

Inter-regional Asian Emigration and the Potential for International Cooperation in East Asia: A Comparative Examination of State Integration Policies in Korea and Japan

Abstract:

This paper aims to comparatively examine the integration practices of Japan and Korea at the state level to help understand the measures being taken to mitigate some of the migratory pressures resulting from deepening Asian regional integration and to enhance human security in the region. Specifically, the author aims to examine the state-led initiatives vis-à-vis Japan and Korea's burgeoning multicultural societies in an effort to comparatively examine their approaches to securing the human rights and security of their growing migrant populations. Through identifying parallels and differences in the approaches of the Japanese and Korean governments in terms of securing human rights and security, the author will outline potential areas of cooperation in dealing with growing trans-border migration between these two countries and in Asia in general.

I. Introduction

The functionalist approach to international integration stresses economic enmeshment as its foundational component.¹ Initial institutional cooperation in the sphere of economics creates a platform for further institutional cooperation and eventually broader institutional cooperation in the spheres of economics, politics, society and security. In contrast, the neo-functionalist approach to integration focuses on the role of pressure groups in democracies and their ability to influence the direction of policy.² Specifically, democratic governments provide political space for pressure groups to influence the direction of policy and subsequently we see these pressure groups being the primary instigators of cross-border economic liaisons in order to realise the comparative advantages that exist between one or more states. Initial cooperation then leads to broad based cooperation and integration through economic compatibility. In both cases, economic cooperation through institutional cooperation are precursors to narrowly defined integration in the economic sense, and broader integration which encompasses integration in political, social, cultural and security spheres.

On route to broader integration in the Asian region, can the economic dimension of integration be circumnavigated by cooperation in other spheres and be used as a spring board for other kinds of institutional cooperation leading to broader integration? According to his 2004 article on cross-border migration, Akaha argues that increased flows of cross-border migrants have given rise to human-security issues such as the rights of foreign labours, human rights protection, and human trafficking however; being that these issues have yet to threaten national-security interests we have yet to see cooperation between the major recipients of cross border migration.³

¹ Taylor, Paul "Functionalism: the Approach of David Mitrany" in *Frameworks for International Cooperation*. A.J.R. Groom & Paul Taylor. (eds.), London: Pinter Publishers. pp. 130-131

² Harrison, R.J. "Neo-functionalism" in *Frameworks for International Cooperation*. A.J.R. Groom & Paul Taylor. (eds.), London: Pinter Publishers. pp. 130-131

³ Akaha, Tsuneo. "Cross border migration as a new element of international relations in Northeast Asia: A boon to regionalism or new source of friction?" in *Asian Perspective*, Vol. 28, No. 2, 2005, pp.101-133

I argue that recent developments in Korea and Japan in the area of social integration policies and multiculturalism are coeval with broader integration in the region based on potential institutional cooperation in the sphere of human-security. Specifically, through this paper I aim to examine the social integration practices of Japan and Korea at the state level to help understand the measures being taken to mitigate some of the migratory pressures resulting from deepening Asian regional integration at the economic level, to enhance human security in the region and perhaps act as a platform for further integration based on cooperation in the area of human security. By examining the state-led initiatives vis-à-vis Japan and Korea's burgeoning multicultural societies, we can glean an understanding of their approaches to securing the human rights and security of their growing migrant populations. Through identifying parallels and differences in the approaches of the Japanese and Korean governments in terms of securing human rights and security we can delineate potential areas of cooperation in dealing with growing trans-border migration between these two countries and in Asia in general which may act as a platform for further integration at a broader level, overcoming the challenges to integration argued by Frost (2008).⁴

To achieve the above objective this paper is divided into three sections. This first section will examine demographic data and the current data on the number of foreign residents in Korea and Japan in a comparative manner to demonstrate parallels and dissimilarities in terms of their demographic challenges. Second, the integration practices of Japan and Korea will then be introduced highlighting importing turning points, policy emphasis and specific measures which are being put into place to help meet the coming demographic *tsunami*. In the third section, areas of potential cooperation will be identified that will help Korea and Japan better deal with the integration of foreign residents which are in part necessary for them to manage their demographic plight.

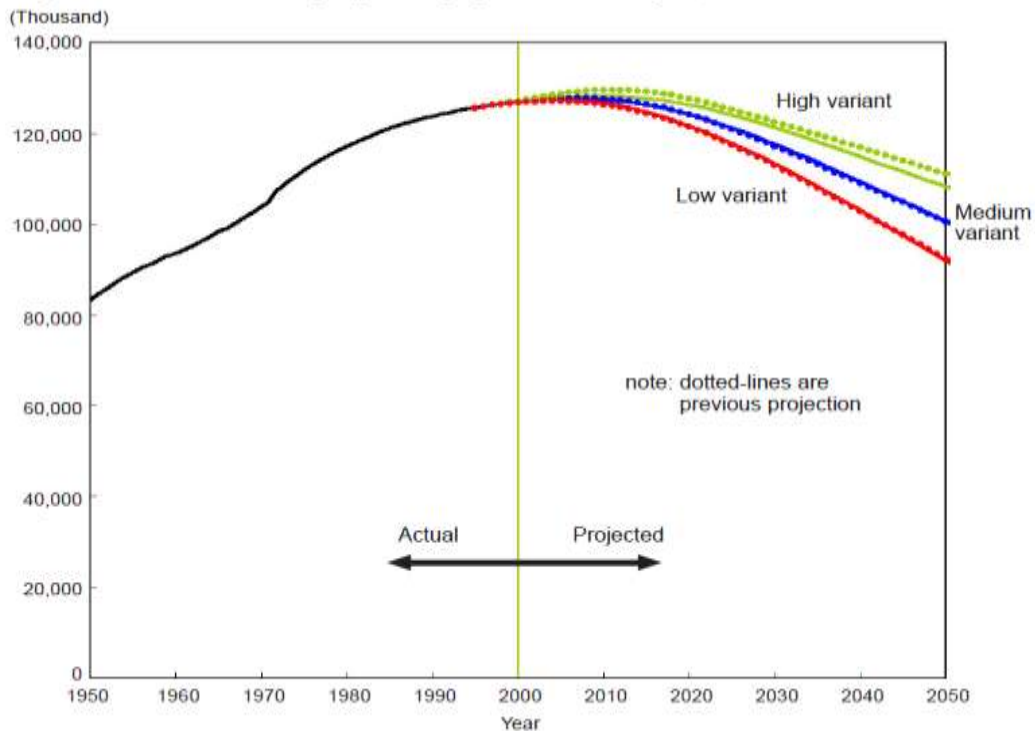
⁴ In Ellen Frost's "Asia's New Regionalism", she portends that a plethora of obstacles contribute to the glacial pace of deeper integration in the region including: geography, cultural, history, the dual nature of the effects of globalisation, regional politics, problematic governance, corruption, as well as unpredictable threats such as the collapse of North Korea. I would add to this list two other drivers of integration that can play an enormously positive role or inhibitory role in further integration: an involved United States and overseas nationals. A United States that remains distracted by conflicts in Iraq and Afghanistan will be unable to direct the appropriate resources necessary (material, political and intellectual) to positively contribute to the region. Similarly, overseas nationals such as overseas Chinese and Indians who remain disinterested in their ethnic homelands, may inadvertently negatively affect the shape of Asian regional integration by not lending their experience, wealth and ability to act as purveyors of human and social capital from the developed world to the developing world. Frost, Ellen, L. 2008. "Current Obstacles and Potential Threats," in *Asia's New Regionalism*. Boulder Colorado: Lynne Rienner. pp.217-231.

