

TO: SENATOR LAUTENBERG

FROM: ROBERT STOCKER, KATHRYN MUNNELL, CHARLES DAVY, REBECCA RAMIREZ, NGUYEN HUU THU

RE: RECOMMENDATIONS FOR ACTION TO BE TAKEN IN SENATE - ON RETURN AND REINTEGRATION OF VIETNAMESE ASYLUM SEEKERS

Further to our meeting with you on the evening of July 4, in Ho Chi Minh City, here is the list of actions that we request you take in maintaining and strengthening the resolve of the USA in seeing through the Comprehensive Plan of Action (CPA), which the US signed onto in 1989. We base these recommendations on our years of direct experience in the field working to bring an appropriate conclusion to the Indochinese refugee situation.

It must also be highlighted that some returnees to Vietnam have suggested, that if the legislation is passed, they would attempt to leave for a second time. We must prevent any actions which would even remotely result in such a possibility.

1. **In press conferences concerning your trip to Vietnam state that American NGO's assisting returnees in State Department-funded reintegration programs have worked with 20,000 returnees and have not encountered a single case of government persecution. This is corroborated by UNHCR who have interviewed more than half of the 73,000 people who have returned so far.**
2. **Work to alter the Smith-Gilman legislation which proposes to set up screening of those remaining in the asylum camps.**
 - The possibility of the Smith-Gilman legislation being passed has already caused violent demonstrations in camps in Hong Kong and Malaysia. Several repatriation flights had to be canceled because people dropped out.
 - If passed, the Smith-Gilman legislation is likely to hinder the progress towards normal and friendly relations between USA and Vietnam. It will convey the message that Vietnam has not abided by the CPA, that Vietnam mistreats its citizens, and is not to be trusted.
 - If passed, the legislation will likely prolong the amount of time that people will spend in asylum camps. UNHCR has committed to end financial support of the asylum camps at the end of 1995. The USA would then have to find the money to support the camps.
 - The cost of prolonged care and maintenance in the camps will exceed the cost of reintegration assistance.
 - The 43,000 still in the camps have already been screened-out through an exhaustive CPA-process under the observation of UNHCR. This was the most expensive legal procedure in UNHCR's history. We recognize there were some flaws in the screening process, however these should not jeopardize the positive outcomes achieved thus far.
 - There is already a process in place to allow for those who have close links with the USA to leave Vietnam and resettle there. This is the Orderly Departure Program (ODP). Use the Lautenberg amendment not the Smith-Gilman amendment.

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3. **Work to give the US Liaison Office in Vietnam a strong role in supporting the CPA and the DOS/BRP-funded reintegration assistance programs.**
 - The reintegration assistance programs focus on small-enterprise development, job training and placement, health and education. These programs address the reasons behind people leaving Vietnam in the first place and serve as an incentive to return.
 - Strong Liaison Office support will promote SRV cooperation in implementing these programs in an efficient and cost effective manner, demonstrating most effectively that the USA is committed to the well-being of the asylum seekers, at the same time as standing behind the CPA.