
Book Review

Josephine Reynell
Political Pawns: Refugees
on the Thai-Kampuchean
Border

Oxford: Refugee Studies
Programme, 1989

by Penny Van Esterick

September 25 — the BBC news reports that Buddhist monks, nuns, Islamic minorities, and Khmer classical dancers, as well as crowds of Phnom Penh citizens cheer the Vietnamese army in their final parade out of the city and country they occupied for over ten years. Khmer martial music plays in the background. And a country holds its breath.

Just as Cambodia is poised on the brink of an uncertain but almost inevitably violent future, so also, the Khmer in the refugee camps along the Thai-Cambodian border face an equally uncertain and insecure future. For their fate is closely tied to the power struggles in their homeland. Reynell's excellent study, *Political Pawns* ends with an eloquent statement of their position. "They are trapped without a voice in a highly volatile situation, pawns to both their own leaders and wider political interests. In the end, it is they who pay the highest price, for they pay with that which cannot be returned — their lives and their future" (p. 188).

The book deals with the border camps assisted by the United Nations Border Relief Operation (UNBRO), not the camps deeper within Thai territory assisted by the UNHCR. Detailed studies of Site 8 (Khmer Rouge), Site 2 (Kampuchean People's National

Liberation Front, KPNLF), and Greenhill (Prince Sihanouk) illustrate the effects each of these different political affiliations have on the social, political and economic life of the camps. The global context of these camps is presented in chapter one. Khmer border camps are acutely politicized and must be viewed as political entities in order to understand the basics of camp life. The historical and political background of the refugee flow is presented in chapter two, with a straightforward and reasonably objective treatment of the Khmer Rouge.

Chapter three benefits from the participant observation style of Reynell's ethnographic fieldwork. She documents the different ecological resources available to each camp, and the emergent socio-economic class divisions in each: military and civilian elite, professional traders, and people receiving money from abroad top the hierarchy, followed by those who supplement their rations through cultivation or trade, and lastly, those who have no resources to supplement their rations (pp. 49-50).

Chapter four examines power and the structure of aid in the closed Khmer camps. UNBRO attempts to delegate responsibility to the Khmer for running the border camps, but since so many critical decisions are made outside the camps, she concludes that "any attempts to support and validate the Khmer and their culture are undermined and contradicted by the interests and policies of the donor and host governments" (p. 63). Her frank discussion of corruption within camp administrations is in no way moralistic; instead it highlights the

conflicting interests within these border camps, and the expectations of the Khmer regarding the behaviour of those in positions of authority.

Chapter five reviews the camp economy based on the emergency food and non-food rations, augmented by smuggling, remittances from abroad, the sale of goods to local Thai, worker rations, supplementary food, informal barter, sale of crafts and services, and collecting or growing vegetables. She shows how these resources are redistributed within the camp.

A valuable comparison of the direct distribution of rations, and the "women only" distribution to females over eight, illustrates the advantages of the system of direct distribution and the effects that the system of distribution of rations has on the camp economy. Since the camp administrators determined the quantities of rice each person received (p. 75), the distribution of even basic foods becomes a political issue. Her detailed research for the World Food Program underscores the need for investigation of the distribution of food rations after they leave the distribution points, with particular attention to what happens when the rations do not fit with the taste preferences of those they are intended to feed.

Cash is a critical part of the household's economy because it gives people the flexibility to choose how to augment their rations. The most menial employment provides small amounts of cash, but, more significantly, reduces the monotony and stress of camp life, provides links to patrons, and lessens feelings of dependency and powerlessness. Several case studies illustrate the

combination of strategies used by camp families. In spite of these options, a good proportion of households in all three camps have insufficient rations to feed their members and no means of obtaining adequate food. This realistic description of the economic life of refugee camps effectively demonstrates "the total inadequacy of enclosed camp systems to provide long-term living environments" (p. 123).

