

**Library of Congress/Asian Division**

**JOURNEY TO FREEDOM**

**A Boat People Retrospective**

**Room LJ 119**

**Thomas Jefferson Building, Library of Congress**

**May 2, 2009**

**THE VOICE OF REFUGEES  
OR  
THE STORY OF A REFUGEE ORGANIZATION**

**by Le Xuan Khoa**

## ***Introductory Notes***

*Earlier this year, when I was invited to speak at the Boat People Retrospective Symposium, my initial thought was to talk about the successful resettlement of the Vietnamese refugees in the United States, not only as productive and responsible members of American society but also as potential and important contributors to the process of “renovation” in Vietnam. Since the mid-1980’s, Vietnamese leaders have been appealing to the overseas Vietnamese to contribute their “grey matter” to the development of Vietnam and help achieve the national goals, namely “a prosperous people, a strong country, an equitable, democratic and civilized society.” Undoubtedly, at an appropriate time, the expatriate Vietnamese community, particularly the young generation of professionals, could play an essential role in the industrialization, modernization and democratization of Vietnam.*

*However, after consultation with conference organizers Remé Grefalda and Genie Nguyen, I realized that the main theme of the symposium is about refugee experiences, not only painful and traumatic experiences endured by refugees during their perilous journey to freedom but also the protection and assistance provided by more fortunate refugees who had been able to resettle in free and democratic countries such as the United States of America. Therefore it would be more relevant to the symposium if I could share the story of the Southeast Asia Resource Action Center (SEARAC) in its long years advocating for refugee protection and assistance, and enhancing the capacity of refugee mutual assistance associations in the U.S. Another well-known refugee organization, the Boat People SOS Committee, has also been asked to share its own experiences, especially in rescue-at-sea missions. Sister Christine My Hanh, an extraordinary Samaritan, would be telling her ten-year work experiences with different refugee groups, including gangs, in both closed and open camps in Hong Kong.*

*SEARAC’s activities on behalf of the refugees and those of other refugee organizations, deserve to be recorded in view of their significant contributions to the history of the United States, a country made by refugees and immigrants from all parts of the world. The Vietnamese refugee experiences will be most helpful to the UNHCR, the U.S. and other governments to deal with new refugee situations in terms of first asylum, resettlement and repatriation. They will also provide a wealth of useful information to refugee service providers and new refugee arrivals on such important issues as resettlement and social integration, health and mental health, cultural preservation, community organizing and empowerment, etc. The Library of Congress’ initiative in creating an archive on the Vietnamese Boat people is greatly appreciated.*

*Since the SEARAC story is very long and could not be told within the 10-minute limit for each speaker, I had prepared a 36-page document to be made available to those who are interested in the history of Vietnamese refugees. My oral presentation was merely a very brief summary of this paper, highlighting major achievements of SEARAC as a Voice and a Resource for Southeast Asian refugees, with special focus on Vietnamese refugees.*

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# **The Voice of Refugees**

**or**

## **The Story of a Refugee Organization**

**Le Xuan Khoa**

The sustained mass exodus of Vietnamese boat refugees over two decades (1975-1995), who underwent harrowing experiences on the high seas and in the first asylum camps in Hong Kong and Southeast Asian countries, was a major issue of humanitarian and political concern to the U.S. and the international community. In their frantic efforts to cope with the continuing flows of boat arrivals from Vietnam, the countries of first asylum resorted at times to excessive measures which threatened to repudiate the fundamental right of life and security as defined in the Universal Declaration of Human Rights. In a ten-year interval between 1979 and 1989, the U.N. Secretary-General had to convene two international conferences to search for humane and durable solutions to the refugee problem. Meanwhile, the refugees who escaped earlier and were able to make their new lives in democratic societies were gravely concerned over the fates of their less fortunate compatriots. They organized rescue-at-sea missions, participated in anti-piracy activities, provided assistance to people languishing in first asylum camps, and made every effort to have their voices heard by national and international refugee policy-makers, by UNHCR and human rights advocates.

This paper will present firstly a brief overview of the international responses to the dire situation of the boat refugees, from the virulent animosity toward incoming asylum seekers shown by governments in the region to the practical solutions agreed upon by the international community at both the 1979 and 1989 conferences in Geneva. Against this backdrop, the main part of this paper will present a detailed description of advocacy efforts by the refugees themselves in terms of refugee protection and assistance, resettlement policy and programs, and most importantly, appropriate ways to resolve the refugee crisis in a just and humane manner. Since I cannot speak on behalf of all refugee advocates in the U.S. and in other parts of the world, this paper will concentrate on the experiences of one single organization, the Southeast Asia Resource Action Center (SEARAC), of which I served initially as a consultant, then Deputy Director and finally Executive Director /President over a period of eighteen years.

In its long years as an activist supporting different refugee populations from Cambodia, Laos and Vietnam, SEARAC has gained remarkable experiences and achievements in refugee policy and programs, leadership and community development, and most importantly, in its dialogue with UNHCR, the United States and other governments on just and humane solutions to the refugee problem. The story of SEARAC will be most helpful

to refugee policy-makers to deal with new world refugee situations in terms of first asylum, resettlement and repatriation. It will also provide a wealth of useful information to refugee service agencies and new arrivals on such important issues as resettlement and social integration, health and mental health, cultural preservation, community organizing and empowerment, etc. In fact, SEARAC has been recognized by many government officials, UNHCR, human rights advocates and non-Indochinese communities in the United States for its resourcefulness and assistance.

Within the scope of the Symposium on Vietnamese Boat people, the story of SEARAC will focus primarily on the Vietnamese refugee situation. SEARAC would be more than happy to assist any researcher who is interested to learn more about its work on behalf of refugees from Cambodia or Laos. One of SEARAC's greatest contributions to community development and coalition building is the formation of three national networks of ethnic community service providers (better known as Mutual Assistance Associations, or MAAs): the Cambodian Network Council (CNC), the Hmong National Development (HND) and the National Alliance of Vietnamese American Service Agencies (NAVASA). In 1997, SEARAC secured a two-year funding from the Emma Lazarus Foundation for a CNC-HND-NAVASA joint project to provide citizenship education and naturalization service to Southeast Asian new arrivals. Each agency has become more independent and has demonstrated its own-fundraising capability. For example, in June 1999, NAVASA was awarded a three-year grant totalling \$780,000 from the federal Office of Refugee Resettlement to provide services to refugees admitted into the U.S. under the "Resettlement Opportunity for Vietnamese Returnees" (ROVR) program. That year, NAVASA made available mini-grant funding for six qualified affiliates in St. Paul, Minnesota; San Francisco, California; Boston, Massachusetts; Silver Spring, Maryland; Okalahoma City, Oklahoma; and Greensboro, North Carolina.<sup>1</sup>

### **The Regional and International Responses to the Refugee Crisis**

As a result of the oppressive measures by the communist government, particularly the expulsion of the Vietnamese of Chinese origin prior to and following the brief but savage border war in February 1979, the number of boat refugees escalated drastically in the ensuing months. From what had been a small stream became a flood—19,200 in October 1978, 22,000 in March 1979 and more than 65,000 in May 1979. Five Southeast Asian nations—Indonesia, Malaysia, the Philippines, Singapore, and Thailand—issued a warning that they had reached the limit of their endurance and that they would not accept any new arrivals. Boat interdictions and push-backs became routine along the coasts of Malaysia and Thailand and thousands of Vietnamese may have perished at sea as a result. On June 18, 1979, *The Washington Post* reported that "Malaysian security forces yesterday sent back to sea 800 Vietnamese refugees who had landed on the northeast coast of the country. . . There were unconfirmed reports that another 2,500 refugees had been put out to sea in five boats. . . Malaysia announced Friday that it planned to expel all Vietnamese refugees and refuse to allow any new ones to land."

The U.N. Secretary General hurriedly convened an international conference in Geneva in July 1979. A three-way agreement was concluded between the country of origin (Vietnam)

and the countries of first asylum and the countries of resettlement. Vietnam agreed to implement the Orderly Departure Program (ODP) established by UNHCR, the ASEAN countries promised to continue to provide temporary asylum, and the resettlement countries, led by the U.S., offered to increase the admissions numbers and accelerate the rate of resettlement. Although regional arrivals declined and resettlement commitments were sustained, the Vietnamese exodus continued and the human cost was immense. A great number of boat people (estimated between 250,000 to 500,000) perished during their journey, thousands fell victims to Thai pirate attacks. Many refugee women were raped and/or abducted to be forced into prostitution. To make it worse, Western countries began to show “compassion fatigue” toward the boat people, and resettlement numbers were unable to keep pace with the rate of arrivals in first asylum countries. As a result, by the late 1980’s, a new and more serious first asylum crisis was looming. On June 15, 1988, Hong Kong announced that any Vietnamese arriving after midnight that date would be detained and submitted to a “screening process” to determine their status. Meanwhile, Thailand and Malaysia resumed their *refoulement* of new arrivals more vigorously.

A second International Conference on Indochinese refugees was convened in Geneva in June 1989. A Comprehensive Plan of Action (CPA), prepared by UNHCR in consultation with international refugee experts, was approved unanimously. All parties involved in the CPA were committed to preserve first asylum, to discourage clandestine departures and promote legal migration, and to resettle refugees in third countries. The most important provision in the CPA was the establishment of refugee status determination procedures, more popularly known as “refugee screening.” The cut-off date in Southeast Asia was set for June 15, 1989 (Hong Kong maintained its June 15, 1988 cut-off date). Screened-in boat people would be granted refugee status and entitled for resettlement in third countries; screened-out interviewees would be denied refugee status and destined to be returned to Vietnam.

Although the CPA was hailed as a durable solution to the Vietnamese refugee problem, it had several implementation problems and could not have been achieved without independent and parallel efforts by the U.S. to negotiate a political settlement with Vietnam resulting in the lifting of U.S. trade embargo in 1994 and normalization of relations between the two countries one year later. Concurrently, Vietnam showed its willingness to cooperate with Southeast Asian countries in the repatriation of the screened-out Vietnamese boat people. This good-will gesture was one of the reasons for Vietnam, the first communist country in the region, to be admitted as full member of the Association of Southeast Asian Nations (ASEAN) in 1995.

## **VOICE OF THE REFUGEES**

As mentioned earlier, the refugees who escaped early enough to be admitted to a country of resettlement were deeply concerned over the fates of those who were struggling for survival during their perilous journey or were undergoing inhumane treatment in first asylum camps. They tried to do anything possible to protect and assist their unfortunate refugee fellows, many of whom are their friends or relatives. They soon realized that in order for

their efforts to be successful, they needed to approach refugee policy makers to make their voices heard and their specific recommendations duly considered. Special groups were formed to carry out rescue-at-sea missions and to advocate for refugee protection and assistance. Their efforts and achievements are widely known and greatly appreciated. The Southeast Asia Resource Action Center (SEARAC) in Washington, DC, is one of these special groups.

SEARAC (whose initial name was Indochina Refugee Action Center - IRAC), was born in July 1979, immediately after President Jimmy Carter's announcement on the eve of the Geneva conference that the U.S. would resettle 14,000 refugees per month. IRAC came out of a meeting of a group of concerned Americans including politicians, philanthropists and experts on refugee affairs who felt the urgent need to help the then *ad hoc* domestic resettlement system to handle a projected influx of 168,000 Indochinese refugees in the following year. Through consultation with other practitioners in the field during the fall of 1979, two critical issues were identified:

- The famine in Cambodia in the aftermath of Pol Pot's "killing fields"; and
- Building capacity within the domestic resettlement system.

By mid-December, IRAC's Cambodia Crisis Center had been set up as the staff arm of the national Cambodia Crisis Committee (chaired by First Lady Rosalynn Carter) to launch a national public information and fund-raising campaign. This effort assisted nearly 20 international agencies raised more than \$90 million in support of relief operations for the Cambodian people.

Meanwhile, IRAC staff conducted research and produced a number of major information papers (e.g. self-help groups, physical and emotional health care needs), a set of statistical updates on refugees, and a directory of national resettlement organizations and programs. Out of these activities, an IRAC's Working Group emerged, met in Washington and expanded to include representatives from voluntary agencies, federal, state and local government, and other private sector organizations who worked together to design implementation plans for the resettlement of Indochinese refugees. One major item raised and agreed upon at this meeting was the need for "Indochinese involvement in resettlement policy and program planning."