II. Demographic Tsunami: Twin plagues of a graying population and low birth rates

Japan

As of 2005, Japan's population began to decline owing to low birth rates, a reality that will affect the country's future economic vitality.⁵ In fact, Japan has entered a longstanding depopulation process. The population is expected to drop to 115 million by 2030 and approx. 90 million by 2055 (See Figure 1.0) and according to Goodman and Harper (2006) this drop will have three major impacts: (1) increase in public spending in pensions; (2) high dependency ratios between workers and non-workers, and (3) slow down in consumption.⁶ At minimum, the greater tax burden on smaller number of tax payers will result in a larger share of national budget allocated to health care, social services and pensions, decreased economic strength because of decreased consumption rates, loss of position in international society (lack of resources, decreased innovativeness) and a hollowing out of country side (potential loss of agricultural interdependence).

Figure 1 Actual and projected population of Japan, 1950-2050



Source: National Institute of Population and Social Security Research. 2006. *Population Statistics of Japan 2006*. Tokyo.

Like other nations, Japan is using foreign workers to compensate for this trend. These migrant workers find employment (legal and illegal) in Japan's manufacturing

⁵ *Economist*, January 7th-13th 2005, pp. 29-30 ; *Economist*, July 28th-August 3rd 2007, pp. 11, 24-27 ; Also see: Sakanaka Hidenori. "The Future of Japan's Immigration Policy: a battle diary" in *Japan Focus*. <http://japanfocus.org/products/details/2396> (Accessed May 23rd, 2007)

⁶ Goodman, R. & Sarah Harper. "Japan in the New Global Demography: A comparative Perspective". In *Japan Focus*. <http://japanfocus.org/products/details/2472>. (Accessed August 2008)

industries and other forms of employment deemed dirty, dangerous and difficult. In terms of the changes in the number of foreign residents since 2002, we have seen a steady increase in the over all number of foreign residents in Japan (See Table 1.0).

Table 1.0 Changes in the number of new arrivals and alien registration of main nationalities (place of origin) by status of residence

1-1 Changes in the Number of New Arrivals of R.O. Korean Nationals by Status of Residence (People)

Status of Residence \ Year	2002	2003	2004	2005	2006
Total	1,121,672	1,293,809	1,419,786	1,607,457	1,997,459
Diplomat	1,155	1,170	1,079	1,037	1,013
Official	4,258	3,829	3,740	2,815	2,127
Professor	187	195	209	204	190
Artist	3	—	3	4	8
Religious Activities	106	100	147	114	151
Journalist	20	8	18	18	11
Investor/Business Manager	65	86	102	84	170
Legal/Accounting Services	-	2	-	-	-
Medical Services	-	-	-	1	-
Researcher	72	73	94	89	49
Instructor	9	8	8	13	15
Engineer	596	472	645	1,018	1,474
Specialist in Humanities/International Services	241	244	361	434	547
Intra-company Transferee	399	426	469	544	675
Entertainer	2,519	2,184	2,141	1,954	1,674
Skilled Labor	105	90	201	179	269
Cultural Activities	286	316	534	357	356
Temporary Visitor	1,098,766	1,271,914	1,396,988	1,584,715	1,972,745
College Student	3,541	3,745	3,633	4,078	4,849
Pre-college Student	4,910	4,251	4,549	4,293	4,673
Trainee	344	274	212	288	257
Dependent	2,426	2,259	2,275	2,296	2,579
Designated Activities	839	1,417	1,575	2,152	2,506
Spouse or Child of Japanese National	684	618	682	633	891
Spouse or Child of Permanent Resident	41	39	40	41	79
Long Term Resident	100	89	81	96	151

Source: The Ministry of Justice. “Immigration Control 2007.” [http:// www.moj.go.jp](http://www.moj.go.jp) (Accessed March 30th, 2008)

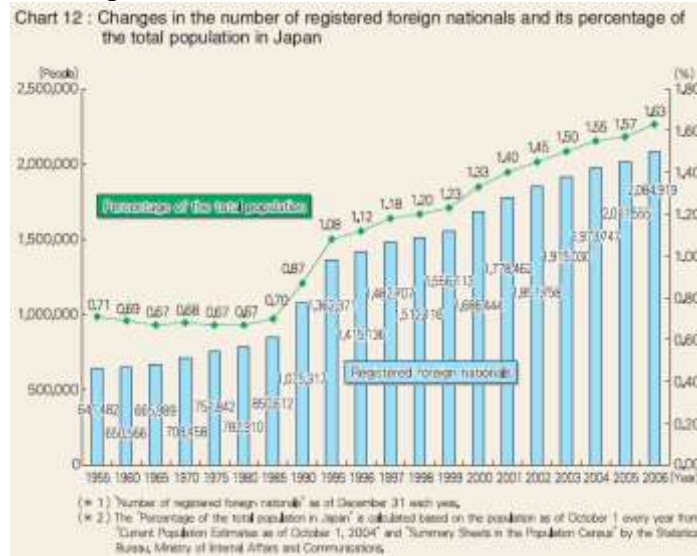
According to the Statistics Bureau of Japan, the number of foreigners living, working and studying in Japan reached 2,084,919 in 2006 representing 1.63% of the total population (See Figure 2.0).⁷ This number represents a 46% increase in the number of registered foreigners compared with 1994. This figure does not include the number of known illegal foreign residents which according to the Ministry of Justice has climbed to 207,299 (See Figure 3.0).⁸ Moreover, the number of foreign residents could be much higher if we consider those children that result from international marriages called *daburu*⁹ in Japan.¹⁰

