

THE INDO-CHINESE REFUGEES IN THAILAND

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(T.) VENKAT RAMANA RAO

DIVISION OF SOUTH EAST-ASIA AND SOUTH WEST PACIFIC STUDIES—
CENTRE FOR SOUTH, CENTRAL SOUTH-EAST ASIA
AND SOUTH-WEST PACIFIC STUDIES,
SCHOOL OF INTERNATIONAL STUDIES
JAWAHARLAL NEHRU UNIVERSITY
NEW DELHI-110067, INDIA

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C E R T I F I C A T E

Certified that the dissertation entitled "THE INDO-CHINESE REFUGEES IN THAILAND" submitted by Shri T. Venkat Ramana Rao, in partial fulfilment for the award of Degree of MASTER OF PHILOSOPHY IN Jawaharlal Nehru University, has not been previously submitted for any other degree of this or any other university. To the best of our knowledge this is a bonafide work.

We recommend that this dissertation be placed before the examiner for evaluation.

(PARIMAL KUMAR DAS)

Supervisor

(I.N. MUKHERJI)

Chairperson

CONTENTS

| | Page |
|---|----------|
| Preface | |
| Chapter I The Genesis of the Refugee Problem | 1- 20 |
| Chapter II Refugee Exodus From Indo-China | 21 - 41 |
| Chapter III Refugee Management in Thailand | 42 - 64 |
| Chapter IV Refugees, CGDK and the Kampuchean Conflict | 65 - 89 |
| | 90 - 98 |
| | 99 - 111 |

PREFACE

The Indo-Chinese refugees include the Vietnamese, the Laotians and the Kampuchians. The refugee movement into Thailand began in 1975. Earlier the refugee problem was confined to the Indo-Chinese Peninsula. Thailand due to its contiguous borders with Cambodia and Laos was severely affected with the refugee exodus from Indo-China.

The Vietnamese and the Laotian refugee outflow declined by the early 1980s. While the Vietnamese and the Laotian refugee exodus was drying up, the Kampuchean refugee exodus began with tens of thousands of people fleeing the country. Now there are at least 200,000 Kampuchean refugees across the Thai-Kampuchean border and about 30,000 refugees in the camps in Thailand.

The present study aims to analyse the reasons for the Indo-Chinese refugee exodus into Thailand and how Thailand responded to the problem. An effort has also been made to find out the relationship between the presence of the Kampuchean refugees and Kampuchean conflict.

This dissertation consists of four chapters. The first chapter traces the origins of the Indo-Chinese refugee problem. It also examines the political, economic and ideological factors in the creation of the refugee exodus.

The second chapter throws light on the patterns of the refugee out flow from the three Indo-Chinese states. It also discusses how Thailand reacted and responded to the exodus.

The third chapter discusses the evolution of the International refugee system. It also analyses , the management aspects of the refugees in Thailand.

The fourth chapter deals with the causes of the continued Kampuchean refugee presence in the Thailand. It analyses the role of the ASEAN, China and the U.S. in Kampuchean conflict, and how the un-resolved Kampuchean conflict affected the refugee population.

The conclusion carries the findings of the dissertation.

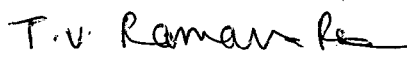
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(T. VENKAT RAMANA RAO)

CHAPTER - 1THE GENESIS OF THE REFUGEE PROBLEM

The phenomenon of mass movements of people is not new. From earliest times, men have been fleeing one another's intolerance or migrating in search of land and livelihood. For the last several years, however, the number and magnitude of flows of refugees and displaced persons have been such as to cause increasing concern with the international community. By the beginning of 1980's numbers exceeded ten million. With the exodus from certain countries reaching huge proportions. At the same, increasingly large migratory movementss within countries and regions have begun to pose economic , political and social problems not hitherto experienced on quite the same scale.

In the last 40 years, with the emergence of about a hundred new states from colonialism often after a considerable struggle and with an inheritance of artificial national boundaries, fragile national unity under developed economies, too few caares and boundless logistical problems, the world has seen an unprecedented proliferation of tensions and conflicts . New ideologies misunderstood by end unacceptable to tne portions of the population, blatant racial discrimination, civil wars, the terror tactics of more than one dictator, foreign invasion or acute economic hardship have caused millions to decide that only life

outside their own country must be more bearable than the present one.

A distinctive feature of the contemporary epoch is the formation of a world within which national societies persist, but are internationalized to a higher degree than ever before. Consequently, the conflicts with which are concerned arise as a product of what constitute from the perspective of a given society both internal and external forces, inextricably linked to form distinctive transnational patterns. This is reflected most, dramatically in the prominent role of external intervention in the conflicts that produced the major refugee concentration found today.

Refugees in the developing world arise mostly as a by product of two major historical processes - the formation of new states and confrontation over the social order. "Ethnic diversity" is generally regarded as a leading root cause of recent movements in Asia and Africa. Myron Winer has suggested that "there may be as many refugees in the world as there are people who migrated in response to employment opportunities. Even though it may sound exaggerated, there is an element of truth in it. The refugee population in this

decade has reached crisis proportions. The most unfortunate aspect of the refugee problem in the developing world is the countries which are themselves facing gigantic task of national development are forced to bear the economic, political and social costs of providing first asylum. The sense of crisis stemmed not only from the increase of the total number of people in the world at large who might be classified as refugees, but also from perceptible expansion of the burdens they impose on the international community. In the face of rapidly mounting unemployment, the affluent countries imposed more severe restrictions to resettlement of refugees. Largely in consequence of the preceding, a sizeable proportion of the new refugees were parked in refugee camps in some of the world poorest countries, themselves badly hit by the global economic down turn.

The number of refugees in the world differ from one survey to the other. The number game is an intricate one. Quite apart from the difficulties of counting those who are recognized by the United Nations High Commissioner for Refugees (UNHCR) as refugees. There is a question of who should be counted. Should only those recognized by the UNHCR as refugees (For instance large number of reguees who are stationed on

the Thai-Kampuchean border encampments, who are not accorded refugee status, and are called "Displayed Persons" and "illegal immigrants" as the case may be).

A study undertaken by Newland, K notes, that a series of tension building factors cause outflow of refugees "population growth continues..., unequal distribution of wealth is a source of increasing friction.¹ The largest number of refugees result from the integrative revolution accompanying state formation, the epicentre of which has shifted in the Post-World War II period of Asia and Africa, but the reverberations of which are felt in other parts of the Third World as well.²

Some are the products of routine deprivation of human rights experienced by the entire citizenry of non liberal states of varying ideological persuasion. The striving of colonial peoples for self-determination and political equality as well as internecine conflicts among imperial powers and the growth of a liberal sensibility among a section of their elites, resulting

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1. Newland, K., Refugees: The New International Politics of Displacement, Washington, 1981, p.25.
 2. Geertz, C., The Interpretation of Cultures, New York, 1973, p.64.

after World War II in an extremely rapid dismantling of colonial powers and an extension of the state form of political organisation to the newly independent territories. Protracted efforts by indigeneous successor elites to construct nation, states out of fragments of empire whose historical heterogeneity had often been compounded by imperial policies and the uneven impact of socio economic change, are at the root of perennial refugees producing upheavals in Asia and Africa.³

The exodus of trading sections of people like Indians in east Africa, Chinese in South East Asia and also black people from African countries such as Ibos in northern Nigeria, Hausans in Ghana confirm the vulnerability of certain types of minorities as target groups. The widespread routine exercise of political oppression by civilians and military regimes of the right and left in the Third World, and by Communist regimes in Europe also generate few refugees. Although generally maintaining a No exit stance, communist regimes do occasionally produce large flows of refugees and emigrants. The Vietnamese of Chinese origin (Hoa, or boat people) are the result of the integrative revolution syndrome⁴. Integrative

3. Aristide R., Zolberg, "International migration in political perspective" in M. Kritz, C. Keely and S. Tomas ed Global Trends in Migration, New York, 1981, p.5.

4. Ibid., p.6.

revolution syndrome implies the restructuring of the nation (Vietnam) after the integration of southern part of the war with the United States.

In the Third World, it is evident that wars of independence have been a major cause in refugee movements in the past. Internal ethnic rivalries have caused some major outflows, but certainly not as frequently as the pervasive pattern of ethnic tension in African and Asian states might lead one to believe. Separatist conflicts stemming from artificial state boundaries have produced some notable refugee flows in Africa, but these conflicts typically were connected with the struggle for power in the immediate post-independence period.⁵

There are differences in out flows, some type of conflicts like protracted warfare, international wars, and certain kinds of ethnic tensions seem to produce major outflows. On the other hand, other conflicts like typically elite rivalry, Coups d'etat, governmental suppression of critics tend to produce a trickle of few highly politicized individuals, pull factors, like

5. Horowitz, D., "Patterns and ethnic separatism" Comparative Studies in Society and History, April, 1981, p.167.

the prospect for assistance and conditions in recipient countries can themselves may become a cause for outflow. The general belief in the past had been that refugees moved in response to push factors. A refugee programme may in itself, be a significant pull factor. Refugee programmes, once established, probably tend to attract a variety of people who seek to benefit. Two major refugee flows, the Cubans and the Indo Chinese - are cases in point.⁶ The expectation of benefiting from a refugee program becomes a major factor in the decision to leave. The people leave in this regard are generally called "Quasi refugees". But the phenomenon of Quasi refugees are becoming an increasingly by common occurrence. A relief program established in response to a crisis situation tends to attract subsequent arrivals from the situation. This pattern has been observed in many African cases and more recently in Somalia and Thailand.⁷

6. Astri Shurke, "Indo-Chinese refugees : The impact of first asylum countries and implications for American policy" for US Congress Joint Economic Committee, Washington, 1980, p.14.

7. Holborn, L.W., Refugees: A problem of our time, Metuchen, N.J., 1975, p.26.

Second, a refugee policy designed for particular group probably attracts a variety of persons from that group, e.g., US policy toward people from Eastern Europe and Soviet Union. A policy formed in response to an emergency situation in a particular country and one that continues after the crisis has subsided can have the same effect e.g., US policy toward Indo-Chinese and Cubans. Third, a generous refugee policy designed for one nationality group can attract peoples of other nationalities, who also expect to benefit. This probably accounted for the inflow of Pakistan's asylum seekers in West Germany in the late 1970's. West Germany's liberal asylum provisions and extensive benefits associated with refugee status had evolved mainly to accommodate East German refugees.⁸

Before venturing to discern the specific causes, apart from the earlier mentioned general causes, which often produce refugee outflows, in Indochinese countries, it would be appropriate to discuss who is a refugee. The refugee is an involuntary migrant, a victim of politics, war or natural

8. Astri Shurke "Global Refugee Movements in Mary M. Kritz ed. US immigration and refugee policy: Global and Domestic issues, Lexington, 1983, p.165.

catastrophe. Every refugee is naturally a migrant, but not every migrant is a refugee. A migrant is one who leaves his residence (usually for economic reasons) in order to settle elsewhere, either in his own or in the other country. A refugee movement results when the tensions leading to migration are so acute that what at first seemed to be voluntary movement becomes virtually compulsory. The uprooted become either "internal refugees" (persons who have been displaced in their own country), or "International refugees" (persons outside their country of origin). The latter are designated refugees in legal terminology when they lack the diplomatic protection granted to nations abroad.⁹

There is a growing feeling that some economic migrants are being accorded the protection and benefits to which only refugees should be entitled. The apparent confusion is, because in many cases the precise reasons for departure may not be clearly identifiable or may be mixed. Thus, persons at first may appear to be fleeing from poverty, on a closer examination however their situation of economic deprivation may reveal elements of persecution within the meaning of

9. International encyclopedia of social sciences, Vol. 13, New York, 1972, p.362.

the international refugee instruments.¹⁰ The distinction between refugees and migrants (illegal) may be true, but becomes extremely difficult to determine when they are fled from conditions such as those existed in countries of Indo-China. But scholars like Atle Grahl Madson argue that the term 'economic migrant' or "economic refugee" is a misnomer. He argues that the common denominator is nobody should be forcibly returned to their homeland, Without giving undue emphasis to who is an economic refugee and who is not.

