

Chapter 2

Sustainable Return: A Case Study of Refugee Return to Lao PDR in the 1980s–1990s

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Abstract The possibility of repatriation has recently come under heavy discussion along the Thai–Myanmar border. The discourse around ‘sustainable return’ looks beyond long-term development and focuses on four kinds of insecurities (namely, physical insecurity, social and psychological insecurity, legal insecurity, and material insecurity). Repatriation and reintegration are thus viewed as a durable solution only when these aspects of displacement are addressed in an integrated and effective manner. Based on this framework of sustainable return, this chapter begins with a discussion on the standard of voluntary repatriation in accordance with international principles (including the principle of non-refoulement). It then outlines the conditions that induce voluntary repatriation using a case study on repatriation of Indochinese refugees from Thailand to Lao PDR and Cambodia in the 1980s. It describes the security conditions in which repatriation occurred, and highlights the challenges and successes of return in this context, including policies adopted by Lao PDR and the roles of UNHCR and the RTG.

2.1 Introduction

The 1990s were considered the ‘decade of repatriation’ (UNHCR 2012). Over the course of that decade, 14.6 million refugees returned to their countries of origin, with large-scale return movements occurring in Rwanda, Mozambique, Afghanistan, and in former Yugoslavia (UNHCR 2013). From the mid-1980s, growing refugee flows in various parts of the world had come to be viewed as a burden to countries of asylum and resettlement. Several countries began to adopt increasingly restrictive attitudes towards refugees and migrants (Black/Gent 2006) despite their willingness in prior decades to allow large numbers of refugees to enter their territories and enjoy a broad range of social, legal, and economic rights (Crisp 2000). Countries of asylum have become less willing to host refugees for extended periods of time and apply restrictive policies to refugees’ freedoms, especially around the right to work and move freely, in order to prevent job competition and local integration. Meanwhile, the option of third country resettlement has been accessible to only a very small proportion of refugees. For example, UNHCR

estimated 805,000 refugees needing third country resettlement in 2011, however only 10 % of those places were available (UNHCR 2012). UNHCR considers durable solutions to protracted situations as the removal of “the objective need for refugee status by allowing the refugee to acquire or reacquire the full protection of a state” (UNHCR 2012: 12). As such, UNHCR regards local integration, voluntary repatriation, and resettlement as the trio of possible durable solutions to protracted displacement. However, huge barriers in the current international asylum system prevent the majority of refugees from accessing local integration and resettlement. Voluntary repatriation has thus become regarded as the *preferred* ‘durable solution’ to situations of protracted displacement (Chimni 2004).

2.1.1 Voluntary Repatriation

Repatriation is regarded as a signal of the end of conflict and a significant phase of the post-conflict peace-building process (Black/Gent 2006; Crisp 2000). Despite its standing as the preferred durable solution to displacement in the 1990s, the rise of protracted conflicts and political crises worldwide in the next decade led to a sharp global decline in voluntary repatriation. In the 2000s, only 6.5 million refugees returned to their countries of origin (UNHCR 2013: 49–50). The number of refugees voluntarily repatriating to their countries of origin reached a 20-year low in 2010 (UNHCR 2012: 12).

The standards of repatriation are set forth in various international instruments which emphasize the requirement that decisions to repatriate should be *voluntary* and *carried out in absolute safety*. The right to return is asserted by the 1948 Universal Declaration of Human Rights: “Everyone has the right to leave any country, including his own, and to return to his country” (United Nations General Assembly 1948, Article 13 (2)). Specific to refugees, in 1946 the United Nations General Assembly resolved:

[N]o refugees or displaced persons who have finally and definitely, in complete freedom, and after receiving full knowledge of the facts, including adequate information from the governments of their countries of origin, expressed valid objections to returning to their countries of origin...shall be compelled to return to their country of origin (UN Resolution 8 (I))

Although the 1951 Convention on the Status of Refugees does not explicitly mention ‘voluntary repatriation,’ involuntary return is often equated to *refoulement*, which is explicitly prohibited in Article 33 of the 1951 Convention, stating:

No Contracting state shall expel or return (“*refouler*”) a refugee to the frontiers of territories where his life or freedom would be threatened on account of his race, religion, nationality, membership of a particular social group or political opinion (UNHCR 1951).