### **Refugee participation in resettlement policy and program planning**

In December 1979, IRAC convened an unprecedented national meeting of Indochinese resettlement practitioners and community representatives in Santa Ana, California. At this meeting, twenty-five Indochinese reviewed the Working Group's implementation plans and advocated support for emerging refugee self-help organizations, soon to be known—in a phrase coined by IRAC—as Mutual Assistance Associations (MAAs). The input from these 25 Indochinese refugees was critical to the design of seven conceptual programs presented to the final Indochinese-American Working Group which met at Airlie House in Virginia in January 1980. Scheduled to go out of business within a few months, IRAC was actively seeking established organizations to implement the program ideas that had come out of the

domestic resettlement process. Developments in the national resettlement system over the next year—initiated and/or aided by IRAC-sponsored Working Group—included *inter alia* the following major activities:

- The establishment of a data collection and analysis system within the Office of Refugee Resettlement (ORR), in cooperation with the International Committee for Migration, the American Council of Voluntary Agencies, and the Center for Disease Control.
- The establishment of the Orientation Resource Center at the Center for Applied Linguistics, as well as back-up support to the ESL and cultural orientation programs in the first asylum camps.
- Seven “practitioner workshops” convened by IRAC, brought together resettlement specialists to develop guidelines for refugee service programs, produced training materials and provided technical assistance to local groups. Subsequently these programs became essential components of the federal refugee resettlement program to be implemented by public and private service agencies.
- Two regional conferences and three smaller consultations organized by IRAC ascertained priority needs, developed regional profiles and facilitated dialogue among local and national resettlement agency personnel, public officials and refugees themselves.
- The first comprehensive status report on Indochinese MAAs by IRAC following a survey of capacity building needs and future directions of sixty of these organizations across the country. The report concluded: *“An investment in the future of self-help is in the finest tradition of this country’s historic response to all refugee and immigrant groups. It is only within a refugee’s own ethnic community that lasting, long-range services can lead to successful socio-cultural transition and economic self-sufficiency within the pluralistic American society. Therefore, it is essential – as well as cost effective – that the potential contribution and resettlement role of the MAAs be nurtured and developed.”*

The MAA report was instrumental in securing ORR initial support for Indochinese MAAs in 1981 (\$1.2 million in direct grants to 25 MAAs and \$750,000 to the Cambodian Association of America for the Khmer Guided Placement Project), and from ACTION’s mini-grants. To further the role of refugee MAAs in the planning and resettlement process, IRAC hired Le Xuan Khoa, co-author of the MAA report, as Deputy Director. By the following year, ORR created a federal MAA incentive grant program and issued a policy statement urging states to work closely with MAAs in all aspects of refugee resettlement. In the words of ORR Director Phillip N. Hawkes:

*“States should make every effort to engage in purchase-of-service contracts with refugee self-help groups, often known as Mutual Assistance Associations, in the provision of services to refugees and as advisors on program planning and policy matters. The goal of such State efforts should be to assist these community-based, service-oriented refugee organizations in attaining the strength and maturity to assume an even greater role in supporting their ethnic communities.”*



In cooperation with ORR and the Office of the US Coordinator for Refugee Affairs, IRAC organized a national meeting of twenty-one Highland Lao representatives. That meeting led to a special federal program to help stabilize Highland Lao communities outside California and inspired IRAC's Hmong/Highlander Development Fund Program.

By mid-1982, it became apparent that IRAC was shifting in the direction of ethnic community development; therefore a total restructuring of the organization was needed. IRAC's Executive Director resigned and a new Board of Directors was recruited consisting of majority Indochinese representation, supplemented by representatives from major community resource networks. The re-energized Board committed itself to reconstituting the organization and finding the funds with which to carry out IRAC's new mission. Le Xuan Khoa, who had been serving as interim Acting Director, entered the nationwide competition for IRAC's Executive Directorship. He was officially hired in April 1983.

In the context of longer term development within the overall Indochinese community, the Board articulated a two-fold mission:

- To provide a forum in which the needs and interests of Southeast Asians living in the United States can be voiced, enhanced and promoted; and
- To serve as a resource center which promoted community development and economic advancement among the Indochinese-Americans.

To embody the spirit of IRAC's new mission, the name was changed from *Indochina Refugee Action Center* to *Indochina Resource Action Center*. Thus, as an interim agency created during a "crisis situation" to stimulate cooperation among and provide management assistance to a diverse collection of public and private agencies, IRAC has become a "voice of authority" for the interests and needs of Southeast Asians in the United States.

IRAC worked more closely with ORR and the Office of the U.S. Coordinator for Refugee Affairs to promote the role of MAAs in the resettlement of Indochinese refugees. In November 1984, IRAC convened a working meeting that brought together representatives from the Indochinese MAAs, the Voluntary Resettlement Agencies (Volags) and State Refugee Coordinators. Senior officials from the US Coordinator for Refugee Affairs, the State Department Bureau for Refugee Programs and the Office of Refugee Resettlement attended the meeting as observers and resource persons. This initial meeting on "Partners in Resettlement" was one more step in a long process aimed at increasing MAA participation in the U.S. refugee resettlement system. At a follow-up meeting between IRAC and InterAction in January 1985, a joint IRAC/InterAction Task Force on MAA Development was set up to work out strategies for MAA involvement in all phases of resettlement and to devise practical methods for local Volag affiliates to assist MAAs in their development.

The first meeting of the MAA Development Task Force took place on May 24<sup>th</sup> in New York. In preparation for this meeting, IRAC had conducted a survey of 105 MAAs around the country. Survey results indicated that MAAs were providing a wide range of resettlement services—some complimentary to those required under the Department of State's Cooperative Agreement with the national Volags for Reception and Placement

services, some duplicating and some literally substituting for those services for which the Volags were funded. The Volag representatives expressed clearly their intention to work on the issue of MAA development but had some reservation on the formal participation of MAAs in refugee resettlement. Instead, they wanted to encourage cooperative relationship between local Volag affiliates and MAAs. They also wanted to work more with MAAs on non-resettlement activities, such as refugee advocacy, community development and cultural preservation.<sup>2</sup>

IRAC's effort to promote the "Partners in Resettlement" project was supported by the U.S. Congress. The Refugee Assistance Extension Act of 1985 (H.R. 1452) included recognition of MAAs and their role in refugee resettlement. In fact, one new criterion to be used in the process of awarding Reception and Placement (R & P) grants was "*cooperation with Refugee Mutual Assistance Associations.*" The legislation also required that the U.S. Coordinator provide for a study on the advisability and feasibility of "*permitting refugee Mutual Assistance Associations to participate . . . and to apply for [R & P] grants and contracts*".

The second meeting of the MAA Development Task Force was held in Washington, DC on September 27<sup>th</sup>, 1985. Nine MAA representatives (six of whom from California, Texas, Oklahoma, Illinois) attended the meeting. On the Volag side, only two could come from the national headquarters in New York. Also present were four government officials, three from the Department of State, and one from ORR. In spite of congressional support for MAA's role in refugee resettlement and clear evidence of MAA capacity in assisting the newcomers, the formal involvement of MAAs in the resettlement process failed to materialize at this meeting. The two Volag representatives did not have the authority to make cooperative arrangements with MAAs. Towards the close of the meeting, MAAs were asked to consider ways they might provide R & P services in sites without a Volag presence. Explaining the difficulty of setting up new MAAs in places where there is no ethnic community, MAA representatives asked if the State Department would accept MAA applications for R & P grants and contracts. The answer was that, the State Department wanted to learn more on this possibility but in the meantime would be interested in discussing special projects on a site-specific basis.<sup>3</sup>

The failure of the "Partners in Resettlement" project illustrates a classical problem of client-and-benefit sharing between established resettlement agencies and a possible new partner. In addition, in the case of Indochinese refugees, MAA service providers were probably regarded by traditional Volags as powerful competitors for two major reasons: (1) MAAs are highly effective with a vast resource of dedicated volunteers who are former refugees speaking the same language and belonging to the same culture, therefore they would be more attractive to Indochinese clients; (2) MAAs spend much less money for staff salary and other administrative costs, therefore they would be more appealing to both public and private funding sources.

Nguyen Ngoc Linh, an MAA leader from Houston, Texas, made his view very pointedly:

*“Together with the awareness of a need for E Pluribus Unum comes the realization that former refugees are in a better position to help new arrivals, that with the drying up of liberal federal funding for the refugee program, MAAs will have to assume a more dynamic role in helping their own in the not-too-distant future. . . Instead of asking the MAAs to take care of the arrivals in small communities where there is no Volag presence, we (refugee policy makers) should give the responsibility of receiving and placing the new refugees to the MAAs in the bigger communities. Why? Because at present, only the big city MAAs have enough know-how to do the job as well as the established social service agency; any mainstream church or civic organization affiliated with a Volag can take good care of the few new arrivals in a small community.”<sup>4</sup>*

Since the need to protect and assist refugees on the high seas and in first asylum camps was the first priority on its agenda, IRAC decided not to take the lead in pursuing the “Partners in Resettlement” project, leaving it to MAA leaders who might want to resume the dialogue with the Volags and government officials at an appropriate time in the future.

### **Leadership and Community Development**

The stability and growth of the MAAs and the Indochinese communities requires community leaders to overcome numerous obstacles and issues about identity and culture, so that they may lead their communities into the future. Therefore, the most crucial need for community development is leadership training and capacity building for community-based organizations.

IRAC’s initiatives represent a comprehensive undertaking to identify and train ethnic leaders as agents of change within Indochinese communities.

With ORR funding, IRAC provided training workshops to over 400 MAAs in nine sites across the country in 1982-1983. Follow-up technical assistance to local MAAs continued through 1986.<sup>5</sup> A mechanism for follow-up technical assistance in the form of one-on-one consultation with the Board and staff of MAAs was put in place and implemented in many states thanks to small grants from ORR Regional Offices. Findings from these consultations and subsequent needs assessments formed the basis for several reports in 1984-1985, including an article on MAA leadership and management published by the Independent Sector, and a study published by the National Institute of Mental Health in *Southeast Asia Mental Health: Treatment, Prevention, Services, Training and Research*.

In January 1984, IRAC published the first issue of *The Bridge*, a quarterly publication which served as a voice and a resource for Cambodian, Lao/Hmong and Vietnamese communities in the United States.<sup>6</sup> In the late 1980’s, IRAC managed the “MAA Clearinghouse on Resource Development” which produced a 200-page *Handbook on MAA Resource Development* and a monthly *Resource Bulletin*. These publications provided useful information and practical advices on strategic planning, public relations, fund-raising workplan and proposal writing. Distribution was limited to MAAs recommended by their State Refugee Program Coordinators, and individuals who volunteered to work with MAAs on capacity building and resource development.

From this base of experience, IRAC designed the innovative “MAA-Sparkplug Leadership Model” which built three-person teams (staff, board, and community catalyst) and provided organizational capacity-building mini-grants to MAA service providers. In 1991, the New York Association for New Americans (NYANA), one of the largest Jewish resettlement agencies in the U.S., recognized IRAC *“for its ground-breaking work in fostering the growth of refugee mutual assistance associations, for its leadership in advocating refugee rights, and for its exemplary service as a resource center and clearinghouse in the refugee self-help movement.”*

By 1992, it was crystal clear that the term “Indochina” as a geographical entity had become obsolete and no longer appropriate to indicate the three independent nations of Cambodia, Laos, and Vietnam. For this reason, the “Indochinese” refugee problem had been resolved by the international community in accordance with the particular situation of each country. The 1989 conference in Geneva dealt with the situation of Vietnamese and Lao refugees but the Cambodian situation was not discussed until one year later at another international conference in Paris. To catch up with this new geopolitical environment, IRAC’s Board decided at its mid-year meeting in 1992 to rename the organization, simply replacing “Indochina” by “Southeast Asia”, so IRAC became SEARAC or Southeast Asia Resource Action Center.

Under this new name, while continuing to strengthen the Southeast Asian MAAs through leadership and community development, SEARAC worked more closely with the U.S. government and UNHCR on the judicious implementation of the CPA and the reintegration assistance to the returnees. The greatest achievement of SEARAC in the 1990’s was its proposal to resettle the “grey area” population, defined as *bona fide* refugees who were victims of the flawed screening system and therefore subject to forcible repatriation to Vietnam. This “grey area” initiative, after more than two years of negotiations and several revisions, was finally approved in February 1996 by both the U.S. and Vietnam as a special program called “Resettlement Opportunity for Repatriated Vietnamese” (ROVR). This time-consuming but successful effort will be described with more details in the section on the ROVR program in this paper (pp. 24-25).