The Indo China comprises of three countries. Socialist Republic of Vietnam (SRV), Peoples Republic of Kampuchea (PRK) (The CGDK, Coalition Government of Democratic Kampuchea of Shihanouk, is recognized by the UN) and Peoples Democratic Republic of Laos (PDRL). The problem of Indo-Chinese refugees has been brought into world focus during the past decade by the conflict in Kampuchea and the tragedy of the Vietnamese boat people in the Gulf of Thailand. However, the refugee problem is much older, going back over forty years to the first of the Indo-China wars in which the Vietnamese nationalists along with the

10. Editorial, "Refugees or economic migrants", Refugees News from UNHCR 7: 1 July 1982, p.3.

Kampuchean and the people struggled against the french colonialism. As early as 1945-46, Thailand faced an influx of some 70,000 Vietnamese refugees, over 50,000 of these people and their descendants still remain in the country.¹¹ The refugee exodus from Vietnam is not essentially due to any particular cause like hunger or starvation, variety of causes contributed to the refugee problem. The Vietnamese struggle against the french colonialism and the American imperialism had their effects on the Vietnamese refugee creation.

The problem of the Vietnamese refugees has become important to the Asian countries only after the communist victories of 1975 in Indo-China. In 1954, after the partition of Indo-China and the withdrawal of the french, there was a sizeable inter-territorial movement of people between south and north Vietnam and else where. This movement of people was largely a Vietnamese affair in that it was continued largely within the Indo Chinese borders. Nonetheless, it was a problem not devoid of ethnic ramifications.¹²

11. The Nation, 12 October, 1980.

12. Zakaria Haj Ahmed "Vietnamese refugees and Asean" Contemporary south-east Asia, Vol. 1, no.6, May 1979, p.146.

After 1975, however, the refugee problem became one pertaining to international zone crossings except those refugees who crossed over to Thailand after Dien-Bien-Phn battle. It also affected the Asean countries because of its geographical proximity to Vietnam. The refugee problem is now more "political" in nature and rather more complex.¹³

Thailand because of its contiguous borders with Laos and Kampuchea , has its share of both boat and land refugees, with the later category in much great numbers. The distinction between land and boat refugees are, firstly most boat refugees are looking forward to resettlement in the west, and their landing in Thailand as only one leg in their journey. Land refugees, on the other hand appear to be "more content" in being re-settled in those areas they have fled to. Most boat refugees are Vietnamese Chinese whilst most land refugees are ethnic Vietnamese.¹⁴

Most of the refugees appear to come from middle-class background or better, and they believe, with some justification that they have the most to loose under communism.¹⁵

13. Ibid., p.151.

14. Ibid., p.154.

15. Peter Weintraub , FEER, 16 December 1977, p.18 .

The above statement from Peter Wintrab throws some light on the class character of the refugees. The refugees who fled Vietnam are not generally those who escaped political persecution. On the contrary "fear of being punished for past actions or associations seems to be a factor as well" and "officials who have questioned thousands of refugees say, that nine out of ten identify a desire for freedom as the major factor in the decision to abandon their homelands.¹⁶

Frederic Moritz comments that the Vietnamese in Thailand are largely middle class businessmen and former low level employees of the Americans who say that they faced disruption, loss of freedom and income and possible job discrimination if they had stayed behind. Here, we can notice the resultant implications of the internationalisation of the Vietnam war and particularly United States involvement. It is very difficult not to indict Vietnam government for letting these sections of the population to leave their territory under precarious and perilous conditions risking their lives. They flee thinking their interests are at conflict with the state (socialist) policies and objectives. Some of the leaders of the Asean governments also feel that the

16. Noam Chomsky , Edward S Herman , After Cataclysm : Post and Indo China, The Reconstruction of imperial ideology.
Volume II.

exodus out of Vietnam is an indirect state sponsored and managed exercise, but there is no evidence to substantiate the above expressed statement. The general coverage in the US mass-media regarding the Vietnamese refugees was onesided. The treatment of refugees in the mass media and by the U.S. official action seems to depend, on political-economic-ideological rather than human rights considerations.¹⁷

The humanitarian concern and compassion shown by the U.S. and other developed nations towards refugees , should not obviate the fact, that the main victims of the cruelties and hyprocrises of the entire Vietnam war was the bulk of the rural population who remained in Indo China. One cannot deny the sympathy these refugees deserve, but should not under estimate the factors which culminated in the creation of a ever swelling refugee population due to America's imperial intervention.

The new Vietnamese state was faced with severe economic problems and the enormous challenge of national integration. The New rulers have inherited a heavy

17. Ibid., p.61.

burden of unemployment from the Thieu government, which was suffering from the economic impact of the withdrawal of the U.S. forces. Massive bombing in the north and the south caused extensive damage to the countryside which is the major source of welfare for rice growing economy. The refugee problem has to be seen at this backdrop.

The Kampuchean Refugee problem had mainly began in 1975 after the Communist Democratic Kampuchean regime under Pol Pot - Ieng Sary had taken control of the nation. In Kampuchea between one third and one - half of the total population was gradually concentrated in the Urban areas, nurtured by foreign aid and dependent on the U.S. by the late sixties . Another cause for the growth of a Khmer urban elite is the expansion of education. The expansion of the school system itself had been the last surge of bureaucratic growth and was carried to its absurd extreme by the proliferation of the universities after 1964 . The latter gave a few more years of "employment" to several thousand "intellectuals" both as students and teachers but in the process created even more educated unemployables.¹⁸

18. Michael Vickery , Kampuchea - 1975 - 1982, South end press, Australia, 1984, p.21.

The war exacerbated the trend toward urban immigration and rural urban contradictions, and the war itself, whatever else it may have been, was also a war between town and country in which the towns fought increasingly to preserve privileges while the rural areas suffered.¹⁹ The bombing and shelling of the country side particularly in 1972-73 by the U.S. also greatly contributed to misery of the rural folk who were already besieged with hunger, and malnutrition. Although, there was shelling of Phnom Penh, particularly during the last year of war, those incidents can not compare with the artillery and air attacks on the country side. The urban populace, which consisted mainly of the military officers of Lon No. 1 and those worked for the U.S. started fleeing the country in the wake of communist take over in 1975. These were the people -spoiled, pretentious, contentious, status conscious at worst, or at best simply soft, intriguing, addicted to city comforts and despising peasant life - who faced the communist exodus order on 17 April 1975.²⁰

19. Ibid., p.25.

20. Ibid., p.26.

The Khmer Rouge since its victory in April, 1975 followed a conscious policy under which it brutally murdered two million people. Democratic Kampuchea was essentially a closed society, except for a few invited delegates whose movements are closely controlled. Its doctrine combined xenophobia with a suspicion of all Kampucheans who are not poor peasants. Anyone who has been associated with the cities, with foreigners, or with intellectuals, business and technical activities were sent to be reformed in cooperatives or liquidated.

Collectivisation has become Kampuchea's primary form of social organisation. In a movement far more radical than China's "People's Communes" DK abolished private households replacing them with "communal kitchens and sexually segregated living quarters. The life in communal kitchens was extremely miserable with inadequate rations and harsh controls. By 1978, the DK government declared that at least 2.5 million people were working in country side building dams and other irrigation projects.²¹

Throughout 1976 and 1977, refugee accounts from Thailand indicate that Khmer Rouge members who had

21. Sheldon W. Simon "Kampuchea: Barbarism in a small state under seige" Current History, Vol. 75. no. 442, December 1978, p.197.

displayed a pro-Vietnam bias, or had worked with Vietminh at some point in their careers were being liquidated.

They also tell about the virtual slave labour conditions under the direction of Angkor youth who hold the authority of life and death over their charges.²²

These policies implemented with extreme brutality and the fear of getting physically eliminated made people to obey the orders of Khmen Rouge. Once, the salvation Front's victory with the help of Vietnamese military has achieved, people in unprecedented number began to leave Kampuchea in the hope of better life.

The Kampucheans began fleeing their country even before the end of the war in April 1975. The refugees crossed the Thai border mostly in the Aranya Prathet and Palilin areas. The first camp for them in Aranya Prathet was set up behind an old temple named Wat Koh and in those days, 5,000 refugees would have been considered a large number. They were allowed to leave the camp to move around town, visit acquaintances and find work, if possible.²³

22. Karl Jackson, Cambodia 1977: Gone to Pot "Asian Survey January 1978, p.81.

23. Spencer Davis, "The Men most likely to " FEER, Vol. 87, No. 13, 28 March 1975.

Most of these refugees were more or less well educated town dwellers with contacts, friends and relatives abroad. By 1977, the total number of Khmer refugees in Thailand including those crossing over into Chanthaburi or Trat and over the northern border to Surin and Buriram, had increased to around 20,000. They were no longer allowed to move freely and their condition was more like that of prisoners. Upto January 1979 , the total number of refugees may have been no more than 30-40,000 .²⁴

In early 1979, with the collapse of Democratic Kampuchea regime and the resultant freedom of movement, many people began to flee Kampuchea into Thailand. Like the refugees of the 1975-79 period, the new exodus had people who rejected the peasant life, where they had to work for 8-9 hrs under DK regime and sought a new way of life. The principal reasons for the new movement, without making any attempt to assess their relative order of importance, were -

- (1) to make contact with the outside world for the purpose of either going to abroad or contacting friends and relatives abroad.
- (2) To trade across the border for commercial purposes.

24. Kim Gool "The lure of Pol Pot's gold" FEER, Vol. 105, No. 31, 3 August 1979, p. 19.

- (3) to join, or organise, and of the para-military or bandit groups loosely called Khmer Seri "Free Khmer".²⁵

The first people who left Kampuchea are mostly former wealthy, well educated groups, who had some earlier experiences abroad and they spoke French and English languages. Many more people came to trade. Most of them, had been non-peasants before 1975 and they came to border with currency, gold, jewels or other valuable objects hidden since 1975 and bought Thai products to take back and sell at a profit which would finance another journey. These people were seen on the roads from Battambang and Siemreap to the border. The third main group of border arrivals were the "political people" again mostly former urbanites or military men who had been victimized by the DK regime, but who were equally opposed to its successor on grounds of its socialism and dependence on Vietnam. These people wanted the restoration of a system like that of Shihanouk's Sangkum or Lon Nol's Republic, and to a greater or lesser extent they were willing to fight for the goal in contrast to the people who have no intentions of even returning to Kampuchea.²⁶

25. Vickery , n.18, p.30.

26. Milton Osborne, The Kampuchean Refugee Situation a survey and commentary report, UNHCR BANGKOK, April 1980, p.56.

CHAPTER - 2REFUGEE EXODUS FROM INDOCHINA

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The Refugee exodus primarily from Indochina started with the fleeing of "boat people" from Vietnam after the unification of the two Vietnams in 1975. Before the unification, the two Vietnams had two separate political systems. After Saigon fell to the communists of North Vietnam in 1975, gradual integration of the South into the socialist system of the north was contemplated. The North Vietnamese leaders feared that their inability to control the South would enhance the problems of Vietnam's security. There was a sizeable opposition in the South who were hostile to northern political social system and most importantly, 85 percent of the 1.5 million Chinese living in Vietnam were in the South.¹

The South Vietnamese economy, however, was largely of an artificial nature, kept afloat by the American presence. Thus, the post war period saw a sharp rise in the unemployment rate and the cities were swollen with refugees from country side. The large number of officials of the Thieu regime and members

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1. Pao-Min Chang, Beijing, Hanoi and the overseas Chinese, Berkely, 1982, p.9.

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of the armed forces was an obvious source of concern for the government. Another major security issue in the eyes of the government was the Chinese residents in Vietnam. The Chinese in the north had long enjoyed a special status since North Vietnam needed the Chinese aid. By 1961, "it was estimated that the ethnic Chinese still controlled eighty percent of all capital in the retail trade and seventy five percent of South Vietnam's commercial activities."²

The situation concerning the ethnic Chinese populace that the Vietnamese leadership faced in the South after the war, was a complex one, exacerbated greatly by the Chinese themselves. Besides hoarding of goods and driving up prices immediately after the end of the war, many Chinese openly displayed their loyalty to China. Apparently, when the communist forces entered Cholon in April, 1975, the streets were lined up with thousands of the Chinese national flags and portraits of Mao Zedong, showing unmistakably where the hearts of the Chinese lay.³

2. Ibid., p.15.

3. Kim Minh, "In the era of Renovation: leadership and security in Vietnam", Contemporary South East Asia, Vol II, no. 2, September 1989, p.217.

