



Photo courtesy of SMJ

Job Security March in Tokyo, organized by General Union Tokyo South. Migrant workers from Asia, South and North America, and Japanese workers joined the march. Japan, March 2005.

## JAPAN

*This report was contributed by Naoto Higuchi, Solidarity Network with Migrants in Japan (SMJ).*

### Political and Economic Update

Similar to many other countries around the world, the biggest political event in Japan in 2003 was the government's diplomatic stance toward the Iraq war. Prime Minister Junichiro Koizumi immediately supported Bush, despite strong opposition by Japanese citizens. Following the proclaimed end of the Iraqi war, the government decided to send the Self Defense Force to Iraq, aiming to strengthen the Japan-US alliance. Polls revealed, however, that the majority of citizens opposed the dispatch of the Self Defense Forces to Iraq, considered the riskiest since the establishment of the SDF. In addition, it is often accused of violating the pacifist Japanese constitution, which prohibits overseas

military activities. Nevertheless, the Koizumi cabinet made this risky decision because the Prime Minister regards it as essential to maintaining a good partnership with the US, which will in turn reduce the threat of North Korea.

On the other hand, Koizumi insisted on visiting the Yasukuni Shrine, which deifies A-class war criminals, ignoring the outcries of China and South Korea. As a result, Japan's bilateral relations with these two countries have worsened.

Economically, Japan began to recover from negative growth in 2001. The GDP growth rate in 2003 and 2004 recorded 2.0% and 1.9% respectively. Though the unemployment rate marked a postwar peak of 5.8% in March 2003, it dropped to 4.6% in June 2004. This is due primarily to the high growth of automobile and precision-machine industries.

### Migration Update

#### *Recent Immigration Statistics in Perspective*

The Immigration Bureau reported that the number of

registered foreign residents at the end of 2003 was 1,915,030, an increase of 63,272, or 3.4%, over 2002. The population of these foreign residents by nationality is the following: 613,791 Koreans, 462,396 Chinese, 274,700 Brazilians and 185,237 Filipinos. Meanwhile, the number of visa overstayers is decreasing year by year to 219,418 as of January 2004, from a peak of nearly 300,000 in 1993.

At the same time, the breakdown of people who overstayed their visa by nationality has changed during the last decade. As Table 1 shows, the number of undocumented migrants from South and West Asia peaked in the early 90s, then gradually decreased to less than 3,000. On the other hand, the number of undocumented migrants from East Asia marked the highest point in the late 90s. Meanwhile, the number of Indonesian, Sri Lankan and Brazilian overstayers are still increasing, although the overall size of population is small.

**Muslim Migrants under Surveillance**

As reported in *Asian Migrant Yearbook 2002-2003*, migrants are increasingly regarded as “enemies within”. This tendency is becoming more salient: the Ministry of Justice issued a joint declaration on 17 October 2003, to strive to reduce the number of undocumented foreign nationals by half in five years, in close cooperation with the Tokyo Metropolitan government and Metropolitan Police Agency. According to the declaration, these parties are going to crack down on undocumented migrants in a stronger manner.<sup>1</sup> Moreover, the fear of terrorism has added to that of migrant crimes, exclusively targeting Muslims.

Muslim migrants in Japan are mainly composed of Pakistanis, Indians, Bangladeshis, Sri Lankans, Indonesians and Iranians, though Shi’ite Iranians are isolated from other Muslims. Though there were two existing mosques in Tokyo and Kobe, migrants preferred to construct their own mosque. Their plan was realized through the construction of a mosque in Koshigaya, greater

**TABLE 1: CHANGING COMPOSITION OF VISA OVERSTAYERS**

	Peak period		Overstayers in 2004
	Year	No.	
Bangladeshis	1992	8,161	less than 3,000
Iranians	1992	40,001	less than 3,000
Malaysians	1992	38,529	8,476
Pakistanis	1992	8,056	less than 3,000
Thais	1993	55,383	14,334
Burmese	1994	6,391	less than 3,000
Chinese	1994	39,738	33,522
Peruvians	1995	15,301	7,230
Filipinos	1997	42,627	31,428
Koreans	1999	63,848	46,425
Taiwanese	1999	9,437	7,611
Indonesians	2004	7,246	7,246
Sri Lankans	2004	4,242	4,242
Brazilians	2004	4,728	4,728
Total	1993	298,646	----

