

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

**FAILURES OF THE COMPREHENSIVE PLAN OF ACTION:  
FLAWS AND CORRUPTION IN THE SCREENING PROCESS  
IN MALAYSIA**



Mass demonstration against unfair screening, Pulau Bidong, December 1990.

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

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## INTRODUCTION

In June 1989, Malaysia endorsed the Comprehensive Plan of Action (CPA) adopted by some 70 countries at the Second International Conference on Indochinese Refugees held in Geneva. In accordance with the CPA, in September 1989 Malaysia established a screening process to select refugees for resettlement and non-refugees for repatriation. The Office of the United Nations High Commissioner for Refugees (UNHCR) was to monitor this screening process and to intervene whenever necessary.

While not a signatory of the 1951 Convention or the 1967 Protocol relating to the Status of Refugees, Malaysia agreed to abide by the international standards and criteria in refugee protection:

*"The criteria will be those recognized in the 1951 Convention relating to the Status of Refugees and its 1967 Protocol, bearing in mind, to the extent appropriate, the 1948 Universal Declaration of Human Rights and other relevant international instruments concerning refugees, and will be applied in a humanitarian spirit taking into account the special situation of the asylum-seekers concerned and the need to respect the family unit."* (Text of the CPA)

In practice, refugee screening under the CPA has serious flaws and has been strongly criticized by many human rights and refugee organizations [1-3]. Several reports have documented rampant corruption in Indonesia and the Philippines [4, 5]. Earlier this year, the UNHCR belatedly recognized these problems, conducted an internal review of the screening processes in Southeast Asia, and concluded that these problems did not adversely affect genuine refugees.

Leaked documents from the UNHCR tell a different story. A document dated December 3, 1991, reported instances of refugees screened out for failing to pay screening officials [6]. The document revealed that *"the damage wrought to the credibility of the UNHCR and to the legitimacy of status determination procedures is extreme."* In July 1994, the successful escape of 17 boat persons from Indonesia to Australia provided telling evidences of the failures in screening. These escapees, denied refugee status under the CPA, fled Indonesia to avoid deportation. Australia, bound by its own laws, re-screened them despite the UNHCR's vehement objection. Of the 17, four were found to be refugees, and two more found to be derivative refugees. This approval rate of 35% is indicative of the error rate of refugee screening under the CPA.

The conclusion of the UNHCR's internal review, although highly questionable, is not surprising. Fear of public embarrassment and potentially adverse effects on future funding would naturally and inevitably result in biases in any such internal review. A fair assessment necessitates an independent investigation by a governmental or non-governmental body with no vested interest in the outcome.

This report is written with the intent of providing the overall background and some pointers which could serve as a starting point for an independent investigation. As such, it complements two previously published reports on the corrupt screening processes in Indonesia [4] and the Philippines [5]. The factual accounts presented herein are based on interviews with former

UNHCR employees, asylum seekers--many of whom victims of corruption, and their overseas relatives. Information has also been drawn from testimonies at Congressional hearings, and sworn affidavits of former refugees and former camp leaders. Names of victims and witnesses are withheld throughout this report to protect those still in the camp from likely reprisals by camp authorities.

### THE SCREENING PROCEDURE

The screening procedure in Malaysia followed three stages.

1. The UNHCR Eligibility Unit provided group counseling to asylum seekers prior to their actual screening interviews.

2. The actual screening was carried out by the Malaysian National Task Force on Vietnamese Illegal Immigrants, in the presence of UNHCR monitors. Through a process of "harmonization", the two bodies were to achieve an informal consensus on the screening decisions.

3. If "screened out," the asylum seekers had 37 days to submit their appeals to the Appeals Board, which was also under the jurisdiction of the Task Force. In each case, the UNHCR also submitted to the Task Force its independent assessment of the appeal.

Unlike in Hong Kong, there was no formal procedure for asylum seekers in Malaysia to petition for mandate reviews by the UNHCR.

Ideally, this procedure should help minimize mistakes and abuses in screening. However, in reality the UNHCR had little control over the implementation of the CPA. Immediately after it signed the CPA and agreed to the principle of first asylum, Malaysia pushed off thousands of boat people back to the sea. Then in 1992, Malaysia unilaterally stopped screening new arrivals. These late-comers were locked up in prisons until their eventual deportation to Vietnam. The UNHCR could do little about Malaysia's blatant violations of key CPA provisions.

Gerassimos Furlanos, the head of the UNHCR Eligibility Unit during that period fittingly described the system as "*probably the best that could be achieved under the circumstances prevailing in South East Asia*" [7]. Screening under the CPA was primarily controlled by first asylum governments which, at best, gave short shrift to human rights or refugee protection. The primary motives of these governments were to end the outflow of boat people and to clear the camps as soon as possible.

In that regional setting, screening in Malaysia contained many of the same procedural flaws, although to a lesser extent, found elsewhere in the region. Corruption, under control for the first two years, rapidly became pervasive afterwards. Many asylum seekers with compelling claims were suspiciously denied refugee status when they or their overseas relatives refused to pay bribes demanded by screening officials.

## CORRUPTION

Initially, when Pulau Bidong Camp was still open, screening was conducted at Marang, two hours by boat from Pulau Bidong. Interaction between asylum seekers and screening officials was minimal. This arrangement made corruption less likely to occur.

In November 1991, Pulau Bidong was closed and the boat people were transferred to Sungei Besi Camp, located near Kuala Lumpur. Screening was also moved from Marang to Sungei Besi. With the increased contacts between screening officials, UNHCR employees, and the asylum seekers, corruption started to spread.

By early 1993, corruption had become rampant and institutionalized. As in Indonesia and the Philippines, screening officials used "agents" to scout for prospective "clients". These agents were Task Force security guards posted in the camp, asylum seekers employed by the Task Force, and some UNHCR personnel. These agents formed an elaborate and expansive network preying on the boat people in the camp and outreaching to their relatives overseas. The administrator of this network was Major Mohammed Bin Wang, also known as A Wang. He was reportedly only the front man for higher-ranking officials in the Task Force who had actual control of the corruption network<sup>1</sup>. Major Mohammed was also the Administrator of the Appeals Board.

Task Force security guards, while playing no role in screening, represented the direct link to those who did. They projected an image of authority--necessary to close the deals--but at the same time protect the anonymity of higher-ups in the racket. Some of these security guards, identified by their victims, included Captain Rosli Bin Mohammed Nizam, Deputy Camp Commandant; Abdul Ghani Amir, security officer; and Shariffudin, security officer.

To facilitate their contacts with Vietnamese asylum seekers these guards employed a number of camp detainees as scouts and messengers. These Vietnamese agents were assigned to doing odd jobs for the Task Force in the camp in order to justify their frequent contacts with the security guards. These Vietnamese agents were adept at initiating and obtaining deals. Many of these agents soon became familiar fixtures in the camp. They made good money and enjoyed privileges unavailable to the common asylum seekers. The most precious reward of all was guaranteed refugee status.

