

Mandatory Repatriation Is Not the Answer to Hong Kong's Problem

by Leonard Davis

The experience of Hong Kong in working with Indochinese asylum seekers may be divided into three periods: i) May 4, 1975 — the date on which the container ship, *Clara Maersk*, arrived in the harbour with 3,743 refugees rescued in the South China Sea — until July 2, 1982, when the closed camp policy was introduced; ii) the six years of the closed camp era in which, at least initially, there was a steady flow of refugees leaving for resettlement countries; and iii) the period from June 16, 1988 — the date on which the screening and repatriation policy came into operation — until the present.

Hong Kong responded magnificently during the early years. The highest number of refugees in the territory, 68,695, was recorded on September 11, 1979. Even during the six years of closed camps, the problems were minimal. People arrived, they were "processed" and most were able to move on. Unfortunately, as is well known, the offers of resettlement became fewer and fewer during the first months of 1988.

The closed camp policy in 1982 was perceived as "the" deterrent. It failed. Asylum seekers continued to arrive in large numbers.

Established as a result of the whipping up of public indignation by what appears to have been a small group of prominent community leaders — recently very quiet about the issue — the screening and repatriation measures introduced in June 1988 were presented as the "ultimate deterrent." Clearly, those measures, too, have failed. Nearly 40,000 Vietnamese people have subsequently arrived in the territory.

The screening and repatriation policy was doomed from the start, accompanied as it was by an apparent

lack of foresight: few interviewers ready to engage in the screening process, a chronic shortage of Correctional Services Department (Prison) staff, few identifiable plans for the housing of thousands of new arrivals, and little insight into the need for "quality communication" between people in distressing circumstances and those charged with their control and supervision, especially in respect of the potential for violence in any group of people living in deplorable conditions from whom all hope has been removed.

Placing people in detention centres under intolerable conditions — surrounded by mud and filth — with poor medical facilities and an inadequate diet inevitably led to increasing levels of aggression among the Vietnamese, between different groups in the camps and in their dealings with the police and custodial services. Throughout 1989, the hostility of the local Hong Kong Chinese also mounted: towards the daily boatloads of asylum seekers, and to the way in which camps were set up in their midst.

The policy of repatriation was based on the strangest assumption, namely, by a little relabelling and redirection in Hong Kong, the Vietnamese would become "good people" and remain in their own country, or voluntarily return to their country of origin.

The voluntary repatriation scheme has made no significant impact on the overall numbers of Vietnamese in Hong Kong. Only a few hundred people have elected to return on a voluntary basis.

There are now more than 50,000 Vietnamese in the territory for whom the Hong Kong government has no immediate solution, except to push ahead with mandatory repatriation. The

fact that asylum seekers are extremely resistant to such a step; that the Vietnamese government has made no firm commitment to accepting them; that any people forcibly returned to Vietnam will bring forth international condemnation; and that, in practical terms, there is no way to transport people against their will without the use of violence, are issues that the Hong Kong government has yet to address.

For the Vietnamese, many must liken their present plight to still being caught up in a kind of war. Victory means their only chance to establish some sort of a future for themselves and their families. Defeat may mean being returned to a life of degradation, poverty and oppression.

We must remember that it was war that provided the backdrop to the present misery of the Vietnamese people. The extensive use of napalm by US forces maimed and killed many hundreds of thousands of civilians, and the employment of defoliants to destroy heavy ground cover devastated the ecology of an essentially agricultural country.

As Melanie Beresford says in her book *Vietnam* (London: Pinter, 1988), it was misguided American prestige and their need to defend the "free world" that brought so much misery, and eventually their retreat from Vietnam.

She concludes: "But this did not occur before [the US] had become embroiled to an extent unprecedented in its history or before it had wreaked such havoc on Vietnam that it would take years to recover."

Given such a background, who, with perhaps life itself at stake, would submit meekly to the "arrangements" being made for forced repatriation?

The majority of the Vietnamese people in the camps have no reason to help towards the completion of the administrative jigsaw puzzle needed to "tidy up" the problem before 1997 when Hong Kong becomes a Special Administrative Region of the People's Republic of China. The goals of the asylum seekers are quite different. They have an alternative view of the world and of their future. Their internal compulsion to seek a better life may — collectively — make them unyielding.

There is a sense in which the best efforts of Hong Kong Government officials in respect of involuntary repatriation may yet come to nought. The time is fast approaching when the issue of asylum seekers in Hong Kong has to be thought about again. Without considerable lateral thinking, the potential for extreme violence and total non-cooperation — and even mass suicides as the day of forced repatriation approaches — must be ever present.

We are all actors on the evolutionary stage. There is still time to make major alterations to the script, and I would like to outline a number of points with a view to changing attitudes and to introducing a softer line into what could still further erupt into a extremely ugly situation.

1. We should, in the first instance, relax the screening policy criteria, giving the opportunity for more people to become eligible for resettlement in a third country.
2. We should significantly improve the quality of life for people in the detention centres. They are not animals.
3. With the United Kingdom — which should be giving a lead — we should be putting far more pressure on the international community to start massive economic aid to Vietnam. Only in this way can we ever hope to make conditions tolerable in the country so that people do not need to provide an resettlement service. Even 100,000 people allocated to a broad range of countries over a two or three-year period would be as nothing in terms of the growth of national populations, given political will.
4. We must press further the initiatives

of the Geneva conference to get resettlement countries to increase their quotas substantially, and to enlarge the number of countries willing to provide a resettlement service. Even 100,000 people allocated to a broad range of countries over a two or three-year period would be as nothing in terms of the growth of national populations, given political will.

5. We should be willing to pay attractive resettlement fees to countries to encourage them to receive and integrate the Vietnamese people into their land. This is far preferable to making "bribe" payments to the Vietnamese Government when many people have doubts about treatment of Vietnamese refugees.
6. We should be exploring, with some urgency, the offer of the Philippines to establish a regional holding centre in the archipelago. Filipinos have an excellent record in regard to their treatment of Vietnamese refugees.
7. Hong Kong should itself look again at its resettlement and integration policy. The criteria are too strict. At present a Vietnamese is only eligible if he speaks Cantonese, arrived in Hong Kong before July 1982, can be self-supporting, and is not accepted by any other resettlement country. Making it easier for more Vietnamese to settle in Hong Kong would, I feel sure, encourage many to make the territory their home.
8. We should move more towards "open Government" as concerns refugee issues. There have been too many "secrets" in Hong Kong leading to a lack of trust.

Hong Kong should now take the lead in finding its own solutions, positive solutions that will correct what is becoming a very poor image to the outside world. There is every reason to believe that — with lateral thinking — efforts to change present negative attitudes towards the Vietnamese people — very ordinary, attractive people — can be reversed to mutual benefit. This may be Hong Kong's last chance.

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