



CANADA'S PERIODICAL ON REFUGEES REFUGEE

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Defining Refugees

by Howard Adelman

The nomenclature applied to refugees is very confusing. Lists of refugees include Canadian citizens who have been established for 35 years with a proper legal status in their adopted country. But in world refugee surveys they are still counted as refugees. It is poor taxonomy that does not provide a criterion for terminating refugee status.

Refugees are uprooted people whose status as refugees ends when they become re-rooted; that is, when the state in which they live guarantees their legal rights, and when they regard the nationality of that state as their own even though they may have another nationality. For example, Estonians who are refugees from the Russian takeover of their homeland who have become Canadian citizens and nationals do not thereby surrender their Estonian nationality, but they do surrender any status as refugees.

In addition to time boundaries for the beginning and termination of refugee status, there must also be spatial differentiations among the various types of refugees. This is another type of confusion. The difference between Convention refugees and non-Convention refugees, between refugees within a country and refugees outside, are muddled because they are all simply called refugees.

If Muslims flee the state of Assam to

Bengal *within* India they are referred to as refugees. If a million Ghanians are expelled from Nigeria and return to their home country, they are referred to as refugees. In ordinary language, anyone uprooted because of civil disorder or, sometimes, even natural disaster is referred to as a refugee. But in international law none of these cases qualify the uprooted people for refugee status. The Muslims were given citizenship by India and India sent in the army to provide protection. The returnees to Ghana have their own country to protect them from persecution and to provide material support.

"The main feature of refugee status is that refugees do not enjoy the protection of any government, either because they are, as stateless persons, unable or, having a nationality, unwilling for political reasons to avail themselves of the protection of their country of origin."¹ The

modern concept of refugee emerges in an international context in which the world is divided up into nation-states such that everyone is deemed to belong to one nationality or another (though not necessarily only to one), and members of that nationality enjoy the protection of a specific political state.

The narrowest legal definition of refugee is contained in the United Nations Convention Relating to the Status of Refugees (July 28, 1951) and the subsequent Protocol (January 31, 1967). Such refugees must have a nationality and lack the protection of their country of habitual residence (there is *no* necessary requirement that that country be the individual's country of nationality), but they must be unwilling or unable to avail themselves of the protection of that state by returning to it. The definition is rather

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REFUGE

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The Canadian Jesuit Missions have announced the donation of Rs. 10,000 for relief work among Bengali refugees in Assam, India.

* * *

New special measures will allow Iranian visitors and Minister's Permit Holders in Canada to apply for permanent residence without leaving the country.

About half of the 2,000 Iranians expected to benefit from these measures are students whose funding has been cancelled by the Iranian government. "Many of these students have had their passport renewals denied, and fear reprisals or even death if they return to their homeland," Canada's Employment and Immigration minister said.

Iranian visitors, students and Minister's Permit Holders, will be allowed to apply for landing if they have relatives here who will assist them or if they have been here twelve months and can demonstrate their ability to settle in Canada successfully.

Landing would be granted by Order in Council from within Canada. As permanent residents, these Iranians could apply to sponsor their dependants in Iran, and thus meet the goal of reunifying families.

* * *

Resettlement: Indochinese in Transition

A symposium on aspects of refugee resettlement will be held at the University of British Columbia, July 15 - 18, 1983. The symposium is being co-sponsored by the Refugee Resettlement

Project (UBC), the World Federation for Mental Health and the Canadian Mental Health Association. For further information please contact Morton Beiser, M.D., Room 2C7, 2255 Wesbrook Mall, University of British Columbia, Vancouver, B.C., V6T 2A1

* * *

Employment and Immigration Minister Lloyd Axworthy announced on February 2, 1983 that persons receiving Unemployment Insurance Benefits will be allowed to take full-time language training if the training is required to obtain employment. The new policy applies equally to all unemployed Canadians who need language training to find work. Benefits will be provided during training and for up to six weeks following the courses while employment is sought.

It is expected that about 15,000 Canadians could qualify under the new policy and that about 5,000 persons a year will take advantage of the change, which will cost about \$2 million annually.

Language training under the National Training Act is provided to immigrants, refugees and Native persons who are not fluent in either official language. Canadians moving from one province to another are also eligible when lack of fluency in one of the official languages prevents them from finding employment. Prior to this announcement, however, Canadians who did not move from one province to another were not entitled to collect unemployment insurance while attending full-time language training classes.

Letters

To the Editor:

I was pleased that The Honourable Charles Lapointe, Minister of State (External Relations) announced that Canada believes that it is important that the international community provide itself with the legal instruments necessary for the effective suppression of the practice of torture in the world. ("Canada Makes Unilateral Declaration Against Torture" *Refuge*, Volume 2, No. 3, February, 1983) The Minister further announced that Canada has made a unilateral declaration against torture in the United Nations which constitutes a moral com-

mitment entailing no change in present Canadian law or practice.

The United Nations has also created the Voluntary Fund for Victims of Torture. A General Assembly resolution was passed urging members of the United Nations to contribute generously to the Fund. Canada has voted in favour of this resolution but has not yet contributed any money to the Fund. Denmark, Norway, The Netherlands, Sweden, Finland and Cyprus have contributed to date.

A moral commitment by the Canadian government against torture is important but a financial commitment is even more important. I would ask the Honourable Minister to use his good offices to encourage the Canadian government to

contribute financially to the United Nations Voluntary Fund for Victims of Torture. Canada's contribution to the Fund might encourage other members of the United Nations to contribute. This would be consistent with the policy against torture of the Government of Canada and with the resolution in the General Assembly calling for financial contributions which the Canadian government supported. The effective suppression of the practice of torture in the world needs more than a moral commitment from the Canadian government.