7 See: Ministry of Justice <http://www.moj.go.jp/PRESS/070921-1/070921-1.pdf> (Accessed April 30th, 2008)

8 See: Ministry of Justice homepage: <http://www.moj.go.jp/English/issues/issues05.html> (Accessed September 16th, 2006)

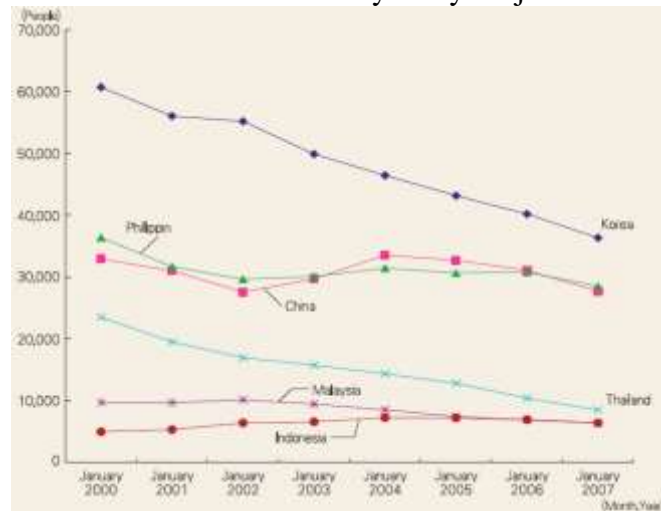
9 *Daburu* is the Japanese pronunciation of “Double”. It refers to children who have one Japanese parent and one non-Japanese parent. Children who have parents from different countries but whose parents are not of Japanese nationality are called international children or just foreign children. See:

Figure 2.0: Changes in the number of registered foreign nationals and its percentage of the total population in Japan



Source: "2007 Immigration Control," Immigration Control Bureau, Japan, 2008, p. 19

Figure 3.0 Estimated Number of Visa Overstayers by Major Nationality/Place of Origin



Source: "2007 Immigration Control," Immigration Control Bureau, Japan, 2008, p. 31.

What is driving this migration into Japan? In the case of Japan, the Ministry of Justice in their Immigration Control 2007 Report outlined six explanations for the increase: (1) availability of Trainee Programmes; (2) special residency and opportunities for Nikkeijin;¹¹ (3) abundant jobs for foreign students and entertainers; (4) job opportunities

Tabunka Kyousei Ki-wa-do Jiten Henshu Inkai.2004. *Tabunka Kyousei Ki-wa-do Jiten*.Tokyo: Akashi Shoten. pp.71

10 Suzuki, Eriko. 2004. "Gaikokujin Shujuu Chiiki ni miru Tabunka Kyoushakai no Kadai: "Kyousei" wa Nani Ka?" in *FIF Special Report No.8*. Tokyo: Fujita Mirai Keiei Kenkyujo. pp.23-25

¹¹ The revision of Japanese immigration policy to allow individuals of Japanese ancestry (up to 3rd generation) to return to Japan for work has resulted in an influx of Nikkeijin into Japan. The rationale behind this ethnic based immigration selection was that it was assumed that Nikkeijin would assimilate more smoothly than other foreigners because of their shared blood. See: Ministry of Justice. 1992. *Shutsu Nyukoku Kanri Kihon Keikaku*. Tokyo: Ministry of Justice. p.12; Abella,

for undocumented workers; (5) family reunion opportunities for those who belong to an international marriage; and (6) the ease at which foreigners can enter Japan and overstay their visa.¹²

It is clear from above is that Japan faces the twin conundrum of how to combat its declining population and to successfully integrate the growing number of non-ethnic Japanese residents who are choosing to become permanent residents in order that they can contribute to Japan economically, culturally, politically and socially. Equally important is the promulgation of substantive measures that prevent discrimination (racial or otherwise), exploitation, and marginalisation.

Korea

In a similar manner to Japan, Korea is experiencing a very rapidly graying population and a crisis level low birth rate. As of 2007, Korean women were averaging just 1.26 children compared with Japan at 1.34 in 2007.¹³ This below replacement rate level compounds the current labour shortage as young Korean men and women choose to shun blue collar employment opportunities for their white collar counterparts.¹⁴ Magnifying the problem associated with labour shortages and a declining tax pool, according to the Asian Demographic and Human Capital 2008 Data Sheet, Korea's ageing population will represent 10% of the total population in 2007, 23% by 2030 and 32% by 2050.¹⁵ More illustrative of coming crises is that in 2007, the ageing population was supported by a tax base of 72%, a number that will decrease to 65% in 2030, and than 57% in 2050. Echoing Goodman and Harper's analysis of the impact of Japan's population pyramid reversal, Korea will inevitably face similar economic and social hardships at a level even higher than Japan owing to a lower birthrate which will have the effect of having an even smaller tax base to contribute to existing social welfare programmes and economic productivity.

Korea has also seen a large increase in the number of foreign residents working legally and illegally in Korea beginning in 1987.¹⁶ According to Kwon Ki sup, Director of

Manolo I. 1995. "Asian Migrant Contract Workers in the Middle East." in Robin Cohen, (Eds)., *The Cambridge Survey of World Migrations*. Cambridge: Cambridge University Press. pp. 418-423: Kojima, Hiroshi. "Foreign Workers and Health Insurance in Japan: The case of Japanese Brazilians". *The Japanese Journal of Population*, Vol.4, No. 1 March 2006 pp. 78-92

¹² See the Ministry of Justice. "Immigration Control 2007." [http:// www.moj.go.jp](http://www.moj.go.jp) (Accessed March 30th, 2008)

¹³

<http://www.intute.ac.uk/sciences/cgi-bin/worldguidecompare.pl?country1=1024&country2=924&country3=%23&country4=%23&submit=Compare%21&compare=Population&compare=PopGrowth&compare=PopMig&compare=PopLife&compare=AgeStructure&compare=PopBirth&compare=PopDeath&compare=LabourForc>

(Accessed August 2008)

¹⁴ Lim. T.C., 2006. "NGOs, transnational Migrants, and the Promotion of Rights in South Korea," in *Local citizenship in Recent Countries of Immigration*. Tsuda Tatsuyuki (ed.), Oxford: Lexington Books. pp.235-269.

