

### **3 Australia's Concern and Involvement with Refugees in Guam, Hong Kong, Singapore, Malaysia and Thailand**

3.1. Although estimates vary considerably, the Committee was informed that the number of refugees who departed from Vietnam prior to, during and after the fall of Saigon was in the order of 150 000 persons. Those who fled did so for many reasons. Some who had escaped from North Vietnam in 1954, and who had experienced a communist government previously, felt that life under the new regime would be intolerable. Others who had worked with the South Vietnamese Government feared that there might be reprisals. Others fled, however, in sheer panic and it seems that some of these accepted offers of transportation with little thought as to where they were going. Some believed they were being taken to another part of Vietnam but found themselves in refugee camps on Guam and Wake Island.

3.2. After their arrival on Guam some of the refugees reconsidered their hasty decision to leave their country. These and the Vietnamese who had been evacuated by mistake made inquiries about returning to their homes. On 12 May 1975 the UNHCR opened an office in Guam and started taking registrations for voluntary repatriation. Two weeks later the Provisional Revolutionary Government requested the UNHCR to 'render all necessary assistance' to Vietnamese wishing to return. The ship *Thuong Tin* left Guam with 1546 refugees to sail to Vietnam during mid-October but, several days after their departure, the PRG issued a communique stating that the U.S. had violated South Vietnamese sovereignty by attempting to repatriate the refugees without Saigon's permission and that the PRG would therefore refuse to admit them. Fortunately this decision was reversed a few days later and the refugees were allowed to enter.

3.3. The hardship experienced by the refugees from Vietnam caused considerable anguish and distress. Families had become separated in the panic and confusion of the evacuation. Some had seen their parents or children die from starvation or disease. Those who had fled from the central parts of Vietnam had been away from their homes for over a month and were impoverished and suffering from malnutrition. We believe that an atmosphere of confusion and grief engulfed the entire population of displaced persons and refugees--especially during the initial weeks.

*U.S. refugee camps*

3.4. It is clear from the evidence that the United States Government undertook responsibility for the evacuation of some 86 000 or so refugees who it moved by air and by sea from South Vietnam to hastily erected

refugee camps in Guam (the major refugee centre), Wake Island and Subic Bay in the Philippines.

3.5. Although the conditions experienced by the refugees during the evacuation were sometimes appalling, conditions in the reception centres on Guam and Wake Island were good. The Committee was informed that the centres were well organised with good sanitation, temporary shelter and adequate food. There, using computer techniques, the U.S. authorities recorded names, addresses and other personal details which would assist in the identification of refugees and facilitate the work of UNHCR and other international agencies which were participating in various resettlement programs throughout the world. The refugees were then moved to 'relocation centres' at Camp Pendleton in California, Eglin Air Force Base in Florida, and Fort Chaffee in Arkansas. As of 24 May 1976 we understand that 140 000 refugees from Indochina had entered the United States and most of them through the Camp system.

*Relocation centres  
within Continental  
U.S.A.*

3.6. Within the mainland-based relocation centres, efforts to find jobs and sponsors for the refugees were co-ordinated by the 'Interagency Task Force on Indochina Refugees'. This task force, which had been established on 18 April 1975, had the objective of moving all refugees out of the camps within 90 days and dispersing them throughout the nation.

3.7. On 15 June 1975, having been in operation for 60 days, the Task Force reported to the U.S. Congress that its activities during the period 18 April 1975-15 June 1975 had included:

- Co-ordination of the evacuation of 86 000 U.S. citizens and South Vietnamese by air and sea in U.S. military or chartered aircraft.
- Establishment, supply and staffing of staging centres at Guam and Wake Island for the care and preliminary processing of the refugees and of reception centres in continental U.S.A. for the final processing of the refugees prior to their resettlement in the U.S.A.
- The reception into these camps of 131 399 people.
- Organisation and co-ordination of health, social security, and security procedures to facilitate the departure of refugees from the centres.
- Testimony leading to the passage of the Indochina Migration and Refugee Assistance Act of 1975, to fund the refugee program which the President signed into law on 24 May 1975.
- Promotion of international resettlement efforts through initiatives to the UNHCR and ICEM<sup>1</sup> through direct contact with third countries (which resulted in the departure from U.S. territory of 3756 refugees for resettlement elsewhere and the acceptance by other countries of several thousand refugees).

