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OFFICE OF THE UNITED NATIONS HIGH COMMISSIONER FOR REFUGEES:
INTERNATIONAL CONFERENCE ON INDO-CHINESE REFUGEES

Report of the Secretary-General

I. INTRODUCTION

1. In its resolution 43/119 of 8 December 1988, the General Assembly welcomed the call by the Association of South-East Asian Nations (ASEAN) for the convening of an International Conference on Indo-Chinese Refugees and expressed the strong desire that the Conference take place at the ministerial level at the earliest possible date during the first half of 1989. In the same resolution, the Assembly requested the Secretary-General to convene the Conference in close co-operation with the States members of ASEAN and other States concerned, and to report to it at its forty-fourth session on the implementation of the resolution.

II. OBJECTIVE OF THE CONFERENCE

2. The objective of the International Conference on Indo-Chinese Refugees was to adopt a new, comprehensive and solution-oriented approach to the problems posed by the continuing presence in the South-East Asian region of large numbers of refugees and asylum-seekers from Viet Nam and the Lao People's Democratic Republic and by their continuing exodus into the region.

* A/44/150.

III. PREPARATION AND ORGANIZATION OF THE CONFERENCE

3. In preparation for the Conference, a series of multilateral consultations were organized by the Office of the United Nations High Commissioner for Refugees (UNHCR). These brought together representatives of States most directly concerned by the continuing outflow of Indo-Chinese refugees, including countries of origin, first asylum and resettlement. In the course of the consultations, a draft Declaration and Comprehensive Plan of Action was drawn up for submission to the Conference as the basis of a new international consensus on the approach to be adopted in seeking a comprehensive and durable solution to the continuing problem of Indo-Chinese asylum-seekers and refugees. The draft Comprehensive Plan of Action aimed to cover the various aspects of the Indo-Chinese refugee problem, including the question of clandestine departures, regular departure programmes, reception of new arrivals, refugee status and the promotion and implementation of durable solutions, notably resettlement and repatriation.

4. The draft Declaration and Comprehensive Plan of Action were approved by consensus at the Preparatory Meeting convened by the Government of Malaysia, which was held at Kuala Lumpur from 7 to 9 March 1989. This Meeting was attended by delegations representing 29 Governments, as well as by a number of concerned intergovernmental and non-governmental organizations. Following the conclusion of the Meeting, its Chairman wrote to the Secretary-General on 24 March asking that the approved text of the draft Declaration and Comprehensive Plan of Action be brought to the attention of the Conference. In compliance with this request, the text was submitted to the Conference under cover of a note by the Secretary-General (A/CONF.148/2).

5. The Preparatory Meeting also adopted a series of recommendations concerning the organization of the work of the Conference. These recommendations were also brought to the attention of the Conference (A/CONF.148/3).

6. The Preparatory Meeting established a Co-ordinating Committee, under the chairmanship of UNHCR, to undertake the task of elaborating draft detailed operational arrangements for implementing the draft Comprehensive Plan of Action. The Committee was composed of a "core group" of the following 12 countries: Australia, Canada, France, Japan, Lao People's Democratic Republic, Malaysia, Norway, Philippines, Thailand, United Kingdom of Great Britain and Northern Ireland, United States of America and Viet Nam. It was open to the participation of other interested States and, at the invitation of the Committee, to appropriate intergovernmental agencies.

7. The Co-ordinating Committee, which held its first meeting at Kuala Lumpur on 9 March, immediately after the conclusion of the Preparatory Meeting, established three sub-committees to deal with the key aspects of the draft Comprehensive Plan of Action. These met as follows:

Hong Kong, 6 to 8 April 1989: Sub-Committee on Reception and Status Determination

Bangkok, 11 April 1989: Sub-Committee on Departure and Repatriation

Geneva, 17 April 1989: Sub-Committee on Resettlement

8. The Co-ordinating Committee itself reconvened at Geneva on 10 and 20 April, and subsequently on 25 and 26 May, to review the reports of the three sub-committees and to proceed with the establishment of detailed modalities for the implementation of the draft Comprehensive Plan of Action. It decided that the following reports and proposals prepared by UNHCR for its final meeting should be brought to the attention of the Conference for its information: (a) note on national procedures for the determination of refugee status; (b) note on departures and repatriation; (c) note on unaccompanied minors; (d) note on rescue at sea; and (e) note on status of resettlement plan. This documentation was submitted to the Conference (A/CONF.148/4).

