



Aiding foreign residents in disasters

(Summary)

Toake Endoh

Guest Professor, Kobe University Graduate School of Law

Why we need to aid foreign residents at times of disaster

The number of foreign residents is rapidly increasing, Japan is a disaster-prone nation, and foreigners face unique challenges at such times. What kind of assistance systems do we need? Who is responsible? Why do we need to examine the issue of foreign resident aid?

Foreign residents affected by disasters

In recent years, the risk of foreigners being affected by disasters has been increasing worldwide. Some examples are the 2004 Great Sumatra-Andaman Earthquake, Hurricane Katrina in the US in 2005, and the 2011 Thailand floods.

Immigrants and expatriates tend to live in urban areas. The disaster risk for foreigners in major Asian cities is overwhelming, because many of these cities are located along coasts, susceptible to floods, tsunamis, and typhoons.

Vulnerability of outsiders, cultural and language barriers, and issues of legal qualification for aid

The potential vulnerability of outsiders to disaster is more diverse and complex than previously imagined. For example, at the time of the Great East Japan Earthquake in 2011, some foreign victims failed to escape because they did not know about tsunami. Some did not understand the instruction to evacuate to higher ground, could not be treated at hospitals, or could not receive relief money because they did not know how to be certified as victims.

Intertwined problems

Individual circumstances and policy factors are intertwined: the personal situations of foreign victims, such as their immigration and resident statuses, their relationships with their neighbors, and the policies of the host governments, such as their attitude towards immigrants, whether they are based on exclusionism or multiculturalism, etc.

Effects on surrounding areas

When bird flu spread in Thailand in 2008, the Thai government's failure to include refugee camps in

the initial control areas resulted in delayed eradication.

Who is responsible for rescue resolution?

Some typical responses to the question of who is responsible for rescue resolution are based on the entrenched idea that the “aid and rescue of foreign victims is obviously the responsibility of their home country governments” and wishful thinking that “the UN, the Red Cross and other international institutions will take charge”. But are these true? Does the host state have no responsibility for their assistance?

Internally Displaced Persons (IDPs)

Some say that disaster victim protection is morally right and attempt to act outside current law without creating new legislation.

IDPs outnumber international refugees

According to a 2016 estimate, there are far more IDPs (31.1 million) than refugees (18 million) worldwide. While conflicts and civil wars have been cited as the main causes, in recent years, the number of evacuees from disasters has far exceeded that from conflicts and violence. (In 2016, the estimated number of disaster-related IDPs was 24.2 million, whereas that of conflict-related IDPs was 6.9 million.) The 134,000 evacuees from the nuclear accident at Fukushima can also be categorized as IDPs.

Acknowledgement of IDPs by the United Nations

The legal team directly reporting to the Secretary-General of the United Nations acknowledged the existence of IDPs, characterizing the situation as "a humanitarian crisis in the 21st century". They indicated that sovereign nations have a responsibility to protect IDPs (R2P) and called upon them to carry it out.

Disaster victims are IDPs

Individuals forced to leave their homes or permanent residences to escape from natural or manmade disasters are IDPs, with no distinction between citizens and foreigners.

Based on this principle, this author takes the position that host governments are obliged to protect foreign residents affected by disasters.

R2P 1: A responsibility to make efforts to prevent or reduce the occurrence of IDPs.

R2P 2: A responsibility to protect and support foreign residents when they are forced to evacuate domestically.

R2P 3: A responsibility to provide medium-to-long-term support to restore the original conditions of affected communities so that foreign evacuees can quickly return to their daily lives.

Government role in Japan

When foreigners have been affected by disasters in Japan, there have been internal and external pressures on the government to implement clear policies, but this goal has yet to be achieved. As declared in the Hyogo Framework for Action and the Sendai Framework for Action, municipal governments and local communities are critical stakeholders in creating sustainable disaster-prevention systems.

In order to build a robust system without disparity among regions and people, it is essential that the national government, with its great authority in policy-making, diplomacy, goods, budgets, etc., invest some of those powers in local governments and the private sector, and then interactively collaborate in discussion and work cooperatively.

Précis

International societies led by the United Nations are addressing this issue in cooperation with state governments, so the Japanese government, which is promoting internationalization domestically while bearing disaster risks, should certainly take responsibility as a host country to protect its foreign residents.

Ahead of the Tokyo Olympic and Paralympic Games, there is a pressing need to develop a solid disaster-prevention safety net across the country so that foreigners can live here in security and safety.



* This piece is based on the following article, updated and rewritten in Japanese.

”Surrogate Guardian: Responsibility to Protect Migrants in Disasters and Responses by the Japanese State” *Journal of International Migration and Integration* (January 2016)

Author Profile:

Toake Endoh

Graduated from the Department of International and Cultural Studies, Tsuda University. MA from the University of Texas (Latin American Studies) and Columbia University (Political Science). PhD from Columbia University (Political Science). Currently a guest professor at Kobe University Graduate School of Law, following terms as an associate professor at the School of Liberal Arts of the Fashion Institute of Technology (State University of New York) and a professor in the Liberal Arts Program at Hawaii Tokai International College.



Publications:

“*Nanbei ‘Kimin’ Seisaku no Jitsuzou*” (Iwanami Gendai Zensho 088, 2016)

Exporting Japan: Politics of Emigration to Latin America (University of Illinois Press, 2009).

The Outlook Foundation publishes proposals for a better future by brilliant front-line experts.



Your feedback is most appreciated. abrighterfuture@theoutlook-foundation.org

<http://www.theoutlook-foundation.org>

© 2017 The Outlook Foundation. All rights reserved.