

Migrant Integration Policy in Japan

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Introduction

I would like to discuss Japan's distinct features regarding migration policy through comparisons with Western countries such as the UK, Germany, France, the Netherlands, Sweden, Australia, Canada and the USA. Firstly, I will examine the traditional factors behind the absence of a systematic migration policy in Japan. Secondly, I will analyze the reasons why Japan will henceforth need an immigration policy.

Thirdly, I will pay particular attention to the chronological development of Japan's postwar integration policy, dividing it into four stages. Fourthly, I will consider the implication of the standardization of *tabunka kyōsei*¹ (literally, multicultural living-together) policies in local communities such as *Aichi Prefecture*² and *Kani City*³. It is often said that the Japanese government has developed immigration control policy without promoting integration policy and that, therefore, local governments have had to tackle *tabunka kyōsei* policy, this becoming "Japanese-style integration policy". Fifthly, utilizing the Migrant Integration Policy Index (MIPEX),⁴ I would like to focus attention on Japan's problems in seven thematic areas: 1) labor market; 2) family reunion; 3) education; 4) political participation; 5) long term residence; 6) citizenship; and 7) anti-discrimination, comparing results with those of Western countries. Lastly, I will summarize Japan's recent integration policy.

1. Traditional factors behind the absence of a systematic migration policy

According to the UN Population Division Report, migrants comprise approximately 10% of the total population in more developed regions⁵. As shown in *Table 1*, Japan is peculiar, with less than 2%. This is the first factor behind the absence of a systematic migration policy.

The second factor relates to the fact that the Japanese Government identifies Japan as a non-"immigration state" because 1) Japan differs from traditional immigration states that permit permanent resident status at time of arrival and, 2) it differs from European immigration states that have many de facto immigrants.

The third factor is limited immigration during the period of advanced economic growth. This is explained in terms of the following factors, as shown in *Table 2*. The explanation provided by a former official of the Ministry of Justice cites the following three reasons: 1) a dense population; 2) little available land; and 3) the myth of a 'monoethnic' state (Kuroda, 1988, 217-8). The first two explain the phenomenon of an overcrowded population⁶. Sociologists have pointed out

Table 1 Ratio of Foreign and Foreign-born Population in 2008

	Country	Foreign Population	Foreign-born Population
	Japan	1.7%	
European Immigration States	France	*5.8%	8.4%
	UK	6.8%	10.8%
	Netherlands	4.4%	10.9%
	Germany	8.2%	**12.9%
	Sweden	6.1%	13.9%
Traditional Immigration States	USA		13.7%
	Canada		20.2%
	Australia		25.4%

* 2006 data; **2003 data. Source: OECD (2010a: 299, 314).

**Table 2 Factors of Limited Immigration
during the Period of Advanced Economic Growth in Japan**

- | |
|---|
| <ol style="list-style-type: none">1) overcrowded population;2) "homogenous people" mentality;3) mass domestic migration (from rural regions to urban areas);4) automation (Japanese industry was at the forefront);5) reliance on the external labor market (housewives, students, and the elderly as part-time labor)6) long working hours. |
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four factors: 1) mass domestic mobility; 2) automation (Japanese industry was at the forefront); 3) opening up of the labor market to housewives, students and elderly people, employed as part-time labor; 4) long working hours (Kajita, 1994, 18-21; Sellek, 2001, 21-24).

2. Why does Japan need an immigration policy now?

However, social conditions have changed. Japan is tending towards the introduction of a policy of cultural pluralism and is moving away from its traditional self-understanding as a 'monoethnic' state (Kondo 1999). For example, the percentage of mixed marriages has increased from 0.4% in 1965 to 6.1% in 2006⁷. The number of those employed in the agriculture, forestry and marine industries has continued to drop from 13.2 million in 1960 to 2.5 million in 2010 (Statistics Bureau 2011). The average annual hours actually worked per person in employment have also declined from 2,426 hours in 1960 to 1,714 in 2009, and recent figures do not significantly differ from those of the USA and the UK (Japan Institute for Labour Policy and Training 2011).