The Malaysian security guards placed their Vietnamese agents under close scrutiny to guard against foul play. In 1993, Nguyen Duc Tho, one of the most productive Vietnamese agents, double-crossed the Task Force and kept for himself US \$4,000, paid by an asylum seeker who has since resettled in Norway. Tipped off by other agents, the guards searched Tho's hut, took the money, and dismissed him from the network. Tho, already screened in as a refugee, was soon resettled in Australia.

Le Duc Phuc, MC 554.010, was another exposed agent. In early 1993, several asylum seekers denounced him to the camp authorities. The Task Force sent Phuc to the "Monkey

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<sup>1</sup> There was only one known instance where a higher-ranking officer in the Task Force directly took bribes. In 1994 Lieutenant Colonel Ismail Bin Moho Noh took \$1,000 in down payment from an American citizen. The transaction took place at a hotel in Kuala Lumpur.

House,” a prison-like confinement built within Sungei Besi Camp, not as punishment but for protection. After being screened in, Phuc left for Canada, directly from the “Monkey House.”

The Task Force also employed criminal elements, or “Botak”, as a threat to both their Vietnamese agents and the asylum seekers. On many occasions, camp representatives had publicly protested corruption and other injustices in screening, through petitions, demonstrations, and hunger strikes, or at meetings with the Task Force and the UNHCR. On each such occasion, the Botak were used to silence the camp leaders through harassment, threats and physical assaults. These Botak were also rewarded with refugee status.

The most notorious Botak at Sungei Besi Camp was Nguyen Van Oanh, MC 517, a criminal escaping from prison in Vietnam where he served time for manslaughter. At Sungei Besi, he became a gang leader and was used by the Task Force as its hatchet man. As a reward for his service, the Task Force granted him refugee status, despite his lack of refugee claims and despite his criminal record. However, arrangements to resettle him in Canada and Australia were blocked by Vietnamese organizations in both countries (Appendix A). Oanh recently left for resettlement in Japan.

Ngo Van Doi, MC 472, is another telling example. Before his escape to Malaysia, he had served in the Communist public security police, under the pseudonym Hoang Em. He had gained notoriety for his cruel treatment of prisoners. In Malaysia, Doi joined Nguyen Van Oanh’s gang. At Pulau Bidong, an asylum seeker identified Doi as his persecutor. Nevertheless, the Task Force screened Doi in. The UNHCR then referred him for resettlement in the US. The US Consulate learned of the allegations after having made a favorable review of Doi’s application. Putting the case on hold, the US Consulate asked its contacts in Vietnam to verify Doi’s background. After a lengthy investigation, in May 1992, the US denied him resettlement. Two years after this set-back, Doi was admitted into Australia. Meanwhile, the former victim who had identified Doi was denied refugee status, and now faces deportation to Vietnam.

Several UNHCR certified interpreters also participated in the corruption racket. They were particularly effective and valuable to the network. As UNHCR interpreters, they could help or harm a case because the credibility of each claim depends largely on the quality of its translation. As Vietnamese expatriates, these interpreters had the know-how and means to contact overseas relatives of their victims.

Steven Dung Nguyen, originally from Texas, was one of the most aggressive UNHCR agents. Using UNHCR biographical records of asylum seekers, he traced down their overseas relatives and spared no threats for those turning down his advances. In early 1993, an American citizen had to seek protection for his relatives from Representative Dan Burton and the US consulate after receiving Nguyen’s threats (Appendix B). Nguyen later married a Malaysian woman and opened a trading company in Kuala Lumpur.

Another UNHCR interpreter, Nguyen Van Trung, was more cautious, operating through a Vietnamese asylum seeker, Vinh Viet Phuoc, MC 466. Phuoc, employed by the Task Force as a medical aid at the Sick Bay, took advantage of this position to scout for clients and arrange all the transactions for Trung. In early 1993, Phuoc was screened in and resettled in Australia. At about the same time, complaints against Trung surfaced. The UNHCR reportedly conducted an internal review of the allegations but did not announce its outcome.

The price for refugee status varied from US \$3,000 to \$8,000, depending on the number of agents involved. Those having to go through the Vietnamese agents often ended up paying more. These Vietnamese agents claimed their own portion of the commission, and so did the security guards, before the money was passed to the collectors at the Task Force. Others who were able to deal directly with the Task Force at its headquarters, usually through Major Mohammed, could get a significant discount.

Major Mohammed, however, avoided direct contact with the asylum seekers. He either worked through agents or dealt directly with overseas relatives of the asylum seekers. The effective intervention of Major Mohammed lured a constant stream of Vietnamese visitors to Kuala Lumpur from America and Australia. There were also visitors who came to Malaysia only to see their relatives at Sungei Besi. Camp security guards often brazenly proposed deals to these unsuspecting visitors. Others visitors, stopping by to pick up camp entry permits, were accosted by members of the Task Force at its headquarters. Many such visitors have identified Ghani Bin Harun, a senior staff at the Task Force headquarters, as a key agent.

Those who agreed to discuss the deals would be introduced to Major Mohammed. Major Mohammed usually came to meet the overseas visitors at their hotels, bringing with him screening records as proofs of his position and authority. If the negotiation was inconclusive, he could be contacted directly at home (# 603-412-6952) or via a car phone (# 603-2237-525) installed in his expensive BMW.

Once both parties reached agreement on a deal, the victim had to pay a down payment of several thousand dollars. Upon being shown the screening decision prior to its official release, the victim must have the rest of the money paid in full. The payments, both the down payment and the balance, could be made directly to Major Mohammed or through his agents. Money could be wired directly to Major Mohammed's bank account (# 006015208 at EON Bank Limited, Jalan Tun Perak, Kuala Lumpur) or through the bank accounts of agents. For instance, Steven Dung Nguyen, the UNHCR interpreter, used a bank account listed under the name of Ng Hun Mun (account # 114079269170 at Kwong Yik Bank, Kuala Lumpur). In yet other cases, money orders were sent to asylum seekers at Sungei Besi Camp, who in turn paid the security guards or the Vietnamese agents.

It was not always easy to negotiate with Major Mohammed. In early 1994, he demanded \$8,000 from an American citizen for the refugee status of his relative. The victim handed \$2,000 in cash--all he had--to Major Mohammed as down payment, intending to negotiate about the rest after his return to the United States. Major Mohammed adamantly demanded the full amount. The victim, unable to raise the large sum of money, requested the intervention of Representative Dana Rohrabacher, but to no avail. His relative was screened out and he lost his down payment [7].

### PROCEDURAL FLAWS

Beside corruption, refugee screening in Malaysia suffered from many procedural flaws, which resulted in mistakes and abuses of their own or exacerbated those caused by rampant corruption. These procedural flaws existed even during 1991-1992, when the leadership at the UNHCR Branch Office in Malaysia was doing its best to make screening work. This report only

presents a sketch of some procedural flaws that have severely affected the integrity of the screening process; an in-depth analysis would require a separate report.

## 1. LACK OF PRE-SCREENING COUNSELING

From September 1989 to January 1991, there was completely no pre-screening counseling by the UNHCR. In May 1990, the first screening decisions were released; their arbitrariness shocked the entire camp. The Vietnamese Camp Committee repeatedly wrote to the UNHCR to request legal assistance. Every time, the UNHCR replied that it had no lawyers to spare.

