

**VIETNAMESE BOAT PEOPLE IN SOUTHEAST ASIA AND HONG KONG**

**A POSSIBLE SOLUTION TO THE CURRENT DILEMMA  
IN THE IMPLEMENTATION  
OF THE COMPREHENSIVE PLAN OF ACTION**

**A PROPOSAL  
TO THE GOVERNMENT OF INDONESIA**

**DECEMBER 22, 1994**

**BOAT PEOPLE S.O.S.**

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**P.O. Box 2652  
Merrifield, VA 22116, USA  
2800 Juniper Street, Room # 3  
Fairfax, VA 22031, USA  
tel & fax: 703-204-2662**

## **I. THE ULTIMATE OBJECTIVE**

Indonesia desires to empty Galang Camp by August, 1995, to turn the island into an industrial zone. This is four months sooner than the target date set by the Comprehensive Plan of Action (CPA). It should be of no particular interest to Indonesia how this objective is achieved, be it by resettlement or repatriation. However, the Indonesian Government may feel that the only option available at this stage of the CPA is repatriation. The actions and positions taken by the UNHCR and resettlement countries have contributed significantly to this impression. In reality, resettlement is still an option to a number of asylum seekers. By facilitating their resettlement, Indonesia can immediately reduce the camp population by 15-20 percent while remaining within the framework of the CPA. As this group firmly resist repatriation, their resettlement has the added advantage of reducing resistance to voluntary repatriation among the remaining camp population. Once convinced that those deserving resettlement are resettled, leaders in the Overseas Vietnamese Community will have the capability to actively encourage repatriation.

## **II. THE DILEMMA**

### **A. A STAGNANT GROUP**

At the current repatriation rate of 150 returnees a month (averaged over the first 11 months of 1994), it will take more than four years, not the anticipated 8 or 12 months, to clear the camp of its 7,500 asylum seekers. Even if coercive measures were taken, a number of boat people would continue to resist repatriation to the end and at all costs. From this group came leaders of past protests, demonstrations, hunger strikes, mass suicides, and other forms of resistance to repatriation. The recent arrest of 200 leaders may have temporarily subdued the public aspects of this resistance. However, the fact remains that this group, including those arrested and not arrested, will continue to resist repatriation by all means because they have valid reasons to. They can be grouped into three categories.

1. People entitled to direct resettlement from the camp, including derivative refugees, holders of current visa petitions, and HO-eligible persons. Had they been screened in, they would be immediately eligible for resettlement. Derivative refugees are spouses and children of boat people already recognized as refugees and resettled in the United States (or any other third country). Since legal marriages are not allowed in Galang, the marital relationship can only be established through the children, if any. There are approximately 100-150 such cases. As for couples without children, the spouses in Galang would qualify as derivative refugees as soon as Indonesia legalizes their marital status. Their number is estimated at 100-150 persons. There is a small number, estimated at 100, cases of current visa petition holders and HO-eligible people in Galang. The United States is required by its own laws to process these people for resettlement.

2. People affected by inconsistencies in the screening process. Cases with almost identical claims have been screened differently. This category includes some 100-200

1. Even if all CPA signatories endorse forced repatriation, Indonesia will be the one to bear the blame and condemnation of human rights organizations, advocacy groups and the international media.

2. Any ensuing violence, bloodshed, and losses of lives will certainly stir up strong public reaction. Unlike in Hong Kong where the vast majority of the boat people came from North Vietnam, boat people in Galang are exclusively from the South. Many of them have ties to veterans organizations around the world or have relatives in the United States, France, Canada, Australia, Germany, Japan...

3. More than any other first asylum country in the region, Indonesia is the focus of world opinion and media coverage with respect to human rights. The international stature and the public image that Indonesia has gained by hosting the latest APEC conference will be severely affected.

4. Indonesia will have to fully bear the financial costs of forced repatriation. Financial contributions to the CPA cannot be used to finance forced repatriation.