Back to the issue of leadership and community development, SEARAC designed a special leadership training program in 1992-1993 for Executive Directors and Board members of selected MAAs. Funded by W. K. Kellogg Foundation, this project created a dynamic training approach in seven sites across the country to assist MAA leaders with such issues as resource development, advocacy, management and strategic planning, and network development. SEARAC staff gained tremendous experience in managing multi-site training initiatives as a result. With SEARAC’s guidance, these MAA leaders were more capable of increasing their organizational skills, diversifying their funding sources and advocating for their community needs from a position of greater strength.

With regard to economic development, IRAC sponsored an economic development seminar entitled “Financing Refugee Economic Development” in March 1984 at Georgetown University. The seminar was designed to acquaint prominent refugee leaders with the resources available for funding refugee businesses and strategies for establishing

investment vehicles to support community business development. Presenters at the seminar included senior officials from the Small Business Administration (SBA), Minority Enterprise Small Business Investment Companies (MESBIC), Policy Management Associates (PMA), and the Office of the Comptroller of the Currency. As a result of this training, a dozen MAAs in California, Oregon, Pennsylvania, Illinois, Minnesota and Washington, DC, started to build a sound financial base within refugee communities by initiating business and economic development projects. In 1985 and 1986, with funding from the Atlantic Richfield Foundation, the Glenmede Trust Company, the California Community Foundation, and the Levi Strauss Foundation, respectively, IRAC conducted a series of activities including:

- A study on Business Development Opportunities for Indochinese in Los Angeles, California (1985).
- A Seminar on “Non-Traditional Sources of Financial Assistance to Small Businesses” for thirty-five Indochinese businesses in the Delaware Valley, Delaware (1985).
- A Study on Economic Development Opportunities for Indochinese in Orange County, California, CA (1986).
- A Pilot Project to Promote Indochinese Economic Development Initiatives in San Antonio and Amarillo, Texas (1986).

In view of the success of the Delaware Valley Seminar, IRAC received additional funding from the Glenmede Trust Company to organize three follow-up training and technical assistance workshops in 1986, providing Indochinese business people with hands-on information and practical advice on various aspects of running a small business in the U.S.

Another economic development program, Community Development Credit Union (CDCU), was introduced by IRAC to the Indochinese community also in 1986. A special workshop was conducted in Philadelphia with the assistance of the Westchester University’s Small Business Development Center and other CDCU experts. Afterwards, a committee of seven community leaders was formed to work toward the organizing of an Indochinese CDCU, but this pilot project could not be achieved, probably because the Indochinese community was not yet ready, both culturally and technically, for such a novel type of financial institution.

### **National Leadership Convention**

Early on in 1986, the U.S. Congress and Administration were talking more and more seriously about a Southeast Asian refugee program “at the crossroads.” New measures were being considered to make the transition to normal immigration processing, to halt the refugee outflows, and to deal with tens of thousands of “long-stayers” remaining in first asylum camps. Repatriation was mentioned by Senator Alan K. Simpson as a “historical first and best durable solution to most refugee situations, but it is one which has been little used in Southeast Asia.”

IRAC realized that it was time for the refugee communities in the U.S. to assess the implications of these possible new program and policy directions, and speak out for an equitable, humanitarian response to the Southeast Asian refugee situations. It began to prepare for a national meeting where Indochinese community leaders could discuss international and domestic aspects of the Southeast Asian refugee program and develop recommendations and relevant action strategies. This first national meeting of Indochinese refugees was held at Georgetown University, Washington, D.C., on June 22-24, 1986. It was called “Indochinese Community Leadership Convention” and its theme was “Confronting New Realities”.

The Convention brought together more than 300 refugee community leaders and advocates from 37 states, including representatives of MAAs, voluntary agencies, health and human service programs, school districts, state and local governments, and business associations. Participants from the federal government included the Director of ORR, the Director of DOS Bureau for Refugee Programs, the Associate Director of the White House Office of Public Liaison, and the Associate INS Commissioner. The Representative of UNHCR in Washington, D.C., and a number of senior Congressional staff were also in attendance. Two guest speakers at the convention were Senator Mark O. Hatfield and Mr. Lina J. Kojelis, Special Assistant to President Ronald W. Reagan. Mr. Sakthip Krairiksh, Deputy Chief of Mission of the Royal Thai Embassy, attended as a panelist on International issues.

The Convention was composed of structured small workgroups, plenary sessions, and panel discussions with policy-makers from the White House, the Congress, the Department of State and Department of Justice. Altogether, sixteen topics were addressed under three major areas: International Programs & Policies, Domestic Programs & Policies, and the Role of MAAs & Community Development.

Under International Programs and Policies, five major topical areas were addressed: preservation of first asylum, the shift to immigration channels, Cambodian issues, Laotian (highland and lowland) issues, and Vietnamese issues. The recommendations on Domestic Programs and Policies covered the topical areas of reception and placement, health and mental health, employment and job creation, youth, women and the elderly. Under the heading Community Development, recommendations focused on long-term needs for Cambodian, Laotian, Vietnamese, and interethnic development.

At the Convention, provision was also made for the various country/ethnic groups to caucus at night. As a result, the Cambodian called for the establishment of a national network of Khmer associations (which eventually was formed as the “Cambodian Network Council - CNC”); the Laotian group recommended that the Lao Federation work with IRAC to serve as a clearinghouse for information on community development strategies; the Vietnamese group focused on the formation of a national organization (which came into being two months later as the “National Congress of Vietnamese in America – NCVA” (Nghị Hội Người Việt tại Hoa Kỳ).

Throughout the two and one-half days of formal sessions and ethnic caucuses long into the night, refugee community leaders from Cambodia, Laos and Vietnam clearly demonstrated

their unity in addressing issues of common concern. In concert, their voice articulated practical recommendations to Congress and the Administration. Incidentally, the spirit of the Convention was affirmed by Senator Mark O. Hatfield when he conveyed in his keynote speech a ringing message from American history: *“United, you stand; divided, you fall.”*

### **“We Want To Be Part Of The Solution”**

About two years after President Carter announced his decision to take 14,000 Indochinese refugees per month, there was increasing public concern over whether Vietnamese boat people were political refugees or economic migrants. The pull/push factor began to figure in discussions of refugee policy, and the U.S. seemed to favor a reduction of refugee admission. IRAC and other refugee advocates strongly protested against this wrong view of Southeast Asian refugees. As Deputy Director of IRAC, I was invited to testify at a U.S. Senate hearing in September 1981. I categorically refuted the erroneous perception that Indochinese refugees were economic migrants:

*“In their long histories, the three countries of Indochina have suffered many totalitarian and tyrannical regimes, but their peoples have never left their countries until the takeover of the communists. Therefore, it is inaccurate, cruel, and demeaning to claim that people take the risk of being shot or blown up by landmines while trying to cross the borders, or accept the risk of seeing their children drown, their wives and daughters raped by pirates, for no other reason than a hope for economic betterment. As a result of the Second World War, two million Vietnamese died of starvation in 1945, but no one left the country.”*

In my concluding remarks, I appealed the United States to meet its responsibility toward its former allies, and added: *“Let us not give cause for credence to the words of the late Cambodian Prime Minister Sirik Matak written to the U.S. Ambassador just before dying in the hands of the Khmer Rouge. He said: ‘Our only mistake is to have put faith in America.’ Instead, let us continue to uphold the American tradition of showing solidarity and generosity to uprooted victims of tyranny. As a nation and as an economy, the United States of America has never had reason to regret the asylum she has offered to people who ‘yearn to breathe free’”.*

Senator Alan K. Simpson, presiding over the hearing, described this refugee testimony as “a very powerful presentation.”<sup>7</sup>

With the increased of the resettlement rate in the early 1980’s as a result of the 1979 International Conference, the attitude of first asylum countries toward boat refugees was relatively tolerant, and the U.S. policy makers no longer characterized Indochinese refugees as economic migrants. In subsequent years, IRAC continued to testify before several House and Senate committees promoting congressional support for anti-piracy activities in the Gulf of Thailand. In 1982, IRAC co-founded the Coalition for the Protection of Vietnamese Boat Refugees (CPVBR). Initial members included Church World Service, Citizens’ Commission on Indochinese Refugees, Indochina Resource Action Center, International Organization of Masters, Mates & Pilots (AFL-CIO), International Rescue Committee, United States Committee for Refugees, and Volunteers International. The Coalition’s

intensive effort resulted in a \$15 million U.S. anti-piracy program in 1983. Congressional Steve Solarz thanked the Coalition for working with him to secure congressional approval for his \$5 million Supplemental Appropriations Bill earmarked for this program. Subsequently, Boat People S.O.S. headed by Dr. Nguyen Huu Xuong in San Diego joined the Coalition and became the primary sponsor of IRAC's 1988 Conference on first-asylum crisis.

On the domestic side, IRAC emphasized the important role of refugee MAAs in helping the newcomers integrate successfully into American society. As a result, the federal Office of Refugee Resettlement created the incentive grant program for MAAs, and the Refugee Assistance Extension Act of 1985 included a provision recognizing the role of MAAs in refugee resettlement. As described above, between 1982 and 1986, IRAC conducted a series of training workshops for over 400 MAAs across the country on leadership and community development.

But in the mid-1980's, the number of boat refugees arriving in Hong Kong and Southeast Asia steadily increased whereas the number admitted for resettlement decreased. This was a prelude to the second crisis of first asylum. In February 1987, IRAC sent a five-member Indochinese American delegation to Hong Kong and Southeast Asia to assess the refugee situation in the region. During this 18-day fact finding trip, the delegation led by IRAC's President had several meetings with government officials, representatives from UNHCR and international relief agencies, and while visiting the refugee camps, conversed with their compatriots in their own languages.

Upon return to the U.S., the IRAC team held a press conference on Capitol Hill sponsored by Senator Claiborne Pell (D-Connecticut) and Senator Mark O. Hatfield (R-Oregon). The team's report addressed three major issues: protection, assistance and processing. Within these three topics, they identified specific problems and made appropriate recommendations. They called upon the United States and all concerned governments to recommit themselves to protecting and assisting the refugees from Cambodia, Laos and Vietnam. They also appealed for a new international conference, similar to that held in 1979.

The press conference was reported worldwide by the news media. *The Bangkok World* emphasized that "IRAC urged the US Government to review a proposed policy shift—whereby refugees would lose resettlement eligibility—as it believed this had led to the Thai decision (against the refugees)." The Thai newspaper quoted from Senator Mark Hatfield's opening remarks: "*The US had the obligation to help solve the problem and could not afford 'compassion fatigue'.*"<sup>8</sup> Don Oberdorfer, Distinguished Journalist in Residence and Adjunct Professor of International Relations at Johns Hopkins University, then senior staff writer of *The Washington Post*, gave a detailed report of the IRAC's findings and recommendations, including an appeal for a new international conference. He highlighted Le Xuan Khoa's statement: "*We have been considered a problem. Now we are determined to be part of the solution.*"<sup>9</sup>



Shortly after the press conference, Senator Mark Hatfield introduced the “Indochinese Refugee Assistance and Protection Act of 1987”; Congressman Chet Atkins introduced an identical, companion Bill in the House two weeks later. Indochinese Americans and friends all around the country mounted a letter-writing campaign and went out to talk with their representatives in Congress to seek support for the Bill. In what must be considered a big victory, Hatfield-Atkins passed a Senate floor vote on October 7<sup>th</sup> by a two-thirds majority. Remarking on its passage, Senator Hatfield remarked:

*“The voluntary agencies and advocates such as the Indochina Resource Action Center played a critical role in the consideration and passage of this historic bill. Special credit, of course, goes to the Indochinese-Americans who helped bring this issue to the attention of their Members in Congress. They spoke for refugees in the camps at a critical juncture in the Indochinese Refugee Program.”*

In a personal letter to IRAC’s President, he wrote:

*“I thank you and the entire IRAC team for the very important role you played in helping my refugee bill pass the Senate with the surprising margin that it did, and also for your work to see this Bill through Conference. Your leadership in leading a delegation overseas to the camps to report first-hand on the dire situation was very important to the consensus building effort in the Senate.”*

It was clear that the U.S. Congress supported continuing assistance and protection to Indochinese refugees. But the Administration was seeking ways to lower the level of refugee admissions and in February began a discussion of shifting limited refugee slots from Southeast Asia to the Soviet Union. IRAC’s President immediately contacted Theodore Ellenoff, President of the American Jewish Committee (AJC). Seriously disturbed by this robbing-Peter-to-pay-Paul measure, both signed a joint letter to the *New York Times* strongly criticizing the Administration, affirming that *“this reallocation would amount to a cruel trade-off.”*<sup>10</sup> As a result, the Indochinese refugee admission numbers remained intact.

