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INTS3017 2024-25 Coversheet

Student ID: ____**20413044**_____
(Do not indicate your name!)

Word count: _____**3292**_____

Refugee group

☐　　One group of refugees of the Middle East (e.g. Armenians, Palestinians, etc.)

☐　　One group of European refugees and DPs (before or after WWII) in Europe (including White Russians)

☐　　White Russians to/in China

☒　　One group of Asian refugees (<u>excluding Chinese refugees</u>)

☐　　One group of African Refugees

☐　　One group of South-American refugees

Details of refugee group
E.g. Cuban refugees

Vietnamese Refugee (1975-1985)

Extenuating Circumstances – **TICK ONE**	
☒	I have ***not*** filed for extenuating circumstances in relation to this piece of coursework.
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INTS3017 Report

1. The refugee crisis

1.a Causes

War and conflicts have significantly shaped the contemporary history of the Indochinese region, including Vietnam (Osborne, 1980: 37). The thirty years of nearly continuous conflict that stuck Vietnam from 1945 to 1975 were characterised by widespread suffering and extensive displacement of populations (Cutts, 2000: 80). Viviani (1984: 5, 17) rightly pointed out that it is difficult to explain why Vietnamese people have left their country over several decades. There can be countless different answers from more than two million Vietnamese refugees (Nguyen, 2015: 186). However, the simplest and the most compelling statement about the cause of their refugee experience is that they are "escaping communism".

The Fall of Saigon in 1975 resulted in the first peak of Vietnamese refugee outflows. This major exodus is triggered by the end of the Vietnam War, Vietnam's reunification under the post-war communist regime, and the fear of being persecuted (Department of the Army, 1977: 9; Nguyen, 2015: 185). According to Viviani (1984: 20) and Cutts (2000: 81), approximately 135,000 Vietnamese were evacuated or left Vietnam between April and mid-May of 1975 (also see Chan, 2006: 61-64). Drawing from an interview with a Vietnamese refugee, she received news of the Fall of Saigon on a boat sailing away from Vietnam on the night of April 30, 1975 (Le, 2002: 55). Her memory confirmed the refugee outflows caused by the Fall of Saigon and captured the shared experience of numerous refugees.

In the aftermath of the fall of Saigon until early 1978, additional Vietnamese refugees fled the communist regime due to the political repression. The authorities sent over one million people into re-education camps, relocated another million urban citizens to the New Economic Zones to increase agricultural production, executed 65,000 citizens, abolished bourgeois trade, closed all private businesses throughout the country, and introduced a new national currency, effectively deprived the Chinese Vietnamese merchants in the South of their wealth (Osborne, 1980: 41; Cutts, 2000: 82; Gatrell, 2013: 207; Nguyen, 2015: 185). There is no reliable data on how many people left Vietnam in this period; only individuals who arrived in countries of first asylum were officially recorded (Viviani, 1984: 17). According to Osborne (1980: 39), approximately 30,000 refugees

arrived in countries of first asylum, which is a relatively small number. Cited in Cutts (2000: 82), about 15,000 Vietnamese arrived in Southeast Asian countries for asylum in 1977.

The domestic and international geopolitical changes led to a sudden acceleration in the Vietnamese refugee outflow since the second half of 1978. Stein (1979: 716) rightly indicated that the Sino-Vietnamese War, the Vietnamese invasion of Kampuchea, and the subsequent increase in Vietnam's level of persecution and expulsion of its ethnic Chinese caused a great increase in the refugee exodus (and see Viviani, 1984: 41). By land, people escaped to China and Thailand, and by sea to Thailand, Malaysia, Singapore, Hong Kong, Philippines, and Indonesia (Damousi *et al.*, 2022: 511). There were nearly 62,000 Vietnamese refugees in camps across Southeast Asia by the end of 1978, and over 250,000 individuals had sought refuge in China by the end of 1979 (Cutts, 2000: 82).