In December 1990, a mass demonstration broke out. The demonstrators demanded that (a) the UNHCR provide professional pre-screening counseling and legal assistance at the appeal stage, (b) asylum seekers be given sufficient time to present their claims during screening, and (c) the Task Force provide reasons for its denials of refugee status.

By early January 1991, the situation in Pulau Bidong became explosive. Several asylum seekers had attempted suicide. One young man had plunged to his death from a cliff after being screened out. At a meeting with representatives of the boat people, Dr. Shamsul Bari, the UNHCR Representative, finally agreed to provide pre-screening counseling.

The counseling sessions turned out to be of little help. They were administered to groups of 70-100 asylum seekers at a time, and each session lasted for only about one hour. At these sessions, UNHCR legal consultants only provided general advice which shed no light on the screening process or on the refugee criteria.

*"The UNHCR only gave general advices such as to tell the truth, not to hide rape incidents at sea, to be prepared for the screening interview, to think carefully before making a statement... There was absolutely no mention of refugee criteria." (Affidavit of Colonel Nguyen Thieu, former Head of Vietnamese Camp Committee in Pulau Bidong, done in Pennsylvania, Jan. 27, 1993).*

Sixteen months into the screening program, pre-screening counseling came too late and too little: too late for about one third of the boat people who had already been screened, and too little for the two thirds awaiting screening.

## 2. LACK OF LEGAL ASSISTANCE ON APPEALS

At the same meeting with representatives of the boat people, Dr. Bari ruled out direct legal assistance to asylum seekers. Instead, he agreed to support a self-help group, which he later named Review Advice Group (RAG). In terms of support, the UNHCR agreed to provide RAG with typewriters, stationery and other office supplies. Dr. Bari also promised to send a legal consultant to Pulau Bidong once a week to train the group on refugee laws.

This self-help group had been formed in September 1990 by the Vietnamese Camp Committee. It consisted of ten counselors, ten translators and three typists. Only six of the ten counselors had some legal training in Vietnam. Many of them did not speak English. Translators were therefore needed to translate the appeals prepared by the counselors into English. The typists then typed up these translated appeals for submission to the Task Force. Errors could

creep into the appeals throughout this multi-stage process. These errors ranged from the benign such as typographical errors to the critical such as incorrect translation or skipped paragraphs.

The first two training sessions, about one hour each, were conducted by a UNHCR field officer, who was not a lawyer. Only much later did the group get to meet with UNHCR legal officers. In the words of Colonel Nguyen Thieu, RAG's founder and first chairman, these meetings were not very informative and did not help that much:

*"In all those meetings, UNHCR lawyers often eluded detailed and specific questions, answering only in general and vague terms. A frequent response was: 'Just do as you like; just write whatever you want. We will review it.' We were not provided any guidelines on screening or refugee criteria."* (Affidavit of Colonel Nguyen Thieu, former Head of Vietnamese Camp Committee and RAG, done in Pennsylvania, Jan. 27, 1993).

After Pulau Bidong Camp closed and all the boat people were transferred to Sungei Besi Camp in November 1991, meetings with UNHCR legal officers became less and less frequent. From October 1992 to August 1993, there were only three brief meetings of less than one hour each.

All in all, RAG counselors, ill-equipped and ill-trained, could not make up for the lack of legal assistance. In 1993, realizing their own shortcomings and the UNHCR's unwillingness to provide legal assistance, RAG appealed to Legal Assistance for Vietnamese Asylum Seekers (LAVAS) for help. LAVAS, already providing pro bono legal assistance to asylum seekers in the Philippines and Hong Kong, wrote to the UNHCR to seek access to Sungei Besi Camp. Werner Blatter, UNHCR Director of the Regional Bureau for Asia and Oceania, rejected the request on the pretext that asylum seekers in Malaysia already had RAG's quality services:

*"Assistance with preparation of appeals is, in the first instance, provided by the Review Advice Group (RAG), which offers services in terms of translation, typing up of submissions and advice on how to present the same. RAG members are qualified and experienced camp residents and they meet regularly with UNHCR legal consultants in an interactive process which helps to clarify any doubts asylum seekers may have particularly about the form and direction of appeal submissions. This process has gone very smoothly so far."* (Letter to LAVAS dated November 4, 1993)

Such a high praise is contradicted by the self-evaluation of many RAG counselors:

*"Members in the group were all volunteers who were barely more qualified than those whom they were supposed to help. Indeed, most members of RAG had only fragmented knowledge of English and knew nothing about refugee laws. Our group received no formal training from the UNHCR. As an indication of our level of competence, I did not realize the pejorative meaning of the acronym RAG that UNHCR assigned to our group until I came to the United States."* (Affidavit of Le Tran Cat, former RAG chairman at Sungei Besi, done in Houston, Texas, Oct. 16, 1993).

*"The appeals were often filled with translation errors and with misrepresentation due to awkward or incorrect use of terms. Many of the*



*appeals written by one RAG member were incomprehensible to even another RAG member. At times I found that my own writings did not make any sense when I read them again a few days later, after the appeals had been submitted. We were constantly rushed by the 37-day deadline for appeal submission. Often I had to help 40-50 cases a month and there was not much I could do to maintain the quality, if any, of my work.”* (Affidavit of Pham Minh Duc, former RAG counselor, done in Pasadena, Texas, Dec. 1, 1993)

Gerassimos Furlanos, head of the UNHCR Eligibility Unit in Malaysia from July 1991 to August 1992, testified at a US Congressional hearing that the lack of legal assistance denied many asylum seekers a fair chance to appropriately present their refugee claims [7]:

*“One of the basic flaws of the screening process, which constitutes a violation of a basic principle of law or a general principle of law, is the lack of legal representation. We all know how important that is... The people did not know how to present the cases. In some cases, they did entrust private lawyers from Australia and other countries. Those lawyers did not know the CPA. Their submissions did not help us at all.*

*“Also, we did not know what to do with them. Some people said, ‘do not pay attention to such submissions.’ Others said, ‘read at least the content.’ There are no clear lines. There is no clear policy, and it is very different from country to country.*

*“Those still in the camps, perhaps they should get the chance of some legal-like body seeing through their cases so that no genuine refugee is lost.”*

Contrary to assertions by Mr. Blatter, screening did not go smoothly. It was marked by a string of demonstrations, hunger strikes, sit-ins, and a dozen suicide attempts resulting in two tragic deaths and several serious injuries.

### 3. INCOMPETENT INTERPRETERS

Prior to 1991, interpreters used in screening were recruited from within the camp population. Their English was sub-standard, especially in understanding specialized legal terms. Responding to repeated requests from and protests by the asylum seekers, starting in 1991 the UNHCR hired several overseas interpreters. Many of these interpreters, being themselves refugees not too long ago, were hardly more competent than camp recruits. Others who grew up in resettlement countries experienced the opposite problem: their knowledge of Vietnamese was superficial and inadequate. Military terminology, ideological parlance, North Vietnamese dialects, or post-75 jargons were beyond the reach of these young and inexperienced interpreters<sup>2</sup>.