### **IRAC’s Conference on the Crisis of First Asylum**

As a follow-up to the 1987 fact finding trip, IRAC mobilized its resources to organize a conference on “The Crisis of First Asylum in Southeast Asia” at the Key Bridge Marriott, Washington, DC, on June 6-8, 1988. Another compelling reason for this gathering was the worsening situation of the refugees caused by drastic changes in the Thai refugee policy. In January 1988, following the announcement “We have to close our door”, the Thai Ministry of Interior ordered the Marine Police to escort a boat carrying 40 Vietnamese refugees back into Cambodian waters. Representatives from international relief agencies and reporters from Bangkok were invited to witness the incident. Subsequent interdictions and push-backs resulted in the tragic deaths of at least 170 innocent people, many of whom were women and children.

Since the U.S. and the international community were scrambling for durable solutions to the Vietnamese boat refugee situation, it was very timely for IRAC to organize this

conference, not only to push for a concerted effort by the community of nations to resolve the first asylum crisis but also to create an opportunity for the refugees to meet with international refugee policy makers to voice their concerns and recommendations. More than 300 participants attended this three-day conference including representatives from 14 governments, UNHCR and international refugee-related organizations, and refugee community leaders from all parts of the country. Nobel Prize winner Elie Wiesel and Actress/UN Roving Ambassador Liv Ullman were unable to attend in person but appeared in videotapes and delivered their messages to the Conference.

The IRAC Conference on First Asylum aimed at three objectives:

1. To clearly identify the refugee-related problems facing the countries of first asylum in Southeast Asia and to get their recommendations on both short and long term solutions;
2. To urge the international community to maintain their commitments to first asylum countries in terms of refugee resettlement while working on durable solutions; and
3. To gather input from Indochinese American leaders and to define relevant areas of responsibility for their respective communities.

The Conference was structured to encourage discussions on current problems and priorities for action. Subjects were presented in plenary sessions followed by deliberations in workgroups. Topics for discussion included: Impact of refugees on first asylum countries, Preservation of first asylum, Protection of refugees, and Searching for long-term solutions. The last day of the Conference was reserved for a special community plenary entitled “Grassroots Community Advocacy”. At this plenary, following the panelists’ remarks, participants joined concurrent sessions, broken down by state or regional groupings. They mapped out community action strategies and arranged visits to Capitol Hill in the afternoon to meet with Members of Congress from their own states.

Seventeen senators and twenty congresspersons endorsed the IRAC Conference and served as Honorary Advisors. Ten prominent individuals also joined the Honorary Advisory Group. Guest speakers were Senator Mark O. Hatfield, Senator Claiborne Pell, Congressman Steve Solarz, and Ambassador Jonathan Moore, US Coordinator for Refugee Affairs. Opening remarks were made by Richard T. Childress, Director of Asian Affairs, National Security Council. Dith Pran, Survivor of “The Killing Fields” presented his statement at the end of the second day of the Conference; Thomas R. Donahue, Secretary-Treasurer, AFL-CIO, addressed the Plenary on “Grassroots Community Advocacy”.

International panelists included: Rita Fan, Legislative Council member, Hong Kong; Nigel J. French, Principal Assistant Secretary for Security, Hong Kong; Nayan Chanda, Editor, Far Eastern Economic Review, Hong Kong; Qian Yongnian, Charge d’affaires, Embassy of the People’s Republic of China; Ambassador Nitya Pibulsongram, Permanent Mission of Thailand to the United Nations; Pradap Pibulsongram, Political Counselor, Royal Embassy of Thailand; Vitit Muntarbhorn, Professor, Chulalongkorn University, Bangkok; Harry P. Haryono, Political Counselor, Embassy of Indonesia; Evan Philip Arthur, Counselor for

Immigration, Embassy of Australia; Sascha Casella, Advisor on Special Studies, UNHCR; and Susan Timberlake, Protection Officer, UNHCR.

Moderators, panelists and respondents from the U.S. included: Raleigh Bailey, Director of Refugee Programs, Lutheran Family Service of North Carolina; Frederick Brown, Senior Associate, Carnegie Endowment for International Peace; Kue Chaw, Executive Director, Hmong Natural Association of North Carolina; Former Senator Dick Clark, Director, Indochina Policy Forum, Aspen Institute for Humanistic Studies; David Cohen, Co-Director, Advocacy Institute; Joan Hill Dehzad, Sponsorship & Advocacy Consultant, Lutheran Social Service of Minnesota; Robert P. DeVecchi, President, International Rescue Committee; Former Ambassador Bui Diem, President, National Congress of Vietnamese in America; Arthur Helton, Director, Lawyers Committee for Human Rights; Nil Hul, Executive Director, Cambodian Association of America; Nguyen Manh Hung, Professor, George Mason University; Vora Huy Kanthoul, Associate Executive Director, United Cambodian Community; Wells Klein, Executive Director, American Council for Nationalities Service; Daniel Lam, Director, Massachusetts Office for Refugees and Immigrants; Seng Lee, President, Lao Family Community of Merced, California; Shepard C. Lowman, President, Refugees International; Khamchong Luangpraseut, Supervisor, Santa Ana Unified School District; Al Santoli, Journalist and Author; Sichan Siv, Manager/Asia & Pacific Programs, Institute of International Education; Rick Swartz, Executive Director, National Immigration, Refugee and Citizenship Forum; Julia V. Taft, Director OFDA, U.S. Agency for International Development; Ta Van Tai, Lawyer, Harvard Law School; Vu Duc Vuong, Executive Director, Center for Southeast Asian Refugee Resettlement; Roger P. Winter, Executive Director, U.S. Committee for Refugees.

There was a small but noteworthy “diplomatic incident” encountered by IRAC regarding this refugee crisis conference. A few days before the Conference, I got an urgent telephone message from the Political Counselor at the Russian Embassy (As of this writing, I have not been able to locate his name and title in IRAC’s archives.) When I returned his call, he asked why IRAC invited the Chinese Embassy to attend the Conference but ignored the Russian Embassy. He reminded me that the Soviet Union had always been involved in Indochina affairs as one of the major powers. I responded that IRAC convened this conference as a private non-profit agency not as a government, that this conference was refugee-specific, and that the Embassy of the People’s Republic of China was invited because the PRC was providing asylum to 280,000 Vietnamese refugees. The Russian diplomat then asked whether he could attend the conference as an observer. I said he would be welcome as a guest and his registration fee would be waived. He was seen briefly at the conference and IRAC believed he just came to attend the first plenary session where the Chinese Charge d’affaires was one of the panelists. He should be curious about what the Chinese representative would say about refugees from Vietnam, then an enemy of the PRC and a friend of USSR which, under the leadership of Mikhail Gorbachev, was condemned by the PRC as “revisionist”.

As expected, Mr. Qian Yongnian did not hide his hard feelings toward Vietnam in his presentation. He denounced Vietnam as the root cause of the refugee problem, explaining that *“the Vietnamese authorities have since the late 1970s pursued a policy of external*

*aggression and expansion. Internally, it has adopted a series of unpopular policies, thus creating a massive exodus of refugees.” He made it clear that “the key to resolving the Indochina question is for Viet Nam to abandon its policy of aggression and expansion. . . We call on the international community to continue to put pressure on Vietnam to speedily withdraw its troops from Kampuchea.”*

Except for this interesting political note about USSR-China-Vietnam in relation to the refugee crisis, the IRAC conference came out as a great success. IRAC became internationally known as a powerful but resourceful and responsible refugee advocate. It could communicate with senior officials in charge of refugee affairs in foreign governments through their Embassies in Washington, DC. A conference report in *Information Update*, a publication sponsored by the U.S. Department of State, Bureau for Refugee Programs, observed that the IRAC conference “provides evidence that the Indochinese-American community has come of political age.” The report concludes:

*“Like other immigrant and refugee groups before them, Indochinese-Americans organized first to help each other. Their Mutual Assistance Associations provide a variety of educational, welfare, social and cultural services. The IRAC conference shows that they have now entered another stage. They are looking back from whence they came, to assist those Indochinese who have been less fortunate on their journeys to freedom. They are reaching out to both the American community at large, and to the international community. They are mastering many aspects of American politics, such as garnering media coverage of their issues, motivating public sentiment, and capturing the attention and support of elected officials, which are necessary to help shape the public agenda.”<sup>11</sup>*

As a follow-up to the June Conference, IRAC’s President and six members of *InterAction* met with Deputy Secretary of State Charles Whitehead on July 5 to relay vital conference recommendations to Secretary George Schultz on the eve of his departure for an ASEAN meeting in Bangkok. The delegation insisted on two major points: (1) articulate to ASEAN leaders a strong U.S. commitment to refugee protection and resettlement; and (2) take a firm position on the need for a peaceful resolution of the Cambodia conflict. Both concerns were taken seriously by Secretary Schultz and became the focus of his remarks on July 7.

The 1988 IRAC Conference on First Asylum Crisis attracted special attention from UNHCR and concerned nations, and in fact set the groundwork for the Second International Conference on Indochinese Refugees in Geneva one year later.

### **Input to the Preparation of the International Conference on Indochinese Refugees**

In July 1988, IRAC initiated an investigation into the situation of Vietnamese asylum-seekers in Hong Kong. This inquiry was prompted by the decision of Hong Kong government to begin treating all Vietnamese arrivals after June 15, 1988 as illegal immigrants rather than *prima facie* refugees. This change in policy required all arriving Vietnamese boat people to be screened to determine whether they qualified for refugee

status and therefore resettlement, or should be considered non-refugees subject to repatriation.

The IRAC inquiry bore a dual purpose: (1) to examine the operation of the screening process, and (2) to determine the nature of the living conditions and treatment of Vietnamese asylum-seekers in Hong Kong. The inquiry took into account national and regional political realities, applicable international legal standards, domestic Hong Kong law, and international policy aspects. To this end, SEARAC President consulted with IRAC legal advisor, Janelle M. Diller, and entrusted her with conducting the investigation. Arrangements for Ms. Diller's visit were made through the good offices of the British Embassy in Washington, DC. After some initial reservation, both the UK and Hong Kong authorities approved Ms. Diller's entire work schedule (September 15 to 22, 1988) including visits to all closed and open centers for refugees, and special access to the detention centers.

Upon her return to Washington, DC, Janelle Diller worked hard on her findings and produced a 150-page report entitled "In Search of Asylum: Vietnamese Boat People in Hong Kong", which IRAC published in book form in November, 1988 thanks to a special grant from Mrs. Tuyet Nguyet Markbreiter, Publisher and Editor, *Arts of Asia*, Hong Kong. Mrs. Markbreiter, who was also the most generous individual supporter for IRAC's First asylum conference, arranged for me to meet with Governor Sir David Wilson during my follow-up visit to Hong Kong in December. In addition to Janelle Diller's report, I also presented to the Governor a petition signed in blood by over 200 hundred boat people protesting against repatriation to Vietnam. Immediately after my visit with the Governor, again thanks to Mrs. Markbreiter's connection, I met with the Hong Kong press reporters from the *South China Morning Post*, *Hong Kong Standard* and other Chinese language newspapers. The "blood petition" story appeared on the front page of the SCMP the next morning (December 7, 1988). It was also reported in the *Hong Kong Standard* and the Chinese-language newspapers. Needless to say, the Diller report and copies of the Hong Kong newspaper clippings were sent to UNHCR headquarters in Geneva for consideration.

