

# TALES OF THE BOAT PEOPLE: COMPARING REFUGEE RESETTLEMENT IN THE VIETNAMESE AND SYRIAN REFUGEE CRISES

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## INTRODUCTION

Sometime in October 2015, Turkish fishermen in the Aegean Sea noticed an orange life vest bobbing in the freezing waters.<sup>1</sup> They soon realized it was a toddler, and, racing against time, the fishermen sprang to render aid.<sup>2</sup> Video of the incident shows the fishermen pulling the boy out of the water and forcing water out of his lungs as a man cries, “Brother, he’s alive! He’s alive!”<sup>3</sup> Little Muhammad Hasan was alive, along with fifteen others the fishermen rescued that day, including Muhammad’s mother.<sup>4</sup> The incident was one of many in an ongoing and worsening refugee crisis linking the Middle East and Europe. The places of origin of these refugees range from places as diverse as Iraq, Eritrea, and Pakistan. But because of the Syrian Civil War, Syrian refugees like Muhammad accounted for 49 percent of the more than one million refugees who arrived in Europe by sea in

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1. Constanze Letsch, *Baby Rescued from Sea by Turkish Fishermen After Refugee Boat Capsizes*, THE GUARDIAN, Oct. 25, 2015, <http://www.theguardian.com/world/2015/oct/25/baby-rescued-from-sea-by-turkish-fishermen-after-refugee-boat-capsizes>; Sebastian Murdock, *Turkish Fishermen Rescue Baby Syrian Refugee from Sea*, HUFFINGTON POST, Oct. 24, 2015, [http://www.huffingtonpost.com/entry/rescue-baby-syrian-refugee-sea\\_562ab25be4b0443bb5641b8d](http://www.huffingtonpost.com/entry/rescue-baby-syrian-refugee-sea_562ab25be4b0443bb5641b8d).

2. Letsch, *supra* note 1.

3. *Id.*

4. *Id.*

2015.<sup>5</sup> One in every 125 migrants attempting the journey across the Mediterranean will die.<sup>6</sup> Yet Syrians continue to seek asylum in Europe. Therefore, there must be some orderly process by which Syrian refugees are accepted, resettled, and given an opportunity to thrive in their new countries.

Fortunately, an orderly process for mass refugee resettlement is not without precedent. During the refugee crisis that followed the Vietnam War, the United Nations (“U.N.”) and destination countries<sup>7</sup> stepped in and designed the Orderly Departure Program. The Orderly Departure Program was designed to facilitate the orderly departure of refugees, while also providing a clear process by which such refugees could receive assistance for resettlement in their new countries.<sup>8</sup> The Syrian refugee crisis bears striking similarities to the Vietnamese refugee crisis. For one, both crises were driven by ordinary people who felt unsafe in a home country devastated by war. Moreover, both sets of refugees sought to escape in much the same way: they crammed themselves into tiny boats and set sail into the ocean, seeking asylum in neighboring countries.

Because of these similarities, a comparative analysis between the procedures put in place for resettling Vietnamese refugees and the procedures currently being considered or implemented for Syrian refugees may prove useful for policymakers as the process of resettlement moves forward. Sidestepping the politically contentious controversy as to *whether* refugees should be accepted in Europe at all, this Note instead examines the *process* by which refugees are accepted and integrated into their new communities. Specifically, this

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5. *Mediterranean Sea Arrivals - Regional Overview (Screenshot) - 31 Dec*, UNHCR, <http://data.unhcr.org/mediterranean/download.php?id=461> (last visited Oct. 11, 2016) [hereinafter *Mediterranean Sea Arrivals*].

6. Zach Beauchamp, *The Syrian Refugee Crisis, in 4 Maps and Charts*, VOX, Sept. 5, 2015, <http://www.vox.com/2015/9/5/9265621/syrian-refugee-charts>.

7. This Note will refer to countries hosting refugees using multiple terms: “destination countries” refers to all countries hosting refugees, regardless of whether the refugees ultimately resettle there; “first-asylum countries” refers to countries that primarily act as a source of initial asylum, pending refugees’ repatriation or resettlement elsewhere; finally, “resettlement countries” refers to countries that primarily act as the final destination for resettlement of refugees. It is admitted that these distinctions are often not clear, but such distinctions are nonetheless useful in distinguishing a given country’s role in the refugee resettlement process.

8. U.N. High Comm’r for Refugees, *Flight from Indochina, in THE STATE OF THE WORLD’S REFUGEES 2000: FIFTY YEARS OF HUMANITARIAN ACTION* 79, 86 (2000), <http://www.unhcr.org/3ebf9bad0.pdf>.

Note compares the process of resettling Vietnamese refugees in the United States after the Vietnam War with the ongoing process of resettling Syrian refugees in the European Union ("EU") and Turkey, emphasizing the utility of the Vietnamese precedent in informing refugee resettlement policymaking in Europe. Analyzing resettlement policies is a worthwhile endeavor even if destination countries in the EU and Middle East decide to close off their borders, as many Syrian refugees are already in Europe and undergoing the process of resettlement. As such, this Note assumes that the challenge of resettling and caring for refugees is a task all destination countries must overcome.

Part I of this Note describes the Vietnamese refugee crisis, focusing on efforts undertaken by the United States, the U.N., and non-governmental organizations ("NGOs") to facilitate the resettlement process. Part II shifts the discussion to current resettlement efforts in the EU and Turkey, providing insight into how individual countries are approaching the refugee situation. Finally, Part III compares and contrasts the procedures used in the Vietnamese and Syrian crises; the goal is to identify useful practices for resettling Syrian refugees. In particular, Part III analyzes a multitude of factors, including the legal frameworks and administrative procedures (both international and otherwise) used to assist refugees; the role played by NGOs in resettlement efforts; and the political and social factors driving refugee policy during both crises. The conclusion of this Note is that despite significant differences in the Vietnamese and Syrian crises, the standardization of refugee policies, strong U.N. leadership, and cooperation with NGOs can significantly aid the resettlement process. However, minimal standardization among EU countries on admission procedures, the lack of an equivalent to the Orderly Departure Program, and political, logistical, and financial factors that bear on the treatment that Syrian refugees receive show that much work remains to be done.

#### I. THE VIETNAMESE REFUGEE CRISIS AND REFUGEE RESETTLEMENT PROCEDURES IN THE UNITED STATES

Perhaps the most impressive aspect of the response to the Vietnamese refugee crisis was the comparatively high emphasis by leaders on solving the crisis. At all levels, leaders emphasized providing refugees with a safe and legal means of departure and

caring for them after arrival: the U.N.-led Orderly Departure Program allowed refugees to depart in an orderly manner; the U.S. government passed legislation to facilitate entry of refugees and provide them with care; and NGOs provided valuable social services once refugees were resettled. This combination of policy adjustments and on-the-ground support has helped the Vietnamese resettled in the United States make significant strides in assimilating to the United States and developing economic success.

Part I begins with a brief history of the Vietnamese refugee crisis, including background on the creation of the Orderly Departure Program. Next, Part I discusses the policies adopted by the United States, the largest recipient of Vietnamese refugees. Finally, an analysis of resettled refugees' experiences in the United States is made, finding that despite some remaining challenges, Vietnamese refugees as a whole have experienced mostly positive results in integrating economically and culturally into the United States.

#### A. History of the Vietnamese Refugee Crisis

Vietnamese emigration after the Vietnam War occurred in three waves: (1) the immediate departure of Vietnamese—particularly those with close ties to the United States or South Vietnamese governments—in 1975 after the fall of Saigon; (2) the “boat people” phenomenon that began in the late 1970s, consisting mostly of ethnic Chinese and rural refugees; and (3) the steady trickle of Vietnamese immigration beginning in the late 1980s that was motivated by family reunification measures and continued economic dislocation.<sup>9</sup>

By 1975, the Vietnam War was winding down. Once it was clear North Vietnamese forces would take the capital of South Vietnam, Saigon (now Ho Chi Minh City), the United States began evacuating approximately 140,000 Vietnamese who had close ties to the South Vietnamese government.<sup>10</sup> These people were then resettled in the United States.<sup>11</sup> Almost concurrently, about 12,000 Vietnamese fled the country by boat, seeking asylum in nearby

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9. Hataipreuk Rkasnuam & Jeanne Batalova, *Vietnamese Immigrants in the United States*, MIGRATION POLICY INSTITUTE (Aug. 25, 2014), <http://www.migrationpolicy.org/article/vietnamese-immigrants-united-states>.

10. U.N. High Comm'r for Refugees, *supra* note 8, at 81.

11. *Id.*

countries and territories, including Thailand and Hong Kong.<sup>12</sup> These two groups constituted the first wave of emigration. In these first years, there was little to no recognition of the situation as a crisis. Instead, most decision-makers in the United States saw admittance of the first wave of migrants as a way to take responsibility for the disruption caused to their South Vietnamese allies' lives.<sup>13</sup>

Moral considerations motivated the United States to accept the first wave of migrants in 1975. There was a powerful sense of responsibility to right the wrongs done to the United States' South Vietnamese allies. Thus, the first wave was seen as a relatively quick and simple measure to protect Vietnamese with close military and political ties to the United States. Tellingly, the only legislation enacted by the United States at this time was the Indochinese Refugee Migration and Assistance Act of 1975, which provided emergency assistance to Vietnamese refugees only for the 1975-76 fiscal year and appropriated funds to assist with their resettlement.<sup>14</sup> Few expected the refugee crisis to last very long.

The situation did worsen, however, and relevant actors were forced to recognize a burgeoning problem. By 1976, the newly unified government under Hanoi began forcibly resettling urban dwellers in the countryside, placing people in re-education camps, and nationalizing private enterprise.<sup>15</sup> Much of this activity was driven by

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12. *Id.* Many Vietnamese who fled by boat during this time feared political, social, and economic reprisals by the victorious North Vietnamese. It is relevant to note that the Khmer Rouge, perpetrators of the Cambodian genocide, were in control of Cambodia from 1975–1979, almost overlapping perfectly with the first wave of Vietnamese refugees. Thus, news from neighboring Cambodia of the terrors being committed there by the communist Khmer Rouge could not have been lost on the Vietnamese leaving at this time. *Id.*

13. *Id.* at 90 (“Americans responded positively to this first wave of Vietnamese. Many felt a sense of guilt over the U.S. involvement in Viet Nam and welcomed the opportunity to help the refugees.”); Judith Kumin, *Orderly Departure from Vietnam: Cold War Anomaly or Humanitarian Innovation?*, 27 REFUGEE SURV. Q. 104, 105 (2008).

14. Pub. L. No. 94-24, 89 Stat. 89 (1975); Norman L. Zucker, *Refugee Resettlement in the United States: The Role of the Voluntary Agencies*, 3 MICH. Y.B. INT'L LEGAL STUD. 155, 157. The passage of the act, however, did help institutionalize the role of voluntary agencies in the refugee resettlement process in the United States.

15. U.N. High Comm'r for Refugees, *supra* note 8, at 82; Tom Lam, *The Exodus of Hoa Refugees from Vietnam and Their Settlement in Guangxi: China's Refugee Settlement Strategies*, J. OF REFUGEE STUD. 374, 377 (2000). Most private enterprise in the South was held by ethnic Chinese (known as the “Hoa”), who had disproportionately dominated the economy of Vietnam long before

the communist government's attempts to marginalize the large Chinese minority (the "Hoa") in Vietnam.<sup>16</sup> Eventually, it became evident that the Vietnamese wanted the Hoa out, and the Hoa no longer saw remaining in Vietnam as a viable possibility. To that end, the Vietnamese government began deporting the Hoa to neighboring countries. Over 250,000 Hoa in the North were resettled in China, with financial assistance from the United Nations High Commissioner for Refugees ("UNHCR").<sup>17</sup> However, negotiations between Vietnam and China to move the Hoa in the South broke down, leading to a situation in which 30,000 Hoa had applied for repatriation, but had no means to legally exit the country.<sup>18</sup> By 1978, many Hoa, desperate to leave Vietnam, took it upon themselves to escape by boat in order to seek asylum in neighboring countries.<sup>19</sup> Thus began the second wave. The increasing exodus of Vietnamese alarmed neighboring destination countries, leading to diplomatic friction with Vietnam, in addition to the closing off of borders.<sup>20</sup> Eventually Malaysia and Thailand began denying entry to boat people, sometimes physically pushing boats back out to sea.<sup>21</sup> It became apparent that destination countries had lost the political will to accept more boat people.

The exodus had reached the next stage. By mid-1979, more than 550,000 people in Indochina had sought asylum; for every individual resettled, there were three more seeking asylum.<sup>22</sup> The Association of Southeast Asian Nations ("ASEAN") warned that they would not accept any further boat people.<sup>23</sup> In response, the United Nations invited sixty-five governments, including Vietnam and

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colonization by the French. Some scholars have suggested this arrangement led to the festering of long-held grudges by the Vietnamese towards the Chinese, a major factor leading many Chinese to make the decision to leave Vietnam.