Michael S. Schelew
Vice-president
Canadian Section (Anglophone)
Amnesty International

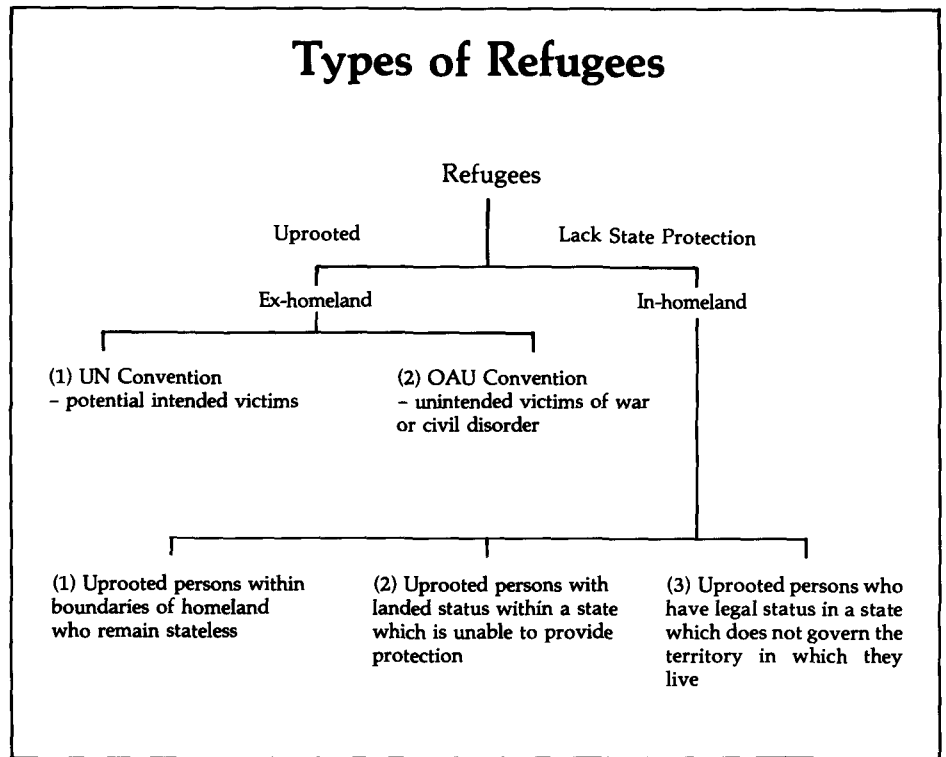
Defining Refugees (cont'd from p. 1)

narrow because the individuals have to establish that they are potential *intentional* victims and that the unwillingness to return is motivated by a well-founded fear of persecution for reasons of race, religion, nationality, membership of a particular social group or political opinion. In other words, they not only have a nationality and lack a state to provide protection for them, but have reason to believe that the state currently in charge of their homeland will not provide protection if they return to its jurisdictional boundaries.

The Organization of African Unity on September 10, 1969, adopted a wider definition, but restricted its application to Africa. Refugees did not have to establish that they had reason to believe they were intended victims of persecution. They could be passive victims and simply be outside the country of origin or nationality, "owing to external aggression, occupation, foreign domination or events seriously disturbing public order in either part of the whole of his country of origin or nationality." The OAU Convention, however, makes one very important requirement. The individual must not only be outside his/her national homeland or state of origin, but must be seeking a refuge to establish a peaceful and civil life. Individuals outside their national homeland or state of origin "for the purpose of fomenting subversion from outside" are not refugees.

In sum, legal refugees are those who lack both a national homeland and a legal state to provide protection. There are two types: intentional victims and unintentional victims. Convention refugees who have a well-founded fear of persecution are intentional victims of a lack of protection. Humanitarian refugees are unintended victims of civil disorder or war, but lose that status if they seek to foment conflict rather than seek a new homeland.

But there are other refugees who do not fit into either of these legal conventions. Convention refugees, whether potential intended victims or passive victims of conflict, share two characteristic features: they are outside their homeland and they do not enjoy membership in a state which takes responsibility for their protection. The term refugee, however, may be applied to individuals who are not outside their homeland.



There may be in-homeland refugees. These are individuals who have been uprooted but still live within their national homeland, but that national homeland is governed by a state which is unwilling to guarantee the individual the full protection accorded by the law to its citizens. In the case of the Palestinians uprooted in the 1947-48 war now living in Gaza, though in their homeland, they are stateless persons who cannot count on or are unwilling to count on the full protection of the State currently controlling that part of their homeland.

But the state may be willing but unable to apply such protection. In the case of the Bengalis in Assam, it is the inability of the state to provide protection which makes them refugees.

There is a third type of in-homeland refugee. They were uprooted from part of their homeland, live in another part, but the state governing that part of their homeland is not the state whose citizenship they enjoy. In other words, these individuals are not stateless nor do they live outside their homeland, but the state of which they are members (e.g. Jordan) and the homeland in which they live (the West Bank) do not coincide. The state to which they belong cannot exercise its protective functions over that part of their homeland.

In sum, the in-homeland refugees either are stateless or they are members of a

state which does not or cannot govern the homeland in which they live.

The taxonomy illustrated in the above chart reveals that all refugees have two elements in common — they have been uprooted and they lack the full legal protection a state would owe its citizens. They differ in their current location (ex-homeland or in-homeland) and the reasons for lacking protection:

Ex-homeland:

- (1) well-founded fear of persecution by the state which is supposed to provide protection;
- (2) civil disorder or war;

In-homeland:

- (3) stateless;
- (4) state lacks the adequate ability to provide protection;
- (5) state to which they are members does not govern their homeland.

Hopefully, this taxonomy can be tested to see if it clarifies the conception of refugees. Certainly those who have been re-rooted and acquired legal status in another state which accepts responsibility for their protection should not be called refugees.

¹Wels, Paul, "The Development of Refugee Law," *Transnational Legal Problems of Refugees*, 1982 Michigan Yearbook of International Legal Studies, New York: Clark Boardman Company, p 17. Paul Wels is the former Director of the Legal Division of the UNHCR.

Refugee Students in the Third World

by Paul McCarthy

It has been said that if a Third World government wishes to maintain its grip on power, it must ensure the happiness of two sectors of the population: the soldiers and the students. Military coups are, of course, dismayingly commonplace. Student-instigated rebellions have also led to the overthrow of various Third World regimes, as happened in Thailand in the early 1970's. Indeed, university campuses in most developing nations have traditionally served as hotbeds of social unrest. The comparatively complacent Canadian student populace would no doubt be amazed at the level of political activity which exists among the student bodies of most of the universities in the Third World. But the price which the academic communities of the Third World have paid for this political and social awareness has been a high one. As a precautionary first step, many Third World governments shut down all post-secondary institutions at the first indication of any impending civil strife. In some countries, such as El Salvador, universities and technical institutes have been closed for years. The consequences are much more serious when a student body shakes but cannot topple a regime, as happened in Zaire in the late 1970's and Uganda last year. Government retribution against student activists who do not toe the government line is typically swift and merciless. Amnesty International reports that thousands of students and faculty have been illegally detained or imprisoned in Third World countries. Torture and

murder are not uncommon.

