

Aide-Memoire
ON THE EXCHANGES OF VIEWS BETWEEN THE VIETNAM TASK FORCE
AND THE UNHCR TASK FORCE

On Sep.9, 1980, in Hanoi, the HCR and the VN task forces have exchanged views on the working principles and procedures for HCR personnel concerning formalities pertaining to cases of persons leaving Hochiminh City for the US, and have agreed on the following points:

I - PRINCIPLES

- Persons mentioned on list "C" will be authorized by the VN side to be interviewed by the HCR task force and to undergo a medical examination.
- In principle, all persons above-mentioned will be accepted for admission into the U.S.
- Exceptional cases of reject, while the files prepared by the HCR task force are being examined in Bangkok, will consist principally of cases of false documents and of false declarations.
- All persons mentioned on the flight manifest approved by both VN and HCR task forces, properly presented for the consular interview at the airport, will be authorized to board the plane.
- All activities of the above mentioned HCR personnel at Hochiminh City must conform strictly to the "Provisional Regulations of the City's Popular Committee".
- The dwelling and working place of the HCR task force personnel is located at Thu Duc.

II - WORKING PROCEDURES

1 - Interviews

- a/ HCR personnel are authorized to contact persons mentioned on list "C" aged 14 and more and to photograph all their family members in view of entry visa formalities.
- b/ HCR personnel will proceed to continued interviews until completion of list "C". After about 200 - 300 persons having been interviewed, it would be advisable to rapidly finalize the files and the entry visa formalities. Interview results will be communicated to the VN party at the end of a week so that flight manifest could be made out.
- c/ The two parties assure that each day from 15 to 20 households (about 70 to 100 persons) will be interviewed. In the event a new contact would be necessary, there should be agreement and cooperation from the VN party.
- d/ The content of the interview will be limited to questions concerning the person concerned's entry visa and of those in his/her family authorized to leave Vietnam. The VN party will cooperate during these interviews.
- e/ To the end of facilitating the interview of persons actually mentioned on list "C" (1,758 persons) the UNHCR will take care of their transportation. The trip will include going to and from the pick up location in downtown Hochiminh City and Thu Duc. This will be assured by two vans of the two VN and HCR task forces.

2 - Medical examination

- All persons mentioned on the list of people to be interviewed must go through the medical examination to screen out cases of tuberculosis and venereal diseases. To the end of identifying active tuberculosis cases, it will be mandatory for persons 8 years old and over to be examined by X-Ray. HCR will provide films for X-Ray photos. Hospital and medical check-up fees are fixed at 10 Dong for each person, to be borne by HCR.

- If at the medical check-up, it is found that a family member suffers from one of the above mentioned diseases, the HCR will provide necessary medicines for treatment. HCR will immediately forward his/her file to request medical exemption so that this person could leave at the same time with his/her family and the other families which are in the same influx for interviews.

3 - Finalizing the documents

- All necessary documents for entry into the U.S. will be assured with HCR's intermediary.

- For cases mentioned on definitive flight manifest, the U.S. party will issue certificates guaranteeing their departure on condition that they be properly presented for the consular interview at the airport. These certificates will be turned over to the VN task force with the results of the final examination of the files in Bangkok, that is to say twenty days prior to the foreseen departure.

4 - Flights organisations and assistance.

- After the HCR will have turned over to the VN task force the results of the final examination of the files in Bangkok, the VN and HCR task forces will make out the flight manifest. The date of the first flight will be fixed on Thursday, three weeks after the turning over of the above mentioned results. The two task forces - VN and HCR will assure, from there on, that flights will be regular and weekly, until all persons mentioned on list "C" will have left.

- To the end of adding new cases to list "C", it behooves the U.S. party to regularly provide new names of persons eligible for entry to the U.S., and the VN party to regularly provide new names of persons eligible for obtaining exit visas. The VN party will also provide additional information concerning persons mentioned on list "A" (exit).

- One or two U.S. consular officials will be authorized to come to Tan Son Nhat Airport to verify identities (verify persons with photos in their files), to ask some questions needed in assisting departees to sign entry application forms. The U.S. consular official will only be authorized to come for the work specified above at Tan Son Nhat Airport. They will leave the airport the same day as the Vietnamese who are authorized to leave Vietnam.

III - Amendments

- The procedures of the present Aide-Memoire could be amended upon request from one of the two task forces, and with the mutual approval of the two parties concerned.

English text of the Memorandum of Understanding between the Socialist Republic of Viet Nam and the Office of the United Nations High Commissioner for Refugees concerning the departure of persons from the Socialist Republic of Viet Nam, concluded on 30 May 1979

"Following discussions held in Hanoi between representatives of the Government of the Socialist Republic of Viet Nam and a delegation of the Office of the United Nations High Commissioner for Refugees (UNHCR) from February 26 to March 5 and from May 25 to May 30, 1979, it is agreed that UNHCR will facilitate the implementation of the January 12 Announcement by the Vietnamese Government to permit the orderly departure of persons who wish to leave Viet Nam for countries of new residence.

Regarding the programme to implement such orderly departure, it is understood that:

1. Authorized exit of those people who wish to leave Viet Nam and settle in foreign countries - family reunion and other humanitarian cases - will be carried out as soon as possible and to the maximum extent. The number of such people will depend both on the volume of applications for exit from Viet Nam and on receiving countries' ability to issue entry visas.
2. The selection of those people authorized to go abroad under this Programme will, whenever possible, be made on the basis of the lists prepared by the Vietnamese Government and the lists prepared by the receiving countries. Those persons whose names appear on both lists will qualify for exit. As for those persons whose names appear on only one list, their cases will be subject to discussions between UNHCR and the Vietnamese Government or the Governments of the receiving countries, as appropriate.
3. UNHCR will make every effort to enlist support for this Programme amongst potential receiving countries.

4. The Vietnamese Government and UNHCR will each appoint personnel who will closely co-operate in the implementation of this Programme.
5. This personnel are authorized to operate in Hanoi and Ho Chi Minh City and, as necessary, to go to other places to promote exit operations.
6. Exit operations will be effected at regular intervals by appropriate means of transport.
7. The Vietnamese Government will, subject to relevant Vietnamese laws, provide UNHCR and the receiving countries with every facility to implement this Programme."