5. Forced repatriation is impossible without Vietnam's cooperation. In its drive to improve diplomatic relations with the United States and to court overseas Vietnamese to invest, Vietnam will not risk angering the US Congress, many members of which still strongly oppose forced repatriation (see Enclosure 1), or the overseas Vietnamese, many of whom have relatives in the camps. Forced repatriation is very much a liability to Vietnam in terms of public relation as it is for Indonesia.

6. For national security reasons, it is unlikely for Vietnam to agree to mass forced repatriation. Hong Kong's numerous attempts at stepping up forced repatriation have been repeatedly turned down by Vietnam. At a dribble, forced repatriation invites public condemnation without achieving much. Already, the Hong Kong Government has revised its target date to the end of 1996. Many Hong Kong legislators do not believe that the camps could be emptied even by July 1, 1997, when the territory returns to China (see Enclosure 2).

### **C. LACK OF RESPONSIBILITY SHARING**

This dilemma facing Indonesia, the US Department of State (DOS) and the Office of the United Nations High Commissioner for Refugees (UNHCR) have done little to resolve. DOS and UNHCR justify their inaction on the pretext that first asylum countries, including Indonesia, are not cooperating. The following examples highlight this attitude, which only perpetuates the problem and makes it worse.

1. Earlier this year, after being sued by Legal Assistance for Vietnamese Asylum Seekers (LAVAS), DOS resumed processing cases with current Immigrant Visa (IV) petitions. DOS, however, does not extend the processing beyond Hong Kong on the

## **II. THE PROPOSAL**

### **A. RESETTLEMENT AS AN OPTION**

Indonesia can readily reduce the camp population in Galang by 15-20% by holding resettlement countries responsible for taking resettlement-eligible people directly from the camp. The following steps, taken together, will allow Indonesia to achieve this goal within the CPA framework.

1. By officially stating its non-objection to resettlement countries' access to asylum seekers and UNHCR's review of cases, Indonesia can immediately open the door to resettlement for about 600-800 people. These include common-law spouses with children (whose derivative refugee status can be established via their children), current IV holders, HO families, and people of special interest to the United States (sub-categories 1.a, 1.c, and 1.d, and category 3).

2. Some 100-150 additional persons will immediately become resettlement-eligible if Indonesia reasserts its sovereignty on Galang and officially recognizes genuine camp marriages (sub-category 1.b). This will force DOS to resettle these cases as required by US law. Other resettlement countries will have to do the same.

3. Indonesia can take its own initiative to review cases that might have slipped through the cracks. Since the Appeal Board has not heard all the appeals, not all cases have exhausted the administrative appeal process. For these cases, a review by the Appeal Board fully complies with the CPA. The Appeal Board can start with the group of siblings and victims of violence (sub-categories 2.a and 2.b), totaling 300-600 people.

These three steps, taken together, may help reduce the camp population by 1,000-1,550 asylum seekers within a few months, equal to the total repatriation number projected for 1994.

### **B. REPATRIATION**

The quick resettlement of the above stagnant group of people, who have valid reasons not to repatriate, has the added advantage of creating an environment conducive to voluntary repatriation. Their resettlement under a clearly stated policy will signal the rest of the camp population that time has come for a realistic reassessment of their options. Furthermore, on seeing that there is a genuine effort by Indonesia and the international community to deal with the problem in fairness, the camp population will have more confidence in the system and in UNHCR's promise of protection in Vietnam. The following steps can be implemented to encourage the boat people to reassess options available to them.

**ENCLOSURE 1:**

- a. Letter of Congressman Howard L. Berman, Chairman of the Subcommittee on International Operations, Foreign Affairs Committee, to Madame Sadako Ogata, the UN High Commissioner for Refugees, dated October 24, 1994
- b. Letter of Congressman Frank R. Wolf, Appropriations Committee, to Madame Sadako Ogata, dated October 4, 1994
- c. Joint letter by Congressmen Bill Archer, Chairman-elect of Ways and Means Committee, Tom Delay, Majority Whip-elect, and Jack Fields to Madame Sadako Ogata, dated September 30, 1994
- d. Letter of Congressman Dan Burton, Foreign Affairs Committee, to Secretary of State Warren Christopher, dated September 30, 1994
- e. Joint letter of 51 Members of Congress to Madame Sadako Ogata, dated September 30, 1994
- f. Letter of Senator Clairborne Pell, Chairman of Foreign Relations Committee, to Secretary of State Warren Christopher, dated June 8, 1994
- g. Letter of Congresswoman Patricia Schroeder to Assistant Secretary of State Timothy Wirth, dated May 4, 1994
- h. Letter of Senator Mark O. Hatfield, Chairman-elect of the Appropriations Committee, to Secretary of State Warren Christopher, dated February 10, 1994