For those student activists who are lucky enough to avoid imprisonment during government crackdowns, the only path open to them is self-imposed exile in a neutral country. Since they are fleeing from a well-founded fear of persecution, these students, once outside their homeland, are *bona fide* refugees.

It is impossible to estimate how many student refugees there are in the world today. Indeed, no statistics are kept. The sad fact of the matter is: once a refugee, no longer a student. Most educational institutions in the usual countries of first asylum, however generous in their efforts to accommodate refugee students, are hopelessly overcrowded. Moreover, there is often a resentment of refugee students on the part of local students when they are given places at institutions in their country of first asylum.

The international response to the plight of student refugees has been largely ineffective. While the UNHCR, principally through its Education and Counselling Section, has made laudable attempts at helping student refugees continue their studies, it cannot possibly hope to assist all of those in need.

Until recently, all such efforts in Canada have taken place on a strictly *ad hoc* basis. In 1979 the World University Service of Canada (WUSC), the Canadian affiliate of an international non-government organization with head-

quarters in Geneva, took on the task of trying to mobilize the resources of the Canadian academic community in an effective response to the problem of student refugees. WUSC is actively attempting to open up educational opportunities for student refugees at universities and community colleges throughout the country. Once such opportunities do become available, WUSC facilitates the private sponsorship of qualified student refugees thereby allowing them to come to Canada as landed immigrants and resume their studies. Working in close cooperation with the Ministry of Immigration, the UNHCR and Canadian post-secondary institutions, WUSC has been able to sponsor and place twenty-five student refugees, the majority of whom are African, at universities and colleges from Halifax to Victoria; and WUSC hopes to make the Canadian response to the plight of student refugees increasingly effective.

In the long run, it is important to bear in mind that this kind of refugee support work is not merely a humanitarian effort — it is also a potentially important factor in the long-term development prospects of the developing countries.

For further information on the WUSC Student Refugee Programme, you are invited to contact:

World University Service of Canada
P.O. Box 3000, Station "C"
Ottawa, Ontario K1Y 4M8

Vancouver Coalition with World Refugees

The Vancouver Coalition with World Refugees is a group of citizens who are volunteering their time and efforts to help refugees.

Founded in 1982, the Coalition seeks to bring together churches, agencies, service clubs and individuals to undertake the following tasks:

1. To help organize sponsorship groups to bring refugees to Canada;
2. To assist newly-arrived refugees already living in the Vancouver area;
3. To help send aid to refugee camps in foreign countries;
4. To collect and spread information about refugees and urge our government to do what it can to help.

There are no fees or dues required to be a member of the Coalition. A person can be as active a member as he/she desires. Meetings take place on the fourth Wednesday of every month at 7:30 p.m. at 1410 West 12th Avenue, Vancouver,

B.C. For more information, feel free to phone:

Annie Krasker	734-2149
Orval Chapman	278-2543
Dr. John Conway (Chairman)	224-3471

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1410 West 12th Ave. Vancouver, B.C.
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Quebec's Unaccompanied Minors Programs

by
John Forrester

One of the lesser known aspects of the resettlement program for Southeast Asian refugees has been the reception and fostering of almost 500 young people by Canadian families. Quebec in particular saw a considerable influx of these special cases through 1980 and 1981, and even though the flow has dwindled to a barely perceptible trickle in recent months (for a variety of causes), some youngsters do continue to be received and placed with families or individuals.

Children's Centres Established in Southeast Asia

When the flood of refugees from Vietnam was at its height, it was soon realized that, among the family groups leaving that country, a fair number of teenagers had succeeded in getting aboard ships and had made the crossing to Malaysia, Thailand, and Indonesia. Some cases were discovered where parents or other older family members had been lost at sea, and their children reached countries of first asylum already orphaned.

Once they were in the camps set up on Pulau Bidong, on Galang (Indonesia), and at various locations in Thailand, the youngsters had to be given special care in an effort to ensure they were not exploited or abused. Various methods were used, ranging from the ad-hoc arrangements to be found on Pulau Bidong, where large groups of youngsters were more or less supervised by volunteer Vietnamese adults, to the more specifically designed children's centres set up in camps in Thailand, initially by Catholic Relief Services, but also by other agencies. Children in these centres were under the care of house parents drawn from the refugee population, who were responsible for additional food being distributed to their group, and for their general welfare. By and large, the system of children's centres was found to be the best solution in a constantly changing situation, and it did mean that unaccompanied youngsters were settled in one place for some time; efforts to trace parents and siblings could be made in other camps, with the aim of effecting reunification of families prior to resettlement in third countries.

The Quebec Program

In the fall of 1979, the then Minister of Immigration in the Quebec government, Jacques Couture, visited a number of camps in Southeast Asia to determine how Quebec could more effectively con-

tribute to solving some of the problems arising from such heavy concentrations of refugees in small areas of the countries of first asylum. On his return to Quebec, it was announced that Quebec would bring forward all unaccompanied minors for whom suitable foster families could be found. Arrangements were made with four voluntary agencies (two French and two English) for the implementation of the new policy. At the outset, there was considerable misunderstanding as to whether the children arriving in Quebec under the new program were to be adopted by Canadian families or simply fostered until such time as their own families were traced; there was a great deal of misunderstanding with respect to the ages of many of the children and the availability of female refugees. Many Quebec families requested very young girls and were disappointed when they learned that there were few unaccompanied girls and that even fewer were infants.

Due to the confusion of the early stages of the Quebec unaccompanied minors program, it was, perhaps, inevitable that some initial placements had to be reviewed later on. Many foster families did not realize that a Vietnamese boy of 15 had all too often survived years of privation during the period of hostilities in his country, as well as the voyage to a country of first asylum and a period of internment in a refugee camp. In consequence, they were unprepared for the maturity shown by some of the boys received in Quebec. In addition, a number of "false minors" (young adults who had succeeded in passing as teenagers) were encountered; it was very difficult for some foster parents to adjust to the idea of their foster son of 15 turning out to be a young adult of 19 or 20.

