
RI BULLETIN

A POWERFUL VOICE FOR HUMANITARIAN ACTION

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Montagnard Problem Needs a Political Solution

An influx of Montagnards from Vietnam to Cambodia over the last few months is creating a difficult challenge for the United Nations High Commissioner for Refugees, a tough decision for Cambodia, and potential embarrassment for the United States. But the refugee flow should also generate international pressure on Vietnam to change policies that are causing the Montagnards to flee to Cambodia.

Montagnard hill tribes in Vietnam have long encountered discrimination from Hanoi. Many of them helped the U.S. during the Vietnam war. They are Christians in a communist country. Their native lands have been targets of Vietnamese development plans to increase the production of coffee and other crops. They are an independent force in a land of discipline and central direction.

The harassment they face in Vietnam has prompted many Montagnards to flee across the border to Cambodia, and the refugee flow will continue until Vietnam ends its oppressive policies. Over the years the U.S. has offered to resettle Montagnards as political refugees, and there is currently a large Montagnard community in North Carolina. In the past, Montagnards have wanted to come to the U.S., but about two-thirds of the more than 500 Montagnards currently in UNHCR shelters in Phnom Penh say they want to stay in Cambodia and not come to the U.S. "We don't know if Cambodia will allow us to stay, but we don't want to go back to Vietnam," a Montagnard in a UNHCR shelter in Phnom Penh told Refugees International. "We will die in Cambodia with UNHCR."

So far, Cambodia has said that it won't allow the Montagnards to stay. As a signatory to the 1951 Refugee Convention, Cambodia is obligated not to force refugees back to the countries they fled to escape persecution. That is why the U.S. resettlement of Montagnards has been such an important safety valve. However, in a meeting with 147 Montagnards at UNHCR Shelter 2, one of four UN shelters in Phnom Penh, all but 23 said they wanted to stay in Cambodia. Many said they would stay in Cambodia until the UNHCR gets them their land back in Vietnam, which is beyond UNHCR's authority.

The Montagnards at Site 2 were well disciplined and led. The 23 refugees who said they wanted to come to the U.S. asked for a separate meeting with RI. They said they feared they would be beaten up for breaking with the majority that wanted to stay in Cambodia; one man was shaking and in tears. To protect the minority, the UNHCR and Jesuit Refugee Services, which administers the shelter, moved the men to another location within a few hours.

UNHCR officials say that the residents at Site 2 report that they have heard radio broadcasts instructing them that UNHCR will help them get their land back. In addition, UN officials say the refugees are getting instructions from Montagnard leaders in the U.S. to stay in Cambodia, presumably as way to put pressure on Vietnam to change its anti-Montagnard policies. However, the Montagnards at Site 2, all from the Jarai tribe, deny that they are getting instructions from the U.S. Wherever they get their information, the idea that the UNHCR can help them get their land back in Vietnam is incorrect and unhelpful.

For years Cambodia maintained a harsh policy towards refugees from Vietnam. Sometimes Cambodia forced them back home. It also refused to allow the UNHCR to operate in border areas. However, this year Cambodia and the UNHCR have been cooperating to protect Montagnards, both in border areas and in Phnom Penh. UNHCR has also gotten other countries, such as Sweden, to resettle Montagnards. "Everything is working well except the people," a UNHCR official says, ruefully referring to the unwillingness of some Montagnards to leave Cambodia.

The real problem today is Vietnam, not Cambodia. Not only are Hanoi's policies continuing to drive people out, but Vietnam has not agreed to UNHCR requests to establish more orderly procedures for dealing with refugees. UNHCR would like to work with Vietnam to establish a reunification program that would allow family members left in Vietnam to join refugees who resettle in third countries. It would also like to establish an orderly process for returning people who want to go back to Vietnam. This year, three Montagnards who had been resettled in the U.S. attempted to return to Vietnam, and 13 Montagnards in Phnom Penh left UNHCR shelters to return to Vietnam. The returns have been awkward for the U.S., Vietnam and the UNHCR.

In Phnom Penh, the UNHCR is working skillfully to alleviate the problem, quickly moving Montagnards who decide to resettle to safe sites and processing their cases. The UNHCR assumes that as more and more Montagnards accept the idea of resettlement, others will follow in increasing numbers. This is what happened during a similar period in 2001-2002.

Many international officials want to avoid a situation where Cambodia feels pressured to set up camps for Montagnards. Camps could be destabilizing for both Cambodia and Vietnam, particularly if they were near their border. There are continuing reports that Vietnam sends its troops into Cambodia to capture refugees.

Refugees International therefore recommends that:

- The international community make Vietnam's treatment of Montagnards a human rights issue of world wide concern.
- The government of Vietnam ease its oppressive policies toward Montagnard hill people by protecting their land and their freedom to worship freely.
- The government of Vietnam work with UNHCR to resolve border problems.
- UNHCR continue efforts to enlarge the number of countries willing to resettle Montagnards.
- The U.S. and UNHCR work to make sure that Montagnards receive accurate information about UNHCR's inability to restore land rights.
- The government of Cambodia continue its fruitful cooperation with UNHCR to resolve the problem.

Refugees International president Ken Bacon and development associate Ghazal Vaghedi recently surveyed Montagnard conditions in Phnom Penh, Cambodia.