Informal interviewing and participant observation reveals much more about the problems of camp security than would more formal methods of data collection. Chapter six is particularly disturbing as it reveals the coercive use of food and the intimidation of soldiers as "givens" of the camp situation. Problems of rape, robbery and assault become so much more terrifying in a closed environment. The camp inhabitants face dangers from within the camp and without, in the form of direct shelling. Violence against women takes the form of rape, forced marriages and assaults, reflecting both the abusive exercise of power and the frustration and boredom of camp life.

The social and psychological consequences of existing in such an insecure and unresponsive environment are outlined in chapter seven. Although the traditional Khmer healers and provision for some rites of passage may ease the suffering, the sense of hopelessness and despair is reflected in the phrase, "We have no future — we are just waiting to die" (p. 157). Unfortunately, the author does not examine the role of monks and Buddhism in the camps. Chapter eight reviews the educational opportunities within the camps and the difficulties of socializing children into a violent, frightening and hopeless environment.

Reynell's analysis differentiates carefully between theory and practice, the rhetoric of refugee agencies who must operate under certain rules, and the reality of the lived experience of camp inhabitants. She is sensitive to

both institutional structures and effective symbols, reflections of her anthropological training and methods. She is careful not to apportion blame on Thai administrators, international organizations, or NGOs without showing the constraints built in to the entire system of closed camps. She concludes that "no closed camp system could ever provide an acceptable environment in which people's physiological, social and psychological needs can be met" (p. 174).

In view of the current increase in military action by the Khmer Rouge following the departure of the Vietnamese army, Khmer in and out of the camps have reason to fear Khmer Rouge attempts to return to power. The border camps reveal that the Khmer Rouge have not altered their

style in the years since their savage abuse of power in the late seventies. Ironically, it appears that humanitarian aid in the border camps have assisted the regeneration of the military strength of the Khmer Rouge. But not all those in camps controlled by the Khmer Rouge support the resistance movement. Many are more like hostages, trapped in a double bind where human rights are sacrificed for military advantage. The border camps — particularly those controlled by the Khmer Rouge — can be read as microcosms of the wider search for a stable political solution for Cambodia, a search that must include an agreement concerning all the inhabitants of the border camps.

Penny Van Esterik teaches anthropology at York University.

Slides on Indochinese Refugees in Thailand

"A Look at the Indochinese Refugees in Thailand" is a set of 71 synchronized slides with accompanying script produced by the Indochinese Refugees Information Centre (IRIC) of the Institute of Asian Studies at Chulalongkorn University in Bangkok, Thailand. The slide set gives an informative overview of the predicament of the over 400,000 Indochinese refugees and displaced persons currently in refugee camps on the Thai-Cambodian and Thai-Lao borders. Special attention is given to the everyday existence of the refugees, the humanitarian assistance programs in the camps, the history of the Indochinese refugee movement, aspects of resettlement and the future outlook for refugees in Thailand. The slides are set to music, and the presentation lasts approximately 30

minutes. The cost is US \$35 per set, plus US \$8 for air mail postage, payable by cheque or money order. They are now available from the Indochinese Refugee Information Centre, Institute of Asian Studies, Chulalongkorn University, Bangkok 10330, Thailand.

IRB Chart Correction

Lila Goodspeed's and John Stevenson's Winnipeg telephone number was incorrectly listed in the IRB chart appearing on pp. 8-9 of our last issue (December 1989). Please note that the correct number should read: (204) 983-3553.

The Indochinese Refugee Information Centre (IRIC)

The Indochinese Refugee Information Centre (IRIC) was established in November 1987 within the Institute of Asian Studies, Chulalongkorn University. It is composed of researchers of the Institute of Asian Studies as well as professors of Chulalongkorn University and interested scholars.

The Centre's objectives are: to systematically collect information on Indochinese refugees; exchange information on Indochinese refugees by participating in an emerging international refugee documentation network; study and analyze problems and policies regarding Indochinese refugees; and provide organizations, individuals and academics in Southeast Asia with a better access to information on the wider refugee problem.

Present collections include books

and research papers; newspaper clippings, currently updated, special press audio-visual materials (slides, video-tapes, cassettes and photographs); conference materials (conference proceedings and reports); as well as journals and newsletters.