¹⁵ See Asian Demographic and Human Capital 2008 Data Sheet:

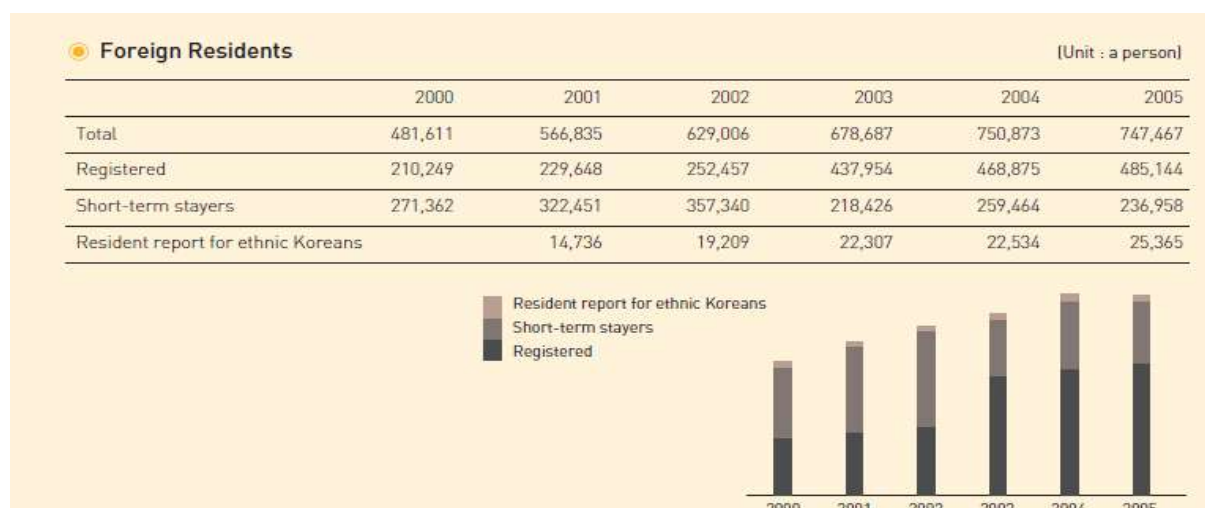
http://www.iiasa.ac.at/Research/POP/datasheets/VID_asianDataSheet08_web.pdf

(Accessed September 2008)

¹⁶ Dong-Hoon Seol and John D. Skrentny.2004. "South Korea: Importing Undocumented Workers,"

Foreign Employment Division of the Ministry of Labour, there is “an embedded structural demand for foreign labour, which is being compounded by Korea’s ageing population.”¹⁷ In 1987, Korea was home to approximately 6,409 migrant labours, a number which has soared to at least 640,000 migrant workers in 2007.¹⁸

Table 2.0 Increase legal and illegal foreign residents in Korea between 2000 and 2005



Source: “Immigration Bureau Publications, ” Immigration Bureau, Ministry of Justice. 2008.

Above and beyond the influx of migrant labourers into Korea brides hailing from South East Asia have also been major sources of the increase of non-Korean residents which have resulted in an international marriage rate 13.6% in 2006.¹⁹

The continued influx of migrant workers into Korea can be attributed to several factors. First, as with many developed nations there is a structural demand for migrant workers that in part contributes to national economic prosperity by being able to continue to manufacture goods at competitive prices using cheaper foreign labour. Second, trainee programmes continue to persist, creating a window to enter into the Korean economy. Third, proactive post-graduation employment programmes for international students who have graduated from Korea universities boost the number foreigners staying in

in *Controlling Immigration: A Global Perspective, 2nd Edition*. Cornelius, W.A., Tsuda, T., Martin, P.L., and J.F. Hollified (eds.), California: Stanford University Press. pp. 481-513.

¹⁷ The Prospects and challenge for The Employment Permit System, Presentation by Mr. Kwon Ki Sup, Director of Foreign Employment Division of the Ministry of Labour June 14th, 2004

¹⁸ Seol, Dong-Hoon. 2000. *Nodongryeok eui gukje idong* (). Seoul: Seoul National University Press. This number includes more than 180,000 workers with authorized working permits, 230,000 ethnic Koreans, 28,000 industrial trainees and foreign residents and 202,000 illegal immigrants. See: http://www.korea.net/news/news/NewsView.asp?serial_no=20080218023&part=114&SearchDay=&source= (Accessed September 2008)

¹⁹ Jang Ha-jin, Minister of Gender Equality of Korea, released a statement in November 2006 outline the extent of international marriages in Korea. According to the Minister, in 1990 the international marriage was 1.6 % however this rate has increased to 13.6% in the cities and up to 1/3 of the total marriages in farming and fishing villages. <http://english.moge.go.kr/index.html> (Accessed September 2008)

Japan for work purposes. Fourth, the continued economic gap between Korea and sending countries makes Korea an attractive destination for migrant workers. Fifth, the continued dearth in potential spouses in the Korean countryside has created a niche for marriage migration, infusing the Korean countryside with not only foreign brides but also skyrocketing numbers of children who belong to international families.²⁰

Korea and Japan share many similarities when we comparatively examine their demographic profiles and the numbers of foreigners continuing to settle in their borders (See Table 3.0). In particular, both countries will experience a reversal of their respective population pyramids which will affect their socio-economic prosperity and international standing. Also, both countries are also seeing a large influx of foreigners who present a difficult challenge in terms of how best to integrate them, protect their labour rights and from exploitation, and assure that their basic human security needs are met. They also present a great opportunity as to their role in contributing to the long-term socio-economic prosperity of each respective country.