The Vietnamese government also forced the issue of loyalty by requiring all the Chinese residents in 1977 to register themselves as the Vietnamese citizens. Those who did not do so were dismissed from their jobs, had their food rations cancelled and were discriminated against in the civil service and in state enterprises.⁴ While the Vietnamese chose to take a hard stand at that time, China became more interested in the overseas Chinese as it emerged from the "Gang of four" era. As relations between Vietnam and China deteriorated, the situation of the Chinese in Vietnam became a bitter point of debate between the two countries. This factor coupled with China's open support for the Khmer Rouge, culminated in the Vietnamese decision in late 1977 to expel the ethnic Chinese living in the provinces bordering China, "as they had become a security risk in a worsening territorial dispute with China".⁵

The situation grew more and more tense as China began to refer to these overseas Chinese as part of the Chinese nation and China as their motherland, which in turn sparked demonstrations by the ethnic Chinese (Hoa)

4. Ibid., p.217.

5. Pao-Min Chang, n. 1, p.40.

who believed that China would come to their aid and exert its influence over Vietnam. The Vietnamese government reacted by shutting down businesses confiscating goods and valuables in well planned raids and moving many into the New Economic Zones. The outflow of refugees was a direct consequence of this policy. Government complicity in the refugee outflow indicated that the Vietnamese leadership apparently saw the attempt to integrate the Chinese as futile, and that the Chinese in Vietnam would always be loyal to China. The withdrawal from Vietnam of all the Chinese aid, technical support by 1978 meant that China had relinquished any lingering of influence.⁶

Since the refugee flow in 1975, the 'boat people' have claimed a lot of attention because of the numerous tragic incidents of death at sea. It is believed, that at least 90,000 Vietnamese refugees have perished at sea between 1975 and 1979 while attempting to escape from Vietnam.⁷ The 'boat people' from Vietnam entered

6. Kim Ninh, n.3, p.218.

7. Lesleyanne Hawthorne, Refugee: the Vietnamese experience, Melbourne Oxford University Press, 1982, p.29.

the eastern sea board provinces of Thailand. The people who landed on the eastern shores of Thailand, were put in the refugee camps at Songkhle.⁸ Thailand allowed these people because it believed that international organisations and third countries would take an active part in the resettlement elsewhere. This expectation took shape after the United Nations Conference on Indochinese refugees in Geneva in July 1979.

The outcome of the conference resulted in many countries acceptance to resettle the 'boat people' who then constituted more than half the total number of refugees in all of South east Asia. But the resolution of the conference only appreciated the burden of the refugee problem and singularly agreed to resettle only 'boat people' at the expense of the other refugees who also came from Vietnam and other Kampuchean and location refugees fleeing their successive communist regimes. The attention which 'boat people' could attract because of their perilous journey in the sea risking death considerably worked to the disadvantage of the other refugees from Laos and Kampuchea.

8. Thailand: A first-asylum country for Indochinese Refugees. Asian Studies Monographs, No. 038, Bangkok, 1988, p.60.

There is another reason for this preferential treatment to Vietnamese boat people, because they constituted the population which was essentially an entrepreneur class.⁹ Indeed, these events dramatically intensified the refugee crisis in Thailand. At the same time, harsher policies in Vietnam, perhaps coupled with guaranteed resettlement, brought increasingly large numbers of boat people to the shores of almost every country within reach. Eventually, the monthly number of arrivals at Songkhla more than doubled in 1979, and at Leam Sing in Trat, it increased four fold.¹⁰

The sudden increase in the arrival of 'boat people' at the rate of four thousand a month during 1979 annoyed the Thai leaders. The Thai government decided to push back refugees, if there was no confirmation from UNHCR about their resettlement in the third countries before the end of August 1979. However, that idea was suspended within a few days after the UNHCR confirmed to step up its resettlement programme for other Vietnamese

9. Tom Fawthrop "The lure of an island" Far East Economic Review, Vol 104, no. 17, 27 April 1979, p. 18.

10. n.8, p. 61.

refugees in Thailand. But the increase in the number of refugees resulted in Thailand deciding to close all refugee camps with 'boat people' by May 1981, and stipulated that any 'boat people' landing in Thailand would be immediately taken to the processing centre. This measure was imposed to ensure that new arrivals would leave the country according to arrangements with international agencies and other governments within 45 to 60 days. ¹¹

It can be seen here that Thailand's boat refugee policy was based on the condition that boat refugees would only be allowed to land if third countries pursued them for resettlement. In spite of the proclamations about the suspension of the policy of pushing back the refugees into sea, the Royal Thai Navy at Sattaphi Base pushed a boat load of 55 Vietnamese refugees back into sea on 3rd July 1981. ¹²

Due to evergrowing arrival of refugees from Vietnam Thailand decided to put new arrivals in a camp in Si Khiew District Nakhom Ratchasima. These refugees would not be considered for third countries resettlement.

11. Bangkok Post(Thailand), 23rd May 1981, p.1.

12. Ibid., 4 July 1981, p.3.

This Thai reaction is due to the large arrivals and also to deter refugees from coming into Thailand for resettlement abroad. As Sqn. Leader Prasong Sonsiri, the Secretary General of the National Security Council, told a press conference in Bangkok... "if they come, they will not be placed in a confinement area for illegal immigrants. Their chances of resettlement in third countries will depend on whether countries which have promised to resettle a certain number of the current refugee population live upto their promise as far as figures of resettlement are concerned."¹³

As a consequence of the new deterrent policy of Thailand resulted in the decline of the number of Vietnamese 'boat people' and they turned to Malaysia because the news of the Thai actions had reached Vietnam. The decline in the number of 'boat people' is also due to the "orderly Departure Programme". The orderly Departure Programme was set up in mid 1979 as an alternative to departure by boat. It is based on the principle of the "double list" Vietnam presents a list of people with exist visas, and recipient countries a list of Vietnamese to whom they have granted entry visas. When a person's name appear on both the lists, he or she is eligible to leave. Another factor which deterred the Vietnamese

13. The Nation, 28 Aug 1981, p.3.

'boat peoples' journey into Thailand was the piracy in the Gulf of Thailand'.¹⁴

It was reported in November, 1979 that a group of 157 Vietnamese 'boat people' had been attacked near Kra Island of Nakhom Srithammarat by hundred Thai fishermen. Most of the women were raped and those resisted were killed during that incident.¹⁵

There were several reasons to believe that the reported incidents of piracy in the Gulf of Thailand could not have been committed without the knowledge of Thai Marine officials. Normally, the Thai pirates operate on small trawlers which have the capacity to carry no more than five to six persons. It is difficult to believe that these people overpowered 157 boat people near Kra Island of Nakhom Srithammarat. The Thai local military officials' complicity in this matter is not ruled out. The incidents of piracy declined by 1986, due to the massive assistance

14. Mary Lee "long wait for the promised land", FEER, Vol. 106, no. 45, 9 November, 1979, p. 30.

15. n. 11, 25 November 1979, p. 3.

extended to the Royal Thai Navy's Anti-piracy programme. Component Donor countries contributed around US \$ 15 million to supplement the resources made available to Thai anti-piracy programme. Further more they pledged a budget of \$ 2.6 million to the programme in 1987.¹⁶

The Kampucheans began fleeing their country even before the end of the war on 17 April 1975. The first refugees crossed the Thai border the next day mostly into Aranyaprathet and pailin areas. They were accommodated behind an old temple named Wat Koh.¹⁷ By 1977, the total number of Khmer Refugees in Thailand, including those crossing over into Chanthaburi or Trat and over the northern border to Surin and Burirham had increased to around 20,000. With the increase in number of arrivals from 1975 to 1977 the refugee movements were restricted and controlled. They were not allowed to move around freely as they were earlier permitted and their condition was more or less that of prisoners.

16. Ibid., 16 July 1981, p.5,

17. Michael Vickery, Cambodia 1975-1982 (Australia 1984), p.28.

Upto January 1979, the total number of Kampuchean refugees may have been around 30-40,000.¹⁸

With the defeat of Democratic Kampuchea (DK) regime in early 1979, and the ensuing freedom of movement, many people began to move towards the border. Unlike the pre-1979 period, these new refugees were not fleeing from political repression which, for them had ended with the destruction of the DK administration. These people came into Thailand for reasons like -

- i. to make contact with the outside world;
- ii. to trade across the border for commercial purposes;
- iii. to join or organise one of the para military or bandit groups loosely called Khmer Serei, "Free Khmer".

By 1979, there were well over 40,000 people massed along the border north of Aranyeprathet either within or outside, the three camps and increasing numbers of them were hoping to cross into Thailand and proceed onwards to other countries. The Thailand government did not consider people who came over after 7 January 1979, the date the 'Salvation Front' (SF) - the Vietnamese forces captured Phnom Penh, as genuine refugees. They were "Displaced persons" on the Kampuchean side of the border, and "Illegal Immigrants" on the Thai side.

18. Ibid., p.28.

19. Milton Osborne, The Kampuchean Refugee Situation, a survey and commentary report, UNHCR, Bangkok, April 1980, p.54.

The Thais, therefore, decided on drastic measures to call international attention to the situation and to discourage the people grouped along the border from attempting to become refugees in Thailand. In the third week of June, about 42,000 of them were loaded into buses on the Thai side and taken on a long journey northward around the border between the two countries to a point South of Srisaket and forced down narrow mountain trails in the preah vihear area, some time across minefields, back into Kampuchea, perhaps thousands died.²⁰

Even though the move was effective in drawing world wide attention to the problem. Their action, if planned as a measure to rid themselves of the "Pseudo-refugee" problem at the border, proved in the end to have been counter-productive. It called attention to the Kampuchean massed along the border north of Aranyaprathet, and eventually resulted in programmes which would attract even more of them bringing them across the border permanently. It was suggested at that time, that another 30,000 Kampuchean in Chanthaburi and Trat provinces might get the same treatment, but they were not sent to the border

20. Asia Week, 22 Jun 1979, pp. 12-13.

because they belong to DK forces.²¹ It can be deduced from the above action that the Thai military covertly helped in strengthening the DK forces by allowing them to operate on Thai soil.

When the SF /Vietnamese forces invaded Kampuchea in early 1979, the DK regime's military men sensing defeat started moving towards the Thai border. Most of the DK military and political forces, together with as many ordinary people as they could gather up, withdrew gradually from the towns and rice plains into the forests and mountains of western and north western Kampuchea. They moved slowly away from the attacking Vietnamese toward the Thai border, through inhospitable, malaria ridden country, with dwindling food supplies, no medicine, and wracked by internal tensions left over from the factional disputes and purges of the pol pot years.²² These arrivals beginning in September 1979, was to be the catalyst for a new system of refugee organisation.

In mid September 1979, Thai officials led by Air Marshall Siddhi Savetsila, then Secretary General of the National Security Council, visited the border where the new exodus was taking place and announced that aid must be given but they could not do it

21. Vickery, n. 17, p. 40.

22. Stephen R. Heder Kampuchean Occupation and Resistance Monograph, no. 027, Bangkok, January 1980, p. 22.

alone. Help was requested from western countries and international agencies on conditions that aid going through Thailand must be non-political and must go to all sides of the Kampuchean conflict. By the end of October 197 Prime Minister Kriangsok had announced an open door policy "allowing all Khmer Refugees who wished to come to Thailand to do so". This was not meant to be the change of strategy, "there must be some people alive in order to oppose the Vietnamese in Kampuchea... it will just take longer,²³ meaning apparently longer than earlier tactic of forcing every one back into the country as soon as they reached the border. The objective of Thai policy is to use the refugee situation to influence future political developments within Kampuchea.

About 30,000 of the newly arrived DK refugees were settled in a camp near the town of Sakeo, about 50 K.M. from the border, and another large group established itself on and around the fortified base of Phnom Malai, an old Khmer Serei hide out just inside the Kampuchean border about 20 K.M. South of Aranya Prathet. Still a third group of these DK remnants set up a base at phnom chatt, inside Kampuchea north of Nong Samet, and in

23. John McBeth "A slow death in the jungle" FEER, Vol 106, no. 44, 2 November 1979, pp. 13-14.

the south east camps of Kamphut and Mairud welcomed those who crossed over in that region. The Thai government reversed its policy and agreed to open its borders and establish "Holding Centres" to care for the refugees until such time as they could either return to home or go to "third countries".²⁴

The image of the refugees was that of skeletal figures, close to death from the combined effects of severe hunger and disease staggering towards the shelter of internationally founded camps. But the conditions north of Aran ysprathet were different. At the Nong Samet camp, whose estimated population of 80,000 was believed to be the largest concentrations of Kampuchean refugees in the world. Most people were in relatively good health, in fact there were attempts to conceal the quantities of food in the camp and a brisk trade across the border into Kampuchea was observed.²⁵

Prime Minister Kriangsak's announced open door policy and probably the belief that vast number of new

24. Milton Osborne, Refugees: four political case studies. Canberra, 1981, p.3.

25. Ibid., p.7.

refugees were being pushed out of the north west by famine within Kampuchea and Vietnam's harassment resulted in elaborate preparations by Thai officials to house the Kampuchean. The result was a construction of the large camp at Khao I Dang (KID), which can house several thousand refugees.²⁶

In 1979, for a variety of very complex reasons rice planting and harvesting took place on a very limited scale. Without the massive international rescue campaign that began to achieve significant effect by the end of 1979 the prospects for the survival of a large proportion of Kampuchea's population would have been grim indeed.

