Issues of International Migration and Territoriality in Japan - with special reference to Europe, Past and Present

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Outline

• The Aim:
  o Release the analysis of immigration policies from MORAL IMPLICATIONS
  o To view immigration policies as FOREIGN POLICIES

• The Structure:
  1. Overview
  2. Facts and Observations
     a. Economic Migration: Grand strategy, High skill migration, Technical intern training programme, EPA related migration
     b. Political Migration: Asylum system, The “loophole”, Third country resettlement programme
  3. Conclusions and Visions
Overview

- Japan: A Closed Society against Immigrants?
- Approx. 2,250,000 non-Japanese living in Japan, from over 190 countries (2012): Many or Not so many?
- Is Regulation Bad? No.
  - Immigration control is a vital part of the state sovereignty
- Can a state pursue 0 immigration policy instead? No.
  - Growing sense of normative responsibility in the world
- What is the immigration control? = An Act of **Balancing** by the state

<table>
<thead>
<tr>
<th></th>
<th>Foreign Population (by percentage)</th>
<th>Total Population (person)</th>
<th>Total area (km²)</th>
<th>Population Density (person/km²)</th>
</tr>
</thead>
<tbody>
<tr>
<td>JAPAN</td>
<td>1.7%</td>
<td>127,100,000</td>
<td>377,930</td>
<td>336</td>
</tr>
<tr>
<td>GERMANY</td>
<td>20%</td>
<td>80,200,000</td>
<td>357,121</td>
<td>224</td>
</tr>
<tr>
<td>USA</td>
<td>100%?</td>
<td>316,100,000</td>
<td>9629091</td>
<td>33</td>
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</table>
Grand strategy
to tackle with the demographic issue

• The Council on Economic and Fiscal Policy (CEFP): now in discussion on whether or not to accept immigration for economic purposes.

• A plan proposed to receive 200,000 migrants annually until 2030 (to keep 100 million total population and for the birth rate of 2.07)

• Not with detailed plans yet
  o Political reasons: protest from the LDP politicians (flattering populist, unpopular by constituencies, lack of interest by the industries, etc.)
  o Technical reasons: not yet reached consensus that the immigrant population successfully makes up for deficiencies of the native population.

• Touchstone for an open immigration policy?
Recruitment of the Highly-Skilled: 
A review of the “Points-based system”

- Open to academics, technicians and investors/managers.
- After approval:
  - permission for multiple activities
  - grant of the “5 years” period of stay (renewable)
  - easing of requirements for permanent residence
  - preferential processing of entry and residence procedures
  - permission for the spouse of the highly-skilled foreign professional to work
  - permission to bring a parent(s) to accompany the highly-skilled foreign professional to Japan under certain conditions
  - permission for a domestic worker to accompany the highly-skilled professional to Japan under certain conditions
Controversial aspects of the Technical Intern Training Programme

(“Gino Jisshu Seido”)

• An illegal path to the unskilled migration?
• Not for workers but for employers
• Started in early 1980s as a part of development aid policies
• More abused cases detected nowadays
Nurses and Caregivers’ recruitment through EPA

- Responding to the Labour Demands, or just an Outcome of the Linkage?
- Japan has concluded the Economic and Partnership Agreements with Indonesia (2008), the Philippines (2009), and Vietnam (2012)
- On this bases, nurses and caregivers from these countries are allowed to work in Japan
- Pilot project
- Strong protest by the domestic nurse association.
The Japanese asylum system

- The refugee policy of Japan started even before the country signed the UN Convention relating to the Status of Refugees ("Geneva Convention")
- "The Indo-Chinese Refugees and Displaced Persons Liaison and Coordination Committee" set up in the Cabinet in 1979.
- The Immigration Control and Refugee Recognition Act in 1982
The Japanese asylum system (cont.)

- Why the number of refugees in Japan is remarkably small?
- Due to insufficiency of the policy scheme
  - The government recognized the refugee status as long as the application met the criteria set forth in the Geneva Convention
  - The government has not provided the alternative measures for people who need international protection

<table>
<thead>
<tr>
<th>Year</th>
<th>By Convention</th>
<th>As Humanitarian Protection</th>
<th>Number of Application</th>
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<tbody>
<tr>
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<td>34</td>
<td>53</td>
<td>954</td>
</tr>
<tr>
<td>2007</td>
<td>41</td>
<td>88</td>
<td>816</td>
</tr>
<tr>
<td>2008</td>
<td>57</td>
<td>360</td>
<td>1599</td>
</tr>
<tr>
<td>2009</td>
<td>30</td>
<td>501</td>
<td>1388</td>
</tr>
<tr>
<td>2010</td>
<td>39</td>
<td>363</td>
<td>1202</td>
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(Source: Immigration Bureau Japan)
The case of bogus asylum claim

- The Japanese asylum procedure has a loophole that could be abused
- "Designated Activities" is attractive to (potential) bogus refugees

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<tr>
<td>2006</td>
<td>340</td>
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<tr>
<td>2007</td>
<td>362</td>
</tr>
<tr>
<td>2008</td>
<td>429</td>
</tr>
<tr>
<td>2009</td>
<td>1,156</td>
</tr>
<tr>
<td>2010</td>
<td>859</td>
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Settlement programme by “the Third Country”: diplomatic strategy or a form of “passive diplomacy”?

- Japan introduced this programme in 2010 by the request from the UNHCR
- Another pilot project
- Only 45 people accepted (from Thai-Myammar border camp)
- Most of them are the Karen, often the Rohingya people included
- The government officially states continuing this project after 2014.
Conclusion and Visions

- Japan is shifting its policies towards accepting more migration step by step
- Discreet?
- Timid?
Thank you!
Reference

• 14 March 2014, The Japan Times, “Japan may boost immigrant numbers”
(http://www.japantimes.co.jp/news/2014/03/14/national/politics-diplomacy/japan-may-boost-immigrant-numbers/#.VFuPVRrFarAk. First contacted on 06 nov. 2014)