Publications appear mainly in English and Thai, but several documents in French, Japanese and Khmer are also represented. Emphasis is on material concerning Indochinese refugees in Thailand not selected for resettlement, but information on refugees resettled in third countries is also included.

The Centre is in close contact with institutions and information centres across Europe, Canada and the United States in order to share refugee information and cooperate in an international refugee documentation network. It is equally concerned with

broadening contacts with institutions in the Asian region.

IRIC has both an explicit academic purpose as well as a fundamentally humanitarian concern. It is the hope of the Centre that through the collection, analysis and dissemination of information on Indochinese refugees, the region's refugees problem can eventually be understood and solved. The Centre's main target groups, therefore, are non-governmental organizations, policy makers and academics.

For more information please contact the IRIC staff: Supang Chantavanich, coordinator; Marisa Benyasu, researcher and secretary; Kanokphan Sangruang, researcher; Saikaew Choosup, researcher; Paul Rabe, researcher.

Thorvald Stoltenberg New UNHCR Boss

Thorvald Stoltenberg, a former Norwegian foreign minister, 58, took over in January 1990 as United Nations High Commissioner for Refugees after being elected for a four-year term by the UN General Assembly on

November 20, 1989 to fill the position previously held by Swiss official Jean-Pierre Hocke, who resigned following allegations he misused a special educational fund.

Peter Zwart First Recipient of Kelly Award

Peter Zwart, Director of Sponsorship at the Council of Christian Reform Churches, is the first recipient of the Vincent Kelly Award. He is being honoured at the Centre for Refugee Studies annual dinner on

February 8th at the China Town International Restaurant for his personal contribution on behalf of his Church to overseas refugee work and to the sponsorship of refugees in Canada.

New Publications

- Tanya Basok's doctoral dissertation, highlighting her research on "durable solutions" and their practical applications in Costa Rica, has now been published under the title *Local Settlement and Salvadorean Refugees in Costa Rica: Small Urban Enterprises* (North York, Ontario: Centre for Refugee Studies, 1989). The price, including surface mail costs, is \$25 in Canada and US \$30 in all other countries. The publication is available from the Centre for Refugee Studies, York University, Suite 234, Administrative Studies Building, 4700 Keele St., North York, Ontario, Canada M3J 1P3.

Individual Human Rights Protection: The Case of State-Initiated Returnees

The Working Group on Refugee Protection of the Canadian Council of Refugees has released a discussion paper prepared by Tom Clark with colleagues from the 20th Study Session at the International Institute for Human Rights.

The paper briefly distinguishes asylum from the principal focus of the paper, return by a state. When a state act of return is explicitly or implicitly at issue in an asylum decision, the standard of procedure must be capable of protecting the human rights at issue in the return. The paper develops an approach which views the international and world regional human rights treaties as elaborating, never weakening, some of the rights declared universally.

The paper shows return is related to certain human rights by these treaties and by decisions of the UN Human Rights Committee and of the European and American Commissions and Courts. These rights include the 1951 Convention Concerning the Status of Refugees, Article 33 (life and liberty), the Convention against Torture, Article 3.1 (no torture), the International Covenant on Civil and Political Rights, Article 7 (no cruel or unusual treatment or punishment), the European Convention, Article 3 (no cruel or unusual treatment or punishment), Article 8 (family life), Article 6 (fair trial). The principle emerges that the sending state is responsible for anticipating and protecting the individual from violations of these rights as a result of

a state act of return. This is true despite the caution applied by these bodies that the rights are at issue only in certain situations.

The discussion paper considers the Fourth Geneva Convention and argues that states who wish to return nationals to armed conflicts are situated with respect to these nationals as would be a Detaining Power and therefore should be governed by Article 45. Under this provision, protected persons (civilians) may not be transferred to a Power by a Detaining Power until "after the Detaining Power has satisfied itself of the willingness and ability of such transferee Power to apply the present Convention." The Fourth Convention, in Article 3, sets out the violations prohibited and the human rights at issue.

