

TABLE OF CONTENTS

	page no.
INTRODUCTION	1
Kevin Ireland CCSDPT Annual Conference Chairman	
BACKGROUND	9
Paul Rabe Institute for Asian Studies Chulalongkorn University, Bangkok	
VOLUNTARY REPATRIATION	23
Pierre Jambor UNHCR, Bangkok	
KHMER REPATRIATION	37
Some Critical Issues Susan Walker Handicap International, Bangkok	
UNACCOMPANIED MINORS	45
A Self-Perpetuating Tragedy Interview with Christine Mougne UNHCR, Bangkok	
REPATRIATION	59
A Role for the ICRC Urs Boegli & Roger Rappaz International Committee of the Red Cross, Bangkok	
THE WEIGHT OF THIS SAD DECADE	65
No! Not Now! Not Ever! No More! Bob Maat Jesuit Refugee Services, Bangkok	
REFUGEE REPATRIATION	79
Between Minefields and Milestones Vitit Muntabhorn Faculty of Law, Chulalongkorn University, Bangkok	

PRESS REPORTS	93	
compiled by Paul Rabe		
TRANSITION FROM REFUGEE TO VILLAGER	111	The photogr
An Experience with Hilltribes in Thailand		and 1989. ?
Stephen Salmon		a generalis
The Ockenden Venture, Nan		case relate
		which they a
		included.
TOWARDS VOLUNTARY REPATRIATION	133	
Working on Both Sides of the Border		All photogr
Michiko Oishi		those on pag
Japan International Volunteer		and pages no
Center, Bangkok		
REPATRIATION AND MEDICAL SERVICES	143	The maps o
IN BAN NAPHO CAMP		UNHCR-assist
Susanna Maybin & Kevin Ireland		ively, and
Save The Children Fund, UK		UNBRO and t
		Standley.
KHMER SELF-MANAGEMENT IN MEDICAL PROGRAMMES	155	
The UNBRO Perspective		
Interview with Dr Shakti Paul		
UNBRO, Aranyaprathet		
KHMER SELF-MANAGEMENT IN MEDICAL PROGRAMMES	165	
A Voluntary Agency's Perspective		
Interview with Aryls Herem		
American Refugee Committee, Aranyaprathet		
THE POSSIBLE RETURN OF QUALIFIED	171	
CAMBODIANS TO CAMBODIA		
IOM Concept Paper,		
International Organization for		
Migration, Geneva		
A BIBLIOGRAPHY OF LITERATURE ON	181	
VOLUNTARY REPATRIATION OF REFUGERS		
WORLDWIDE		
compiled by Paul Rabe		

INTRODUCTION

In December 1989 there remain in Thailand nearly 400,000 refugees and displaced persons from the three countries of Indochina - Cambodia, Laos and Vietnam. Since April 1975, more than 1,000,000 people have fled to Thailand, the major country of first asylum in the region. In the Thailand context, refugees may be considered as those seeking resettlement outside their country of origin; displaced persons are those who have moved across borders in order to escape hostilities within their own country.

There are three generally accepted "durable solutions" for refugees - repatriation to the country of origin, relocation in the country of first asylum, and resettlement in a third country. The relative importance of these varies according to the circumstances of each exodus. The situation for refugees from Indochina, however, is unique in the manner that resettlement to a third country has provided the primary durable solution. By international agreement reached during the Geneva Meeting on Refugees and Displaced Persons from Indochina held in July 1979, countries of first asylum - Thailand, Malaysia, Indonesia, the Philippines and Hong Kong - have provided a staging post and temporary shelter for Indochinese refugees. Many other countries, particularly the United States of America, France, Canada and Australia, have accepted refugees for permanent resettlement. Between April 1975 and November 1989, a total of 633,000 Indochinese refugees from within Thailand had found new homes in this way.

During 1988 and 1989, however, three important factors raised the profile of repatriation as a durable solution of potentially much greater importance. Firstly, access to the resettlement option became increasingly more difficult as annual acceptance quotas dropped and more restrictive selection criteria were introduced. Many of the refugees residing in the camps in Thailand were interviewed for resettlement and rejected - sometimes after repeated interviews by different embassies. Secondly, there were political and

economic changes in each of the three countries of origin. These provided greater confidence in the possibility of potentially successful voluntary repatriation programmes. Thirdly, new initiatives for a peace settlement in Cambodia increased the possibility of a voluntary repatriation programme for the displaced Khmer.