Most pronounced is a rapidly aging and decreasing population. As shown in *Table 3* and *Graph 1*, the future labor shortage is the most serious issue, and comprises the primary reason for Japan's need of an immigration policy. *Table 3* shows projections of change between 2000 and 2050 with respect to the total population, working-age population, and proportion of persons aged sixty-five years and older. *Graph 1*

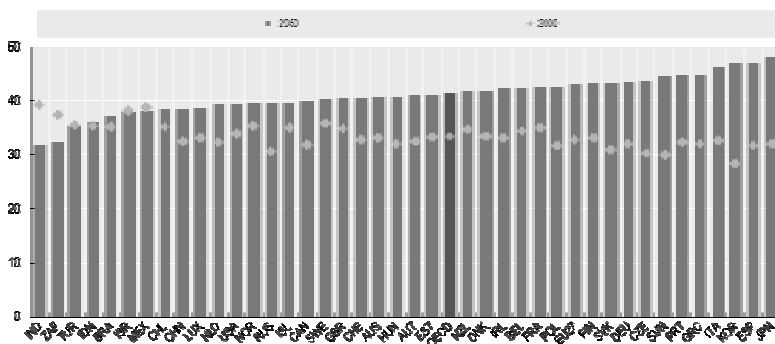
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Table 3 Projections of Changes in the Total Population, Working-Age Population, and Aged Population Rate between 2000 and 2050. Medium Variant

Country	Population	Productive-Age Population (15 to 64)	Aged Population (65 and above)
Japan	-17,171,000	-30,287,000	17.2% - 35.6%
Germany	-7,568,000	-15,168,000	16.3% - 30.9%
Netherlands	1,288,000	-952,000	13.6% - 26.3%
Sweden	2,056,000	641,000	17.2% - 24.6%
Australia	12,221,000	5,731,000	12.5% - 23.1%
France	13,400,000	3,187,000	16.1% - 24.9%
UK	13,934,000	4,721,000	15.8% - 23.6%
Canada	12,975,000	4,743,000	12.6% - 24.9%
USA	120,605,000	54,582,000	12.4% - 21.2%

Source: Population Division of the Department of Economic and Social Affairs of the United Nations (2011).

depicts the estimated proportion of the dependent population, which is calculated as the sum of the elderly and youth expressed as a ratio of the total population. Japan has the most serious prospect; i.e., 48.2 % in 2050.



Graph 1 Share of the Dependent Population

Source: OECD (2010b).

The second reason for the necessity of an immigration policy is the potential infringement of human rights of unskilled migrant workers, such as 1) persons of Japanese descent and their families; 2) trainees and technical interns; and 3) irregular residents (Kondo 2008a: 25-32). The official explanation given for granting quasi-permanent residence and work status (officially labeled as long-term residence status) to the *Nikkeijin* (Japanese descendants) was to provide the opportunity to visit relatives in Japan. However, the hidden agenda of reducing the entry of illegal workers and solving the problem of a serious labor shortage must have existed. *Nikkeijin* and their families are granted social rights. Indeed, the national health insurance, mainly for the self-employed, and the private corporate health insurance for company employees or public servants are available to them as well as to citizens. However, in practice, most *Nikkeijin* are not enrolled in the health-insurance schemes. One reason for their unwillingness to join is the compulsory pension system that must be subscribed to simultaneously, and under which they would probably receive no future benefit because the mandatory contribution period is generally twenty-five years, and bilateral pension agreements have only been concluded with several Western countries. Another reason is that employers of small companies are not willing to pay the requisite half of the private corporate health insurance premiums.

The official concept behind the trainee and technical intern system is the transfer of technology to developing countries, but the reality in many cases is a type of rotation system for inviting cheap, unskilled foreign workers. Some scandals involving human trafficking have been reported (US State Department 2010: 189). For example, some trainees, charged deposit money are indebted to brokers in their countries of origin, and thus forced to work long hours in Japan. Moreover, numerous cases have been publicized whereby managers, in the knowledge that trainees can find better-paid work at other factories as 'illegal' workers, have kept their trainees' passports and imposed compulsory saving systems in order to prevent their escape (Kondo 2011a: 225). The prob-

lem of intermediary exploitation (skimming of wages) has also been pointed out (Komai 2001: 39).

Irregular residents are not covered by the National Health Insurance and National Pension System. Industrial Accident Compensation Insurance is paid regardless of citizenship and possession of a status of residence, but in the case of workers who have overstayed, employers and employees are not willing to apply it, for fear of the disclosure of the illegal employment. Additionally, if illegal workers are unemployed, they are not considered to be "unemployed" under the Employment Insurance Act because they do not have visas to seek work.