The decision of 400,000 Kampucheans, out of an estimated six million people to move into the Thai-Kampuchean border settlements is due to many reasons. The lack of security in interior Kampuchea and severe shortage of food are the most important reasons. The feared Khmer Rouge frequently ordered civilians to accompany them into border areas. The Khmer Rouge glorified their national sentiments and campaigned mistrust against Vietnamese.²⁷

26. n.8, p.5.

27. n.24, p.15.

In early 1980, there were at least seventeen separate points along the Thai Kampuchean border at which there were either concentrations of refugees established on a semi-permanent basis, or temporary settlements peopled by a transitory population that came regularly from inside Kampuchea to receive international aid. In character and size the agglomerations varied greatly. Some such as that located at Phnom chat north of Aranyaprathet, were Khmer Rouge redoubts. Others such as the small border agglomerations at Sok Sann, near the southeastern Thai settlement of Borai, are linked to the Khmer People's National Liberation Front (KPNLF) headed by former Kampuchean Prime Minister Son Sann. Up to the middle of 1980, the largest of the border agglomerations at Nong Chan, Mak Moon, and Nong Samet were not linked to any major political group. Instead these three settlements, with a total population that may at one stage have exceeded 250,000 persons, who lived in conditions of dreadful squalor were dominated by men best described as petty war lords.²⁸

Thai authorities decided to develop a programme at voluntary repatriation of Kampuchean refugees in June 1980. The implications of a repatriation

28. n. 19, p. 56.

programme that strengthened the Khmer Rouge was of course apparent to the Vietnamese and to the Kampuchean regime in Phnom Penh. Before, there was any actual departure of refugees from camps inside Thailand, warnings were issued from both Hanoi and Phnom Penh against proceeding with repatriation. The Thais chose not to stop the programme because of these warnings and on 17 June 1980, repatriation began. In the event just over 9,000 Kampuchean refugees left to return to their own country. Of these returnees, some 7,000 or more than 80 percent came from Sakeao camp and returned to Khmer Rouge dominated areas.²⁹

Although, there are some grounds for believing that other additional factors were involved in the subsequent Vietnamese incursion into Thailand that began on 23 June, 1980. There seems every reason to judge that the voluntary repatriation of Kampuchean associated with the former Pol Pot regime was a key reason for the Vietnamese decision to take military action.

29. John Mc Beth "The long way home" FEER, Vol. 112, no.19, 1 May, 1981, p.23.

In the aftermath of the June 1980, Vietnamese incursion, proclaimed attitudes appeared to harden in both Thailand and Kampuchea. At the same time and with a minimum of publicity, the Thai military began a programme of trucking Kampuchean refugees from holding centres to the border regions, either to agglomerations controlled by Khmer Rouge or those under the direction of the KPNLF.³⁰

The voluntary repatriation programme continued despite the denial by the Thai officials. This combined with Vietnamese forces regular dry season offensive against Kampuchean resistance forces in western Kampuchea resulted in the volatile situation along the Thai-Kampuchean border, making life across the border extremely dangerous. It also prevented the Kampuchean refugees without any affiliation towards any of these resistance forces who seriously wanted to go back to their respective areas in Kampuchea.

The continued fighting between the PRK forces assisted by the Vietnamese and the Kampuchean resistance forces led to the realisation among Kampuchean refugees that the alternative living in the interior of Kampuchea was more attractive than the

30. n.19, p.58.

risks to which they exposed themselves in the agglomerations. By the closing months of 1980, more than 100,000 former border dwellers had returned to areas inside Kampuchea under the control of the Vietnamese and the Phnom Penh regime.³¹

The usual dry season offensive and fighting between the resistance forces and PRK forces assisted by the Vietnamese disrupted the flow between the Thai-Kampuchean border. At the end of 1985, about 230,000 civilians were living under the control of the three factions of the CGDK coalition in five large evacuation camps on the Thai soil near the Thai-Kampuchean border, namely -

- 140,000 under the control of the KPNLF in the northern and purely civilian southern section of the camp "site 2", about 40 miles north of Aranya Prathet.
- 50,000 under the control of the Khmer Rouge in "site 8" and "site 8 North" camps about 30 miles south of Aranya Prathet and in Samrong Kiat in the northern sector of the Thai-Kampuchean border.

31. n.24, p.13.

- 40,000 under the control of the Sihanoukists (FUNCINPEC) in "Camp David" about 40 miles south of Surin.

CHAPTER - 3REFUGEE MANAGEMENT IN THAILANDEvolution of the International Refugee System:

After the World War II, there remained in Europe over a million refugees who have not been properly settled. To take up where the United Nations Relief and Rehabilitation Agency (UNRRA) left off, the International Refugee Organization (IRO) was established outside the UN system in July 1947. The primary orientation of the IRO was not towards relief, rehabilitation and repatriation as was UNRRA, but toward resettlement. A number of factors combined to change the climate towards resettlement of refugees. These factors included growing East-West relations, the post war economic recovery, more defined dimensions of the refugee problem in Europe and a growing awareness of the brutalities that had been committed against European minorities. Working in co-operation with some sixty voluntary agencies over one million refugees were resettled between 1947 and 1951.¹

The IRO completed its mandate in 1951. It had been significantly involved in helping people resettle outside Europe. These people were not necessarily designated as refugees, but rather as people in

1. Michael R Marus, The unwanted: European refugees in the twentieth century, New York, 1985, p.344.

whom governments had shown a special interest to assist with their relocation. After the dissolution of the IRO, a new international framework for assisting and relocating refugees was being developed.

In 1950, the United Nations Assembly formally adopted the proposal for the establishment of the United Nations High Commissioner for Refugees (UNHCR) as of 1 January 1951. Also the Inter Governmental Committee for European migration was created in November 1952 to assist in the movement of refugees. Professor Leon Gordenker notes, that while the mandate of UNHCR had "broader overtones" it could not be claimed that the U.N. General Assembly intended to create an administrative agency whose concern would be refugees and displaced persons in general.²

The convention defined refugee to be any person "owing to well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a political 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, or who not having a

2. Leon Gordenker, Refugees in international politics, London, 1987, p.29.

nationality and being outside the country of his former habitual residence as a result of such events is unable or owing to such fear, is unwilling to return".³

Signatories to 1951 Refugee convention limited the applicability of the definition of a refugee to those persons affected by "events occurring in Europe (or elsewhere) before 1 January 1951. The reasons that the terms "race" and "political opinion" were included in the definition have obvious antecedents in the period during and between the two world wars.

Massive movements of people due to armed conflicts were not included in the definition of a refugee, in part on the assumption that international rules that governed their treatment were or could be incorporated in other articles concerned with human rights of individuals in situations of conflict. At the same time, provisions concerning the right to seek asylum and non-refoulement were efforts to avoid the forcible repatriation of individuals who did have a "well founded fear of persecution" that occurred following World War II.⁴

3. International encyclopedia of social sciences, Vol. 13, New York, 1972, p.363.

4. Refugees, Monthly special issue, Dec, 1988, p.6.

The statute of the UNHCR agreed to in a General Assembly Resolution of 14 December, 1950, emphasized to promote the legal protection of refugees and measures to reduce the number of refugees requiring protection. It referenced voluntary repatriation, assimilation and naturalisation of refugees into countries of asylum and resettlement as the durable solutions which UNHCR should be promoting. These restrictive definitional efforts were motivated to, keep the numbers down. Another reason, however, was to define these persons who, within the context of larger displacements of people, were confronted with circumstances that required the special attention and legal protection of the international community.⁵

By 1960, the European refugee problem was greatly reduced in scale. However, refugee problem was burgeoning in other parts of the world, especially in Africa. Initially, these problems stemmed from independence struggles and from efforts to establish national governments. Unlike in Europe, the functions to be performed in Africa were not diplomatic and legal in nature. Rather, they demanded the monetary support for and the development of direct assistance programmes for refugees.

5. Ibid., Nov, 1988, p.9.

In 1969, the organisation of African unity (OAU) agreed to a convention on Refugee problems in Africa. This OAU convention significantly expanded on the international convention regarding the status of refugees. It included those persons who are outside their countries "owing to external aggression, occupation, foreign domination or events seriously disturbing public order."⁶

The passage of the OAU convention reflects the African states' assumption that refugee problems were temporary and the most of the refugees would voluntarily repatriate when independence was secured by newly formed governments. However, by 1980, it was clear that this model was not applicable to large refugee populations in Africa who were fleeing from internal civil wars or conflicts between sovereign African states.⁷

Like OAU convention's broader definitions which stipulate that persons fleeing generalized conditions of insecurity and oppression due to colonial rule, or for other reasons, should be viewed as refugees. A similar provision has not been adopted by any country

6. Kibreab, G., "African Refugees: Reflections on the African Refugee problem", Trenton, N.J., 1985, p.21.

7. Ibid., p.29.

outside Africa, even though these types of outflows are a common result of instability in many Third World Nations. However, the UNHCR has for some time, included such flows under its mandate, as a matter of administrative practice.⁸

A refugee can be defined in three ways: legally (as stipulated in National or International law), politically (as interpreted to meet political exigencies) and sociologically (as reflecting an empirical reality).⁹

The UN definition limits the numbers in many ways. Only persons who are outside their country of origin qualify. The key criterion determining refugee status is persecution, which usually means an act of government against individuals, there by excluding those fleeing from generalized conditions of insecurity and oppression as well as, victims of nature made disasters.

8. Astri Shurke, "Global refugee movements and strategies of response " in Mary M. Kritz(ed), US immigration and refugee policy , Global and domestic issues, Lexington, 1983, p.160.

9. Ibid., p.158.

Persecution more over, is generally interpreted to mean loss of certain rights, as opposed to exploitation, which implies failure to enjoy these rights in the first place. Masses of poverty stricken and powerless people in the Third World, therefore were excluded. Also, the UN definition especially includes persecuted minorities, but does not mention persecuted majorities.¹⁰

UN definition does not specifically cite economic factors as a reason for persecution. This omission has reinforced conventional notions to the effect that persons who leave their country for political reasons are refugees while those who move for economic reasons are migrants. International lawyers maintain however, that if membership in a particular economic class is the main reason for persecution, the person in question would qualify as refugee.

The limitations in the UN definition also reflect the political climate at the time it was adopted(1951). The UN definition is vulnerable to attack from two directions. First, as a product of western liberal thinking and western political supremacy in the early 1950s, it reflects particularist notions of needs and rights. Second, contemporary population outflows from many Third World

10. Ibid., p.159.

countries consist of persons who flee generalized conditions of insecurity and oppression, as well as the economic refugees who seek to escape severe economic deprivation.¹¹

By 1975, there were roughly 80,000 people living in Thailand who had arrived through out the previous thirty years seeking refugee from the conflicts in the region. Among these, 40,000 were Vietnamese, most of whom either came in 1945 and 1946, or in 1954 and 1955 after Dien Bien Phu. Another 30,000 were ethnic Burmese who fled the fighting in Burma in 1959 and more than 11,000 were Kuomintang supporters of Chiang Kai Shek who escaped through Burma and Laos after the communist take over in China.¹²

Soon after the fall of Saigon, Vientiane and Phnom Penh in 1975 and early 1976, Thailand had to face the problem of the influx of Indo-Chinese refugees again with growing concern. With the arrival

11. Ibid., p.160.

12. Thailand : A first asylum country for Indo-Chinese refugees , Asian studies nonograph , no. 038, Bangkok, 1988, p.78.

of 72,000 Indochinese refugees who fled into Kingdom in 1976. Thailand grudgingly concentrated them in 15 refugee camps along the Thailand and Thai-Kampuchean borders, as there was no assistance from world community to help them. The Thai government also tried to send these refugees back to their home countries. Consequently, it announced that from 4 August 1975, on new immigrants would not be regarded as refugees, but as persons "illegally entering the country".¹³

Furthermore, the outflow of refugees from Indo-China continued at a very heavy pace during 1976 and 1977. By June 3, 1977, the Thai government for the first time decided to handle the increasingly sensitive issue more aggressively than in early years. Thus, the Cabinet ruled, that "no more refugees be allowed into the country". However, if the refugees insisted on coming in, they would be sent back as soon as possible or if that policy failed, they would be sent to refugee camps.¹⁴

After the unsuccessful attempts with repatriating refugees back into their home countries, the government decided that all refugees in the country had to report to the authorities of the refugee camps within 20 days. Those who registered themselves would be treated as

13. The Nation, 24 October, 1978, p.

14. Bangkok Post, 11 June 1979, p.

"refugees" and those who refused would be considered as "illegal entrants".