Congress of the United States

House of Representatives

Washington, D.C. 20515

September 30, 1994

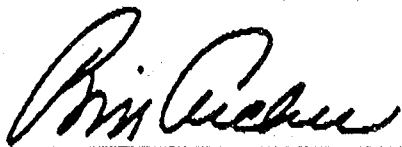
Madame Sadako Ogata  
U.N. High Commissioner for Refugees  
Case Postale 2500  
CH-1211 Geneva 2 Depot  
Switzerland

Dear Madame Ogata:

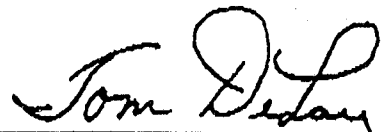
It has come to our attention that in Vietnamese detention camps in Southeast Asia and Hong Kong, local immigration screening agents may be incorrectly denying refugee status to some deserving detainees. When granting refugee status, in accordance with the Geneva Convention on Refugees, a person must exhibit a well-founded fear of persecution if returned to his country of origin for reasons of race, religion, nationality, membership in a particular social group or political opinion. We are concerned that those who qualify under these standards are being erroneously repatriated.

We are asking that you address this problem at the upcoming annual meeting of the United Nations High Commission on Refugees, so that those people who may suffer for their associations or their beliefs get the protection they so desperately need.

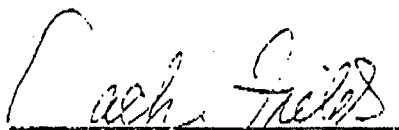
Sincerely,



Bill Archer  
Member of Congress



Tom DeLay  
Member of Congress



Jack Fields  
Member of Congress

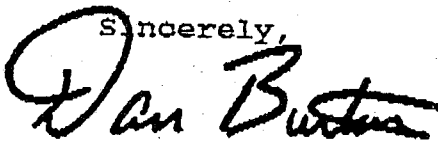
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202 225 0016

CONG. BURTON

I am hopeful that with your leadership, our government will raise the screening issue at the annual meeting of the UNHCR next month in Geneva. I am also hopeful that we can establish a better mechanism for identifying cases of Vietnamese who have been erroneously denied refugee status. I appreciate your assistance with this important matter, and I look forward to your response.

Sincerely,

A handwritten signature in cursive script that reads "Dan Burton". The signature is written in dark ink and is positioned above the typed name.

Dan Burton  
Member of Congress

Edolphus Towns  
Edolphus Towns

Dan Burton  
Dan Burton

James Moran  
James Moran

Ed Royce  
Ed Royce

Lucille Roybal-Allard  
Lucille Roybal-Allard

Frank McCloskey  
Frank McCloskey

Julian C. Dixon  
Julian C. Dixon

Jolene Unsoeld  
Jolene Unsoeld

Patricia Schroeder  
Patricia Schroeder

Dana Rohrabacher  
Dana Rohrabacher

Stephen Horn  
Stephen Horn

Robert T. Matsui  
Robert T. Matsui

Duncan Hunter  
Duncan Hunter

Matthew G. Martinez  
Matthew G. Martinez

Christopher Cox  
Christopher Cox

Henry Waxman  
Henry Waxman

Constance A. Morella  
Constance A. Morella

Robert Dornan  
Robert Dornan



Jerry Lewis  
Jerry Lewis

Lynn Schenk  
Lynn Schenk

Neil Abercrombie  
Neil Abercrombie

Walter R. Tucker  
Walter R. Tucker

Frank Pallone, Jr.  
Frank Pallone

Randy "Duke" Cunningham  
Randy "Duke" Cunningham

Major R. Owens  
Major R. Owens

Thomas J. Manton  
Thomas J. Manton

George E. Brown  
George E. Brown

We are also concerned about the Hmong who fled from Laos to Thailand. Some 22,000 remain in camps, and an additional 10,000 have taken refuge at a Buddhist temple north of Bangkok. Although the Thai apparently have not used actual force to repatriate the Hmong, they are applying considerable pressure by telling the Hmong that if they do not repatriate, they might end up in a prison camp, or that food rations for their families could be cut off.