3. Chronological stages of integration policy

Japan's postwar integration policy can be divided into four chronological stages, and each stage's basic principles and rights can be summarized as in *Table 4* (Kondo 2010: 105-8)

In the first stage, when Japan surrendered its colonized territories, Koreans and Taiwanese living in Japan lost their Japanese citizenship, and faced treatment as "foreign citizens." These newly ousted individuals were excluded from many social security programs (Tanaka 2006: 154-5). If Korean and Taiwanese civil servants did not wish to lose their posts, they needed to apply for naturalization. The old assimilative naturalization procedure required them to change their own names into Japanese-style names. Employment discrimination based on citizenship was prevalent in public and private businesses, and in the

Table 4 Chronological Stages of Integration Policy:

Basic Principles	Emerging Rights Issues
(1) Exclusion, Discrimination, and Assimilation (1945-1979)	Civil Rights
(2) Equality and "Internationalization" (1980-1989)	Social Rights
(3) Settlement and "Living-together" (1990-2005)	Political Rights
(4) " <i>Tabunka Kyôsei</i> " (2006-)	Cultural Rights

1970s, civil rights expanded its scope through processes like employment discrimination lawsuits⁸.

In the second stage, in accordance with the ratification of the International Covenant on Economic, Social and Cultural Rights and the International Covenant on Civil and Political Rights in 1979, and accession to the Convention Relating to the Status of Refugees in 1981, citizenship requirements were eliminated from the social security system, such as the National Pension. Thereafter, the term "internationalization" policy had the connotation of integration policy in Japan (Kondo 2002: 417). Since the late 1980s, local or internal internationalization was promoted by the central government, providing the unifying framework for incorporation programs for resident foreigners (Pak 2000: 249-10). The ratification of the Convention on the Elimination of all Forms of Discrimination against Women created the need for further reforms, such as the change from patrilineal to ambilineal citizenship in the Nationality Act, and the elimination of coercion to adopt Japanese names for naturalization purposes.

In the third stage, the amended Immigration Control and Refugee Recognition Act, enforced in 1990, came to grant a residence status to foreign citizens of Japanese descent and their families, which was similar to that of permanent residents⁹. With this revision, the 1991 Special Law on Immigration Control also permitted a "Special Permanent Resident" status for individuals from former Japanese colonies, along with their descendents¹⁰. In the permanent residence status standards released in 1998, the twenty-year substantial domicile requirement decreased to ten years (Koyama 1998). Moreover, the Second Basic Plan for Immigration Control, issued by the Ministry of Justice in 2000, clearly states that "we should make the effort to create a society where Japanese citizens and foreigners can live together smoothly by providing stable status, good living environment and support for fixation (Ministry of Justice 2000) " Meanwhile, in 1995, the Supreme Court recognized that the Constitution does not prohibit "permanent residents and those with similar statuses" from participating in local

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elections¹¹. From 1996, local consultative bodies such as Kawasaki City Representative Assembly for Foreign Residents commenced, and doors to local public official posts opened to foreign residents as well. Furthermore, starting in 2002, and based on ordinances, foreign residents' participation in local referendums spread throughout the nation.

In this, the fourth stage, the appeal for *tabunka kyōsei* has become a slogan of Japan's integration policy, especially in local governments. This is a grass-roots term which first appeared in a newspaper article on the Korean movement for community building, and spread as a slogan of NGOs supporting migrants after the great Hanshin-Awaji earthquake. The *tabunka kyōsei* policy in Japan is different from 'multiculturalism' in Canada and Australia, where the main targets comprise racial and ethnic minorities. It shares some similarities with the 'integration policy' of European countries (Yamawaki 2008: 43), since it deals primarily with foreign residents, and also covers citizens with immigrant backgrounds as shown in Table 5.

4. *Tabunka kyōsei* in local communities

One of the most noteworthy migrant integration policies in Japan is the standardization of *tabunka kyōsei*. In 2006, the Ministry of Internal Affairs and Communications (MIC) proposed the "Plan for *Tabunka Kyōsei* Promotion in Local Communities" (MIC 2006). As

Table 5 Multiculturalism, Integration Policy, *Tabunka Kyōsei*:
Similarities and Differences

Multiculturalism	Social participation of racial and ethnic minorities (citizens) comprises central issue
Integration Policy	Broadened from foreign citizens (main target) to incorporate citizens with immigrant backgrounds (assimilative or multicultural policies)
<i>Tabunka Kyōsei</i>	Broadened from foreign citizens (main target) to incorporate citizens with immigrant backgrounds (multicultural integration policy)

