



Lyle MacWilliam, M.P. Okanagan - Shuswap



MEMBER OF PARLIAMENT

OTTAWA, K1A 0A6

March 16, 1993.

Mr. Albert Peters,
Director, UNHCR Liaison Office,
Office of the United Nations High
Commission for Refugees,
1 United Nations Plaza,
New York, New York

Dear Mr. Peters:

Re: Vietnamese Refugees Rescued by HMCS Provider

Thank you for agreeing to meet with me through the request of Mr. Jim Carmichael of the Canadian Consulate. I apologize for having to re-schedule the meeting but, due to the recent snow storm which ravaged most of the Eastern States and Canada, I was forced to delay my departure. I understand that our meeting has now been re-scheduled for Thursday, March 18th at 10:30 a.m. at your office.

This letter is to advise of the particular nature of my concern, should you wish to receive some briefing material prior to our meeting.

In June of 1990, a group of 88 Vietnamese refugees were plucked from the South China Sea by the Canadian supply ship, *HMCS Provider*. After receiving assurances from Canada that the refugees would be given a home, the Philippine Government allowed them to disembark. The refugees were housed at Palawan Camp and have since undergone screening for determination of refugee status.

Of the 88 asylum seekers who were rescued, 50 have, apparently, had their claims for refugee status accepted by the Philippine authorities. The claims of the remainder were found not to be credible and were rejected. This latter group has since appealed their initial rejection and is now awaiting for appeals to be heard.

I understand that, under the terms of the Comprehensive Plan of Action (CPA), the evaluation of an asylum seeker's claim falls exclusively within the jurisdiction of the host

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country. I also understand that it is only when the host country has found the claimant to be a bona fide refugee can the claimant be referred to a third country for re-settlement through the UNHCR. However, evidence has surfaced which indicates that violations of the screening process may have occurred which may involve both Philippine officials and representatives from the UNHCR based in the Philippines. Such violations may well have jeopardized the judiciousness of the process for the determination of refugee status.

At the time of our meeting, I will be pleased to provide documents pertaining to:

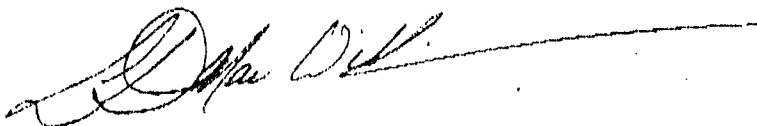
- requests for sexual favours and money by Philippine officials
- problems with UNHCR pre-screening process
- signing of blank determination forms
- incompetence with language during pre-screening process
- failure to have a UNHCR representative present during screening interviews
- lack of standards in the decision-making process
- procedural violations involving sections 7 and 8 of the Task Force on International Refugee Assistance and Administration
- recommendations by UNHCR representatives vis-à-vis conditions at Palawan.

The purpose of my visit will be to provide this evidence to you on behalf of the Trinity United Church Refugee Committee of Vernon, British Columbia. This organization has been instrumental in assuring the re-settlement of these individuals in Canada and in pursuing a fair appeal process for those claimants who have filed appeals.

It is my hope that such information will help ensure that a detailed review of the refugee determination process as practised at Palawan Camp is undertaken, and that the refugees now undergoing their appeals be given a full and fair hearing. Because the UNHCR is internationally acclaimed for the fine work done on behalf of refugees, I know that the organization would want to ensure that the problems experienced at Palawan are resolved.

I look forward to meeting with you on Thursday, March 18th, and thank you for so readily accommodating my request.

Yours sincerely,



Lyle MacWilliam, M.P.
Okanagan - Shuswap

c.c. Mr. Steve Lauman, Chair, Trinity United Church Refugee Committee
Mr. Andrew Kern, Barrister and Solicitor