9. With respect to the Steering Committee called for in paragraph 18 (b) of the draft Comprehensive Plan of Action, the Co-ordinating Committee made the following recommendations:

(a) After the adoption of the draft Comprehensive Plan of Action by the Conference, UNHCR should convene a first meeting of the Steering Committee at Geneva on 18 June 1989;

(b) The Steering Committee should hold regular meetings at one or more locations in South-East Asia or elsewhere, as appropriate, with the first meeting in the region to be held as soon as practicable after 15 July 1989;

(c) The Conference should entrust the Steering Committee with the following tasks:

- (i) To establish, as its top priority, a firm timetable for the balanced implementation of each component - i.e., departures, reception and status determination, repatriation and resettlement - of the draft Comprehensive Plan of Action in the light of the precise proposals submitted to the Co-ordinating Committee at its third meeting;
- (ii) To conduct by October 1989 its first assessment of progress achieved;
- (iii) To recommend, by that date, the early examination and adoption of such additional measures as may be called for, bearing in mind paragraph 12 of the draft Comprehensive Plan of Action.

IV. PROCEEDINGS AND CONCLUSIONS OF THE CONFERENCE

A. Participation

10. The Conference was held at Geneva on 13 and 14 June 1989. It was attended by delegations of the following 75 States:

Afghanistan	Kuwait
Algeria	Lao People's Democratic Republic
Argentina	Lebanon
Australia	Libyan Arab Jamahiriya
Austria	Luxembourg
Bangladesh	Malaysia
Belgium	Mexico
Brunei Darussalam	Morocco
Burundi	Namibia (represented by the United Nations Council for Namibia)
Cameroon	Netherlands
Canada	New Zealand
Chile	Nicaragua
China	Norway
Colombia	Oman
Costa Rica	Pakistan
Czechoslovakia	Peru
Denmark	Philippines
Egypt	Poland
El Salvador	Portugal
Finland	Republic of Korea
France	Senegal
German Democratic Republic	Singapore
Germany, Federal Republic of	Somalia
Ghana	Spain
Greece	Sweder
Guatemala	Switze. .and
Haiti	Syrian Arab Republic
Holy See	Thailand
Honduras	Tunisia
Hungary	Turkey
India	Union of Soviet Socialist Republics
Indonesia	United Kingdom of Great Britain and Northern Ireland
Ireland	United Republic of Tanzania
Israel	United States of America
Iran (Islamic Republic of)	Venezuela
Italy	Viet Nam
Japan	Yugoslavia
Jordan	

11. The following States were represented by observers:

Romania
Saudi Arabia
Zimbabwe

12. The following organizations and programmes of the United Nations system attended the Conference:

United Nations Disaster Relief Co-ordinator (UNDRO)
United Nations Centre for Human Settlements (UNCHS)
United Nations Development Programme (UNDP)
World Food Programme (WFP)
Office of the United Nations High Commissioner for Refugees (UNHCR)
International Labour Organisation (ILO)
Food and Agriculture Organization of the United Nations (FAO)
United Nations Educational, Scientific and Cultural Organization (UNESCO)
World Health Organization (WHO)

13. In addition, the European Economic Community, the Intergovernmental Committee for Migration, the League of Arab States, the Organization of African Unity and the Organization of the Islamic Conference were also represented, as were the International Committee of the Red Cross and 57 other non-governmental organizations.

B. Election of officers

14. Mr. Dato' Haji Abu Hassan bin Haji Omar, Minister for Foreign Affairs of Malaysia, was elected by acclamation President of the Conference.