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<sup>1</sup> The Intergovernmental Committee for European Migration, a non-political, international body established to organise the migratory movements of refugees and nationals throughout the world.

- Negotiation of contracts with nine voluntary agencies to support their resettlement programs in the U.S.
- Organising special programs with private American business organisations to provide jobs and housing or commodity support for refugees.
- Establishment of guidelines for the States explaining the nature of Federal Government financial support in the fields of health and medical services, education and welfare services.

3.8. By the week of 19 May 1975, more than 11 800 refugees, mainly relatives of Americans or former employees of U.S. organisations had left the relocation centres to live with American sponsors. As of 15 June 1975 a total of 131 399 evacuees had entered the U.S. system of control, of whom 36 188 were in Western Pacific reception centres, 58 654 in continental U.S. reception centres, 480 on route to centres; 32 321 had been released from the centres for resettlement in the United States and 3756 for resettlement in other countries. By 4 September 85 000 of the refugees had been resettled in the U.S., 6000 had proceeded to other countries, 1800 had requested repatriation to Vietnam while 40 000 still remained in these secondary relocation centres.

3.9. The Committee is aware that these initial waves of enthusiasm to assist the refugees waned as the refugees who had connections with Vietnamese in the U.S. were absorbed by their sponsors and placements then had to be found for those more difficult cases suffering from the disadvantages of little or no English and few if any employable skills. Nevertheless, whilst it is apparent that the U.S. has experienced settlement problems comparable to those with which we have been confronted—and which are discussed at length in Chapter 5—we cannot avoid commenting on the effectiveness of the evacuation and subsequent settlement action of the U.S. compared with that of our own refugee intake which, in relative terms, was much smaller.

3.10. As a consequence of its unilateral action in evacuating the great majority of refugees from Vietnam it is clear that the U.S. Government thereby accepted practical responsibility for the care, well-being and resettlement of the thousands of refugees located in its various camps. Clearly, the evacuation and subsequent settlement activity was the result of a moral commitment towards the Vietnamese which stemmed in part, from its long military involvement in that country. In acknowledging the magnitude of the humanitarian work of the U.S., we regret that the evacuation task was left almost entirely to her and, that other countries with inherited responsibilities in South East Asia, including Australia, declined to contribute more by way of actual assistance with the refugees' evacuation. The Committee notes with satisfaction, however, the extent of Australia's humanitarian aid since the fall of Saigon.

*Vietnamese  
refugees in other  
parts of the world*

3.11. At the same time, other refugees made their way to neighbouring countries utilising any means of transport available, including small fishing boats, merchant vessels and by walking. Consequently large

groups of refugees found themselves in Singapore Harbour, Malaysia (Perhentian Island), Hong Kong and Thailand. (See Table 1). The Committee was informed that as of 13 October 1975 the approximate number of these people was in the order of 50 000.

**Table 1 Selected statistics showing refugee arrivals (and departures) in Singapore, Malaysia, Hong Kong and Thailand during 1975-76**

	<i>Arrivals</i>	<i>Departures</i>
<b>Singapore</b>		
May 1975 . . . . .	904	
June 1975 . . . . .	434	
July-December 1975 . . . . .	303	
February 1976 . . . . .	5	
March 1976 . . . . .	28	
In addition 303 Cambodian refugees arrived during 1975—110 in June and 193 in July		
Source: UNHCR Singapore		
<b>Malaysia</b>		
April-August 1975 . . . . .	1473	1281 to U.S.A., 110 to Australia, 69 to France, 7 to West Germany, 5 to Canada and 2 to Belgium
September 1975 . . . . .	77	15 to U.S.A. and 62 to France
November 1975 . . . . .	31	4 to U.S.A. and 27 to Australia
January 1976 . . . . .	10	10 to France
February 1976 . . . . .	69	
March 1976 . . . . .	28	28 to unknown destinations

In addition 1200 Cambodian Muslims arrived in Malaysia during the period April-August 1975 and were accepted for settlement there.