Table 6 Standardization of *Tabunka Kyōsei*

In 2006, MIC's "Plan for Tabunka Kyōsei Promotion in Local Communities" refers to the creation of a community where:

"peoples of different citizenship and ethnicities recognizing their respective cultural differences (*freedom of choice*), aiming to establish an equal relationship (*equality*), and living together as equal members of the local community" (*partnership*).

shown in *Table 6*, its principal idea shares certain similarities with the three goals (choice of freedom; equality; partnership) of multicultural integration policy in Sweden (Prop. 1975: 26; Hammar 1985: 33-5).

This Plan calls for all prefectures and major cities to prepare active plans tackling four fields (and twelve more detailed points) aimed toward *tabunka kyōsei* communities. The fields comprise 1) *communication support* (multilingual information service; support for learning Japanese language and understanding Japanese society), 2) *livelihood support* (daily life; education; working environment; medical/ health care and welfare; disaster prevention; others, such as consultation system and support for foreign students), 3) *development of a tabunka kyōsei community* (awareness building efforts for local community; independence and social participation of foreign residents), and 4) *development of a system to promote tabunka kyōsei policies* (setting up a section responsible for tabunka kyōsei promotion and cross-sectional coordination within local authorities; shared roles and cooperation among various entities).

Many local governments issued such promotion plans or guidelines. According to the April 1, 2010 research by MIC, 45 (96%) prefectures, 19 (100%) designated cities, 315 (41%) cities, 14 (61%) wards, 91 (12%) towns, and 11 (6%) villages have devised such promotion plans or guidelines (MIC 2010). Take the Tokai region, for example¹². In 2008, Aichi Prefecture, with a population of 7.4 million (ranked 4th nationally), of which approximately 3 % is foreign, issued the *Aichi Tabunka Kyōsei Promotion Plan*. The Plan has three objectives, five basic

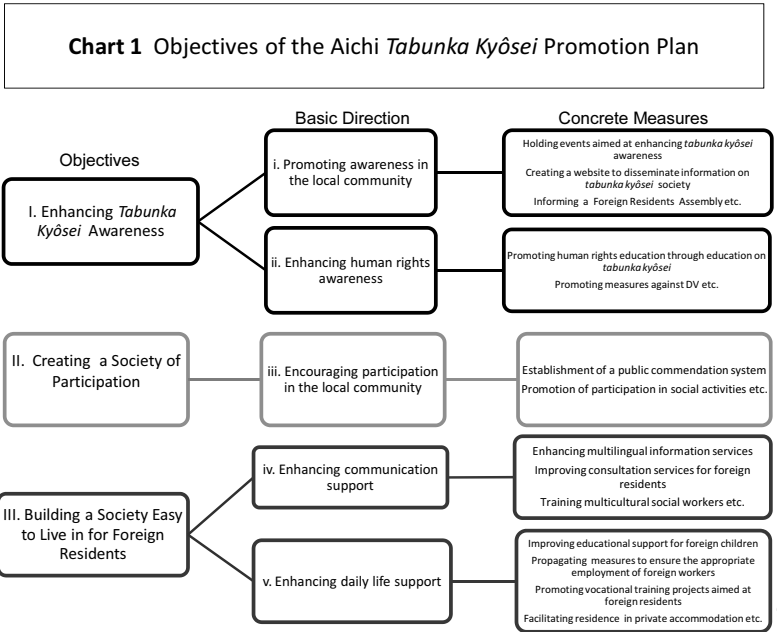


Chart 1

directions, and sixty-three concrete measures, as shown *Chart 1*. In particular, Aichi Prefecture is the first case to establish training courses for *multicultural social workers*, with the aim of providing consultation services to deal with the psychological and social problems faced by foreign residents. In addition, *Japanese-language study support funding program schemes* for foreign children have been established (Aichi Prefecture 2008).