A complication peculiar to Quebec arose from the language legislation enacted by the Levesque government; although many refugee youngsters were offered fostering by families of other than French

cultural background, it appeared that all minors so received had to be enrolled in French schools. This question was resolved by placing unaccompanied minors under the guardianship of the sponsoring agencies initially, so that they could be enrolled in schools of the appropriate language sector.

Problems of Financial Support

From a financial viewpoint, families accepting a refugee foster child found that the only support they could expect from Government was the basic family allowance, and a dependent's tax deduction at the end of the year; the usual allowances paid for children in foster care were not available. Although many of the youngsters were in urgent need of dental treatment, no provision was made for this by either the federal or the provincial government.

Arrival in Quebec

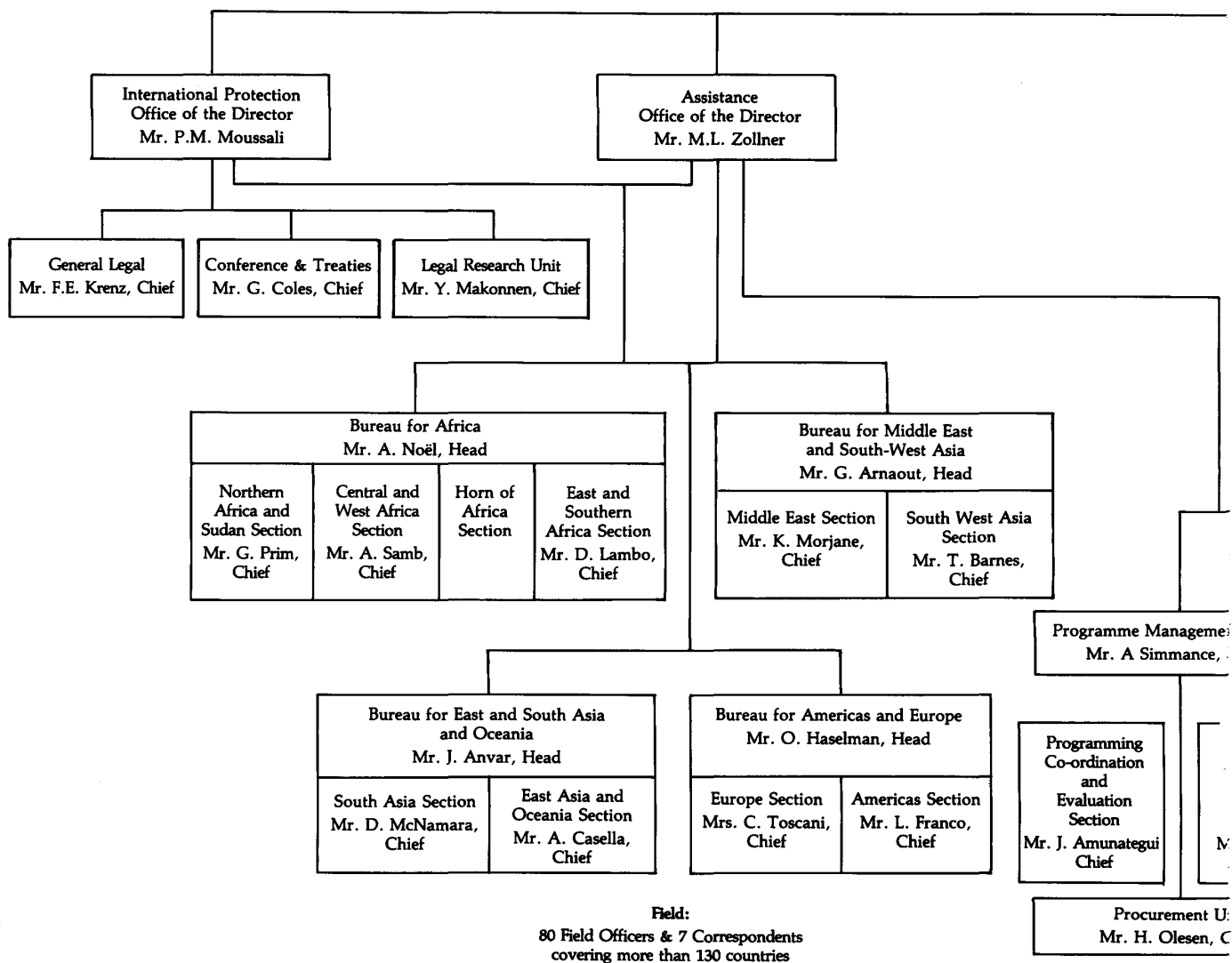
Once the program for unaccompanied minors had been decided, the trickle very quickly swelled to a flood, and the four voluntary agencies found they were in danger of being swamped with youngsters about whom very little information was made available. Urgent requests were made to the provincial and the federal governments for funding for a group home where arriving children could be housed for up to a month, so that files could be put together and efforts made to match each youngster with an approved foster family; the group home would serve also as a place of shelter for any youngster whose initial placing proved to be unsatisfactory. Both governments turned a deaf ear to such requests, even though it was all too apparent that groups of volunteers, however willing, could not keep up the pace of screening foster families: arranging for formal home studies for submission to the Quebec Ministry of Social Affairs; explaining to families that infants were not available for fostering,

(Continued on p. 8)