Source: UNHCR Kuala Lumpur

**Hong Kong**

3743 refugees from Vietnam arrived in Hong Kong on 4 May 1975 on board a Danish freighter. A further 157 refugees arrived during the following months.

The figures below, set out the number of these who departed each month as well as figures of further refugees who arrived in Hong Kong while in transit to other destinations.

	<i>In Transit Hong Kong</i>	<i>Departing Hong Kong (of 3900 arrivals)</i>
May 1975 . . . . .	51	279
June . . . . .	222	591
July . . . . .	172	254
August . . . . .	99	879
September . . . . .	285	676
October . . . . .	281	1067
November . . . . .	11	11
December . . . . .	4	74
January . . . . .	1126	5
February . . . . .	0	13
March . . . . .	0	43
April . . . . .	0	2
Total who transitted through Hong Kong	2251	Total departing Hong Kong 3894

The above figures do not include Indochinese refugees illegally at large in Hong Kong.

Source: Hong Kong Department of Immigration

### Thailand

Statistics are not readily available but it is estimated that the number of Vietnamese refugees has remained at about 1500-2000 persons over the last twelve months (i.e. from about June 1975-May 1976). Towards the end of March 1976, there was an estimated total of 80 000 refugees living in Thailand, most of whom were Laotians and Cambodians.

Source: Department of Foreign Affairs, Australia

3.12. Many of the vessels utilised by the refugees were in very poor condition and some of them unseaworthy. The Committee was informed that a flotilla of small ships carrying refugees from Vietnam landed at Singapore during the first weeks of May. Five of the ships carried refugees who wished to go to Australia. From the evidence received the Committee believes that in spite of having relatives resident in Australia, this group of refugees may have been discouraged from proceeding with their original intentions. Although the Singaporean authorities provided them with food, water and bunkering facilities so that they could resume their journey, little is known of their subsequent movements. A routine search by RAAF aircraft failed to sight the ships and it was assumed that they had made for alternative ports.

### *Refugee camps in Thailand*

3.13. In contrast to the well-organised conditions found in the American camps, the conditions in Thailand were generally deplorable. An eyewitness report indicated for example, that in June 1975 people in one camp were crowded together with each family occupying a space of approximately three metres by three metres where they slept, ate and cooked; clean water for drinking and washing was lacking and many of the the refugees were suffering from skin and other diseases.

3.14. Most of the estimated 53 000 persons then in the camps were Laotian and Cambodian refugees with only a small percentage of Vietnamese. The bulk of the Laotians consisted of the Meo hill-tribesmen who had been engaged in fighting the Pathet Lao in the highlands of Laos for many years. Given the certainty of reprisals, repatriation was not a feasible solution for the Meo tribesmen. Nevertheless, we were informed that pressures were being placed on the refugees by the Thai authorities in order to encourage them to return to their homelands. In October 1975 instructions were issued forbidding refugees from Laos, Cambodia and Vietnam from obtaining jobs in Thailand. From the Thai point of view, repatriation was regarded as the best solution, and in order to discourage further persons from seeking refuge little more than the minimum of relief was given to persons living in the existing camps.