Table 3.0: Demographic data on Korean and Japan through to 2050²¹

	Japan	Korea
Total Population	127,000,000	48,846,823
Foreign Resident Population	2,152,973	100,254
Percentage of total population	1.69%	2.00%
Number of overstayers	149,785	180,000
Projected % of population		
2010	no data	2.80%
2020	no data	5.00%
2050	10.00%	9.20%
International Marriage Rate	6.60%	11%
Number of foreign children	No data	30727
Population Growth Rate	-0.14%	0.39%
Children per family	1.34 (2007)	1.26 (2007)
Life Expectancy	female: 85.59 years male: 78.73 years	female: 80.93 years male: 73.81 years
Age structure		
0-14 years:	13.7% (male 8,926,439/female 8,460,629)	18.3% (male 4,714,103/female 4,262,873)
15-64 years:	64.7% (male 41,513,061/female 40,894,057)	72.1% (male 18,004,719/female 17,346,594)
65 years and over (2008 est.)	21.6% (male 11,643,845/female 15,850,388)	9.6% (male 1,921,803/female 2,794,698) (2007 est.)
Beginning of influx Rationale	Early 80s 3Ds	Early 90s 3Ds

II. Social Integration and Migration Practices in Korea and Japan

The recognition of the need to develop social integration and migration policy in Japan and Korea has had different roots. In the case of Japan, bottom-up and local government movements such as the Kanagawa Prefectural government led by Governor Nagasu were instrumental in the development of both social integration policy and the recognition of the challenges faced by foreign residents at the *local level*. First, it was the protection of human rights, recognition of needs, and the need for equality of

²⁰ Yoon In JIN (2008) “The Development and Characteristics of Multiculturalism in South Korea: With a Focus on the Role of the State and Civil Society,” *International Conference on Multiculturalism in Asia*, Korea University, October 10th, 2008

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<http://www.intute.ac.uk/sciences/cgi-bin/worldguidecompare.pl?country1=1024&country2=924&country3=%23&country4=%23&submit=Compare%21&compare=Population&compare=PopGrowth&compare=PopMig&compare=PopLife&compare=AgeStructure&compare=PopBirth&compare=PopDeath&compare=LabourForc>
(Accessed August 2008)

Korean residents that were integral parts of the development of foreign resident policies. Second, both bottom-up and top-down initiatives contributed to the creation and shaping of foreign resident policy. Bottom-up initiation was exemplified by Korean demands for equality and access to social welfare programmes, where as top-down initiatives was exemplified by the recommendations of the then Ministry of Home Affairs on so-called local internationalisation and Governor Nagasu's expansion of the parameters of the people-to-people diplomacy declaration.²² Nagasu believed that local governments and internationalisation were inextricably linked with the national government not being able to provide for all the needs of her citizens. This included the basic needs of citizen security and welfare for all residents of Kanagawa, Japanese and non-Japanese alike.

In part owing to this local government led and grass-roots activism, in March 2006 Japan's Ministry of International Affairs and Communications (MIAC) promulgated the Plan for the promotion of Multicultural Coexistence. Its major pillars include: (1) communication assistance; (2) lifestyle assistance; (3) creation of multicultural coexistence; and (4) establishment of a system to promote multicultural coexistence.²³ The MIAC multicultural coexistence plan's recommended policies aim to overcome systemic, cultural and language barriers in Japanese society. By overcoming these systemic, cultural and language barriers, the MIAC plan is promoting more diverse social conditions which in turn can be described as a more pluralistic society. Policies espoused by the MIAC multicultural coexistence plan wed systemic, language and cultural initiatives in an effort to open access to Japanese society and by consequence weave diversity into the fabric of society in the spheres of housing, education and public services.

Notwithstanding the direction towards more plurality in Japanese society that the MIAC policy seems to be supporting, it is clear that at the cognitive and emotive levels that multicultural coexistence as a means of creating a co-identity, as a tool for enhancing a shared national identity based on mutual respect and understanding of ethno-cultural backgrounds is absent from the MIAC multicultural coexistence policy.

Japan's Ministry of Justice (MOJ) has also put forth several strategies to manage Japan's labour shortage, to maintain its *raison d'être* of protecting domestic security, and to realise its Japan's international commitments to economic partnership agreements. Specifically, the Ministry is advocating the acceptance of foreign workers in professional areas, the acceptance of high skilled labourers, the acceptance of non-professional/ technical acceptance, and demand based acceptance in areas such as nursing-care.²⁴ The Ministry of Justice has remained reticent to the idea of more open policies towards migration stressing "that Japan should not rely on foreign workers,

²² Borrowing Sakamoto Yoshikazu's principle of *Minsai Gaiko* (民際外交), Governor Nagasu advocated a revolution at the local government level in which citizens would become the medium for international relations. See: Sakamoto, Yoshikazu. "Image of changing Peace" in *Asahi Shinbun* 1972; Nagasu, Kazuji. 1983. *Jichitai no Kokusai Kouryu: Hirakarereta Chiho wo Mezashite*. Tokyo: Gakuyoshobo pp. 3-16, 21-23.

²³ Soumusho. 2007. *Tabunka Kyousei no Suishin ni kan suru Kenkyukai*. Japan:Tokyo.

²⁴ "2007 Immigration Control," Immigration Control Bureau, Japan, 2008

especially not the unskilled.”²⁵ In fact, the Ministry of Justice prefers to maintain the temporary nature of migrant labourers which manifests itself as a three year non-renewable system,²⁶ while boosting immigration procedures to decrease the number of foreigners who come to Japan for work without the appropriate visa qualification.²⁷

The newest proposed immigration plan 2008 put forth in June 2008 by a group of conservative LDP lawmakers is the latest attempt to maintain Japan’s economic competitiveness and contribute to abating the problems associated with Japan’s population decline. The immigration proposal includes 5 major tenets: (1) raise population of non-Japanese residents to 10% of total population by 2050; (2) increase number of asylum seekers accepted to 1000; (3) increase foreign students to 1 million by 2025; (4) Guarantee “better” human rights; and (5) emphasis on accepting immigrants non foreign labourers (including families).²⁸ Collectively, the proposal aims to broaden its acceptance of individuals who can contribute to Japan socio-economically and to those who have been educated and to some degree already assimilated into Japanese society.

The above three approaches to social integration and migration have different focuses. The MIAC initiative revolves around a strong focus on communication, lifestyle assistance, multicultural awareness, provision of services on par with Japanese, no road to citizenship, no national action plan to promote integration at a significant level. The MOJ on the other hand conceptualises policy related to migrant workers as temporary and thus no need for long-term investment in social integration programmes. Lastly, the newly proposed immigration policy attempts to embrace the notion of immigration to combat Japan’s declining population and labour shortage through a proposed system that prioritises those immigrants that are either already partially culturally assimilated through language or who possess needed human capital to contribute to Japan’s socio-economic prosperity.