15. The Conference elected by acclamation the following persons as Vice-Presidents:

Mr. Kjell Borgen, Minister of Labour of Norway

Mr. Lawrence S. Eagleburger, Deputy Secretary of State of the United States of America

Mr. Gareth Evans, Minister for Foreign Affairs of Australia

Mr. Nguyen Co Thach, Minister for Foreign Affairs of Viet Nam

C. Agenda

16. At its 1st plenary meeting, the Conference adopted its agenda (A/CONF.148/1) as follows:

1. Opening of the Conference by the Secretary-General of the United Nations.

2. Election of the President.

3. Organizational matters:

(a) Adoption of the agenda;

(b) Election of the Vice-Presidents;

(c) Organization of work.

4. Situation of refugees and asylum-seekers in South-East Asia.
5. Adoption of the Declaration and Comprehensive Plan of Action.

D. Documentation

17. The Conference had before it the following documents:

A/CONF.148/1 Provisional agenda

A/CONF.148/2 Draft Declaration and Comprehensive Plan of Action approved by the Preparatory Meeting for the International Conference on Indo-Chinese Refugees on 8 March 1989

A/CONF.148/3 Recommendations concerning the organization of the work of the Conference

A/CONF.148/4 Note on the work of the Co-ordinating Committee for the International Conference on Indo-Chinese Refugees

E. Organization of work

18. In connection with the organization of its work, the Conference adopted the recommendations submitted by the Preparatory Meeting (A/CONF.148/3).

F. Opening statements

1. Statement by the Secretary-General of the United Nations

19. The Secretary-General of the United Nations described the convening of an international conference to deal essentially with the same humanitarian problem that had existed a decade ago as a sad measure of the inability of the international community to resolve the root causes of mass displacements of persons that had marked this century. The approach to the Indo-Chinese refugee problem devised in 1979 had necessarily become outdated and insufficient, since the nature of the problem itself had changed. Hence, the General Assembly had welcomed and endorsed the call of the ASEAN Foreign Ministers for the convening of a conference in order to forge a new international consensus on this long-standing humanitarian problem. The Secretary-General called upon Governments to exercise restraint and to resist the temptation of tackling the problem unilaterally. Despite the prevailing sense of urgency, he cautioned against expectations of instant solutions to such complex and deeply rooted problems. He pointed out that the international agreements and understandings on various conflicts reached over the past two years,

many of them affecting refugees, had been the result of patient and prudent negotiations and diplomacy.

20. In conclusion, the Secretary-General appealed to all participating countries to ensure that all the elements of the proposed declaration and plan of action be implemented simultaneously, that they be respected in spirit and letter, and finally, that they be given time to produce their respective and inter-related results.

2. Statement by the President of the Conference

21. The President of the Conference highlighted the continuing influx of Vietnamese boat people into countries of first asylum. Between 1979 and 1988, nearly half a million refugees had landed on South-East Asian shores. This had put strains on the political, economic and social fabric of the countries concerned. It behoved the international community to seek a fresh approach and a quick, comprehensive and workable solution. In his view, the Conference needed to address three basic issues: the early removal of the burden placed on the first asylum countries; the full commitment of the country of origin to take effective measures to prevent clandestine departures, to expand orderly departures, and to accept the return of those determined not to be refugees; and the continuing commitment of third countries to resettle readily and quickly all refugees.

G. General debate

1. Statement by the United Nations High Commissioner for Refugees

22. The United Nations High Commissioner for Refugees stressed the complexity of the Indo-Chinese refugee problem and the need to find a new approach to take account of changed realities and different needs years after the last international meeting and years after the exodus had commenced. He drew attention to the continuing high rate of refugee arrivals in the South-East Asian region and to the pressures and dangers inherent therein, notably where the preservation of the principle and practice of asylum was concerned. He recalled that the past year had been marked by an intensive series of multilateral consultations with countries of origin, first asylum and resettlement. The draft Comprehensive Plan of Action that was before the Conference embodied the results of that process. It attempted to address and reconcile a range of complex political, diplomatic, legal and humanitarian issues, not all of which were easily reconcilable and to set forth a global and principled approach to the problem of refugees and asylum-seekers from Indo-China. He cautioned against precipitous unilateral actions by States and urged that a partisan and adversarial approach be avoided.