Asylum seekers in Malaysia referred sarcastically to some of these interpreters as “catastrophes”, because an incompetent interpreter could wreak havoc to the claims of the unfortunate asylum seekers he or she helped. Official UNHCR announcements, translated into

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<sup>2</sup> Some Malaysian screening officials did not speak fluent English. This compounded the problems of poor translation.

Vietnamese by these certified interpreters, prompted many jokes among the boat people and also caused many to fear for their future. These announcements, rife with mistakes, indicated only a fifth to sixth grade proficiency in Vietnamese.

In response to criticisms by non-governmental organizations, the US State Department in 1992 allocated money for the hiring of some 100 certified interpreters for the entire region. As far as Malaysia was concerned, this remedy came too late because screening was at the time almost over.

Poor translation was an even greater problem at the appeal stage. Most RAG translators--volunteers recruited from the camp population--had only an elementary knowledge of English. In many cases, facts were distorted by poor translation; inconsistencies were introduced by the use of wrong military or technical terminology. Some of the appeals became, after translation, simply incomprehensible.

#### 4. NO REASONS FOR DENIALS

Despite repeated requests by the Vietnamese Camp Committee, the Task Force refused to provide reasons for their screening decisions, thus denying asylum seekers the opportunity to meaningfully appeal unfair denials of refugee status. Asylum seekers and their RAG counselors had to resort to guesswork in writing the appeals.

*"It was very hard to help the boat people with their appeals because reasons were not given for the screening decisions. We made several requests to UNHCR to disclose the reasons for each decision, as was done in a number of asylum countries, so that we could at least know where to start with the appeal. UNHCR replied that Malaysia did not want to give out the reasons for their decisions. We therefore had to make wild guesses as to what to put down in the appeals. Add that to our deficient knowledge of refugee law, you have the formula for a catastrophe." (Affidavit of Pham Minh Duc, former RAG counselor, done in Pasadena, Texas, Dec. 1, 1993)*

#### 5. OTHER ADVERSE FACTORS

Responding to the asylum seekers' repeated complaints and appeals, Dr. Bari introduced some remedial half-measures in early 1991. These remedies were, however, short-lived. As soon as the Pulau Bidong camp population was transferred to Sungei Besi in late 1991, UNHCR's official support for RAG ended. Meetings between UNHCR legal consultants and RAG counselors became infrequent and were eventually discontinued.

Then in early 1993, an internal conflict erupted between two rival camps within the UNHCR Branch Office in Kuala Lumpur, pitching the Acting Representative against the new head of the Eligibility Unit. Consumed by this internal conflict, the UNHCR became even less interested in and less capable of controlling the quality of screening.

At about the same time, the UNHCR's regional emphasis shifted from protection to repatriation. In a move towards promoting repatriation, in June 1993 the Task Force released 2,500 screening decisions all at once and ordered that all appeals must be submitted within three months. RAG was overwhelmed and its members overworked. It was able to help only 20% of

the cases needing assistance. The only consolation for those not receiving assistance was to learn later that RAG's help made little difference. Adding to the asylum seekers' misfortune, UNHCR decided to reduce its supply of stationery to RAG. Within two weeks of the deadline, 700 people were still scrambling for paper to write their appeals.

These problems, although themselves accidental, exacerbated the inherent flaws of the screening procedure in Malaysia. The affidavits of two former RAG members enclosed in Appendix C describe some of these problems in detail.

### SAMPLE CASES

Due to corruption and procedural flaws, many asylum seekers with compelling claims have suspiciously been denied refugee status and their appeals rejected. People with a long history of persecution by the Communist government in Vietnam have been classified as economic migrants. Siblings with practically identical claims have received contradicting screening decisions. The principle of family unity, spelled out in the CPA, has been blatantly violated in numerous cases, where husbands were separated from wives, and parents from their minor children, during screening [8]. Appendix D contains several evidences of payments to Task Force officials. Below is a sample of egregious screening decisions. The identity of the people involved are not disclosed for their protection.

#### CASE M1

M1 joined the Army of the Republic of Vietnam in 1954. Since 1966, he served as a counter-intelligence officer in the 25th Infantry Division. He successfully infiltrated enemy rank and brought about the arrests of many Communist agents. After his honorable discharge from the Army in 1973, he continued to serve as a consultant in matters related to counter-intelligence operations.

Immediately after the Communist takeover of South Vietnam in 1975, the security police surrounded M1's house to arrest him. He narrowly escaped to another town. When interrogated by the Communist authorities, his family declared him missing in action. M1 soon left for another province where he lived under a false identity with his second wife. They often had to change residence to avoid being uncovered by the local authorities.

In 1984, his family was accepted for resettlement by the United States. M1 however could not go as he had been declared missing in action. From the United States, his family secretly sent money to support him in Vietnam.

In 1989, the local security police summoned M1 for interrogation. He was told to truthfully report his pre-1975 activities. M1 learned from friends that the authorities were also interrogating others about him. Fearing imprisonment, M1 escaped to Malaysia with a son he had with his second wife.

In early 1994, M1's daughter and her husband came to Kuala Lumpur from California to visit him at Sungei Besi Camp. They were approached by a Task Force security guard asking money in exchange for M1's refugee status. They agreed to discuss the deal. Major Mohammed Bin Wang, visiting them at a hotel, demanded a large sum of money which the couple could not afford. Soon after, M1's appeal was rejected by the Task Force.

## CASE M2

M2's father, a hamlet chief, was well-known in his locality for his effective campaigns to root out Communist infiltrators. After 1975, the local Communists, having taken over the government, took revenge against M2's family.

Soon after, M2's family attempted to escape from Vietnam. However, his mother and sister were captured. His brother-in-law and two nephews were shot dead by the security police. His uncle-in-law was later captured and executed.

M2 stayed in hiding under a false identity. Later he married the niece of the man giving him refuge. The couple tried six times to escape from Vietnam between 1977 and 1981 but failed. In April 1981, they were caught during an escape attempt. His wife suffered miscarriage of their twins because of cruel beatings during an interrogation. M2's true identity was uncovered.

After his wife and children were released, M2 remained in prison for four years. After his release, M2 had to do hard labor in his locality for two more years. He could not earn a living for his family during this period; his children suffered severe malnutrition.

In 1989, M2's application to fish at sea was denied because he had no family registration. Having no other legal means to earn a living for his family, he secretly went to sea with friends who fished with dynamites.

In September 1989, his wife was summoned to the police station only days after she delivered her third child. She was interrogated about the supplier of the dynamites. The authorities charged that the dynamites her husband used were the same used by an anti-revolutionary group operating in the area. The police also charged that one of M2's brother-in-laws was a leader of the group. Too frightened and weak from the recent labor, M2's wife fainted during the interrogation and was taken to a hospital. She later fled the hospital and joined her husband and children in their final and successful escape from Vietnam.

Agents of the Task Force approached M2 several times and demanded \$5,000 in exchange for refugee status. He could not afford the money. Intervention by Representative James Moran of Virginia did not help. M2 and his family were screened out. For unknown reasons, the Task Force has not released its decision on M2's appeal even though first instance screening was officially over 34 months ago.