By then, UN Secretary-General M. Javier Perez de Cuellar had instructed UNHCR to set up an intergovernmental working group to work on a draft plan for achieving durable solutions to be adopted at the International Conference on Indochinese Refugees scheduled for mid-June 1989. As a result, a document called "Comprehensive Plan of Action" (CPA) was developed in time for review by the 29 nations attending the Preparatory Meeting held on March 6-8, 1989 in Kuala Lumpur, Malaysia. Upon obtaining a copy of the draft CPA in February, IRAC studied it carefully and submitted to UNHCR and key participating countries before their March meeting a two-part statement which (1) provided comments on each of the eight items addressed by the draft CPA; and (2) proposed a set of recommended revisions to specific language of the CPA. The IRAC statement was highly praised by Sergio Vieira de Mello, Head, UNHCR Regional Bureau for Asia and Oceania, as "*the most constructive and helpful paper which focuses on many of the key areas of particular concern to UNHCR in our efforts to ensure that adoption and implementation of the Comprehensive Plan of Action take full account of the rights of asylum-seekers and refugees.*" (11 April, 1989)

A “Coordinating Committee” and three working groups (one on reception and screening, a second on orderly departure and repatriation, a third on resettlement) were set up to hammer out the details for implementation of the proposed CPA. IRAC developed three sets of recommendations for consideration by each appropriate working group. Subsequently, these three sets of recommendations were combined with input from community leaders into a comprehensive statement entitled “Towards Humane and Durable Solutions to the Indochinese Refugee Problem.” This 25-page document, endorsed by more than 200 Indochinese organizations in North America, Europe, and Australia, was submitted in time to UNHCR and the twelve member countries of the Coordinating Committee at their final preparatory meeting in Geneva on May 25-26, 1989. One again, UNHCR acknowledged the important contribution of IRAC: *“Many of the issues that you raised in your statement, and on the reliability of the determination process, the need to avoid refoulement of refugees, and the importance of ensuring humane conditions in refugee camps, are ones of the most fundamental importance to UNHCR. . . . Of course, in seeking to achieve equitable new arrangements for asylum-seekers and refugees in Southeast Asia, UNHCR will continue to be dependent on the support of organizations such as your own which are committed to promoting the principles and practice of refugee protection.”* (S. Vieira de Mello, 2 June 1989)<sup>12</sup>

### **Refugee Voice at the Geneva Conference**

At the Geneva Conference (June 13-14, 1989,) IRAC had a dual representation. Myself representing IRAC attended the Conference as a *de facto* spokesman of an Indochinese NGO group which included representatives from Canada, France, Germany, and Switzerland. The other IRAC representative was Board Member Tony K. Vang who participated as an advisor to the official U.S. delegation. As an NGO person, I had the freedom to express my organization’s view on the Indochinese refugee situation, which might be different from the official position. In fact, I met with many press reporters and had an interview with the BBC TV team right inside the UN building. Before the opening ceremony, my Indochinese colleagues and I went around the conference room to distribute the IRAC 25-page document and a one-page statement entitled “Refugee Voice at International Conference.” Following are excerpts from that statement. :

*. . . “We understand that the problems faced by the ASEAN nations and Hong Kong in continuing to provide asylum; we also recognize the limitations of resettlement. However, we cannot ignore the fact that, until political and economic conditions improve within Cambodia, Laos, and Vietnam, our peoples will continue to flee. We fear that many of the solutions proposed will not really work without effective ways to deal with the root causes of refugee flight.*

*“This Conference’s Comprehensive Plan of Action includes several positive points, with which we are in full agreement, namely: expansion of regular departure programs and resettlement of residual populations. We, however, do hold serious reservations regarding the implementation of screening and repatriation. . . .*

. . . *“Hundreds of thousands of people have lost their lives tragically during their escapes. Hundreds of thousands of others, who survived the ordeal, are still suffering in subhuman conditions with constant fear for their future. Let us save them. Do not send them back. At final account, the cost for repatriation, reintegration assistance and monitoring of individual cases will be much higher than that of resettlement — an investment that will be more than paid back by the contributions and enrichment refugees bring to their adoptive countries. And, most importantly, we can avoid playing games with human lives.*

*“The 1989 Geneva Conference on Indochinese Refugees can find durable and humane solutions only if it can successfully resolve the problem at its root causes and at the same time save the survivors.”<sup>13</sup>*

The 1989 International Conference was attended by representatives from 76 countries. Opening the Conference, the U.N. Secretary-General recalled that resettlement in third countries was felt in 1979 to be the main, often the sole, durable solution to the plight of Indochinese asylum-seekers. Mr. de Cuellar went on to say: *“It is a sad measure of the inability of the international community to address and resolve the root causes of mass displacements of persons, which have marked this century, that we should again convene in Geneva, a decade later, an international conference to deal essentially with the same humanitarian problem.”*

Explaining why the issue of Cambodian refugees was not on the agenda, the Secretary-General described *“signs of progress towards the settlement of the Kampuchea conflict. The ongoing diplomatic process on the various aspects of the problem, as well as the announcement by Vietnam of its decision to complete the withdrawal of its troops from Kampuchea by the end of September 1989, provide a basis for hope. Until a comprehensive political is reached, it will obviously be difficult to deal effectively with the human consequences of this tragedy. It is for this reason that the Conference will not be tackling this important component of our humanitarian concerns in Southeast Asia.”*

The better part of the two-day Conference was taken up by 37 speakers. In their speeches, many government representatives raised issues not fully addressed in the CPA.

Many nations laid the blame squarely on Vietnam. Singapore, for example, was disappointed that the international community had not addressed the root causes explicitly: *“I find it extremely strange that in the discussions and deliberations that have gone into elaborating the Comprehensive Plan of Action, the role of the one country that has persistently refused to accept responsibility for its own citizens has been relegated to an almost peripheral issue.”* The People’s Republic of China, understandably, insisted on the necessity to “remove the root causes” that generated the outflow of refugees, not only from the original country but also from its neighboring countries (i.e. Cambodia and Laos): *“. . . the facts over the years have shown that the key to a genuine and thorough question of refugees lies in the removal of the root causes for the generation of refugees and asylum-seekers. Therefore, the country directly responsible for the exodus of refugees and asylum-seekers should immediately put an end to its policies that have caused the outflow of large*

*numbers of its own nationals and those of neighboring countries and fulfill its obligations toward the international community.”* The British Foreign Minister was more straightforward. He pointed directly to Vietnam as he warned: *“Vietnam must accept that no country has the right to export its surplus population to other countries. It must accept the obligations under international law to receive back those of its nationals who are not allowed entry into other states. It must therefore agree, and agree quickly, to the repatriation of all who were screened-out as non-refugees by the places of first asylum.”*

On the issue of screening and repatriation, the Singapore representative remarked sarcastically: *“I do not claim to understand all the nuances of the scholastic wrangles over the definition of ‘refugees’ and ‘economic immigrants.’ I am willing to suspend judgement on whether screening and the prospect of years in refugee camps can really deter those who have shown themselves willing to pay off corrupt bureaucrats for the dubious privilege of risking their lives on long ocean voyages in leaky vessels; undeterred by the dangers of shipwreck, piracy, and sharks — both the finned and the two-legged variety.”*

In any case, it was generally agreed that screening was necessary and repatriation of non-refugees was the solution to the first asylum crisis. Interestingly, taking a strong stand *against* forced return were strange bedfellows: the United States, Vietnam and USSR. Ambassador Jonathan Moore, head of the U.S. delegation remarked: *“The United States accepts as a general principle that asylum-seekers who are found not to be refugees are ultimately the responsibility of their country of origin. For more than a decade conditions in Vietnam have repelled large segments of its population. So long as these conditions continue—unless and until dramatic improvements occur in that country’s economic, social, and political life—the United States will remain unalterably opposed to the forced repatriation of Vietnamese asylum-seekers.”* And Vietnam’s Deputy Prime Minister and Minister of Foreign Affairs Nguyen Co Thach referred to the Universal Declaration of Human Right in his statement: *“We resolutely reject all forms of imposition because imposition is in violation of the Declaration of Human Rights and will lead to unpredictable consequences.”*

Many European nations seemed to echo IRAC’s view that until political and economic conditions improve, the refugee flows will continue, and they expressed the need for the U.N. Secretary-General to work for constructive change inside the refugee-producing countries. The representative from the Federal Republic of Germany invoked U.N. Resolution 41/70, December 1986, and remarked: *“this resolution calls upon all nations to refrain from all activities, in the context of their domestic policy and its external relations, that could generate new massive flows of refugees. In this context the General Assembly underlined the importance of enforcing human rights and supporting economic, social, and cultural developments in these countries. I would therefore like to encourage the United Nations Secretary-General to fully utilize the authority which has expressly been granted to him.”*

France elaborated further: *“With the return of peace (in Cambodia), which today is less distant, the international community is justified in expecting that Vietnam devote all its efforts on reconstruction and development of the country within the context of a more*



*liberalized and open political atmosphere. It is in this way that Vietnam will help itself rejoin the international community. France is ready for her part to assist in this pacific enterprise. To prepare for this future, my country is determined to contribute to the search for peace and reconciliation in Indochina.”*

As expected, at the final session of the Conference, the 76 participating nations accepted the Comprehensive Plan of Action in a quick vote by approbation. That afternoon, IRAC invited all Vietnamese participants to a luncheon meeting at the headquarters of the International Catholic Migration Commission (ICMC) graciously hosted by its Secretary-General, Dr. Andre Van Chau, and his wife. The discussion focused on the repatriation issue, mapped out a strategy against forcible return of refugees to be carried out by IRAC and other refugee advocates in the next few months. To this effect, IRAC submitted in October to the CPA Steering Committee a paper entitled “Review of the CPA and Recommendations for Effective Implementation.” This Steering Committee comprising 15 nations was set up after the Geneva Conference to work out the operational arrangements of the CPA.

As anticipated, the most serious problem with the implementation of the CPA was the increasing pressure on forcible repatriation led by the UK and Hong Kong governments. On November 17, 1989, IRAC wrote to British Prime Minister Margaret Thatcher prior to her meeting with President George W.H. Bush at Camp David on November 24, urging her to delay her decision to forcibly return Vietnamese asylum-seekers and proposing a grace period during which UNHCR, international NGOs and the overseas Vietnamese communities would be working together on a truly voluntary repatriation program. Mrs. Thatcher ignored this request and on December 11, Hong Kong forcibly returned 51 Vietnamese boat people to Vietnam, with more involuntary repatriations planned for the future. This cruel act upon innocent people triggered a series of strong protests against the British Government.

- On December 13, IRAC, the National Congress of Vietnamese in America, Interfaith Committee for Refugee Concerns, and Boat People S.O.S. Committee mounted a huge demonstration in front of the British Embassy. The Deputy Chief of Mission received the organizers inside the Embassy to exchange views on the British action. Earlier in the day, IRAC President was interviewed over the telephone by BBC London’s reporter James Naughtie on the situation of refugees in Hong Kong.
- On December 14, IRAC’s President appeared on ABC’s *Nightline*, debating with Hong Kong Governor Sir David Wilson, via satellite, on the issue of forcible repatriation. The debate was moderated by anchorman Forrest Sawyer. Governor Wilson had to concede that Khoa was right when he vehemently rejected the Governor’s comparison of Vietnamese boat people to South America’s economic migrants sneaking illegally through U.S. borders, but maintained that Hong Kong and Britain had no other choice in the face of the continuing flow of Vietnamese asylum-seekers. In the end, Governor Wilson placed the blame on the United States for not being more actively involved in the resolution of the refugee issues.

- On December 16, *The Washington Post* published an article by IRAC's President criticizing the British policy. The article, entitled "Forced Repatriation: No Remedy", was opened with a strong statement: "Shame on British Prime Minister Margaret Thatcher." The article insisted that "Forced repatriation cannot stem the flow of refugees from Vietnam. Until root causes—civic, political and economic conditions—improve there, people will continue to flee the country".

IRAC's strong reaction and international outrage at the British ruthless policy prompted Mrs. Thatcher to postpone further forced return until after the next meeting of the CPA Steering Committee scheduled for January 1990. Then, with Hanoi's acquiescence in the British and Hong Kong's allocation of \$620 for each returned asylum-seekers—in addition to UNHCR's direct payment of \$360 to each returnee—the repatriation of all screened-out people, now called "orderly return," became a fact of life in Hong Kong and other first asylum countries. It was time for IRAC, besides watching closely the implementation of the CPA, to concentrate its effort on three new important tasks: (1) Ensuring that the U.S.-Vietnam agreement on the resettlement of former re-education detainees, signed on July 30, 1989 be carried out effectively; (2) Identifying genuine refugees who fell through the crack in the screening process and advocating for their resettlement eligibility; and (3) Assisting the returnees and monitoring their conditions in Vietnam through a reintegration assistance program.

### **The Humanitarian Operation (H.O.) Program**

In 1982, Vietnamese Foreign Minister Nguyen Co Thach offered to release all of the remaining re-education camp detainees if the United States would receive them. After two years of behind the scenes diplomatic effort with Vietnam without progress, Secretary of State George Shultz made a public announcement in September 1984 that the United States was prepared to accept the Vietnamese proposal beginning with 10,000 prisoners and their relatives over a two-year period. Reacting to this positive response, Hanoi stepped back from its original offer and placed increasingly onerous conditions that stalled the negotiations. When a U.S. panel of five chaired by former Governor Ray of Iowa visited Hanoi in November 1985 and raised the question with Foreign Minister Thach, he categorically refused to discuss the issue, stating it was now "out of the question" to allow the prisoners to go to the United States.