16. Kumin, *supra* note 13, at 107–8.

17. U.N. High Comm'r for Refugees, *supra* note 8, at 82.

18. Kumin, *supra* note 13, at 108.

19. *Id.* Some of these boats were large, steel commercial ships sponsored by smugglers. Departures on such ships were often organized affairs, with Hoa paying for the trip and the smugglers promising to deliver them to nearby countries. *Id.*

20. *Id.* at 107; U.N. High Comm'r for Refugees, *supra* note 8, at 83.

21. U.N. High Comm'r for Refugees, *supra* note 8, at 83. Substantial international outcry followed after press coverage showed refugees' boats being pushed back into the sea. Sending boat people back to sea threatened to re-expose them to danger, because in addition to bad weather and overcrowded boats, refugees encountered pirates, with stories of extortion and rape being common. *Id.*

22. *Id.* at 84.

23. *Id.* at 83.

destination countries, to a conference in Geneva ("1979 Geneva Conference"). The 1979 Geneva Conference produced several agreements: first, Vietnam agreed to halt ongoing illegal departures and provide an orderly process for refugees leaving the country; second, first-asylum countries including Indonesia, Malaysia, and Thailand agreed to stop turning away boat people; finally, in exchange for providing temporary asylum to boat people, first-asylum countries were promised that the refugees would be resettled in Western countries, an arrangement characterized as "an open shore for an open door."<sup>24</sup> These agreements were in addition to a Memorandum of Understanding ("MOU") that Vietnam signed with UNHCR to establish Orderly Departure Program.<sup>25</sup> Under the MOU, Vietnam agreed to authorize departures of Vietnamese in exchange for the assistance of UNHCR with obtaining visas in resettlement countries.<sup>26</sup> Thus, in effect, the 1979 Geneva Conference helped formalize the resettlement process under the Orderly Departure Program.

Although the Orderly Departure Program substantially blunted the refugee crisis, large numbers of boat people continued to leave Vietnam in the 1980s.<sup>27</sup> As the 1980s waned, political fatigue became an issue in resettlement countries as some questioned whether these newer arrivals could accurately be considered refugees.<sup>28</sup> With this third wave of refugees taking on a different character due to the refugees' different motivations for departure, and the growing fatigue of resettlement countries, the U.N. concluded that the framework established by the 1979 Geneva Conference and

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24. *Id.* at 84; Kumin, *supra* note 13, at 115.

25. U.N. High Comm'r for Refugees, *supra* note 8, at 86.

26. *Id.*

27. *Id.* ("As a result of the 1979 conference, the immediate crisis was averted . . . Throughout much of the 1980s, although regional arrivals declined and resettlement commitments were sustained, the Vietnamese boat exodus continued and the human cost was immense").

28. *Id.* Many refugees during this period sought to leave not because of political fear or wartime dislocation, but because of economic dislocation and a desire for family reunion. Because the U.N. definition of refugee does not include economic migrants, the legal status of Vietnamese emigrants as refugees at this time is questionable at best. Nonetheless, for the purposes of this Note, economic migrants, at least in the Vietnamese context, are considered refugees, as U.S. policy did not substantially differentiate Vietnamese seeking to enter for economic reasons. Moreover, many Vietnamese who departed during the third wave can trace their reasons for departure to the political, social, and military policies of the North Vietnamese and the conclusion of the Vietnam War.

the Orderly Departure Program had collapsed.<sup>29</sup> In 1989, the U.N. convened a second conference in Geneva ("1989 Geneva Conference"), which produced the Comprehensive Plan of Action.<sup>30</sup> This new framework kept many of the Orderly Departure Program's principles, including first asylum, the promotion of legal departures in lieu of illegal departures, and the promise to resettle refugees in third countries.<sup>31</sup> However, the Comprehensive Plan of Action also included procedures to screen asylum applicants to determine their refugee status, with a promise to return rejected applicants to their origin countries.<sup>32</sup> Critical to this plan was another MOU signed by Vietnam and UNHCR under which Vietnam promised to accept rejected applicants without penalty, while UNHCR was granted permission to monitor returnees and assist with reintegration.<sup>33</sup> Pursuant to this arrangement, and with UNHCR cash assistance, 109,000 Vietnamese were returned to Vietnam under the Comprehensive Plan of Action.<sup>34</sup> The Comprehensive Plan of Action was thus a reflection of the growing political fatigue of resettlement countries after nearly fifteen years of refugee resettlement.<sup>35</sup>

The third wave peaked in the late 1980s and early 1990s. In 1989, the United States and Vietnam agreed on a plan that allowed former political prisoners, their families, and Amerasian children to immigrate to the United States under the Orderly Departure Program.<sup>36</sup> In total, the United States had resettled over one million Vietnamese by 1990.<sup>37</sup>

## B. Resettlement Procedures in the United States

Given the large numbers of Vietnamese resettled in the United States in the period roughly between 1975 and 1995, an

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29. *Id.* at 88 ("By the late 1980s, it had become apparent to virtually all concerned with the Indochinese refugee crisis that the regional and international consensus reached in 1979 had collapsed.").

30. *Id.*

31. *Id.* at 88.

32. *Id.* at 88–89.

33. *Id.* at 89.

34. *Id.* at 91.

35. *Id.* at 89; Some questioned whether the Comprehensive Plan of Action ran counter to the principles of non-refoulement and whether the United Nations had effectively endorsed Vietnam's attempts to eliminate the Hoa by working so hard to remove them. Kumin, *supra* note 13, at 116.

36. U.N. High Comm'r For Refugees, *supra* note 8, at 91.

37. *Id.*



orderly procedure for resettling refugees was critical. Most of the 175,000 Vietnamese who entered the United States during the first wave (1975-1977) were skilled, urbanized, educated, and had ties to either the U.S. or South Vietnamese governments.<sup>38</sup> This first wave benefited from their demographical advantages, a largely enthusiastic response within the United States, and assistance from community groups in adjusting to their new home.<sup>39</sup> However, the vast majority of refugees, numbering over 900,000, arrived after 1978.<sup>40</sup> These refugees included boat people and those who entered under the Orderly Departure Program and Comprehensive Plan of Action. They were largely less educated, rural, and spoke little to no English.<sup>41</sup> As such, the second and third waves presented a much greater challenge in resettlement.

The first major legislative response in the United States to the Vietnamese refugee crisis was the Refugee Act of 1980.<sup>42</sup> The Refugee Act of 1980 revised the definition of refugee to match the one in the U.N. Protocol.<sup>43</sup> Additionally, it standardized resettlement services for all refugees, provided for regular and emergency admission of refugees, and authorized federal assistance for resettling refugees.<sup>44</sup> The Office of Refugee Resettlement was also created in

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38. *Id.* at 90; Rkasnuam & Batalova, *supra* note 9.

39. U.N. High Comm'r for Refugees, *supra* note 8, at 90.

40. *Id.*

41. *Id.*

42. *History*, OFFICE OF REFUGEE RESETTLEMENT, <http://www.acf.hhs.gov/programs/orr/about/history> [hereinafter *History of ORR*]; Prior to 1980, the initial waves of refugees were granted authorization to enter the United States under ad hoc, emergency response programs. Beginning in 1979 and 1980, refugees were screened in Vietnam by U.S. officials under the Orderly Departure Program, whereas the Refugee Act of 1980 provided resettlement procedures once successful applicants were already in the country. See MIN ZHOU & CARL L. BANKSTON III, GROWING UP AMERICAN 32-33 (1998).

43. "The term 'refugee' means . . . any person who is outside any country of such person's nationality or, in the case of a person having no nationality, is outside any country in which such person last habitually resided, and who is unable or unwilling to return to, and is unable or unwilling to avail himself or herself of the protection of, that country because of persecution or a well-founded fear of persecution on account of race, religion, nationality, membership in a particular social group, or political opinion." The Refugee Act also grants the President discretion to designate persons as refugees. Additionally, it excepts persons who have "ordered, incited, assisted, or otherwise participated in the persecution of any person on account of race, religion, nationality, membership in a particular social group, or political opinion." 8 U.S.C. § 1101(a)(42) (2012).

44. *History of ORR*, *supra* note 42.

order to coordinate resettlement services.<sup>45</sup> However, the Refugee Act of 1980 also restricted the number of refugees who could be admitted to 50,000 for the fiscal years 1980, 1981, and 1982.<sup>46</sup>

In 1988, Congress also passed the Amerasian Homecoming Act.<sup>47</sup> This ironically-named act opened immigration to Amerasians (the children of U.S. soldiers and Vietnamese), substantially reducing documentary requirements in order to allow many Amerasians, most of whom had known no home other than Vietnam, to enter the United States.<sup>48</sup> The Amerasian Homecoming Act signaled the beginning of a shift towards emphasizing family reunification.

Existing law also played a major role in Vietnamese immigration. While numbers of Vietnamese arriving in the United States as refugees peaked in the 1980s, those refugees, upon acquiring green cards, in turn sponsored family members under existing immigration law.<sup>49</sup> This led to a boom in chain migration and family reunification.

For almost all refugees in the first and second waves, the first stop after departure was a refugee camp.<sup>50</sup> Arrivals from the first wave were initially sent to five reception centers throughout the United States, where they would be interviewed and then assigned to sponsors who would assist in resettlement.<sup>51</sup> NGOs, churches, and

45. *Id.*

46. Refugee Act of 1980, 8 U.S.C. § 1157 (2012); DONNA R. GABACCIA, FOREIGN RELATIONS: AMERICAN IMMIGRATION IN GLOBAL PERSPECTIVE 204–205 (2012). These restrictions represented a compromise between an anti-immigration Congress and President Jimmy Carter, who supported admitting Vietnamese refugees. It was possible for the president to request an increase in the number of refugees able to be admitted. Occasionally, presidents would also circumvent restrictions imposed by Congress by executive order, though this was controversial.

47. See ZHOU & BANKSTON, *supra* note 42, at 34.

48. *Id.* at 34. The requirements for entry were extremely limited. One U.S. official was quoted as saying, “[A]n Amerasian’s face is his passport . . . If you look like an Amerasian, we don’t care if you have any documents at all.” An interesting consequence is that many Amerasians, who had previously been shunned by locals, suddenly became “golden children” who were claimed by Vietnamese families seeking to enter the United States. *Id.*

49. Jie Zong & Jeanne Batalova, *Vietnamese Immigrants in the United States*, THE ONLINE J. OF THE MIGRATION POL’Y INST. (2016), <http://www.migrationpolicy.org/article/vietnamese-immigrants-united-states#Immigration%20Pathways%20and%20Naturalization>.

50. *Id.* at 29–32; U.N. High Comm’r for Refugees, *supra* note 8, at 90.

51. See ZHOU & BANKSTON, *supra* note 42, at 29. The five receptions were at Camp Pendleton in California, Fort Indiantown Gap in Pennsylvania, Fort

other community organizations were key to the smooth operation of these camps by providing expertise and assistance in locating these sponsors, who would provide housing, help find jobs, and support assimilation into American culture.<sup>52</sup> To facilitate assimilation, initial efforts focused on widely dispersing refugees geographically.<sup>53</sup> The U.S. government also provided schooling for children at the refugee camps as well as classes for adults to learn English and navigate American culture.<sup>54</sup> By the end of 1975, most Americans assumed the refugee crisis was over, and these camps were closed.<sup>55</sup>

The second wave experienced much greater difficulties after departure. Most in the second wave were boat people, who were typically placed in refugee camps in first-asylum countries such as Indonesia, the Philippines, and Thailand.<sup>56</sup> To facilitate integration for refugees who did receive clearance to enter the United States, the U.S. State Department created the Overseas Refugee Training Programs, which were essentially government-run equivalents of the types of programs the first wave received.<sup>57</sup> Trauma was another concern. Many refugees had endured harsh voyages, had lost family members to death or physical separation, and faced the additional uncertainty of not knowing where, and whether, they would ultimately be resettled.<sup>58</sup> Research conducted in the initial years of these camps, on the other hand, suggest that like their counterparts in the U.S.-based camps, many Vietnamese experienced a sense of camaraderie fostered by having overcome a common challenge.<sup>59</sup>

After leaving the refugee camps, refugees had access to a network of services provided by various governmental and civil society organs. Many of these services were provided by voluntary agencies ("VOLAGs"), most of which were private charities and

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Chaffee in Arkansas, Eglin Air Force Base in Florida, and a military base in Guam.

52. George Rupp, *1975: The Largest Refugee Resettlement Effort in American History*, INT'L RESCUE COMMITTEE (June 26, 2008), <http://www.rescue.org/blog/1975-largest-refugee-resettlement-effort-american-history-irc-75>; U.N. High Comm'r for Refugees, *supra* note 8, at 90.