## CASE M3

Before the Communist takeover in 1975, M3 was employed with the US Pacific Airline and her husband served in the South Vietnamese Air Force as a second lieutenant. In 1975, the Communist government sent him to forced labor at a "re-education" camp. Meanwhile, M3 was evicted from her home, banned from all legal employment and business, and forced to do hard labor several months at a time. In 1981, worsening living conditions led to their divorce.

In 1983, she met her second husband, a minister of the Hoa Hao Buddhist Sect. The latter had been himself severely persecuted because of his religion. His Church, considered "reactionary" by the government, had been all but crushed.

In 1987, the government cracked down on underground religious activities. M3's husband had to go into hiding in the jungle. His underground Church finally decided that he must escape.

Caught en route, he was imprisoned and repeatedly tortured. By mid-1988, he became seriously ill and was hospitalized. Diagnosed as nearing death, he was released to the care of his family.

After a failed escape attempt in 1989, M3 and her husband successfully fled to Malaysia in 1990.

In 1993, M3's husband was granted refugee status. She and their child were, however, screened out. A few months after her husband's resettlement, M3 was approached by a Task Force agent. This agent then made several collect calls to her husband in the United States, threatening that M3 and her child would be deported if her husband failed to pay \$5,000 to Ghani Harun, an officer at the Task Force headquarters.

Former Representative Leslie Byrne and her successor Representative Thomas Davis III requested the US State Department to investigate the alleged corruption and provide protection for M3 and her child. After almost two years of unrelenting US intervention, the UNHCR finally agreed to grant them mandate refugee status in July of this year.

### CONCLUSION

Both the UNHCR and its critics considered screening in Malaysia as the least problematic in the region. This was largely due to the personal efforts of several UNHCR officials to make screening work. However, their efforts did not begin soon enough and their achievements were short-lived. About a third of the camp population had already undergone screening when the UNHCR introduced some remedial measures in early 1991. By the time the quality of screening started to deteriorate in 1992, about another third of the camp population were still in the pipeline awaiting screening, or were yet to receive the screening decisions.

By early 1993, a sophisticated and overarching corruption network had developed within the Task Force, with links to groups of agents among the camp population and within the UNHCR. Members of the Task Force and their agents made it clear to asylum seekers that they must pay for their refugee status. Some of these agents were so brazen as to make collect calls to the asylum seekers' overseas relatives to initiate deal proposals. Several of these relatives have reported threats and intimidation by these agents. The corruption racket developed late in Malaysia but rapidly caught up with its counterparts in Indonesia and the Philippines.

Beside rampant corruption, the screening process experienced several critical procedural defects such as the lack of adequate pre-screening counseling and legal representation, poor translation, and the absence of reasons for denials. These problems existed throughout but got worse in 1993 when the UNHCR became paralyzed by internal conflicts. At about the same time, the UNHCR, caving in to pressure from first asylum countries to clear the camps, shifted its emphasis from refugee protection to repatriation. In the words of Fourlanos, the former head of UNHCR's Eligibility Unit in Malaysia, the few officials still keen on refugee protection found themselves helpless against an increasingly cynical trend within the UNHCR in the region [7]:

*"In recent years, a plan--a fashion--has been established within UNHCR here, the so-called cynical school. The tougher you are and the more cynical you are, the more you are admired and appreciated and, of course, rewarded. The old style humanitarian guys are no longer in fashion, no longer appreciated."*

This conglomeration of diverse factors have resulted in a number of compelling refugee claims being rejected at both the first instance screening and at the appeal stage. Many cases that fit the Convention definition of a refugee have been disqualified. Several families have been broken apart when immediate family members received opposite screening decisions.

The least problematic screening process under the CPA had its own share of procedural flaws and rampant corruption.

### REFERENCES

- [1] *Hong Kong's Refugee Status Review Board: Problems in Status Determination for Vietnamese Asylum Seekers*, Lawyers Committee for Human Rights, NY, Mar. 1992.
- [2] *Indefinite Detention and Mandatory Repatriation: The Incarceration of Vietnamese in Hong Kong*, Asia Watch News, Vol. 3, Issue 24, Washington DC, Dec. 23, 1991.
- [3] *Memorandum to the Governments of Hong Kong and the United Kingdom Regarding the Protection of Vietnamese Asylum Seekers in Hong Kong*, Amnesty International, London, Jan. 19, 1990.
- [4] *Report on Corruption in the Screening Process Under the Comprehensive Plan of Action in Galang Camp*, Indonesia, NSW Refugee Fund Committee, Sydney, Aug. 20, 1994.
- [5] *Corruption in the Screening Process in the Philippines*, Refugee S.O.S. Task Force, California, Jul. 6, 1995.
- [6] *UNHCR Confidential Note For the File*, Ref. INS/TPI/ELIG/119/91, Dec. 3, 1991.
- [7] Transcript of the Congressional Hearing "*Indochinese Refugees: The Comprehensive Plan of Action*," International Relations Subcommittee on International Operations and Human Rights, Washington DC, Jul. 27, 1995.
- [8] *Families Broken: The Consequence of Screening Errors*, Boat People S.O.S., Sep. 1995.

**APPENDIX A**  
**ALERT ON THE CRIMINAL ACTIVITIES**  
**OF NGUYEN VAN OANH, MC 517**  
**SUNGEI BESI, MALAYSIA**

We, the undersigned, are former boat persons in Sungei Besi Camp, Malaysia, and are now residing in the United States. We would like to appeal to the Government of Malaysia and all resettlement countries to give due consideration to the case of Nguyen Van Oanh, MC 517, a notorious criminal with many crimes committed in Vietnam, and in Pulau Bidong Camp and Sungei Besi Camp. He was recently granted refugee status by the Government of Malaysia. He is now being considered for resettlement in a third country.

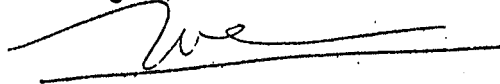
Nguyen Van Oanh was the leader of a gang of criminals in Cau Muoi, Saigon. He was sentenced to life in Vietnam for manslaughter. He escaped prison after killing a jailer and fled with two siblings to Malaysia. On the very first night in Pulau Bidong Camp, he was arrested and detained at the "Monkey House" for robbery. Very soon he became a well known gang leader who threatened the safety and dignity of the boat people in Pulau Bidong.

In October 1991, all the boat people were transferred to Sungei Besi Camp. Oanh continued his criminal activities there. He has brutally beaten and injured many innocent asylum seekers. Most notoriously, last year he assaulted Nguyen Duc Vuong, MC 407, a respected figure in the boat people community. Vuong was seriously injured and had to be hospitalized.

Ironically, Oanh was recognized a refugee by the Malaysian Government on 15 February 1994. He is now awaiting resettlement. His two siblings, Nguyen Thi Ut and Nguyen Van Sang, MC 517, both with criminal records in Vietnam, have resettled in Canada.