After organizing the Indochinese Leadership Convention in June 1986, IRAC President worked more closely with Senior Deputy Assistant Secretary of State Robert L. Funseth who represented the United States in all negotiations with Vietnam on the political prisoners issue. In the Spring of 1989, IRAC introduced to him a four-member delegation of PEN International/Vietnamese Writers Abroad Centre, then chaired by author Nguyen Ngoc Ngan, at a meeting in his office. We briefed him on the communist harsh treatment of South Vietnam's writers in re-education camps and presented him the list of names of those who were still incarcerated. Mr. Funseth assured us that he would strongly intervene on behalf of these writers in his negotiations with the Vietnamese government. IRAC was also in regular contact with General John W. Vessey, President Reagan's and President Bush's special envoy on POW/MIA. Prior to General Vessey's departure to Vietnam in

early August 1987, IRAC sent him background information on political prisoners, Amerasians and ODP status, requesting him to include these issues in his discussions with the Vietnamese authorities. At the White House press conference on August 10, General Vessey confirmed these issues had been discussed, and in his letter to IRAC's President on August 12, he confided further; that: *"While the Vietnamese reiterated their intent to move forward on the Orderly Departure Program and were positive about progress soon with regard to Amerasian youth, they were not openly forthcoming on the political prisoners. Their negotiators maintained that this problem was not a humanitarian issue."* He later assigned his assistant, Brigadier General Stephen B. Croker, to be his liaison person to IRAC, with whom I had several briefings related to General Vessey's mission.

In early 1989, Robert Funseth remarked to me that the voice of refugees should not only be heard by the United States and the international community but also by the Vietnamese policy-makers. He suggested that IRAC, as a national organization of Indochinese Americans, should let the leaders in Hanoi understand that Vietnamese Americans had become an important political force that would influence the pace of negotiations between the two countries. The opportunity came when I learned the news that an International Conference on Indochinese Refugees would be convened in Geneva in June 1989. Three months before the Geneva Conference, thanks to the arrangements of Congressman Stephen Solarz, I led a small group of Vietnamese Americans to New York to meet with Ambassador Trinh Xuan Lang, Chief of the Vietnamese Mission to the United Nations. Since we did not want to come to the Mission's office, the meeting took place at the home of Professor Patrick Gallagher, Dean of the Department of Mathematics, Columbia University, who was an American friend of the Vietnamese Ambassador.

Mr. Trinh Xuan Lang insisted that this was an informal meeting and he could not make any commitment or promise except forwarding our recommendations to the Vietnamese Foreign Minister. He said, however, that this meeting was a good opportunity for him to have a better understanding of the Vietnamese American community and to exchange his views with us. We said we understood his limited role and would appreciate his forwarding our specific request to the Vietnamese government that (1) all the re-education detainees be released and allowed, with their families, to emigrate to the United States; (2) former reeducation detainees and their families be treated indiscriminately, without restrictions on food, education and employment opportunities. (3) the ODP program and the processing of Amerasians be resumed immediately;

We took the opportunity to advise the Vietnamese Ambassador of the development of the Vietnamese community in the United States, from refugees dependent on public assistance to contributing members of American society. Many had become citizens and were actively involved in American politics. They would definitely influence the U.S. policy toward Vietnam and, when appropriate, would make important contributions to the industrialization and modernization of Vietnam.<sup>14</sup>

Shortly after the CPA was approved at the Geneva Conference, U.S.-Vietnam negotiations on the issue of re-education detainees, which had been on and off for seven years finally reached an agreement on July 30, 1989 which, as specified in the joint statement, *"will—in*

*addition to existing programs—allow those released reeducation detainees who were closely associated with the United States or its allies and who wish to emigrate, together with their close relatives, to the United States.”* The “existing programs” referred to the ODP and Amerasian programs stipulated in the agreement.

In August, the Vietnamese American community in the Washington DC metropolitan area hosted a dinner in honor of Robert Funseth, the U.S. negotiator. In his speech, Mr. Funseth described the seven-year process of negotiations with Hanoi. On this occasion, he singled out three individuals who worked with him silently in his mission: Khuc Minh Tho, Le Xuan Khoa and Ly Quang Thuan. Although our work often overlapped, there was an implicit and well-coordinated division of responsibility: Mrs. Tho and the Family of Political Prisoners prepared the cases of the military, Reverend Thuan and his Church did the cases of religious leaders. IRAC staff and I, while taking the cases of intellectuals, journalists and writers, worked intensely with the Administration and Members of Congress on policy and program matters through direct consultations, correspondence, press articles, statements, and testimonies before Congressional committees. On January 31, 1990 IRAC submitted a statement on “The Resettlement of Vietnamese Former Re-education Detainees” at a hearing called by the federal Office of Refugee Resettlement. IRAC reviewed the expectations of all parties concerned including anchor families, state and local governments, resettlement agencies, Vietnamese MAAs and the former political prisoners themselves. Considering these people as “assets, not liabilities,” IRAC proposed a “Vietnamese Former Re-education Center Detainees Emigration Act,” arguing that such a bill would ensure the expedited emigration and effective resettlement of all those who have endured “re-education” whether or not they have immediate relatives in the United States. During FY 1992-93, SEARAC (IRAC’s new name) facilitated a series of regional workgroup meetings on programs for Vietnamese former political prisoners. Representatives from the State’s Refugee Coordinators’ offices came together with service agency staff to share “lessons learned and successful strategies” and to discuss the unmet service needs.

### **From the “Grey Area” Refugees to the ROVR Program**

As early as September 1990, in a presentation on the implementation of the CPA to a group of Vietnamese Americans at Stanford University, I mentioned that there was a chance for *bona fide* refugees who were screened out unjustly to be resettled in the U.S. I classified these people as a “grey area” category that needed to be reviewed and processed for resettlement. Basically, the “grey area” category included those who were associated with the United States, government officials, journalists and writers, religious leaders, Amerasians and family reunion cases.

The “grey area” issue was brought up again in October 1992 when I attended a seminar organized by Jesuit Refugee Service at the University of Ateneo de Manila, Philippines to evaluate the CPA screening process. While human rights lawyer Arthur Helton analyzed the flaws of refugee screening from the legal point of view, I raised concerns about its deficiencies on moral and humanitarian grounds. My presentation also called for the U.S. and international consideration of the special “grey area” as a last-ditch effort prior to the

termination of the CPA. In March 1993, at the Roundtable on Refugees sponsored by the Permanent Observer Mission of the Holy See to the United Nations in New York, I presented the “grey area” initiative again in a four-point plan proposal.<sup>15</sup>

This proposal was endorsed by *InterAction* at a Board of Directors meeting by the end of March. A CPA Task Force was immediately created to work with the Department of State’s Bureau for Population, Refugees and Migration (PRM) headed by Ambassador Warren Zimmermann, on workable solutions to the situation of Vietnamese and Laotian “long-stayers.” In a meeting with Ambassador Zimmermann on April 8 and in the House hearing on September 23, 1993, Robert de Vecchi, President of the International Rescue Committee (IRC) and *InterAction*’s Chair of Migration and Refugee Committee, called on the US government to resettle grey area categories “so that we can close this tragic page of history in a just and humane manner”.

The *InterAction*’s CPA Task Force, co-chaired by Lionel Rosenblatt, President of Refugees International and myself, conducted several meetings with Ambassador Zimmermann and the PRM staff. The DOS/PRM finally showed its interest in the “grey area” concept, which was soon developed by Lionel Rosenblatt and two other CPA Task Force members, Shep Lowman and Dan Wolf, into a full proposal entitled “Track II.” (Track I being the initial refugee screening.) The proposal underwent further revisions but it took quite some time for the PRM to consult with their colleagues at the National Security Council and the Department of Justice. It was not until after the White House enlarged meeting on August 25, 1995, with the participation of representatives from the NSC and the INS—during which I requested the inclusion of additional criteria for a number of humanitarian cases—that the Track II proposal, revised and expanded, was officially approved by the United States government.

It took a few more months for the Track II proposal to be reviewed by the Vietnamese government. The final form of the proposal, agreed upon by both sides, came out in February 1986 under the new name of “Resettlement Opportunity for Vietnamese Returnees” (ROVR). It was officially announced in all first-asylum camps in April 1996, and registration for ROVR program began immediately. Modalities for implementation in Vietnam, however, still needed to be worked out. In May, the *InterAction*’s Co-chairs of the CPA Task Force (Le Xuan Khoa and Lionel Rosenblatt,) met with the representatives of the Vietnamese Ministry of Interior (MOI) in Hanoi to explore appropriate ways to smooth out the identified obstacles. It was not until January 1997 that an agreement on modalities for implementation was signed between the U.S. and Vietnam. As it turned out, ROVR was the most successful program with 86% of the applicants approved for resettlement in the United States. The adjudication standard that INS used was very generous and authorized under Special Procedures approved by then-Attorney General Janet Reno.

The total ROVR admissions were 16, 462.<sup>16</sup> ROVR processing began in April 1997 but initially was very slow because the Vietnamese delayed clearing applicants to attend pre-screening interviews in HoChiMinh City. The U.S. and Vietnam representatives met in January 1998 and established new procedures for processing ROVR applicants. As a result, processing proceeded quickly for the majority of applicants. By September 30, 1999,

15,539 approved ROVR applicants had arrived in the U.S. The departure of the remaining some 1,100, according to the US Department of State, was delayed for a variety of reasons, mostly because they could not decide if they really wanted to leave (some of the older applicants); over legal issues – had not paid back government loans, etc. A few were in jail and could not leave until they finished their sentences and “house arrest.” The last ROVR approved applicant arrived in the U.S in September 2006.

ROVR was perhaps the most meaningful and rewarding program that SEARAC and the *InterAction*'s CPA Task Force should be very proud of. We were particularly gratified by the fact that it could avert forcible repatriation for thousands of screened-out refugees (in fact, 20,000 had submitted ROVR applications by June 30, 1966), and that some refugee advocates who had differed with us finally recognized it and helped to make it a big success.

### **Reintegration Assistance to the Returnees**

Although the international-sponsored CPA directed that “every effort be made to encourage the voluntary return” of screened-out asylum-seekers, the majority of these people firmly refused to go back to Vietnam. For example, after a year of the CPA, only about 5,000 out of some 50,000 people in Hong Kong camps voluntarily returned. Meanwhile the outflow of refugees continued. As of April 1990, more than 6,000 new arrivals were denied asylum and “redirected” to other shores by the Malaysian authorities. Foreseeing this situation, the CPA had a provision stating that “after a reasonable amount of time” if this program does not work, “other alternatives, other options, would be considered.”

The CPA was on the verge of collapse when the CPA Steering Committee aborted its fourth meeting in July 1990 because other members of the Committee failed to persuade the United States and Vietnam to resort to forcible repatriation of screened-out asylum-seekers. The crisis was alleviated by a statement by U.S. Secretary of State James A. Baker III at the ASEAN meeting in Jakarta later that month. Mr. Baker proposed a new category of returnees consisting of “those who do not volunteer but do not object” to being sent back. The Baker initiative was immediately followed by a new program introduced by the European Community (EC) which, coupled with a reintegration assistance program for the returnees, would ensure an “orderly, phased, and monitored return, in conditions of safety and dignity.” These U.S. and EC initiatives were accepted by Vietnam and all first-asylum countries. That was the beginning of the “Orderly Return Program” (ORP) which, albeit not immune to problems, was clearly a better choice than forcible repatriation. In May 1991, IRAC joined a delegation of international NGOs for a visit to Vietnam to assess the situation of the returnees. By then, Hanoi was wooing ASEAN members and, with their support, had started negotiating with Washington on normalization of diplomatic relations. The Orderly Return Program, therefore, could proceed rather smoothly. However, the returnees who had lost everything after their escape overseas, and having been unproductive for many years in closed camps, desperately needed assistance in their effort to rebuild their lives from scratch. Education for children, vocational training and employment for adults, and health care for all, were crucial needs to be met.