It was against this background that the Committee for Coordination of Services to Displaced Persons in Thailand (CCSDPT) decided to devote its 1989 Annual Conference to the theme "Voluntary Repatriation - Practical Implications". The specific objectives of the Conference were to focus discussion on the changing conditions relating to repatriation - both for the refugees and displaced persons themselves and their effects on the programmes that CCSDPT member agencies were operating on their behalf.

It very soon became clear, however, that a one day Conference alone could not do justice to the complexity of the general situation, because of the varying circumstances of the four principal ethnic groups (Khmer, Lowland Lao, Hilltribe Lao and Vietnamese). In an attempt to overcome this constraint a series of four one day workshops were organized, each one concentrating on a separate ethnic group. These workshops were for the field level representatives of the agencies to consider the practical implications of increased voluntary repatriation on their programmes. They were preceded by camp-level meetings with the refugees and displaced persons themselves to identify their concerns and interests. The reports of these workshops, (**) distributed prior to the Annual Conference, formed an important input for the Conference.

As a supplement to the Annual Conference proceedings, it was decided to invite some of those directly involved in the repatriation process to submit written papers addressing important issues for agencies working

(**) The four Workshop Reports and the Proceedings of the Annual Conference are available from the CCSDPT.

with refugees
the generous
possible to
supporting

For the a
understand t
a comprehen
the importan
at the prese
resources ar
by highlight
of use to
humanitarian

It should al
"practical"
Annual Confe
retained the
apparent fro
CCSDPT have
voluntary re
to assist.
repatriation
voluntary o
persons conc

The use of
attention t
tortuous po
issues invo
possible to
a situation
that human
pretend the
vacuum. Ho
important i
need to be
upon which t
concentrated

At its inc
would place
Khmer displ
However, e

with refugees and displaced persons in Thailand. With the generous support of the Ford Foundation it has been possible to publish these papers which, together with supporting material, make up the contents of this book.

For the general reader it will be important to understand that these papers do not attempt to provide a comprehensive review of repatriation, nor of all of the important factors that influence it within Thailand at the present time - unfortunately that was beyond our resources and capabilities. We do hope, however, that by highlighting certain key aspects, this book will be of use to voluntary agencies and others involved in humanitarian assistance and development programmes.

It should also be noted that the words "voluntary" and "practical" used in the title for the CCSDPT's 1989 Annual Conference were carefully chosen, and have also retained their importance throughout this book. As is apparent from the Workshop Reports, member agencies of CCSDPT have many times expressed their support for voluntary repatriation and have indicated a willingness to assist. Such support, however, does not extend to repatriation which is not clearly and explicitly voluntary on the part of the refugees or displaced persons concerned.

The use of the phrase "practical implications" drew attention to the need to avoid being misled by the tortuous politics which cloud many of operational issues involved. It can be argued that it is never possible to separate activity that has an influence on a situation from the politics of that situation and that humanitarian agencies cannot and should not pretend they can participate as if in a political vacuum. However it is also true that there are important issues of a primarily practical nature that need to be addressed by such agencies and it is these upon which this book and the preceding conference have concentrated.

At its inception it was not intended that this book would place its major emphasis on the situation of the Khmer displaced persons on the Thai-Cambodian border. However, events during 1989 highlighted both the

possibilities and the problems for the repatriation of this particular community. In the first part of the year there was much confidence that a political solution was at hand, to be followed inevitably by voluntary repatriation and reintegration of the displaced population. In August 1989, at the same time as the International Conference on Cambodia was being held in Paris, the United Nations Special Representative of the Secretary-General for Coordination of Kampuchean Humanitarian Assistance Programmes hosted a Seminar in Bangkok for non-governmental and international organisations. The theme was "The Future Of Assistance To Cambodia", on the optimistic assumption that voluntary repatriation and reintegration of the border population was imminent. However, with the failure of the Paris talks, such confidence was not to be rewarded. Nevertheless, the process of planning for the repatriation of this population gained a momentum that has not entirely dissipated.