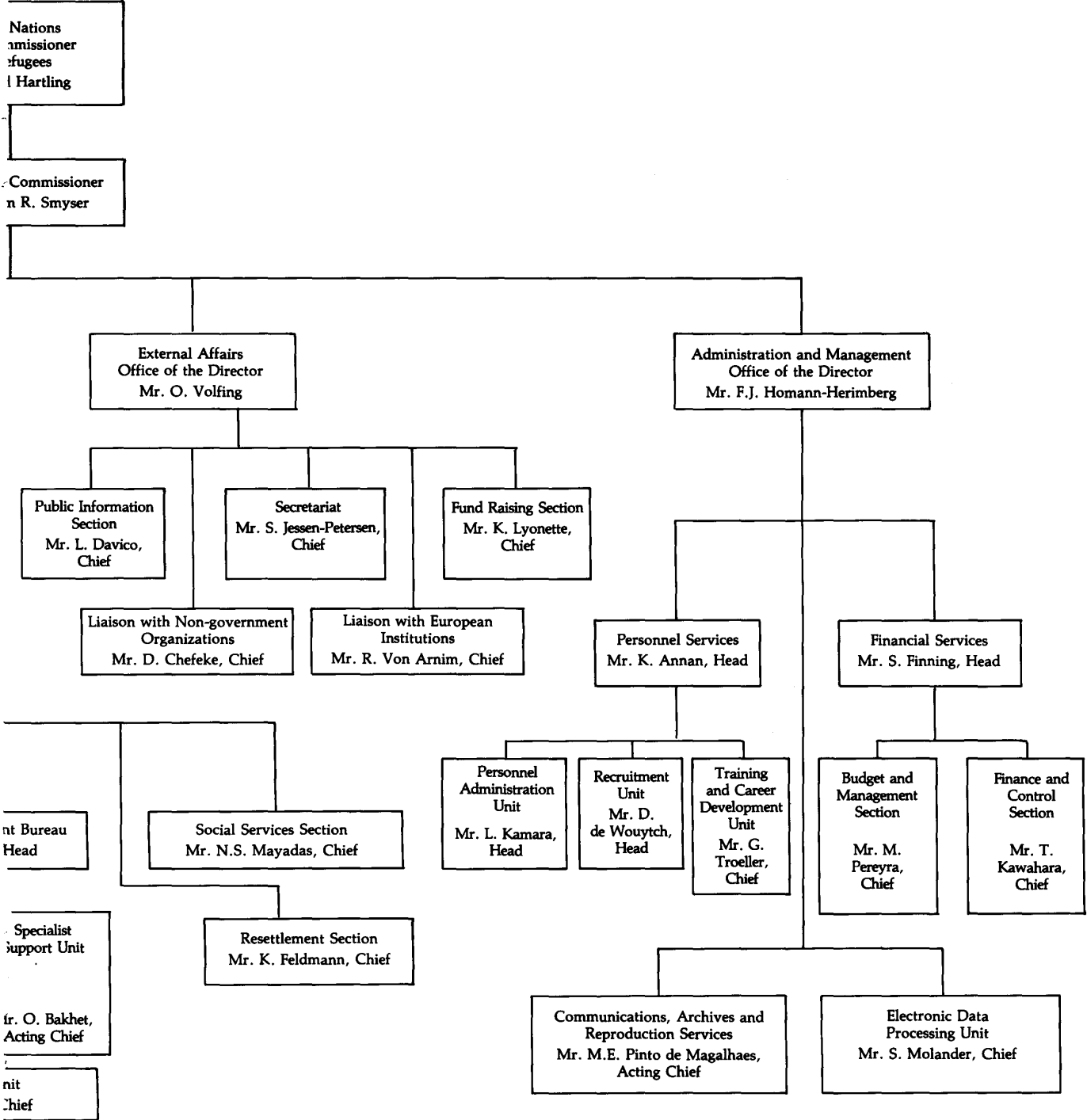
Organization of the United Nations High Commissioner for Refugees

United Nations
High Commissioner for Refugees
Mr. P.M. Moussali

Deputy High Commissioner
Mr. William J. Shafer



High Commissioner for Refugees



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Quebec's Unaccompanied Minors Programs (cont'd from p. 5)

and endeavouring to get older children accepted; attending endless meetings called by Canada Immigration, Quebec Immigration, Quebec Social Affairs, or all three; and trying to maintain a semblance of normal, orderly domestic and professional activities.

In the case of Terre des Hommes CANADA, a parish in the West Island area of Montreal stepped into the breach and provided funding for an ad-hoc group home (staffed by a young married couple) for a limited period of time. Through most of 1980, all unaccompanied minors received by this agency were channelled through the group home — a three-bedroom apartment which very quickly began to resemble one of the children's centres in Southeast Asia as bunks were installed and clothing had to be strung across rooms to be dried. Younger children were placed fairly rapidly — between 8 and 12 days after their arrival — but boys in their mid or late teens sometimes had to stay in the group home for as long as six weeks before a suitable family could be found.

Doors Close on Unaccompanied Minors

By October 1980, all four agencies in Quebec were showing signs of fatigue, and at a meeting called by the two levels of government, the two French agencies and one English agency announced that they were not in a position to continue receiving unaccompanied minors. It began to look as if the door to resettlement in Canada, which had been opened ever so slightly for less than a year, was about to be closed to unaccompanied minors. In spite of having serious misgivings about the magnitude of the task ahead, Terre des Hommes CANADA's (TDH) Secretary-General and Director of Special Programs decided that their agency would still accept unaccompanied minors, though on a somewhat reduced scale, and only as foster families became available. In 1981, the Quebec government decided that only children specifically requested by name would be considered for resettlement in foster families, thus placing one more obstacle in the way of getting youngsters out of the camps.

Three Year Survey

After three years of operation, certain

trends become apparent as we survey the progress made by most of the unaccompanied minors brought forward so far. The strong family structures of Indochinese people were noticeable as many youngsters made conscious efforts to adapt to Canadian ways and tried hard, sometimes a bit too hard, to integrate into another type of family environment.

We soon observed that in families where the role of each person was clearly defined, a young refugee would adapt to his particular place in the family structure. However, if the roles of the foster parents were in any way ambiguous, difficulties were likely to arise.

Most youngsters were eager to try and pick up the threads of their schooling, and here too, we observed that a carefully structured program which kept the student going from class to class throughout the day was more in keeping with what they had been accustomed to until 1975. Minors who were enrolled in English schools were required to follow the same courses as their Canadian peers, though it was found that in many cases, language teachers, both English and French, gave them additional attention after classes. The procedure followed in French schools, designed to give the newcomer a sound basis in the language first of all, gave rise to a number of problems; teenagers spent up to a year in a "classe d'accueil" before they were assigned to a regular grade, with the result that there was sometimes an age differential of as much as three or four years between an Indochinese student and his Canadian fellow students.

Many of the unaccompanied minors received in Quebec in 1980 and 1981 have turned 18, and are entitled to become independent if they so desire; it is encouraging to record that so far only about 18% of them have left their foster families to go and live alone or with other Indochinese teenagers. A cynic might argue that those remaining with their foster families once they have reached the age of majority know when they are on to a good thing — shelter, meals at regular hours, all the material advantages to be gained from family life. This might hold true for a few minors, but by far the majority of them show that they appreciate the security and well-being, and they are prepared to do everything possible to integrate as fully as they can into their new families and communities.