Thailand's Indo-Chinese refugee policy was based on publicity seeking and the anticipation of financial assistance from foreign countries. Therefore, the government during the 1975-78 period still found it possible to handle refugee issues so long as the international community continued to pay attention to the refugee problem. But when foreign financial assistance to Thailand's refugee programmes began to dry up before the end of 1970s because of political and economic developments in other parts of the world. Thailand found it extremely difficult to cope with the problem of vast refugee presence.¹⁵

With the influx of thousands of Kampuchean refugees because of the heavy fighting between Vietnam backed Salvation Front and Pol Pot's army had put Thailand in a position to house about 49,000 refugees. Thailand alarmed at the influx of number of Kampucheans into Thai territory, decided to push back these refugees back to their home country

15. n.13, 28 February, 1980, p.3.

under "human deterrence" programme.¹⁶ But in June, 1979 of several tens of thousands of Khmers who crossed the border into Thailand resulted in an international outcry of such magnitude that when in October 1979, people again began to flood across from Kampuchea, the Thai government was left with no alternative but to accept the offers of international support and grant them temporary asylum.

In July 1979, in response to the growing influx of the Vietnamese 'boat people' from Vietnam, the United Nations High Commissioner for Refugees (UNHCR) sponsored a conference and took stock of the situation. UNHCR agreed to provide generous financial assistance. It asked Thailand to provide first asylum. Third countries also agreed to increase their intake of the Indo-Chinese refugees from Thailand. With the assurance from world community to share the burden of Indo-Chinese refugees. Thailand agreed to provide first asylum to these refugees.¹⁷

16. Richard Nations, "The principles of starvation", FEER, Vol. 105, no.31, 3 August 1979, p.21.

17. n.14, 20 October 1979, p.1.

The refugee administration in Thailand had been associated to several government offices. The National Security Council, headed by the Prime Minister was the highest decision making body concerned with refugee policy . The National Security Council members were heads of major ministries and high ranking military officers. They set the direction of the refugee policy. In this endeavour, they are supported by the Secretary General and his staff. The ministry of interior and the supreme command of the Royal Thai Armed Forces are responsible for implementing the policies and making sure the policies correspond with actual demands.¹⁸

The operation centre of the Ministry of Interior handled all camps containing low land Lao, Hill tribe Lao and Vietnamese boat refugees. Apart from providing the administration of the camps, the ministry of Interior was also responsible for providing essential services in the camps like construction, food, water and sanitation. It is also responsible for channelling funds to other services from the UNHCR and voluntary agencies. On the other hand, the joint operation centre of the supreme command of the Royal Thai Armed Forces in Bangkok and various units of the Thai Army and Marines

18. n.12, p.79.

in the field were responsible for refugees in the Kampuchean "holding centres" and along the Thai-Kampuchean border.¹⁹

Unlike the Ministry of Interior, the supreme command was directly responsible only for the security and the general administration of the camps. All the services needed were provided by voluntary agencies and international organizations, with camp commanders playing a supervisory and controlling role rather than a fully operational one. International organizations did not operate in camps that were under the administration of the Ministry of Interior. However, they provided funds to the Ministry of Interior for refugee services. In camps administered by the supreme command, international organizations were permitted an operational role and provided services directly to the camps. Whereas in the camps along the Thai Kampuchean border the access of U.N. bodies and international organisations was limited and they only provided food and materials directly to the Thai military for distribution.²⁰

The Ministry of Interior assumed responsibility for setting up camps for new arrivals along the borders. The Ministry provided all the basic services in the camps such as food, shelter and sanitation. The

19. Ibid., p.79.

20. Ibid., p.80

UNHCR took financial responsibility for these camps. Voluntary agencies provided additional services such as medical and skill-training programmes not provided directly by the Ministry of Interior.

By 1979, the Thai government decided to establish a national refugee centre capable of sheltering 30,000 Kampuchean in Ban Mai Khong Yai District in Trat Province. At the same time, several camps were constructed. They are Pong Namron camp in Chanthaburi, Sakaew camp in Prachinburi, in Karbchoeng District, Surin Province and Wattana Nakhon District, Prachin Buri. In addition, refugee transit centres were established in Bangkok -Suan Flu, Din Daeng, Lumpini and Bangkok to house nearly 10,000 refugees on their way to third countries for resettlement. In March 1980, another refugee holding centre in Phant Nikhom District in Chanburi was built to accommodate several thousand refugees awaiting resettlement in Third Countries.²¹

The Thai government decided to move about 150,000 Khmer Refugees from the two border encampments north of Aranya Prathet to a "Sater heaven zone" straddling the Thai-Kampuchean Zone. This zone was located at a site about 1-2 Kilometres north of the

21. n.14, 15 November, 1979, p.3.

two encampments in Ban Non Makhmoon and Ban Nong Samet. This was constructed to protect and take care of the Khmer Refugees and to be supervised by UNHCR in order to be safe from the threat of continued fighting in the border areas.²²

In May 1980, the conference on the Indo-Chinese refugees took place at Geneva, attended by 57 countries. In this conference, Thai government proposed to the UN Secretary - General, the appointment of a special representative to be based in Thailand with a small staff to coordinate international humanitarian efforts, including the encampment along the Thai-Kampuchean border, and report back at regular intervals. Communist bloc including the Vietnamese and the Kampuchean described it as a political meeting and refused to attend.²³

The Thai government which had undertaken massive efforts to assist Kampuchean refugees constructed

22. n.13, 7 November 1979, p.8.

23. Milton Osborne, "The Indo-Chinese Refugee Situation of Kampuchean case study" in Charles Price(ed), Refugees: The challenge of the future, Canberra, 1981, pp. 31-68.

number of permanent camps stretching from Surin to Trat provinces. It had spent more than 300 million baht in this connection, the new camps included Sa Kaew of Prachinburi, Pong Namroon District of Chanthaburi, Tambon Mai Root of Trat and Panat Nikhom District of Chonburi.²⁴

In the management of these camps, there developed differences between the Thai officials and the International agencies. International agencies wanted to ship and air-lift supplies directly to Phnom Penh, because of the tragic situation in interior Kampuchea. There was a necessity of emergency relief of food supplies to avert thousands of deaths. When the agency officials planned to suspend cross-border food distribution in favour of food distribution in interior Kampuchea. The Thai officials protested that this move would result in more number of people crossing into Thailand. However, the Thai authorities and the UN agencies reached an agreement and both sides continued to provide humanitarian assistance to the Kampuchians about the border. But the ICRC, UNICEF and WFP decided to terminate supply in areas along the border controlled by Pol Pot cadres before the end of July 1980, despite the Thai government's threat to deny

24. n.14, 14 June 1980, p.1.

international relief agencies access to the funnelling of aid to Phnom Penh.²⁵

In early 1982, the Thai government restructured its refugee management for the effective control and care of the Indo-Chinese refugees Interior Ministry began to close the Nong Khai camp for the Laotian refugees in February 1982. On 21 September, 1982, National Security Council reduced the number of camps under the jurisdiction of Interior Ministry from ten to four. The remaining four camps included one for the Laotian hill tribe (Hmong) people, one for low land Laotians, one for the Kampucheans and one for the Vietnamese and another processing centre for all refugees from Indo-China accepted for resettlement in third countries. These four major camps were:

1. Napho Camp, Nakhon Phanom province housed only low land Laotians.
2. Ban Vinsai camp, Pak Chom District, Loli province housed only high land Laotians(Hmong).
3. Panas Nikom camp, Sikiu District Nakhon Ratchasima province housed only Vietnamese.

25. Dinah lee "An envitable compromise" FEER, Vol .107, no.4, 25 January, 1980, p.32.

4. Khao I Dang camp, Aranya Prathet Prachin Buri Province housed only Kampuchean refugees.
5. The processing centre at Pans Nikom, Chenburi province housed refugees from Laos, Kampuchea and Vietnam who are awaiting resettlement.²⁶

Apart from these four major camps, there were six different camps along the Thai Kampuchean border in 1984, which housed a total number of 81,500 Kampuchean refugees. All of these refugees were supervised by the World Food Programme's UN Border Relief Operation. Whenever, the Thai-Kampuchean border became safe enough to live, refugees who expressed their desire to go back to their home country, after a prolonged but unsuccessful stay in refugee camps inside Thailand were moved into border areas. Before the end of 1984, the Thai authorities moved more than 40,000 Kampuchean refugees out of Khao I Dang camp. The refugee encampments along the border more or less identified with any of the resistance forces. A camp at Phnom chat, north of Aranya Prathet was Khmer Rouge redoubt. One at Sok Sann, near the south eastern Thai settlement of Borari, linked to KPNLF of Son Sann.²⁷

26. n.12, p.5.

27. Milton Osborne Refugees: four political case studies, Canberra, 1981, p.7.

From 1981, the Thai Military with a minimum of publicity began a programme of trucking Kampuchean refugees from holding centres to the border regions, either to agglomerations controlled by the Khmer Rouge or to those under Son Sann of KPNLF or Shihanouk. These so called voluntary repatriations of the Kampuchean refugees were generally undertaken without the approval of UNHCR ²⁸.

Conversely, when the UNHCR decided to voluntarily repatriate the Kampuchean refugees who expressed their desire to go back into Kampuchea, the proposals were rejected by the Thai authorities. It was because the UNHCR would see that these refugees go to the interior Kampuchea, not into the camps of resistance forces, unless refugees themselves were willing. The Thai complicity in refugee management can be seen.

There were many difficulties in refugee management in Thailand. There were incidents of friction between the Thai authorities and the international relief agencies. It was primarily due to the fact, that many Indo-Chinese refugee camps consisted of civilians and military troops belonged to different resistance forces. Even though, it was difficult to identify the troops in civilians, who effectively controlled the

28. Ibid., p.17.

whole camp and implemented strict control. The inability of the Thai officials to separate the troops from the civilians accentuated the problems in refugee management. For example, camp 204 in Ban Non Mak Mun, which had about 400,000 Kampucheans and Vietnamese, was robbed by the Khmer Seri troops in January 1980 and the relief supplies were sold in black market.²⁹

The non cooperation with the international relief agencies and incidents of threatening them was also reported. The I.C.R.C. officials complained that in camp 204 only 13 percent of the food aid intended for all refugees had reached civilians. The rest was either sold in black market or deep inside Kampuchea by Khmer Seri Warlord Van Seren. In protest over such activities, the ICRC ordered an indefinite halt to aid for the refugees in the camp. To rebuff this decision, the Khmer Seri soldiers held the Red Cross Workers and the Vietnamese refugees at the gun point for about an hour until the Thai officials intervened and allowed them to leave the camp.³⁰

29. n.12, p.12.

30. Ibid., p.13.

Another conflict between the international agencies and the Khmer Refugee leaders took place in the Sa Kaeo camp, which was a Khmer Rouge stronghold. A senior Khmer Rouge officer colonel Phak Lim threatened to beat up a U.N. officer Mr. Jenson, who acted as the camp coordinator. Mr. Jenson asked for the removal of Lim saying he is a threat to the security of the camp. The Thai officials negotiated with the international agencies and the Khmer Rouge leaders and resolved the matter. But the international agency workers decided not to provide food aid to these elements and delivered food only to women and children under the supervision of the UNICEF and the WFP.³¹

The repeated expressions of irritation over the disjointed aid distribution apparatus by the officers of the international relief agencies gives credence to the belief that Thailand had not maintained effective control over the refugee camps. There were also reports of violence by the Thai guards at refugee camps including killing, beating and intimidation. In November 1981, a group of armed drunken guards raped a 42 year old Khmer widow after they failed to get her daughter and threatened to harm both women if they dare to report to concerned authorities. The timely

31. Ibid., p.14.

The timely intervention of the Thai officials and their assurance to investigate the matter resulted in bringing order . The reports of wide spread corruption also appeared. In July 1979, a group of Hmong (low land Lao) refugees informed that the Thai villagers forced them to sell gold ornaments at cheaper rates. Some Vietnamese complained that they had to pay local authorities and crew men a certain amount of money before they were picked up from sea.³²

Apart from periodic incidents of violence, corruption among the Thai authorities, black marketing was the serious problem in refugee camps. Armed Khmer smugglers involved in smuggling strategic goods into the Thai-Kampuchean border. The Khmer Refugees in the Khao I Dang camp could struggle rice from this huge refugee centre and sell at secret trading points in the surrounding villages.³³

The frequent fighting between the rival resistance factions threatened the security of thousands of the refugees in these camps. With the establishment of the Task Force 80, which conducted periodic crackdowns and asserted those indulged in blackmarketing and the assurances by National Security Chief, Squadron Leader Prasong Son Siri that "if any authorities are found

32. n.13, 22 June 1983, p.6.

