The responses of individual refugees (See Dongkaleum Interviews Section VIII) again were much more explicit about causes of death.

I think, however, that most non-official refugees told me their stories with as much truth as their memories would serve them. Certain characteristics of our conversations indicated truthfulness. Conversations were not dominated by a single individual. Answers about details often came only after discussions among family or neighbors. Also, I found that after I had been in a village for a length of time, people volunteered Information about which I would never have thought to ask; for instance, "poison." Nor was I particularly interested in people who had died from disease, except that in Nong Vang Pheng, women kept coming up to me asking me how their children had died. Thus, I think that the interviews in section two are truthful insofar as the knowledge and the memories of the refugee interviewees would serve them.

This is not, however, to say that either the refugees memories of, or even, original knowledge of particular incidents were completely faultless. More particularly I would judge the accuracy of the responses as follows. I feel that refugees knew their own sub-district, their village, their name, and that of their deceased relative, with complete accuracy. Also, I feel that people knew with accuracy the general cause of their relation's deaths such as bombing, mines, or small arms. When it came to identifying the specific cause, I would be less certain of reliability. For instance, people seemed to be able to tell the difference between what types of planes had been present, whether jets or propeller driven planes, but I would question identification of specific types of jets or propeller driven planes. One man told me quite simply that, "All the planes which went r-r-r-r-r-r-r-r and had propellers we called T-28's and all the kind which went rrrrrrrrrrrrrrrrr and didn't have any propellers we called at phone (jet) or ef lot ha (F 105)." However, it seems clear that more than just these two types of aircraft took part in the bombing. Many people told me about a second type of jet which they called of st hat (F 4-E.) Also, types of propeller driven craft other than T-28's were identified. A further difficulty in the identification of the aircraft responsible for an individual's death was that, sometimes, different types of aircraft were reported to have been present together. People simply didn't know with much accuracy, in such cases, which planes had dropped which bombs or caused which deaths.

Almost invariably refugees reported that RLG forces were the source of mines and artillery fire which killed villagers. Such opinions seem to be based entirely on the fact that the people were living in PL controlled areas. The people have therefore assumed that any shelling or mining of the area must have been done by RLG forces. They seem to have no basis for such conclusions other than this assumption.

Another section of the interviews which ought to be judged with some reservation is that of the date of the incidents. Most of the refugees in the survey simply could not recall the day of the month or which a relative died. But, the particular month of the incidents, they seemed to know reliably.* The year of the incident was often a source of much discussion. In a number of cases people told me that relatives died on the Plain of Jars in the summer of 1970. This was completely impossible since the refugees had come to Vientiane in February of 1970. When I asked if they were sure it was 1970 or "But when did you come to Vientiane," they would simply reply, "Oh, then it must have been 1969." So I would suggest that the years given for the incidents are not always completely accurate.

Beyond these reservations, I believe that the information in these interviews is quite accurate.

I. Summary.

1. General Pattern of the Bombing.

From 1964 to 1969, villagers on the Plain of Jars were subjected to dangers from many sources. It is clear, however, that the major source of hazard for these people was aerial bombardment (see Tables 1 and 2.) The bombing was particularly heavy in 1968 and 1969. This bombing was done by a variety of jet and propeller driven aircraft, using a wide variety of ordnance. Among the ordnance dropped by the planes, the following were described to me by refugees from the Plain of Jars:

*Refugees could recall the months of particular incidents reliably because they could relate incidents to seasonal activities such as planting rice in the sixth or seventh month or harvesting rice in the eleventh or twelfth month. The Lao calendar is one month ahead of the western calendar (i.e. the seventh month Western calendar is the eighth month Lao calendar,) so that if a narrator did not specify by which calendar he was reckoning, I would ask, "Do you mean Lao calendar or Western (sao kone)?"
a. "big, big bombs" or "500kg" bombs.
b. smaller or "regular" bombs which apparently were in the 150-250kg class.
c. Anti-personnel bombs or what the refugees called "bombi." These were evidently of two different types. The most commonly described type was round, roughly 8-10cm in diameter. The other, less frequently described variety, was larger and rested on a set of "legs." See pictures number 1 and 2 which contain drawings by refugees of these two types to anti-personnel weapons. Picture number 3 shows pellets which reportedly came from one of the "bombi." Refugees had gathered these pellets to use in their home-made muskets.
d. Napalm referred to by refugees as bom napan or bom foi (fire bomb.)

The 74 incidents of aerial bombardment involving 108 casualties were described to me as follows:

<table>
<thead>
<tr>
<th>No. PL or NVN soldiers present at time of incident</th>
<th>Number of Incidents</th>
<th>Number of casualties</th>
</tr>
</thead>
<tbody>
<tr>
<td>I. No PL or NVN soldiers present at time of incident</td>
<td>58</td>
<td>91</td>
</tr>
<tr>
<td>II. PL soldiers present at time of incident</td>
<td>5</td>
<td>6</td>
</tr>
<tr>
<td>III. Presence or absence of soldiers not noted in the interview</td>
<td>11</td>
<td>11</td>
</tr>
</tbody>
</table>

In two of the incidents in the first category it was reported that Pathet Lao soldiers had been present in the village but had left just before the bombing. One of the incidents in the second category, involving two deaths, was that of the prison bombing described in the next section.

2. Bombing of Pathet Lao Prison.

While I was interviewing refugees in the Dongkaleum refugee camp, three individuals independently described to me the bombing of a Pathet Lao prison in 1968. The first time I heard of the incident, the description was very vague. The man told me only that sixty prisoners of the "Lao Issara" (Pathet Lao) had been killed when the planes bombed a prison in the forest near Ban Sang. The other two descriptions were much more explicit. (See Dongkaleum Interviews No. VIII 13 and VIII 16.) Both of these refugees told me that the bombing of the jungle prison occurred on July 5, 1968. Of the more than 100 prisoners in the jail, sixty-three died. The prison was reportedly bombed by T-28s and jets. Ironically, these prisoners were evidently political, (i.e. anti-Pathet Lao.) These stories were corroborated in an informal conversation which I had with a refugee from the Ban Ilay refugee camp. However, this individual said that of the sixty-three fatalities from the prison bombing, sixty were prisoners and three were Pathet Lao guards.

3. "Poison" dropped by aircraft.

As I mentioned earlier, I stumbled on to an account of civilian deaths due to "poison" quite by accident. When I first heard the account of the children's deaths due to "poison" I did not quite believe it. I thought that the refugees were simply using the word "poison" to describe napalm which had not ignited. Only after I had returned to get details of the "poison" did I really comprehend that they were describing something quite distinct from napalm. (see Nakung Interviews VI 9 and 12) After this first story about the poison, I began to make gentle inquiries about it in other refugee camps. Altogether, I heard first hand accounts of the poison in three camps, of the last four camps which I visited; Nong Yang Pheung, Nakung and Thoun Loua. Refugees in the Ban Mak Nao camp had never seen any of the "poison". I had visited all of the other refugee camps prior to first hearing about the "poison" and so had made no inquiries about it in the majority of the villages which I visited.

Two types of "poison" were described to me:

a. The most commonly described type of "poison" (Nong Yang Pheung, Nakung, and Thoun Loua) looked like paper. In two cases (Nakung and Nong Yang Pheung) refugees described it as being long strips of silver colored paper. Some refugees compared it to the small thin noodles in Chinese soup. One man compared it to rice straw. One man said that it was the color of my silver watch and others said that it was the color of the foil paper from a cigarette package. Evidently this paper was dropped in long tangled masses. According to the refugees it killed both plants and animals. A paper sort of "poison" was also described to me in the Thon Loua camp but here the refugees described it as sheets rather than strips. Further, I have received reports that the refugees in
the Venn Kham camp and the Ban Hay camp both talk about this paper "poison." In both cases the refugees reportedly describe it as looking like long strips of silver colored paper.

This type of "poison" sounds suspiciously like radar chaff which might have been dropped by the airplanes in order to jam radar controlled antiaircraft installations in the area. For obvious political reasons the Pathet Lao might have identified such radar chaff as poison. I suggested this explanation to one refugee. He replied that, yes, the planes sometimes did drop the "radar paper". He said that the poison paper looked almost exactly like the radar paper but could be distinguished from it in four ways:

1. If the paper poison was touched it would feel hot or at least warm.
2. If the paper poison was immersed in water it would bubble. (Reportedly making the water toxic.)
3. If the paper poison was hit or moved roughly it would give off a fine dust.
4. The poison paper was toxic to both plants and animals. These distinctions between the "poison paper" and radar chaff are rather tenuous and at any rate were probably unknown to the majority of the refugees. Therefore, I think it safe to assume that at least some of the reports of the poison silver paper were merely reports of radar chaff.

b. The second type of "poison" described to me was of a granular or powdery character. I have personally received accounts of it only from refugees in the Nong Vang Pheung camp. There, refugees compared it to salt. They said that any fruit trees or grass on which it was dropped would die. Also they said that it was toxic to many kinds of animals which would forage in an area where it was dropped.