2. Statement by representatives of States and organizations

23. In the course of the general debate, the representatives of the following States took the floor: Australia, Austria, Brunei Darussalam, Canada, China, Costa Rica, Denmark, Finland, France, Germany, Federal Republic of, Holy See, Indonesia, Italy, Japan, Lao People's Democratic Republic, Malaysia, Netherlands, New Zealand, Norway, Philippines, Singapore, Spain, Sweden, Switzerland, Thailand, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, United States of America and Viet Nam.

24. In addition, representatives of the European Economic Community, the Intergovernmental Committee for Migration, the International Committee of the Red Cross, the International Council of Voluntary Agencies, the Organization of African Unity and the World Food Programme also made statements.

H. Adoption of the Declaration and Comprehensive Plan of Action

25. At its 4th plenary meeting, on 14 June, the Conference adopted the Declaration and Comprehensive Plan of Action by acclamation (see annex).

I. Other decisions of the Conference

26. Following the adoption of the Declaration and Comprehensive Plan of Action, the President drew the attention of the Conference to document A/CONF.148/4 on the work of the Co-ordinating Committee established by the Preparatory Meeting for the Conference. The Conference took note of annexes I to V of that document, which contained a number of reports prepared by UNHCR on progress achieved in preparation for the implementation of the Comprehensive Plan of Action, as well as a series of proposals and recommendations for further action.

27. In respect of paragraph 18 (b) of the Comprehensive Plan of Action, which called for the establishment of a Steering Committee based in South-East Asia to review the implementation of the Plan, the Conference adopted the recommendations of the Co-ordinating Committee concerning the programme and priorities of the Steering Committee as reflected in document A/CONF.148/4 (see para. 9 above).

28. Concerning the composition of the Steering Committee, the Conference decided that it should comprise a "core group" consisting of the following States: Australia, Austria, Canada, France, Japan, Lao People's Democratic Republic, Malaysia, Netherlands, Norway, Philippines, Switzerland, Thailand, United Kingdom of Great Britain and Northern Ireland, United States of America and Viet Nam. The Committee would be chaired by UNHCR and would be open to the participation of other interested States, and interested intergovernmental organizations could be invited to participate in its work. The Chairman of the Steering Committee would keep all interested Governments informed of the Committee's work.

J. Closing statement by the President of the Conference

29. In closing the Conference, the President underlined the political commitment implicit in the adoption of the Comprehensive Plan of Action. It was, he said, now incumbent on the international community to ensure that the implementation of the principles and objectives of the Comprehensive Plan of Action were carried out in such a way as to remove the hardship suffered by asylum-seekers, the burden of first-asylum countries and the concerns of resettlement countries. He underlined the need to provide immediate responses to key questions of implementation and stressed the importance of the work of the Steering Committee. The closing statement by the President is contained in document A/CONF.148/5.

ANNEX

Declaration and Comprehensive Plan of Action

I. DECLARATION

The Government of the States represented in the International Conference on Indo-Chinese Refugees, held at Geneva on 13 and 14 June 1989,

Having reviewed the problems of Indo-Chinese asylum-seekers in the South-East Asian region,

Noting that, since 1975, over 2 million persons have left their countries of origin in Indo-China and that the flow of asylum-seekers still continues,

Aware that the movement of asylum-seekers across frontiers in the South-East Asian region remains a subject of intense humanitarian concern to the international community,

Recalling United Nations General Assembly resolution 3455 (XXX) of 9 December 1975 and the first Meeting on Refugees and Displaced Persons in South-East Asia held at Geneva on 20 and 21 July 1979 under the auspices of the United Nations to address the problem,

Recalling further the 1951 Convention relating to the Status of Refugees a/ and its 1967 Protocol, b/ and related instruments,

