

## To Be or Not to Be a Refugee? How UNHCR's Humanitarian Aid Inhibited Refugee Recognition in Vietnam Between 1973 and 1979

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This paper investigates why the United Nations High Commissioner for Refugees (UNHCR) refused to grant *prima facie* (or group) refugee recognition to people fleeing Cambodia and South Vietnam in the aftermath of the Vietnam War. Until the adoption of the Orderly Departure Program in June 1979, people fleeing Indochina seldomly received an internationally recognized refugee status even though they did receive international assistance from several humanitarian organizations.

The scholarship on the Vietnamese refugee crisis has disproportionally focused on the post-1979 developments that turned the resettlement of Vietnamese across the globe into a large-scale operation. The reluctance, especially from UNHCR, to get involved in the Indochinese refugee crisis has not yet been fully understood. This paper argues that we need to examine UNHCR's humanitarian programs that started in South Vietnam in 1973 and the collaboration between UNHCR and the communist Vietnamese authorities in order to understand why refugee recognition became such a contentious issue in the post-Vietnam War period.

Based on sources from UNHCR, the Vietnamese communist government in the South (the Provisional Revolutionary Government of South Vietnam, PRG), and the American government, this paper unravels the entangled histories of humanitarianism, Cold War rivalry, and international refugee policy. It shows how after the Paris Accords of 1973, UNHCR sought a strategy to gain credibility in the 'Third World', become more independent from its largest donor, the United States, and define itself as a 'neutral and apolitical' humanitarian player by providing humanitarian assistance to all parties – capitalist and communist alike – in Vietnam. This strategy continued when the Republic of Vietnam in the south was defeated, which led to a stronger collaboration with the Vietnamese communist regimes in both the north and the south until the country was reunified in July 1976. However, the emphasis on humanitarian assistance inside Vietnam had detrimental effects for refugees outside of the country, who failed to attain legal protection from UNHCR in that first crucial period of flight.