3.15. In February-March 1976 conditions varied but were mostly poor in the ten camps which were visited by the doctor accompanying the Australian immigration selection team to Thailand. Numbers of occupants in the camps varied from 600 Vietnamese in Sattahip Camp, where there

had been 3000 persons 6 months previously, to 9000 Laotians in a camp near Nong Khai. In several camps occupancy approximated 4000, with camps housing Cambodians or Laotians predominating. Living conditions in most camps were poor except for the camp at Khon Kaen which was an ex-U.S. Army Base housing 2000 persons comfortably with no overcrowding, and the camp at Surin where there was vacant space and attempts had been made to cultivate vegetable crops. By contrast the Sikui Camp was overcrowded with up to 100 members of family groups being housed in each room of approximately 18 metres by 9 metres. Scabies was prevalent in that camp, their spread being assisted by the overcrowding; and a recent epidemic of measles had occurred following which an immunisation program had been conducted by the Red Cross. The camp at Aran Prathet housed 3000 Cambodians who were grossly overcrowded in large huts with family units being separated only by bamboo screens.

3.16. Camp buildings were of various materials and styles. Pong Namron Camp consisted of small huts with thatched roofs and earthen floors unsuitable for conducting medical examinations (a Buddhist temple having been used for that purpose). Some camps had large timber huts with wooden floors elevated about one metre above the ground. The Sikui Camp was well constructed, having previously been used as a gaol for communist insurgents, but the refugees slept on mats on concrete floors. At one camp near Nong Khai where living conditions were primitive, a building program funded by the UNHCR was in progress. Hygiene and sanitary conditions in many of the camps were very poor, with open drains and sewers.

3.17. The refugees appeared to be reasonably well nourished on the daily ration provided by the UNHCR which consisted of one-half kilogram of rice with a small amount of meat and dried fish and occasionally vegetables. Surprisingly, the health of the refugees then accommodated in camps in Thailand was generally good, considering the conditions under which many of them lived.

*Response of the  
Australian  
Government to the  
situation of  
Vietnamese  
refugees in U.S.  
camps*

3.18. The Committee was informed that, from the outset, the Australian Government had viewed the problem of the Vietnamese refugees as essentially an international problem. Accordingly, it was decided to assist in the resettlement of refugees as part of a world-wide program administered by the UNHCR. On 6 May 1975, the Australian Ambassador to the European Office of the United Nations, on instructions from the Prime Minister, approached the Office of the United Nations High Commissioner for Refugees and the Secretary-General of the United Nations and urged that there should be co-ordinated international action under the direction of the High Commissioner for the placement of refugees from Vietnam in as many countries as possible. In addition, the Australian Government resolved that the various international relief agencies were the proper authorities to assist in the provision of that relief and it moved swiftly in providing aid through these agencies. Mention has been made

previously of the grants which were made to UNHCR, UNICEF, the International Committee of the Red Cross and, within Australia to the 'Indochina-Vietnam Appeal' conducted by the International Disaster Emergencies Committee of the Australian Council for Overseas Aid.

3.19. In the Committee's judgment the great majority of the 150 000 or so Vietnamese who left South Vietnam prior to, during and after the fall of Saigon were clearly *refugees*.<sup>2</sup> In the Committee's view they had also become *stateless persons* by virtue of their flight from Vietnam and the fact that their former country, the Republic of Vietnam had ceased to exist after its surrender on 30 April 1975.

3.20. The Committee notes that recognition is given internationally to the status of refugees and stateless persons, and obligations rest with countries to afford protection to such persons in addition to granting them certain rights and privileges. Refugees are also properly the concern of the United Nations High Commissioner for Refugees who is charged inter alia with the responsibility of seeking permanent solutions to their settlement problems by assisting governments to this end.