Noting with satisfaction that, as a result of combined efforts on the part of Governments and international organizations concerned, a durable solution has been found for over 1.6 million Indo-Chinese,

Preoccupied, however, by the burden imposed, particularly on the neighbouring countries and territories, as a result of the continuation of the outflow and the presence of large numbers of asylum-seekers still in camps,

Alarmed by indications that the current arrangements designed to find solutions for asylum-seekers and resolve problems stemming from the outflow may no longer be responsive to the size, tenacity and complexity of the problems in the region,

Recognizing that the resolution of the problem of asylum-seekers in the region could contribute positively to a climate of peace, harmony and good-neighbourliness,

a/ United Nations, Treaty Series, vol. 189, No. 2545, p. 137.

b/ Ibid., vol. 606, No. 8791, p. 237.

Satisfied that the international community and, in particular, the countries directly involved have responded positively to the call for a new international conference made by the States members of the Association of South-East Asian Nations and endorsed by the Executive Committee of the Programme of the United Nations High Commissioner for Refugees at its thirty-ninth session and by the General Assembly of the United Nations at its forty-third session,

Noting the progress achieved towards a solution of this issue by the various bilateral and multilateral meetings held between the parties concerned prior to the International Conference on Indo-Chinese Refugees,

Noting that the issues arising from the presence of Khmer refugees and displaced persons are being discussed, among the parties directly involved, within a different framework and as such have not been included in the deliberations of the Conference,

Noting with satisfaction the positive results of the Preparatory Meeting for the Conference, held at Kuala Lumpur from 7 to 9 March 1989,

Realizing that the complex problem at hand necessitates the co-operation and understanding of all concerned and that a comprehensive set of mutually re-enforcing humanitarian undertakings, which must be carried out in its totality rather than selectively, is the only realistic approach towards achieving a durable solution to the problem,

Acknowledging that such a solution must be developed in the context of national laws and regulations as well as of international standards,

Have solemnly resolved to adopt the attached Comprehensive Plan of Action.

II. COMPREHENSIVE PLAN OF ACTION

A. Clandestine departures

1. Extreme human suffering and hardship, often resulting in loss of lives, have accompanied organized clandestine departures. It is therefore imperative that humane measures be implemented to deter such departures, which should include the following:

(a) Continuation of official measures directed against those organizing clandestine departures, including clear guidelines on these measures from the central government to the provincial and local authorities;

(b) Mass media activities at both local and international level, focusing on:

(i) The dangers and hardship involved in clandestine departures;

(ii) The institution of a status-determination mechanism under which those determined not to be refugees shall have no opportunity for resettlement;

(iii) Absence of any advantage, real or perceived, particularly in relation to third-country resettlement, of clandestine and unsafe departures;

(iv) Encouragement of the use of the regular departure and other migration programmes;

(v) Discouragement of activities leading to clandestine departures;

(c) In the spirit of mutual co-operation, the countries concerned shall consult regularly to ensure effective implementation and co-ordination of the above measures.

B. Regular departure programmes

2. In order to offer a preferable alternative to clandestine departures, emigration from Viet Nam through regular departure procedures and migration programmes, such as the current Orderly Departure Programme, should be fully encouraged and promoted.

3. Emigration through regular departure procedures and migration programmes should be accelerated and expanded with a view to making such programmes the primary and eventually the sole mode of departure.

4. In order to achieve this goal, the following measures will be undertaken:

(a) There will be a continuous and widely publicized media campaign to increase awareness of regular departure procedures and migration programmes for departure from Viet Nam;

(b) All persons eligible under regular third-country migration programmes, Amerasians and former re-education centre detainees will have full access to regular departure procedures and migration programmes. The problem of former re-education centre detainees will be further discussed separately by the parties concerned;

(c) Exit permits and other resettlement requirements will be facilitated for all persons eligible under regular departure procedures and migration programmes;

(d) Viet Nam will fully co-operate with the Office of the United Nations High Commissioner for Refugees (UNHCR) and the Intergovernmental Committee for Migration (ICM) in expediting and improving processing, including medical processing, for departures under regular departure procedures and migration programmes and will ensure that medical records of those departing comply with standards acceptable to receiving countries;

(e) Viet Nam, UNHCR, ICM and resettlement countries will co-operate to ensure that air transportation and logistics are sufficient to move expeditiously all those accepted under regular departure procedures and migration programmes;

(f) If necessary, countries in South-East Asia through which people emigrating under regular departure procedures and migration programmes must transit will, with external financial support as appropriate, expand transit facilities and expedite exit and entry procedures in order to help facilitate increased departures under such programmes.