Also in an interview taped by a Lao friend of mine, refugees in Ban Veuon Kham told of this type of poison. They described it as looking like yellow flour. They compared the color to the yellow of a khaki uniform. They reported that on one occasion it was dropped on a field and after grazing there thirty cows died. They said that if pigs or chickens foraged in an area where it had been dropped they would die with their flesh turning yellow and intestines green. They said further that it would kill plants as well.

4. Other Devices.

A wide variety of other explosive and poisonous devices have been described to me. However, such reports are usually second or third hand. Or, if first-hand, have been reported by only a single individual. I therefore will omit any discussion of these devices. I can only hope that these reports are the products of Pathet Lao propaganda and have no basis in fact.

5. Porterage.

Of the incidents described in this survey, eleven involve the deaths of civilians while either portering for the Pathet Lao (eight) or while returning from porterage duties (three.) Of these eleven individuals, eight were reported killed by mines and one each by artillery, aerial bombardment and small arms. Four were reported killed prior to 1966, three in 1966-67, three in 1968-69 and in one case the year was not noted.

It is interesting to note how the refugees referred to porterage. Six said simply that the victims had gone portering (pat lam lang.) Others reported that the victims had been ordered (bang khap,) forced (inum,) caught (chap,) or organized (chat,) into porterage.

While I did not delve into the question of porterage extensively these descriptions indicate that coercion was often involved in the organization of porterage.


Again, this is a question into which I did not delve directly. However, the mention of Vietnamese soldiers (thahaan keo, or thahaan Vietnam; and I think it safe to assume that refugees were referring to North rather than South Vietnamese) in six separate interviews indicates that North Vietnamese soldiers certainly were present on the Plain of Jars. Two refugees simply mentioned the presence of Vietnamese soldiers (Interviews III and X 6.) Two related that Vietnamese soldiers shot villagers as they were trying to flee to this side, (Interviews II 4b and IV 5e.) One narration by a group of refugees in Ban Wong Vang Pheung (Interview IX 12,) told of how Vietnamese had lived with the villagers in order to prevent them from coming to RLG controlled territory. And one refugee (Interview II 8) related that Vietnamese soldiers had killed villagers in order to get their belongings.
TABLE I.—CIVILIAN CASUALTIES: REFUGEE CAMP VERSUS CAUSE

<table>
<thead>
<tr>
<th>Refugee Camp</th>
<th>Aerial Bombardment</th>
<th>Mines</th>
<th>Artillery</th>
<th>RLG-meo Forces</th>
<th>PL-NVN Forces</th>
<th>Casualties Unknown</th>
</tr>
</thead>
<tbody>
<tr>
<td>Veiunham</td>
<td>15</td>
<td>2</td>
<td>1</td>
<td>3</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Ban Phao</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>6</td>
<td>0</td>
</tr>
<tr>
<td>Veun Xhone</td>
<td>6</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>1</td>
</tr>
<tr>
<td>Mak Mine</td>
<td>8</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Don Tai</td>
<td>10</td>
<td>10</td>
<td>5</td>
<td>2</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Nakung</td>
<td>7</td>
<td>3</td>
<td>1</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Thuon Loua</td>
<td>28</td>
<td>2</td>
<td>4</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Dongkaleum</td>
<td>15</td>
<td>3</td>
<td>5</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Dongkaleum</td>
<td>11</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>21</td>
</tr>
<tr>
<td>Mak Nea</td>
<td>9</td>
<td>2</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Total</td>
<td>108</td>
<td>22</td>
<td>20</td>
<td>8</td>
<td>7</td>
<td>24</td>
</tr>
</tbody>
</table>

1Sum total 189—in tabulating these figures for civilian casualties, I have attempted to avoid listing multiple descriptions of single incidents (e.g., interviews IV 1, IV 4, and IV 7 and the much described bomb incident in Ban Mak Nea section 1) more than once. Also, in order to insure against any duplications in the tabulation I have not listed any casual-ties which were described only in vague term without any specification of name or relationship to the narrator (e.g., the "other villagers killed" in interview IV 3). For example, the unusually high number of deaths caused by artillery and by mines reported in the Don Tai refugee camp may be partially explained by the origin of these refugees. They came from Tasseng Song, north of the Plain of Jars just south of a line of mountains occupied by RLG forces. The RLG forces evidently used these positions to shell Pathet Lao positions to the south. Thus, the hapless villagers in Tasseng Song received more than their share of stray artillery shells. (See map of the Plain of Jars.)

2Disease.

The total of 108 casualties due to bombing includes the 6 deaths attributed by villagers to poison dropped by airplanes (interviews VI 9a, 9b; VI 12; and VIII 24) and 1 death reportedly caused by a smoke bomb (interview VII 20).

3Of the 22 casualties by mines, 8 civilians were killed in connection with porterage; 6 while porterage and the 2 while returning from porterage.

TABLE II.—CIVILIAN CASUALTIES: CAUSE VERSUS YEAR

<table>
<thead>
<tr>
<th>Pre-1966</th>
<th>1966-67</th>
<th>1968-69</th>
<th>Year not given</th>
</tr>
</thead>
<tbody>
<tr>
<td>Aerial bombardment by—</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Jets</td>
<td>0</td>
<td>4</td>
<td>19</td>
</tr>
<tr>
<td>T-28’s</td>
<td>0</td>
<td>3</td>
<td>22</td>
</tr>
<tr>
<td>Both or aircraft unidentified</td>
<td>16</td>
<td>27</td>
<td>14</td>
</tr>
<tr>
<td>Mines</td>
<td>0</td>
<td>3</td>
<td>42</td>
</tr>
<tr>
<td>Artillery</td>
<td>0</td>
<td>12</td>
<td>7</td>
</tr>
<tr>
<td>Small arms</td>
<td>1</td>
<td>11</td>
<td>8</td>
</tr>
<tr>
<td>Cause unidentified</td>
<td>4</td>
<td>6</td>
<td>6</td>
</tr>
<tr>
<td>Total</td>
<td>22</td>
<td>63</td>
<td>97</td>
</tr>
</tbody>
</table>

1Sum total 189.
2This figure substantiates allegations by refugees that bombing by jet aircraft was relatively light prior to 1968 but became heavy in 1968 and 1969.
3The "T-28’s" figure includes an aircraft identified by refugees as "A-6" as well as other propeller driven planes.
4This figure of the 22 casualties by mines, 8 civilians were killed in connection with porterage; 6 while porterage and the 2 while returning from porterage.
5Disease.

D. Conclusion

This survey was by no means a complete survey of all of the civilian war casualties among refugees from the Plain of Jars. Nor was it a complete survey of all of the civilian war casualties from any of the refugee villages which I visited. Rather it was a random sampling comprised of all those case histories of civilian war victims which I could gather in the time available to me. The villages which I visited contain approximately 8500 of the 25,000 refugees from the Plain of Jars now residing on the Vientiane Plain.

If the sampling in this survey is representative of the experience of the refugees from the Plain of Jars as a whole, then the following conclusions may be drawn:

1. Aerial bombardment was the primary cause of civilian war casualties among refugees from the Plain of Jars while under Pathet Lao control 1964-1969.
2. Contrary to the policy statements of American officials, bombardment of the civilian population of the Plain of Jars by aircraft, including large numbers of American jets, was extensive and caused large numbers of civilian casualties.
The following account of the “Former Life of the Refugees in Ban Veun Kham” was written for me by a student participant in the 1970 IVS Student Summer Work Experience Program. I have omitted the name of the student since he was fearful of personal repercussions.

However, let me give the following biographical information. The boy is a student at one of the highest educational institutions in Laos. I have known him for more than a year. He came to the summer program recommended by both Lao and foreign staff at his school.

He wrote the following article at my request. He wrote it originally in Lao and I translated it into English. The English translation was reviewed and approved by the student, who reads but does not write English.

FORMER LIFE OF THE REFUGEES IN BAN VEUN KHAM

In this village there live 223 families containing 2219 people. These refugees came from the province of Kien Khoueng which is presently controlled by the Neo Lao Hak Sat.

Before 1964 (according to the refugees) in the region of Tasseng Phan and Tasseng Phiang there was only prosperity in the ricefield and fish in the plentiful waters. There were no floods and no droughts because the water which fed the rice plants came from the mountains and not simply from rainfall as in our part of the country. Many animals were raised very comfortably. Each family had not less than 20 cows and numerous pigs, dogs, ducks, and chickens.

After 1964 the conditions of the area changed greatly in many different ways. Sometimes the administration of the area belonged to the Royal Lao Government and sometimes the area was under Pathet Lao administration. But more often the Neo Lao Hak Sat (NLHS) controlled the area. At that time began the bombing increasing the misery of the people until finally it became impossible to live in the region.

LIFE UNDER THE PATHET LAO CADRES

When the bombing became heavy with T-28 airplanes and many kinds of jets bombing the forests in the vicinity of the villages, it was necessary to go live in the forest and to dig holes in which many families lived together. For food it was necessary to work together in teams when the planes were not bombing. When the airplanes came over a lot it meant that there wouldn’t be enough rice for everyone.

