

Protecting Migrants at Risk as Internally Displaced Persons: State Responses to Foreign Immigrants Displaced by Natural Disasters in Thailand, The United States, and Japan

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Abstract : Cross-border migration of people is a critical driver for sustainable economic development in the Asia-Pacific region. Meanwhile, the region is susceptible to mega-scale natural disasters, such as tsunami, earthquakes, and typhoons. When migrants are stranded in a foreign country by a disaster, who should be responsible for their safety and security? What legal or moral foundation is there to advocate for the protection and assistance of “migrants at risk (M@R)”? How can the states practice “good governance” in their response to displacement of the foreign migrants? This paper inquires how to protect foreign migrants displaced by a natural disaster under international law and proposes protective actions to be taken by of migrant-receiver governments. First, the paper discusses the theoretical foundation for protection of M@R and argues that the nation-states are charged of responsibility to protect at-risk foreigners as “internally displaced persons” in the light of the United Nations’ Guiding Principles of Internal Displacement (1998). Second, through the case study of the Kobe Earthquake in Japan (1995), the Tsunami in Thailand (2004), and the Hurricane Katrina in the U.S. (2005), the paper evaluates how effectively (or poorly) institutions and state actors addressed the specific vulnerability felt by M@R in these crises.

Keywords : internal displaced persons, natural disaster, international migration, responsibility to protect

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