3.21. In practical terms however, the great majority of Vietnamese refugees were regarded as *US evacuees*—by both the Australian Government and the United Nations High Commissioner for Refugees. In the case of the Australian Government, we were informed from the submission which was prepared in the Prime Minister's office that:

'Some factors . . . distinguish the plight of the Vietnamese refugees from that of other refugees. One is that the clear majority of persons who left Vietnam did so as evacuees taken out by the United States of America. It is not considered appropriate . . . for the Australian Government to comment on the plight and circumstances of people in the care or under the responsibility of another government. Consequently . . . this Submission will not generally be concerned with Vietnamese people in the continental or territorial United States of America or in countries by which they were accepted.'

the case of the UNHCR, until such time as the US Government seeks the assistance of the UNHCR, these refugees are for all practical purposes of no concern to it—for, in an international-legal sense, by her unilateral action of evacuating the Vietnamese, the United States was deemed to have accepted responsibility for the care and resettlement of these persons.

3.22. Australia's concern was thus restricted to 'those persons who left Vietnam of their own volition and by their own means and who have not

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<sup>2</sup> In accordance with Article 1A(2) of the United Nations 'Convention and Protocol Relating to the Status of Refugees' a refugee is a person who 'owing to a well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his nationality and is unable or, owing to such fear, is unwilling to avail himself of the protection of that country'.

<sup>3</sup> Submission from the Prime Minister's Office 17 October 1975; Transcript of Evidence, Vol. 1, 1975, p. 413.

yet been accepted for resettlement or refuge'. It was these persons 'about whom there is an international problem'.<sup>4</sup>

3.23. The Committee notes that this was not the only course open to the Government and believes that such an approach was adopted to reduce the number of Vietnamese refugees with which Australia would have to be directly concerned. Clearly, the decision could have been taken for Australia to provide direct assistance in the evacuation and resettlement of refugees whilst, at the same time, continuing to co-operate with the Office of the United Nations High Commissioner for Refugees and other international agencies in bringing about an overall solution.

3.24. Although the Committee was unable satisfactorily to ascertain the reasons behind the reluctance to become directly involved and to accept greater numbers of refugees into Australia, it was suggested that domestic economic considerations may have contributed to some extent, together with the fact that a large influx of refugees into Commonwealth facilities such as migrant hostels could have interfered drastically with our immigration program as well as reducing the number of beds being held in reserve for emergencies. With regard to these latter suggestions, and in view of criticism that Australia did not accept its 'fair share' of the refugees, we observe from the figures provided to the Committee, that at the time of the evacuation of Vietnamese refugees from Saigon, only 6235 of the migrant hostels' total of 11 150 beds were occupied.<sup>5</sup> We believe, therefore, that Australia could have accommodated larger numbers of refugees on a temporary basis, while still maintaining a reserve for other national emergencies and refugee situations.

*Australian selection teams to Guam, Hong Kong, Singapore, Malaysia and Thailand*

*Guam*

3.25. As part of its follow-up action, on 5 May 1975, the Government decided to send a selection team to Guam with the intention of searching through the twelve refugee camps for persons approved to come to Australia prior to the fall of Saigon. The Committee is aware of the difficulties which were encountered by the two officers who were called upon to trace some 366 persons from computer-produced lists of names which fluctuated daily by as many as 3000 refugee-arrivals and 3000 departures, but which averaged around 62 000 persons; and to move from camp to camp to interview those whom they had managed to trace. We believe that the sending of only two persons illustrated a total misunderstanding of the problems involved and was entirely inadequate. In addition we note that a number of Australians who visited the camps were most critical of the limited role undertaken by Australia in Guam. In their view, had the Government wished to do so, efforts could have been made to locate those Vietnamese in Guam having special claims for entry to

<sup>4</sup> *Ibid* p. 414.

<sup>5</sup> Figures supplied by Commonwealth Hostels Limited for 28 April 1975.



Australia—either because of the presence of relatives or because of previous association with the Australian presence in Vietnam.

3.26. As a consequence of the selection team's visit to Guam, 61 refugees were brought to Australia by RAAF aircraft on 18 May 1975. A further 11 persons are known to have arrived in Australia from Guam and Wake Island by scheduled air services at Australian Government expense.