The holes had to be dug very deeply and on top it was necessary to put broken tree branches.

If the branches were already dry it was necessary to remove them and put on fresh branches. And on the paths in the area it was necessary to place grass after traveling back and forth. If that wasn’t done they would be bombed.

During the bombing, if the planes couldn’t select a place to bomb, but they saw some animals or people, they would simply drop the bombs on them. This was the primary reason why the refugees fled from the homes of their birth and came here.

Life with the Pathet Lao was difficult because they always accused people of holding allegiance to the Royal Lao Government (RLG). People were always being taken for interrogation. Young men and women were drafted into working for the army, into being soldiers or carrying supplies and weapons for the army. Girls 13 years old and older had to work for the army. What made it especially oppressive for the refugees was when they were ordered to move. Sometimes they heard news that the position of their tunnel homes had been revealed. Then a company of Neo Lao soldiers would come and order the people to move. Always they moved at night. Sometimes they were not able to sleep all night. Whenever they stopped they had to dig holes in which to hide. Sometimes they tunneled into the tops of mountains. They had to carry all their food and belongings with them. When the food was all gone they had to return to their old homes and dig up rice which they buried in barrels. The constant moving created many problems for the refugees. They grew sick and tired of working that way, until finally they decided not to move anymore and they fled to the region controlled by our government to gain their freedom.

This was the second reason which forced my friends to flee and come here. The living had been very oppressive on account of the moving, on account of the
living in holes eating in the holes and sleeping in the boles this way. We could say that the emigration was necessitated equally in these two ways.

Planting rice had to be done at night. Sometimes the planes would bomb all night until daylight so there was no opportunity to plant rice. The most important reason why the refugees had to come here from their villages must be the bombing.

Also the upland rice fields where the bombs had already fallen had become entirely covered with ponds and small craters. It was impossible to grow rice. Also there were "bombi" of the very round kind, so many that they were almost everywhere. These "bombi" were another important reason why the search for food was dangerous.

The refugees were sick and tired of the actions of the Meo soldiers because as they said they were always seeking wealth. Many people said that the Meo soldiers waged war not to win independence but to win cattle, buffalo and property of the population. Many parents of refugee children had been killed by the Meo soldiers. When the refugees arrived in the area controlled by the Meo soldiers, many of them saw buffalo and cattle which the Mao soldiers had stolen. Yet it was impossible to claim their livestock because the soldiers maintained that the buffalo and cattle had been captured from the Vietnamese.

When living with the Pathet Lao cadres, the people were drafted into working without pay. Rice, fish and other food was also conscripted. When the refugees came to the government's side, the Mao soldiers stole their cattle and buffalo and killed them for eating right in front of their, the refugee's eyes.

To summarize: wickedness was always with the people. The wealthy people were those who had the power. Lawlessness was present on both sides.

EDUCATION OF THE CHILDREN

With the Pathet Lao the children were not able to study with full effectiveness because they did not have schools, nor teachers with much knowledge, nor teaching equipment.

Each student had to pay an instruction fee of 50k/month. The teachers were selected by their own village when the village saw that the candidate had sufficient knowledge. He could then compose his own lessons and teach.

Traveling to school had to be done when the airplanes were not bombing, like very, very early. After nine A.M., the school let out. When traveling to and from school the children had to add tree branches to their clothing and wear very drab colors. They absolutely could not wear red or white.

For the adults specifically: Old people also had to go to school under the trees. But they had "workers" to teach them separately. The workers really belonged to the NLHS. With the Pathet Lao, the children practiced the dance "Cooperation", the "Naly" dance, and many, many others. In singing the only popular songs were those which cursed all the American imperialists. The habits of the children were to like singing songs to like dancing, and to like working together. It shows how the children have been trained by the Pathet Lao and the training has all been absorbed by the children.

TACTICS OF THE NEO LAO (HAK SAT)

For recruiting young men into serving they had many kinds of psychology. For instance when the young men hold their guns, they have power for freedom and all have thoughts like "Fight against the interfering imperialists." If they are allowed to fight anywhere against those from the government's (RLG) side, they will fight until the others give in, if the others don't give in they won't allow them to escape. If they try to escape they will kill them.

There is a certain kind of grass which they call freedom grass or grass against

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1 After translating this paper I asked the author to explain what was meant by the term "bombi". He said he had never heard of it before talking with the refugees. They had explained that the "bombi" were round metal balls dropped by the airplanes. They were roughly 10cm in diameter. The refugees said that they were "everywhere in Xiang Khouang" in the villages, in the forests and in the ricefields. When the "bombi" were touched or disturbed they would explode, sending out many small bullets. The refugees said that the adults and older children learned to avoid them but that they were very dangerous for the little children who didn't know enough not to touch them, W.H.

2 This is a kind of dance for girls only. W.H.
things which have a split leaf like the *dok dao heuang* leaf\(^1\) except bigger. It is this leaf which all of the PL soldiers must eat before they wage war. If this leaf is lost and not eaten then their hearts will not be courageous. Their (the PL) object of worship during the time of battle is the rain. If the rain fails they will have good opportunity to win easily because their weapons are most effective when the rain fails.

All of the above is from the real lives of the refugees as related by them. Up until 1-9-69 the refugees said that they were fleeing from hell. Then they came out of their holes to the region of freedom.

The poverty of living, eating and sleeping in the holes, the fear of all the different kinds of bombs dropped by the airplanes, the fatigue of constantly being ordered to move, the conscription into working, the conscription of food by the Neo Lao, all added to the sorrow of these fellow Laotians, who had done no evil but still reaped such misfortune.

Catching fish seems very difficult because the refugees are not used to such large bodies of water. They cannot swim or sail boats. Also, they cannot raise animals with much success because their houses were built too close together. There are many diseases which easily kill the animals. Equipment for living and cooking is sufficient, but there is a great lack of kerosene. The things which interest the refugees are far beneath the dignity and concerns of the local villagers. In response to my questions the refugees said that they now regard themselves as having a very low status.

The houses where they had always lived and always slept, and the land on which they had always planted their crops, the land where they had spent all of their days, all of the animals which they used to sell to earn profit for their homes were completely bombed. From this damage there remained only many ponds, two or three times a man's height in depth. Of trees there remained only a few mango trees and coconut trees. There was left only the remains of the earth which had lost its fertility for growing crops. This, like the ruins of the mistreatment of the refugees when the war ended.

**PROBLEMS OF THE REFUGEES IN THEIR PRESENT LIVES**

As normal, living in a new place, different from that where one had always worked and made a living and spent his life, caused problems. Now the refugees have no jobs or if they do, it is at only very low wages, like 200K per day.

These are the problems of the refugees at the present time.

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**APPENDIX B**

Mr. McMurtie Godley, U.S. Ambassador to Laos, Embassy, Vientiane, Laos

Dear Mr. Ambassador: During the summer of 1970, I helped organize a program for Lao students to work during their school vacation. The program was funded by USAID and organized by International Voluntary Services, Inc., Laos, working together with the Lao Ministry of Youth and Sports.

During the program I became especially involved with students who were teaching children in four refugee villages near Vientiane. These refugees were part of the reported 15,000 who were evacuated from the Plain of Jars in February 1970. The students in the program taught in the refugee villages for lengths of time varying from four weeks to ten weeks. The variations in program length were necessitated by our limited budget. The program was moderately successful, but that is not what concerns me here. Rather, I would like to relate some of the profoundly disturbing stories of the refugees' lives prior to their evacuation from the Plain of Jars as told to students in the summer program. I shall omit students' names since they were fearful of personal repercussions.

Ban Ilay

Refugees in Ban Ilay told students of how their houses were burned in 1963 by gunfire from the Pathet Lao. The people were then relocated by the Pathet Lao. Jets started bombing their village in 1964, and bombed most heavily in 1966. The refugees had to live in holes in the ground. At first they tried cultivat-

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1 I checked with the author of this paper on the significance of the "split leaf" and the "dok dao heuang" leaf. He was uncertain of their meaning. They were simply terms used by the refugees in explaining the "Freedom grass." W.H.
ing rice at night. But then the planes started bombing at night. If the villagers started even a small fire, they would be bombed and strafed by the planes. Villagers said that they had to live in holes in the ground for three years.

Dan Na Nga

The approximately 2000 refugees in this village came from Ban Lat Sene in Xieng Khouang province. They said that the bombing started there in 1967. The bombing was so heavy in the daytime that villagers could work in their ricefields only at night. All of the people's homes were destroyed so they had to live in the forest or in caves in the mountains. In 1969 the planes started dropping flares at night and bombing by the light of the flares.

At first the villagers simply fled when they heard the sound of a plane. But then the PL taught them how to use rifles to shoot at the planes. Some of the children (again according to the refugees as told to the students in the summer work program) became very adept at shooting down the planes. When the refugees came down from the Plain in February 1970, one or two of the young men and women from each family stayed with the Pathet Lao. I asked one of the students why these young people had stayed with the P.L. He replied, "Because the P.L. lied to them and persuaded them to stay. The young people chose to stay with the P.L., but it was because the outlaws (P.L.) lied to them."