We call on all resettlement countries not to admit such a criminal element into their society. Governments are encouraged to thoroughly investigate Nguyen Van Oanh before making any decision to resettle him. We also call on the Government of Malaysia to investigate the circumstances under which Oanh was granted refugee status, despite his total lack of refugee claim and despite his past criminal record in Vietnam and his criminal activities in Malaysia.

Signed,



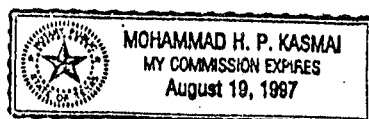
Pham Minh Duc, MC 496, former member of the Review Advice Group  
on behalf of:

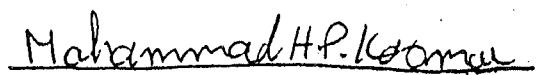
Duong Van Hieu, MC 476, former Acting Camp Leader

Le Tran Cat, MC 453, former Head of the Review Advice Group

Ngo Dac Chung, MC 501, former asylum seeker

SUBSCRIBED & SWORN BEFORE ME ON THIS 22ND DAY OF APRIL  
1994.



  
 NOTARY PUBLIC

APPENDIX B

AFFIDAVITS OF VICTIMS OF CORRUPTION

February 18, 1994

TO: Mr Louis Mazel, Refugee Coordinator  
Consular Section  
American Embassy  
Kualar Lumpur, Malaysia  
Tel 011 603 248 9011  
Fax 011 603 249 5119

Dear Sir,

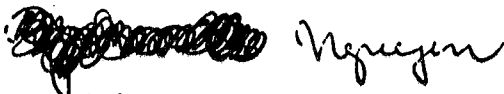
After talking with you in the telephone about my sister,

PERSONAL INFORMATION DELETED

As I have promised to you in our telephone conversation, I will let Congressman Dan Burton know that two people from Malaysia working in the UN and Malaysia government threaten me. I hope that Mary Fredrick from the Congressman's office will contact with you soon. However, I still have two sisters, ~~NAME~~ NGUYEN and ~~NAME~~ NGUYEN, and one brother in law, ~~NAME~~, who are still living in the Malaysia refugee camp under their warning. According to them, If I release this information, my family will be in danger.

Mr. Mazel, I thank you for your help. Please forgive my sister, help her repatriate, interview and come to the United States with my parents.

Sincerely,

  
~~NAME~~ Nguyen



## Affidavit of Mr. [REDACTED] on Screening Corruption in Sungei Besi, Malaysia

My name is [REDACTED]. I am a U. S. citizen currently residing at [REDACTED], Westminster, CA 92683. I am married in 1984 and have 4 children. I came to the U.S. in 1982 from Vietnam.

After 1975, the Fall of South Vietnam, I was a laborer and then served in the Army, which was assigned to Cambodia. In 1978, I escaped (AWOL) from the communist army because I did not want to serve in Cambodia. The security police was searching for me when I fled Vietnam, from Tay Ninh, by foot through Cambodia and finally, to Thailand. Living in the U.S. for 8 years, I became a naturalized citizen in 1990.

I became a victim of Malaysian corruption in January of 1994. My wife and I first visited Malaysia on January 8, 1994, in order to see my wife's father and his son, who are political asylees in Sungei Besi Camp. They have been detained in Sungei Besi since 1989. The name of my wife's father is [REDACTED] (MC-[REDACTED], ID-[REDACTED]). The son's name is [REDACTED] (MC-[REDACTED], ID-[REDACTED]).

I met a military security guard at the refugee camp when I first visited the head office for clearance. The guard said that he could help my father and then he asked for my hotel's address. Later that night he visited my hotel and told me that it would cost \$8,000.00 U.S. dollars to help two people come to America. I responded that I did not have such a large amount. He suggested that I put a down payment of \$2,000.00 and then pay the balance once my two family members receive a favorable screening decision.

Before I turned over the down payment, the following day the guard took me to the home of a Malaysian officer by the name of Mohammed, I believe with a rank of major, who has the responsibility of screening asylum seekers. His house is located in a military compound with guards at the gate. Mohammed's house was full of asylum cases scattered on the floor and tables.

He asked for my father's and brother's names and pulled out their files. He promised to help their cases, but with compensation. I was very impressed with his authority since he has many files, including the two applications my family had sent from the U.S.

From the files, I could see that my father-in-law had failed screening since there was a mark on his application indicating such a decision. Mohammed said that he could reverse the decision and then showed me the procedure by suggesting that my wife write an appeal letter, requesting the review of the files for my father and his son. He instructed me to send the appeal to the National Task Force 7, the Asylum Appeal Authority in Kuala Lumpur. This letter would give him justification to pull the files and "review" them.

I did not give Mohammed the money at his house but promised to hand it over at the hotel. As scheduled later that night, another military guard came to my hotel room, in which I gave him the \$2,000.00 cash. I was able to secretly set up my camera-recorder to record about one minute of the cash transaction. The tape was not very clear because we were scared and my wife had to block the lens at times in her attempt to act naturally during the money exchange.

The military guard promised that around early February 1994 my father-in-law will receive a favorable screening decision and that, at that time, I could then come back to Malaysia to pay the rest of the balance, or \$6,000.00. The guard gave me his phone numbers as well as the numbers of the major, Mohammed. I flew back to the U.S. a few days later feeling happy that my family members have been saved.

In February 1994, I telephoned Mohammed twice but only left recorded messages on his answering machine. He never did call back. I also called the military guard. He told me that he does not know about the progress of the files or that the applications have received a favorable reconsideration. I then realized that I have been duped by these people, feeling helpless and hopeless half a continent away. My father-in-law later wrote my family inquiring about the status of his case. He wrote that he had not heard of anything from the Malaysian officials. This news confirmed to me once again that my family had been tricked by Mohammed and his lieutenants.

I have contacted many non-profit organizations for help in this case in order to expose the sham against desperate asylum seekers and their family members. I have retained most relevant addresses and phone numbers of those Malaysians who are involved in this case. I am prepared to testify to any authoritative agencies and bodies concerning this matter.

I am solely responsible for the statements made above and am willing to testify under oath about my case as well as my knowledge about this serious problem in Sungei Besi, Malaysia.

~~XXXXXXXXXXXXXXXXXXXX~~  
~~XXXXXXXXXXXX~~

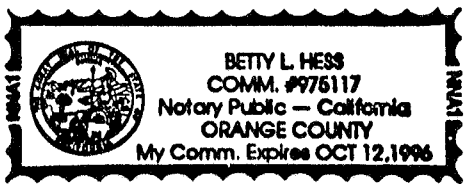
STATE OF CALIFORNIA )  
 )  
COUNTY OF ORANGE )

SS:

*Betty L. Hess*  
Before me, a Notary Public in and for said County and State personally appeared ~~XXXXXXXXXXXX~~ and acknowledged the execution of the foregoing instrument by and on behalf of himself, and who having been duly sworn, stated that to the best of his knowledge and belief any representations therein are true.

WITNESS my hand and Notarial Seal this 24 day of January, 1995.