In November 1992, SEARAC and some *InterAction* members attended an International NGO Conference in Hanoi to get acquainted with various reintegration assistance programs being provided to returnees by NGOs with funding from the European Community. In May 1993, SEARAC started a 6-month pilot reintegration assistance program in Kien Giang, a southern province in the Mekong Delta with the largest number of returnees. This program, supported by the Department of State's Bureau for Refugee Programs, was designed to assist 3,000 returnees and poor local people in three major areas:

- *Tutoring for school-age children*: these were children who having lost years of schooling due to incarceration in refugee detention centers needed help to catch up with their peers in the local schools.
- *Vocational training*: three different types were available for youth and adult. They could attend existing vocational schools to learn a trade, or apprentice with a local business owner committed to hiring the trainees upon completion of apprenticeship, or learn the shrimp farming trade (which was then a prosperous business).
- *Health care* was provided through health insurance coverage which SEARAC contract with the government. Each returnee had an insurance card giving him/her access to comprehensive health care for a twelve-month period. A mobile clinic staffed by SEARAC's volunteer physicians and dentists providing direct medical and dental services was most helpful to the returnees and local poor people.

The most significant feature of this humanitarian undertaking is the cooperation of a group of Vietnamese American volunteers including physicians, economists, engineers and educators who provide their professional services as planners, researchers, practitioners and trainers.

In view of the success of the Kien Giang pilot project, the Department of State continued to support SEARAC's program for four more years, extending assistance to returnees to as far as Hai Phong and Quang Ninh, two provinces in the North where there were a great number of returnees from Hong Kong. When SEARAC closed its program on December 31, 1997, it had assisted approximately 98,000 individuals (50% returnees, 50% poor local residents) in twenty-one provinces in Vietnam. Starting in 1994, a fourth component, also funded by the Department of State, was added to SEARAC's reintegration assistance program. That was a micro-credit program inspired from the micro-lending model created by Nobel Prize winner Mohammed Yunus's Grameen Bank in Bangladesh. SEARAC's revolving loan funds totalling \$687,000 were provided to 3,200 households in fourteen provinces, not counting repeat borrowers or those who became borrowers in subsequent rounds of lending.

It is important to note that, by providing direct assistance to the returnees, SEARAC and other non-governmental organizations (NGOs) could also monitor their safety very closely. In fact, this *de facto* monitoring system was believed to be more effective than the official monitoring system implemented by UNHCR. After the ROVR program was announced by the U.S. in the camps in April 1994, SEARAC staff in Vietnam helped disseminate this information to the returnees and even assisted some qualified applicants to prepare their cases.

While working with Vietnam's Ministry of Health on the health care component of the Reintegration Assistance Program, SEARAC was advised of the situation of the two endangered tribal groups in the mountainous area of Binh Thuan, a province in Central Vietnam. These two tribes, the K'hor and Raglay people, clustered in three villages Phan Son, Phan Lam and Phan Dien, were experiencing extremely high mortality rates from malaria and malnutrition, largely due to the high resistance of local mosquitoes to eradication efforts and the inconsistent and insufficient medical and food supplies to this remote region. In late 1993, with matching funds from the McKnight Foundation, SEARAC launched an anti-malaria project to provide medical service and preventive health education to the K'hor and Raglay people. Dr. Nicole Thanh-Cam Vecchi, a physician from Yale Medical School, volunteered to work with Binh Thuan health officials, train local medical personnel and supervise the technical aspects of the SEARAC project. On-going activities included blood smears, spraying of deltamethrine (non-toxic chemical), distribution of mosquito nets, and multi-drug therapy based on the rates of drug resistance. To reduce the malnutrition cases, milk was delivered to families with children up to five years of age. Preventive education was provided by means of household visits, public orientation sessions with video presentation, and printed materials.

One of the most successful achievements of the anti-malaria project was the provision of clean water from deep-drilled wells to the people of the three targeted villages, with the cooperation of UNICEF. To ensure good maintenance and protection of the wells, SEARAC required some responsibility of the beneficiaries in a three-way collaboration: SEARAC purchasing building materials, UNICEF providing water pumps and technical guidance, the villagers contributing necessary labor force. Fourteen wells were completed in the three villages within a few weeks, supplying fresh water that could save many lives for a long period of time. UNICEF Resident Project Officer Frances Cosstick was so impressed by SEARAC's "triangle formula" (SEARAC-UNICEF-local people) that he wanted SEARAC to work in partnership with UNICEF in replicating this clean water project in other regions of the country. Having overspent its human and financial resources, SEARAC needed to wait until more matching fund could be raised for this worthwhile undertaking.

### **Post-CPA Activities**

Although the Indochinese refugee history ended officially in December 1995, the repatriation of asylum seekers continued until mid-1997 with the last batch from Hong Kong. Alarmed by human rights lawyer Pam Baker, I went to Hong Kong to coordinate our effort to save a group of 31 Nung soldiers she had identified among the remaining asylum seekers. These ethnic highlanders in Vietnam were members of the U.S. Special Forces during the Vietnam War but had been denied refugee status and scheduled to be forcibly returned before June 30, 1997. Ms. Baker gave me a complete set of documents on the Nung cases and urged me to intervene on their behalf because, as a strong critic of UNHCR Hong Kong, she was not in a good position to talk to its representative. I arranged an appointment with Jean Noel Wettenwald, UNHCR Hong Kong's Chief of Mission, presented him the documents and asked for UNHCR mandate of these cases. Upon return to the U.S., I alerted my colleagues Lionel Rosenblatt (Refugees International) and Shep



Lowman (USCC) and we promptly brought up the issue to the National Security Council. Subsequently, INS asked SEARAC to provide further information including historical/cultural background on the Nung. In May, all these cases were mandated by UNHCR and, with mounting support from the Special Forces Association, were approved for resettlement in the United States.

In the Philippines, there were about 2,300 boat people who refused to return to Vietnam but the government was unwilling to force them back. Thanks to the energetic intervention by the Catholic Bishop Conference of the Philippines, a Memorandum of Understanding (MOU) was signed in July 1996 between the Philippines Department of Social Welfare and Development and the Center for Assistance to Displaced Persons (CADP), a humanitarian agency created by the Catholic Church in Manila. The residual asylum seekers were allowed to stay in the Philippines “with due respect to their human rights” pending resolution of their final status. CADP was responsible for the care and maintenance of all these people under the principle of “progressive self-reliance and self-management.” Using its own resources and with strong support from overseas Vietnamese, particularly from the Vietnamese community in the U.S, CADP was able to purchase land and build a “Vietnamese Village” to relocate these people, as required by the MOU. Job development and income-generating projects were started by CADP staff and the “villagers”. A number of people who had gone to other areas returned to this “legal residence” and started their businesses. Meanwhile, the Catholic Bishop Conference was trying to persuade the Philippines government to grant permanent resident status to boat refugees who had chosen to integrate into the Philippine society.

Since there was no certainty about the future of the refugees who remained stateless in the Philippines, Hoi Trinh, a young Vietnamese Australian lawyer decided to stand up and fight for the admission of these people by resettlement countries. It was a desperate undertaking, a “mission impossible” that the young lawyer was determined to pursue. There was a time that Hoi Trinh and Sister Pascale, CADP Director, differed with each other so strongly that the asylum seekers often felt being caught between these two dedicated benefactors. Honestly, I did not think that Hoi Trinh’s effort would be successful for three reasons: (1) the refugee problem had been terminated with the closure of the CPA and the nearly completed “Orderly Return Program,” therefore, no resettlement country would need to worry about people who had been accepted for *de facto* resettlement by the Philippines government; (2) the boat refugees themselves had decided to stay in the Philippines with the hope that, thanks to the influential Catholic Church, the government would grant them permanent resident status; and (3) the “Vietnam Village”, under the good care and management of CADP, would be successful as a resettlement model because the Vietnamese are generally skillful and hard working people.

However, since the Philippines government showed little interest in legalizing the status of the Vietnamese refugees and its legislators kept dragging their feet on a bill supporting these unfortunate people, Hoi Trinh had good reasons to pursue his lobbying effort. Leaving these people for years in a stateless, quasi-illegal situation with no future for their children would be tantamount to a human rights violation. Therefore, an appeal to the governments of resettlement countries for a last humanitarian gesture toward this small

group of unfortunate refugees would have a good chance for success. In 1999, Trinh returned to Australia and began to work on the Special Humanitarian Program (SHP). As a result, 230 Vietnamese in the Philippines had been accepted for resettlement in Australia by the end of 2002. Trinh continued his negotiations with other governments. A Vietnamese Norwegian joined him in this effort and succeeded in persuading her government to take 200 people. Meanwhile, Trinh had been commuting between Manila and Washington, D.C., to work on the remaining cases.

By 2003, a bill granting permanent resident status to the Vietnamese refugees had been passed by the Philippines House of Representatives and were being considered at the Senate. In the U.S., Deputy Secretary of State Kelly Ryan advised Trinh that the U.S. would not consider the admission of the Vietnamese from the Philippines unless the Philippines government did not want to legalize their status. Returning to the Philippines, Trinh requested a Senate hearing for the refugees to voice their opinion about their future. When the Senate President *tem pore* asked the participants to make their choice: to stay in the Philippines and have their status legalized, or to wait for the U.S. government to make a decision, they thanked the Philippines government for its generosity and CADP for extraordinary assistance but said they wished to be resettled in the United States. As a result, in 2004 the U.S. agreed to accept 1,600 of these refugees and the processing was completed in 2007. Nearly 300 people unqualified for U.S. resettlement were now doomed to be derelict and stateless indefinitely since they had no more chance to be granted legal status by the Philippines government. Their last hope now was to be accepted by Canada.

Lawyer Hoi Trinh went to Canada in 2002 and together with Dr. Can Duy Le, then President of the Vietnamese Canadian Federation, started negotiating with the Canadian government. In 2007, when it was clear that only a few hundred Vietnamese were left in such a desperate situation, the Canadian government agreed to take them through a Humanitarian and Compassionate Consideration initiative, with the condition that the Vietnamese Canadian community provides for transportation and resettlement expenses. Trinh and a few friends created the "Vietnamese Overseas Initiative for Conscience Empowerment (VOICE,) a non-profit organization, headed by another young Vietnamese Australian lawyer, Lisa T.D. Nguyen to work with Dr. Can D. Le, national coordinator of "Freedom At Last," a newly-created project of the Vietnamese Canadian Federation. To date, the last group of nearly 300 Vietnamese refugees in the Philippines have been resettled in Canada by Freedom At Last, with the money raised by VOICE and the Vietnamese Canadian Federation.

VOICE is now doing its work in Cambodia, focusing on the counter-trafficking of Vietnamese women and children in Southeast Asia.

## Conclusion

The history of IRAC/SEARAC, as described above, started as an interim agency created to help the government and the refugee resettlement system during a double-crisis situation in 1979: the famine in Cambodia as a result of the “killing fields,” and the massive exodus of Vietnamese boat people to Hong Kong and Southeast Asian countries. Its founders and initial Board of Directors were all concerned mainstream Americans including former diplomats, philanthropists and refugee experts. Thanks to the wisdom and kindness of these pioneers, the leadership of the organization was transferred two years later to a new Board and staff led by Indochinese Americans, whose new mission was to serve “as a voice and a resource for the Southeast Asian American community in the United States.” This mission has remained unchanged to date, except for a shift in focus in 1998, from refugee-related issues to “policies and legislation of interest and concern to the Southeast Asian American community.” By the end of 1997, the last stage of Indochinese refugee history had been officially closed and SEARAC had fulfilled its mission with impressive achievements. SEARAC, in the post-refugee era, would need to develop new programs to meet new needs of the developing Southeast Asian American community. SEARAC’s President has chosen the right time to retire, or—to borrow the words of Malcolm Muggeridge—“make a graceful exit at the appropriate time.”<sup>17</sup>

SEARAC’s activities on behalf of the Indochinese refugees—particularly Vietnamese asylum seekers—during the first eighteen-years of its life, as presented in this paper, deserve to be recorded for its significant contribution to the history of the United States, a country made by refugees and immigrants from all parts of the world.

**As a voice**, SEARAC has demonstrated its capacity as a strong but responsible advocate whose recommendations on refugee protection, assistance and resettlement have been highly appreciated and given proper attention by both U.S. and international refugee policy makers. Major landmarks included:

- The IRAC’s National Leadership Convention in 1986 had a historic significance since this was the first time that hundreds of representatives from the Cambodian, Laotian and Vietnamese communities in the U.S. had the opportunity to exchange views with senior government officials on refugee policies and programs. It was also the first time that representatives from various Indochinese ethnic groups came together to discuss issues of common concern and devise options for the future development of their communities in the U.S.<sup>18</sup>
- The IRAC delegation to visit refugee camps in Hong Kong and Southeast Asia in 1987 was the first and only group of former refugees allowed to enter the camps, had briefings with government officials, UNHCR representatives, international NGO personnel, and finally met with the refugees to inquire about their conditions in the camps. The delegation’s alarming report and its practical recommendations had alerted U.S. refugee policy-makers leading to the Indochinese Refugee Assistance and Protection Act of 1987. Its appeal for an International Conference on Indochinese Refugees bore fruit in 1989.
- The 1988 IRAC Conference on the Crisis of First Asylum in Washington, DC, was very timely for representatives of first-asylum countries, resettlement countries,

UNHCR, international refugee experts—and refugees themselves as presenters and respondents—to review a wide range of issues and discuss appropriate ways to resolve the crisis. Recommendations from Conference participants (though not necessarily endorsed by government representatives) followed by IRAC’s input to the CPA Coordinating Committee, clearly set the groundwork for the 1989 International Conference on Indochinese Refugees. It is important to note that the Conference budget was entirely financed by the Vietnamese expatriate community, with the Boat People SOS Committee, San Diego, and Tuyet Nguyet Markbreiter, Hong Kong, as primary sponsors.