Source: Ministry of Justice

Tokyo, in 1992.<sup>2</sup> With an increasing number of Muslims marrying Japanese, the number of mosques has grown to 15, though the number of undocumented Muslims have been decreasing. After the terrorist



**Medical check-up for migrant workers, organized by Zentoitsu Workers Union. Due to a massive crackdown, the number of participants were drastically decreased.**

Photo courtesy of SMAJ

Japan Significant

2003

January

(14) Prime Minister Junichiro Koizumi visits the Yasukuni Shrine.

March

(4) The cabinet approves a bill to scrap the sixty-day limit on accepting applications for refugee status.

(8) About 50,000 demonstrators march against the war in Iraq, which marked the highest mobilization in the decade.

April

(1) Japan Post, a public corporation, is established to replace the government Postal Service Agency.

(12) The Cabinet Office presents the results of a poll on the protection of human rights. Only 58% of respondents answered in the positive to the question, “should the human rights of foreigners be guaranteed, the same as Japanese nationals?”

May

(24) About 200 activists gather to the Fourth National Workshop on Migration held in Kobe.

July

(1) The Ministry of Economy and Industry publishes a white paper on trade and industry, which points out the necessity of introducing highly skilled migrants.

(10) A group of 11 SMJ members meet with officials of the Ministry of Health, Labor and Welfare and Ministry of Foreign Affairs and submit to them a written petition to urge the Japanese government to ratify the International Convention on the Rights of All Migrant Workers and Members of their Families.

(12) Takami Eto, a LDP Member of Parliament, makes a discriminatory comment on migrant workers, and claimed undocumented migrants will start riots. He also justifies Japan’s colonization of Korea and invasion of China.

(26) The Diet passes a law that authorizes special measures for humanitarian assistance in Iraq, enabling the dispatch of a Ground Self-Defense Force unit to Samawa, Iraq. This, too, provokes suspicion that it might be unconstitutional.

(28) Tokyo Governor Shintaro Ishihara

urges the country to “kick out illegal foreigners” during his visit to Ikebukuro downtown area.

September

(6) The Ministry of Health, Labor and Welfare starts to examine the importation of nurses from Southeast Asian countries in relation to the negotiation about free trade agreements.

(19) The Tokyo District Court orders the Ministry of Justice to stop the deportation of a Iranian family who had applied for special permission for residence but were rejected.

(20) Junichiro Koizumi is re-elected in the presidential election of the Liberal Democratic Party.

October

(17) The Ministry of Justice issues a joint declaration to strive to reduce the number of undocumented foreign nationals to a half in five years, together with the Tokyo Metropolitan Government and Metropolitan Police Agency.

(19) The Japan Network against Trafficking in Persons is established in Tokyo. It is aimed to lobby for the

attacks on September 11, 2001, however, mosques and Muslim migrants were seen as potential terrorists. As a result, they are now under the surveillance of the public security police.

The “Lionel Dumont affair” accelerated this phenomenon of suspicion and surveillance. Lionel Dumont was a French national believed to be a senior member of al-Qaeda. When he was arrested in Munich, Germany on December 2003, it was revealed that he had worked as a used car dealer in Niigata Prefecture between July 2002 and September 2003.<sup>3</sup>

In addition, five Muslims (three Bangladeshis, one Indian, and one Mali national) were arrested during searches of more than 10 locations including the homes and offices of Muslims. Investigators suspect that Dumont was laundering money through the remittances, pretending they were related to used-car deals.<sup>4</sup> Dumont is suspected of trying to establish an al-Qaeda cell in Japan to carry out a terrorist attack. French authorities, however, say that claim is “largely exaggerated”.<sup>5</sup>

The incident highlighted the used-car export

## Events 2003 - June 2004

enactment of anti-trafficking law.

**December**

(9) The Basic Plan based on the Humanitarian Relief and Iraqi Reconstruction Special Measures Law is adopted.