I then asked this same student why he thought these villagers had been bombers by the airplanes. He answered, "Because there were Pathet Lao soldiers in the village."

I enquired further, "Do you mean that Pathet Lao had a camp in the village?"

"No, but some of the boys in the village had joined the Pathet Lao, and they were living and working with their families."

Many of the refugees told students that they do not like life in Ban Na Nga. They want there on account of the bombing; and when the bombing stops, they want to go back to their homes.

Ban Nongsa

Villagers in Ban Nongsa related to students working there that they had not liked living with the Pathet Lao because the Pathet Lao had not allowed them to practice their Buddhist beliefs. If the people gave offerings to the monks, they would be ridiculed by the Pathet Lao. The P.L. would ask them where they got the offerings to waste on the monks.

They would suggest that perhaps the offerings came from the government (RLG) side where many people still follow such wasteful traditions.

Refugees told how they had had to farm at night because if they worked in the ricefields during the daytime the planes would shoot at them. Also it was impossible to show any kind of a light at night because the planes would see it and shoot at it. Villagers told how they had to live in holes in the ground or in the forest for two or three years.

Ban Vewn Kham

Refugees in this village told students how they had to live in holes in the ground for three years. The planes would shoot or bomb any people whom they saw. Sometimes the planes would even bomb cattle or buffalo. Villagers even told how once some monks in their orange robes had been strafed by a jet as they came out of their cave. One man told how his wife had gone out to fetch their water buffalo and had been strafed by a jet.

The above information comes from the refugees as told to students in the summer work program. The appended article comes from the same source. None of this is information which has been dug out by a reporter or by anyone else with a particular viewpoint to push. It is information which students in the summer program discovered through their work in the refugee villages. Some of the students were quite agitated about what they learned from the refugees. Previous to their summer work experience, they had thought that such stories were merely Pathet Lao propaganda. Some of them now think quite differently.

Undoubtedly, some of the stories were related to me with imperfect accuracy. And after working in Laos for more than two years, I would readily admit that some of the stories may have been embellished by the villagers in their original telling. But out of these stories from four separate villages, one fact seems to emerge incontrovertibly. The United States has been waging an extensive bombing campaign against the civilian populations of portions of Pathet Lao occupied territory.
Exactly what portion of the bombing has been conducted by US aircraft and what portion by Royal Lao aircraft is unclear. But this distinction is a spurious one.

Whether the bombs were dropped by US planes or by RLG planes is immaterial. Even if all of the bombs were dropped by RLG aircraft the United States is culpable, simply because we train and supply the Royal Lao Air Force.

Surely, evils have been perpetrated by the Pathet Lao. Refugees stories testify to this. As the student author of the appended article has written. "Wickedness was always with the people ... Lawlessness was present on both sides."

But a large part of the "lawlessness" perpetrated on these "Laotians who had done no evil but still reaped such misfortune," seems directly attributable to policies of the United States government.

As an American I feel compelled to protest these policies. The bombing of innocent civilian population is, to me, completely inexcusable.

Sincerely yours,

WALTER M. HANEY.

APPENDIX C

DEAR SENATOR GRIFFIN: I have received your communication transmitting the letter of Mr. Walter Haney of Vientiane concerning the grave effects of the war in Laos on the civilian population of the country.

The President on March 6 made public the fact that we provide air support for the neutral government of Laos, which is defending itself against invasion by more than 60,000 troops of North Viet-Nam. North Viet-Nam, like us, signed the Geneva Agreements of 1962, which specifically forbid the introduction of foreign troops into Laos. Despite this, the North Vietnamese continue to use Laos territory in the southern part of the country for a large road network serving their war aims in South Viet-Nam, and in North Laos have expelled the neutral Royal Lao Government of Souvanna Phouma from a large part of the national territory, particularly those areas of Laos near North Viet-Nam.

American air support of the Royal Lao Government, which is directed against North Vietnamese troop concentrations, lines of communication and logistic stores, is furnished under rules of operation designed specifically to protect civilians and to limit attacks to military targets. There is no question but that there have been civilian victims of bombing errors which were due to both mechanical and human causes, but a continuing effort goes on, even in the heat of battle, to keep such errors to a strict minimum. The rules do not permit attacks on non-military targets and place duties on all inhabited villages. In cases where it is believed there may be a question about the nature of the target, a Lao national is required to participate in the control bombing operations. The rules of operation are the subject of continual review.

In contrast to the North Vietnamese/Pathet Lao, we also give major support to the Lao Government to relocate members of the civilian population who freely choose to move away from the areas of fighting, and to provide them with food and medical care.

The reports of the refugees which Mr. Haney has received through the Lao students who worked with him last summer attest vividly to the suffering which the war has imposed on the Lao, perhaps most harshly of all in the northeastern part of the country from which these refugees come. It is clear that danger comes to the civilian population from both of the combatant sides, and also that the line between civilian and soldier is blurred, as the passage on villagers' efforts to shoot down aircraft illustrates.

Mr. Haney attributes a large part of the misfortune inflicted on the villages to the policies of the United States government. These policies, however, are undertaken not independently but at the request of the Royal Lao Government, acting in response to the unprovoked invasion of that neutral country by North Viet-Nam.

Like the Royal Lao Government, our Government has repeatedly protested North Viet-Nam's imposition of war on Laos, which seeks no more than neutrality and to be left alone. We deeply regret the fate of all the victims of
the war, both those killed by North Vietnamese action, and those whose lives have been lost or disrupted as a consequence of the defense of their country.

If we can be of further assistance on this or any other matter, please do not hesitate to let us know.

Sincerely yours,

DAVID M. ABSHIRE,
Assistant Secretary
for Congressional Relations.
APPENDIX III

CHAIRMAN'S LETTER TO PRESIDENT RICHARD M. NIXON, APRIL 23, 1971, AND
RESPONSE OF ASSISTANT SECRETARY OF STATE FOR CONGRESSIONAL RELATIONS
DAVID M. ABSHIRE, MAY 26, 1971

The President,
The White House,
Washington, D.C.


DEAR MR. PRESIDENT: Yesterday, the Honorable William H. Sullivan, Deputy Assistant Secretary of State, Bureau of East Asian and Pacific Affairs, appeared before the Senate Judiciary Subcommittee on Refugees to testify on war-related civilian problems in Laos and Cambodia.

In discussing the situation in Laos, Ambassador Sullivan referred to two wars in which the United States participates. The first war he described relates to military operations along the Ho Chi Minh trail in southern Laos, which he associated with the policy objectives of the continuing United States military presence in South Vietnam. The second war he described relates to military operations in northern Laos, which, according to Ambassador Sullivan's statement, have "nothing to do with military operations in South Vietnam or Cambodia." Based on the public record, Ambassador Sullivan's testimony appears to be the first time an official from the Executive branch has identified two separate wars in Laos.

The Congress and the American people have previously been informed that United States military activities in Laos relate solely to the protection of remaining United States forces in South Vietnam and the stability of the South Vietnamese government, and that the authority for military activities in Laos is found in the powers of the Commander in Chief to accomplish these objectives. Ambassador Sullivan's testimony, however, strongly suggests that United States military activities in northern Laos, notably the air war, are totally unrelated to these objectives.

This raises most serious questions as to the precise authority for continuing United States military activities in northern Laos. I would appreciate very much, your early clarification of this matter.

Sincerely,

EDWARD M. KENNEDY.

DEPARTMENT OF STATE,

DEAR SENATOR KENNEDY: The President has asked me to reply to your letter of April 23, 1971 concerning the authority for continuing the United States military operations in northern Laos.

As you pointed out, Ambassador Sullivan, in his testimony before your Subcommittee on April 22 stated that North Vietnamese military operations in northern Laos were conducted separately from their operations in southern Laos, along the Ho Chi Minh Trail which supplies their forces in South Viet-Nam and Cambodia.

However, as the President said in his address to the nation on October 7, 1970, the war in Indochina "cannot be cured by treating only one of its areas of outbreak". If the North Vietnamese were to conquer all of Laos they could divert thousands of their forces now engaged in North Laos to the war against South Viet-Nam, and greatly enhance their position in those areas of Laos bordering on

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South Viet-Nam from which they launch attacks on United States and allied forces.

Before the ink was dry on the 1962 Geneva Agreements on Laos, the North Vietnamese began violating them. They left over 6,000 troops in that country, and their number has steadily grown ever since. In mid-May 1964, the Pathet Lao, supported by the North Vietnamese, attacked Prime Minister Souvanna Phouma’s neutralist military forces on the Plain of Jars. In May 1964, as North Vietnamese presence increased, the United States, at the request of the Royal Lao Government, began flying certain interdictory missions. These air operations continued over the next four years.