1.b Impact

Osborne (1980) and Viviani (1984) significantly contributed to correctly defining the Vietnamese refugee. Osborne (1980: 38) argued that Indochinese refugees share a common desire to escape unacceptable conditions within their countries. Yet beneath the superficial similarities, their motivations for becoming refugees varied according to their ethnic and class backgrounds and, in the Vietnamese context, according to the geographic area in which they lived. Viviani (1984: 2) defined Vietnamese refugees as former residents of Vietnam before becoming refugees, whether they are ethnic Chinese or Vietnamese. She rightly indicated that "who they are, in terms of ethnicity, class, and culture, has much to do with why they left and how they are coping with the settlement" (ibid.).

Taken together with the previously stated key cause of the Vietnamese refugee exodus, "escaping communism", Vietnamese refugees were those who were at risk of persecution because of their ethnicity, region, class, or beliefs under communist governance. Thus, the exodus changed over time in the characters of the groups who left. This evolving dynamic allowed outsiders to estimate roughly why and when they left Vietnam based on their identities. For example, the Vietnamese who were related to the fall of Saigon were primarily residents of Southern Vietnam (Barber, 2021: 4836) and largely ethnic Vietnamese (Osborne, 1980: 39). The widespread fear of being punished due to associations with the collapsing Saigon regime or American presence in southern Vietnam fueled the refugee outflows. As documented in the primary sources, former government employees and military officers left Vietnam and received United States assistance in the aftermath of the fall of Saigon (Le, 2002: 54; Ngo, 2015; Tran, 2017). Comparing South Vietnamese refugees who ended up in the USA, Barber (2021: 4836) indicated that the majority of refugees arriving in the United Kingdom were Northern Vietnamese, and over seventy per cent were ethnic Chinese escaping the ethnic cleansing that occurred due to the 1979 Chinese invasion of North Vietnam.

The problems that Vietnamese refugees encountered could be divided into three categories: problems on the journey, problems at the borders or camps, and problems after their arrival. Firstly, Damousi *et al.* (2022: 507) highlighted that oceans and seas have been part of refugees' journeys for centuries, and escape by boat is central to the Vietnamese refugee experience. This aligns with

what Gatrell (2017: 172) proposed, the academic significance of thinking through oceans. As Gatrell (2017: 175) stated, oceans are invested with meanings of constraint and risk. At least ten per cent of people who began the journey died at sea (Osborne, 1980: 37; Damousi *et al.*, 2022: 512). Cited in Robinson (1998: 61), the United State Committee for Refugees reported that a significant number of Vietnamese boats that reached Thailand experienced attacks: "A total of 571 deaths were reported, along with 599 rapes and 243 abductions". In addition, a former Vietnamese refugee described the horrible conditions on the boat, and her father, unable to cope with the difficult conditions on board, died shortly after arriving in Guam (Le, 2002; also see Tempo, 2008: 153).

Secondly, problems at the borders or camps lead to the Geneva Conferences on the Indochinese refugee crisis. According to Stein (1979: 717), Thailand and Malaysia stopped accepting additional refugees led to the conferences. Thailand has experienced an increasing burden of refugees since 1975, and it was the only country that simultaneously admitted Vietnamese, Cambodian and Laotian refugees (Stein, 1979; Cutts, 2000: 91). In the face of dramatically increased boat refugees, Malaysia refused to asylum more refugee boats and began to push the boats back out to sea when they attempted to dock (Stein, 1979; Viviani, 1984: 43-4). At the end of June 1979, the five members of the Association of Southeast Asian Nations (ASEAN) announced that they had reached their limit of endurance and would no longer accept new arrivals (ASEAN, 1979: 5).

Lastly, the problems after their arrival referred to the Vietnamese refugee experience in the host countries. Aligned with Vivani's viewpoint, the cultural gap and difference between Vietnam and Western states influenced refugees' settlement and integration. Specifically, Tempo (2008: 162) indicated that the admission of Indochinese refugees was always unpopular among the U.S. public, with polls constantly indicating that the majority of Americans opposed their entry. In Britain, Barber (2021) highlighted that Vietnamese refugees arrived during a period of economic recession and high unemployment. According to Wilkins (2019), Vietnamese refugees were facing housing problems due to the shortages and also the challenges of finding work at a time of high unemployment.