It is absolutely essential given the nature of the regime in Laos, that the United States continually and closely monitor the safety of any Hmong who return, and ensure that no involuntary repatriations occur. The Congress recently adopted -- with strong bipartisan support -- Section 515 of the Foreign Relations Authorization Act which states that "the United States should work with the United Nations High Commissioner for Refugees, the Government of Thailand, and other relevant parties to ensure that the rights of asylum seekers in Thailand, and in particular the Hmong people from Laos, are fully respected and that force is not used in any repatriations."

The screening system to identify those qualified for refugee status remains flawed. The system needs to be improved in Hong Kong, and in other countries there is no effective procedure at all. In Thailand, for example, a study of 31 screened-out Hmong cases found 14 cases with reasonable (6) to strong claims (8) for refugee status. Of these the UNHCR supported only one, and the Thai rejected it. The United States needs to work harder to establish accessible and credible appeals systems for the Hmong in Thailand and the Vietnamese outside Hong Kong, and to help identify and reverse unjustly screened-out cases.

Finally, we are concerned about the failure of protection for Cambodian refugees fleeing armed conflict and the Khmer Rouge. The 25,000 who fled into Thailand in March were pushed back into a remote, malaria-infested, Khmer Rouge-controlled area, without international monitoring, protection, or assistance.

Closing the refugee chapter of Indochinese history will require focused U.S. attention and commitment for at least another year and a half. To assure this commitment and high level attention, we propose that a senior level "Coordinator for Indochinese Refugees" be appointed within the new Bureau for Population, Refugees, and Migration Affairs. We believe such a high level person from outside the current staff is needed to provide the oversight and creativity needed to resolve these matters.

PATRICIA SCHROEDER  
1st District, Denver, Colorado

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ARMED SERVICES COMMITTEE  
CHAIRWOMAN, SUBCOMMITTEE ON  
RESEARCH AND TECHNOLOGY  
POST OFFICE AND CIVIL  
SERVICE COMMITTEE  
JUDICIARY COMMITTEE  
CONGRESSIONAL CAUCUS FOR  
WOMEN'S ISSUES, CO-CHAIR

Congress of the United States  
House of Representatives  
Washington, DC 20515-0601

RECEIVED MAY 10 1994

May 4, 1994

The Honorable Tim Wirth  
Counselor  
U.S. Department of State  
2201 C St., NW  
Washington, D.C. 20520

Dear Tim:

I am writing to express my concern that U.S. leadership on the matter of Indochinese refugees, which has been essential to the international response for over 19 years, has been seriously lacking. While there are virtually no new refugees seeking to permanently leave Vietnam, Laos and Cambodia, and some are returning voluntarily to their countries of origin, the vision of a successful end to the problem is also fading.

There are a number of areas that would be positively effected by increased U.S leadership. For example, Hmong refugees in camps in the region face substandard, or no, appeal processes if they are screened-out. The U.S. needs to work harder to establish credible appeals systems for both Vietnamese and Hmong refugees, and to help identify and overturn improperly screened-out cases. In addition, we need to increase monitoring in the camps and in the countries to which they are repatriated, and encourage the UNHCR to do the same; the U.S. should strongly condemn the use of force against these refugee communities, including Hong Kong's recent action against the boat people. The U.S. should be publicly and loudly protesting this and any future use of force. Finally, the U.S. should also take the helm in efforts to establish more creative incentives for voluntary repatriation.

To ensure that the U.S. strongly recommitts itself to Indochinese refugee issues I would propose establishing a senior level coordinator position for the Indochinese refugee program within the Bureau of Refugee Programs at the State Department. To assign someone, from outside existing staff, this particular mandate might provide the energy and focus that is so desperately needed to address these issues. This individual would be most effective if appointed before the UNHCR meeting scheduled for June 2-3 in Bangkok.