This was the situation which President Nixon inherited upon taking office in January 1969. The policy of this Administration has been to support the independence and neutrality of Laos under the 1962 Geneva Agreements and to assist the neutral government of Prime Minister Souvanna Phouma against North Vietnamese invasion. Our course in Laos, as in the rest of Southeast Asia, is to bring the hostilities to an end.

President Nixon has been carrying out a continuing program of withdrawal of United States forces from Southeast Asia. The President’s constitutional powers as Commander-in-Chief and in the field of foreign relations provide authority for him to take reasonable measures to carry out these withdrawals, to protect our troops, and to bring the hostilities which were underway when he took office to an end in a way that will contribute to a durable peace.

Sincerely yours,

DAVID M. ABSHIRE,
Assistant Secretary for Congressional Relations.
THURSDAY, APRIL 29, 1971.

Senator Edward M. Kennedy, Chairman of the Judiciary Subcommittee on Refugees, today recommended that the President create a Military Practices Review Board to curb the effects on the civilian population of United States military policy in Indochina.

Senator Kennedy said the Review Board "would advise the Joint Chiefs of Staff on standards and procedures designed to keep American military policies and practices within the bounds of simple humanitarian and international legal obligations, and would monitor the implementing of the rules of engagement governing American armed forces in active combat.

"The Review Board should be appointed by the President at an early date in consultation with the appropriate committees of the Congress. The Review Board should be attached to the National Security Council, and should be composed of high level officials in government as well as recognized non-governmental experts on humanitarian problems and international law."

Senator Kennedy said: "In light of the bitter experience in Indochina, the time is long overdue for this Nation, at the highest level of government, to take stock of policies and attitudes which have contributed so heavily to the massive flow of refugees, the occurrence of civilian casualties, and the inexcusably low priority attached to the care and protection of civilians in combat zones.

"The latest hearings by the Subcommittee confirm again that the forced evacuation of civilians, aerial bombardment, free fire zones, and similar practices are continuing to have a devastating impact on the civilian population of Vietnam, Laos, and Cambodia. There continues to be a vast gap between the official policy of our government and the performance in the field. We must finally come to grips with this issue. We must finally come to recognize and understand the flagrant abuses of American power. And we must resolve that what has been done in Indochina, in America's name, must never happen again."

Senator Kennedy made his recommendation and comment in releasing excerpts from a brief submitted to the Subcommittee by Professor Gidon Gottlieb of the New York University School of Law. The brief is one of several under review by the Subcommittee. Excerpts of the brief follow.

EXCERPTS FROM BRIEF SUBMITTED BY GIDON GOTTLIEB, PROFESSOR OF LAW, NEW YORK UNIVERSITY, TO THE SENATE JUDICIARY SUBCOMMITTEE ON REFUGEES

President Nixon has told the nation that he is prepared to wage unlimited air warfare in Indochina for years to come. This announcement imposes a most urgent task, the adoption of standards and procedures to limit the killing and maiming of civilians and the generation of thousands of new refugees. President Nixon's announcement requires the adoption of measures designed to keep American war policies within the bounds of humanitarian and legal obligations. It requires standards to reduce the incredible toll of lives in a country which we are committed to assist.

The broad principles and standards so far set out in the Geneva Convention of 1949 and other instruments of international law are but weak barriers within which to contain imperious arguments of military necessity, of expediency and facility. More than general principles are required. It is urgent that:

A precise recommended code of practices for the protection of non-combatants translating broad juridical principles into express prohibitions and specific directives be worked out in cooperation with the Armed Forces;

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An effective advisory board to monitor and review military practices on the basis of these principles be established in cooperation with the Armed Forces. These procedures and standards must at a minimum govern:

- The selection of military targets;
- The ordinance used in prosecution of the war;
- The relocation and resettlement of refugees;
- The care and treatment of the injured and the sick;
- The adoption of military policies such as free fire zones.

They must be capable of providing guidance for responsible officers, officials and ambassadors involved in these matters as well as for our allies. They must set the standards to which they will be held and for violations of which they will be asked to account. They should be accepted and adopted by the Department of Defense and issued in the form of directives to all Armed Forces of the United States. Pending the adoption of such a recommended code Congress should scrutinize military policies adopted in the war in Indochina on the basis of the Draft Rules of the Red Cross for the Limitation of the Dangers to Civilian Population and suggest such changes in the policies as it may deem necessary.

Congress should moreover draw the attention of senior officials of the U.S. government and of senior officers of the Armed Forces to the standards established in the Red Cross Rules and to the principles of international law restated by the Institute of International Law on the nature of military targets.

In developing appropriate procedures and standards five points should be made:

- The standards need not necessarily be legislated and made into law; it is enough that they be developed in cooperation with the Department of Defense and the Department of State and accepted or issued by them in the form of directives;
- The standards should be based upon rules developed by the International Committee of the Red Cross and other instruments declaratory of international law binding on the United States;
- The Congress need not await adoption of standards by the International community in the form of international conventions before deciding to recommend to the Armed Forces a code of practices for the protection of civilians;
- The application of standards should be monitored and military policies should be reviewed by an appropriate agency;
- The standards should also be explicitly accepted by all foreign recipients of U.S. military aid and machinery should be agreed upon to monitor and review their application as well as to provide emergency assistance to civilian populations in armed conflicts.

The protracted efforts to terminate U.S. involvement in the Indochina war have not borne fruit as yet. In the meantime hundreds of thousands have died in the conflict. I appeal to the opponents of the war to take time off to support measures for the protection of the civilian population of Indochina. It is both a moral and a legal duty. To tinker with the protection of civilians, to ameliorate their destiny is not to make war more acceptable. Self-righteous pacifism cannot be waged at home at the expense of the women and children of Vietnam, Laos, and Cambodia.

I would also appeal to those who support the President’s policy in Indochina to lend their support to measures for the protection of civilian populations. Surely, these policies do not preclude attempts dictated by the American tradition, by law and by morality, to protect the innocent non-combatants, the honor of the American Army and the memory of its dead.

On the issue of the protection of the civilians no fair man can remain neutral. Only the callous or the guilty can remain quiet.
APPENDIX V

CHAIRMAN'S LETTER TO SECRETARY OF DEFENSE
MELVIN R. LAIRD, MAY 10, 1971

The letter below requests Secretary Laird's comment on a number of items raised at subcommittee hearings on April 21 and 22, 1971. As of mid-September, no response has been received, despite repeated inquiries. The subcommittee can only conclude that there is official reluctance within the Department of Defense to comment on the issues raised in the Chairman's letter.

HON. MELVIN R. LAIRD,
Secretary of Defense,
Department of Defense,
Washington, D.C.

MAY 10, 1971.

DEAR MR. SECRETARY:

As you probably know, since 1965 war-related civilian problems in Indochina have been a matter of primary interest to me personally and to the Judiciary Subcommittee on Refugees. Over the years, members of the Subcommittee and others have been deeply concerned about the devastating impact of United States military activities on the civilian population. And, for both strategic and humanitarian reasons, we have long believed that steps were needed to minimize America's contribution to the rising number of refugees and civilian casualties, and to better care for the civilian war victims that did result from the conflict.

In this connection, as a result of the Subcommittee's latest hearings on April 21 and 22, a number of items have again been raised, and I feel it would be helpful to have the Department's comments on them. The items are listed below:

1. The Subcommittee confirms a request during the hearings to Mr. Dennis Doolin, Deputy Assistant Secretary of Defense for East Asian and Pacific Affairs, for a glossary of terms which have been used to describe various American or American supported military activities in Indochina. The glossary should include such official and unofficial terms as "specified strike zone", "area bombing", "free strike zone", "free fire zone", "H & I fire", "recon by fire", "search and destroy", "clear and sweep", "cordon and search", "protective encirclement", "maximum suppressive fire", "artillery umbrella", "county fair operation", "restricted zone", "protective reaction", "forced evacuation", and so forth. The glossary should contain a precise definition of each term, the projected impact on civilians of the military activities associated with each term, the rules of engagement governing these activities, and the Department's appraisal of performance in the field. In this connection, I would also like to request for use by the Subcommittee, a copy of the full text of the "Report of the Department of Army Review of the Preliminary Investigations into the My Lai Incident"—the Peers report.

2. The intensity and the impact on the civilian population of the American sponsored air war in Laos has evoked much controversy and concern. The hearing records and other documents of the Subcommittee contain significant information, but continue to raise a number of questions. What is the history of the air war over Laos, which some sources suggest has evolved in at least four escalating phases beginning in 1964? In separate calculations for northern and southern Laos, what is the monthly rate of sorties, identified by the kinds of aircraft employed, since January 1968? What is the monthly tonnage of ordnance for each area, and over the same period of time? How would the Department characterize the kinds of ordnance used? What are the rules of engagement and operations authorities governing air activities in Laos? What revisions, if any, have been made in these procedures since January 1968?

3. At a hearing on May 7, 1970, the exchange below took place. In the absence of a satisfactory response at that time, it would be helpful to receive the Depart-
ment's full comment now, in the context of the hearing last year and subsequent developments.