Kani City in Gifu Prefecture, with a population of 102,000, about 6 % of which is foreign, issued the Kani City *Tabunka Kyôsei* Promotion Plan in 2011. It comprises four columns and ten basic directions. The former are 1) *language* (support for language education, providing information in various languages), 2) *education for children* (improvement of the education environment, support for school attendance), 3)

daily life (improvement of the consultation system, living/ working environment, social infrastructure and disaster prevention), 4) *local community* (development of a *tabunka kyōsei* community, participation in community-building). This plan has seventy-two concrete measures. In particular, there is a measure for mother-tongue education for foreigners in the community, as well as school attendance support for non-attending children. Kani City is famous for "Bara School KANI," a special school for newcomer children which aims to ensure learning opportunities. Percentages of foreign children who attend high school have increased from 53.3 % in 2007, 56.7 % in 2008 to 79.1% in 2009, but that of Japanese children was 98.0% (Kani City 2011).

Furthermore, even Miyagi¹³ and Shizuoka¹⁴ prefectures have established a "Local Ordinance on the Promotion for *Tabunka Kyōsei*". In Miyagi Prefecture's 2007 "Local Ordinance Regarding the Promotion of Constructing a *Tabunka Kyōsei* Society," "*tabunka kyōsei* society" is defined as "a society in which peoples of diverse nationalities and ethnicities recognize their respective differences in cultural and other such backgrounds, respect human rights, and live together as equal members of a community" (Miyagi Prefecture 2007). On the other hand, Shizuoka Prefecture's 2008 "Basic Ordinance for *Tabunka Kyōsei* Promotion," describes "*tabunka kyōsei*" as "the Prefecture's foreign citizens and Japanese citizens understanding and cooperating with each other, feeling safe, and living comfortably" (Shizuoka Prefecture 2008). Here, there is no mention of differences in ethnic and cultural backgrounds, equal membership in local community, or guarantees of international human rights.

5. Migrant integration policy index in Japan

The Migrant Integration Policy Index (MIPEX) III for legal non-EU residents was developed by the twenty-seven EU states, Canada, Norway, Switzerland and the USA, as shown in *Table 7*. I participated in this particular research to evaluate Japan's current situation in com-

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Table 7 Migrant Integration Policy Index 2010 (Results for All)

Ranking	Country	%	Ranking	Country	%	Ranking	Country	%
1	Sweden	83	12=	Germany	57	23	Switzerland	44
2	Portugal	79		UK	57	24=	Austria	42
3	Canada	72	14	Denmark	53		Poland	42
4	Finland	69	15	France	51	26	Bulgaria	41
5	Netherlands	68	16=	Greece	49	27	Lithuania	40
6	Belgium	67		Ireland	49	28	Malta	37
7	Norway	66	18	Slovenia	48	29	Slovakia	36
8	Spain	63	19=	Czech	46	30	Cyprus	35
9	USA	62		Estonia	46	31	Latvia	31
10	Italy	60	21=	Hungary	45			
11	Luxembourg	59		Romania	45			

Source: Huddleston et al. (2011).

Table 8 Migrant Integration Policy Index 2010 (Selected Countries)

Country	Sweden	Canada	Netherlands	USA	UK	Germany	France	Japan
Labor Market	100	81	85	68	55	77	49	62
Family Reunion	84	89	58	67	54	60	52	51
Education	77	71	51	55	58	43	29	18
Political Participation	75	38	79	45	53	64	44	27
Long Term Residence	78	63	68	50	31	50	46	54
Citizenship	79	74	66	61	59	59	59	33
Anti-discrimination	88	89	68	89	86	48	77	14
Total	83	72	68	62	57	57	51	37

Source: Huddleston et al. (2011).

parison to this index, and to understand Japan's problems regarding integration policy¹⁵. Data for seven themes in selected countries, including Japan, is shown in *Table 8*.

On labor market access, Japan enforces restrictions for foreign residents entering the labor market, based on their status of residence, and

fails to fairly recognize foreign residents' skills and certification from their countries of origin. The range of the persons who can participate in vocational training is narrow, and the immigrant labor market integration policy is limited in scope. In addition, doors to Japan's national public official posts remain mostly shut for foreign residents. In terms of local public officials, there exists the issue of constraints on foreign nationals' appointment to managerial positions (Kondo 2001: 21-22). However, based on a 2005 Supreme Court ruling, the "assumption doctrine," in which foreigners are not assumed to take on public official positions, differs from the "postulated doctrine," in which only citizens can be public officials who participate in the exercise of public authority or formulate of public will; foreigners are not excluded from managerial public positions, but the issue is left to the discretion of local governments¹⁶.