C. Reception of new arrivals

5. All those seeking asylum will be given the opportunity to do so through the implementation of the following measures:

(a) Temporary refugee will be given to all asylum-seekers, who will be treated identically regardless of their mode of arrival until the status-determination process is completed;

(b) UNHCR will be given full and early access to new arrivals and will retain access, following the determination of their status;

(c) New arrivals will be transferred, as soon as possible, to a temporary asylum centre where they would be provided assistance and full access to the refugee status-determination process.

D. Refugee status

6. The early establishment of a consistent region-wide refugee status-determination process is required and will take place in accordance with national legislation and internationally accepted practice. It will make specific provision, inter alia, for the following:

(a) Within a prescribed period, the status of the asylum-seeker will be determined by a qualified and competent national authority or body, in accordance with established refugee criteria and procedures. UNHCR will participate in the process in an observer and advisory capacity. In the course of that period, UNHCR shall advise in writing each individual of the nature of the procedure, of the implications for rejected cases and of the right to appeal the first-level determination;

(b) The criteria will be those recognized in the 1951 Convention relating to the Status of Refugees and its 1967 Protocol, bearing in mind, to the extent appropriate, the 1948 Universal Declaration of Human Rights and other relevant international instruments concerning refugees, and will be applied in a humanitarian spirit taking into account the special situation of the asylum-seekers concerned and the need to respect the family unit. A uniform questionnaire developed in consultation with UNHCR will be the basis for interviews and shall reflect the elements of such criteria;

(c) The Handbook on Procedures and Criteria for Determining Refugee Status issued by UNHCR will serve as an authoritative and interpretative guide in developing and applying the criteria;

(d) The procedures to be followed will be in accordance with those endorsed by the Executive Committee of the Programme of the United Nations High Commissioner for Refugees in this area. Such procedures will include, inter alia:

- (i) The provision of information to the asylum-seekers about the procedures, the criteria and the presentation of their cases;
- (ii) Prompt advice of the decision in writing within a prescribed period;
- (iii) A right of appeal against negative decisions and proper appeals procedures for this purpose, based upon the existing laws and procedures for the individual place of asylum, with the asylum-seeker entitled to advice, if required, to be provided under UNHCR auspices.

7. UNHCR will institute, in co-operation with the Governments concerned, a comprehensive regional training programme for officials involved in the determination process with a view to ensuring the proper and consistent functioning of the procedures and application of the criteria, taking full advantage of the experience gained in Hong Kong.

E. Resettlement

8. Continued resettlement of Vietnamese refugees benefiting from temporary refuge in South-East Asia is a vital component of the Comprehensive Plan of Action.

1. Long-Stayers Resettlement Programme

9. The Long-Stayers Resettlement Programme includes all individuals who arrived in temporary asylum camps prior to the appropriate cutoff date and would contain the following elements:

(a) A call to the international community to respond to the need for resettlement, in particular through the participation by an expanded number of countries, beyond those few currently active in refugee resettlement. The expanded number of countries could include, among others, the following: Australia, Austria, Belgium, Canada, Denmark, Germany, Federal Republic of, Finland, France, Ireland, Italy, Japan, Luxembourg, Netherlands, New Zealand, Norway, Spain, Sweden, Switzerland, United Kingdom of Great Britain and Northern Ireland and United States of America;

(b) A multi-year commitment to resettle all the Vietnamese who have arrived in temporary asylum camps prior to an agreed date, except those persons already found not to be refugees under established status-determination procedure and those who express the wish to return to Viet Nam. Refugees will be advised that they do not have the option of refusing offers of resettlement, as this would exclude them from further resettlement consideration.