Only with invigorated U.S. leadership can we ensure that our indochinese refugee policy remains a humanitarian triumph.

Sincerely,

  
Pat Schroeder  
Congresswoman

**ENCLOSURE 2:**

- a. "Hong Kong Dumps Refugee Problem on Britain," Reuter, December 8, 1994

**ENCLOSURE 3:**

- a. Washington Post article on class action against US Department of State, March 7, 1994
- b. Cable of US Department of State to consular posts, dated February 25, 1994

ID:

FEB 25 '94

13:11 No.012 P.12

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 FM SECSTATE WASHDC  
 TO RUEHAK/AMEMBASSY BANGKOK IMMEDIATE 8007  
 RUEHHR/AMCONSUL HONG KONG 4910  
 RUEHKL/AMEMBASSY KUALA LUMPUR 3089  
 RUEHJA/AMEMBASSY JAKARTA 6498  
 RUEHML/AMEMBASSY MANILA 6497  
 RUEHQP/AMEMBASSY SINGAPORE 0541  
 RUEHKO/AMEMBASSY TOKYO 2440  
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 RUEHBY/AMEMBASSY CANBERRA OTTAWA 9816  
 BT  
 UNCLAS STATE 048652

GENEVA FOR RMA

E.O. 12958 N/A  
 TAGS: CVIS, PREF, VM  
 SUBJECT: FIRST ASYLUM IV PROCESSING  
 REF: STE 046562  
 1. THIS IS AN ACTION MESSAGE.

2. REFTEL ADVISED THAT DEPARTMENT WAS REVIEWING QUESTION OF PROCESSING IMMIGRANT VISA PETITIONS OF BENEFICIARIES IN FIRST ASYLUM CAMPS. DEPT HAS CONCLUDED THAT ALL ADDRESSEE POSTS SHOULD INITIATE NORMAL PROCESSING OF SUCH ALIENS EITHER BY SENDING THEM PACKET 3 PER STANDARD PROCEDURES OR BY CONTINUING NORMAL PROCESSING AFTER PACKET 3 IS SENT BY TIVPO. POSTS SHOULD INFORM HOST GOVERNMENTS OF THIS DECISION AND EMPHASIZE THAT NEITHER THE SENDING OF PACKET 3 NOR THE ACTUAL SCHEDULING OF A FORMAL INTERVIEW FOR FINAL ACTION CONSTITUTES A GUARANTEE ON THE PART OF THE USG THAT THE ALIEN WILL BE DOCUMENTED FOR ENTRY INTO THE UNITED STATES AS AN IMMIGRANT, OR OTHERWISE RESETTLED BY THE UNITED STATES. CONOFFS MUST BE ABLE TO ADJUDICATE THE APPLICATION ON THE MERITS AND, IF THE ALIEN DOES NOT ESTABLISH ELIGIBILITY, DENY IT. ACCORDINGLY, THE VIABILITY OF PROCESSING WILL DEPEND ON HOST GOVERNMENTS AGREEING TO PERMIT IV INTERVIEWS OF THOSE WHO HAVE NOT BEEN SCREENED IN ON THE UNDERSTANDING THAT APPLICANTS MAY BE DENIED OR APPROVED AND THAT, IF THEY ARE DENIED, THE

UNCLASSIFIED

UNITED STATES WILL ACCEPT NO RESPONSIBILITY FOR THEIR RESETTLEMENT.