In contrast to Japan’s bottom-up and local government initiated social integration and migration policies, Korea’s social integration and migration policy development has been fuelled by three important factors: (1) sudden increase in international marriages;

²⁵ Papademetriou, Demetrios G. and Kimberly A. Hamilton.2000. *Reinventing Japan: Immigration’s Role in Shaping Japan’s Future*. Washington, D.C.: Brookings Institution.pp.47-48

²⁶ *The Asahi Shimbun*, May 17th, 2007; Arudou, Debito.2007. “Japan’s Future as an International, Multicultural Society: From Migrants to Immigrants” in *Japan Focus*.

http://www.japanfocus.org/Arudou_Debito-

[Japan s Future as an International Multicultural Society From Migrants to Immigrants/](http://www.japanfocus.org/Arudou_Debito-)

(Accessed February 16th, 2008)

²⁷ Beginning November 20th 2007, the Japanese Government began requiring all non-Japanese entering Japan to be photographed and finger printed as part of their efforts to prevent terrorism and decrease the number of foreigners come to work illegally in Japan. See outline for new immigration procedures published by General Affairs Division, Immigration Bureau, Ministry of Justice http://www.hk.emb-japan.go.jp/eng/docs/20071024Outline_newImmi_e.pdf (Accessed September 2008)

²⁸ “Radical immigration plan under discussion,” *The Japan Times*, June 19th 2008; “Let 10% of Japan be foreigners: Nakagawa,” *The Japan Times*, June 13th, 2008

(2) the rapid rise in foreign residents; and (3) government initiatives to protect the rights of migrant labourers (legal and illegal) in the early 1990s.²⁹

International marriages brought to the fore front three important issues related to the need for social integration and formal migration policies. First, the sheer number of international marriages that were occurring in Korea vividly illustrated that Korea was undergoing a transformation of its ethnic composition from within, requiring policies that would smoothly integrate spouses of Korean nationals into Korean society. Second, Korean media revealed the widespread abuse of international spouses prompting the Korean government to take firm measures to address the plight of a growing number of women settling in Korea. Third, and perhaps more importantly, international marriages highlighted the educational and social prejudice problems faced by children of mixed marriages prompting the Korean government to take invoke several plans targeting issues associated with discrimination and social integration that will be outlined below.

The rapid increase of foreign residents since the 1990s and the associated rampant abuses of foreign residents ranging from lack of pay for industrial accidents, low wages and clear violations of the Labour Standard Act in Korea also brought to light the societal discrimination faced by foreign residents in Korea. As a result, Korea's Ministry of Labour announced initiatives to protect the rights of migrant labourers (legal and illegal) including the enforcement of the Labour Standards Act on companies that hired illegal foreign workers.³⁰

The above three factors have been instrumental in Korea's about face approach to multiculturalism, social integration policy, immigration policy and anti-discrimination policies since 2004. In 2004 the Ministry of Labour implemented the "Employment Permit System (EPS)" as a response to foreign migrant workers organising unions to protect themselves from labour standards violations.³¹ Protecting migrant workers from discriminatory wage treatment, the EPS system ensures that migrant labourers do not settle in Korea by making the EPS a 3-year, non-renewable permit.

The EPS system was then followed by several initiatives directly related to the plight of spouses and children of international marriages including the 2006 establishment of the "Council for the Protection of Human Rights & Interests of Foreign Nationals", the 2006 Plan for Social Integration of Mixed Bloods and Migrants", the 2006 "Plan for Social Integration of Marriage Migrants", and the 2006 "Basic Act on the Treatment of Foreigners" (effective July 18, 2007).³² According to Yoon In-Jin (2008), the

²⁹ " Court rules invalid government denial of foreign worker's right to industrial accident compensation," *Korea Times* January 21st, 1997; Lim. T.C., 2006. "NGOs, transnational Migrants, and the Promotion of Rights in South Korea," in *Local citizenship in Recent Countries of Immigration*. Tsuda Tatsuyuki (ed.), Oxford: Lexington Books. pp.235-269; Yoon In JIN (2008) « The Development and Characteristics of Multiculturalism in South Korea: With a Focus on the Role of the State and Civil Society,» *International Conference on Multiculturalism in Asia*, Korea University, October 10th, 2008

³⁰ Ministry of Labour Press Release, October 14th 1998

³¹ Immigration Bureau Publications, " Immigration Bureau, Ministry of Justice. 2008.

³² Immigration Bureau Publications, " Immigration Bureau, Ministry of Justice. 2008.

promulgation of these initiatives were impart a result of several factors including the 2006 announcement by the Ministry of Government Affairs and Home Affairs announces “that South Korea is rapidly becoming a multiracial and multicultural society and “the transformation of S. Korea into a multiracial and multicultural society cannot be stopped.”³³ Other scholars such as Kim Hee Jung have a more sinister explanation for these policies, specifically rather than targeting and protecting the human rights and treatment of all foreign residents, these policies in fact only target a very small number of foreign residents who belong to the Korean household through marriage.³⁴

Despite the more pessimistic interpretations of recent social integration, human rights and immigration initiatives by the Korean government, I argue that the strong adherence to the Labour Standards Act in 1997, the legislation of the “Basic Act on the Treatment of Foreigners” in November 2006 and the establishment of the Council for Protection of Human Rights and Interests of Foreign Nationals are the strongest evidence supporting Korea’s shift to towards social integration and migration policies that protect migrant workers using the same labour standards as those for Koreans. The initiatives also include the strong anti-discrimination measures, advocacy for the protect of human rights, and the inculcation of stronger multicultural awareness education programmes such as the recently announced “Overcoming Prejudice against Different Cultures” curriculum put firth by the Ministry of Education and Human Development.

III. Potential Areas of cooperation

In arguing that it is in the interest of Korea and Japan to cooperate in the areas of human security I will borrow from Robert Scalapino who conceptualises integration into three conflictual forces: (1) communalism; (2) nationalism; and (3) internationalism.³⁵ At the communalism level, Scalapino asserts that cooperation can be based on shared ethnicity, affiliation or regional identity. ³⁶ In the case of Japan and Korea, local governments, grass-root organizations, churdhs, and even unions have strong, established track records of cooperating transnationality, even at times at odds with respective national governments. Good examples include regional organisations such as the Northern Region Hokkaido/ Concept(北方圏構想)³⁷ Economic exchange/ network, and municipal diplomacy,³⁸ and recently the joint workshop held by the ILO *apropos*

³³ “Immigration Bureau Publications, ” Immigration Bureau, Ministry of Justice. 2008.

