRICA. THEY NOTE THAT TRAINING AND EDUCATIONAL ACTIVITIES COULD BE EXPANDED AND COULD ENABLE BLACK WORKERS TO OCCUPY SKILLED POSITIONS WHICH ARE, AT PRESENT, BEING FILLED BY IMPORTATION OF WORKERS FROM ABROAD.

THE THREE MEMBERS OF THE TEN WHOSE COMPANIES HAVE MOST SUBSIDIARIES IN SOUTH AFRICA HAVE APPOINTED ATTACHES TO THEIR EMBASSIES IN PRETORIA WHO HAVE SPECIFIC RESPONSIBILITY FOR LABOUR MATTERS RELATED TO THE CODE OF CONDUCT.