The requirement that repatriation be voluntary and declared on an individual basis is later reiterated in regional instruments such as the 1969 OAU Convention (Assembly of Heads of State and Government 1969, Article V) and 1984 Cartagena Declaration on Refugees (Colloquium on the International Protection of Refugees

in Central America, Mexico and Panama 1984, Section II). The 1951 Convention on the Status of Refugees allows for the cessation of refugee status only when changes in the country of origin are durable and effective where the basis of fear of persecution has been removed.

As the international body responsible for promoting access to durable solutions for refugees, UNHCR is responsible for ensuring the voluntariness of repatriation and that voluntary repatriation is both *facilitated* and *promoted*, with cooperation from UNHCR, governments, and private organizations (UNHCR 1996: 6). Despite these guidelines, many refugee returns in recent history have not occurred under circumstances deemed as voluntary or safe. Although many of the refugee returns in the 1990s occurred with the assistance of UNHCR and in cooperation with governments, NGOs, and other partners, several of the refugee repatriations in Africa in the 1990s occurred in unsafe conditions that fell short of international standards of voluntary return (Crisp 2000, citing data from USCR, UNHCR State of the World's Refugees: A Humanitarian Agenda 1997). From 1996–7, for example, 1.2 million Rwandans were repatriated from Tanzania and Zaire/DRC despite ongoing reports of human rights abuses throughout the process (Amnesty International 1997). Their departure, however, was partially the result of pressure from local host communities, militia forces, and over-burdened host governments facing their own economic crises (Crisp 2000: 16). Moreover, donors are known to encourage repatriation as they believe it can drive post-conflict reconstruction (Long 2010: 6; see Chimni 2004 for further discussion). While the return of displaced persons indeed can play a critical role in restoration in post-conflict settings, premature return may also destabilize or strain fragile peace-building efforts and institutions, thereby negatively influencing the process of reintegration (Milner 2009: 26, as cited in Long 2010: 6; UNHCR 1998).

2.1.2 *Sustainable Return*

Closely interlinked with voluntary repatriation, then, are the concepts of 'sustainable return' and 'effective reintegration', which imply situations where physical and material security can be assured and constructive relationships can be established between returnees, civil society, and the state (Rodicio 2001; UNHCR 1998). These concepts acknowledge that return and reintegration are dynamic processes that do not constitute a 'simple reversal of displacement' (UNHCR 2008) or the end of a 'cycle' (Hammond 1999, as cited in Black/Gent 2004: 7–8). Historical examples show that repatriation often occurs amidst dynamic conflict transitions that may continue over long periods of time and present intermittent physical insecurities for both returning refugees and the populations that have stayed behind (UNHCR 1998). Other ongoing insecurities during conflict transition include limited livelihood opportunities and markets, degraded infrastructure, and lack of access to basic services. In many cases, the causes of flight have not been entirely eliminated prior to refugee return (UNHCR 1998).

2.2 Four Categories of Insecurity

Reintegration is defined by UNHCR as “a process which enables formerly displaced people and other members of their community to enjoy a progressively greater degree of physical, social, legal and material security” (UNHCR 2012: 159). As such, the discourse on sustainable return focuses on these insecurities, calling attention to four categories: physical insecurity, social and psychological insecurity, legal insecurity, and material insecurity¹ (UNHCR 1997: 154–160, as cited in Chimni 2003: 200). Repatriation and reintegration are viewed as durable solutions only when of the drivers of displacement along these four dimensions are addressed in an effective manner.

Threats to *physical* security during return and reintegration can come from continued presence of military actors stationed near civilian settlements, violence towards civilians by demobilized soldiers, as well as absence of or inadequate enforcement of rule of law (Crisp 2010: 18). Further, land mines have posed a challenge in returns to nearly all recent post-conflict societies, including Cambodia, Afghanistan, Mozambique, and Angola (Chimni 2003: 209). De-mining operations, however, are typically under-funded and slow-going despite their crucial role in sustainable return and peace-building.