53. See ZHOU & BANKSTON, *supra* note 42, at 29–30.

54. *Id.* Ironically, the large numbers of Vietnamese concentrated in the refugee camps may have stymied assimilation by reinforcing cultural ties and allowing refugees to build networks of relationships with each other.

55. See ZHOU & BANKSTON, *supra* note 42, at 30; Rupp, *supra* note 52.

56. See ZHOU & BANKSTON, *supra* note 42, at 30.

57. *Id.*

58. *Id.* at 31.

59. *Id.* at 32.

religious organizations. VOLAGs were responsible for facilitating integration by providing services, such as education and housing.<sup>60</sup> These services were supplemented in large part by government assistance programs, including Aid to Families with Dependent Children, Supplemental Security Income, Refugee Cash Assistance, and food stamps.<sup>61</sup> However, the United States was concerned with avoiding welfare dependency, in part due to a weakening economy.<sup>62</sup> Substantial efforts were devoted to encouraging economic self-sufficiency.<sup>63</sup> But the demographics of the refugees, particularly those in the second and third waves, made this a challenge. Many refugees were uneducated, could not speak English, and, for those in the third wave, tended to be older. While unemployment was not necessarily an issue, many second and third wave refugees found themselves in low-paying, low-skilled positions.<sup>64</sup>

### C. Resettled Vietnamese: Data, Demographics, and Trends

In the years since the last wave of refugees subsided, much data has been compiled on demographic trends and outcomes of Vietnamese refugees. This data is significant, for it sheds light on how successful resettlement policies have been in allowing former refugees and their children to thrive.

#### 1. Geographical Distribution

Initially, the U.S. government tried to geographically disperse Vietnamese refugees under the assumption that it would facilitate assimilation.<sup>65</sup> As such, today, sizable Vietnamese communities exist in disparate places like Houston, New Orleans, Oklahoma City, and Washington, D.C.<sup>66</sup> However, secondary migration and Vietnamese-sponsored immigration (largely driven by family reunification) led to the concentration of large Vietnamese

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60. *Id.* at 35–36.

61. *Id.* at 36. Generally, refugees became eligible to receive these funds one month after arrival. In the interim, VOLAGs typically provided any and all support services the refugees needed. *Id.*

62. U.N. High Comm'r for Refugees, *supra* note 8, at 90.

63. See ZHOU & BANKSTON, *supra* note 42, at 36.

64. U.N. High Comm'r for Refugees, *supra* note 8, at 90.

65. ZHOU & BANKSTON, *supra* note 42, at 35.

66. *Id.*; Rkasnuam & Batalova, *supra* note 9.

communities, most notably in California.<sup>67</sup> Three counties in California—Los Angeles County, Orange County, and Santa Clara County—account for a quarter of the Vietnamese population in the United States.<sup>68</sup>

The numbers would seem to suggest that despite the government's best efforts, concentration in certain communities seems inevitable. Indeed, two of the larger factors driving such concentration—secondary migration and family reunification—are largely out of the control of the government. Another factor behind demographic concentration may be the ties fostered during the refugees' experiences in the refugee camps, as well as the more traditional desire of immigrants to congregate in ethnic enclaves.

Regardless of the motivating factors, patterns of geographical distribution are extremely important, as they may be indicative of levels of assimilation in the larger community, as well as the needs of refugees. For example, some scholars have argued that the presence of multiple family members living in one household—common among Vietnamese refugees—can improve economic outcomes in the resettlement process due to the improved “pool of available resources” at the household's disposal.<sup>69</sup> This is not unexpected; immigrants often rely on family and members of the same ethnic group to provide social assistance and support. The ability of families to help each other, and the desire of refugees to cluster in ethnic groups, then, suggest splitting up refugees may not be an ideal strategy. Instead, an emphasis on keeping families together and fostering a sense of community among refugees may improve economic outcomes.<sup>70</sup>

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67. ZHOU & BANKSTON, *supra* note 42, at 35; Rkasnuam & Batalova, *supra* note 9. Secondary migration occurred extremely quickly. For example, by 1984, a third of Vietnamese refugees in Orange County, California had arrived in California after initially resettling in other states. A survey indicated that the motivations behind this movement included climate, better job opportunities, and the existence of an established Vietnamese community. *See* ZHOU & BANKSTON, *supra* note 42, at 45.

68. Rkasnuam & Batalova, *supra* note 9.

69. *See generally* Nazli Kibria, *Household Structure and Family Ideologies: The Dynamics of Immigrant Economic Adaptation Among Vietnamese Refugees*, 41 SOC. PROBS. 81 (1994) (describing the impact of multi-family member households on resettlement).

70. Of course, keeping families together is not always possible. The circumstances of war often means that families become separated or family members may no longer be living, which can depress economic outcomes for resettled refugees. Phillip Condor, *Explaining the Refugee Gap: Economic Outcomes of Refugees versus Other Immigrants*, 23 J. REFUGEE STUD. 377, 383

## 2. Socioeconomic Trends, Poverty, and Educational Attainment

Given the circumstances of their arrival, Vietnamese have been remarkably successful economically. Median household income for Vietnamese immigrants in 2014 was \$59,405, compared with \$53,657 overall in the United States.<sup>71</sup> Fifteen percent of Vietnamese lived in poverty in 2014, which was comparable to the overall poverty rate.<sup>72</sup> While this data does not distinguish between refugees and newer immigrants from Vietnam, it is still a likely indicator of the success former refugees have been able to achieve, as the overwhelming majority (seventy-one percent) of Vietnamese immigrants in 2012 had arrived in the United States before 2000.<sup>73</sup>

Success occurred relatively quickly as well. By 1990, median household income among former Vietnamese refugees was nearly the same as that of American households.<sup>74</sup> Poverty was more than twice the U.S. average and Vietnamese refugees were three times as likely to depend on public assistance in 1990, but that was most likely the result of ongoing waves of new refugees still entering the country at the time.<sup>75</sup>

The early emphasis on developing refugees' ability to participate in the labor force appeared to work, as employment rates were favorable. In 1990, 64.5 percent of Vietnamese sixteen or older were in the labor force, compared to an overall rate of 65.3 percent for Americans.<sup>76</sup> By 2012, this had flipped in favor of Vietnamese: 69 percent of Vietnamese sixteen or older were in the labor force, compared to an overall rate of 63 percent.<sup>77</sup> A significant number of Vietnamese are self-employed: many have carved out niches in small

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(2010). This is one instance where the presence of an ethnic community can provide support.

71. Carmen DeNavas-Walkt and Bernadette D. Proctor, *Income and Poverty in the United States: 2014*, Current Population Reports 1, 5 (Sept. 2015), <https://www.census.gov/content/dam/Census/library/publications/2015/demo/p60-252.pdf>; *Selected Population Profile in the United States*, U.S. CENSUS BUREAU, <http://factfinder.census.gov/faces/tableservices/jsf/pages/productview.xhtml?src=bkmk> (last visited Sept. 18, 2016).

72. Rkasnuam & Batalova, *supra* note 9; U.S. CENSUS BUREAU, *supra* note 71; DeNavas-Walkt & Proctor, *supra* note 71, at 12.

73. Rkasnuam & Batalova, *supra* note 9, at 6–7.

74. ZHOU & BANKSTON, *supra* note 42, at 59.

75. *Id.*

76. *Id.* at 57.

77. Rkasnuam & Batalova, *supra* note 9.

business, especially in operating restaurants, nail salons, and commercial fisheries.<sup>78</sup> This is one way in which former refugees have overcome difficulties such as language barriers and lack of education.

Nonetheless, there are also some disappointing trends. Curiously, the educational attainment gap between Vietnamese and the overall population has grown. In 1990, 17.4 percent of Vietnamese in the United States twenty-five or older had a bachelor's degree, while 20.3 percent of all Americans had a bachelor's degree.<sup>79</sup> In 2012, the rate of bachelor degree attainment for Vietnamese immigrants was 23 percent, compared to an overall rate of 30 percent.<sup>80</sup> Vietnamese Americans also had larger shares in poverty than the overall U.S. population.<sup>81</sup> Finally, Vietnamese immigrants may face a greater risk of experiencing certain health issues as a direct result of their experiences.<sup>82</sup> These numbers suggest that while the former Vietnamese refugees and their children have largely risen to par in the U.S. economy, significant obstacles to upward mobility beyond the statistical average remain.

## II. SYRIAN REFUGEE RESETTLEMENT PROCEDURES IN THE EU AND TURKEY

Part II describes the current Syrian refugee crisis and procedures for resettling refugees in the EU and Turkey. Because the crisis is ongoing, research on outcomes for resettled refugees is

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78. ALICIA CAMPI, FROM REFUGEES TO AMERICANS: THIRTY YEARS OF VIETNAMESE IMMIGRATION TO THE UNITED STATES (2005), <http://www.americanimmigrationcouncil.org/sites/default/files/research/RefugeestoAmericans.pdf>.

79. ZHOU & BANKSTON, *supra* note 42, at 57.

80. Rkasnuam & Batalova, *supra* note 9, at 5.

81. PAUL TAYLOR ET. AL., PEW RESEARCH CENTER, THE RISE OF ASIAN AMERICANS 49 (Apr. 4, 2013), <http://www.pewsocialtrends.org/2012/06/19/the-rise-of-asian-americans/>.

82. A report by the CDC suggests that Vietnamese have a high risk for certain infectious diseases including tuberculosis, hepatitis B, and parasitism. Additionally, Vietnamese immigrants may also experience mental health issues, including post-traumatic stress disorder, depression, anxiety, psychosis, and adjustment reactions. This is particularly concerning as mental health is often not recognized in Vietnamese culture. *See* CENTERS FOR DISEASE CONTROL AND PREVENTION, PROMOTING CULTURAL SENSITIVITY: A PRACTICAL GUIDE FOR TUBERCULOSIS PROGRAMS THAT PROVIDE SERVICES TO PERSONS FROM VIETNAM 12 (2008), <http://www.cdc.gov/tb/publications/guidestoolkits/ethnographicguides/vietnam/chapters/vietnam.pdf>.

limited and less valuable, so no data on outcomes is provided. The ongoing nature of the crisis also means that circumstances are subject to change. For example, during the process of writing and publishing this Note, major terrorist attacks occurred throughout the West, the United Kingdom voted to leave the EU partly because of immigration concerns, and the EU and Turkey struck a deal to slow the flow of refugees in Europe. While these events are largely beyond the scope of this Note, they do have an impact on refugees' resettlement experiences by shaping the political and social climate in which they are received. Part II will attempt to describe the resettlement process for Syrian refugees as of mid-2016, keeping in mind that political winds can be fickle.

#### A. History of the Syrian Refugee Crisis

The Syrian refugee crisis has in substantial part been driven by civil war in Syria (the "Syrian Civil War"). The Syrian Civil War began in 2011 with Arab Spring protests demanding the resignation of President Bashar al-Assad.<sup>83</sup> Initial protests soon morphed into civil war as the Assad regime used force to crush the dissidents, leading the dissidents in turn to take up arms.<sup>84</sup> Over the next two years, the conflict escalated; both sides committed war crimes including murder, rape, torture, and the use of chemical weapons.<sup>85</sup> The instability allowed Islamic State, a jihadist group, to take control of large segments of territory in Syria beginning in 2014.<sup>86</sup> The Syrian Civil War thereafter became a multi-pronged conflict, with numerous foreign and local entities interested in the outcome, including the

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83. *Syria: The story of the conflict*, BBC NEWS (Feb. 3, 2016), <http://www.bbc.com/news/world-middle-east-26116868>.

84. *Id.*

85. *Id.*; U.N. Hum. Rts. Council, Rep. of the Independent International Commission of Inquiry on the Syrian Arab Republic, U.N. Doc. A/HRC/30/48 (Aug. 13, 2015) [hereinafter Rep. on Syrian Arab Republic].

86. *Syria: The story of the conflict*, *supra* note 83. The Islamic State, known by a number of alternative names including IS, ISIS, ISIL, and Daesh, began as an offshoot of al-Qaeda in Iraq. Throughout 2014, Islamic State steadily took control of territory in Iraq and Syria. Islamic State's purpose is an extremist form of Islam, promoting jihad against the West while also seeking to establish an Islamic caliphate in its conquered territories. Islamic State has proven to be a major disrupter in Syria, and has exacerbated the war in addition to contributing to the growing refugee crisis by virtue of its violent practices. *See generally What is 'Islamic State'?*, BBC NEWS (Dec. 2, 2015), <http://www.bbc.com/news/world-middle-east-29052144> (describing the origins, territory, and aims of the Islamic State).