#### *Hong Kong*

3.27. Having decided to assist in the resettlement of refugees as part of a program administered by the UNHCR, the Australian Government was faced with the task of choosing between the various places of temporary refuge as sources of refugees whom it might resettle. In determining that its priorities for action should take account of locations of greatest need, Hong Kong was selected as presenting the most pressing and immediate problem. According to the evidence, the physical resources, finance and maintenance necessary for the support of the estimated number of 2500 refugees then in Hong Kong, were beyond the Administration of that colony.

3.28. On 28 May a team of Australian selection officers left for Hong Kong to commence interviews among the Vietnamese refugees there, with a view to approving persons to come to Australia. 201 refugees were selected for admission and subsequently arrived in Sydney on 20 June 1975. In announcing their arrival on 19 June, we note the Prime Minister's statement that almost all those coming to Australia were unlikely to have been offered resettlement in other countries and for this reason their cases had received special consideration.

#### *Singapore and Malaysia*

3.29. Following request from the UNHCR that Australia accept further refugees for resettlement, a selection team was sent, on 20 July, to Singapore and then on to Perhentian Island in Malaysia to commence the selection and processing of a further 300 Vietnamese refugees. In the event, 323 refugees were selected and brought to Brisbane on 9 August 1975.

3.30. As with the selection in Hong Kong, the Committee was informed that Australia had taken refugees who were least likely to be selected for entry under normal migration criteria and who appeared most in need of the humanitarian assistance which entry to Australia would provide. We note that in each of these instances selection criteria which had not been used previously by the Australian Government were employed to allow the admission of refugees. Whilst many people welcomed this approach, others felt that Australia's priorities had been misdirected. The Vietnamese students who had been undertaking courses of tertiary study in Australia during 1975 were particularly perturbed by the decision which was regarded as being unfair to them. In their view, preference should have been given to bringing to Australia those of their relatives who had managed to escape from Vietnam.

### *Thailand*

3.31. On 21 January 1976 the Minister for Immigration and Ethnic Affairs announced that the Government would admit up to 800 Indochinese refugees to Australia. It was proposed that most of these would come from Thailand where Laotians, Cambodians and Vietnamese were living in refugee camps. The decision also contemplated that Indochinese refugees who had already applied or who had been nominated to come to Australia at the date of the announcement and who had not obtained permanent settlement, would be considered regardless of where they were then living outside their former homelands.

3.32. A team of experienced officers from the Department of Immigration and Ethnic Affairs and a doctor from the Department of Health proceeded to Thailand to select at least 500 refugees. This team left for Thailand on 2 February and priority was given to persons seeking family reunion with Australian residents and persons having a special relationship with Australia. In descending order of preference family reunion included:

- Spouses and dependent children
- Fiancees and fiances
- Parents
- Non-dependent children
- Brothers and sisters
- Other relatives.

3.33. The number of refugees admitted to Australia following the mission's activities in Thailand was 568 of whom 279 were Laotians, 228 Cambodians and 61 Vietnamese; they arrived in Australia by chartered aircraft during 19-24 March 1976. The selection criteria applied to these refugees was that they be in sound health with no known adverse record and that they be able to integrate into the Australian community. With regard to their ability to integrate into the Australian community, the Committee was concerned to note that although Australia's Immigration Officials had no previous experience in the selection of Asian refugees, selection officers were required to make a judgment in the case of each refugee whom they interviewed. This was done on the basis of consideration of the individual's background, previous employment and education.

3.34. In retrospect the Committee is concerned that a decision to involve ourselves with the Thai-based refugees was not taken until nine months after the fall of Saigon. In view of the conditions which were known to exist in these camps, and the likelihood that six months or so would be required before the UNHCR could commence resolving the settlement problems of these people, we question the accuracy of the assessment that the Hong Kong, Singapore and Malaysian-based refugees were those who

experienced the greatest physical hardship. Once again we believe that a decision could have been taken by the Government to provide relief and settlement assistance directly to these unfortunate persons in Thailand whilst continuing to co-operate in the longer-term with the UNHCR.