1.c Legal Protection

International and national protection are two different but equally important directions in examining the legal protection of Vietnamese refugees. This section will exclusively discuss international protection, examining the United Nations High Commissioner for Refugees (UNHCR) efforts and Geneva Conferences on Indochina refugees between 1978 and 1979. In terms of national protection, Tran (2020) comprehensively wrote about the actions in the U.S. and West Germany, Viviani (1984) and Nguyen (2015) discussed the situation in Australia, and Elleman (2013) and Song (2018) addressed China's attitude and role. Reading the authors and works mentioned above will help to gain a holistic understanding of the legal protection of Vietnamese refugees.

Based on the 1951 Refugee Convention and its 1967 protocol, UNHCR developed the Indochinese Comprehensive Plan of Action (Betts, Loescher and Milner, 2012: 45-6). It signed an agreement with Thailand in July 1975 to collaborate on providing temporary humanitarian assistance and to pursue durable solutions, including voluntary repatriation or third countries resettlement (Cutts, 2000: 91; Robinson, 2000: 23). More importantly, UNHCR and the Socialist Republic of Vietnam signed a Memorandum of Understanding to establish the Orderly Departure Program (ODP), which allows individuals to emigrate from Vietnam safely and orderly (Kumin, 2008: 104). In addition, recorded in a memoir by a refugee, UNHCR also mediated the disputes in Guam between the Vietnamese refugees and the U.S. government (Tran, 2017). In short, UNHCR monitored Vietnamese refugee outflows, collected data, participated in the management of refugee issues throughout Southeast Asia and the international negotiations on the movement of people (UN General Assembly, 1979; Viviani, 1984: 43-4; Cutts, 2000; Chan, 2011).

The first United Nations meeting was held in December 1978 to address the crisis of more than a million land and boat refugees arriving in the countries of first asylum during the first eleven months of 1978 (UN General Assembly, 1979; Stein, 1979: 716). With thirty-eight governments attending the meeting, not all were party to the 1951 Convention. This meeting was based on customary maritime law, which states the duty to rescue ships. The most significant outcome of the meeting was it promoted bilateral or multilateral arrangements for ODP from Vietnam for family reunions, and it started serious negotiations between UNHCR and Vietnam (UN General

Assembly, 1979; Kumin, 2008: 107). In July 1979, the U.N. Secretary-General organised the Meeting on Refugees and Displaced Persons in South-East Asia to address the crisis (UN General Assembly, 1979). After the negotiations, the UN Secretary-General stated the Government of the Socialist Republic of Vietnam had promised to make every effort to stop illegal departures for a reasonable period (ibid.). In return, Western countries agreed to resettle those who were already stranded or would arrive in the region (Kumin, 2008: 115).

2. Humanitarian Assistance

This section will highlight some influential humanitarian operations and the actors involved: divided geographically, it will discuss the U.S. ships (1975), French and German vessels (1979 and 1982) in the South China Sea, the controversial Operation Babylift within Vietnam (1975), and the humanitarian assistance in the first locations of asylum such as Hong Kong.

A former Vietnamese refugee, Chi stated that she was rescued by the American Seventh Fleet when she escaped Vietnam during the fall of Saigon (Le, 2002: 54). Ships of the U.S. Seventh Fleet were anchored outside Vietnamese territorial waters on the orders of President Gerald Ford, waiting to pick up the refugees and assist them (Vo, 2005: 3). The Seventh Fleet picked up about 60,000 refugees, who were moved to Subic Bay and Guam, and eventually to four "reception centres" on the U.S. mainland (Vo, 2005: 3; Chan, 2006: 64). Chi was moved to the refugee camp in Pennsylvania (Le, 2002: 54, 56).