In a similar initiative, the United Nations Development Programme (UNDP) prepared a Report entitled "Kampuchean Needs Assessment Study". Although the mission undertaking this assessment was unable to enter Cambodia and obtain first-hand information on conditions within the country, the report provides an important basis for the joint formulation of aid programmes and the identification of developmental priorities once a peace settlement has been achieved. Unlike the situation within Vietnam and Laos, where the current administrations are recognised by the United Nations as the legitimate governments, Cambodia does not benefit from the normal multilateral and bilateral donor programmes. In this context, the Preliminary Needs Assessment undertaken by UNDP as a preparatory and anticipatory exercise is an invaluable first step.

It is the circumstances of the Khmer on the border that necessitate the unwieldy reference to "refugees and displaced persons" throughout this Introduction, for with the exception of but a few, these displaced persons have not been accorded refugee status. They reside within camps that are under the administration and control of one of the three factions of the

Coalition
as such
rights, p
those acce

One of th
considerab
Khmer is
involuntar
the regis
United Na
alone the
military
has no a
opening r
Future Of
voluntary
access to
internatio
are not cu
the reque
book for
status, t
of the rep

Another f
difficulty
seekers t
repatriati
anxiety t
work. The
at the Int
in Geneva
Vietnamese
asylum. T
March 14th
resettled
"cut-off o
to determ
status. T
first asy
be genuine
The Interna
forced rep
Vietnamese

Coalition Government of Democratic Kampuchea (CGDK) and as such do not have access to the full panoply of rights, protection and support normally accorded to those accepted as refugees.

One of the consequences of this situation that is of considerable concern to many of those working with the Khmer is the potential it provides for mass and involuntary repatriation. This is the case even from the registered camps supplied and supported by the United Nations Border Relief Operation (UNBRO), let alone the thousands of civilians within predominantly military camps, to which the international community has no access. As Susan Walker explained in her opening remarks at the UN sponsored Seminar on The Future Of Assistance To Cambodia (reprinted here), voluntary repatriation requires freedom of choice, access to accurate information and open access to international humanitarian assistance. These conditions are not currently applicable to this population. Thus the request is made in several of the papers in this book for the establishment of a camp with neutral status, to facilitate and ensure the voluntary nature of the repatriation of the Khmer.

Another feature that became clear during 1989 is the difficulty for agencies working with Vietnamese asylum seekers to explore the issues relating to voluntary repatriation without creating considerable concern and anxiety throughout the communities with which they work. The "Comprehensive Plan of Action" (CPA), adopted at the International Conference on Indochinese Refugees in Geneva in June 1989, ratified a "cut-off date" for Vietnamese arrivals within each country of first asylum. Those arriving before the "cut-off date" of March 14th 1989 would be accepted as refugees and resettled by third countries. Those arriving after the "cut-off date" would be subject to a screening process to determine the validity of their claim for refugee status. Those "screened out", that is, determined by first asylum country authorities and the UNHCR not to be genuine refugees, would be repatriated to Vietnam. The International Conference excluded any reference to forced repatriation, but the agencies working with Vietnamese asylum seekers report an extreme sensitivity

to any reference to repatriation - and one that can only have been made more acute by events reported from Hong Kong in December 1989.

One particularly difficult aspect of the Vietnamese situation is the presence of significant numbers of unaccompanied minors. As well as facing the trauma of an unsafe and uncertain sea journey from Vietnam, these children often spend extended periods without family support in refugee camps. An overriding principle in all social welfare work with children is that intervention should always be in the best interests of the child. But what are the best interests of the child in these circumstances? The paper by Christine Mougne helps explain the situation for these children and explore the issues involved.

Of all the voluntary repatriation programmes it is that for the Lao that has progressed furthest. There has, in fact, been a repatriation programme for Lao refugees since 1980, but up to the end of 1988 only some 3,400 refugees had returned under this programme. During 1988 the combination of reduced resettlement opportunities in third countries, greater openness and economic development within Laos and the rapprochement between the governments of Laos and Thailand, led to increasing numbers volunteering to return. Early in 1989 a tripartite meeting of the governments of Thailand and Laos and the UNHCR agreed upon a target of 150 persons per month to be repatriated voluntarily. In August this target was increased to 300 per month and during 1989 a total of 1,698 refugees voluntarily returned to Laos with support from UNHCR.

