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Refugee Crisis:
Suggestions for
U.S. Policy Makers**

By Donald H. Larsen



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THE HONG KONG REFUGEE CRISIS: SUGGESTIONS FOR U.S. POLICY MAKERS

by Donald H. Larsen

I am here to speak on the topic of Indochinese refugees in Hong Kong because of interest and concern, both personal and professional. I am the executive director of the Lutheran Immigration and Refugee Service (LIRS), an agency that, in 1989-1990 celebrates fifty years of service to the uprooted. I am currently serving as the chair of the Committee on Migration and Refugee Affairs of the American Council for Voluntary International Action, known as InterAction. At InterAction, we have been able to come to an unusual unanimous opinion on several documents recently, and I shall draw heavily upon them for my suggestions. In addition, the Lutheran Refugee Service administers the Joint Voluntary Agency Representative office in Hong Kong under a cooperative agreement with the United States Department of State, and in that capacity I am rather well connected to the subject we have before us.

THE CURRENT SITUATION: CONTINUED AMBIGUITY

Since 1975, some 122,724 Vietnamese refugees have arrived in Hong Kong. All have been offered temporary first asylum. No boat has ever been turned away. Refugees have lived in "open" camps while they waited for resettlement. They were allowed to work in Hong Kong.

Life in a refugee camp consists of a home that is half of a four by six foot cubicle. Children attend a school for refugees, and the adults are now allowed to go out of the camp and work. Living conditions are difficult, the refugee camps are overcrowded, noisy, and dirty.

Throughout the late 1970s, refugees continued to arrive in large numbers, even as resettlement quotas were reduced. On July 2, 1982, the Hong Kong government introduced a "closed" camp policy. Refugees arriving after that date were no longer allowed to leave the refugee camps and work in the community. This policy was aimed at deterring more new arrivals from coming to Hong Kong.

New Conditions, New Policy. New arrivals decreased dramatically for the next three years; however, in 1986 a reversal in this trend began. In 1988, large numbers of Vietnamese refugees arrived. On June 16, 1988, the Hong Kong government acted, almost overnight, to implement a new policy. On July 2, 1988, the Hong Kong government announced its new "screening policy." The main points of this policy are that:

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Rev. Larsen spoke before The Heritage Foundation's Refugee Policy Task Force on March 9, 1989. The views presented are his own and in no way reflect the official opinion of either organization.

◆ ◆ “Closed” refugee camps will gradually become “open.” Refugees will be allowed to work in Hong Kong.

◆ ◆ Vietnamese boat people arriving after July 2, 1988, will be subject to a “screening” process.

◆ ◆ Those determined to be “refugees” will be moved to an “open” refugee camp and will be available for resettlement.

◆ ◆ Those determined not to be refugees will be held in detention centers and will be repatriated to Vietnam.

An agreement on the nature of the screening process has been signed by the government of Hong Kong and the United Nations High Commissioner for Refugees (UNHCR). In addition, the UNHCR and the government of Vietnam have concluded a memorandum of understanding on the principles and procedures for voluntary repatriation. The memorandum’s provisions include:

◆ ◆ Refugees’ return to Vietnam will be in conditions of safety and dignity.

◆ ◆ Vietnam will not persecute returnees or take any punitive or discriminatory measures against them.

◆ ◆ UNHCR will have full access to returnees in Vietnam.

◆ ◆ Returnees will be allowed to settle in their places of origin.

A team of Vietnamese officials was in Hong Kong in the second week of February to organize the first repatriation effort. It was the first visit by any official Vietnamese delegation to the Crown Colony in the decade of the thousands of arrivals of boat people in Hong Kong.

Following the visit, a program for voluntary repatriation was begun. From a group of 490 initial volunteers, 81 Vietnamese boat people volunteered and returned to Vietnam during the first week of March this year. Representatives of the press of some 40 countries were on hand to observe their return. Only about 250 boat people have indicated a willingness to return to Vietnam at this point. To date the Vietnamese government has agreed to accept the return of 142 persons.

Thatcher’s Reluctance. The Hong Kong Governor, Sir David Wilson, in London on the last week of February, added fuel to the fire by pressing for forced repatriation or “mandatory return” of those individuals determined not to be refugees. However, Vietnam has to date agreed to accept back only those who volunteer to return. Mrs. Thatcher was obviously reluctant to agree. An article in the *Hong Kong Standard* of February 24, 1989, quotes a Whitehall source as saying,

The PM appreciates the extent of the crisis in Hong Kong and supports efforts to solve it. But she will not back enforced repatriation because it would bring Britain worldwide condemnation. Eventual repatriation of all those who arrived in Hong Kong after June 16 is what we all want, but we cannot go ahead until Hanoi agrees.

Mrs. Thatcher was reported to have told Sir David that the 'way forward' was through the Kuala Lumpur conference on Indochinese Refugees from March 7-9.

Obviously, criticism was already at hand. The opposition Labour Party, was quick to condemn even the consideration of mandatory return.

As of February 24, 1989, Hong Kong's screening program had resulted in 75 people "screened-in" (that is, admitted as refugees), 797 "screened-out" (that is, denied refugee status), and 9,749 cases still pending. Please note how the 10 to 1 rate of those rejected to those accepted nearly matches the 9 to 1 ratio predicted by the Hong Kong Government in advance.