United States, certain EU countries, the Assad regime, Russia, Iran, Turkey, and Islamic extremists.<sup>87</sup> As of mid-2016, international efforts to end the war have failed.<sup>88</sup>

The Syrian Civil War has forced many Syrians to flee and seek asylum in neighboring countries. The movement of people has continued to escalate, producing more than 4.5 million refugees by August 2016.<sup>89</sup> Neighboring countries have overwhelmingly borne the brunt of taking in arrivals.<sup>90</sup> Five countries—Turkey, Lebanon, Jordan, Iraq, and Egypt—have accepted nearly 95 percent of the refugees.<sup>91</sup> However, many refugees have also crossed the Mediterranean to the EU.<sup>92</sup> Many Syrians make the journey across

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87. *Id.*

88. A U.S.-led coalition initiated airstrikes against Islamic State targets in Iraq and Syria throughout 2015 and 2016. These strikes have been largely successful in recapturing territory from Islamic State in Iraq, but successes have been more measured in Syria due to a lack of allies on the ground. The question of how to handle the Assad regime, which has been responsible for human rights abuses, remains unanswered as well. Politically, U.N. attempts to implement the 2012 Geneva Communique, which called for the creation of a transitional governing body in Syria, have so far not been effective due to mutual distrust by the Assad regime and the rebels. Cameron Glenn, *How is the air war against ISIS going?*, NEWSWEEK (May 27, 2016), <http://www.newsweek.com/how-air-war-against-isis-going-462555>; *Syria: The story of the conflict*, *supra* note 83.

89. *Syria: The story of the conflict*, *supra* note 83. The demographics of Syrian refugees began to change in 2016. In February 2016, 60 percent of sea arrivals were women and children, an increase from 27 percent in September 2015. Mark Henley, *UNHCR, UNICEF launch plan to protect refugee women and children*, UNHCR (Feb. 26, 2016), <http://unhcr.org.au/news/unhcr-unicef-launch-blue-dot-hubs/>.

90. *Id.*

91. *Syria's Refugee Crisis in Numbers*, AMNESTY INT'L (Feb. 3, 2016, 19:02 UTC), <https://www.amnesty.org/en/latest/news/2016/02/syrias-refugee-crisis-in-numbers/>. As of February 2016, the number of refugees in Turkey, Lebanon, Jordan, Iraq, and Egypt were, respectively: 2.5 million, 1.1 million, 635,324, 245,022, and 117,658.

92. 122,115 Syrians applied for asylum in the EU in 2014, up from 49,980 in 2013. *Countries of origin of (non-EU) asylum seekers in the EU-28 Member States, 2013 and 2014*, EUROSTAT (MAY 8, 2015, 15:07), [http://ec.europa.eu/eurostat/statistics-explained/index.php/File:Countries\\_of\\_origin\\_of\\_%28non-EU%29\\_asylum\\_seekers\\_in\\_the\\_EU-28\\_Member\\_States\\_2013\\_and\\_2014\\_YB15\\_III.png](http://ec.europa.eu/eurostat/statistics-explained/index.php/File:Countries_of_origin_of_%28non-EU%29_asylum_seekers_in_the_EU-28_Member_States_2013_and_2014_YB15_III.png). By 2015, the number of first-time asylum seekers from Syria was 211,000 in the first three quarters of the year alone. Germany and Hungary in particular have seen the most asylum seekers. *See 185000 first time asylum seekers in the EU in the first quarter of 2015*, EUROSTAT (June 18, 2015), <http://ec.europa.eu/eurostat/documents/2995521/6887997/3-18062015-CP-EN.pdf/4457b050-26f9-4cf1-bf27-9ffb73ff8c7b>; *Over 210000 first time asylum seekers in the EU in the second quarter of 2015*, EUROSTAT (Sept. 18, 2015), <http://ec.europa.eu/eurostat/>

the Mediterranean by employing smugglers and traffickers, which has come at enormous cost: over 2,000 Syrians have drowned in the Mediterranean since 2011.<sup>93</sup>

Yet more refugees are likely on the way. The disruption of the Syrian Civil War will likely create a steady flow of emigration even after fighting ends. According to a U.N. report the Syrian economy has substantially shrunk since the beginning of the crisis, with an estimated total loss between 2011 and 2014 equal to 229 percent of the Syrian GDP in 2010.<sup>94</sup> Private consumption, an indicator of household welfare, in 2014 had also fallen 41.7 percent from 2010 levels.<sup>95</sup> Poverty has risen substantially as a result of inflation, job loss, property loss, and economic contraction.<sup>96</sup> The social costs of the conflict have also been enormous. Violence and economic dislocation have been the primary causes of migration within and out of Syria.<sup>97</sup> Many non-refugee migrants, including middle- and upper-class professionals, have also left in search of better opportunities elsewhere, creating a brain drain.<sup>98</sup> The lack of economic opportunities moving forward will likely create a steady flow of refugees and migrants after the war, as seen in Vietnam.

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documents/2995521/6996925/3-18092015-BP-EN.pdf/b0377f79-f06d-4263-aa5b-cc9b4f6a838f; *More than 410000 first time asylum seekers registered in the third quarter of 2015*, EUROSTAT (Dec. 10, 2015), <http://ec.europa.eu/eurostat/documents/2995521/7105334/3-10122015-AP-EN.pdf/04886524-58f2-40e9-995d-d97520e62a0e>.

93. Rep. on Syrian Arab Republic, *supra* note 85.

94. SYRIAN CENTRE FOR POL'Y RES., UNRWA, ALIENATION AND VIOLENCE 15 (2015), [http://www.unrwa.org/sites/default/files/alienation\\_and\\_violence\\_impact\\_of\\_the\\_syria\\_crisis\\_in\\_2014\\_eng.pdf](http://www.unrwa.org/sites/default/files/alienation_and_violence_impact_of_the_syria_crisis_in_2014_eng.pdf).

95. *Id.* at 24. The U.N. report also notes “an increasing number of households depend upon subsidies, humanitarian assistance, and conflict-related activities.” However, the war has had a largely uneven effect on private citizens. While some families have been able to adapt by shifting consumption to only the bare necessities, others have experienced abject poverty, and still others, especially those who live in areas not controlled by the government have faced discrimination and monopolization by the disparate groups controlling those territories. *Id.*

96. *Id.* at 45. At the end of 2014, the poverty rate for Syrians was 82.5 percent. The poverty rate was directly related to the amount of violence an area experienced. For example, in Lattakia, one of the areas least affected by the war, the poverty rate was at 72 percent, while the rate was 89 percent in Ar-Raqqa, where significant fighting had taken place. *Id.*

97. *Id.* at 40.

98. *Id.* at 41. Most of these migrants left in the initial stages of the conflict.

## B. Resettlement Procedures in the EU and Turkey

There is much variation from country to country in resettlement procedures for Syrian refugees. In the EU, Germany has been most open to refugees, offering 39,987 places.<sup>99</sup> Hungary has been the least welcoming of EU countries, with only 30 openings.<sup>100</sup> As for those refugees in Turkey, Lebanon, Jordan, Iraq, and Egypt, many are already residing in cities, towns, or informal settlements with varying levels of integration into their host countries, but large numbers are also congregated in refugee camps.<sup>101</sup> A discussion of refugee policies in the EU and Turkey follows.

### 1. Resettlement in the EU

A small number of EU states have disproportionately borne the burden of caring for initial arrivals and resettlement of approved asylum-seekers. This section focuses primarily on: (1) general EU policy for the treatment of refugees; (2) how initial arrivals are treated in Italy and Greece; and (3) the process of resettlement in Germany. Examples from other EU states will also be drawn from where pertinent. However, the basic pattern that has emerged in the EU is such: asylum-seekers arrive via sea or land in first-asylum countries, and subsequently seek permanent asylum in other EU states. The result is that large numbers of asylum-seekers are concentrated in a small number of first-asylum countries while the EU debates what to do with them. In September 2015, the EU agreed to relocate 160,000 refugees throughout the EU.<sup>102</sup> However, in March 2016 the EU and Turkey reached a controversial agreement that

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99. *Resettlement and Other Forms of Legal Admission for Syrian Refugees*, UNHCR (Dec. 11, 2015).

100. *Id.*; *Refugees Shout 'No Camps' during Hungary Train Standoff*, AL JAZEERA (Sept. 4, 2015), <http://www.aljazeera.com/news/2015/09/refugees-hungary-150904072135726.html>. Hungary has been notably unwelcoming of refugees. Many migrants and asylum seekers in Hungary are being intercepted and placed in detention centers for registration and processing. Human Rights Watch has reported that conditions in these detention centers are "abysmal," with overcrowding and no access to medical care or food and water. *Hungary: Abysmal Conditions in Border Detention*, HUMAN RIGHTS WATCH (Sept. 11, 2015), <https://www.hrw.org/news/2015/09/11/hungary-abysmal-conditions-border-detention>.

101. Shelly Culbertson, *Syrian Refugees: All You Need to Know*, NEWSWEEK (Sept. 17, 2015), <http://www.newsweek.com/syrian-refugees-all-you-need-know-373475>.

102. *Migrant Crisis: Migration to Europe Explained in Seven Charts*, BBC NEWS (Feb. 18, 2016), <http://www.bbc.com/news/world-europe-34131911>.

would allow new refugees arriving in Greece to be returned to Turkey, in exchange for further resettlement of refugees currently in Turkey.<sup>103</sup> Critics charge that the agreement may not be sufficient to protect refugees given Turkey's human rights record, and violates the 1951 Refugee Convention by failing to treat cases on an individual basis.<sup>104</sup> Regardless of the politics of entry, large numbers of asylum-seekers are already in the EU, and require assistance in resettlement.<sup>105</sup>

i. *General Policies in the EU*

Asylum law in the EU is governed by the Common European Asylum System ("CEAS"), which establishes minimum standards and procedures for asylum applications and the treatment of asylum seekers and refugees.<sup>106</sup> CEAS incorporates what is known as the "Dublin system," which allows EU members to send an asylum-seeker that has traveled through multiple EU countries back to the first EU state the asylum-seeker reached.<sup>107</sup> Asylum-seekers do not possess the right to move freely within the EU as do residents and tourists.<sup>108</sup> Moreover, the standards outlined by CEAS are complicated by the fact that many EU members have yet to implement them, leading to inconsistent application of asylum policy.<sup>109</sup> The result of these rules is that free movement of asylum-seekers has been largely restricted even after they reach the EU, and such movements are significantly influenced by individual EU members' policies.

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103. Elizabeth Collett, *The Paradox of the EU-Turkey Refugee Deal*, MIGRATION POLICY INSTITUTE (Mar. 2016), <http://www.migrationpolicy.org/news/paradox-eu-turkey-refugee-deal>.

104. *Id.*; Patrick Kingsley & Jennifer Rankin, *EU-Turkey Refugee Deal*, THE GUARDIAN (Mar. 8, 2016), <https://www.theguardian.com/world/2016/mar/08/eu-turkey-refugee-deal-qa>.

105. In 2014, 184,665 refugees were granted asylum to EU countries. *Migrant Crisis*, *supra* note 102.

106. OPEN SOCIETY FOUNDATIONS, UNDERSTANDING MIGRATION AND ASYLUM IN THE EUROPEAN UNION (Oct. 2015), <https://www.opensocietyfoundations.org/explainers/understanding-migration-and-asylum-european-union>.

107. *Id.* The logical conclusion of the Dublin system is that, because most asylum-seekers arrive via Southern European countries like Greece and Italy, those countries will be forced to bear a disproportionate amount of the burden for caring for refugees. However, courts in those countries have often blocked such transfers of asylum-seekers.

108. *Id.*

109. *Id.*

However, the EU has also moved to assist refugees in other areas. In September 2015, the EU pledged one billion euros to UNHCR, the World Food Program, and other agencies in order to support the needs of refugees.<sup>110</sup> The European Commission has also initiated enforcement efforts against member states that have failed to comply with its rules for protection and provision of basic necessities (i.e. food and housing) for refugees.<sup>111</sup>

ii. *Treatment of Initial Arrivals in Italy and Greece*

Initial arrivals are overwhelmingly concentrated in Italy and Greece (by sea), and Hungary (by land).<sup>112</sup> Furthermore, arrivals tend to congregate in specific reception centers in those countries. In Italy, the island of Lampedusa has become a beacon for refugees seeking asylum.<sup>113</sup> Similarly, the Greek islands of Kos and Lesbos are destination points for many of the refugees entering Europe via the Mediterranean.<sup>114</sup> Refugees taking land routes often travel via the Balkans and enter the EU through the Hungary-Serbia border.<sup>115</sup>

The reception center in Lampedusa predates the present crisis; it was established to provide temporary accommodations for

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110. *The European Union Finally Agreed On New Approach To The Refugee Crisis*, HUFFINGTON POST (Sept. 23, 2015), [http://www.huffingtonpost.com/entry/eu-refugee-crisis-agreement\\_560356d3e4b08820d91ba19b](http://www.huffingtonpost.com/entry/eu-refugee-crisis-agreement_560356d3e4b08820d91ba19b). Under the plan, Turkey and other neighboring countries of Syria would also receive funding to support the large refugee communities in their borders. *Id.*

111. OPEN SOCIETY FOUNDATIONS, *supra* note 106.

112. *Migrant crisis*, *supra* note 102.