Legal security during repatriation is assured with official forms of documentation, such as identity cards and birth certificates, which are necessary to ensure freedom of movement within the country, right to work, right to vote, and proof of nationality. These forms of identification allow returnees to be recognized as citizens of the country of origin (Crisp 2010). From a systems perspective, legal security also refers to the (re)construction or strengthening of political institutions, administrative structures and law enforcement and judiciary systems (UNHCR 1998). These also include education and healthcare systems, which require government ownership. Together, the existence of strong institutional structures is what enables the re-establishment of citizenship and rights for all citizens, including returning populations. Limited institutional capacity, on the other hand, can result in bureaucracy, corruption and challenges in access to resources as well as reclaiming/accessing land. In the case of South Sudan in the 2000s, this weakness led to intra-community conflicts between those returning and those who had stayed behind (Long 2010: 7). Lack of confidence in the ability of states and authorities to guarantee basic security and dignity despite the existence of peace-building frameworks has resulted in ongoing violence and insecurity in many of these cases (e.g., 1995 Dayton Peace Accords for Bosnia, Bonn Agreement for Afghanistan 2001; 2005 Sudanese CPA) (Long 2010: 6).

Material security refers to access to resources and assets upon return. In post-conflict settings, access to basic needs can be difficult due to degraded infrastructure (bridges, shops, roads) and banking and market systems (Crisp 2010).

¹These challenges are also described by Crisp (2000) in the context of refugee repatriation in Africa in the 1990s. They are introduced accordingly in the following paragraphs.

Of the challenges in material security, however, the last two decades have shown that housing and property restitution can be one of the major barriers to achieving material security during return and reintegration. Displaced persons returning with the expectation of reclaiming their ancestral land upon return, or of being issued compensation or new plots of land by the government, often encounter major obstacles to realizing these expectations. Lack of access to productive land is exacerbated by land disputes among and between returnees and residents who stayed, poverty, and lack of alternative livelihoods (Leckie 2000; Chimni 2003; Fransen/Kuschminder 2012). Returnees without access to land and other assets can remain dependent on humanitarian assistance for shelter, sanitation, and food (Fransen/Kuschminder 2012), a situation that reiterates the need for strong coordination and institutions that are able to resolve land claims and disputes.

Finally, *psycho-social security* is often weak in post-conflict settings characterized by social tension and psychological insecurity (Crisp 2010). This is worse in situations where repatriation is not fully voluntary, or displaced persons return home with unrealistic expectations security in their place of origin or resettlement. In large-scale repatriation movements, place of origin may struggle to absorb large flows of returnees given the increased demand for scarce resources in those locations. In these situations, social networks play a critical role in facilitating relationships and can be built through relationships, community education, participation in organizations and rebuilding efforts, and ‘acceptance with family and friends (Fransen/Kuschminder 2012).

Overall, it is critical that reintegration processes should emphasize *equity* between returnees and local populations that have stayed behind. As UNHCR states, differences in “legal rights and duties between returnees and their compatriots” should be minimized and both of these groups should have “equal access to services, productive assets, and opportunities” (UNHCR 2004: 7). This is particularly important to reduce tensions that are often found to run between returning refugees and locals who have stayed behind, as the latter group may perceive that returnees are more economically advantaged due the assistance they received from external actors during displacement and return (Black/Gent 2006; Fransen/Kuschminder 2012). These dynamics can impede reintegration and peace-building efforts and themselves be affected by the scope and timing of return processes. They can also be the result of unequal treatment of specific groups by aid agencies supporting the return.

2.3 Return from Thailand in the 1980s and 1990s

Following the communist victories in Vietnam, Cambodia, and Lao PDR at the end of the Vietnam War in 1975, massive upheavals in the region led over three million people to flee and seek asylum in neighboring countries over the next three decades.