³⁴ Kim, Hee Jung. 2007. “Korea’s Government-led Multiculturalism: Theories of Multiculturalism and their application, ” in *Korea’s Multiculturalism: reality and Issues*. Seoul: Hanul Academy.

³⁵ Scalapino, R.1999. “Northeast Asia at a Historical Turning Point,” in *Politics and Economics in Northeast Asia: Nationalism and Regionalism*. Tsuneo Akaha (ed.). New York: St. Martens. pp. xi-xxii.

³⁶ Ibid.

³⁷ <http://www.pref.hokkaido.jp/soumu/sm-tksai/nforum/rekishi%20hongenkou.files/rekishisaishu.htm>
(Accessed September 5th, 2004)

Geographically Hokkaido is located in an ideal and significant location in the northern hemisphere. With that understanding in mind Hokkaido believes it has an important role in Japan as an exchange base with countries located in the northern hemisphere, facilitating further prosperity and development

³⁸ Hanekai Masami, Oozawa Hiroshi.1994.*Jichitai Gaiko ni Chosen Chiiki no Jiritsu kara Kokusai Kouryu no Keiseo he*. Tokyo. Akashi Shoten. Pp.1-41

internationalising labour standards.³⁹ With this in mind, I portend that cooperation in the sphere of human security which includes human and labour rights, between Korea and Japan can and should proceed first in the communitarian sense, to strengthen current social integration and migration polices, and approaches to labour and human rights as well as human-security. The rationale for cooperation at this level is that it bypasses much of the challenges outlined by Frost (2008) to integration such as border disputes, differences in historical interpretations and a host of other obstacles to cooperation at high levels.⁴⁰

First in the area of labour rights, labour protection of all workers rights in both countries is a useful example of potential communitarian based cooperation between Japan and Korea.⁴¹ Both the RENGO (Japanese Trade Union Confederation), and the KOILAF (Korean International Labour foundation) are strong proponents of ensuring that the labour rights of all foreign workers are protected. RENGO official's stance vis-à-vis foreign workers is as follows:

“All individuals working in Japan should be subject to labour laws and regulations guaranteeing proper working conditions and occupational health and safety standards, and be protected by labour and social insurance schemes. Even if foreign workers are illegal, in violation of the Immigration Act, and are thus engaging in unauthorized work, their human rights should be observed equally with those of Japanese. Also, as a matter of course, they should be subject to Japanese labour laws and regulations and should be given protection under labour and social insurance schemes.”⁴²

This protective stance related to foreign workers resonates well with the enforcement of the Korea's Labour Standards Act in 1997 for employers of foreign migrants but also with KOILAF's stance on foreign migrant workers:

“To protect the basic labor rights of foreign migrant workers, we provide labor relations education and grievance counseling to leaders of migrant worker communities and counselors of civil support organizations.”

With congruent views on the labour rights of foreign workers within each country's respective border, I contend that there is a foundation for cooperation in the communitarian sense to lobby each union's respective government to more strongly advocate labour rights for migrant workers and to fortify their social integration

³⁹ See Federation of Korean Trade Unions website: <http://www.efktu.or.kr/~fktueng/> (Accessed August 2008)

⁴⁰ Frost, Ellen, L. 2008. "Current Obstacles and Potential Threats," in *Asia's New Regionalism*. Boulder Colorado: Lynne Rienner. pp.217-231.

⁴¹ <http://www.jilaf.or.jp/English-jilaf/seminar/index.html> (Accessed September 2008)

⁴² See RENGO homepage: <http://www.jtuc-rengo.org/specialtopics/foreignworkers03.html> (Accessed September 2008)

programmes so that foreign workers can be more productive, even if the length of their stay may be limited.

Owing to the structural dependence on foreign labour in both countries, labour union's in Korea and Japan also can have a key role in ensuring a steady supply of reliable foreign labour for small and medium sized enterprises (SMEs) by creating attractive working environments which not only pay well compared to sending countries, but are also attractive because of their strong advocacy of labour rights, human rights and human-security issues.⁴³ In this light, stronger cooperation between unions in both countries can broaden and increase the quality of labour and human rights for migrant workers, decrease exploitation of migrant workers while contributing to maintaining economic productivity of each respective country. I would add that strong advocacy at the transnational level not only protects the labour and human rights of migrant labours in the receiving country, but also protects the labour and human rights of Japanese and Korean citizens while working in each others countries.

According to Lim (2004), Japanese and Korean labour unions such as the Zentoitsu Labour Union (ZWU) and the Labour Pastoral Center (LPC) have been effective in securing labour rights of foreign migrants by appealing to international labour standards set forth by the ILO.⁴⁴ However successful both unions have been in securing labour rights and subsequently a component of human security for migrant workers, the bureaucratic agencies and employers still can ignore or subvert these progressive approaches to protecting of labour rights because of what Lim argues, the lack of a judicial body that can enforce, rather than just persuade parties to abide by labour standards.⁴⁵

Despite the challenge of a judicial body which cannot enforce labour standards, I reason that labour unions in both countries still have a vested interest in cooperating with each other to protect the labour rights of all workers for several reasons. Firstly, cooperation in the area of protecting labour rights ensures that businesses do not opt for cheap foreign labour in lieu of more expensive domestic labour, thus securing their own employment. Secondly, broader cooperation between unions may enhance each union's ability to lobby their own respective government in terms of bringing to light the abuses and exploitation of migrant and non-migrant workers.

The second potential area of communitarian cooperation is at the local government level. Korean and Japanese local governments are often the immediate interface for foreign residents with each respective society. Upon arrival in area country, foreign residents register at the local government in which they reside. This registration process them

⁴³ According the "Direction for the Implementation of the National Policy for Labor Affairs", Korea is already considering increasing the upper limit of the number of foreign migrant workers to 132,000 per year to combat the labour shortage in SMEs. See: "Direction for the Implementation of the National Policy for Labor Affairs" Ministry of Labour 2008". p.10

⁴⁴ Lim. T.C., 2006. "NGOs, transnational Migrants, and the Promotion of Rights in South Korea," in *Local citizenship in Recent Countries of Immigration*. Tsuda Tatsuyuki (ed.), Oxford: Lexington Books. pp.235-269.