*Betty L. Hess*  
Notary Public



December 7, 1994

Dear ~~Tom~~,

Following are the list of people who involved in the "....." pertaining to my sisters' cases:

1. Steven Dung Ngoc Nguyen : UNHCR officer at Sungeibesi refugee camp, Malaysia. Steven Dung's resident address at Malaysia:  
18-1A Jalan 6/116B  
Kuchai Entretreuer Park  
58200 Kuala Lumpur, Malaysia

According to my sisters who are living in Malaysia camp, Steven Dung is from Texas. He joined UNHCR at Malaysia after he left his job in Texas due to having an accident. Steven Dung's family is probably still living in Texas. Steven Dung got married to a Malaysian girl . They had a small business named "NGUYEN's TRADING" at Kuala Lumpur Malaysia. Rumor said that Steven Dung now might be living in Texas as a Police officer .

2. NG HUN MUN (Per Steven Dung Mr. MUN is a high ranking officer in Malaysia government who has authority on deciding Vietnamese's refugee status) Mr. MUN and Steven Dung had been involved many Vietnamese refugee cases. However, Steven Dung was the one who did all the communication with Vietnamese refugees ' relatives in the U.S., Australia, Canada, etc. Steven Dung normally made collect phone calls to refugees' relatives and talked about "The only option for Malaysian and UN to consider the Vietnamese refugee cases is ...". He also warned us not to tell anyone about them or the "..."

Mr. NG HUN MUN has banking account # 114079269170  
at KWONG YIK BANK  
SALAK SOUTH, Kuala Lumpur, Malaysia

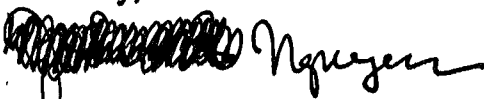
Steven Dung started to make collect phone calls to me from 2/15/1993. He had several telephone numbers to contact : 6037833153, 6037805093, 6037807475.

Father David Hellmann from St. Joan of Art and my boss Wilbur Robarge were the first people I discussed "The collect phone calls from Malaysia"

Tom, as you have known I really trust you. However, my sisters are still in the camp, and because of this, we need to be extremely careful in our dealings with the UNHCR and Malaysians. Until this point I really do not want to spell out every detail about this mess to "unresponsible people". I hope you will understood me and forgive me. I do not wish to ask them to pay back anything. Whatever I have lost, I have to accept! The reason I would like to bring this issue up to you just because I want to prove " The mess in Malaysia refugee camp!"

Thank you very much for everything you have done for me.

Sincerely,



~~Steven~~ Nguyen

## APPENDIX C

**AFFIDAVIT OF LE TRAN CAT, MC 453.028  
REGARDING THE SCREENING PROCEDURE IN SUNGEI BESI CAMP, MALAYSIA**

I, the undersigned, testify under oath that the following facts are true to the best of my knowledge.

1. I was a member of the Review Advice Group (RAG) from MAY 1990 to March 1991, when I became the head of RAG until my departure for the United States in March 1992. (See enclosed certificate.)

2. When screening first started, a group of us came to the UNHCR and requested that the boat people be provided legal assistance. The UNHCR responded that they could not provide any due to lack of lawyers. Instead, they encouraged us to form a self-help group, to which the UNHCR gave the name RAG. The main task of RAG was to help boat people in the camp write their appeals.

3. The only documents provided to us were a copy of the 1951 Convention Relating to the Status of Refugees, the Universal Declaration of Human Rights and the introductory chapter of the UNHCR's Handbook on Procedures and Criteria for Determining Refugee Status. This gave us the general definition of a refugee without any explanation of what the law was nor how that law might apply. We were therefore left virtually in the dark as to how best help a case.

4. Sporadically there was a UNHCR lawyer coming to the camp to advise us on general matters, sometimes twice a month and sometimes once every two or three months. Later on, at our persistent request, UNHCR established monthly consultation sessions for our group. Each session lasted one or two hours at most. Those sessions were very useful since we did not know enough to ask. And when we asked, our specific questions were only answered in general terms.

5. When Pulau Bidong was closed and all the boat people moved to Sungei Besi in late 1991, UNHCR agreed to hold weekly consultation sessions. However, these sessions were often cancelled without replacement whenever the UNHCR lawyer had something else to do.

6. Members in the group were all volunteers who were barely more qualified than those whom they were supposed to help. Indeed, most members of RAG had only fragmented knowledge of English and knew nothing about refugee laws. Our group received no formal training from the UNHCR. As an indication of our level of competence, I did not realize the pejorative meaning of the acronym RAG that UNHCR assigned to our group until I came to the United States.

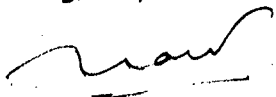
7. Our task was made all the more difficult because the decisions came with no reason for denial of refugee status. Our work was therefore mainly guesswork.

8. We simply did our best even though we realized that our help made little difference. For most cases that we helped, we did not know why they were successful or why they were not. It seemed that many factors affecting the decisions totally escaped us. Many members of RAG could not even present their own cases when it was their turn to be screened. The situation was getting worse. The few who successfully defended their own cases were screened in and soon resettled to a third country. The quality of RAG deteriorated rapidly.

9. Most in Sungei Besi did not even have access to that inadequate help. Our group was able to provide assistance to only 20% of the camp population. Others had to take care of themselves or tried to get whatever help they could from friends and neighbors.

10. In summary, no boat person in Sungei Besi Camp received any legal assistance from the UNHCR on their appeal. Whichever help they got from RAG, if they got it, was inadequate. They were denied of a due process and a fair chance to an effective and competent appeal.

Signed,



Le Tran Cat  
9801 Fondren Rd #526  
Houston, TX 77096

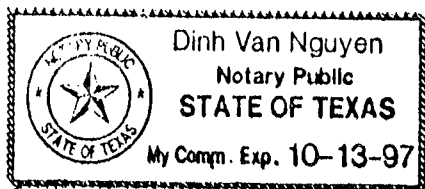
Done on October 16, 1993, in Houston, Texas, United States of America.

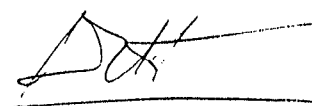
Translated by Nguyen Hien on October 17, 1993.