During this period, Thailand was the sole country in the region to host refugees from all three countries, receiving multiple waves of refugees between 1975 and 1995 that totaled over 700,000 Indochinese arrivals from Vietnam (160,239), Cambodia (237,398), and Lao PDR (359,930) (UNHCR 2000). Although Thailand is not a signatory to the 1951 Refugee Convention relating to the Status of Refugees, it largely cooperated with UNHCR throughout this period to provide temporary asylum and to seek durable solutions for those forcibly displaced from its neighbors. Its policy was to deter asylum seekers if possible, but also to house new arrivals in ‘temporary shelters’ run by the Thai Ministry of the Interior (V. Muntarbhorn, ‘Displaced Persons in Thailand: Legal and National Policy Issues in Perspective’, *Chulalongkorn Law Review*, vol. 1, Chulalongkorn University, Bangkok 1982: 14, as cited in UNHCR 2000 State: 92.) According to UNHCR, “this decision captured the ambivalent and even contradictory attitude which would be reflected in much of the country’s subsequent policies and practices towards the displaced population on Thai territory” (UNHCR 2000: 92). The Thai government’s actions in response to refugees from Myanmar starting in the 1980s in one of the most protracted situations of displacement in the world, has been characterized by similar ambivalence.

With the sudden and overwhelming burden on Southeast Asian nations during the Indochinese refugee crisis, talk about possible durable solutions began almost immediately. Between 1979 and 1980, 452,000 Indochinese in the region were resettled to third countries, of which 195,000 (or nearly half) came from the shelters in Thailand (UNHCR 2000). In Thailand, the Lao Voluntary Repatriation Program was negotiated in 1975 and put into effect in 1980, although only 8,787 persons repatriated to Lao PDR between 1980–1992 (Chantavanich 1992). On a larger scale, by 1993, approximately 362,000 persons had been repatriated to Cambodia.

Since the Indochinese repatriations from Thailand occurred in a host country policy environment that is similar to those facing refugees from Myanmar today, they offer a historical case study comparison as present day policies are being discussed in Thailand. The remainder of this chapter focuses on the repatriation of Lao refugees, describing the factors relevant to promoting their return from Thailand, the outcomes of their repatriation in terms of the physical, psychosocial, legal, and material security, the timing of repatriation, and the levels of support from the various parties involved, including the RTG, UNHCR, and Lao government. Overall, Lao repatriation was considered successful for lowland Lao but only partially successful for Hmong Lao for reasons described in the case study. This case study is based on desk research and qualitative interviews conducted with returnees in Lao PDR in 2013 as a part of research conducted for graduate-level coursework at Chulalongkorn University.

2.4 Case Study: Return of Lao Refugees

The repatriation of refugees to Lao PDR involved transitions of two distinct groups, individuals from the highland Hmong Lao ethnic group and individuals from lowland Lao PDR. Despite government promises to ensure physical security upon return, Lao repatriation was characterized by UNHCR's struggles to persuade people to return. Throughout the process, there were ongoing concerns about reprisals against refugees for their role in the Vietnam War. Many who returned wished still to find opportunities to resettle with relatives in the United States, leading some scholars to conclude that repatriation was ultimately not an effective durable solution (Chantavanich 2011).

The source of concern for physical safety among Hmong Lao refugees stemmed from the role they played in the regional struggle against communism in the 1960s. Referred to as a "Secret Army", many members of the Hmong Lao population, an indigenous tribal group living in the highland areas of Indochina, were recruited, trained, and armed by the US Central Intelligence Agency (CIA) to fight on its behalf against communist Pathet Lao militants (Robinson 1998). During this period, more than half of the adult Hmong Lao population was recruited as CIA allies (Sommer 2006) and by the end of the war, roughly 17,000 Hmong Lao had died from attacks by the Pathet Lao (Hein 2006: 71). Following the Paris Peace Accords in 1973, the United States government withdrew from conflict zones in the sub-region. Two years later in December 1975, the Pathet Lao (Lao People's Revolutionary Party) established the Lao People's Democratic Republic (Lao PDR).