33. n.14, 12 September 1981, p.1.

guilty, they face penalties both disciplinary and criminal in accordance with regulations"³⁴ brought a semblance of safety to the lives of these unfortunate refugees who live in dangerous environment along the Thai -Kampuchean border and in Thailand.

34. Ibid. 26 October 1982, p.1.

REFUGEES, CGDK AND THE KAMPUCHEAN CONFLICT

The image held by International Community of Kampuchean refugees is of skeletal figures, close to death from the combined effects of severe hunger and disease , staggering towards the shelter of internationally funded camps. By late 1979, this image needed substantial qualification. At least as many Kampucheans who crossed into Thailand in the chaos and confusion that followed the overthrow of the Pol Pot (Democratic Kampuchea) regime in January 1979 were , not, however severely affected by hunger and disease.¹

The Kampuchean refugee problem persistently continued due to the irreconcilable positions taken by the major parties to the Kampuchean dispute. The Kampuchean regime in Phnom Penh and its Vietnamese backers speak of the situation as being "irreversible". The ASEAN states, by contrast continue to work in various ways to achieve a Vietnamese withdrawal from Kampuchea. Now that the Vietnamese had reportedly withdrew its troops from Kampuchea the prospects for a settlement seems very likely. This in turn, would have a corresponding effect on the refugee presence in the Thai-Kampuchean border

1. Milton Osborne, Refugees: four political case studies, Canberra, 1981.

areas.²

Since the Vietnamese "invasion" of Kampuchea at the turn of 1978/79, during every dry season their forces have undertaken a military offensive against the Kampuchean resistance forces. During this period, every year, refugee camps and bases on the Thai-Kampuchean border have been bombarded with artillery and razed to the ground by tanks. As a result, during every dry season, a flood of tens of thousands of Kampucheans would pour into Thailand, and later return to their own territory in the subsequent rainy season to reconstruct their destroyed camps here. At the end of 1985 about 239,000 civilians were living under the control of the three factions of Democratic Kampuchea coalition in five large evacuation camps on the Thai soil near the Thai-Kampuchean border.

- 140,000 under the control of the KPNLF (Khmer Peoples National Liberation Front) in the northern and purely civilian southern section of the camp "site 2" about 40 miles north of Aranya Prathet.

- 50,000 under the control of the Khmer Rouge in "site 8" and "site 8 North" camps about 30 miles south of Aranya Prathet and in Samrong Kiat in the northern sector of the Thai-Kampuchean border.

2. Chang Pao-Min "Kampuchean conflict : The continuing Stalemate", Asian Survey, Vol. 27, No. 7, July 1987, pp. 748-63.

- 40,000 under the control of the Shihanoukists in "Camp David" about 40 miles south of Surinam.³

Despite the resettlement in third countries of more than 50,000 Kampuchean since 1975, a total of approximately 21,500 refugees from Kampuchea remain in various camps within Thailand. The US has virtually stopped processing Khmer Refugees for resettlement, with the exception of 4,000 people in Khao-I-Dang. Washington is now following a "two track" family reunification plan involving normal immigration channels and a highly selective case-by-case humanitarian parole less than 20 Khmer have entered the US under these guidelines since they were introduced in October 1985.⁴

Because of the "compassion fatigue" among third countries to resettle these refugees contributed to the very small intake of Indo-Chinese refugees in general and Kampuchean in particular. The declining number of refugees in third countries for resettlement leaves only two options before the Kampuchean refugees in Thailand,

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3. Peter Schier "Kampuchea in 1985: Between Crocodiles and Tigers" , South East Asian Affairs, Singapore, 1986.
 4. Asia Year Book , 1987, Hongkong , p.122.

indefinitely, or they return to their homeland. It is at this point that the absolutely vital link between the existence of a Kampuchean refugee problem and lack of any settlement of the Kampuchean conflict becomes apparent. This observation holds true at two levels. There is, first of all, the issue of the Kampuchean refugees as a cause for dispute between the Thai government and the Kampuchean regime backed by the Vietnamese. Secondly, there is the fact that attitudes among Kampuchean refugees concerning their readiness or unreadiness to return to their home land are directly shaped by their perception of the state of security there.⁵

Thai policy towards Kampuchean refugees has passed several phases. In mid-1979, while General Kriangsak was still Prime-Minister, the Thai authorities reacted to the sudden inflow of more than 40,000 Kampuchean refugees into Thailand by forcibly repatriating them. This policy, which provoked considerable international criticism, was followed later the same year by a decision taken in October to permit Kampuchean refugees to remain in Thailand. They were housed in "holding centres" set up under the general control of the Thai Military Supreme Command but administered by the United National High Commissioner for Refugees (UNHCR). The forced

5. n.1, p.11.

repatriation of 40,000 refugees in mid-1979 was primarily to discourage the prospective refugees and to an extent internationalize the problem to get adequate assistance from world community.⁶

The change in the policy in October to allow these refugees to remain in Thailand was a direct reflection of General Kriangsak's personal distress at the lamentable physical state of refugees. The changed Thai policy reflected a mix of political and military calculation, desire to avoid external criticism and a measure of humanitarianism. The sections of the Thai Military saw the Kampuchean refugees as providing a potential future force to be used against the Vietnamese and their proteges in Kampuchea. More importantly, there are indications of differences existing from time to time between the Military Supreme Command and the Thai National Security Council. Yet again, it has not always been clear that policy decisions in relation to refugees taken in Bangkok have been strictly implemented along the Thai Kampuchean border. In short, the Thai attitudes and policies toward refugees are much less monolithic than might be supposed.⁷

6. Bangkok Post, 20 October 1979, p. 1.

7. n. 1, p. 13.

From the beginning, it was clear that resettlement in a third country could only provide a partial answer to the problem of the Kampuchean refugees. It is true that those Kampuchean refugees who had previously been members of the pre-1975 bourgeoisie were determined to be resettled abroad, no certainty attached to the intentions of the former peasants and low level urban workers among the refugees. In comparison with boat people, refugees from Vietnam, the Kampuchean refugees, over all, possessed few skills to make them attractive prospects for resettlement. They also had few relatives in Western countries to whom they could look for assistance in schemes that depend on family reunion.⁸

It was against this back ground that the Thai authorities decided to develop a programme of voluntary repatriation of Kampuchean in June 1980. Before that there had been a limited effort on the part of the Thai military to encourage former Lon Nol soldiers in ~~Khao-I-Dang~~ camp to leave and link up with KPNLF troops at Ban Sa Ngae, a location little to the north. This programme had only a limited success, but well before the projected repatriation began in June 1980, it was appeared that a substantial number of refugees were

8. Ibid., p. 16.

ready to leave Sa Kaeo to Khmer Rouge controlled regions along the Thai Kampuchean border.⁹

The implications of a repatriation programme that strengthened the Khmer Rouge was of course apparent to the Vietnamese and to the Kampuchean regime in Phnom Penh. In spite of the warnings from Hanoi and Phnom Penh against proceeding with repatriation. The Thais chose not to stop the programme and on 17th June 1980 repatriation began. In the event just over 9,000 Kampuchean refugees left to return to their own country. Of these returnees some 7,000 or more than 80 percent came from Sa Kaeo camp and returned to Khmer Rouge dominated regions. This in turn resulted in subsequent Vietnamese incursions into Thailand on 23 June 1981 to discourage Thailand from continuing these exercises.¹⁰

The fact that a relatively small number of Kampuchean took part in June 1980 repatriation

9. Justus M. Van der Kroef "ASEAN, Hanoi and the Kampuchean conflict: Between Kurantan and Third alternatives", Asian Survey, May 1981, Volume XXI, no.5, pp. 515-35.

10. Ibid., p.519,

programme and that it brought a Vietnamese military response in reaction left the Thai government with a dilemma. Whatever the disagreements existing among members of the Thai foreign and military policy makers, it appears that there was broad agreement that for Thailand to fear the Kampuchean refugee burden for an indefinite period was undesirable. There were short term considerations that Kampuchean refugee presence could be used to advance the argument that refugee presence is because of Vietnamese occupation of Kampuchea. The Thai population at large was also unsympathetic to the refugee presence. Despite a general agreement on the need for an eventual elimination of refugee presence, short term arguments prevailed over the desire to end the refugee problem in a swift and final fashion.¹¹

The successful repatriation of refugees into interior Kampuchea was not undertaken because it would carry with it the implication that conditions in that country had been improved and that Phnom Penh regime was a successful functioning administration. In brief, it was one thing to encourage repatriation that had as its result the strengthening of anti-Vietnamese forces along the border. It was some thing quite different to engage in a programme of voluntary repatriation that would provide tacit admission, if nothing more

11. Thailand : A first asylum country for Indo-Chinese Refugees Asian Studies, Monographs No. 038, Bangkok. 1988, p.27.

of the existence of an administration in Kampuchea able to provide a significant measure of security through much of its territory.¹²

So, the Thai military with a minimum of publicity began a programme of trucking Kampuchean refugees from holding centres to the border regions either to the border encampments controlled by the Khmer Rouge or KPMLF. In this exercise, the refugees who had no intention of linking their fortunes to either the Khmer Rouge or the KPMLF, now find themselves stranded in one or the other border agglomerations, unable to go into the interior of Kampuchea and prevented by the Thais from returning to the refugee camps.¹³

On 22 June 1982, Prince Shihanonk, Som Sann and Khien Samphan sat down in the stately Rumah Malaysia official guest house to sign a declaration to form the coalition Government of Democratic Kampuchea (CGDK)

12. Milton Osborne " The Indo-Chinese Refugees: A Kampuchean case study", Charles Price and Refugees The challenge of the future, Canberra, 1981, p.38.

13. Ibid., p.42.

It was clear, that they were at least prepared to bury their differences so as to wage a more effective drive against a "common enemy" Vietnam. It may go down in history as one of the world's most unlikely coalition governments. There were two Cambodian leaders from a distant era embracing a country man representing a regime both had good reasons to detest. Son Sann head of the KPNLF (Khmer Peoples National Liberation Front) said at a press conference following the signing "we are compelled to form this coalition".¹⁴

It was more than compulsion which decided the three anti-Vietnamese resistance factions to link up after nine months of discussion. There has been considerable pressure in recent months from the ASEAN countries particularly Thailand, Singapore and Malaysia, on the coalition idea. China has meanwhile been manipulating the Khmer Rouge which it supplies with arms and ammunition. Apart from the longer term aim of stepping up the campaign to induce Vietnam to see reason and withdraw its 200,000 troops from Cambodia, the more immediate objective was to present the Democratic Kampuchea with a more acceptable face to the UN General

14. Rodney Tasker, "Tromped up trio", FEER, Vol. 116, No. 26, 25 June 1982, p.8.

Assembly in September, 1982 the UN has obliged by voting to retain Kampuchea's General Assembly seat for DK (Democratic Kampuchea) mainly as a result of successful ASEAN lobbying, since the Vietnamese intervention.

The declaration includes four principles:

- (1) Tripartitism, (2) Equality and Non-preponderance,
- (3) Consensus in decision making (4) the framework of Democratic Kampuchea.

It was agreed to have Shihanouk as the president of the coalition government, with Khieu Samphan as his vice-president incharge of foreign affairs and Son Sann as prime - minister. Son Sann told officials after his arrival in Kuala-lumpur that he thought he has made very substantial concessions Shihanouk, however, was more sanguine. He told journalists that if the Khmer Rotge planned to leave the coalition they would loose, because world opinion might revert to backing the Heng Samirin government in Phenom Penh.¹⁵

Shihanouk also told that the Chinese Foreign Minister Huang Hua had promised him recently that if the coalition was formed Peking would step up its aid. Son Sann has already had at least one shipment of arms from China and is reportedly receiving cash and food from Thailand, Malaysia and Singapore. The ASEAN stand is that it will not supply

15. *ibid.*, P. 9

arms to any Cambodian faction though the door is left open to individual member countries to do so as they wish.¹⁶

The Coalition Government of Democratic Kampuchea (CGDK) continued to portray an image of deep divisions, even though the three coalition partners outwardly manifested united when appearing together. The only item on the CGDK agenda remained the fight against the Vietnamese supermacy over Kampuchea. Cooperation was limited between these three politically polarised factions, except for a few summit meetings between Shihanouk, Khieu Samphan and Son Sann. Below this highest level, there was hardly any convergence between the three groups. The two non communist groups, led by Prince Shihanouk and Son Sann, hardly collaborated at all, even though there was a not insignificant number of advocates in both groups for closer cooperation between the KPNLF and FUNCINPEC (French acronym for the United National Front for an Independent, Neutral, peaceful, and cooperative Cambodia). The only common undertaking which worked in part remained a few joint information bureaus in some foreign countries and the "Voice of Khmer" radio station which since November 1985 can be heard throughout Kampuchea on short wave 6325 KHZ 149 M. However, in spite of several announcements since 1984, a common military supreme command has still not been achieved.

