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Protecting migrants at Risk as Internally Displaced Persons: A Normative Framework

Panel: Good Governance

Cross-border migration of people is a critical driver for sustainable economic development in the Asia-Pacific region. Meanwhile, cities in the region cluster along the coasts, which are also susceptible to natural disasters, such as typhoons, earthquakes, tsunami, and floods. It means that the risk of displacement of foreign migrants by a natural disaster is high in Asia. When migrants are stranded in a foreign country by a natural 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 responses to the displacement?

This paper inquires how to build an institutional framework and the state capacity to protect M@R in a natural disaster under international law. First, the paper spells out the theoretical foundation for the argument that the sovereign state is held responsible for protecting them as *internally displaced persons* in the light of the United Nations’ Guiding Principles of Internal Displacement (1998).

Second, drawing from the case study of the Kobe Earthquake in Japan (1995), the tsunami in Thailand (2004), and Hurricane Katrina in the U.S. (2005), the paper evaluates how effectively, or poorly, the current protection systems and the state actors cope with the vulnerability specifically felt by M@R.