Immediately following this transition, the Hmong Lao population experienced a series of discriminatory arrests and violence in retaliation for having sided with the United States during the war. From 1975 to 1979 over 45,000 ethnic Hmong were killed and nearly half a million fled the country, mostly into Thailand, where they sought asylum (Sommer 2006). By the end of 1975, around 54,000 Lao refugees were settled into various temporary shelters in Thailand, the vast majority of whom were Hmong (UNHCR 2000: 97). A second wave of refugees from lowland Lao PDR fled to Thailand began in 1978, with more than 48,000 arrivals, after the new government implemented a policy to consolidate the Lao into communes considered to be camps for the re-education of military personnel and others suspected of having been 'infected' with Western ideologies (Lacey 1987: 22–23). Meanwhile, approximately 200,000 individuals fled to the jungles in the Lao highlands. Over the next decades, reports continued of Hmong being hunted by Lao and Vietnamese military in Lao jungles and treated as subjects of torture, abuse, chemical defoliation, and starvation tactics (Sommer 2006). Up to 2006, reports still suggested that approximately 17,000 were still hiding in the jungles fearing reprisal from the Lao government (Sommer 2006).

Lao arrivals into Thailand continued into the late 1980s with evolving efforts by the Thai government to manage the influx. Highland Hmong Lao refugees were housed in temporary shelters along the Lao-Thai border, primarily in the crowded Ban Vinai shelter in Pak Chom District in Loei Province. The government of Prime

Minister General Kriensak Chamanan first announced in 1977 the possibility of accepting displaced persons to be permanently resettled in Thailand. However, this announcement was met with criticism and protests from the public, out of concern that such a policy would attract more migrants into Thailand and hinder the development of Thailand's economy as these were mostly unskilled laborers (Chantavanich/Pleasri 2011: 44–45). Instead, the prime minister established a policy that would “push all of the migrants out of the country” (Songprasert 1988, as cited in Chantavanich 2011). However, Thailand's acceptance of new arrivals also shifted in response to commitments by third countries to accept them for resettlement. When the US began accepting a number of refugees for resettlement, this was thought to have created a new pull factor of Lao Hmong refugees to Thailand. A significant portion of displaced Lao in Thailand were indeed able to access resettlement and from 1975–95, and over 320,000 Lao refugees were resettled to third countries. Of these, 248,000 were resettled to the US (UNHCR 2000) and approximately one-third of those resettled in the years leading to 1983 were Lao Hmong (Chantavanich 1988: 17).

A Comprehensive Plan of Action was drawn up in March 1989 by the governments of Thailand and Lao PDR, with UNHCR, aiming at ‘maintaining safe arrival and access to the Lao screening process; and accelerating and simplifying the process for both the return of screened-out and voluntary repatriation...under safe, humane and UNHCR-monitored conditions’ (Draft Declaration and Comprehensive Plan of Action, March 1989, as cited in UNHCR 2000). Despite ongoing arrivals through the 1980s, the Lao Voluntary Repatriation Program was put into effect in 1980 with the repatriation of 193 lowland Lao (UNHCR 2000). In the same year, a large influx of Hmong displaced persons entered Thailand as the result of an attack by the Pathet Lao and Vietnamese armed groups on the Hmong resistance base in Xieng Khouang Province (Chantavanich/Pleasri 2011: 49).

By March 1983 only 2,262 persons had returned to Lao PDR under the Voluntary Repatriation Program. Early on in the process, efforts to repatriate Lao refugees from Thailand were broadcast as unsuccessful:

Efforts of the [Thai] Interior Ministry and the UNHCR to repatriate 7,200 Lao refugees at Ban NaPho camp have failed, refugee officials in Bangkok said yesterday. An exhibition was held and the camp last month in an attempt to persuade the Lao to go home voluntarily. According to the officials, the exhibition, organized by the Interior Ministry with the United Nations High Commissioner for Refugees, was a failure. Only six refugees have signed up for the repatriation program since the exhibition was held, they said (News article from *Bangkok Post*, 19 May 1982, as cited in Lacey 1987: 21).

A UNHCR representative in Lao PDR admitted in 1983 that the idea of voluntary repatriation was not perceived as a real possibility to the refugees, especially as the very fact of having fled the country marked one as a traitor to the state (Lacey 1987: 24). On the other hand, the Lao government at that point had decided that refugee return to rural areas would be a key strategy for creating an economic turnaround within Lao PDR. Throughout this period, *physical security* was a major obstacle to voluntary return. Both highland and lowland Lao refugees had deep mistrust of the Lao government and rumors were prevalent especially among Hmong leaders of planned

reprisals despite assurances from Lao officials that they would guarantee the personal safety of all returning refugees (Women's Commission for Refugee Women and Children 1991; Lanphier 1993). Throughout this period, an ongoing stream of new refugees arrived in Thailand each year due to concerns for physical security, and the preferred durable solution for many refugees continued to be third country resettlement.

