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Getting Refugees Out of Afghanistan

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Many comparisons have been made in the past few weeks between the evacuation of Americans and Vietnamese from Saigon in 1975 and the exit from Afghanistan in 2021. Although many of these comparisons are valid, the commentaries miss a more apt point of comparison—the global response to the flight of Indochinese refugees in 1979. The refugee crisis had been growing since 1978 when the communist government in Hanoi increased internal relocations and expulsions of ethnic Chinese citizens from its territory. By the end of 1979, more than 450,000 ethnic Chinese had left Vietnam. They were joined by political prisoners, family members of those who had fled in 1975, and others opposed to the governing regime. At the same time, departures from Laos had also increased, as did movements to the Thai-Cambodian border after the defeat of the Khmer Rouge government and the occupation of Cambodia by Vietnam.

As the numbers continued to mount through 1979, neighboring countries such as Thailand and Malaysia as well as other destinations in Southeast Asia became increasingly concerned with what appeared to be a never-ending exodus. Thailand, among other countries in the region, closed its borders and pushed boats carrying Vietnamese refugees back out to sea. The threat posed by these actions was real. Many of these boat people had already been attacked, raped, and robbed by pirates in the South China Sea who were acting with impunity.

With the worsening situation, the Secretary-General of the United Nations, with strong support from the United States, called an international conference to address the growing crisis. Sixty-five governments convened on July 20-21, 1979 to discuss what could reasonably be done to protect and find solutions for the Indochinese refugees. The US delegation was led by Walter Mondale, then Vice President of the United States, demonstrating just how important a successful outcome was seen in the United States. The Vice President brought firm commitments with him to double the level of resettlement of the Indochinese refugees from 7,000 to 14,000 per month for the foreseeable future. This was in sharp contrast to an earlier international refugee conference held in Evian, France to discuss the plight of Jewish refugees from Nazi Germany. Although called by the United States, the American delegation was weak and had no authority to pledge any increase in admissions. The Evian conference was a clear failure. Indeed, Adolf Hitler reportedly concluded that the failure at Evian demonstrated that no other country would be willing to intervene even if he adopted the final solution of genocide.

By contrast, the 1979 conference resulted in numerous international commitments. Other countries pledged their own increases in resettlement; worldwide, resettlement slots grew from 125,000 to 260,000. Moreover, there was consensus on a number of other measures. Viet Nam agreed to allow the creation of an orderly departure program and to halt expulsions. This gave a government shunned by others a form of legitimacy that it had long sought. An important element of the agreement was that international organizations could monitor the safety and security of persons awaiting resettlement. The United States, in turn, adopted legislative provisions that allowed it to resettle approve refugees for admission while they were still in their country of origin rather than from a third country. Philippines and Indonesia pledged to establish regional processing centers to speed up the processing of refugees for resettlement. Later, these centers also offered cultural orientation and language training to help refugees adapt more easily to their new home countries.

In turn, countries of first asylum within the region pledged to keep their doors open and allow refugees to enter. The conference explicitly upheld the core principle of the UN Convention Relating to the Status of Refugees—that asylum seekers and refugees should not be refouled (forcibly returned) to their country of origin if they would be persecuted or suffer significant harm. This was significant because most of the countries in the region that were receiving refugees were not parties to the Refugee Convention. These pledges effectively ended the pushbacks at the sea and land borders, although countries did take other actions referred to at the time as humane deterrence to dissuade people from seeking entry.

Rescue at sea was another important part of the 1979 agreement, given the loss of life in the South China Sea. The United States pledged an increase in military resources to find and rescue refugees in distress. This included reconnaissance aircraft dedicated to the cause. When boats in distress were sighted, US vessels in the area would alter course as necessary to render assistance. Other nations in the area also received and responded to reports of refugee boats in distress.

The final element of the Conference program was an increase in funding for the UN High Commissioner for Refugees (UNHCR). Pledges of more than $160 million were made in cash and in-kind to help UNHCR, the regional destinations, and Vietnam manage their refugee programs. This financial incentive encouraged compliance with the commitments and pledges made to protect and find solutions for the refugees.

Each of these elements is needed today to protect and find solutions for Afghans who are at risk in their own country. Secretary-General Antonio Guterres, with the full backing of the Biden administration, should convene an international pledging conference on Afghan refugees at risk. Vice President Kamala Harris should chair the conference, as did her predecessor. The United States should come to the table with generous pledges of resettlement from within Afghanistan (using the authorities in the Refugee Act of 1980) and neighboring countries of first asylum. The FY 2022 Presidential Determination on Refugees, which the President must submit to Congress by the end of September, should reflect this significant commitment. The US government should use all of its diplomatic resources to encourage other countries to come to the conference with their own significant pledges of resettlement opportunities.

As in 1979, the 2021 conference should seek pledges from neighboring countries to keep their borders open. The conference should also recognize that neighboring countries have legitimate concerns over whether they will bear the brunt of responsibility for caring for these refugees in the absence of more durable solutions. Such concerns may be allayed by significant resettlement pledges as well as commitments of significant financial resources for neighboring countries that allow those fleeing from Afghanistan to find at least temporary protection within their borders.

The international community should use its leverage to convince the Taliban to establish an Orderly Departure Program for persons seeking to leave Afghanistan. The Taliban wants to be recognized as a legitimate government and be able to access humanitarian and development aid. ODP can be an avenue for them to achieve this goal while also establishing an international presence that would monitor the safety of those seeking to leave. The message to the Taliban should be clear: recognition and funding will occur only if they adhere to universal human rights standards. In particular, the conference should make clear that protection of internally displaced persons, women, and other vulnerable populations is a pre-condition for international support. This quid pro quo would serve two significant interests—it would allow safe exit for those who wish to leave Afghanistan and help protect those who remain.

This blueprint, which worked for many years in Southeast Asia, could work in South Asia. This is not to say that the 1979 conference was without risks and presented no problems. Neighboring countries eventually grew tired of the continuing exodus from Vietnam, which they attributed to the lure of resettlement. Destination countries reduced their resettlement allotments below the level of new arrivals, leaving the countries of first asylum with ever-growing populations. Financial resources also diminished over time. Vietnam too often used ODP as a way of ridding itself of unwanted persons rather than providing a safe alternative for those seeking family reunification, as was one of its principal aims. All of these problems led to another conference a decade later that adopted a

Comprehensive Plan of Action for reducing departures of those who did not meet the refugee definition while finding solutions for those who lingered in refugee camps. The lesson is not, however, that the 1979 conference failed. Rather, it saved thousands of lives, preserved the notion of non-refoulement, and provided durable solutions for hundreds of thousands of refugees. Could it have been implemented more effectively? Of course. Yet it stands out as a superb model for Afghanistan.

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The Center for Migration Studies of New York (CMS) is a think tank and an educational institute devoted to the study of international migration, to the promotion of understanding between immigrants and receiving communities, and to public policies that safeguard the dignity and rights of migrants, refugees, and newcomers.

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