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EMBASSY OF THE SOCIALIST REPUBLIC OF VIET NAM
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AGAIN ABOUT INDOCHINESE "REFUGEES"

(Vietnam Courier's Commentary)

Hanoi VNA May 28.- A year ago the world was moved at the sight of the exodus of boat people to Southeast Asian countries.

This is one of the most serious sequels of the US war in Viet Nam with its immeasurable destructions, the accumulation of natural calamities for several consecutive years and the cessation of foreign aid-American aid in the South and Chinese aid in the North. The conditions of material life became so difficult that they seemed unbearable to some people used to a relatively easy life owing to the American money. Other departures-those of the Hoa, to be more precise-resulted from a Beijing-mounted propaganda campaign, and the people falling victims to that propaganda were caught between two fires : to be faithful to the fatherland of origin-China, or to the fatherland of adoption-Viet Nam. They finally selected to go and live in third countries.

The Vietnamese Government recognised that there were highly humanitarian reasons not only to allow, but also to organize, the legal departure of those compatriots in order and safety. In this spirit, discussions had been conducted with the UNHCR leading to the adoption of a seven-point programme on the subject. Bilateral talks had also taken place between the Socialist Republic of Viet Nam and some Southeast Asian countries on the boat people who had crowded into those countries and given them additional burdens. A better mutual understanding had resulted from those talks, and measures had been taken to reduce common difficulties.

Then, in an undeniable show of good will, the Vietnamese Government had accepted to attend the July 20-21, 1979 Geneva Conference on Indochinese refugees organized by the United Nations.

At this Conference, the Socialist Republic of Viet Nam reaffirmed its determination to "actively cooperate with the UNHCR to impulse the implementation of the seven-point programme with a view to guiding and regulating the legal, organized and orderly departures", which should persuade those bent on leaving Viet Nam illegally to renounce their plans. Vietnamese laws, moreover, severely punish illegal departures.

Everybody was gratified at the success of the 1979 Geneva Conference, a tangible result of the Geneva discussions was the relatively quick liquidation of the logjam in some Southeast Asian islands, first asylums of the boat people. According to Washington post of March 11, 1980 statistics provided by the US Refugee Program show that nearly half the number of refugees in those islands had been transferred to countries of final settlement. The famous Poulo Bidong island has seen its refugee population decrease from 45,000 to 15,000. We Vietnamese can only be too happy with this state of things, as the burden weighing on our Southeast Asian neighbours was alleviated.

On the other hand, observers of all political tendencies have admitted that the Government of the Socialist Republic of Viet Nam had exerted great efforts to reduce illegal departure. "The flow of boat people has ebbed since last summer", wrote the same issue of Washington post.

Drastic measures had indeed been taken against illegal departures, and especially against those who organized them. The Vietnamese press has reported many cases of condemnation pronounced by tribunals.

However, in recent days Western News Agencies have reported a slight increase of the number of boat people from Viet Nam towards Southeast Asian countries. What has happened ? Wicked tongues allege that the Vietnamese Government has operated a change of policy and driven Vietnamese to leave their homeland. This is a gross slander. Hanoi Newspapers early this month have mentioned a recent conference called by the office of the Prime Minister and devoted to the problem how to

strengthen the defence and control of Vietnam's land and sea borders. One of the aims of the Conference was to prevent illegal departures to foreign countries.

However, as Vietnamese sea-coasts are too long, it would not be possible to fully eliminate those departures, especially when there are more people trying to leave illegally. Yet it is a fact that those people have grown in number, owing first and foremost to the US Government policy which leads to a practical non-implementation of the recommendations by the July 1979 Geneva Conference.

It seems that the American authorities up to now cling to an entirely artificial distinction between two categories of people : the refugees and the immigrants.

To immigrants the rules of humanitarian law should be applied as represented by international texts on refugees : the right to asylum should be granted to them, and the principle of non-refoulement should be observed in their favour.

But all those principles do not concern the case of immigrants, and according to American law as was communicated to the Vietnamese side, a lengthy and complicated procedure has to be implemented before any immigrant can be accepted on American soil. It is demanded in particular that consular agents of the American Government should take direct contact with the person concerned, examine the identity papers to be presented by him, proceed to a control of his health, etc...

The sending of an American consular agent to Viet Nam at a time when the US Government still refuses to normalize relations with our country would indeed be a violation of our national sovereignty. Nevertheless we have found formula flexible enough to provide a solution to this thorny problem. We have accepted that the UNHCR staff working in Viet Nam may include an American who could help in preparing the departure of our compatriot who want to go and live abroad and who are authorized to do so by the authorities.

But here new difficulties crop up. Documents collected on the spot and sent to American departments concerned remain without any response in most cases. As a result, up to now,

out of a long list of 32,000 applicants authorized by the Vietnamese Government to leave for the United States, only about one thousand were accepted by the American side.

The excuse advanced by the American authorities is that the persons on the list are would-be immigrants and have to abide by the rules of immigration, which are especially strict. They are not refugees in the technical sense of the term as are the boat people for instance.

Those Vietnamese are now standing before a dilemma. Should they opt for a legal departure, organized in order and safety by the Vietnamese Government concurrently with the UNHCR, but would run in that case the risk of having to wait for an indefinite time for American acceptance, despite the promise given in Geneva in July 1979 by the US Representative that his government would cooperate in the implementation of the recommendations of the conference. Or should they opt for an illegal departure, forbidden by Vietnamese law, but - provided they would still be alive after several days of dangerous sea voyage - they would be immediately accepted as refugees by the American authorities.

Additional factors have contributed to "encouraging" illegal departures, letter received from persons living in the United States and giving a rosy picture of the life there to their parents who remain in Viet Nam show such a similarity in their content that we may wonder whether they are part and parcel of a manoeuvre by some department specialized in operations of psychological conditioning.

On the other hand, the Voice of America continually assures its Vietnamese listeners, through broadcasts in the Vietnamese language, that boat people can always rely on American so-called rescue ships cruising the high seas off the Vietnamese coasts.

Mention should finally be made of the continuation of the US policy-assisted and encouraged by the Beijing authorities - to put Viet Nam in quarantine : the embargo against her continues, the slander campaign accompanies by cessation of aid is carried on at an accelerated tempo, stated Phan Hien,

the Vietnamese Government Representative at the July 1979 Geneva Conference : "to actively help the Vietnamese people overcome the sequels of war at an early date, restore and develop her economy, thus contributing to the stabilisation and improvement of our people's living conditions - this is the fundamental way to help resolve the refugee problem in our country".

One may suspect the intentions of the Government of the United States. Would they like seriously to keep their promise made at the Geneva Conference, or are they trying to sabotage instead the results of the same conference - a conference described by Mr. Kurt Waldheim as " an occasion without precedent in the experience of the United Nations" ?