2. Resettlement Programme for Newly-Determined Refugees

10. The Resettlement Programme for Newly-Determined Refugees will accommodate all those who arrive after the introduction of status-determination procedures and are determined to be refugees. Within a designated period after their transfer to the resettlement area, those determined to be refugees shall receive an orientation briefing from a UNHCR representative that explains the third-country resettlement programme, the length of time current arrivals may be expected to spend in camp awaiting resettlement, and the necessity of adhering to the rules and regulations of the camp.

11. Wherever possible, a pledge shall be sought from the resettlement countries to place all those determined to be refugees, except those expressing the wish to return to Viet Nam, within a prescribed period. It shall be the responsibility of UNHCR, with the full support of all the resettlement countries and countries of asylum, to co-ordinate efforts to ensure that departures are effected within that time.

F. Repatriation/Plan of Repatriation

12. Persons determined not to be refugees should return to their country of origin in accordance with international practices reflecting the responsibilities of States towards their own citizens. In the first instance, every effort will be made to encourage the voluntary return of such persons.

13. In order to allow this process to develop momentum, the following measures will be implemented:

(a) Widely publicized assurances by the country of origin that returnees will be allowed to return in conditions of safety and dignity and will not be subject to persecution;

(b) The procedure for readmission will be such that the applicants would be readmitted within the shortest possible time;

(c) Returns will be administered in accordance with the above principles by UNHCR and ICM, and internationally funded reintegration assistance will be channelled through UNHCR, according to the terms of the Memorandum of Understanding signed with Viet Nam on 13 December 1988.

14. If, after the passage of reasonable time, it becomes clear that voluntary repatriation is not making sufficient progress towards the desired objective, alternatives recognized as being acceptable under international practices would be examined. A regional holding centre under the auspices of UNHCR may be considered as an interim measure for housing persons determined not to be refugees pending their eventual return to the country of origin.

15. Persons determined not to be refugees shall be provided humane care and assistance by UNHCR and international agencies pending their return to the country

of origin. Such assistance would include educational and orientation programmes designed to encourage return and reduce reintegration problems.

G. Lao asylum-seekers

16. In dealing with Lao asylum-seekers, future measures are to be worked out through intensified trilateral negotiation between UNHCR, the Lao People's Democratic Republic and Thailand, with the active support and co-operation of all parties concerned. These measures should be aimed at:

(a) Maintaining safe arrival and access to the Lao screening process;

(b) Accelerating and simplifying the process for both the return of the screened out and voluntary repatriation to the Lao People's Democratic Republic under safe, humane and UNHCR-monitored conditions.

17. Together with other durable solutions, third-country resettlement continues to play an important role with regard to the present camp populations of the Lao.

H. Implementation and review procedures

18. Implementation of the Comprehensive Plan of Action is a dynamic process that will require continued co-ordination and possible adaptation to respond to changing situations. In order to ensure effective implementation of the Plan, the following mechanisms shall be established:

(a) UNHCR, with the financial support of the donor community, will be in charge of continuing liaison and co-ordination with concerned Governments and intergovernmental as well as non-governmental organizations to implement the Comprehensive Plan of Action;

(b) A Steering Committee based in South-East Asia will be established. It will consist of representatives of all Governments making specific commitments under the Comprehensive Plan of Action. The Steering Committee will meet periodically under the chairmanship of UNHCR to discuss implementation of the Comprehensive Plan of Action. The Steering Committee may establish sub-committees as necessary to deal with specific aspects of the implementation of the Plan, particularly with regard to status determination, return and resettlement;

(c) a regular review arrangement will be devised by UNHCR, preferably in conjunction with the annual executive committee session, to assess progress in implementation of the Comprehensive Plan of Action and consider additional measures to improve the Plan's effectiveness in meeting its objectives.