16. *ibid.*, P. 9.

The already strained relations between the Shihanoukists and the republicans were taxed further through numerous publicly expressed mutual accusations.¹⁷

The hostilities between the shinanoukists and the Khmer Rouge reached a new high poing in 1985 after units of the later group attackced several ANs squads and killed 38 ANs soldiers during the period from 16 February to 10 June, 1985. In the two previous years there had been similar incidents. In 1983 and 1984, 19 and 10 ANs soldiers fell victim to the Khmer Rouge, Shihamouk threatened to resign as CGDK president if the Khmer Rouge killed even one soldier of ANs in the future.¹⁸ On the other hand in the Khmer Rouge Camp, the retirement of pool pot as the supreme commander or the Khmer Rouge forces (National Army of Democratic Kampuchea) was widely heard. However the retirement of pol pot was a clumsy attempt to decieve world opinion, clearly leading it to believe that the Khmer Rouge had made a clean break with their bloody past and were prepared to compromise. The retirement of pol pot was clearly a propogandistic move by the Khmer Rouge to improve their image before U.N. General Assembly and appear to be flexible and prepared to compromise in particular in respect of the Viatnamese demand for the "elimination of pol pot" as a pre requisite for a solution to the Kampuchean conflict.¹⁹

17. n. 3, P. 143

18. John Mc Beth "Divided we stand" FEER 6 Mar, 1986, Vol.131
No. 10, P 28

19. n. 3, P. 146.

Barely two months prior to the alleged retirement of pol pot, a national conference of 70 leading Khmer Rouge military and civilian cadres took place at the beginning of July 1985 at which declaration of principles was passed on the current and future policy of Khmer Rouge. According to this, if they were to come to power once more, the Khmer Rouge wanted to retain prince Norodom Shihanouk a capitalist economic system and establish a parliamentary system. In the document, the Khmer Rouge made vague indications concerning the possible participation of members of the Heng Samirin regime in future Kampuchean government, but only on condition that Heng Samirin and his associates "ended their collaboration " with the Vietnam. Khmer Rouge rejected unofficial discussions, without pre conditions, with the Heng Samirin government for the setting up of a four-party government of national reconciliation suggested by Shihanouk.²⁰

The implications of the recent moderate promises by the Khmer Rouge, however, can not be taken for granted. All available reports indicate that the Khmer Rouge is still repressive towards the civilian population. Not only forced recruitment into the army civilians protest against this treatment and want to move to a pro-Shihanouk camp have been ill-treated, locked up and even shot political prisoners have been deported to "re-education centres" where they have been beaten and made to work in mine-infested areas without medical

20. *ibid.*, P. 144.

care. Both in camp 8 and in the settlement of samrong Kiat there are apparently large numbers of civilians who would prefer to join the shihanoukists with the connivance of the Thai authorities, the Khmer Rouge have been able to prevent this up to now.²¹

The non-communist groups were further hampered by interval bickering. The KPNLF has been plagued by a leadership struggle since Mid 1985. The opponents of Son Sann complained that he is 'dictatorial' and accused him of meddling in military affairs and refusing to allow cooperation with Shihanouk group. They would like Son Sann to restrict himself to ceremonial and diplomatic activities. However, the real issue at stake seemed to be the control of the financial aid from foreign countries to the KPNLF.²²

In December 1985, the disgruntled KPNLF leaders, including sak sut sakhon, the group's commander-in-chief, and Dien Del its chief of staff formed the provisional central committee of salvation and announced that they had taken over the movement.²³ The leadership conflict has continued ever since prompting most of the group's guerillas to return to the Thai border. Son Sann spent much of the summer in Paris and threatened to resign his position as premier of the coalition if the challenge to his leadership of the KPNLF continued. In addition many of the KPNLF soldiers and officers were more

21. *ibid.*, P. 142.

22. John Mc Beth "who's incharge here" FEER 6 March 1986, Vol. 131, No. 10, P. 29.

23. Rodney Tasker "up against the odds" FEER 16 January, 1986, Vol. 131, No. 3 P. 22.

interested in Thai-Kampuchean black-market dealings and other private concerns than in resistance struggle against the Vietnamese forces.²⁴

Conflicts also developed within the Armee Nationale Shihanoukiste (ANS) prompting Shihanouk to postpone his visit to the ASEAN countries from February until August. In March 1987, the prince fired his commander-in-chief Gen Teap Ben, who was accused of corruption, violating human rights and incompetence in waging guerrilla war, and replaced him with Shihanouk's son Norodom Rannarith.²⁵

The anti-Vietnamese resistance forces, even though succeeded in forming a coalition Government of Democratic Kampuchea (CGDK) in June 1982, have not been able to achieve a major breakthrough vis-à-vis Vietnamese forces in Kampuchea. These three groups were strange bed fellows, one being communist.²⁶ Even through the formation of CGDK was essentially due to the initiative of ASEAN, the groups involved in the coalition could not work collectively and made no progress towards the settlement of the Kampuchean conflict, because of the inherent contradictions and lack of a strategy. Their progress was further hampered by the conflicting interests in the conflict. It would be no exaggeration to say that they virtually existed because of the external covert and overt

24. n. 4, P. 122.

25. n. 23, P. 22.

26. Pamela Soudhy "A survey of U.S. post Vietnam policy and the Kampuchean Dilema, 1975-89 : A south east Asian view Contemporary south east Asia volume 11, No. 3, December 1989, P. 296.

assistance to these forces. In the absence of a settlement to the Kampuchean conflict, an estimated 230,000 refugees are still under the control of respective CGDK forces.²⁷ The future of these refugee civilians apart from those fighting the PRK/Vietnamese forces is directly linked to the unresolved Kampuchean conflict. The continued stalemate is partly due to the irreconcilable positions taken by the major parties in the dispute. The PRK regime in Kampuchea and its Vietnam backers speak of the situation being "irreversible". On the other hand ASEAN backed by China and U.S. continue to work in various ways to achieve Vietnamese withdrawal.

The Vietnamese speak of the threat from China. The Vietnamese felt compelled to maintain the peace and security in Indochina because of the threat emanating from China. Until the threat was removed Vietnam's occupation of Kampuchea would have to continue.²⁸

Several offensives by the Vietnamese failed to crush the Khmer Rouge guerillas partly because they were able to use Thai border area as sanctuary and the mouth of a feeder line for rice supplies to pol pot bases. The Vietnamese usually maintained a 15 - Kilometer distance from the Thai border but they grew increasingly restive at the prospect of a protracted, bloody struggle. They believed that the Thai were supplying arms for pol pot and possibly entering a

27. N. 3, P. 141.

28. Khien Theeravit "Thai-Kampuchean Relations: Problems and prospects" Asian survey June 1982, Volume XXII No. 6, P.554.

military agreement with Beijing in return for a promise of Chinese oil. Thai policy in October 1979 welcoming all Kampuchean refugees who wished to come over further abroaded Vietnamese.²⁹

The Thai support to Khmer Rouge and ASEAN's diplomatic manoeuvres at international forums resulted in PRK regime's isolation.

The PRK regime was unable to attract credible international recognition, in part because of the diplomatic endeavours of an adhoc coalition of states that possessed an undoubted interest in denying the endorsement of Vietnamese dominance through the medium of a client government. This alignment was led by China, which extended material support by clandestine means through Thailand to the pol pot resistance.³⁰

The Khmer resistance groups appear to be attempting to win supporters primarily among the hundreds of thousands of Kampuchean refugees, precariously straddling both sides of the Thai-Kampuchean border. The credibility of these resistance organisations all sapped further by their factional and leadership squabbles over control of the wretched refugee masses along the Thai border. There were also reports of terror and

29. John C. Donnell "Vietnam 1979, year of calamity" Asian Survey, January 1980, volume XX, No. 1, P. 21.

30. Micheal Liefer "Kampuchea in 1979 from dry season to dry season" Asian Survey January 1980, Vol. XX No. 1, P. 35.

intimidation by these forces. They also tried to control the emergency international food relief supplies to the refugee population.³¹

The diplomatic efforts of ASEAN in general and the Thailand in particular were further hampered by the continuous fighting between the CGDK forces and Vietnamese army. Thailand while proclaiming its official neutrality in the internal conflict within Kampuchea, continued to recognize the ousted pol pot government which it provided openly with transit facilities.³²

The ASEAN governments have given priority to Thailand's view of the Kampuchean problem. When General Prem Tinsulanand became Prime Minister of Thailand in April 1980. Thailand's orientation towards Kampuchean problem shifted from a policy of detente in relation to the Indo China states as practiced under Kriangsak government to a strongly anti-vietnamese policy. The Thai government hard line attitude towards the Indochinese states was reflected in certain actions it took. In January 1980, Thailand moved its fifth tank-regiment along with additional infantry to the Kampuchean border to strengthen its defence in response to renewed Vietnamese military activity in Kampuchea. The policy of the new government was reinforced by the Vietnamese incursions into Thailand in June 1980 and again in January 1981.³³

Thailand's policy towards the Kampuchean refugee problem

31. n. 9, P. 492.

32. n. 30, P. 36.

33. Lali Teik Soon "ASEAN and the Cambodian problem"
Asian Survey June 1982, Vol. XXII, No. 6, P. 551.

was increasingly affected by the confrontation with Vietnam, over 150,000 Kampuchean refugees were in camps inside Thailand and another 500,000 - 600,000 were just across the border in Kampuchea. Many observers believed that a Thai - U.N. agreement in June 1980 to allow a voluntary return of refugees to Kampuchea influenced Vietnam to launch the attack of 23 June 1980. Since large elements of those who volunteered to return appeared to be Khmer Rouge sympathisers. The incursion thwarted the plan and may have "purred the International Committee of Red Cross (ICRC) and UNICEF to announce plans to end their refugee aid programmes on the border by early 1981. Since 1981 the two organisations complained loudly about humanitarian aid going to Khmer Rouge forces. The announcement represented a threat to major elements of the Thai policy toward Kampuchea and to the entire refugee aid effort. The Thai government laboured to have the decision revoked and it warned the two agencies that it might retaliate by not allowing them to use Thai territory to send reter supplies directly to phnom penh.³⁴

Thailand gains several benefits from the state. It's alliance with China has thrown its own communists party into disarray. It's controntation with Vietnam responds, without bloodshed, to popular fears that Vietnam plans to govern Thailand. Finally its backing of pol pot, Son Sann and

34. Larry A. Nicksch "Thailand in 1980. Controntation with Vietnam and the fall or Kriangsak", Asian Survey February 1981, Vol. XXI, No. 2, P. 226.

Shihanouk means that it has placed its bets on three Quarters or the horses on the track.³⁵

Thailand also gets significant monetary benefits, because of the Kampuchean conflict. From 1980 to 1984 U.S. security assist. Once to Thailand had increased more than three fold. While its contribution to humanitarian relief in 1980 had totalled to U.S. 11.5 million. Thailand also received US\$ 16 million for border relief operations and US \$ 8 million to assist border villages affected by the influx of Kampuchean refugees.³⁶

Apart from security and humanitarian assistance from the united states, there were reports of corruption in a secret U.S. programme to aid the Kampuchean resistance forces. Thai military officers and businessmen had, according to the report, taken US \$ 3.5 million from a US \$ 12 million a year CIA programme to aid the non-communist resistance groups in Kampuchea.³⁷

Apparently the overt aid to Kampuchea had also been tainted by corruption - about 10 per cent of the funds authorised by the U.S. Congress since 1985 had been embezzled in Thailand.³⁸

From the outset Beijing warned that if the world sat back and watched the invasion of Kampuchea, Hanoi's acts of aggression would spread in to the ASEAN countries. This was not

35. David P. Chaudler "strategies for survival in Kampuchea" Current History, April 1983, Vol. 82, No. 483, P. 153.

36. n. 26, P. 299-300.

37. *ibid.*, P. 307.