113. Conor Fortune, *Lampedusa: L'Isola Bella's shadow of death*, AMNESTY INT'L (May 5, 2015), <https://www.amnesty.org/en/latest/news/2015/05/lampedusa-shadow-of-death/>.

114. Ceylan Yeginsu & Anemona Hartocollis, *Amid Perilous Mediterranean Crossings, Migrants Find a Relatively Easy Path to Greece*, N.Y. TIMES (Aug. 16, 2015), <http://www.nytimes.com/2015/08/17/world/europe/turkey-greece-mediterranean-kos-bodrum-migrants-refugees.html?hp&action=click&pgtype=Homepage&module=photo-spot-region&region=top-news&WT.nav=top-news>; Bill Neely & Tony Hemmings, *Migrants Crisis: Refugees Attempt to Reach Greek Island of Lesbos*, NBC NEWS (Aug. 13, 2015), <http://www.nbcnews.com/storyline/europes-border-crisis/migrants-crisis-refugees-attempt-reach-greek-island-lesbos-n409011>.

115. Marton Dunai, *Hungary to fence off border with Serbia to stop migrants*, REUTERS (June 17, 2015), <http://www.reuters.com/article/us-hungary-immigration-idUSKBN0OX17I20150618>.

asylum-seekers who washed up on Italy's shores.<sup>116</sup> Lampedusa has struggled to process the sheer number of refugees as the refugee crisis has intensified. The facility only has capacity for about 380 refugees, but 7,500 refugees from Syria alone reached Italy in the first nine months of 2013.<sup>117</sup> While an Amnesty International report from 2015 found only 263 refugees present at the facility, the report authors noted that the facility had been housing over 1,400 refugees immediately prior to their inspection.<sup>118</sup> The report noted that the facility frequently suffered from overcrowding, with refugees forced to sleep in the open air.<sup>119</sup> However, basic amenities such as food, clothes, and medical and psychological care are provided at the facility.<sup>120</sup>

In Greece, the debt-ridden government has struggled to process and accommodate the increasing number of arrivals. The Greek islands of Kos and Lesbos have seen the largest influx of asylum-seekers. Between January and August of 2015, Greece received almost 135,000 arrivals from Turkey alone.<sup>121</sup> The Greek government has strained to provide adequate care for asylum-seekers. In August 2015, Doctors Without Borders accused the Greek government of clearing refugee encampments in public areas on Kos and locking the migrants in a stadium with limited food and water.<sup>122</sup> On Lesbos, many arrivals are forced to sleep amidst garbage outside an overcapacity immigration center.<sup>123</sup> Food is scarce and basic services, such as clearing of garbage or maintenance of

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116. U.N. High Commissioner for Refugees, *UNHCR concerned over humanitarian situation in Lampedusa, Italy*, UNHCR (Jan. 23, 2009), <http://www.unhcr.org/news/NEWS/497991064.html>.

117. Laurence Peter, *Lampedusa disaster: Europe's migrant dilemma*, BBC NEWS (Oct. 4, 2013), <http://www.bbc.com/news/world-europe-24396020>; Fortune, *supra* note 113.

118. Fortune, *supra* note 113.

119. *Id.*

120. Peter, *supra* note 117, at 2.

121. Yeginsu & Hartocollis, *supra* note 114.

122. Anemona Hartocollis, *Greece Rounds Up Migrants on Kos, Locking Them in Stadium Overnight*, N.Y. TIMES (Aug. 12, 2015), <http://www.nytimes.com/2015/08/13/world/europe/greece-syria-iraq-migrants-locked-stadium-on-kos.html>.

123. Suzanne Daley, *On Island of Lesbos, a Microcosm of Greece's Other Crisis: Migrants*, N.Y. TIMES (Aug. 4, 2015), <http://www.nytimes.com/2015/08/05/world/europe/lesbos-greece-migrant-refugee-crisis.html>.

toilets, is not provided.<sup>124</sup> Volunteers and donations provide many much-needed services in place of the government.<sup>125</sup>

Many refugees arriving in Greece do not intend to stay and instead seek resettlement in other EU countries.<sup>126</sup> To that end, many Syrians arriving in Greece come prepared to make the journey to other countries with cash on hand, maps, and smartphones.<sup>127</sup> The Greek government, however, has struggled to process papers in a timely manner, leading to the continued growth of the refugees' numbers.<sup>128</sup> It is also unclear whether later-arriving Syrians will be able to leave. Many Syrians have been trapped in Greece since early 2016 due to political limbo and the closing of borders in the EU.<sup>129</sup> Some have been moved to camps along Greece's northern border, while others remain in camps at initial arrival centers like Lesbos.<sup>130</sup> The fate of these refugees remains undecided.<sup>131</sup>

After initial processing, refugees are usually transferred to other facilities or given permission to move on to other EU states. In Italy, after arrival at Lampedusa, refugees are taken to larger centers in Sicily and the mainland.<sup>132</sup> In Greece, the government has increased the number of agents to process arrivals' papers, allowing them to journey to mainland Greece and subsequently other EU states within days.<sup>133</sup> The backlog of arrivals awaiting processing is growing, however.<sup>134</sup>

Typically, once refugees leave the first-asylum country, that is the end of the matter for the relationship between that refugee and that particular country. However, under the Dublin system, refugees who arrive in other EU countries after initial processing in first-asylum countries may be sent back to those first-asylum

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124. *Id.*

125. *Id.*

126. Yeginsu & Hartocollis, *supra* note 114.

127. *Id.*

128. Hartocollis, *supra* note 122; Yeginsu & Hartocollis, *supra* note 114.

129. Liz Alderman, *Aid and Attention Dwindling, Migrant Crisis Intensifies in Greece*, N.Y. TIMES (Aug. 13, 2016), <http://www.nytimes.com/2016/08/14/world/europe/migrant-crisis-greece.html>.

130. *Id.*

131. *Id.*

132. Fortune, *supra* note 113.

133. Daley, *supra* note 123; Alderman, *supra* note 129.

134. *Id.*

countries.<sup>135</sup> This has compounded the problem for Italy and Greece. Moreover, to the detriment of the refugees, such returns under the Dublin system show little concern for individual circumstances such as family reunification.<sup>136</sup> In response, the EU issued an emergency plan to relocate 160,000 asylum-seekers from Italy and Greece, though implementation of the plan has been slow.<sup>137</sup> Political inertia has instead left many refugees stranded in first-asylum countries. As such, Italy and Greece continue to bear a large burden in handling the influx of refugees, while the asylum-seekers themselves face harsh conditions at initial reception centers, including overcrowding, lack of food and water, slow processing of their papers, and general confusion due to the lack of state resources.

It should be noted that some EU members have been less open to accepting refugees. The government of Viktor Orban in Hungary, which is the primary entry point for refugees entering the EU by land, opposes the entry of refugees.<sup>138</sup> In late 2015, Hungary constructed a fence and closed its borders with Croatia and Serbia in order to deter the flow of refugees.<sup>139</sup> Other European countries along the land route used by refugees, including Austria and Slovenia, have also announced plans or proposals to erect fences along their borders.<sup>140</sup> While these measures do not necessarily stop the flow of refugees entirely, they frustrate attempts by refugees to reach asylum in the EU and may also encourage the use of human traffickers.

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135. In response to Greece's claims that it cannot handle the numbers of refugees, some EU members have stopped returning asylum-seekers to Greece under the Dublin system. Peter, *supra* note 117.

136. HUMAN RIGHTS WATCH, WORLD REPORT 2015: EUROPEAN UNION (2015), <https://www.hrw.org/world-report/2015/country-chapters/european-union>.

137. HUMAN RIGHTS WATCH, EUROPE'S REFUGEE CRISIS: AN AGENDA FOR ACTION (2015), <https://www.hrw.org/report/2015/11/16/europes-refugee-crisis/agenda-action>.

138. Steven Erlanger & Dan Bilefsky, *Migrant Chaos Mounts While Divided Europe Stumbles for Response*, N.Y. TIMES (Sept. 3, 2015), <http://www.nytimes.com/2015/09/04/world/europe/hungary-train-station-migrant-crisis.html?hp&action=click&pgtype=Homepage&module=a-lede-package-region&region=top-news&WT.nav=top-news&r=0>.

139. Rick Lyman, *Hungary Seals Border With Croatia in Migrant Crackdown*, N.Y. TIMES (Oct. 16, 2015), <http://www.nytimes.com/2015/10/17/world/europe/hungary-croatia-refugees-migrants.html?hp&action=click&pgtype=Homepage&module=first-column-region&region=top-news&WT.nav=top-news&r=0>; Dunai, *supra* note 115.

140. *Migrant crisis: Austria plans Slovenia border fence*, BBC NEWS (Oct. 28, 2015), <http://www.bbc.com/news/world-europe-34657187>.



### iii. *Resettlement Efforts in Germany*

Germany has been the most receptive EU member to resettling refugees. In March 2013, Germany launched the Temporary Humanitarian Admission Program (“THAP”) for Syrian refugees.<sup>141</sup> To determine eligibility for admission to Germany, three general criteria are considered: (1) Syrian refugees with humanitarian needs; (2) Syrian refugees with connections to Germany; and (3) Syrian refugees who are capable (such as through their professional qualifications) of making significant contributions to rebuilding Syria after the end of the war.<sup>142</sup> Admitted refugees are permitted to stay for two years, with an option to extend if conditions in Syria make returning unfavorable.<sup>143</sup> The program was expanded in 2014 and in 2015, Germany welcomed 1.1 million refugees.<sup>144</sup> So as not to overwhelm communities with asylum-seekers, Germany employs a quota system whereby asylum-seekers are distributed among the country’s states according to economic ability.<sup>145</sup> Refugees typically receive basic housing during the period in which they await notification of their asylum status, which can take six to twelve months.<sup>146</sup> However, after refugees are granted asylum, they are free to settle anywhere in the country.<sup>147</sup>

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141. Memorandum from the UNHCR on the Temporary humanitarian admission programme for Syrian refugees (THAP) (June, 2013) [http://www.unhcr.de/fileadmin/user\\_upload/dokumente/02\\_unhcr/thap2013e.pdf](http://www.unhcr.de/fileadmin/user_upload/dokumente/02_unhcr/thap2013e.pdf) [hereinafter Memo on THAP]. The program is jointly operated by Germany and UNHCR.

142. *Id.*

143. Press Release, UNHCR, First group of Syrian refugees flies to Germany (Sept. 11, 2013), <http://www.unhcr.org/523076919.html>.

144. Press Release, UNHCR, UNHCR welcomes Germany’s decision to extend Humanitarian Admission Programme to an additional 10,000 Syrian refugees (June 13, 2014) [hereinafter UNHCR welcomes Germany’s decision], <http://www.unhcr.org/539afe256.html>; Patrick Donahue & Arne Delfs, *Germany Saw 1.1 Million Migrants in 2015 as Debate Intensifies*, BLOOMBERG (Jan. 6, 2016), <http://www.bloomberg.com/news/articles/2016-01-06/germany-says-about-1-1-million-asylum-seekers-arrived-in-2015>.

145. Katrin Bennhold & Melissa Eddy, *German Quota System Highlights Possible Path and Pitfalls for Handling Crisis*, N.Y. TIMES (Sept. 6, 2015), <http://www.nytimes.com/2015/09/07/world/german-quota-system-highlights-possible-path-and-pitfalls-for-handling-crisis.html?hp&action=click&pgtype=Homepage&module=first-column-region&region=top-news&WT.nav=top-news>.

146. Benjamin Hiller and Rebecca Greig, *What’s Life Like For Syrian Refugees In Germany?*, INT’L BUS. TIMES (Sept. 4, 2015), <http://www.ibtimes.com/whats-life-syrian-refugees-germany-2083610>; Bennhold & Eddy, *supra* note 145.

147. Bennhold & Eddy, *supra* note 145.

The process of permanently resettling refugees is quite smooth. Resettlement began as early as 2013.<sup>148</sup> The refugees were given basic language lessons and information about living in Germany; after two weeks, they were transferred to more permanent housing and given access to educational, medical, and social services.<sup>149</sup> They also had the right to work during their stay.<sup>150</sup> During the asylum application process, NGOs and volunteer organizations provided food, clothing, shelters, and legal aid.<sup>151</sup> Successful asylum applicants receive a monthly stipend.<sup>152</sup>

Efforts at integration into larger German society remains mixed. The fact that many Syrians refugees are middle- and upper-class and highly educated bodes well.<sup>153</sup> In this way they are like the first wave of Vietnamese refugees in the United States. On the other hand, due to uncertainty as to the duration of refugees' stays and restrictions that privilege German and EU job seekers, employment may be difficult to obtain.<sup>154</sup> Additionally, not all Germans have welcomed Syrian refugees. Right-wing groups have voiced their opposition to the influx of refugees, and there were more than 200 recorded attacks on housing facilities provided to migrants in the first half of 2015.<sup>155</sup>

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148. UNHCR Welcomes Germany's Decision, *supra* note 144.