Concerning family reunion, Japan's Immigration Control and Refugee Recognition Act lacks a systematic guideline. It is not enough to grant a residence status only to spouses and minor children. Japan needs to consider family visas for common-law marriage partners, same-sex partners and parents (OECD 2001: 111-2; Elmanm 2000: 729-749; Oosterom-Staples 2007: 468-70). Rights to autonomous residence permit for partners, adult children, widowed persons, divorced persons and victims of domestic violence are insufficient.

Education is another point for MIPEX 2010. Volunteers mostly conduct language education for adult migrants, and learning the official language is neither a right nor an obligation in Japan. There is no established system for children's mother tongue education. In a statement before the Diet, the government has stressed that the constitutional right to receive an education is guaranteed to citizens only. Yet, taking into consideration Article 13 of the International Covenant on Economic, Social and Cultural Rights (ICESCR) and Article 28 of the Convention on the Rights of the Child, the government has stated that foreign citizens "do not have the responsibility to enter school, but public schools must receive them free of cost and provide

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them with an education equal to that of Japanese students" (Ministry of Education 2008). However, these human rights treaties hold member states responsible for providing primary education for all persons. This responsibility, according to General Comment No. 13 of the ICESCR, includes guaranteeing access to education¹⁷. Therefore, policies dealing with children of foreign citizens not enrolled in school are an issue covered by this guarantee of accessibility to education. Support for higher education and vocational training are insufficient for migrant children in Japan. Intensive introduction programs for newcomer pupils and their families are not sufficiently institutionalized. Special provisions for language support and statistical investigation with respect to migrant children are insufficient. There is only a monitor for the number of foreign children who are considered to be in need of Japanese-language instruction. There is no provision of the option for migrant pupils to learn their mother tongues and the cultures of their parents' country of origin. In addition, cross-cultural education is not incorporated into the school curriculum. The Ministry of Internal Affairs and Communications (MIC) issued the Plan for *Tabunka Kyōsei* Promotion in Local Government, but this plan is weak on the appreciation of cultural diversity in society. There is no special measure to support bringing migrants into the teacher workforce, nor teacher training programs for intercultural education and the appreciation of cultural diversity.

Regarding political participation, some local municipalities permit foreign residents to vote in local referendums and sit on consultative bodies (Shipper 2008: 136-8). Still, their lack of voting rights adversely affects Japan's evaluation regarding political participation. About half of Japan's local governments have asked for denizens' local voting rights, but the former ruling party, the LDP, was not willing to pass this bill for reasons of nationalistic ideology. In the 2009 election, when the DPJ became the ruling party, the submission of a bill for permanent residents' local suffrage became conceivable. However, one of the ruling coalition parties, the People's New Party has a negative opinion

of the foreign vote and as, in 2010, the government lost its majority in the Upper Chamber, prospects for the submission of the bill have dimmed (Kondo 2011b: 282).

With regard to permanent residence permission, in 1998, deregulation was officially published as shown in *Table 9*. With a lengthy ten-year period required to attain general permanent resident status, this is a peculiarity of Japan, because the period required to obtain naturalization is only five years. This is contrary to the "Three Gates Model"¹⁹ in Western countries. Under this model, in general, foreigners pass through the immigration control gate for landing permission first, and receive certain rights as regular visitors. Second, after staying for a designated period, they pass the gate for permanent residence, and receive concrete rights. Third, permanent residents may choose to naturalize and obtain full rights as citizens. In Japan, however, the hurdle of second gate is higher than that of the third one in the light of residential criteria. There is an exemption from application of the Administrative Procedure Act, therefore, grounds for rejecting or withdrawing residential status are not explained by the Immigration Control Bureau. There is also an exemption from appeal under the Administrative Appeal Act in case of foreign residents. By 2012, the Alien Registration Act will be abolished and a new registration and database system will be established. However, the 2006 amendment to the Immigration Control Act has obligated even general permanent residents to have fingerprint scans upon reentry, and collected data is made available not only for terrorist investigations, but also for general crime investigations. In the 1980s and 1990s, numerous lawsuits were brought against the fingerprinting obligation of the Alien Registration Act, finally resulting in the abolishment of the obligation in 1999 (Kondo 2008b: 217). It is probable that this time, too, new lawsuits will be brought before the court on the grounds of invasion of privacy. We need to prohibit the police from using foreign residents' biometric data for general crime investigations.