**ENCLOSURE 4:**

- a. Letter of Margaret McKelvey, Director of the Office of Assistance to Africa, the Americas and Asia of the Bureau of Population, Refugees and Migration, to Boat People S.O.S., dated December 16, 1994. This letter confirms US policy towards derivative refugee cases and shows the interest and concern of Senator Jesse Helms, Chairman-elect of the Senate Committee on Foreign Relations.
- b. Letter of Wendy Sherman, Assistant Secretary of State, Legislative Affairs, to Senator Paul Coverdell, dated September 16, 1994. This letter expresses support for cases of common-law spouses with children in Galang Camp.
- c. Letter from Louis Mazel, US Refugee Coordinator for Malaysia and Indonesia, to Congressman Bill Archer, dated November 15, 1994. This letter affirms US support for the case of Tran Thi Tien and her daughter Tran Thi Tuyet Trang, AS 202.025, but on the condition that UNHCR reviews the case.
- d. Letter of UNHCR to Congressman Bill Archer on the same case of Tran Thi Tien, dated November 22, 1994. In this letter, the UNHCR denies of any responsibility to review such cases, claiming that Indonesia is the one to be held responsible.
- e. Approval notice of the US Immigration and Naturalization Service on the refugee petition of Tran Van Chien (Tran Thi Tien's husband) on behalf of their daughter Tran Thi Tuyet Trang, dated December 14, 1993. This shows that US law considers immediate relatives of refugees as derivative refugees.

We hope this information is helpful and responsive to your concerns. Please do not hesitate to contact us if we can be of further assistance.

Sincerely,

*Margaret McKelvey*

Margaret McKelvey  
Director

Office of Assistance to Africa, the Americas and Asia  
Bureau of Population, Refugees and Migration

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PRM/AAA, Rm 1276, SA-1  
DEPARTMENT OF STATE, U.S.A.  
WASHINGTON, D.C. 20520

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We hope this information has been helpful in responding to the concerns of your constituent. Please do not hesitate to contact us if we can be of further assistance.

Sincerely,

*Wendy R. Sherman*

Wendy R. Sherman  
Assistant Secretary  
Legislative Affairs

Enclosure:  
Correspondence returned.

CB

UNITED NATIONS  
HIGH COMMISSIONER  
FOR REFUGEES



NATIONS UNIES  
HAUT COMMISSARIAT  
POUR LES REFUGIES

Branch Office for the United States of America  
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Bureau pour les Etats-Unis d'Amérique  
Telex: 64406 HICOMREF  
Telephone: (202) 296-5191  
Fax: (202) 296-5660

22 November 1994

Office of Representative Bill Archer  
1003 Wirt Road, #311  
Houston, TX 77055

Re: Tran, Thi Tien  
Vietnamese Case #51178

Dear Congressman Archer:

We are in receipt of your letters of 22 July 1994 regarding your constituent Mr. Chien Van Tran and his wife and daughter, respectively Ms. Tran Thi Tien and Tran Thi Tuyet Trang. We apologize for not having responded sooner.

Please be advised that screening decisions are made in the context of the Comprehensive Plan of Action (CPA) adopted in June 1989 by the U.S. and Indonesia *et al.* Under the CPA, persons whom the Indonesian authorities determine to be refugees will be allowed to pursue third country resettlement, while individuals who are screened out will remain in Indonesia until such time as they can return to Vietnam. While UNHCR does monitor the screening process, the decision to screen individuals jointly or separately lies within the discretion of Indonesian authorities. In principle, UNHCR cannot reverse the Indonesian government's decisions regarding the validity of marriages on their territory.

We have, however, received a number of cases involving the validity and recognition of marriages between Vietnamese nationals in the context of CPA screening. Therefore, we are including this case with others in a general inquiry to our headquarters regarding this situation. Once we have received further information concerning marriage recognition cases from our headquarters in Geneva, we shall contact you.

If you have any questions, please do not hesitate to contact us, kindly referring to case number 51178 in any future correspondence.

Sincerely,

Rene van Rooyen  
Representative

[ka;h:\wp\marr7]

**ENCLOSURE 5:**

- a. Letter of the US Department of State to Congressman Dan Miller, dated July, 1994
- b. Letter of the US Department of State to Mr. Henry Tuoc V. Pham, President of Vietnamese-American Cultural Alliance of Colorado, dated August 10, 1994
- c. Letter of the US Department of State to Senator Hank Brown, dated January 26, 1994



United States Department of State

Washington, D.C. 20520

August 10, 1994

Mr. Henry Tuoc V. Pham  
President  
Vietnamese-American Cultural  
Alliance of Colorado  
986 S. Ventura Way  
Aurora, Colorado 80017

Dear Mr. Pham:

Thank you for your letter of July 13 to Under Secretary Timothy Wirth regarding victims of violence in the Vietnamese first-asylum camps in Southeast Asia and Hong Kong.