Security conditions in Lao PDR remained tenuous into the 1990s. A survey conducted at Ban Vinai Camp in 1990 indicated that 79 % of Hmong refugees were unwilling to return to Lao PDR without significant political change, an increase of UNHCR presence, or the right to select repatriation sites in Lao PDR (Women's Commission for Refugee Women and Children 1991: 8). As of 1991, UNHCR had a very limited presence in Lao PDR, with a staff of two at an office in Vientiane and no sub-offices outside the capital (Women's Commission for Refugee Women and Children 1991). This level of staffing was insufficient for effective monitoring that ideally would take place for two years following repatriation. Moreover, there were differences in access to *legal security* when it came to reclaiming land and selecting repatriation sites for lowland and highland Lao. Around 1991, the Lao government announced legislation detailing eligibility and mechanisms for reclaiming land and homes in Lao PDR (Women's Commission for Refugee Women and Children 1991). Concerning all returnees, return to villages of origin could only be possible provided that returnees still had relatives residing in those villages. Refugees without relatives remaining in their villages of origin had to resettle in new areas provided by the government. Reintegration was much easier for lowland Lao returnees compared to that of hill tribe people because 95 % of the former had close relatives or friends still in Lao PDR, many of whom were looking after their properties (Women's Commission for Refugee Women and Children 1991). Therefore, they could return and easily repossess their properties. However, hill tribe refugees had departed with everything and left nothing behind. The Lao government's policy on location return was due in part to its new policies to terminate the practices of slash and burn cultivation in favor of growing cash crops and combat deforestation. The policy also concerned the termination of opium growing practices among the Hmong and prevented Hmong hill tribe people, from returning to their homes in upland locations.

These policies had huge implications on *material security* of refugees, especially Hmong Lao returnees. In ARCM's documentation of outcomes for the Hmong who repatriated, Chantavanich described that many of them returned to being farmers, merchants, or laborers. Others were unemployed and the researchers found that some of the displaced persons could not earn enough to live on after returning to Lao PDR (Chantavanich 1992). Hill tribe refugees who were repatriated to lowland urban areas, such as near the town of Luang Namtha however, described initial challenges in maintaining their livelihoods. As demonstrated in the interview quotes, repatriation in lowland areas was a challenge for highland people because they lacked access to land for cultivation and were not familiar with lowland agriculture practices.

I have been allocated about 0.5 hectare of a piece of land, which was provided by the governmental authority in Luang Namtha for the cultivation of cash crops. This land is not enough for planting rice and vegetables. We used to plant rice in upland areas and vegetables in the high valley, where the soil is very rich and fertilized. We did not have to feed the crops with additional fertilizer, and could just let the crops and vegetable grow naturally. We also hunted wild animals for our meat for everyday life. At that time, there was no electricity and road accessibility for the village or even the clean water for daily consumption. The life was very hard and some of our friends left the village (Hmong refugee in Ban Nam Hoi, Luang Namtha).

I have 5 people in my family. I have been provided 1 hectare of land, provided by the governmental authority in Luang Namtha for the cultivation of cash crops. The land is not good for planting crops. Lowland areas are not suitable for the cultivation of rice. We have no money to buy rice, so we need good land for planting rice. Long ago, we planted rice in the high mountains and had enough rice to survive; we also raised cattle in the valley. We had many things from the forests, “the non-timber forest production”, for everyday life. When we first re-located in this new village, our life was a bit hard and some of our friends left for another location. Now our life is getting better as we have good roads and clean water for the village, which have been provided by NGOs and the government (Hmong refugee in Ban Nam Hoi, Luang Namtha Province).