(26) A troop of the Air Self Defense Force is dispatched to Iraq.

**2004****January**

(1) Prime Minister Koizumi visits the Yasukuni Shrine in a new year ceremony, inviting accusations from China and South Korea.

(16) A troop of the Ground Self Defense Force is dispatched to Iraq.

**February**

(16) The Maritime Self Defense Force dispatches fleet support ships to Iraq.

(16) The Immigration Bureau of the Ministry of Justice begins accepting on their homepage "Information Concerning Foreigners who are Overstaying, etc.," which causes protest by migrant support groups.

**March**

(9) The Minister of Justice announces that it has granted special permission for residence to a Burmese national, Khin Maung Latt, and his family, who had applied for refugee status.

**April**

(8) Three Japanese NGO staff are taken hostage in Iraq by a terrorist-related group that has threatened to kill them if Japan does not withdraw its troops from the country.

(14) The Japan Confederation of Economic Organizations present a report on introducing migrant workers, which requested to establish a special office for labor importation.

**May**

(21) Prime Minister Koizumi visits North Korea to meet with Kim Jong-il on kidnapped Japanese. He returns home with four victims and their five children.

(27) The revised Anti-domestic Violence Law, which includes the clause to protect victims of domestic violence "regardless of their nationality and legal status," is passed by the Diet.

(27) Partial revisions of the Control and Refugee Recognition Act are enacted by

the Diet, which introduces more restrictive measures against irregular migrants and narrows the definition of "refugee".

(27) Two Japanese journalists are killed in Baghdad, Iraq.

(29) The Fifth National Forum on Migration is held in Fukuyama. This was the first time the Forum was held in Chugoku region. Multicultural Network Chushikoku, the second regional network in Japan, is established during the session.

**June**

(5) The Diet passes The Law to Reform the Pension Programme.

(10) The Ministry of Health, Labor and Welfare announces that the total fertility rate in 2003 dropped to 1.29.

(25) The national debt reaches a record high of 700 trillion yen, reaching seven-fifths of the Gross National Product.

*\*This section was contributed by SMJ.*

Sources:

*Japan Times, Kyodo News, Migrants' Net & Migrant Network News (SMJ)*

industry as a migrant niche that includes numerous migrant workers who have become entrepreneurs. Most used cars are exported to Dubai and distributed to various countries there, via the South Asian migrant network ranging from Japan to the Middle East. According to the Japan Used Motor Vehicle Exporters Association, 350 of some 800 active used car exporting firms in Japan are believed to be owned by Pakistanis, 100 by Bangladeshis and another 100 by Sri Lankans.<sup>6</sup> In fact, 25.9% of the Pakistani working population are entrepreneurs, most of whom are owners of export

businesses or halal food shops.<sup>7</sup>

***Latin Americans as Flexible Workforce***

Japanese Latin Americans from Brazil, Peru, Bolivia, Argentina and Paraguay were "discovered" as a new source of labor around 1990. They were enthusiastically recruited to Japan and filled the secondary labor market once occupied by internal migrants. But recently their labor market has turned more flexible. Their position within the secondary labor market changed and was polarized into two



Photo courtesy of SMJ

**During official visit of the UN Special Rapporteur on racism, racial discrimination, xenophobia or related intolerance, SMJ and other NGOs give inputs on racism and discrimination against migrants in Japan. July 2005.**

segments in the late 1990s.<sup>8</sup>

Latin Americans were incorporated into highly unstable jobs on the one hand. Because of the heightened international competition, large factories need more flexible workers which can easily be delivered and laid off in accordance with the fluctuation of demand. On the other hand, medium- and small-sized manufacturers were still suffering from labor shortage. These firms prepared relatively stable but less privileged jobs for Latin Americans. As a result, the position of Latin American workers divided into two sectors: (1) relatively stable but low-paid jobs in medium- and small-sized factories suffering from chronic labor shortage and (2) highly unstable jobs in medium- and large-sized firms that need highly flexible staffing.

So far Japanese Latin Americans were said to enjoy their privileged status of residence compared with other migrants. Except for legal status, however, they are forced to work in highly vulnerable conditions.