The other side of the coin shows that in some cases a young Indochinese male may experience real difficulty in accepting that a woman may be the head of a household. This role is unfamiliar to him and all too often friction results if he is required to carry out instructions given by a woman. Yet he accepts women teachers and, later on, women in positions of responsibility in the workplace, but his initial contact with a woman in a position of authority in the family has sometimes given rise to problems in the short term. However, a woman who has already brought up her own children and has reached the status of being old enough to be a grandmother, whether or not she is a grandmother, commands a special degree of respect from unaccompanied minors. Invariably, we are asked about relations between the sexes when a youngster is fostered by a family where there are teenage girls. The only answer we can give is that it depends on each person's values, as circumstances vary from one youngster to another.

"False Minors"

Our experience with "false minors" is worth mentioning. In the early months of the program we heard all sorts of stories about men of 25 to 28 passing for teenagers, but as we began to look carefully at the few authentic cases which came to our attention we found that, once again, wild rumours had been accepted at face value. The widest age spread we could prove, because the youngster eventually furnished documentary evidence to back up his claim, was of a young adult almost 21 years of age who had declared his age as 15; he could have passed quite easily for 16 or 17.

After some months, Canada Immigration set up a procedure by which consideration could be given to amending the declared age of a "false minor", and

Announcement

Symposium on the Problems and Consequences of Refugee Migrations in the Developing World.

The symposium will be held between August 29 and September 1, 1983 at the Gull Harbour Resort Hotel, Hecla Island Provincial Park, Manitoba. For more information contact: Dr. J.R. Rogge, Department of Geography, The University of Manitoba, Winnipeg, Manitoba, R3T 2N2. Phone: (204) 474-8391.

this decision was communicated to all TDH CANADA youngsters in both official languages, and in Chinese and Vietnamese. Of the estimated 12 "false minors", only three requested an amendment. Most of the others preferred to retain the lower age, as this gave them the advantage of two or three years more in the regular school system.

Some older teenagers who had been in camps for as long as four years had considerable trouble in adapting to family life; each time a youngster had to be moved it meant that one more prospective foster family was no longer available for a new arrival. Approaches were made to the Director of the federal Katimavik program, and in 1981 our first applicants were accepted for a full 9-month program; inevitably, there were one or two disappointments, but 2/3 of the minors accepted completed the Katimavik program and found, to their surprise and pleasure, that they were offered jobs in their final locations. As of this date (January 1983), all our former Katimavik participants are still in full-time employment. Two 18-year olds are currently preparing their applications for the federal Coast Guard College in Nova Scotia.

Present State of Government Programs

So much for the past. What of the present state of the government programs for unaccompanied minors? Officially, of course, Canada continues to receive young Indochinese refugees as foster families become available. It is sometimes stated that few families are willing to assume this task; that prospective foster parents hear of difficult cases; that "false minors" are still found among the small numbers of arrivals, etc. On the other hand, officials do not mention that the only financial aid available is the basic family allowance and a tax deduction for a dependent child at the end of the year. In a time of financial stringency, it is obvious that many families must think very carefully about taking on additional obligations, but this does not mean that they are unwilling to do so.

The long waiting period is yet another factor. Although the youngsters are already in children's centres, it seems to take anywhere from five to as long as eleven months for all the bureaucratic procedures to be completed. When we

are looking at teenagers, such a period of time can make a considerable difference to the eventual resettlement!

Numbers of Unaccompanied Minors

How many unaccompanied minors are we talking about? In June 1982, some 600 Kampuchean youngsters who had been in refugee camps and on the Thai border for as long as six years in some cases, were made available for resettlement in third countries when the UNHCR ended its tracing program. Many of these youngsters were presented as difficult cases; they had survived the horrors of the Khmer Rouge period, only to be left, apparently forgotten, in such places as Kamput and Sakeo.

A special meeting was convened in Bangkok early in August by a few voluntary agencies from the United States, Australia, France and Canada, to examine the plight of this special group of unaccompanied minors. Through the respective embassies in Thailand, the governments concerned were asked to give urgent consideration to Kampuchean resettlement, particularly as the government of Thailand showed signs of growing weary of the interminable delays.

The United States responded with a commitment to admit up to 200 additional unaccompanied minors, and small groups began arriving in New England as early as the end of September; Australia accepted up to 45 initially, with the possibility of more being taken for resettlement by the end of 1982; France received the request and promised urgent action.

No commitment was received from Canada or Quebec about these youngsters who had been waiting for so long for a solution to their tragic situation. Indeed, three boys of 14 who were accepted for resettlement in the ordinary process in July 1982 are still in Phanat Nikhom holding centre. Prospective families had been screened and a formal request submitted to Quebec by early October. Requests for other children appear to be stalled in the files of the Quebec Department of Immigration.

How many unaccompanied minors remain interned in camps in Thailand and Malaysia? Precise figures are difficult to compile since the policy of "humane deterrence" came into force, but in July 1982 reliable sources in

Thailand estimated that there were about 350 unaccompanied minors in the main Vietnamese camp in Si Khiu, and 500 more in the Laotian camp at Napho. Informants in Malaysia tell us that a core of about 200 minors await resettlement.

Overcrowded Camps

Many of the problems encountered in Thailand stem from overcrowding in the camps. Si Khiu was built to hold about 5,000 refugees, and now 10,000 are interned there. Scabies and skin infections are common, but the signs of physical and psychological deterioration are much more worrying. As in all such situations, gangs form within the refugee population and use their strength to deprive the weaker, more vulnerable majority of any additional supplies of food, medical supplies, or other basic items which might be procured from the local population.

Canadian Resettlement Policy

Recent statements by federal officials that refugee intake must be reduced while the unemployment situation in Canada remains serious do not appear to recognize that unaccompanied minors are not going to make immediate inroads on the working force. Teenage boys require time to become resettled in their new families, to try and complete their interrupted schooling, and to get some vocational or professional training before they can start to look for full-time jobs. As their foster families must assume responsibility for their support, it cannot even be said that they are going to cost government more than a comparable Canadian teenager would cost for educational and social services.

So much remains to be done, both in Canada and in the remaining camps in Southeast Asia. So much initiative appears to have been lost between 1980 and 1983.