38. Nayen Chanda "lethal boost" FEER, 27 October, 1988, P.17.

simply an objective assesment of the situation but also an attempt by the chinese to justify their forth coming punitive strike on Vietnam and an appeal for solidarity. As a front line state, Thailand apparently welcomed the chinese stance more than other countries. China had demonstrated its readiness to aid Thailand on the basis that "a threat to Thailand is a threat to China" and was actually providing military aid to assure the continued operation of the anti vietnamese guerilla forces.³⁹

In lieu of an American 'alliance' vis-a-vis Hansi, Beijing increased its arms aid to Khmer Rouge forces and gave arms aid to opposition groups in Laos and reportedly in Vietnam itself. It also concluded a kind of military alliance with Thailand, promising that if Vietnamese forces in Kampuchea entered Thai territory (which they were prove to do because pol pot was using as sanctuary), chinese forces would again invade Vietnemy. Subsequent visits by military leaders and tensions on the Sino-vietnamese border made this promise credible.⁴⁰

Chinese leaders understood that there would be difficulties in returning the Khmer Rouge to power in view of their murderous policies during the period 1975 to 1978. Even through they had proclaimed they were no longer communist,

39. Yonej Kuroyenogi "The Kampuchea an conflict and ASEAN : A view from final stage." Jagan Review of International Affairs. Spring/summer 1989 P. 61,

40. Rodney Tasker WU, visits Pakistan and Thailand to Boost morale FEER "August, 1983, P. 12.

had made mistakes and were "reformed". Beijing however, insisted that the Khmer Rouge, the most important component of the anti-vietnamese resistance, could not be denied some role in a post-vietnamese occupation government. The Chinese also advocated military solution instead of negotiations, arguing that Hanoi would use negotiations to divide its opposition while trying to legitimize Kampuchea's Heng Samirin "puppet" regime.⁴¹

China later provided weapons and supplies to all the three members of the "United front" (CGDK) through its help to Son Sann and Shihanouk was patently less in both quantity and quality than its aid to the Khmer Rouge.⁴²

In spite of the peace initiatives taken by Indonesia and Malaysia the efforts failed to provide a negotiated settlement to the Kampuchean conflict. The lack of any settlement, partly can be attributed to China's intransigent position and its continued overt and covert military assistance to Khmer Rouge the "Worst Violaters of human rights in the world".

The United states, which is the major supporter to the regime followed, as secretary of state, Holbrooke, explained in November 1979 "American policy toward the Indo China problem will be based on strong support for Thailand. We have accelerated military deliveries to Thailand all through the year. With the strong Congressional support we have been

41. John F. Copper "China and South east Asia" current History December 1984, Vol. 83, No. 497, P. 406.

42. "The tanks are coming" FEER, 24 March 1983 P. 9, Vol. 11, No. 12.

increasing military credits to Indonesia Malaysia and the Philippines as well. We view Thailand as the key to ABEAN, and ASEAN as the key to south east Asia."⁴³

From the start, two major problems were apparent regarding US objectives. The first was America's alignment with China which obliged the united states to follow the PRC's hard line towards Vietnam as well as its close relationship with Thailand. The U.S. policy of opposing the Khmer Rouge continued until the present. Yet by helping CGDK, the United states has invariably helped the Khmer Rouge, or supplies have been indirectly channelled to them too. The main supporter of the Khmer Rouge has been the PRC and America's alignment with China has worked against US interests.⁴⁴

With the reported Vietnamese troop withdrawal from Kampuchea the long standing demand by ASEAN, China and united states had been met. The recent meeting between Thai Prime-Minister Chat Chai Choon Chavan and PRK's Premier Hun Sen in Bangkok January 1989 further accelerated the peace processes.⁴⁵

At the backdrop of more stable environment which resulted in Soviet- American detente and Sino-Soviet rapprochement..... the Kampuchean conflict resolution appears more significant. The Kampuchean refugee problem will be solved with the settle-

43. David w.p., Elliot "Recent US policy towards Indochina" es Khien Theerevat and Mac Alistee Brown Indochina and Problems of security and stability in south east Asia. Bangkok, 1983 P.P. 169-72.

44. n. 26, P. 297

45. V. Suryenerayen "Developments in Combodia, evolving relationship in South east Asia and India's role in the region" strategic Analysts November 1989, Vol. XII, No. VIII, P 859

ment of the Kampuchean conflict, because of the refugees continued existence on the Thai-Kampuchean border and also in Thailand is directly linked to the unresolved Kampuchean conflict.

CONCLUSION

The refugee problem is a phenomenon of our age. After the second world war, the problem was largely European. Today, however, most of the world's refugee populations are to be found in the poorest countries of the world, which depend on humanitarian assistance to cope with the enormous burden of assisting the uprooted. The refugees are product of most destructive wars of history. They are also caused due to the creation of arbitrary demarcation of political boundaries regardless of the geographic and demographic factors. In our time, the refugee problem has been distinguished from the refugee movements of earlier days by its scope, variety of causes and difficulty of solution. The refugee movements reflect a fundamental characteristic of the contemporary world, namely, its transformation into an inter connected whole, in which national societies have been profoundly internationalised.

The conflicts that foster refugee movements tend to arise in the course of two major types of political transformations "abrupt changes of regime", particularly , social revolutions, as well as, the responses of incumbents to revolutionary challenges, and the "reorganisation of political communities". The formation of new nation states out of former colonial empires has also created such problems. While in its earlier stages the refugee problem

was seen as a temporary and limited phenomenon, it has now come to be acknowledged as universal, continuing and recurring.

The Indo-Chinese exodus is one of the largest refugee movements in the modern history dating back to 1950's. The war with the French and the subsequent involvement of the United States and the eventual internationalisation of the war, greatly contributed to the displacement of people in the three Indo-Chinese states of Vietnam, Kampuchea and Laos. This displacement of people produced internal refugees and the refugee problem has more or less confined to the Indo-China region, in the sense, that it had not really affected other countries of south east Asia. Since the collapse in 1975 of the U.S. backed regimes in South Vietnam, Kampuchea and Laos, nearly, two million refugees are known to have fled Indo-China in search of asylum. Now, the refugee problem severely affected the countries of first asylum in the region. Thailand due to its contiguous borders with Kampuchea and Laos, was severely affected.

The Vietnamese refugees include boat and land people. The boat people who had drawn world attention due to the perilous journey they had undertaken from Vietnam in small boats in the sea, were predominantly Vietnamese of the Chinese origin. With the fall of Saigon in 1975 and the subsequent

unification of two Vietnams in 1976, the refugee exodus reached monstrous proportions. Prior to the unification, the two political systems of the North and South Vietnams were different. While the North was Communist, the South was capitalist.

The integration of the two Vietnams, severely affected the lives of the people in the South. In the South, the Chinese were mostly in control of commerce and trade. The overseas Chinese in Vietnam, as elsewhere in the South east Asian region, made no secret of their loyalty towards China(father land). When the communist forces entered Cholon in April 1975, the streets were lined up with thousands of Chinese national flags and portraits of Mao Zedong, showing unmistakably where the heart of the Chinese lay. The Chinese in Vietnam were always a source of friction between Vietnam and China.

With the Chinese active support to Pol Pot, who vehemently accused the Vietnamese as traditional enemies and also because of the suspected loyalties of the ethnic Chinese in Vietnam, the Vietnamese government ordered all Chinese subjects to take Vietnamese citizenship, if they were to live in Vietnam. At the prospect of being persecuted, the ethnic Chinese began to leave Vietnam in search of asylum. The people who left Vietnam were overwhelmingly ethnic Chinese traders besides a few

Vietnamese too who were too close to the previous regimes and were engaged in the repression of the people in South Vietnam.

Some of the Laotians also started fleeing the country with the victory of the Pathet Lao forces. The Laotian refugees comprised of low-landers and high-landers (Hmong). Even though a significant member of the Hmong people fought with the Pathet Lao, many of these Meo's worked for the United States in the region. There were also ethnic differences between Hmong and low-land people. Because of the continuing efforts of the new regime to stamp out resistance and also due to the tragic conditions of poverty, disease, and hunger in the country, many Laotians decided to "vote with their feet". They fled to the first asylum countries in the South east Asian region specially, Thailand.

The Kampuchean exodus began in 1975, when Pol Pot - Ieng Sary clique took control of the nation after emerging victorious against the U.S. backed Lon-Nol regime. Even though, the refugees began to flee after 1975, the internal migration of population from the country side to Urban areas began much earlier due to heavy shelling and bombing unleashed by the U.S. forces during the Vietnam war. The miserable conditions of poverty, and disease coupled with bitter fighting between the U.S. backed Lon Nol forces

and Khmer Rouge resulted in the people moving en masse into cities in the hope of getting food, shelter and semblance of security.

Pol Pot after having taken control of Cambodia had adopted a primitive method of reconstruction. He undertook such drastic measures like total evacuation of Phnom Penh, transfer of urban population to villages, abolition of private property, separation of men and women from marital union, banning of all educational activities and compulsory work distribution regardless of age, sex considerations. His unprecedented actions also include physical elimination of an educated people, abolition of postal system, and currency, forced labour in camps with little or no food at all, dispensing with medical system and indiscriminate killing of people, which resulted in over two million deaths. It was a genocide perpetrated by the Khmer Rouge in Kampuchea, the worst ever since the days of Hitler.

Though 30-40,000 people fled Cambodia with the news of Pol Pot's victory, many could not do so because of the virtual sealing of the borders. Nonetheless, many communists fled into jungles and eventually into Vietnam to avoid getting killed by the Pol Pot's men, because of the regime's anti-Vietnamese prejudice. After emerging victorious Pol Pot got the Pro-Hanoi faction of the Khmer Rouge systematically eliminated. Those who managed

to escape, organised resistance against the Pol Pot - Ieng Sary regime. The regime contemptuously fought with the Vietnamese saying they are traditional enemies of the Kampuchians and they would one day swallow the entire country. It was totally forgotten, however, that the Vietnamese shed their blood for the Kampuchian freedom and without their support, Kampuchea could not have become independent. At the behest of the Chinese, the Khmer Rouge army repeatedly made incursions into the Vietnamese territory rejecting all offers of negotiated settlement by Vietnam.

In response to the border violations by Pol Pot's army Vietnam in December 1978 decided to take military action against the Kampuchian communists led by the Pol Pot - Ieng Sary clique. Within weeks, the Khmer Rouge regime disintegrated and Pol Pot and his army took to the jungles. Thailand provided sanctuary to Khmer Rouge guerrillas. China, which is the main supporter of the Khmer Rouge, supplied it with arms and ammunition, and Thailand allowed its border areas to be used as sanctuary for the Khmer Rouge launching military offensive against the Vietnamese backed peoples Republic of Kampuchea (PRK). The PRK, with the help of the Vietnamese tried to stamp out resistance offered by the Khmer Rouge. Tens of thousands of Kampuchians fled the country into Thailand, to avoid getting trapped between the Vietnamese soldiers and the Khmer

Rouge . Many thousands of people also fled to Thailand or to borders, either to trade along the border, make contact with the outside world and also to organise and fight the Vietnamese in Kampuchea.

The United States and other western nations asked the first asylum countries in South east Asian region, primarily Thailand, to provide shelter to the Indo-Chinese refugees and they also assured these countries that they would find for them permanent homes outside. Thailand provided shelter to tens of thousands of refugees. In Thailand , there were about 400,000 refugees at one point of time on the Thai-Kampuchean border.

Indo-Chinese refugees in Thailand, were provided monetary, organisational assistance by the U.N. agencies. The United Nations High Commissioner for Refugees (UNHCR) which was established on 1 January 1951, helped Thailand in maintaining the refugee exodus. Thailand always maintained that the refugee presence was only temporary and it expected third countries to resettle them.

The Thai policy towards the Indo-Chinese refugees in general and Kampuchean in particular, was not based on humanitarian considerations alone. There is a clear political element in the refugee policy.

Thailand's "voluntary repatriation" programme of Kampuchean refugees often resulted in these refugees trucked into either of the resistance forces fighting or civilian camps of these forces fighting the Vietnam backed PRK regime. The coalition government of Democratic Kampuchea (CGDK) which was formed on 22 June, 1982, consisted of the Khmer Rouge, Son Sann's Khmer peoples National Liberation Front (KPNLF), and Sihanoukists. The CGDK which is supported by the ASEAN, China and the U.S. is fighting the PRK regime. The continuous fighting resulted in insecurity in interior Kampuchea which inhibits the refugee population to voluntarily come back into Kampuchea.

Thailand also receives significant monetary assistance, because of the Kampuchean conflict. From 1980 to 1984, the U.S. security assistance to Thailand had increased more than threefold while its contribution to humanitarian relief in 1980 had totalled to US \$ 11.5 million. Thailand also received US \$ 16 million for border relief operations and US \$ 8 million to assist border villages affected by the influx of Kampuchean refugees. The Thai military officers and businessmen mainly benefitted from the U.S. aid to CGDK.

Since 1975 only 50,000 Kampuchean refugees were resettled in third countries. In view of the declining resettlement

rate of Kampuchean refugees, "voluntary repatriation" , one of the solutions envisaged by the UNHCR seems to be the only realistic option. The future of the estimated 230,000 civilian refugees is directly linked to the continuing political stalemate on the Kampuchean question. In the backdrop of the changed international environment, the Kampuchean conflict may get resolved. The resolution of the Kampuchean conflict would eventually solve the refugee problems.

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