

-Humanitarian Law RULES!-

Center for the Study of Humanitarian Law
Newsletter

June 2017

Deporting Cambodians from the United States: Human Rights Implication

Since 2002, the United States (US) has deported more than 500 Cambodians back to Cambodia in accordance with the 1996 law on the Illegal Immigration Reform and Immigrant Responsibility Act (IIRIRA) and the 2002 repatriation agreement between Cambodia and the US. Under the IIRIRA, non-US citizens, who are convicted of even trivial offences such as shoplifting are subject to deportation.

Deported Cambodians have strong ties with the United States but have little or no tie with Cambodia. Between 1975-1994, the US accepted 157,518 Cambodians on humanitarian grounds. Some of them had left Cambodia since they were children or were born in Thai refugee camps. Some had never been to Cambodia prior to deportation. Many of them cannot speak, read or write Khmer. Practically, they were Americans except failing to obtain the American citizenship.

Deporting long-term, settled residents/refugees who have strong social, cultural, and familial ties to the US, to Cambodia, which they have limited or no social connection to, bring both legal and moral implications.

There are three durable solutions for refugees: (1) voluntary repatriation (2) local integration (3) resettlement in a third country. If deportees retain their refugee status, returning them against their will to Cambodia might bring up legal consequences. However, it is problematic to say that once a person is found to be a refugee, she/he remains to be a refugee for the rest of their lives irrespective of their circumstances.

Regardless of their refugee status, it is arguable that the US and Cambodia are morally and legally responsible for the human rights implications resulting from the deportation. For example, the deportees are separated from their families in the US. Furthermore, there have even been a few cases where deportees have committed suicides in Cambodia.

To conclude, the right to regulate migration based on security grounds must be balanced with the states' obligations to refugees and permanent resettled immigrants under the Refugee Convention and the human rights treaties.

LIBRARY HOURS

June 2017

Mon to Fri: 8.45am – 5.30pm

Closed: 1 June 2017 (International
and National Children Day)

UPCOMING EVENTS

Public Lecture Series 3: 6 June 2017

RESEARCH AT THE LIBRARY

Did you know that you can access online databases, Westlaw International and Westlaw UK, at the library? These databases give you access to 1000s of documents that will help you with your research. And if you need help using them, we're more than happy to assist!