149. *Id.*

150. *Id.*

151. Hiller & Greig, *supra* note 146; *Syrian Refugee Family Seeks New Life in Hamburg*, NBC NEWS (Oct. 14, 2015), <http://www.nbcnews.com/storyline/europes-border-crisis/syrian-refugee-family-seeks-new-life-hamburg-n444871>.

152. Hiller & Greig, *supra* note 146.

153. Sophie Hardach, *Middle-class Syrian refugees start back at square one in Germany*, AL JAZEERA AMERICA (Oct. 2, 2015), <http://america.aljazeera.com/articles/2015/10/2/syrias-battered-middle-class-hopes-for-a-fresh-start-in-germany.html>.

154. Hiller & Greig, *supra* note 146.

155. Bennhold & Eddy, *supra* note 145; *EU Expected To Make Big Push To Welcome Refugees*, HUFFINGTON POST (Sept. 7, 2015), [http://www.huffingtonpost.com/entry/eu-expected-to-make-big-push-to-welcome-refugees\\_55ed8318e4b093be51bbc740?utm\\_hp\\_ref=world](http://www.huffingtonpost.com/entry/eu-expected-to-make-big-push-to-welcome-refugees_55ed8318e4b093be51bbc740?utm_hp_ref=world). The perpetration of crimes (possibly motivated by terrorism) by refugees themselves, such as a 2016 axe attack by an Afghan refugee, further complicates social integration. See *Germany Axe Attack: Assault on Train in Wuerzburg Injures HK Family*, BBC NEWS (July 19, 2016), <http://www.bbc.com/news/world-europe-36827725>.

## 2. Resettlement in Turkey

The vast majority of Syrian refugees have settled in either Turkey or countries that share a border with Syria.<sup>156</sup> As of February 2016, Turkey hosts about 2.5 million of the 4.5 million Syrian refugees in the region.<sup>157</sup> Given these numbers, this section will primarily examine Turkey's response to the crisis, but will also draw examples from other neighboring countries where relevant.

### i. General Policies in Turkey

Since the beginning of the Syrian Civil War, Turkey has maintained an open-door policy for refugees.<sup>158</sup> This is in contrast to neighboring Jordan and Lebanon, which have imposed restrictions on the entry of refugees.<sup>159</sup> As a result, many Syrian refugees choose to enter Turkey. However, Syrian refugees in Turkey are not granted refugee status by the government as a rule.<sup>160</sup> Instead, Syrians are admitted under a temporary protection regime with limited rights and no hope for permanent resettlement, although this system complies with the international principle of non-refoulement.<sup>161</sup> Turkey's approach to the Syrian refugee crisis is thus based on three

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156. *Syria's Refugee Crisis in Numbers*, *supra* note 91.

157. *Id.*

158. Fulya Ozerkan, *Turkey's refugee policy in spotlight as migrants decamp to Europe*, YAHOO! NEWS (Sept. 21, 2015), <http://news.yahoo.com/turkeys-refugee-policy-spotlight-migrants-decamp-europe-111218058.html>; Elizabeth Ferris & Kemal Kirişci, *What Turkey's open-door policy means for Syrian refugees*, BROOKINGS INST. (July 8, 2015), <http://www.brookings.edu/blogs/order-from-chaos/posts/2015/07/08-turkey-syrian-refugees-kiris-ci-ferris>.

159. *See* Ferris & Kirişci, *supra* note 158.

160. Ozerkan, *supra* note 158. Historically, Turkish immigration policy has maintained a strong preference for people of "Turkish descent and culture." This stems from the founding of the country as an attempt to allow immigration policies to bolster the nascent Turkish state. Under Turkey's asylum policy, only Europeans are granted asylum, despite criticisms from the international community. AHMET İÇDUYGU, MIGRATION POL'Y INST., SYRIAN REFUGEES IN TURKEY 4–5 (2015), [www.migrationpolicy.org/sites/default/files/publications/TCM-Protection-Syria.pdf](http://www.migrationpolicy.org/sites/default/files/publications/TCM-Protection-Syria.pdf). In July 2016, however, Turkish President Recep Tayyip Erdogan announced that some Syrian refugees will be granted citizenship, though concrete plans have yet to be issued. Ishaan Tharoor, *Turkey's Bold New Plan for Syrian Refugees: Make Them Citizens*, WASH. POST (Jul. 9, 2016), <https://www.washingtonpost.com/news/worldviews/wp/2016/07/09/turkeys-bold-new-plan-for-syrian-refugees-make-them-citizens/>.

161. Ozerkan, *supra* note 158; Although the Turkish government does not expect refugees to stay permanently, there is no clear limit as to the duration of temporary protection status. İÇDUYGU, *supra* note 160, at 5.

principles: (1) temporary protection; (2) non-refoulement; and (3) humanitarian assistance.<sup>162</sup> The legal status of Syrian refugees in Turkey is subject to the Temporary Protection Regulation (“TP Regulation”), which establishes registration and documentation procedures, gives refugees the right to stay in Turkey until it is safe to return to Syria, and gives refugees access to social benefits and services such as medical care, education, and access to the labor market.<sup>163</sup> Additionally, Turkey has cooperated extensively with domestic and international NGOs, as well as the UNHCR, in managing conditions on the ground.<sup>164</sup>

## ii. *Treatment of Initial Arrivals in Turkey*

Most refugees who enter Turkey either wind up in refugee camps, or attempt to make it on their own in the country’s urban areas. Turkey has established twenty-four government-run refugee camps to accommodate refugees, housing an estimated 265,000 people.<sup>165</sup> However, Syrian refugees in Turkey are a largely urban class. The vast majority of refugees live in urban cities and towns, particularly near the Syrian-Turkish border.<sup>166</sup>

In the government-run camps, Syrian refugees typically enjoy better conditions than their counterparts in other places. Clean and secure conditions predominate at the camp in Kilis, with refugees living in containers instead of tents and with basic amenities such as electricity and plumbing provided.<sup>167</sup> Recreation, education, and security are also provided by the Turkish government.<sup>168</sup> Part of the reason for these comparatively good conditions is that Turkey’s camps are run by the Turkish government, as opposed to UNHCR or

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162. İÇDUYGU, *supra* note 160, at 8.

163. *Id.* at 9.

164. *Id.*; U.N. High Commissioner for Refugees, 2015 UNHCR country operations profile – Turkey (2015), <http://www.unhcr.org/pages/49e48e0fa7f.html>; Ferris & Kirişçi, *supra* note 158.

165. Dasha Afanasieva & Oliver Holmes, *Turkey opens biggest refugee camp for 35,000 from Kobani*, REUTERS (Jan. 26, 2015), <http://www.reuters.com/article/us-mideast-crisis-syria-turkey-idUSKBN0KZ0PD20150126>.

166. Estimates of the percentage of Syrian refugees living outside the refugee camps vary, with some sources estimating 80 percent, while others have the number as high as 90 percent. *See* Culbertson, *supra* note 101; *but see* Ferris & Kirişçi, *supra* note 158.

167. Mac McClelland, *How to Build a Perfect Refugee Camp*, N.Y. TIMES (Feb. 13, 2014), [http://www.nytimes.com/2014/02/16/magazine/how-to-build-a-perfect-refugee-camp.html?\\_r=1](http://www.nytimes.com/2014/02/16/magazine/how-to-build-a-perfect-refugee-camp.html?_r=1).

168. İÇDUYGU, *supra* note 160, at 8.

international NGOs as in other countries.<sup>169</sup> These conditions are notable in comparison to those faced by Syrian refugees in Lebanon, where no formal refugee camps exist.<sup>170</sup>

For those Syrian refugees who have either not been able to secure a place in the refugee camps or have otherwise chosen not to stay in them, conditions tend to be bleaker. One reason why many Syrian refugees are not in camps is because the camps simply cannot accommodate all of them.<sup>171</sup> Other reasons include family ties and/or financial means to live independently, and illegal entry, which bars Syrian refugees from registering to enter a camp.<sup>172</sup> Many Syrian refugees living in urban areas struggle to obtain housing, find employment, or access social and health services.<sup>173</sup> Delays in registration also prevent refugees from accessing basic services.<sup>174</sup> Although many refugees initially brought savings funds with them, some have had to rely on “negative coping mechanisms, such as child labor or early marriage to sustain themselves.”<sup>175</sup> As a result, Syrian refugees living outside the camps suffer from significantly worse conditions than those in the refugee camps.

### iii. *Resettlement Efforts in Turkey*

The Turkish government has made some efforts to integrate Syrian refugees. While the Turkish government initially treated the arrival of Syrian refugees as a temporary emergency, there is an increasing reorientation towards long-term planning.<sup>176</sup> This has included a greater emphasis on cooperating with international NGOs in order to provide for refugees’ needs.<sup>177</sup> Since January 2016, Turkey

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169. McClelland, *supra* note 167. Turkey itself provides administrative and financial support for its camps, with UNHCR and NGOs playing only supporting roles. *But see* Culbertson, *supra* note 101 (reporting that some refugees have voiced disapproval of conditions in Turkish refugee camps).

170. Brian Hansford, *Humanity, hope and thoughts of home: Syrian refugees in southern Lebanon*, UNHCR (Feb. 25, 2015), <http://www.unhcr.org/54ede4b16.html>.

171. Culbertson, *supra* note 101.

172. İÇDUYGU, *supra* note 160, at 8.

173. *Id.*

174. HUMAN RIGHTS WATCH, EU: DON’T SEND SYRIANS BACK TO TURKEY (2016), <https://www.hrw.org/news/2016/06/20/eu-dont-send-syrians-back-turkey>

175. Culbertson, *supra* note 101.

176. İÇDUYGU, *supra* note 160, at 9.

177. *Id.*

has allowed refugees to apply for work limits within certain limits.<sup>178</sup> Additionally, the Ministry of Education has implemented a plan to nationalize the informal Syrian schools that have appeared and expanded opportunities for Syrian refugee children to attend Turkish schools.<sup>179</sup> These efforts may help facilitate adjustment to life in Turkey for Syrians, while also ensuring that there is no “lost generation” of Syrian children.

Efforts to integrate Syrian refugees into Turkish society are beset by major concerns, however. Refugees living outside the camps are especially threatened. Half of Syrian refugee children are not in school, and many children are forced into child labor.<sup>180</sup> Many adults, if they have found work at all, are working illegally and for substantially lower wages than Turkish citizens.<sup>181</sup> Some Turks are also resentful of Syrians, who they see as competition for state resources and jobs.<sup>182</sup> Factors such as rising housing costs (driven by the influx of Syrian renters), an increase in crime, and a visible rise in Syrian beggars can also cause resentment among the Turkish population and harm efforts to integrate Syrians into Turkish society.<sup>183</sup>

### III. COMPARATIVE ANALYSIS OF STATES’ HANDLING OF THE VIETNAMESE AND SYRIAN REFUGEE CRISES

Given the similarity of the Vietnamese refugee crisis and the United States’ relative success in assisting Vietnamese refugees, a comparative analysis of the steps taken to address that crisis and the steps now being taken to assist Syrian refugees can foster understanding of refugees’ needs and subsequently improve the resettlement process. An effective, efficient, and organized response to the Syrian refugee crisis can reap substantial long-term benefits. A strong response can ensure that displaced Syrian refugees have an opportunity to thrive, protect refugees’ human rights, and aid the transition back to peace in Syria by eliminating the possibility of a “lost generation” of Syrians. For destination countries, an effective

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178. Refugees have had difficulty obtaining permits, however. HUMAN RIGHTS WATCH, *supra* note 174.

179. *Id.*

180. *Id.*

181. Ferris & Kirişci, *supra* note 158; İÇDUYGU, *supra* note 160, at 8.

182. Ozerkan, *supra* note 158.

183. İÇDUYGU, *supra* note 160, at 10–11.

response will deter Syrian poverty within their borders (and associated ills, e.g. crime and radicalization) and save state resources in the long-term by helping Syrian refugees achieve self-sufficiency. Identifying and applying successful strategies from the Vietnamese example can therefore be constructive in achieving these desirable ends.

#### A. Successful Strategies from the Vietnamese Refugee Crisis

Researchers on Vietnamese refugees resettled in the West have identified two broad issues such refugees have confronted: (1) unemployment; and (2) isolation and alienation.<sup>184</sup> First, Vietnamese refugees have faced issues finding work and maintaining livelihoods, due to hurdles such as language barriers, discrimination, and lack of skills.<sup>185</sup> The second issue concerns assimilation and Vietnamese refugees' psychological well-being. Many Vietnamese refugees, especially elderly ones, have struggled adapting to a new culture in part due to physical isolation (i.e. immobility) and the language barrier.<sup>186</sup> These two challenges should be kept in mind when evaluating the effectiveness of refugee resettlement policies in the Vietnamese context.