STATE OF TEXAS

COUNTY OF HARRIS

SWORN TO and Subscribed before me by CAT TRAN LE  
on this December 2nd 1993



  
Notary Public Signature

**AFFIDAVIT OF NGO DAC CHUNG  
FORMER MEMBER OF THE REVIEW ADVICE GROUP  
ABOUT THE LACK OF DUE PROCESS IN THE APPEAL PROCEDURE**

1. I, Ngo Dac Chung, MC 501, was a member of the Review Advice Group in Sungei Besi Camp from March to September 1993.
2. The Review Advice Group is a group set up by the boat people to help each other to make up for the lack of UNHCR lawyers to directly assist the boat people.
3. By the time I left the camp, the group had about 10 counselors and fewer than 20 translators. The counselors are those who have some knowledge about the screening process and are therefore assigned to counsel the boat people on how to write their appeals.
4. All members of the group are volunteers. They receive no compensation nor any formal training from the UNHCR for the job. In my particular case, from the day I joined the group to the day I left the camp, I received no training nor any orientation from the UNHCR. As a matter of fact, I never had the chance to meet with a UNHCR lawyer.
5. My counselling was therefore totally guess work. I had to rely mainly on my own common sense while fully realizing that common sense was not enough when it came to international laws. I therefore never felt comfortable with my counselling.
6. In addition to the absence of UNHCR's legal assistance, the boat people face another major disadvantage. Screening decisions do not state the reasons of denial. Without such reasons, it is impossible to defend oneself effectively because one does not know what went wrong in the screening stage or which point needs clarification. Both the counselor and the counseled are often at a loss when it comes to guessing which points to make in the appeal.
7. As a result, the boat people in Sungei Besi Camp have a very slim chance to effectively present their cases and a very slim chance for a fair review of their claims.
8. The boat people have repeatedly requested a due process in screening. In a joint statement dated 23 April, 1993, signed by UNHCR, the Malaysian government and representatives of the boat people, the UNHCR recognized that  
"The VNBP (Vietnamese Boat People) had drawn attention to certain aspects of the refugee status determination procedure which were claimed to have given rise to inaccuracies and anomalies in the assessment of requests for recognition of refugee status..."

However, no change in the procedure has been observed since. The boat people are still not informed of the reasons of their being denied refugee status and they still have to prepare their own appeals without the competent assistance of a lawyer.

I am fully responsible for the veracity of the points presented above.

Signed,



~~Ngo Dac Chung  
6334 Antoine  
Houston, TX 77091  
November 12, 1993~~

Translation provided by Trinh Dang.

APPENDIX D

EVIDENCES OF CORRUPTION

- 1. Receipt of wire-transfer of money to Ng Hun Mun on March 16, 1993
- 2. Receipt of money transferred to Abdul Ghani Amir on June 8, 1992
- 3. Receipt of money transferred to Ghani Bin Harun on May 12, 1993
- 4. Receipt of money hand-delivered to Shariffudin on November 11, 1993

Customer Advice

NO 364612 **Society BANK** REQUEST FOR WIRE TRANSFER

NO. \_\_\_\_\_  FEDWIRE  INTERNAL  INTERNATIONAL

REPEAT CODE \_\_\_\_\_ CUSTOMER NAME Nguyen

DEBIT ACCOUNT \_\_\_\_\_ ADDRESS [Redacted]

AMOUNT \$ 4000.00 [Redacted]

TO — DESTINATION BANK = Kwang Y K Bank

BBK — PAYING BANK = SALAK South KUALA LUMPUR Malaysia

BNF — BENEFICIARY = MR NG HUN MUN AC# 1140792691

RFB/OBI — REFERENCES = Acct # 114079269170..

BBI — MISC. INFO. = pd by check # 1331

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REQUESTED BY M. Gue AUTHORIZED SIGNATURE M. Gue

DATE 3-16-93 TYPED NAME OF AUTHORIZED SIGNER Marisa Gue

TIME 11:55 REQUESTING DEPARTMENT Southway. 2953

FORM NO. 67-6107 REV. 12/89 File Copy



THE DEPOSIT TO WHICH THIS INSTRUMENT RELATES IS NOT INSURED UNDER THE CANADA DEPOSIT INSURANCE CORPORATION ACT.



Scotiabank

U.S. DOLLAR DRAFT

0013 054541

82-38  
311

SCOTIA CENTRE  
245 WATER STREET  
ST. JOHN'S, NEWFOUNDLAND A1C 1B5

DATE

June 8/92

PAY TO ORDER OF

Abd Ghani Amir R/F 120223

\$ 3400<sup>00</sup>

U.S. DOLLARS

SUM OF

3,400 US DOLLARS

TO:  
BANKERS TRUST (DELAWARE)  
WILMINGTON, DELAWARE

AUTH. NO. 117	The Bank of Nova Scotia
AUTH. NO. A1965	AUTHORIZED OFFICER <i>John Haron</i>

**Bank of America** NT&SA

VOID AFTER SIX MONTHS

11-36/1210

8011070795

**PURCHASER:** To obtain information regarding this check or to report a loss, contact this institution.

MATCH THE AMOUNT IN WORDS WITH THE AMOUNT IN NUMBERS

**BANK OF AMERICA** FIVE THOUSAND DOLLARS

4 - 8011070795 B-0932

T-FY-T8

NOV 12 1992 FIVE THOUSAND DOLLARS AND 00 CENTS

Pay To The  
Order of

GHANI HARUN BIN

FEE COLLECTED

PURCHASER'S  
SIGNATURE

VOID OVER \$5,000.00

CASHIER'S CHECK

**NON-NEGOTIABLE**

PURCHASER COPY

FX-260cv 5-88  
(Reprint 5-92)

ISSUED IN US DOLLARS

NOTICE: This copy is your receipt and you should save it. If your check is lost, stolen, or destroyed before the void date, you may be required to sign an indemnity agreement or provide an indemnity bond before we will provide a refund or replacement. Generally, these requests will not be accepted until 30 days from the issue date. If you have this instrument after the void date, you may get a refund at any branch of Bank of America if you present the check and this receipt with identification which is satisfactory to the branch.

NOV, 12<sup>th</sup> 1992

My name is SHARIFFUDDIN I received  
US \$ 6000 (six thousand US Dollars)  
FROM MR MINH FOR MINH'S RESULT  
SCREENING. If NOT success, I'll pay  
back this money to MINH.

8.11.1993

*Jim*

This report was prepared in conjunction with many organizations in the United States, Canada, Europe and Australia. For additional copies of this report or further information on corruption in refugee screening under the Comprehensive Plan of Action, contact:

**Boat People S.O.S.**

P.O. Box 2652  
Merrifield, VA 22116, USA

tel: 703-205-3916  
fax: 703-204-2662

**Vietnamese Refugee Sponsorship**

**Coordinating Council--Canada**  
249 Rochester Street  
Ottawa, Ontario K1R-7M9, Canada

tel: 613-230-8282  
fax: 613-230-8282

**Refugee S.O.S. Task Force**

15361 Brookhurst Street, Suite 205  
Westminster, CA 92683, USA

tel: 714-775-6820  
fax: 714-775-2831

**Council of Vietnamese Refugee  
Supporting Organizations in Australia**

P.O. Box 606  
Cabramatta, NSW 2166, Australia

tel: 612-726-6596  
fax: 612-728-7949

**International Society for Human Rights**

Kaiserstr. 72, D-60329  
Frankfurt, Germany

tel: 49-69-23-6971  
fax: 49-69-23-4100

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Boat People S.O.S. is a voluntary, non-profit, and tax-exempt organization which operates solely on donations from the private sector. Its mandate is to protect the welfare and dignity of Vietnamese boat people in Southeast Asia and Hong Kong, and to defend their rights as asylum seekers. The organization publishes a monthly newsletter with a circulation of 1,500, serving as a forum for Vietnamese boat people in the camps who otherwise would have no voice. The organization also helps fund pro bono lawyers to work on refugee and immigration cases. Headquartered in Virginia, USA, the organization has affiliates in Europe, Canada and Australia.

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