⁴⁵ Ibid.

make them eligible for social welfare, pensions, health care and in many cases multilingual advisory services to help foreigners navigate through administrative procedures, legal questions etc. Because of the division of labour between the national and local governments, local governments have been the primary administrative bodies building the infrastructure to socially integrate foreign residents. These policies translate into communication assistance, language training, culture training, lifestyle assistance, multilingual information services, anti-discrimination awareness education, and counseling for newcomers.⁴⁶

Here, Japanese local governments have a potential leadership role. I maintain that Japanese local governments can and should share with their Korean counterparts their extensive successful and unsuccessful social integration strategies that have been in development since the early 80s. In particular, the Hamamatsu Declaration, with its focus on education, social security and the revamping of foreign registration have a treasure trove of valuable suggestions on how to better integrate foreign residents into local communities.⁴⁷ Specifically, the Hamamatsu Declaration offers substantive strategies to deal with education issues faced by the children of migrant workers, the children of international marriages and the establishment of language classes to equip foreign residents with the language and cultural skills they need to improve their life while in Japan. The declaration also offers also concrete strategies to cooperation with medical organisations, NPOs, NGOs, and other volunteer groups, consider creating a system where non-Japanese residents can avail themselves of multilingual medical care and information with peace of mind.

Similarly, other municipalities with multicultural coexistence plans such as Shinjuku Ward, Adachi Ward and Tachikawa City located in the Tokyo Metropolis are well situated to share their well developed multicultural coexistence plans which have been developed to take meet each local governments particular needs. They have developed integration strategies which to different degrees focus on cultural, structural, interactive and identificational integration.

Where as the Japanese local government strength relies on more developed social integration strategies in accordance with their longer experience with foreign residents, Korean non-governmental organisations offer a third potential opportunity for communitarian based cooperation. In this case, I assert that Korean non-governmental organisations can take the lead in social integration of foreign residents by sharing their experience in: (1) coordination with NPOs, unions and church groups to facilitate social integration; and (2) strong advocacy of the protection of the human rights of foreign residents which includes labour rights and protection against other kinds of exploitation.

In the case of coordination with NPOs, unions and church groups to facilitate social integration, Seol and Skrentny (2004) and Yoon (2008), assert that non-governmental groups form strong lobby groups which not only influence the direction of policy development vis-à-vis foreign residents, but also provide a plethora of services to

⁴⁶“Kankoku Shakai wo Torimaki Saikin no Shojoisei,” *Jichitai Kokusaika Fuo-ramu* May 2007

⁴⁷ See Hamamatsu Declaration (Hamamatsu Declaration):

<http://www.debito.org/hamamatsusengen.html> (Accessed September 2008)

foreign residents. For example, citizen-led multiculturalism (Yoon 2008) manifests itself as citizen led NPOs and religious groups who assist foreign residents, marriage migrants and children of international marriages. Activities are broad in scope but include the establishment of migrant women's counseling centers such as the Solidarity for Migrant Human Rights and the Joint Committee of Migrant Workers' in Korea.⁴⁸ In each case, human rights, labour rights and the protection from exploitation are the major tenets of these organisations and I argue another potential area of cooperation that can be leverage to broader integration between Korea and Japan.

Japan's relative dearth in citizen-led multiculturalism and advocacy groups for foreign residents may have much to learn from their Korean counterparts. With shared views on human rights, labour rights and protection from exploitation, Japanese non-governmental organisations could find their Korean colleagues to be useful partners in helping them promote their agenda to local and state governments, but also in the areas of organisation and experience in inculcating international standards into their rhetoric in order to put pressure on concerned parties.

The benefit of cooperation at the communitarian level between non-governmental organisations is several fold. First, sharing resources and expertise allows both partners to enhance their domestic agenda. Simply, they can harness and learn from the successes and failures of each partner's experience to refine and strengthen domestic initiatives. For example, Korean non-governmental organizations have utilised the plight of marriage migrants and international children to broaden the human rights, labour rights and human security agenda such that it applies to all foreigners in Korea. Second, cooperation at the grass-root level by-passes many of the inherent barriers to cooperation that exist at the state-to-state level including those espoused by Ellen Frost (2008). Third, because of the more nebulous and apolitical nature of people-to-people cooperation at the non-governmental organisation level, there is room to broaden cooperation beyond solely Korean and Japan.

IV. Conclusion

Both Korea and Japan are seeing a rapid transformation of their ethnic composition resulting from low birth rates, aging populations, migration and international marriages. These North East Asian neighbours are also facing many similar challenges as a result of shared demographic challenges, structural dependency on foreign labour sources, and international marriages. Challenges include the best manner in which to integrate these newcomers so that they can contribute to their new founds homes. Human rights and labour rights protection are also important challenges to be overcome in both countries. Policies that prevent the abuse of newcomers, migrant workers, non-ethnic spouses and exploitation are areas that both nations can and should find areas to cooperate.

In arguing that Korea and Japan can and should cooperate in the area of human security Using Scalapino's concept of integration at the communitarian level, I demonstrated that

⁴⁸ Yoon In JIN (2008) "The Development and Characteristics of Multiculturalism in South Korea: With a Focus on the Role of the State and Civil Society," *International Conference on Multiculturalism in Asia*, Korea University, October 10th, 2008

that there already exists ample opportunity for Korea and Japan to cooperate at the non-governmental organisation, local government and the labour union level to deal with trans-border migration, securing human and labour rights as well as human security in general. This paper showed that it is in the interest of labour unions to cooperate, as it not only secures the rights and prosperity of foreign migrant workers but also it also secures their own employment prospects by ensuring that SMEs do not engage in discriminatory employment practices that favour migrant workers because they do not fall under labour standard acts.

On the Japanese side, local governments and their initiatives in the area of social integration, human rights protection is also a realm ripe for cooperation. The experience and more developed social integration policies vis-à-vis foreign residents that already exist in Japan can and should be valuable learning devices for Korean counterparts on what programmes are effective ways to integrate foreign residents.

Conversely, Korean non-governmental organisations have shown leadership and effectiveness in developing support programmes that secure human and labour rights as well as protect foreign residents, marriage migrants and children from international marriages from marginalization and or exploitation.

Although a considerable vacuum exists at the national level in terms of cooperation that would contribute to broader integration in the area, I maintain that integration between these two neighbours can proceed and the communitarian level in the area of human security, human rights and labour rights protection. Being based on shared values, maintaining prosperity of citizens and non-citizens, and efforts to achieve international standards in the areas of labour and human rights and human security, this initial seed of cooperation at the non-state level can provide a strong foundation for broader integration.