Mr. Doolin. In terms of our air attacks, Senator, I believe my statement is as far as I can go in open session; it accurately reflects the operating authorities. As I indicated, all air strikes, except some are validated by the Ambassador to Laos and to my knowledge maximum care is taken to avoid the causing of civilian casualties . . . .

Senator Kennedy. Well, are these limitations really any different from Vietnam . . . .

Mr. Doolin. I can only say on the basis of the information available, the maximum care is taken to avoid civilian casualties wherever possible.

Senator Kennedy. I'm sure maximum care is taken. I want to know what the results are.

Now, you must know from aerial photography how many villages have actually been destroyed—what the size was of villages where you take pictures one day and then again the next day; you can tell where the buildings were, whether they are up or down; and you can make some estimation as to whether there had been people in the village or not. Have you done any kind of work like this?

Mr. Doolin. Mr. Chairman, there is some information available and I will be pleased to prepare a report on the subject and submit it to you and correlate it with the rules of engagement which I will go into in much more detail either in executive session or private correspondence.

Senator Kennedy. I don't think any of us are looking for confidential materials here. I think what we are trying to find out is whether there are procedures used in bombings, and whether you follow those procedures to the best of your ability. We are interested in what the results of these procedures are in terms of civilian casualties and the creation of refugees.

Now, I'm sure that there are refugees that have been created by North Vietnamese terrorism and other kinds of factors. But I'm equally sure that tens of thousands of refugees have also been created by bombing, and what we are trying to do here is to find out how they are created as well as what happens to them—and if you're going to have an intensification of military activity what plans you've made to prepare for these refugees . . . .

Mr. Doolin. Well, as I indicated in my statement, Mr. Chairman, the air activities are with the approval of the Forward Air Guides. These men are Laotian, English-speaking; they avoid towns and these strikes are validated by the U.S. Embassy in Vientiane.

Senator Kennedy. That, of course——

Mr. Doolin. They might put them as close to the scene as possible.

Senator Kennedy. Well, now I'm interested in the performance chart as well as what the procedure chart shows. I'm sure we have outlined carefully prescribed procedures to avoid the creation of civilian casualties and refugees. But I'd be interested in what the results of those procedures have been as seen from aerial photography and from other kinds of intelligence activities you have access to and whether you are sufficiently concerned about these problems that you are taking these precautions.

Mr. Doolin. I'll see if I can provide that to you, Senator.

4. At the hearing on April 22, Mr. Doolin submitted a series of aerial photographs of selected towns and villages in Laos in order to illustrate the care taken by American personnel in protecting the civilian population in areas subject to air strikes. These photographs, and relevant identifying data, will be made a part of the public record. It would be useful, however, to have as well a number of additional photographs for the Subcommittee's review. I would like to suggest that this request include the most recent photographs, and relevant identifying data, of the towns and villages listed below:

1. Phong Saiy.
2. Sam Neua.
5. Ban Tham.
7. Ban N'Xou (Taseng Een Noi).
8. Ban Hop Oh (Taseng He Mouane).
9. Ban Sy Louang (Taseng Ang).
10. Ban Thateng (Saravane Province).
5. There are currently in existence manuals on rules of land warfare and on rules of naval warfare. What is the status of proposals on a similar manual relating to the rules of air warfare? Also, what program of instruction pertaining to the protection of civilians in air warfare is currently in use at the Air Force Academy? Does the Department accept the statement of the Institute of International Law on the nature of military targets (resolutions at Edinburgh, 1969) as an accurate restatement of international law? Does the Department accept the "Rules for the Limitation of the Dangers Incurred by the Civilian Population in Time of War"—prepared by the International Committee of the Red Cross (ICRC)—as acceptable standards for the protection of such populations, and, if not, are there specific changes the Department would suggest? Are the classified rules of engagement governing American military activities in Indochina fully compatible with the general rules established by the ICRC and the general standards set by the Institute of International Law?

6. Finally, as a result of the Subcommittee's latest hearings and additional inquiry, on April 29 I recommended that the President create a permanent Military Practices Review Board to advise the Joint Chiefs of Staff on standards and procedures designed to keep American military policies and practices within the bounds of simple humanitarian and international legal obligations, and to monitor the implementing of the rules of engagement governing American armed forces in active combat. I further recommended that the Review Board be appointed by the President at an early date in consultation with the appropriate committees of the Congress; that it be composed of high level officials in government as well as recognized non-governmental experts on humanitarian problems and international law; and that it be attached to the National Security Council. The recommendation has generated much positive response among persons in government and elsewhere, and I would appreciate very much learning the Department's views in this matter. Enclosed is a press release containing the recommendation.

In conclusion, let me say that I fully appreciate the lengthy nature of these inquiries. But, in view of the widespread congressional and public interest in the issues raised by these inquiries, I strongly feel that meaningful responses will contribute to greater understanding and will be beneficial to all concerned. I am extremely hopeful that it will be possible to include a good deal of the responses in the public record. I would also like to suggest that, as responses are prepared to individual items, they be forwarded to my office.

Many thanks for your consideration.

Sincerely,

EDWARD M. KENNEDY.
INTRODUCTION

In the history of the Intergovermental Committee for European Migration 1970 will be marked as a year during which policy decisions were taken, that will have an important bearing on future operations and their financing.

During recent sessions the ICEM Council has given considerable attention to the question of establishing a more realistic system for operational financing in order to diminish or eliminate the continuing deficits caused by insufficient contributions from governments. In this context a working group composed of representatives of ten governments was set up in 1970 to consider the problem in detail.

Taking into consideration each government's general interest in ICEM and its more specific interest in certain programmes, "model schedules" were proposed for the financing of the refugee and the Latin American programmes—the two sections of the budget where the perennial deficits occur. These model schedules are significant in that they are based on the principle of cost-sharing—an equitable participation of all Member Governments in the financing of both of the programmes mentioned.

At its Session in November 1970 the Council approved the model schedules but, bearing in mind the principle that contributions to the operational programmes are voluntary, stated that the schedules were to be considered as guidelines to governments to determine their annual contributions. This effort to establish a more predictable level of operational financing constitutes a most important step forward, and it is gratifying that the Council has been responsive to this need.

Another decision was made by the Council related to the planning of ICEM's future activities. The suggestion was put forward that an evaluation be made of the European migration phenomenon by analysing national migration policies and their underlying principles and purposes in all countries interested in migration from Europe. Because of the
interrelationship between the European labour situation and the manpower needs of overseas countries, it was suggested that ICEM might serve as a catalyst and central information point on international migration policies and could be instrumental in advising those governments seeking to develop such policies.

In the light of the Council discussions a pilot project has been undertaken to gather and study appropriate information from several governments. It is hoped that the final outcome of the study which will be continued during 1971 may determine the basis for future ICEM activities, related directly to the need of its Member Governments and the persons who are interested in and will benefit from internationally planned migration.

New initiatives related to the Latin American Programme were also taken during 1970. As a result of the success achieved by ICEM in helping to plan and set up the National Training Centre for Artisans in Popayán, Colombia, several other Member Governments requested ICEM’s help in working out similar projects for their countries. During 1970 surveys were made in seven countries, and it was agreed that there was a great need to revive, expand or modernize local artisan activities. If this were to be carried out, large numbers of local workers could earn a steady income and the receipts from tourists and export sources could be augmented.

Accordingly ICEM, in co-operation with interested governments, worked out detailed plans and, for several countries, recruited European instructors who had the appropriate background and experience to undertake the training of the local artisan workers and the supervision of the centres. Those projects which were initiated in 1970 are expected to further develop and expand during the next few years.

During the year under review relations were strengthened with those International Organizations and Agencies particularly engaged in the further development of the Latin American countries.

To comply with the needs for specialists within the framework of several development projects ICEM made available its expertise and
operational know-how in order to recruit and select highly skilled and professional manpower for various sectors of the economy where progress is hampered by lack of skills in the local economy.

Another matter which came under discussion in the Council was the fact that ICEM was approaching its twentieth anniversary. The Council took note that, since its inception in December 1951, ICEM had assisted nearly 1.8 million migrants and refugees to rebuild their lives in new home countries.

The Council agreed that the twentieth anniversary would be a good occasion to make the purposes and humanitarian aims of the Committee better known to the general public and to all directly interested in migration affairs. In this respect it decided to undertake the production of a documentary film showing various aspects of ICEM's contribution in the fields of manpower movements, refugee aid and economic development through migration.

The Council also agreed to other initiatives such as the issue of a special publication, depicting twenty years of internationally planned migration and the role ICEM has played in this field, as well as the holding of a poster contest to visualize the aims and objectives of the Committee.

Within the framework of the 1971 November Session of the Council a special commemorative meeting will be held, with the participation of leading personalities from the Member Governments.

On the following pages will be found a detailed review of ICEM's activities during the year 1970. They demonstrate the achievements of the Committee in a world burdened with political tensions, economic and social problems and human distress. Within the family of international organizations ICEM strives to achieve improvement and progress by serving its Member Governments and people in need of help.