The Lao government was said to provide a modest allotment of land, farm equipment, and rice as it was interested in repopulating rural areas for agrarian development (Lanphier 1993). The UNHCR office in Vientiane played a significant role in promoting reintegration of returnees. UNHCR established an office in Vientiane to administer standard assistance package consisting of a cash grant of US \$120 and an 18-month rice ration to returnees (UNHCR 2000). UNHCR also provided pre-departure assistance that included provision of agricultural and carpentry tools as well as two hectares of land for those departing to rural settlement sites (UNHCR 2000). ‘Most of the UNHCR-funded rural settlement sites were also provided with water supply systems, roads, and primary schools. The assistance programs, however, were limited by the government because Lao PDR considered the Lao refugee issue to be an ‘internal matter’.

It was not until 1988 that repatriation to Lao PDR started to steadily increase. This shift was attributed to factors such as greater familiarity/trust of the repatriation program among refugees, increased political cooperation between Thailand and Lao PDR, and improved economic conditions within Lao PDR (Chantavanich 1992). Building confidence among refugees was key to the process. UNHCR was active in the International Conference on Indochinese Refugees, which was held in June 1989 in Geneva. UNHCR also organized the Tripartite Meetings with the RTG and Lao PDR in order to make concrete guidelines for repatriation operations and promotion in the Lao refugee camps. Within the displacement temporary shelters in Thailand, there were three types of promotion: mass education, group education, and individual counseling. Collaboration between the RTG, UNHCR, and Lao PDR encouraged repatriation through the launching of an information campaign with briefings held in the temporary shelters in Thailand.

As mentioned above, studies on other cases of refugee return and reintegration reveal common *psychosocial* barriers to effective reintegration in attitudes of resentment exhibited by communities that stayed behind toward returning refugees. In this case, however, reintegration of highland and lowland Lao was generally accepted by the local neighbors who stayed. Chantavanich/Pleangsri (2011) found that about 90 % of stayees had positive attitudes toward returning Hmong and were willing to accept them as their neighbors. Lowland Lao were even more easily accepted and were more likely to be members of social groups in villages such as agricultural co-ops, security forces, or youth groups.

In December 1992, the Ban Vinai camp was closed and the RTG announced plans to pursue a plan to complete the repatriation process of Lao refugees (Women's Commission for Refugee Women and Children 1991). At that point, 5–6,000 refugees were returning each year, primarily to the provinces of Vientiane, Sayabouri, Xieng Khuang, Luang Prabang, and Bokeo. The pace of return thus increased and occurred in three waves, with 5–6,000 families in May 1992; 6,000 families in June 1993; the rest by the end of 1994 (Chantavanich/Pleangsri 2011). By the end of 1995, over 24,000 had returned to Lao PDR from Thailand, of which 80 % had been granted refugee status in Thailand. UNHCR estimates that since 1980, approximately 12–20,000 Laos returned spontaneously from the camps in Thailand (UNHCR 2000).

2.5 Conclusion

The repatriation of Lao refugees from Thailand was considered to be a failure in the early stages as it was initiated while the conditions that caused displacement were still present. Early efforts ignored ongoing concerns along three of the four security dimensions, with threats to physical security toward lowland and highland Lao PDR, an inability to guarantee personal safety to those who repatriated, and absence of security of tenure (legal security) especially for those from highland tribes who did not have relatives staying behind to care for their property. Designated repatriation sites were also considered a mismatch for the livelihood skills of refugees, leading to continued material insecurity. Although a small population of Lao refugees remain in Thailand and many others have returned to Thailand as migrant workers, ultimately, the largescale repatriation of Lao Hmong and lowland Lao refugees was considered to be a success. This shift is attributed to the increased political cooperation between the Thai and Lao governments, improved economic conditions within Lao PDR, and information campaigns and established guidelines for repatriation established by UNHCR and the respective governments. To remove material insecurity during the transition, UNHCR supported returning refugees with cash and food assistance. Moreover, both highland and lowland Lao refugees benefited from minimal psychosocial barriers in areas of integration as neighbors generally accepted them into their social groups.

As this book continues on to explore the conditions inside Myanmar that may facilitate or hinder the successful return of refugees across the Thai–Myanmar border, the framework of four securities (physical, legal, material, and psychosocial) can serve as useful tool for considering the realities of the return process. Analysis of the situation using this framework can provide concrete examples of whether repatriation to particular areas would be feasible, and identify what conditions need to be changed by the international community to enable a successful repatriation process.

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