States also face the problem of scarce resources and political opposition. While one would like to imagine a world where refugees receive aid regardless of such cold and practical considerations, states must confront these unavoidable realities. As seen, destination countries are already straining to mobilize sufficient resources to assist Syrian refugees. Additionally, many citizens and civil society groups oppose admitting refugees. Therefore, another factor in evaluating resettlement policies is their political and financial feasibility from destination countries' perspectives.

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184. Lam, *supra* note 15, at 375. While Lam also mentions cultural identity (i.e. the issue of cultural identity for the children of resettled refugees, who have more readily adopted their final destination's home culture) as another problem, such issues are outside the scope of this Note.

185. *Id.*

186. *Id.* at 375–376. The language factor can be a vicious cycle: refugees who do not speak the language of their new residence cannot communicate with mainstream society or access valuable public services that can assist in assimilation, furthering the sense of loneliness and cultural maladjustment. On top of these communication issues, one must also not consider the psychological trauma many refugees experienced in the course of being a refugee. *Id.*

### 1. Coordination with the United Nations, UNHCR, and Use of Multilateral Discussions

The need for an organized international response became apparent after the refugees flowing out of Vietnam reached critical mass. Multilateral discussions between U.N. officials and agencies, the United States, Vietnam, and first-asylum countries were critical in developing an organized response. These discussions resulted in the Orderly Departure Program and the Comprehensive Plan of Action.

Both the Orderly Departure Program and the Comprehensive Plan of Action effectively addressed the particular characteristics of the second and third refugee waves. Unlike the first wave, the second and third waves were less educated and so less capable of confronting the challenges of being a refugee. They were also more likely to depart in more dangerous ways due to their desperateness. An effective and organized response to the crisis was especially critical. By establishing protocol that individual states could follow to facilitate the mass movement of people, the Orderly Departure Program and Comprehensive Plan of Action allowed substantial numbers of refugees to leave in an orderly manner. These programs did not entirely staunch the flow of illegal departures.<sup>187</sup> However, the rate of successful international resettlement of refugees increased from 9,000 to 25,000 a month within the first year of the Orderly Departure Program.<sup>188</sup> By establishing clear protocol that states could follow, these two programs helped combat one of the greatest risks of becoming a refugee—the often desperate circumstances of departure.

Many Syrians now leaving Syria face similar circumstances and risks as Vietnamese refugees did. One difference is that many Syrian refugees are wealthier and more middle-class. The dangerousness of the journey, however, is an equalizer. While it is difficult to estimate how many are Syrian refugees, over 3,000 people died making the journey across the Mediterranean Sea in 2015 alone.<sup>189</sup> Moreover, there were 7.6 million internally displaced persons in Syria in March 2015.<sup>190</sup> When the Syrian Civil War ends, many Syrians still in the country will likely also become refugees. Clear procedures followed by all relevant actors for facilitating the

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187. U.N. High Comm'r for Refugees, *supra* note 8, at 86.

188. *Id.*

189. U.N. High Comm'r for Refugees, *Refugee sea arrivals in Greece this year approach 400,000* (Oct. 2, 2015), <http://www.unhcr.org/560e63626.html>.

190. İÇDUYGU, *supra* note 160, at 2.



exit of refugees will save lives by establishing a formal protocol. There is already evidence that Syrian refugees frequently receive erroneous or confusing information due to the disorganized manner in which they arrive in Europe.<sup>191</sup> Leadership at the international level is necessary to coordinate the mass migration of people.

## 2. Partnerships with NGOs

Another key feature of the American response to the Vietnamese refugee crisis was the role of NGOs and VOLAGs. The services provided by VOLAGs, which included assistance with education, housing, jobs, and assimilating into American culture, were invaluable services for refugees starting over in a new country.<sup>192</sup> These services were part of a substantial effort by the U.S. government to prevent welfare dependency and encourage economic self-sufficiency in the resettled refugees.<sup>193</sup>

Partnerships with NGOs can significantly lessen the drain on limited state resources. To varying degrees, the governments of Greece and Turkey have already relied on domestic and international NGOs to help offset the enormous costs of accommodating the numbers of refugees. By continuing to partner with NGOs, the states struggling most to accommodate the large number of refugees can ensure that they maintain an optimal level of services for refugees.

## 3. Domestic Legislation and Administrative Support

Robust legislative and administrative responses in resettlement countries is also necessary. The United States demonstrated remarkable effort in revising immigration and asylum policies during the Vietnamese refugee crisis, while also providing key benefits for those refugees already in the country. These investments in updating laws and accounting for the needs of refugees can substantially facilitate positive outcomes as refugees rebuild their lives.

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191. Renate van der Zee, *Rumours and Lies: "The Refugee Crisis Is an Information Crisis,"* THE GUARDIAN (Aug. 18, 2016), <https://www.theguardian.com/global-development-professionals-network/2016/aug/18/rumours-and-lies-the-refugee-crisis-is-an-information-crisis> (referring to the Syrian refugee crisis as an "information crisis" where Syrian refugees traveling to the EU face greater dangers because of inaccurate information).

192. ZHOU & BANKSTON, *supra* note 42, at 29-30.

193. *Id.* at 36.

The U.S. Congress passed multiple pieces of legislation in response to the Vietnamese refugee crisis, including the Refugee Act of 1980 and the Amerasian Homecoming Act.<sup>194</sup> By harmonizing the U.S. definition of refugee with the U.N. Protocol and establishing the Office of Refugee Resettlement to coordinate resettlement services, the Refugee Act of 1980 updated U.S. refugee resettlement policies to meet the particularities of the Vietnamese refugee crisis head on.<sup>195</sup> By the third wave of the Vietnamese refugee crisis, family reunification became a major force behind Vietnamese migration to the United States. The Amerasian Homecoming Act, which permitted Amerasians left behind in Vietnam to join parents in the United States,<sup>196</sup> helped meet the needs of this third wave.

An emphasis on training and providing services both before and after resettlement was also crucial to the success of resettling refugees. In both domestic and international camps operated by the United States, U.S. officials provided key services such as education, English classes, and cultural lessons.<sup>197</sup> In combination with the more “concrete” services provided by the VOLAGs, this emphasis on training may help explain the relatively successful experiences of Vietnamese refugees in the years after resettlement.

As more Syrian refugees enter the EU and Turkey, updates to domestic legislation and provision of resettlement services will be similarly needed. Fortunately, many countries are already taking action. For example, Germany’s creation of THAP and quota system have allowed Germany to admit many refugees in an orderly fashion and without overloading regional localities.<sup>198</sup> Turkey has made a remarkable effort to care for the refugees in its camps, as evidenced by the relatively comfortable conditions in its camps.<sup>199</sup> However, more can be done. For one, Turkey’s refusal to grant Syrians refugee status means that the Syrian refugees living within its borders are forced to live in a state of long-term legal uncertainty. A coordinated effort to resettle and provide needed services for Syrian refugees in the EU is also much needed.

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194. Refugee Act of 1980, 8 U.S.C. § 1157 (2012); ZHOU & BANKSTON, *supra* note 42, at 34.

195. See note 43 and accompanying text; *History of ORR*, *supra* note 42.

196. ZHOU & BANKSTON, *supra* note 42, at 34.

197. *Id.* at 29-30, 35-36.

198. Memo on THAP, *supra* note 141; Bennhold & Eddy, *supra* note 145.

199. McClelland, *supra* note 167.

## B. Successful Strategies in the Syrian Refugee Crisis

### 1. Availability of Asylum and the Principle of Non-refoulement

While the availability of asylum and efforts to integrate refugees into the communities where they resettle has not been uniform from state to state, in general both the EU and Turkey have made substantial efforts to protect refugees by accommodating them and maintaining the principle of non-refoulement. One of the major struggles of the Vietnamese refugee crisis was providing a place for the boat people to stay once their numbers began to explode. Numerous reports existed of first asylum countries denying entry to refugees by pushing back boats existed.<sup>200</sup> Although some states, like Hungary, have made strong efforts to deny entry to refugees, the EU and Turkey have been generally welcoming of refugees.<sup>201</sup> It is important that Syrian refugees continue to have a place to go, especially as the Syrian Civil War continues to rage and people's lives are uprooted. Germany in particular has been very hospitable to refugees, allowing as many as one million refugees to enter its borders in 2015.<sup>202</sup> Similarly, Italy and Greece have been critical in offering shelter to the refugees who land on their shores, with Greece in particular investing its already strained resources to maintain reception centers at Kos and Lesbos.<sup>203</sup> And while Turkey continues to deny refugee status to Syrians, by making refugee camps available and maintaining an open-door policy, Turkey has contributed significantly in ensuring that Syrians have a safe refuge as they escape the turmoil at home.<sup>204</sup> Destination countries must continue to provide refugees with a place to go in order to give Syrians a chance to rebuild their lives.

### 2. Role of international organizations and NGOs

Limited cooperation between host countries and NGOs has occurred in the EU and Turkey. In particular, NGOs have played a

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200. U.N. High Comm'r for Refugees, *supra* note 8, at 83.

201. Erlanger & Bilefsky, *supra* note 138.

202. Patrick Donahue and Arne Delfs, *Germany Saw 1.1 Million Migrants in 2015 as Debate Intensifies*, BLOOMBERG (Jan. 6 2016), <http://www.bloomberg.com/news/articles/2016-01-06/germany-says-about-1-1-million-asylum-seekers-arrived-in-2015>.

203. Yeginsu & Hartocollis, *supra* note 114; Fortune, *supra* note 113.

204. Ferris & Kirişci, *supra* note 158.

supplemental role in assisting refugees as they arrive in camps in places like Greece and Turkey. Governments must continue to allow domestic and international NGOs to play a role in providing necessary services for refugees. These services will help refugees integrate into their host countries, facilitating cultural adjustment while also preventing devastating economic effects like poverty, child labor, and early marriage.<sup>205</sup>

It is in host governments' interests to partner with non-government entities. NGOs can contribute much-needed services and resources, thereby offsetting some of the costs to destination countries of accommodating refugees. There is one notable caveat. In Turkey, the government directly runs the refugee camps, and by directly managing them (in consultation with UNHCR), the Turkish government has largely minimized the role played by UNHCR and NGOs in the administration of its refugee camps.<sup>206</sup> This has proven to be a costly approach, but some suggest that by operating the camps in this manner, Turkey has been able to streamline the administration of the camps, provide relatively good living conditions, and consistently maintain those conditions.<sup>207</sup> While this is certainly a provocative argument, it is clear that not all host countries have the capability or political will to manage refugee camps so closely. In Greece, for instance, the government is struggling to find resources to maintain the refugee camps at Kos and Lesbos. As such, it continues to be necessary that host countries maintain a strong relationship with non-government entities.

As with the Vietnamese refugee crisis, the U.N. and UNHCR continue to play a large role in managing the crisis. Unfortunately, there have been no large-scale, coordinated programs like the Orderly Departure Program. But UNHCR has continuously monitored the crisis and provided resources and expertise in assisting refugees.<sup>208</sup>

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205. It should be noted, however, that the need for services catering to resettled Syrian refugees will almost certainly not terminate once they are resettled. A CDC report suggests, for example, that Vietnamese immigrants may have been at greater risk for certain mental health issues such as post-traumatic stress disorder. CENTERS FOR DISEASE CONTROL AND PREVENTION, *supra* note 82, at 12. The long-term needs of resettled refugees must therefore also be taken into account when developing a policy for resettlement.

206. McClelland, *supra* note 167.

207. *See id.*

208. In 2016, UNHCR and UNICEF began establishing "blue dot" hubs along common migration routes in Europe that aimed to provide safe spaces for children and families, certain services, and counseling. These hubs came in response to the growing number of refugee children. Press release, UNHCR and

The U.N. has also attempted to broker a political solution to the crisis by ending the Syrian Civil War. After a 2012 conference attended by multiple superpowers including the United States, Russia, China, and the United Kingdom, the U.N. issued a communique (“2012 Communique”) calling for a political solution to the Syrian Civil War and the establishment of a transitional government in Syria.<sup>209</sup> However, the 2012 Communique has largely been ignored, and talks to implement it in 2014 quickly broke down.<sup>210</sup> Nonetheless, it is hopeful that the U.N. and UNHCR are continuing to work towards a possible solution to the refugee crisis, and it is equally necessary that all relevant members of the U.N. continue to cooperate with the international body and its various organs.