The paper notes that in a return procedure, the standard of justice must be able to protect all these rights shown to be at issue, including the "life and liberty" at issue for refugees or asylum seekers. Most of these rights are shown to be non-derogable and a case is made that the due process or fair trial involved must itself be non-derogable.

The paper examines what procedural standard should apply. Since liberty is involved, detention standards apply. Since life is at issue in return and also in only the most serious of criminal cases, at least the provisions for criminal cases should apply. Procedural provisions for several treaties are reviewed and an

appropriate procedural standard deduced.

The paper discusses the effect of interaction between treaty provisions and the effect of equality rights provisions. Whereas examination of the class of person may be appropriate in identifying a "refugee" from a historic context, a person cannot be discriminated against on a class of person basis in a procedure to protect fundamental rights at issue in a proposed current state act of return. This is true even when the distinction is made between aliens legally on a territory and those not. Only the potential violation of the rights at issue in the act of return should be considered.

Noting the need of states to have a simple procedure to implement, the paper suggests that the Fourth Geneva Convention Article 45, expanded to refer to elements of Article 3, is a test for safety in return and suggests that procedures used for asylum-granting could be relatively easily improved to deal with state responsibilities to protect in proposed acts of forcible return.

Copies are available at cost from the Canadian Council for Refugees, 4285 de Maisonneuve Ouest, Montréal, Québec H3Z 1K7 or Tom Clark, 40 St. Clair Avenue East, Toronto, Ontario M4T 1M9. A discussion proposal, "Procedural Safeguards for refugee Claimants," by David Matas is also available.

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Canadian Immigration Law and Policy Conference

The Canadian Bar Association is organizing a major conference on Canadian immigration law and policy at the Bonaventure Hilton International in Montréal on February 15-17, 1990. Issues will vary from advocacy law, the selection system, the role of the provinces, refugees and immigrant women to representation of immigrants and immigration for business.

Two workshops in particular deal largely with refugee issues.

The first one, on refugee and immigrant women, starts at 3:45 pm on Friday, February 16th. Its moderator is Dora Lam (Beaumont Church & Scott, Calgary, Alberta) and the speakers are Nanette Kelly (Coordinator, Geneva Conference on Refugee Women, Toronto, Ontario), Linda Holmes (Employment & Immigration Canada, Hull/Ottawa) and Juanita Westmoreland-Traoré (President, Québec Commission on Cultural Communities & Immigration, Montréal, Québec).

The second one, on refugees, starts at 10:30 am on Saturday, February 17th. Its moderator is Pierre Duquette (Borenstein Duquette Brott, Montréal, Québec) while the speakers are David Matas (Chairman of the Working

Group on Overseas Protection of the Canadian Council for Refugees, Winnipeg, Manitoba), Jim Hathaway (Osgoode Hall, York University, North York, Ontario), Noël St-Pierre (UNHCR representative, Montréal, Québec) and Arthur Helton (Director, Political Asylum Project, Lawyers Committee for Human Rights, New York, New York).

The conference is open to all those interested. For further information on the program, including registration fees and accommodation, please contact the Canadian Bar Association, 50 O'Connor, Suite 902, Ottawa, K1P 6L2, tel.: (613) 237-2925, fax: (613) 237-0185. For air travel convention rates call: (800) 361-7585 and quote Event #90-495.

The Search for Peace in Uganda International Symposium

World University Services of Canada Local Committee at Queen's and Queen's University at Kingston, Ontario, in conjunction with Ugandans residing in Kingston, Toronto, Ottawa and elsewhere in Canada have planned a three-day international symposium, "The Search for Peace in Uganda: Let Us Document the Events", to be held at Queen's main campus at Kingston on May 5-7, 1990.

The main objective of this event is to inform the international community

about the current political, socio-economic and cultural conditions in Uganda and to search for meaningful alternative solutions to the problems. Among other topics, the conditions of Ugandan refugees in the Sudan, Zaire, Kenya and other neighbouring countries will be discussed. For further information about registration fees and accommodation, contact Oryema Johnson, 24 Collingwood Street, Kingston, Ontario K7L 3X4, tel.: (613) 547-4362.