John F. THOMAS, Director.
PEOPLE BEHIND THE STATISTICS

Close on 80,000 persons seeking resettlement abroad called upon ICEM's assistance in 1970. More than 50,000 of them were refugees or "involuntary" migrants as they might be called, while the remaining part were national migrants who for "voluntary" reasons have decided to leave their home country to find new employment possibilities abroad.

The transportation and supporting services are to a great extent identical for both groups. However, their background and motivation are so different that it is justified to deal with them separately. For whereas the so-called voluntary national migrant category travel on their original national passport holding all the normal rights it entails, the refugee involves numerous legal and political problems which ICEM must resolve before resettlement can be effected.

EMIGRATION OF NATIONALS

The desire of nationals to emigrate from Europe to overseas countries followed much the same pattern as in recent years in numbers as well as in the choice of immigration country. Despite the prosperity in Europe, which made it possible for many nationals to finance and arrange their own emigration, the number of assisted migrants remained relatively high. Nearly 27,000 Europeans appealed for and received assistance from ICEM which put at their disposal a network of services in order to arrange for an orderly and smooth transfer to new home countries. The fact that every single migrant will be fully assisted is of fundamental importance for all member countries believing in the basic right of the individual to freedom of movement and freedom to settle where he prefers.

The interest of Europeans to emigrate underwent no substantial fluctuation. Migration from Austria and Malta remained steady although there was a slight decline in the movements from the Federal Republic of Germany, Italy and the Netherlands.
In 1970 the main reception country was again Australia with an intake of 17,500 national migrants, while over 6,000 persons resettled in the other traditional immigration countries such as Canada, New Zealand, South Africa and the United States. Another 3,000 nationals moved to Latin and Central America, many of whom were Europeans who went to Latin America to join their families and relatives already there. This relatively modest number should be considered in the light that Latin America can develop its lands through natural population growth. On the other hand, Australia needs quantitative migration to populate its immense territory.

Latin American countries need specific types of qualified workers and for that reason in 1964 ICEM developed its present Selective Migration Programme. Through this programme skilled people in Europe are recruited for and transferred to Latin America to those sectors of the economy where skills and experience can be put to the best use. Obviously, it is not easy to recruit highly skilled migrants at a time when this category is in short supply in Europe. Nevertheless, of the 3,000 migrants moved to Latin America in 1970, over 1,600 were specifically recruited to meet high level labour shortages which could not be met locally.

SELECTIVE MIGRATION PROGRAMME

Through its Selective Migration Programme, which provides skills lacking in industry, agriculture, education and other sectors, ICEM contributes to the economic and social development of the countries of Latin America.

As regards the recruitment and selection of the necessary human resources, ICEM serves as an agent for its Latin American members, which usually do not have at their disposal the machinery available to other immigration countries. ICEM's task is also to acquaint the Latin American member governments with the requisites and complexities of
present-day selection, recruitment and placement of selected migrants. This is done in the form of seminars which take place in Latin America or Europe. The Australian Government traditionally supports these seminars, thus making available to the Latin American governments its rich experience in migration activities.

The most recent seminar, lasting four weeks, was held in 1970 in Europe for senior government officials from Argentina, Bolivia, Brazil, Costa Rica, Ecuador, Panama, Peru and Venezuela. It opened in Geneva and continued with visits to the Australian immigration missions and ICEM missions in Austria, Germany, Greece, Italy and Spain to familiarize the participants with the operational activities, procedures and general tasks carried out by those missions.

In a joint final report the participants recommended that Latin American countries should establish inter-ministerial committees to frame a national migration policy and to establish the relationships needed for closer co-operation with ICEM. In this connexion the governments of Latin America should consider the implementation of measures to attract immigrants, for example by introducing more liberal customs regulations and offering continuity with the social security schemes maintained by the migrant’s country of origin. They should also attempt to disseminate within Europe a more positive image of actual conditions in Latin America and to this end should seek the practical support of European governments. Furthermore, the necessity of ICEM continuing its efforts to recruit highly specialized manpower for Latin America was stressed, particular mention being made of the need to attract agricultural settlers to introduce new methods of production and to disseminate their skill and experience. Emphasis was also placed on the desirability of all international organizations concerned with development assistance collaborating closely with ICEM in carrying out their own programmes on behalf of Latin America.

During the year 1970 several European governments expressed their interest in the further implementation of the Selective Migration Programme. Accordingly, an agreement was reached with Belgium for set-
ting up an independent ICEM office in Brussels, and arrangements were made with the "Centre d'Etudes des Problèmes des Pays en Développement, CEDEV" for priority attention to be given to the recruitment of professors for universities in Latin America. The German Government sent an official to Latin America to examine how they could help to increase the effectiveness of the programme. In Italy, under the auspices of the Ministry of Foreign Affairs, a working group comprising the Italo-Latin American Institute, the National Research Council and the Institute for Economic Co-operation with Developing Countries, is co-ordinating efforts to select university professors and research staff for Latin America. In Spain the Institute of Emigration and other governmental authorities continued their traditional co-operation with ICEM in the implementation of the Selective Migration Programme. Training courses for qualified technicians were organized at the "Casa de América" Centre in Vigo. The Swiss Government intensified its collaboration with ICEM in connexion with the programme and for the first time contributed financially to it.

As in previous years, in 1970, Brazil received the largest number of migrants under the programme. Increased numbers were placed in the North-East area, the development of which is a priority target for the Government. The upgrading of the skill level needed and ICEM's ability to meet this requirement are best illustrated by Brazil's request for very highly specialized technicians for the aeronautical industry. Increased movements to Colombia reflected the continued economic expansion in that country, particularly in the industrial sector. As a result of measures taken during the previous year, there was also an upward trend in movements to the Central American area.

The fact that refugees also possess required skills has not gone unnoticed among Latin American governments, and several of them have agreed to accept suitably qualified candidates.

In the educational field, large numbers of secondary school teachers, training instructors and academic staff are needed from European sources. During 1970 over 600 in these categories were moved to Latin America.
Some idea of the kind of university posts open to immigrants may be gained from the following examples:

A graduate of the University of Louvain, in Belgium, took up a post with the Catholic University of Córdoba, Argentina. He occupies the Chair of Histology and Embryology and has responsibility for the Electronic Microscope Centre. He is conducting research on certain subjects in his field of specialization and publishing the results. Another Belgian was recruited to take up a post in the same university as a professor in the Faculty of Engineering. In addition to lecturing, he is developing special studies on photoelasticity in the School of Civil Engineering.

A Spanish professor was engaged first as Director of the High School for Tourism in the University of Neuquén, Argentina, and later as Director of the Tourism Development Plan in the Province of Córdoba.

Experience has shown that special forms of assistance are sometimes needed to facilitate the recruitment and integration of selected migrants for Latin America. One form is the Adjustment Fund, from which salary equalization grants, dependants' allowances and installation grants are made to highly skilled and professional migrants to compensate for the difference between the initial salaries offered in Latin America and those received in Europe. In 1970, 255 persons received such assistance. A further type of assistance, consisting of medical and insurance protection during the period in which the migrant is not yet entitled to benefits under the national social security schemes, was granted to some 500 selected migrants during 1970.

**REFUGEES**

The American Immigration and Citizenship Council at a ceremony in New York presented its annual award for 1970 to ICEM "for outstanding services to migrants and refugees". This took place in a year when ICEM's assistance in the resettlement of refugees was extended to some 52,000 persons.
Who were these refugees, the human beings behind the "cold figures" of those assisted by ICEM? The sight of squalid and depressing refugee camps in Europe is part of the past, a no longer existing heritage of the Nazi regime's forced labour and concentration camp programmes or of the human upheavals that marked the aftermath of World War II.

Today growing trade and a certain political détente have eased communications between East and West. There is a constant stream of tourists across borders. In this atmosphere it is difficult to believe there is an undercurrent of people who cross these same borders with what they consider to be compelling reasons for migration to new homelands. Some people have felt they were forced to leave; others have finally cleared tortuous administrative road blocks so that they are at last able to rejoin relatives in overseas countries from whom they have been separated for years.

Europe is fortunate that there exists an international mechanism, a closely coordinated effort, which does not leave these persons stranded en route in their search for new homelands. Within this mechanism are the regular annual quotas established by countries of immigration for the admission of refugees and rapid procedures for their processing. Another important part is the work of private voluntary agencies, which are in contact with relatives and sponsors. Because of this chain, countries of asylum can receive refugees, frequently without the need of establishing their right to political asylum since after a short period of transit residence they can be accepted by countries of immigration. In this whole process ICEM is an integral part because its services ensure that persons receive their visas and depart for the new home countries without delay.

It is fortunate too that this mechanism functions quietly and efficiently so that the question of refugees is not one that troubles political relations in Europe. In 1970 ICEM was calmly handling the resettlement of the residue of more than 80,000 Czechoslovaks who had remained outside or left their country after the tragic events in Prague during the summer of 1968. This had been a dramatic flood until November 1969 when the Czechoslovak frontiers were closed. Consequently, though there were
only a small number of new arrivals in 1970 ICEM resettled in that year nearly 3,300 persons, the majority of whom fled in 1969.