### 3. Conditions of Refugee Camps and Efforts to Resettle Refugees

Despite numerous challenges, the EU and Turkey have maintained relatively good conditions for refugees at arrival and during resettlement. In the camps in Turkey, basic amenities like food and shelter are provided, while more “advanced” amenities like education, recreation, and Internet are also available.<sup>211</sup> In the EU, Italy and Greece have struggled more to maintain decent conditions in their reception centers in part due to the enormous numbers of refugees and financial strains on those countries. Still, first-asylum countries in the EU have largely been successful in expediting the process so that refugees do not linger too long. For example, Greek authorities have typically been able to process refugees within days and allow them to move on to their ultimate destination elsewhere, though their ability to do so is changing for the worse.<sup>212</sup>

Germany especially has done much to help resettle Syrian refugees. In some ways, the German approach mirrors that of the United States during the Vietnamese refugee crisis. Germany revised

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UNICEF, UNHCR, UNICEF Launch Blue Dot Hubs to Boost Protection for Families on the Move Across Europe (Feb. 26, 2016), <http://unhcr.org.au/news/unhcr-unicef-launch-blue-dot-hubs/>.

209. *UN envoy calls for transitional government in Syria*, BBC NEWS (June 30, 2012), <http://www.bbc.com/news/world-middle-east-18650775>; Press Release, Action Group for Syria, Final Communiqué of Action Group for Syria, U.N. Press Release A/66/865 (June 30, 2012), <http://www.un.org/News/dh/infocus/Syria/FinalCommuniquéActionGroupforSyria.pdf>.

210. *Syria: The story of the conflict*, *supra* note 83.

211. McClelland, *supra* note 167.

212. Daley, *supra* note 123; Alderman, *supra* note 129.

its national legislation in order to facilitate refugee resettlement. Germany, in cooperation with NGOs, also provides vital services to refugees, helping them get established economically. The ability of refugees to migrate internally once resettled facilitates family reunification as well. On top of that, the quota system ensures refugees are resettled efficiently. Together, these policies can provide refugees with the economic and social support they need, while also mitigating some of the costs of admitting refugees. The factors discussed in evaluating the U.S. response to the Vietnamese refugee crisis—the economic and cultural needs of refugees, as well as the more practical political and financial costs of resettling refugees—are thus met.

### C. Challenges and Differences between the Vietnamese and Syrian Refugee Crises

#### 1. Lack of a United Policy for Addressing the Syrian Refugee Crisis

There has been a noticeable lack of a grand, comprehensive strategy for addressing the Syrian refugee crisis. Unlike in Vietnam, where the Orderly Departure Program and Comprehensive Plan of Action facilitated the orderly movement of refugees out of Vietnam and into resettlement countries, no such international accords exist to do the same for Syrian refugees. Efforts by the United Nations to broker a political solution to the military conflict in Syria have also failed. Absent a broader international scheme, the duty of planning strategies to deal with refugees falls to individual states and regional governments. However, this approach, while not precluding a successful handling of the crisis, leads to inconsistency in refugee policies and contributes to confusion among refugees seeking asylum.<sup>213</sup> In comparison, the Orderly Departure Program and Comprehensive Plan of Action brought together Vietnam, first asylum countries, and destination countries and allowed those countries to cooperate under one policy. Qualifying refugees were assured the ability to leave Vietnam, first asylum countries knew that refugees who landed on their shores would not overstay their welcome, and once in their destination country, refugees benefited from a smooth transition into their new homes. A clear, coordinated policy will make things easier for all parties. Yet no such

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213. Van der Zee, *supra* note 191.

international agreement currently exists for Syrians. Even in the EU, leaders cannot agree on a framework for admitting and resettling Syrian refugees.<sup>214</sup> As such, this is one significant area in which contemporary leaders may learn from the Vietnamese refugee crisis.

## 2. Sheer Size of the Syrian Refugee Crisis

A major difference between the Vietnamese and Syrian refugee crises is the size of each crisis. Between 1975 and 1997, encompassing all three waves of the Vietnamese refugee crisis, 1,642,179 Vietnamese were resettled.<sup>215</sup> Five million Syrians are refugees as of August 2016, and the crisis is not yet over.<sup>216</sup> Clearly, there is an enormous difference in the magnitude of the two crises—in four years of civil war, the Syrian crisis has tripled twenty-two years of Vietnamese refugees. It is not surprising that individual countries, regional governments, and the international community have struggled to grapple with the sheer size of the crisis.

Moreover, the difficulty of accommodating Syrian refugees is compounded by the fact that Syria's crisis occurs in the context of a much larger refugee crisis. During the same period, refugees from other parts of the Middle East and Africa have swelled the number of refugees and migrants seeking to enter the EU.<sup>217</sup> In 2015, only about half of the sea arrivals into the EU were from Syria, with the other half comprised of nationals of other countries.<sup>218</sup> While the Vietnamese refugee crisis also took place amid a larger migration of people out of the Indochinese region, only about 900,000 (35 percent) of the roughly 2.5 million Indochinese resettled between 1975 and 1997 were non-Vietnamese.<sup>219</sup> Again, the difference in size between the two crises is substantial.

A related challenge is funding. Some countries like Greece are already grappling with limited resources related to their own

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214. Ian Traynor, *Europe split over refugee deal as Germany leads breakaway coalition*, THE GUARDIAN (Nov. 30, 2015), <http://www.theguardian.com/world/2015/nov/29/germanys-plan-to-strike-eu-wide-refugee-sharing-deal-stalls>.

215. W. COURTLAND ROBINSON, TERMS OF REFUGE: THE INDOCHINESE EXODUS AND THE INTERNATIONAL RESPONSE (1998). An additional 127,000 Vietnamese were repatriated during this period. *Id.*

216. U.N. High Comm'r on Refugees, Syria Regional Refugee Response (2016), <http://data.unhcr.org/syrianrefugees/regional.php>.

217. *Migrant Crisis*, *supra* note 102.

218. *Mediterranean Sea Arrivals*, *supra* note 5.

219. ROBINSON, *supra* note 215.

financial problems. Even UNHCR has struggled to maintain sufficient funds because of the enormity of the refugee crisis.<sup>220</sup> This has led to cuts in food rations and other resources.<sup>221</sup> Maintaining sufficient funds is thus a major hurdle to ensuring that Syrian refugees can continue to be accommodated and basic conditions at refugee camps are maintained.

Still, the Vietnamese refugee crisis and the strategies employed by individual countries in the current crisis can provide lessons for managing the crisis. An international agreement in the vein of the Orderly Departure Program that brings together all relevant parties will help destination countries equitably and efficiently distribute the refugees they receive, in accordance with political will and economic ability. Partnerships with NGOs and volunteer agencies, as the United States had with the VOLAGs, will ensure that crucial services like housing, access to education, and assistance with the job market continue to be provided, offsetting some of the costs of accommodating refugees. Focusing on family reunification can also provide a vital social safety net and economic unit necessary for refugees to thrive, further offsetting costs to governments. Finally, the German model being deployed today, with its quota system, can be instructive. By distributing refugees among Germany's individual states according to economic capability, the quota system prevents individual communities from bearing a disproportionate amount of the burden of caring for refugees, as seen in Italy and Greece. Indeed, Germany has pushed hard for the EU to adopt a similar system for EU members, which the EU did in September 2015.<sup>222</sup> By taking appropriate steps, destination countries can mitigate the problems associated with the size of the Syrian refugee crisis.

### 3. Lack of Political Will to Assist Syrian Refugees

One major challenge of the Syrian refugee crisis has been the lack of political will among many destination countries to assist

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220. Despite the increasing size of the refugee crisis, UNHCR's income for 2015 was 10 percent less than in 2014. Harriet Grant, *UN Agencies 'Broke and Failing' in Face of Ever-Growing Refugee Crisis*, THE GUARDIAN (Sept. 6, 2015), <http://www.theguardian.com/world/2015/sep/06/refugee-crisis-un-agencies-broke-failing>.

221. *Id.*

222. *Migrant crisis: EU's Juncker announces refugee quota plan*, BBC NEWS (Sept. 9, 2015), <http://www.bbc.com/news/world-europe-34193568>.



Syrian refugees. This lack of political will is in part due to the socio-political dynamics of the Syrian refugee crisis. The large-scale admittance of refugees into the United States following the Vietnam War may have been partly driven by guilt. During the first wave especially, Americans, feeling guilty over the damage they had caused in the refugees' homeland, freely admitted the Vietnamese and provided them with a wealth of social services in order to facilitate the transition to resettlement.<sup>223</sup> In contrast, this guilt-driven dynamic largely does not exist for Syrians. The West has mostly stood by the sidelines of the Syrian Civil War, and there may be a sense of compassionate distance for the plight of Syria's refugees.

Other political, social, and even economic considerations may be at play too. Terrorist attacks throughout 2015 and 2016 sparked furious debate in destination countries about admitting more refugees, many of whom are Muslim. Far right political groups in the EU oppose admitting refugees, and some have called for greater surveillance of Muslims in their countries.<sup>224</sup> The financial struggles of countries like Greece have also raised concerns about the number of refugees entering the country. All of these factors have translated into a noticeable absence in political will among many destination countries, particularly in the EU, that has threatened the availability of asylum for Syrian refugees and acted as an obstacle to a more systematic and coordinated international effort to assist refugees.

It is understandable that some want to limit or altogether stop the flow of refugees into their countries, given the many concerns. But refugees are among the most vulnerable people on earth. It is a basic tenet of international law to assist the most vulnerable refugees such as political targets, women, and children. The international law obligations of many destination countries demand that refugees' rights be protected and the principle of non-refoulement honored. For various policy reasons, including the long-term stability of Syria and other countries in the region, it is also important that the refugee crisis be addressed. As such, providing a place for refugees to go remains paramount.

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223. Jonathan H.X. Lee, *Chinese Vietnamese*, in CHINESE AMERICANS: THE HISTORY AND CULTURE OF A PEOPLE 72, 76 (Jonathan H.X. Lee ed. 2016).

224. Andrey Sazonov, *Paris Attacks and Europe's Response to the Refugee Crisis*, HUFFINGTON POST (Dec. 2, 2015), [http://www.huffingtonpost.com/european-horizons/paris-attacks-and-europes\\_b\\_8684636.html](http://www.huffingtonpost.com/european-horizons/paris-attacks-and-europes_b_8684636.html).

## CONCLUSION

The Syrian Civil War has produced a staggering number of refugees, presented enormous logistical, political, and financial challenges to destination countries, and has created a general sense of instability and uncertainty in the Middle East and EU. It is understandable that politicians and leaders in destination countries as well as international organizations such as the United Nations are struggling to confront the challenges posed by the Syrian refugee crisis. However, an analysis of past strategies used during the Vietnamese refugee crisis can be informative.

During the Vietnamese refugee crisis, a combination of international agreements, domestic legislation, and cooperation with NGOs greatly expedited the process of resettling Vietnamese refugees. Under the Orderly Departure Program and Comprehensive Plan of Action, Vietnamese who qualified for asylum were given an orderly means of exiting Vietnam, first-asylum countries in Southeast Asia were promised a solution to the large numbers of refugees turning up on their shores, and resettled Vietnamese were provided with assistance with resettling in their new homes. Domestic legislation also ensured that immigration and asylum policies would be revised to meet the particularities of the Vietnamese refugee crisis. For instance, the Refugee Act of 1980 in the United States harmonized the United States' definition of refugee with the U.N. Protocol and established the Office of Refugee Resettlement to coordinate resettlement services. Policies that favored family reunification may also have provided economic and psychological benefits to refugees. Finally, partnerships with NGOs, including VOLAGs in the United States, ensured that refugees entering the country were given assistance with education, housing, jobs, and assimilating into American culture. The efforts of VOLAGs both immediately after entry into the United States and during the years after resettlement contributed in significant part to the relative success of Vietnamese refugees in integrating into the United States.

Limited successes have already been seen in the EU and Turkey, where countries are currently confronting the Syrian refugee crisis. Many states in the region have offered refuge and protected the principle of non-refoulement, thereby protecting Syrian refugees by giving them a place to go. International organizations, NGOs, and civil society in general have also played an important role in the refugee crisis, and must continue to do so in order to provide expertise and supplement the already-strained resources of states in

handling the crisis. Lastly, the conditions of refugee camps and efforts to resettle Syrian refugees, which have not been without controversy, nonetheless have constituted a sincere effort to protect and improve the lives of those Syrian refugees seeking sanctuary in the EU and Turkey.

Still, significant challenges remain. The EU, Turkey, and the international community as a whole must come together to produce a unified plan in the vein of the Orderly Departure Program to address the current crisis. The sheer size of the current crisis is another challenge that must be addressed. And lastly, the lack of political will to assist refugees cannot be used as an excuse to ignore the problem. The challenges posed by the Syrian refugee crisis are great, and in certain respects, unprecedented in terms of size and complexity. Yet an analysis of the Vietnamese refugee crisis can offer important insights and valuable precedent for confronting the current crisis. By remembering the lessons of Vietnam, today's leaders have an opportunity to better the lives of five million people.

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