- IRAC’s consultations with Senior Deputy Assistant Secretary of State Robert L. Funseth and Presidential Envoy John W. Vessey on behalf of the re-education detainees, together with the effort by Mrs. Khuc Minh Tho’s Association of Families of Political Prisoners, and Pastor Ly Cong Thuan’s Church group, have been publicly recognized by the U.S. negotiators. Subsequently, IRAC convened a series of regional meetings for the ORR representatives, State refugee coordinators and resettlement practitioners to work on special programs to help the former re-education detainees and their families adjust and integrate into American society.
- IRAC/SEARAC’s “grey area” initiative, endorsed by *InterAction*, a consortium of 150 American private voluntary organizations, and soon developed into the “Track II” proposal, was finally approved and renamed by both the U.S. and Vietnam as the “Resettlement opportunity for Vietnamese returnees program” (ROVR). This program enabled the UNHCR and first asylum countries to carry out smoothly the Orderly Return Program, and achieved the resettlement in the U.S. of more than 16,000 screened-out refugees who had returned to Vietnam.

**As a resource**, SEARAC was very creative and helpful in leadership development, organizational management and community empowerment activities. Most important was SEARAC’s comprehensive capacity building programs for refugee mutual assistance associations (MAAs) including training and technical assistance in leadership, organization and resource development. Many MAA beneficiaries have become professional service agencies, providing assistance not only to Southeast Asian refugees and immigrants but to members of other ethnic groups as well. In the late 1990’s, SEARAC was contracted by ORR to provide orientation, leadership and organization development assistance to the Iraqi refugees. Coalition building and coordination of community activities was another SEARAC’s successful effort. SEARAC’s contribution to the formation of the Cambodian Network Council (CNC), Hmong National Development (HND), and the National Vietnamese American Service Agencies (NAVASA) was a major achievement in its community empowerment strategy. It’s worth repeating the words of the New York Association for New Americans (NYANA) on a plaque recognizing SEARAC’s “for its ground-breaking work in fostering the growth of refugee mutual assistance associations, for its leadership in advocating refugee rights, and for its exemplary service as a resource center and clearinghouse in the refugee self-help movement.”

SEARAC’s “Reintegration assistance program” to assist the Vietnamese returnees and its UNICEF-supported anti-malaria project in Binh Thuan province in the 1990’s were a source of inspiration for many American and international NGO programs in Vietnam.

SEARAC's resourcefulness has been utilized also by the U.S. government and several national and international institutions concerning non-refugee policy issues. To stay within the scope of this Boat People Retrospective Symposium, only a few examples of these activities will be mentioned briefly below:

- In February 1993, SEARAC's President participated in the "Workshop on International Business and Human Rights in Asia", co-sponsored by the American University and Asia Watch, at the Cosmos Club, Washington, D.C. SEARAC's opening presentation on "International Business and Human Rights in Vietnam" concluded: "On the eve of U.S. normalization of relations with Vietnam . . . it is very timely for the U.S. business community to promote human rights improvements in Vietnam through forthright but non-threatening ways. Efforts to persuade the U.S. government to lift the trade embargo against Vietnam make sense only if American business participates actively and skillfully in this human rights movement, so vital in the post-Cold war era."
- In April 1993, SEARAC's President was invited by Senator Dennis DeConcini and Congressman Steny H. Hoyer, Co-Chairmen of the Commission on Security and Cooperation in Europe (CSCE), to participate in a U.S. delegation at the CSCE Human Dimension Seminar on Migration, Including Refugees and Displaced Persons held in Warsaw, Poland. The delegation was led by Ambassador Warren Zimmermann, Director of the Department of State's Bureau for Population, Refugees and Migration. SEARAC's presentation on "The role of NGOs as agent of change in developing countries" and post-seminar innovative project ideas discussed with Ambassador Zimmermann were highly commended by both CSCE leaders.<sup>19</sup>
- In May 1995, SEARAC was invited by the American Ditchley Foundation, renowned for its international discussion of experts on public policy, to attend a conference on "Social Justice and the Relief of Poverty in the Global Economy," held in Oxfordshire, England. Besides presenting his remarks from the perspective of an NGO with Southeast Asian experience, SEARAC's President took the opportunity of his presence in England to advocate for the Vietnamese refugees remaining in Hong Kong. During a private discussion with Baroness Williams of Crosby, chairwoman of the conference, he described the desperate situation of some 1,200 Vietnamese who had been recognized as refugees but have never been accepted by any resettlement country including UK. Baroness Williams wrote immediately to British Foreign Secretary Robin Cook urging the UK to accept these boat refugees as a last effort to conclude the Indochinese refugee program in a humane manner. Unfortunately, in his response to Baroness Williams, Secretary Cook promised only to "consider further cases on a family reunification basis up to and after the transition."<sup>20</sup>

Despite its dedication and achievements as a refugee advocate and community development expert, IRAC/SEARAC could not have fulfilled its mission had it not received strong support and cooperation of many individuals and organizations in the U.S. and abroad. We were grateful to many Members of Congress and their senior aides, refugee policy-makers, negotiators and senior officials in the Administration, ORR Directors and State Refugee

Coordinators, friends at UNHCR, and all refugee advocates and benefactors, community members and MAA leaders in the U.S., in first asylum countries and other resettlement countries.

I was deeply indebted to IRAC/SEARAC's founding members and all successive Directors of the Board for their guidance, assistance and unwavering support, and in particular, IRAC's founder and first Executive Director Robert J. Stein for his personal commitment, financial and moral, to IRAC/SEARAC's mission, until the end of the Indochinese refugee program. I was extremely lucky to be assisted by IRAC/SEARAC's very dedicated and talented staff members, volunteers and interns—Indochinese and non-Indochinese—who often worked extra hours to get things done in demanding situations. My senior associate and managing editor of *The Bridge*, Diana D. Bui, was with IRAC/SEARAC through all stages of development and became indispensable to the organization in all advocacy and community development activities.

Last but not least, I would like to express my sincere thanks to the Asian Division of the Library of Congress and the Voice of Vietnamese Americans, through their respective representatives Reme Grefalda and Genie Nguyen, for the opportunity to participate in this Boat People Retrospective Symposium. I concur with the organizers' idea that the role of refugee organizations in refugee rescue-at-sea, refugee protection, resettlement and assistance should be documented and preserved as part of the history of the Vietnamese community in the United States, from their perilous "Journey to Freedom" to productive and contributing members of American society.

Irvine, California  
April 30, 2009

About the author:

*Le Xuan Khoa is President emeritus of the Southeast Asia Resource Action Center. In 1996-1998, he taught a course in the Social Change and Development program at Johns Hopkins University's School of Advanced International Studies (SAIS.). In 2000, he joined the Foreign Policy Institute(FPI), also at SAIS, as a visiting scholar to write a book on Vietnamese history (1945-1995) of which Volume One was published in 2004. Volume Two on the history of the exodus is expected to be published in 2010. Professor Khoa moved to Southern California in 2006 and is currently serving on the Advisory Board of the UCI's Southeast Asian Archives.*

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<sup>1</sup> For more information about NAVASA, go to website [navasa.org](http://navasa.org)

<sup>2</sup> IRAC, *Report on Partners in Resettlement Project – Phase I (September 1984 – May 1985)* submitted to Douglas R. Hunter, Director, Office of Reception and Placement, Bureau for Refugee Programs, Department of State. Also, *The Bridge*, Vol. II, No. 1 (March, 1985), p.12, and Vol. II, No. 2 (July, 1985), p. 11.

<sup>3</sup> *The Bridge*, Vol. II, Nos. 3 & 4 (December, 1985) , p.12.

<sup>4</sup> Nguyen N. Linh, "MAAs in the Resettlement Process," *The Bridge*, Vol. III, No. 2 (June, 1986), p. 4.

<sup>5</sup> Jonathan B. Cook, "Management Resources for MAAs", *The Bridge*, Vol. I, No. 1 (January, 1984) , pp. 7, 12. Information on IRAC/SEARAC's MAA Training and Technical Assistance

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program could be found in other issues of *The Bridge*, section IRAC/SEARAC's Activities, from Vol. I, No. 2 (March, 1984) to Vol. 13, No. 4 (Winter, 1996).

<sup>6</sup> After Le Xuan Khoa's retirement in 1997, *The Bridge* changed its format and focused on domestic issues, such as citizenship, equal opportunity, and consolidated institutional links with the larger Pan Asian Pacific American network.

<sup>7</sup> Le Xuan Khoa, "Indochina Today (1981): Political vs. Economic Refugees and Managing the Domestic Resettlement Program". Testimony before the Senate Committee on the Judiciary and The Subcommittee on Immigration and Refugee Policy, September 22, 1981. *Congressional Records*, September 1981.

<sup>8</sup> *The Bangkok World*, March 3, 1981, front page.

<sup>9</sup> Don Oberdorfer, *The Washington Post*, March 3, 1987, section A, p. 18.

<sup>10</sup> *The New York Times*, March 8, 1988, section A, p. 30.

<sup>11</sup> *Information Update*, issue 13, October 1988, published by Refugee Service Center, Center for Applied Linguistics, Washington, DC, p. 28.

<sup>12</sup> Sergio Vieira de Mello, then UNHCR Director, Regional Bureau for Asia and Oceania and CPA Coordinator. Mr. de Mello, promoted to the position of UN High Commissioner for Human Rights in 2002, died in a terrorist attack in Iraq in 2003 when he was on mission as the Special Representative of the Secretary-General.

<sup>13</sup> All excerpts and quotes in this section (The Geneva Conference) were from the texts of statements and speeches available to Conference participants.

<sup>14</sup> At the White House briefing on Vietnam on August 7, 1989, Mr. Funseth made the following comments to the Vietnamese American community: "Certain representatives of your organizations made a direct approach to the Vietnamese Mission in New York, at the United Nations, and pointed out to that Mission how important it was to the one million Vietnamese Americans that the political prisoners be released, that they be resettled. . . That was a very important initiative." On October 16, 1990, SEARAC President also met with Vietnamese Foreign Minister Nguyen Co Thach in New York through the arrangements of Senator Mark O. Hatfield. This meeting addressing broader issues had been reported by Le Xuan Khoa in other occasions.

<sup>15</sup> Le Xuan Khoa, IRAC's statement in "Refugees: A Challenge to Solidarity", Proceedings of the International Round Table on the Question of Refugees, United Nations, NY (9-10 March, 1993), Center for Migration Studies of New York, Inc., 1993, pp. 265-267.

<sup>16</sup> ROVR statistics provided by the Department of States include: Admissions through FY 1999: 15,339; FY 2000: 754; FY 2001: 289; FY 2002: 41; FY 2003: 16; FY 2004: 4; FY 2005: 0; FY 2006: 19. Total ROVR admissions: 16,462.

<sup>17</sup> Le Xuan Khoa, "SEARAC in Transition . . . Again", *The Bridge*, Vol. 14, Nos. 1-4 (December 1997), p. 1.

<sup>18</sup> At the Convention, in a conversation during lunch with some Cambodian colleagues about the conflict between the Vietnamese communists and their "comrades" Khmer Rouge, I remarked, "while these guys are killing each other back home, here in America we are cooperating with each other, sharing experiences and resources. Let's teach them this lesson of democracy. We can also set a good example for the Cambodian, Laotian and Vietnamese peoples, especially the younger generation, in our home countries."

<sup>19</sup> Senator Dennis DeConcini and Congressman Steny H. Hoyer, Letters to Le Xuan Khoa, April 30 and May 20, 1993

<sup>20</sup> "Social Justice and the Relief of Poverty in the Global Economy" (A Conference Report), *The Bridge*, Vol.14, No. 1-4 (December 1997), p. 10.