



COUNTRY OPERATIONS PLAN

Executive Committee Summary

Country: Viet Nam

Planning Year: 2005

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PART I - Executive Committee Summary

(a) Context and Beneficiary Population(s)

- Among the Indochinese countries affected by the continuous wars over 30 years (Cambodia, Viet Nam and Laos) Viet Nam has emerged as a country with a potentially vibrant economy and development. Economic successes combined with stability have put this country in an influential position vis-à-vis its two western neighbors Laos and Cambodia. The three countries also share political and historical ties. In addition, Cambodia hosts one million Vietnamese migrants that are of direct interest to Viet Nam. Under the circumstances, Viet Nam follows with interest policies being adopted in Cambodia and Laos especially those of migration or asylum nature. As a result, and looking at the situation in a holistic manner, UNHCR needs to undertake sustained efforts with Viet Nam to achieve positive improvements in conditions of asylum in Indochina.

- Viet Nam continues to be a refugee producing country in relation to some minority groups who feel that their traditional property and religious rights are not being respected by the authorities in the context of the socio-economic changes sweeping the country. The ethnicity most affected originates from the Central Highlands of Viet Nam and are referred to as Montagnards. In the last two years, many Montagnards sought asylum in Cambodia, which made the Cambodian authorities uncomfortable for fear of incurring Vietnamese displeasure. UNHCR is currently engaged in developing an asylum regime in Cambodia. This process, *inter alia*, is designed to establish protection for refugees as an international legal imperative rather than an unfriendly act towards the country of origin (Viet Nam in this instance). Within the political context indicated above, the passage of this law would be easier if UNHCR were to obtain the acceptance of the Vietnamese. This would require a regular dialogue with the Vietnamese authorities, which can happen only if UNHCR improves its presence in the country.

- Presently, there are still some 2,360 Cambodian refugees who came to Viet Nam during 70's and early 80's, living in 4 camps set up by UNHCR in Binh Duong, Binh Phuoc Provinces and Ho Chi Minh City. Although UNHCR phased out its care and maintenance assistance to this population in 1994, the Government of Viet Nam has still insisted that UNHCR should be responsible for them. Especially during meetings with the Government on Montagnard issues held in Hanoi during 2001-2002, Viet Nam has repeatedly requested UNHCR to provide financial assistance for a) the naturalization process of the remaining Cambodian refugees in Viet Nam for which the Government has agreed, and b) the improvement of infrastructure in the areas where these people will settle. The request for upgrading local settlement conditions has not only come from the central government, but also from local authorities during UNHCR's assessment missions in late 2000 and mid-2003. Furthermore, while preparing this plan, a new request has been received from the Ministry of Labour, Invalids and Social Affairs for an amount of US\$ 200,000 which will be used for implementation of 4 micro projects in the 4 camps in order to assist the refugees' local reintegration.

- Viet Nam is not only a refugee-producing country, but also a refugee/asylum receiving country as well. In recent years, the number of asylum seekers coming from China, South Asia, the Middle East and even Africa approached the Office in Viet Nam to seek asylum and/or refuge. However due to lack of basic legitimate instruments, as Viet Nam is not a signatory country to any international laws regarding refugee protection, UNHCR could not exercise its mandate thoroughly.

- Desiring to have a better life by resettling abroad, there has been a social phenomenon of marriage to foreigners in recent years in Viet Nam, especially women living in rural areas in Mekong Delta provinces. Among the over 60,000 Vietnamese women married to Taiwanese, a significant number of them have become stateless upon separation due to a lack of knowledge of the nationality laws of both countries.

- Over 110,000 Vietnamese "boat people" returned to Viet Nam under the Comprehensive Plan of Action (CPA) during 1989-2000. All of them have been well reintegrated into their communities. However, it is estimated that some 30 cases each year will be requesting UNHCR assistance for various reasons. They include people having not clearly declared their correct dates of birth or other information to the Vietnamese authorities (interview teams) before return from previous asylum countries. Many cases who have been living together and have not officially registered their marriage are facing difficulties in legitimizing their children. These returnees need UNHCR certifications, which is a must in order to request any documentation from the Vietnamese authorities.