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The Indochinese Refugees in Sweden

by Howard Adelman

It is hard to compare the Indochinese refugee settlement in Sweden to the Canadian experience. The discrepancies are legion. In numbers alone the Swedes host only 2,300 boat people, though family reunification programs have increased that number to about 3,000. There are 30 times that many in Canada. The Swedish effort was largely a government affair; the largest component in Canada was undertaken through private sponsorship. Though the Swedish group differed in language, religion, ethnic identity and their rural or urban origins, the group was *relatively* homogeneous. Nevertheless, in spite of and perhaps because of these and numerous other differences, the study, entitled *A New Wave on a Northern Shore* and published by the Swedish government, is very instructive. It was undertaken by Hugh Beach, a cultural anthropologist at Uppsala University, and Lars Ragvald, a sinologist at Stockholm University (who was also a member of the Swedish selection delegation during all four trips to the refugee camps.)

After providing a fairly extensive historical background in a study focused on resettlement, the authors review the selection process, the stages of resettlement, family reunification and the employment and job training provided for the refugees. The historical survey is primarily relevant for its discussion of the overseas Chinese in Vietnam and the general thesis that there is an inverse correlation between the improvement in relations of overseas Chinese and China itself and a deterioration in relations of the overseas Chinese to the host country. Foreign Asians had always been identified with the weaknesses of Vietnam wherever it was colonized. Correspondingly, the Chinese were commonly persecuted or expelled under strong nationalistic governments, just as the Chinese bourgeoisie were manipulated and used within the few economic niches to which they were restricted by successive colonial powers. The economic conditions (the cessation of American aid, the cut-off of capital inflows, the isolation of Vietnam from international markets) of 1977-78 decimated the financial base of the Cholon bourgeoisie who also resisted relocation to new rural economic zones. The tensions between Hanoi and China added to the discrimination pressures (loss of jobs, reduced food rations, unequal pay and

relocation efforts) on the overseas Chinese to leave Vietnam.

Sweden's refugees almost all stem from this group — those who fled the North in 1979 following the Chinese attack on Vietnam, those who fled the South following the economic reforms and the Vietnamese expulsion moves, and those who fled Pol Pot's murderous regime in Cambodia only to flee from their first refuge in Vietnam.

When Canada had pledged to take 5,000 Indochinese refugees in 1979, Sweden's quota was 250. In June, Canada increased its intake from 5,000 to 8,000 with an additional 4,000 targeted for the private sector. Sweden added 1,250 to its quota, one-half of its total new refugee quota. Following the July meeting in Geneva when Canada made its famous pledge to accept 50,000 Indochinese refugees, Sweden pledged to take an additional 750 (bringing its total to 2,250). With the 1980 quota of another 750, the total refugee intake into Sweden was targeted for 3,000, a figure which includes those brought in under the family reunification program.

The Swedish selection criteria were directed to those who spoke Cantonese (Sweden was the only resettlement country to have a language criterion), to those who comprised whole families, to those who were not acceptable to other countries and to those who were disabled, sick or in need of immediate help. The decision to select Cantonese speakers was based on two arguments: the lack of personnel in Sweden who spoke Vietnamese and the fact that a majority of "Boat People" were of Chinese extraction. (In fact, the Cantonese of many of the refugees was poor, and many spoke other dialects.) The decision to take whole families was intended to ease the adjustment problems as well as limit the numbers who would be taken in under family reunification programs.

These self-interest and pragmatic criteria were balanced with the humanitarian concern for the needy, sick, and disabled.

For 4-6 months, the selected refugees initially went to accommodation centres operated by county employment boards where they were provided with clothing, medical care, language instruction and orientation programs. As in Canada, the health problem that caused the most worry to the Swedish public, for whom the concern was just as greatly exaggerated, was hepatitis. There too, dentists refused to treat Indochinese refugees who did not have a bill of health declaring them hepatitis-free. Similarly, the Swedes found that mental and emotional problems afflicted the refugees increasingly the longer they were there — primarily because of the trauma of family separation. Another parallel was the virtual uselessness of the initial information booklets provided to the refugees. The material was so dense, decontextualized and irrelevant to immediate needs, that the booklets were frequently discarded. Finally, the Swedes also found out that six months was insufficient for the refugees to learn Swedish, given the totally different native language structure.

One unique factor of the Swedish program was the family reunification program. While Sweden attempted wherever possible to bring out all relatives from a particular family (even when the family was distributed among a number of refugee camps), many refugees chose to go to Sweden because of Sweden's embassy in Hanoi and the perception that Sweden could be more effective in arranging the emigration of relatives still in Vietnam. Of the 1,100 entrance permits granted to people in Vietnam, 500 people had reached Sweden by the end of 1981. All of these were recent arrivals and almost no reunification occurred earlier. This parallels the Canadian experience and seems to belie the belief (which we shared) that the obstruction to reunification of Vietnamese to Canada was a reprisal for the Tory government's characterization of Hanoi's behaviour as akin to that of the Nazis.

Not all of the problems resulted from difficulties in obtaining exit permits. Entrance permits first had to be obtained from the Swedish National Immigration

Global Refugee Policy: The Case for a Development Oriented Strategy

Board. Since Swedish family reunification is based on the core nuclear family — parents and children — this factor alone cut down the number of eligible applicants. When nephews (and nieces) who had migrated as part of an extended family attempted to sponsor their own parents, they were not permitted to if they were 20 years of age or over. When the word "family" means one thing to the Swedish authorities and another to the Boat People, it is not surprising that a great deal of confusion, misunderstanding and bitterness would arise over the family reunification program, especially given the expectations of the refugees who opted to go to Sweden. Nevertheless, Sweden has, proportionately, been considerably more successful in its reunification program than other countries of resettlement.

One similarity between the Canadian and Swedish experiences should be noted — the extremely rapid and successful adaptation of the refugees to a new work milieu in which they frequently establish themselves as the most expert and productive workers. They are lauded for not "taking advantage" of the Swedish welfare system. Similarly in the schools, "The Indochinese are described by their Swedish teachers as the most ambitious, hard-working and respectful students they have ever encountered."