We fully agree that fair treatment of victims of violence is one of the most pressing tasks we face in the Vietnamese first asylum camps. Recognizing the importance of this issue, especially in view of the objective of concluding the Comprehensive Plan of Action (CPA) by the end of 1995, we are making extra efforts to see what can be done to assist victims of violence who remain in the camps. We have, for example, recently sent a list of victims of violence currently in Galang camp in Indonesia to our Embassy in Kuala Lumpur (which is responsible for monitoring conditions in Galang) with the request that the list be reviewed for possible eligibility for mandated refugee status.

As we move toward the conclusion of the CPA, we will continue to press for as much flexibility as possible on the part of all those responsible in order to identify victims of violence for possible resettlement.

Thank you for your concern for those in the camps who have suffered. I hope this information is responsive to your concerns.

Sincerely,

*Margaret McKelvey*

Margaret J. McKelvey  
Director  
Office of Africa, the Americas  
and Asia  
Bureau for Population, Refugees,  
and Migration

**ENCLOSURE 6:**

- a. P3V's decision on the case of Hoang Phuong Uyen, AS 084.008, dated August 5, 1993. This decision allows Uyen to join her husband in the United States.
- b. Letter of UNHCR deciding that Uyen must return to Vietnam despite P3V's decision.

(Thanks to the intervention of Congressman John Olver, Uyen was finally resettled in the United States in September 1994.)

UNITED NATIONS  
HIGH COMMISSIONER  
FOR REFUGEES

Sub-Office in Tanjung Pinang, Indonesia



NATIONS UNIES  
HAUT COMMISSARIAT  
POUR LES RÉFUGIÉS

Sous-Délégation à Tanjung Pinang, Indonésie

Jalan Hang Tuah  
P.O. Box 20  
Tanjung Pinang, Indonesia

Phone: 21003  
Telex: 57117 SUNHCR i.a.

93/TPI/MSC/269

16 September 1993

Dear Dr. Nguyen Dinh Thang,

Thank you for your letter concerning the case of Hoang Phuong Uyen. The situation regarding this case is as follows:

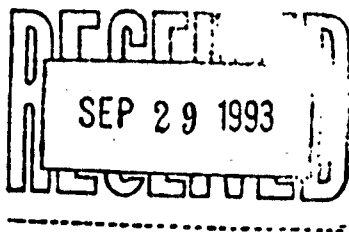
Uyen arrived in Galang in September 1989, when she was 16 years old. She was considered too young and immature to have her case assessed through the Adult Screening process and therefore was referred to the Special Committee as an unaccompanied minor.

Subsequently, Uyen had a relationship with Hoang Bao Long and their child Ngoc was born on 30.1.93.

Uyen and Long could not have become married in Galang, as it is not possible to perform the ceremony there, their relationship was only recognized by the Camp Committee on 22.7.92, about one week after Long received his "screened in" decision on 16.7.92. Both Long before he departed to the USA and Uyen have been counselled at length by our Social Service Officer who has advised them both about their situation and how to proceed should they wish to resume their relationship in the future.

Whilst the strength of the relationship between these two people is acknowledged as well as the importance for the child not to be deprived of his father, it is considered that, despite the fact that Uyen is a good and capable mother, she requires the stability and security of her own family in Vietnam. Also, that if the relationship between Uyen and Long is strong enough for them to anticipate spending their lives together, it will withstand the period of separation whilst Long establishes himself in the USA and is in a position to take responsibility for a family.

In conclusion, I would like to confirm that Uyen does not have the grounds under the CPA to go with her son directly to the USA but in her and her child's best interest, they should return to Vietnam, then at a later date, Long, Uyen and their child may be reunited.



Yours sincerely,

David T. Jamieson  
Representative for Indonesia

Mr. Nguyen Dinh Thang  
Executive Director  
Boat People S.O.S.  
P.O. Box 2652, Merrifield  
VA 22116, USA