#### ***Intermarriage and Anti-Domestic Violence Law***

The number of international marriages between

Japanese men and foreign women has been increasing since the 80s. At first, criticisms were raised in regard to “rural brides”, agency-arranged marriages between Japanese farmers and Asian women (Filipinas, Chinese, and Korean, among others). Currently, however, the focus of the problem related to intermarriage has shifted to domestic violence committed by Japanese husbands against foreign brides. Foreign brides are extremely vulnerable to domestic violence. To increase their wives’ vulnerability, husbands often try to keep their wives trapped in an undocumented status; some threaten even documented wives that they will not cooperate for their wives’ visa extension.

Domestic violence, of course, is not unique to international marriages. In the past five years, awareness of domestic violence has spread throughout the country, and the Law for the Prevention of Spousal Violence and the Protection of Victims (the Anti-Domestic Violence Law) was enacted in April 2001. The enacted law, however, was inadequate in the sense that the law failed to address the needs of migrant women.



Photo courtesy of SMJ

Over 400 advocates gather at the 5th National Forum, held at Fukuyama City, Japan. May 2004.

To respond to this gap, SMJ began to advocate for the amendment of the law to prevent domestic violence against female migrants. In February 2003, the Project Team on Revision of the Anti-Domestic Violence Law was established by members of the House of Councilors, and SMJ made various approaches to the Research Committee. SMJ lobbied each Diet member of the Project Team and related Ministries in cooperation with other related groups.<sup>9</sup> As a result, the concern and understanding for migrant victims of domestic violence have remarkably strengthened, leading to the revision of the Anti-Domestic Violence Law on May 27, 2003. The most salient change in this context is the addition of the clause to protect victims “regardless of his or her nationality and handicap”.

### Responses

In addition to lobbying for the revision of the Anti-domestic Violence Law, a number of task forces were

launched to engage in protest and advocacy. One case is the campaign against policing migrants.

On February 16, 2004, the Ministry of Justice began soliciting information on their homepage for “Information Concerning Those who are Overstaying, etc.” This solicitation of information can be called “foreigner hunting”.<sup>10</sup> Many migrant support groups and human rights organizations, including Amnesty International and SMJ, regarded this measure as a threat to civil society, since it encourages people to monitor and inform on each other.

Therefore, a liaison network to stop cyber xenophobia was set up by 15 groups. The group actively lobbied to MPs of the Democratic Party and Social Democratic Party, and ultimately obtained a response from the Ministry of Justice. Though the Ministry’s response was far from satisfactory, the Ministry did appear to be open to looking for a concession.

Meanwhile, while Japan is one of the main destination countries of trafficked women, there have been no counter-trafficking measures. Recently, as the

issue of trafficking has increasingly come to the attention of international society, NGOs, lawyers, researchers and journalists began to improve the situation. In close association with the Violence against Women project of SMJ, members of female migrant support groups established the Japan Network against Trafficking in Persons (JNATIP) on 19 October 2003 to lobby for the enactment of anti-trafficking laws.

### Endnotes

<sup>1</sup>*Migrant Network News*, No. 63, November 2003.

<sup>2</sup>As is the case with European countries, Tabligh is also active in Japan and majority of mosques were constructed by Tabligh groups.

<sup>3</sup>*Japan Times*, 3 June 2004.

<sup>4</sup>*Japan Times*, 21 May 2004.

<sup>5</sup>*Japan Times*, 2 June 2004.

<sup>6</sup>*Japan Times*, 3 June 2004.

<sup>7</sup>Ministry of Public Management, Home Affairs, Posts and Telecommunications Japan, “2000 Population Census of Japan, Vol.8, Results of Special Tabulation on Foreigners,” Japan Statistical Association, Tokyo. 2004

<sup>8</sup>Higuchi, N. and K. Tanno, “What’s driving Brazil-Japan migration? The making and the remaking of Brazilian niche in Japan,” *International Journal of Japanese Sociology* No. 12, 2003: 33-47.

<sup>9</sup>*Migrant Network News*, No. 60, July 2003.

<sup>10</sup>*Migrant Network News*, Supplementary Issue, Spring 2004.