One unique experiment proved to be an enormous success — the employment of a home-language teacher from the Indochinese group in Gnosjö. On the other hand, the Swedish Red Cross "contact family" program (which paralleled the Canadians "friendship family" program) in which a local Swedish family hosted an Indochinese family, proved to be a failure. With very few exceptions the contacts rarely lasted past several visits. One also sees other advantages in Canada for the Indochinese refugees compared to the situation in Sweden. Our multilingual programming in radio and television is envied, for example, in contrast to the Indochinese in Sweden who live in a cultural vacuum. On the other hand, we have to envy their family pedagogue program, individuals assigned by the Swedish National Board of Health and Welfare to serve as links between the Indochinese refugees and Swedish society with an ideal ratio of one pedagogue to 50 refugees for 2-3 years after arrival.

"Global Refugee Policy: the Case for a Development Oriented Strategy", a public issues paper of The Population Council (a John D. Rockefeller III, independent non-profit organization instituted in 1952) prepared by Charles Keely with Patricia Elwell, proposes a shift in focus from relief and resettlement to development. The study is divided to four parts: (1) a discussion of the international definition of a refugee; (2) an overview of their numbers, location and origin; (3) a sketch of the international response to refugees; and (4) conclusions arising from these discussions. The central issue is dealt with in the first section, and the historical background is relegated to the third section.

The two issues raised about the 1967 Protocol definition are familiar — the meaning of persecution and the requirement that a refugee be outside the country of nationality; i.e., individuals fleeing areas of armed conflict are not refugees. (By contrast, the Organization of African Unity Convention on Refugees extended its definition to include victims of war or civil conflict who need only leave their place and not their country of habitual residence.) In addition to the problems of the narrowness of the definition, there were also problems of interpretation. What is persecution? Given a government's role in economic policy, whatever the ideology of that government may be, bourgeoisie (mainly Chinese) may suffer in Vietnam or small landowners (mainly Indians) may suffer in Central America from government policies which deprive these groups of an ability to make a reasonable or even minimal living. Are they persecuted? The distinction between political and economic refugees becomes muddled.

Thus, people fleeing civil strife, people fleeing from a country with an ideology antithetical to the host country (self-exiled Europeans), people who, after having fled, might very well be persecuted upon return (Haitians), people fleeing oppressive economic policies — all have been granted refugee status

under various humanitarian guises without qualifying under the U.N. definition.

However, seeking the basis of refugee policy on a clear definition of "Who is a refugee?" may be itself a source of the problem. Instead, the starting point should be the realities of displacement, for the definition itself is rooted in the particularity of the post-World War II experience in Europe. That perspective stressed resettlement in third countries when the emphasis now should perhaps be given to in-place activity and a development context.

This is Keely's central thesis. Aid should be shifted *from* maintaining camps and seeking resettlement to channelling resources to asylum countries for development aid and assistance to the indigenous population. Included in such a shift in emphasis would be our attitudes to humanitarian traditions. We would have to attend to the slow pace of indigenous economic and political solutions as well as the bureaucratic shifts that would be required from domestic human service agencies to foreign ministries and agencies.

When we shift from the strategy issues for dealing with refugees to the actual data on the refugees themselves we see how conceptual issues intersect with facts. Are displaced persons from civil war to be included in the numbers? When are former refugees considered to be firmly resettled and excluded from the calculations? Whose counts are to be relied upon — agencies', those of first asylum countries, etc.?

But, whatever the basis, it is clear that almost all refugees are in developing areas with half of them in Africa. This fact, along with the analysis of the historical background of solutions to the refugee problem rooted in Europe, is used to reinforce the thesis of shifting *from* a resettlement strategy as the backup to repatriation to a development strategy of aid to countries of first asylum in the developing world.

The Trauma of the "Boat People"

Sixty-four Vietnamese Chinese refugees were asked to report "What happened during the flight?" as part of a survey conducted by Lawrence Lam of York University. The chart lists the events most frequently experienced by these "boat people."

We now have hard data to tell us what the Indochinese refugees have gone through — and continue to go through! These figures should awaken us to the fact that these refugees are still in need of assistance. Given that such a high proportion of the refugees witnessed or experienced traumatic events such as suicide, death, loss of family members, rape and lack of drinking water and food, we should also become more sensitive to the adaptation problems of Indochinese refugees.

Chart reprinted from Lawrence Lam's Ph.D. thesis entitled "The Settlement of the Vietnamese Chinese Refugees in Montreal," 1983.

Events During Flight	Number of Refugees Experiencing "Events"	% of Survey Group
Lack of Drinking Water	55	85.9
Suicide Attempts	49	76.6
Refused Landing	39	60.9
Towed Away to Sea Again	35	54.7
Piracy	35	54.7
Lack of Food	34	53.1
Deaths	1	48.4
Quarrels and Fightings	30	46.9
Passing Vessels Without Giving Help	28	43.8
Bad Weather or Storms	27	42.2
Boat's Engine Broke Down	27	42.2
Lack of Fuel	25	39.1
Loss of Other Passengers	22	34.4
Loss of Direction	19	29.7
Loss of Family Members	14	21.9
Witnessing Rapes and Abductions	11	17.2
Experienced Rapes	8	12.5

Books Received

The Hai Hong: Profit, Tears and Joy by Rene Pappone. Published by Employment and Immigration Canada. 1982. This book tells the story of the Canadian government's involvement in the 1978 Indochinese refugee crisis. The author, Rene Pappone, was at that time employed by Employment and Immigration Canada as a media relations officer.

* * *

Les Réfugiés Originaires de l'Asie du Sud-Est: arrière plan historique et culturel; les motivations de départ. Rapport au Président de la République by Georges Condominas and Richard Potter. La Documentation Française. Paris. 1982.

Refugee Documentation Project

The Refugee Documentation Project at York University is concerned with acquiring and preserving archival materials pertaining to refugees in and from all parts of the world. (The Project's library is open between 10 a.m. and 5 p.m. on weekdays.) Donations of documents, papers, reports or other library materials are encouraged.

If you have worked with refugees or have conducted research on refugees or refugee-related issues, please write and tell us about your work. A function of the Project is to create an index of Canadian individuals and organizations concerned with refugees in order to establish a referral network among people needing information on refugees.

Another mandate of the Project is to carry out crisis field research.

Further information may be obtained by writing to C. Stephens, Refugee Documentation Project, York University, 4700 Keele Street, Downsview, Ontario M3J 2R6. Telephone (416) 667-3639.

A Query

Is it an appropriate time to propose an international conference to compare the studies of the various forms of Indochinese refugee resettlement utilized in different countries? For there will inevitably be a "next time." The lessons of the past may be very appropriate.