Under this programme refugees are provided with information about repatriation possibilities by UNHCR and may consult with UNHCR representatives in private. They are allowed to make their choice - for or against repatriation - without coercion or sanctions. If they choose to return they will be provided with UNHCR assistance for the journey back and also with some goods and materials to help reestablish themselves in Laos. Those areas within Laos that receive significant numbers of returnees are in addition provided with more general assistance by UNHCR, often in the form of

school or
water. T
minimum st
person pop

A positive
been the
considerin
from UNHCR
been from
There has
and from L
is passed
can trust

The infor
different.
informatio
displaced
denial an
residents
government

Each of
need for
successful
request wa
comprehens
refugees
role of UN
repeatedly
designated
repatriati
personnel
population
restrictio
it is hard
could be m
how such
planning.

As well
papers re
Background
of the h

school or health buildings or projects to provide clean water. This model is one that should establish the minimum standards for each of the refugee and displaced person populations in Thailand.

A positive aspect in the Lao repatriation programme has been the availability of information to those persons considering return. Some of this information has come from UNHCR, but perhaps the most important source has been from those refugees who have already returned. There has long been a network of informal movements to and from Laos. Information about the current situation is passed on by those persons the refugees feel they can trust the most - other refugees.

The information situation for the Khmer is somewhat different. Many times over it is reported that information on conditions within Cambodia given to the displaced Khmer by expatriate relief workers meets with denial and derision, and is often dismissed by camp residents as propaganda disseminated by the Phnom Penh government.

Each of the pre-conference workshops identified the need for information as an essential prerequisite for successful voluntary repatriation programmes. The request was made for more information, in terms of both comprehensive coverage and credibility, for the refugees and the agencies, and the importance of the role of UNHCR in facilitating this information flow was repeatedly stressed. However, although UNHCR has been designated the lead agency for the voluntary repatriation of Cambodian displaced persons, UNHCR personnel at present do not have access to the populations in the UNBRO assisted border camps. This restriction places an unreasonable burden on UNHCR and it is hard to see how an effective information campaign could be mounted under such circumstances, nor indeed how such an arrangement helps facilitate operational planning.

As well as incorporating a number of separate topic papers related to repatriation, this book, through the **Background** paper, provides a concise and useful summary of the history of Indochinese refugees and displaced

persons in Thailand since 1975. The **Press Reports** also contribute a fascinating review of how the issue of repatriation of refugees has been handled by the two English language newspapers in Thailand between January 1987 and October 1989. As a service to those with a continuing interest in the subject of refugee repatriation we have also included an extensive annotated bibliography.

Finally, it should be noted that this book - indeed all of the aspects of the CCSDPT Annual Conference for 1989 - relates to preparation for repatriation. This derives from the particular involvement of CCSDPT member agencies. All of these agencies are very acutely aware that repatriation is a process that starts, not stops, with the movement out of the camp and back to the country of origin. Reintegration is the goal, repatriation only part of the process. For this reason many of these agencies have developed an increased interest in programmes within the countries of origin and of forging greater links with other agencies already working there. The establishment within the CCSDPT of the Cambodia Liaison Committee, to ensure continuing links between agencies working within Cambodia and Thailand, is one such development that will help bridge the gaps between work with the Khmer as displaced persons and the Khmer as residents in their own country. We hope that by raising some of the issues that are important to the process of repatriation, this book will also contribute towards bridging the gap - and thus provide a small step towards a more secure future for all the refugees and displaced persons concerned.

Kevin Ireland
Chairperson
CCSDPT Annual Conference Planning Subcommittee
January 1990

Since 1975, o
have fled t
resettled in
estimated 37
Vietnam rema
Kingdom.

Strictly spe
consider any
Those who ar
to as "displ
and especia
immigrants".
United Natio
Refugees. I
temporary as
resettlement

The Cambodian

By far the l
Thailand are
293,000. T
between two
who live in
Nations High
those who are
Thai-Cambodia
especially cr
Border Relief
not official
persons". T
Khmer in T
population is

Paul Rabe is
Asian Studie