In addition to the U.S., France and Germany provide ocean humanitarian assistance. The French navy cooperated with the French non-governmental organisation Médecins du Monde (MdM) to save a boat with 101 refugees by a vessel on 23rd June 1982. This rescue was filmed and aired in support of oceanic humanitarianism (INA Histoire, 2002). Cited in Damousi *et al.* (2022: 521), the reporter who witnessed the MdM rescue was shocked to see a nine-and-a-half-metre-long boat carrying 101 people. In West Germany, the Cap Anamur Committee was a noteworthy humanitarian actor. Cited in Tran (2020: 197), between August 1979 and August 1987, the Cap Anamur Committee rescued an accumulated 10,375 boat people at sea. In addition, this organisation fundraised an impressive 1.2 million German marks for its mission in July 1979. However, the Southeast Asian countries condemned the Cap Anamur Committee's humanitarian aid because they believed it would encourage more Vietnamese to flee the country, create a pull factor, and worsen the boat people crisis (ibid.: 198).

In addition to oceanic humanitarian efforts, Operation Babylift, conducted by the U.S. before the fall of Saigon, is fascinating and particularly controversial. On April 2, 1975, the head of the United States Agency for International Development (USAID), Daniel Parker, announced the initiative to fly 2,000 Vietnamese orphans to the States, which became known as "Operation Babylift" (NYT, 1975). On April 3, President Gerald Ford announced that he had ordered two

million dollars from a special foreign aid children's fund to assist the orphans' arrival in the USA within two days, and he urged U.S. officials to remove bureaucratic obstacles (Ford, 1975). Despite a tragic beginning, Operation Babylift successfully evacuated and rescued over 2,500 children from Vietnam by the U.S. (USAID, 1975: 3; Forkert, 2012: 436). The photography below is explicitly touching, but that does not imply that Operation Babylift is singular. On the contrary, the rescue of orphans followed a familiar pattern, as the United States had implemented identical programmes in Cuba and Nigeria (Sachs, 2010: 13). The controversy at the centre of Operation Babylift is whether it is in the best interests of the evacuated children. If it harmed the best interests of the children, is this essentially more of a kidnapping or a humanitarian operation? Strong-Boag and Bagga (2009) vividly illustrated the debates and divided public opinion in Canada.

President Gerald R. Ford on a bus with one of the first children evacuated from Vietnam during Operation Babylift, San Francisco Airport, April 5, (1975).
Source: https://catalog.archives.gov/id/186795

Osborne (1980) highlighted that Hong Kong accepted every refugee from Indochina, leading to over 60,000 refugees awaiting settlement by November 1979. This reflected the high cost of humanitarian assistance. Cited in Chan (2011: 5), with a significant ethnic Chinese population, Vietnamese refugees in the 1970s received sympathy from Hong Kong society. However, the Vietnamese boat people in the 1980s were portrayed as a violent and unwelcome group. In the primary source, Lau's (1986) article confirmed this transformation into apathy. This contrast between sympathy and apathy aligned with Viviani's (1984: 2) observation that "who they are has

much to do with why they left and how they coped with the settlement". That is, more Chinese Vietnamese arrived in Hong Kong in the 1970s. Because of the shared Chinese roots, they were more sympathised with by Hong Kong residents, and the relevant settlement was better. In the refugee camps elsewhere in Southeast Asia, Tran (2020: 197) indicated that the Cap Anamur Committee provided medical care for more than 35,000 people. On the U.N. level, at the end of the meeting in July 1979, UNHCR received pledges for sufficient funding to expand its humanitarian programmes and improve camp conditions (Stein, 1979: 718, 721; UN General Assembly, 1979).

3. Refugee Experience or Representation

This section will follow a similar pattern in sections 1.b and 2, discussing the refugees' experiences at sea and in the refugee camps. Specifically, it will tackle the boat people survivor's experience between 1975 to 1982, refugee camps in Hong Kong and Guam. In terms of the experiences of refugees integrating into third countries and the politics associated, Viviani (1984) provided a holistic account of Australia, Sachs (2010) documented the Vietnamese refugee experience in the U.S., and Wilkins (2019) wrote an excellent book on Vietnamese refugees in Britain.