Children of the Camps. Currently, there are 15,205 Vietnamese refugees who arrived before the July 2, 1989, cutoff date, who are still in Hong Kong waiting for resettlement. Of those, 3,344 have been living in a Hong Kong refugee camp for more than three years, and 2,938 for more than five years; 5,929 of the refugees are children under 18, of whom 1,251 have spent their entire life in a refugee camp.

If political and economic conditions were to improve in Vietnam, then the best solution for many refugees would be to return home, but that is not the situation and very few are willing to consider returning to Vietnam at this point.

It appears that Hong Kong is in the midst of developing a continuing refugee policy in transition. Hong Kong may use the threat of implementing mandatory returns to convince the conferees currently attending the international refugee conference in Kuala Lumpur of the acceptability of falling back to the current practice of screening and detention. Both the Chinese and the Hong Kong governments have indicated their desire to have the refugee problem resolved before 1997, which is when Hong Kong reverts to the administrative control of the PRC.

LIRS and the Migration and Refugee Program of the United States Catholic Conference, represented by Monsignor Nicholas DiMarzio, are cooperatively sponsoring a privately funded study on "The Hong Kong Refugee Problem." The research will be handled by the Institute for Research on Multiculturalism and Labor, based at the State University of New York at Binghamton. Dr. Robert L. Bach is the director.

Through direct interviews it hopes to throw new light on this matter, China's attitudes and conditions in Vietnam. I shall be pleased to share the results of this research with The Heritage Foundation's Asian Studies Center, as we have already promised to do for our government agency partners.

DIFFERENT PERCEPTIONS: THAILAND AND HONG KONG

To this observer, there has existed a distinction between the problems faced by Thailand and Hong Kong throughout the decade. Thailand has had to deal with the land arrivals of massive numbers of refugees from Vietnam, from Laos, and from Cambodia, although most persons in the latter category are regarded as displaced persons subject to return to Cambodia when a political settlement has been reached.

Only a small number of boat people have reached Thailand. Almost 100 percent of Hong Kong's refugees come by boat. We have already seen the difference of treatment. There

have been no turnaways or push-backs of such arrivals in Hong Kong to date. Yet there have been forceful, even violent turnaways in Thailand. Public opinion in Hong Kong is resentful of the less than adequate "off-takes" by the resettlement countries in view of their historic generosity in offering asylum.

U.S. perceptions about Hong Kong center on its position as a Crown Colony of the United Kingdom. As such, the U.S. expects the United Kingdom and the members of its Commonwealth to lead in both resettlement and finding alternative lasting solutions. Indeed, Canada and Australia have done so. However, the U.K. has been most reluctant in accepting refugees for resettlement. Its recent acceptance of 1,000 over a two-year period doubles its performance in the previous two years.

Respectable Records. The record of the U.S. resettlement of persons from Hong Kong is very respectable: the U.S. has accepted many thousands more than any other resettlement country over the last decade.

Most U.S. observers deeply appreciate the Hong Kong government's position as generous, humane and "even pace-setting," even after it imposed closed camps in 1982. However, on the policies since June 16, 1988, the U.S. and, indeed, the international jury is still out. If Hong Kong's screening becomes the model for the regional implementation of the practice, the verdict may be mixed.

Assistance to Hong Kong already flows at a remarkable rate from the international community. Multilateral support through the UNHCR or other intergovernmental organizations should be provided by the donor governments, including the U.S. In fact, U.S. aid to refugee organizations, aid to refugees-in-place worldwide, and assistance in refugee resettlement all deserve special emphasis in the current additional appropriations process. In the opinion of this observer, however, any additional direct bilateral aid to Hong Kong should not be considered at this time.

U.S. POLICY TOWARD VIETNAM: TIME TO REASSESS

There is more than valid reasoning behind the indication that a reassessment of U.S. policy toward Vietnam is needed. Indeed, I believe it is already underway. The participants in the preparatory meeting for the International Conference on Southeast Asian Refugees meeting March 7 to 9 in Kuala Lumpur, Malaysia, have before them a document that presumes such a change on the part of most countries attending.

Vietnam is there. So is the United States. So are a host of governments whose policies toward Vietnam have been quite divergent, especially recently. Also present is a four-person delegation of nongovernmental organizations, put together by the International Council of Voluntary Agencies with two representatives from U.S. agencies and one each from Denmark and Australia. I have had no direct word, but I am anxiously awaiting a report from colleagues Robert DeVecchi, executive director of the International Rescue Committee, and Nicholas DiMarzio of the U.S. Catholic Conference's Refugee Program.

We shall have to wait and see how the new attitudes and policies in formation have fared. It is really too early now to know.

But a reassessment of policy toward Vietnam is not just dependent upon the "trying-on-for size" of certain tentative changes being worked on in Kuala Lumpur. A team

of U.S. Catholic bishops visiting Vietnam during the first two weeks of January 1989, pronounced the new openness toward religion as “irreversible.” This preliminary report recommended that the U.S. lift “restrictions which now inhibit needed humanitarian assistance to the Vietnamese people.”

Continuing U.S. Commitment. Finally, expansion of the assistance to those still asking to emigrate needs to be planned and provided for, whether as refugees or as immigrants. Large numbers of Vietnamese deserve to be reunited with their families already in the U.S. Washington also must continue to honor its commitment to receive former reeducation camp detainees and Amerasians, who are the children of American servicemen and workers who spent time in Vietnam during the war.