The spotlight of public attention is frequently not helpful to sustaining the possibilities for exit of certain groups of persons, because of the political implications involved under the label "refugees". An example of this is one particular problem which has now become almost common knowledge.

Shortly after the six day war of 1967 in the Middle East, a statement was made by the then Premier Gomulka questioning the loyalty of the Jews remaining in Poland. Various pressures were brought to bear on these people leading to their obtaining a document permitting their legal exit after they had signed a statement renouncing all rights to Polish nationality or of return. These persons began to arrive in European countries of asylum, where they quietly remained outside official refugee centres or statistics and emerged statistically only as part of ICEM's overall figures for movements to various countries of resettlement. At first, as some knowledge of these movements became available, they were regarded as representing a legal migration motivated by economic reasons—a description which was not entirely accurate but which caused no halt in the flow. ICEM had arranged the resettlement from temporary countries of asylum of 2,564 of these persons in 1968 and 3,907 in 1969.

Newspapers then began to print interviews with some of these persons and identified them clearly as refugees. Late in 1969, Polish authorities announced a deadline for the processing of applications for exit permits and by 1970 the flow became a trickle. So in 1970 ICEM's work consisted of completing the resettlement of 1,900 persons who had been able to leave Poland before the dateline. Denmark and Sweden received in total some 4,000 persons directly from Poland and because of intensive and extensive government programmes to assist their integration it has only been necessary for ICEM to become involved with the resettlement to other countries of a few family reunion cases.

In general, the picture of the refugee situation in Europe during 1970 was characterized by a lower rate of new arrivals in countries of asylum
than in 1969. Though tensions remained high in the Middle East and North Africa, the number of persons from various minority groups in the area who sought asylum in Western Europe was low. There was, however, one disturbing exception to the general trend. A very significant increase was shown in the number of persons arriving in Spain from Cuba—a monthly average in the latter half of 1970 of 1,300. This developed at the same time as a sharp drop in outward movements from Spain to the United States, as the result of the application of a labour certificate requirement in view of employment conditions in that country. ICEM, together with the Voluntary Agencies, began intensive efforts therefore to awaken an interest among the Cuban refugees in Spain for resettlement in other countries such as Australia or those in Latin America. Only small results were registered from these efforts—11 departed for Australia and 62 for Latin America in 1970—but it is hoped others may become interested during 1971 when reports are received from these refugees after their arrival in their new homelands. Unless these hopes are realized the accumulation of refugees in Spain will continue to mount dangerously. Movements of Cubans out of Spain during the entire year 1970 amounted to 3,394 persons compared with 11,159 new arrivals during the same period.

During 1970 only 12 persons of European origin were able to reach Hong Kong from mainland China, though there are known to be somewhat more than 1,000 persons who have been making persistent and sometimes desperate efforts to pursue applications for exit permits. Consequently one of the major activities of the Joint ICEM/UNHCR Office in Hong Kong was directed towards the resettlement of the elderly and handicapped refugees who had been able to reach there.

ICEM's transportation services during 1970 were valuable in facilitating the resettlement of close on 1,000 non-Europeans refugees, though special funds or full reimbursement of costs are required by the ICEM Council for this purpose. The major part of these movements were effected from Hong Kong to the United States and comprised mainly Chinese refugees from that area, Macao or other countries in South-East Asia. Among
other non-European refugees benefiting from ICEM services were 10 Haitian refugees from the Bahamas to Belgium, 114 Tibetans to Switzerland and 14 African refugees from various countries accepted mainly in Europe. For all these movements ICEM relied upon its working partnership with Voluntary Agencies, and in some instances the UNHCR was instrumental in processing or placement. A special contribution of the Norwegian Refugee Council to ICEM permitted the carrying out of certain of these movements where the necessary financing was otherwise absent. ICEM sent one of its officials to Lagos to provide technical advice to an UNHCR team in the preparation of an air lift for the repatriation of 4,500 children to Nigeria.

Among the various refugee groups assisted by ICEM are always to be found "handicapped cases". As in any population segment, there are individuals with health or social problems, and naturally their admission to countries of immigration requires exceptional measures because they are generally regarded as potential public charges on the state. In fact, many of these "handicapped cases" with their families can become self-supporting if special attention is given to their individual placement. Over the years countries of immigration have come to appreciate this factor, and more and more handicapped cases are being resettled under normal immigration schemes due to relaxation of criteria or the compassionate interpretation of regulations in exceptional individual cases. In this connexion, many handicapped cases are accepted by countries such as Australia, Canada and the United States. Nevertheless, special handicapped schemes or quotas are still necessary for the most difficult cases and the generous admission policies of countries like Belgium, Denmark, Norway, Switzerland and Sweden were the basis for the solution of a number of such cases in 1970.

During the year 694 handicapped cases, comprising 1,609 persons were resettled by ICEM from European countries of first asylum, North Africa, the Middle East and Far East. These figures have little meaning in themselves, but each case has its story of long, disillusioning periods
of waiting, suddenly brightened by acceptance into a new society with opportunities for the future.

The most difficult category among the refugees for placement are mental cases because institutional space is limited in most countries and such cases are a welfare burden. Letters from mental cases are rare and for this reason the following extracts of a letter from a White Russian refugee ex Harbin is most interesting after his arrival during 1970 in a mental home under the sponsorship of the Danish Refugee Council:

"... This is my first letter to inform that we reached our destination and everything is all right. In this hospital there is a department where the patients are given work such as wrapping up candles, packing them or to frame and pack children's pictures, etc. This hospital is very good and is especially for the mentally ill. The job is paid... I am very happy that I have been placed here.

... I am also studying Danish... When I arrived here I found everything very strange with some employers and doctors speaking English. I then began to write down the names of certain things in Danish and the meaning in Russian. The staff were interested and decided to help me.

You may be sure that I will not betray your trust for everything you have done for me. It is necessary that I work hard, learn Danish for as you used to tell me one has to have an aim or purpose in life. So, I now have an aim to reach which is not easy to do in this life. However, as we know there is nothing in life that is easy..."

Another letter from a 60-year old man, who had lingered 14 years in a refugee camp in Italy suffering from an old pulmonary tubercular, described his reunion during 1970 with his mother and two sisters in the United Kingdom in the following terms: "At long last I have met my mother again. It was very touching but also sad. She became blind two years ago and my brothers and sisters have never wanted to tell me this news. She was staring at me with her blind eyes, touching my face with her hands, saying over and over again 'My poor boy, my poor, poor boy'. I could not avoid crying like a small child. But at last we are together again".
There was also tragedy, patience, and final reunion in the case of a family of 6, belonging to the religious sect of the "Old Believers". They had arrived in Hong Kong during 1964, but because of the history of a medical condition for one of the sons exceptional measures were required to permit their final reunion during 1970 with other direct relatives in Argentina—a reunion described simply as being "very, very happy". Space will not permit here a summary of the personal tragedies in the lives of all the other handicapped cases leaving from Hong Kong, but mention can be made of a 70 year old woman with TB accepted by Switzerland and a mentally retarded woman with her child admitted by New Zealand to the Nansen home in Wellington.

The resources of ICEM, UNHCR, and the Voluntary Agencies are closely geared to bring about the acceptance of these tragic cases of handicapped refugees. Unfortunately these special efforts must be continued because there are inevitably a small number of handicapped cases among the newly arriving refugees whose problems multiply if they cannot benefit from an early opportunity for resettlement. As the ICEM Senior Medical Officer said in a speech appealing to Governments for their support, "the misery of a few does not diminish because so many have been helped, and it is easy to forget about the few if one is not occasionally reminded of their problem".

The above statement could in fact be applied to all of ICEM's work in the field of refugees. It is good that there is a machinery for the orderly and rapid processing of refugees. But there is also a danger that public support may weaken for an activity which gives none of the outward aspects of being a critical problem.
TO BENEFIT PEOPLE AND NATIONS

As stated earlier, in 1970 almost 80,000 national migrants and refugees benefited from the network of services and accumulated knowledge and experience which ICEM has built up over the years. The services may differ from country to country according to the wishes of the sending and receiving countries and the needs of the migrants.

SERVICES IN EUROPE

The range of assistance available to the migrants and refugees prior to departure include:

- information on emigration possibilities;
- counselling on the opportunities existing in the different immigration countries, relating to the applicant’s personal capacity, or professional attainment;
- preparing and making available booklets and pamphlets in several languages giving information on such matters as climate, cost of living, salary levels, housing, education facilities, etc., for those countries which do not provide appropriate information material;
- language training and accelerated professional training, wherever necessary and needed, to make a better start and/or to become immediately productive for the country of reception;
- assistance in obtaining and filling in application forms, medical certificates, tax clearances, educational diplomas and any other papers needed for travel documentation and the migrants’ visas.
- The above services include, especially for refugees, a great amount of translation of documents and interpretation during interviews with the officials of the immigration countries.