Following the previous discussion in section 1.b on page 5 and aligned with Gatrell (2013: 208), weather and pirates on the ocean are primary threats to boat people's safety. Damousi *et al.* (2022: 523-4) record memories of Vietnamese boat people where refugees encountered extreme storms and dangerous waves. The experiences of the refugees on this boat were not singular; Ngo (2017), a former refugee and donor of a collection in the Vietnamese Heritage Museum, stated that during her escape from Vietnam by boat in March 1979: she was floating at sea for five days, "those days seemed endless, full of terror, horrific waves, stormy wind, hunger, thirst, and hopelessness". In addition to the weather, piracy is another primary threat. Cited in Cutts (2000: 87), UNHCR statistics recorded that of the 452 refugee boats with 15,479 people who arrived in Thailand in 1981, 77 per cent (349 boats) were attacked an average of three times, including 578 females who were raped, and 881 people who were dead or missing. According to a refugee, Nguyen (2022), who arrived in Thailand after escaping Vietnam by boat in 1981, his boat was attacked twice by pirates, during which a baby was thrown into the sea, two young girls were kidnapped, and multiple women were raped. In addition, the 1982 rescued boat people also highlighted the danger of pirate attacks in the Gulf of Thailand (Damousi *et al.*, 2022: 522).

Shifting the discussion to the refugee experience in the refugee camps in Hong Kong. In the 1980s, the constant flood of Vietnamese refugees caused issues for Hong Kong. To avoid higher inflow, the government of Hong Kong deliberately restricted the personal freedom of Vietnamese refugees in Hong Kong to avoid creating a pull factor that would encourage boat people to flee. A newspaper article indicated that there are some 1,200 children in Hong Kong who have never seen anything else but the inside of a camp; over 3,000 refugees were in closed camps for five years

with no prospect of being resettled (The Times, 1987). The camps in Hong Kong were not peaceful; on the contrary, conflicts between North and South Vietnam existed in the camps. Reporter Hughes (1982a; 1982b) indicated that Northern Vietnamese attacked the southerners with small axes and iron bars and burned down the camp dormitory with petrol bombs, which resulted in twenty people being injured and a total of 51 people being arrested. Many Hong Kong residents who lived near the camp witnessed some chasings and brawling outside the camp and were alarmed at the outbreak of armed fighting (Hughes, 1982b).

Similar to the situation in Hong Kong, some of the Vietnamese refugees in Guam went beyond the image of passively waiting for humanitarian aid. Lipman (2020: 42) examined the Vietnamese repatriation movement on Guam, where the Vietnamese refugees went on hunger strikes and sit-ins and then escalated to throwing stones and petrol bombs and destroying barracks and military property. They argued that their country had not disappeared, only that a new regime had taken over, and expressed a strong intention to help reconstruct the country (ibid., 35). Thus, the U.S. had kept them on Guam against their will, and they were treated like prisoners of war (ibid., 37-8). This movement ended when the U.S. government gave the refugees a ship to sail back to Vietnam. Tran (2017) was the captain of this ship, and his memoirs detail what happened. The refugees' experiences in Guam and Hong Kong are thought-provoking: were the Vietnamese refugees vulnerable, passive people waiting to be rescued? Were the refugees victims of communism? Were the refugees ungrateful and unscrupulous? Was escaping communism the root cause of the refugee crisis, or was it the involvement of the United States in Indochina? In addition, the refugee experience in this section reflected some issues:

(i) the refugee experience at sea is a humanitarian crisis highlighting the flaws in international law, such as the 1958 Geneva Convention on the High Seas (Damousi *et al.*, 2022: 513).

(ii) the tactics of the first asylum governments in dealing with the refugee burden, the growing international fatigue over the Indochinese refugees in the 1980s, and the collapse of the regional and international consensus reached in 1979 (Cutts, 2000: 88).

(iii) Refugee crises are complicated: refugee experiences are diverse, narratives about the causes of refugee crises are competing, and humanitarian assistance is complex…

Faced with this complexity, this report abandoned attempts to include the entire refugee crisis from 1975 to the 1990s and the second international conference on Indochinese refugees in June 1989, choosing to balance detail and scope and selecting a few key or underestimated actors and events to address.

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