With respect to citizenship, the Japanese government should exam-

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ine the introduction of the *jus soli* system of, for example, Canada or even the *jus soli* system for permanent residents only²⁰ as adopted in the UK, or the *jus domicilli* system²¹ of Sweden, and recognize multiple citizenship. Today, views accepting multiple citizenship as a means for promoting pacifism, democracy, human rights protection, and international transactions are increasing (Martin 2003: 5). The end of the Cold War, abolishment of conscription systems, surge of migration and cross-national marriages, and changes in international law can be raised as factors contributing to the rise of multiple citizenship in recent years. Those who oppose multiple citizenship in Japan raise loyalty conflicts, clashes in rights of diplomatic protection, and problems related to personal statuses like bigamy, as arguments against multiple citizenship. However, one Director-General of the Civil Affairs Bureau in the Ministry of Justice explained that "there is no precedence of actual problems having been caused by multiple citizenship."²² Language requirements for the purpose of naturalization are vague. Grounds for rejecting or withdrawing naturalization are not explained, and there is an exemption from appeal under the Administrative Appeal Act.

As pertains to anti-discrimination law, there is no special law in Japan. This leads to a very low evaluation. Yet, the government is examining whether a law should be drafted to establish a human rights relief institution, such as a human rights committee (Ministry of Justice 2010). There are precedents involving discrimination against Korean citizens for the rental of apartments²³, Brazilian citizens for entering a jewelry shop²⁴, a German citizen, an American citizen and a naturalized (former American) citizen for entering a public bath house²⁵. However, the Courts ruled that local governments have no obligation to institute ordinances to ban such discrimination²⁶. The obligation for public bodies to promote equality as well as legal provision for the introduction of positive action are issues that remain unresolved.

Concluding Remarks

There remain many problems to be solved in the near future regarding migrant integration policy in Japan. I would like to mention four points. The first problem lies in the concept of *tabunka kyōsei* (literally, multicultural living-together) policies. Many local governments have issued guidelines or plans for promoting *tabunka kyōsei*, sharing similarities with the definition set forth in the "Plan for *Tabunka Kyōsei* Promotion in Local Communities" proposed by the MIC. However, actually, "multiculture" is often treated as a harmless epithet that accompanies notions like foreign citizens' policies and coexistence with foreign citizens; use of the term carrying the actual meaning of multiculturalism is often absent in Japan. In some local governments *tabunka kyōsei* even has the connotation of assimilation. We need to clarify this idea and reinterpret it for adjustment to policy development.

The second problem comprises the content of the *tabunka kyōsei* policies. These policies have been developed by local governments and many issues have been deferred because they require revision of statute of law by the central government. If we take the cultural "freedom of choice" into consideration seriously, we need to prepare mother tongue education, as well as Japanese language education. Taken in the light of "equality", we need to have anti-discrimination law and a human rights relief institution, such as a human rights committee. Taking "partnership" into consideration, we need to introduce local voting rights for foreign residents. Furthermore, Parliament has to enact or amend laws for the improvement of medical interpreters, and participation in insurance and pension schemes. For more systematic policy development, we need to 1) enact a "Basic Law for *Tabunka Kyōsei* Society", in which fundamental ideas are stipulated, 2) identify the grounds for a comprehensive plan and responsible organizations, and 3) clarify individual plans and responsible organizations through local ordinances (*Gaikokujin to no Kyōsei ni kansuru Kenkyūkai* 2003).

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The third problem concerns the organizations involved in *tabunka kyōsei* policies. Since 2005, some local governments have established local agencies for *tabunka kyōsei*. However, many of them established local agencies for "international exchange" since the late 1980s. Previously, international exchange and cooperation constituted the main focus of local internationalization policy, and foreign-resident policy tended to be treated only as a side issue without an autonomous status (Kashiwazaki 2003: 81). Recently, some local agencies such as "international exchange associations" deal with foreign residents' support more than international exchange activity, such as engagement with friendship cities, but others fail to do so, because their aims do not include foreign residents' support. We need to have specific agencies and facilities for *tabunka kyōsei*. In near future, a new comprehensive national agency for *Tabunka Kyōsei* should be established.

The fourth problem is the target range for *tabunka kyōsei* policy. The needs of old comers, such as former colonial Korean migrants, differ from those of new comers, such as Brazilians of Japanese descent. Since fall 2008, the global financial crisis and economic downturn has had a serious influence on foreign residents in Japan, including those of Japanese descent, who encounter difficulties in leading their daily lives in Japanese. In 2009, therefore, the Government of Japan established an "Office for the Coordination of Policies on Foreign Residents" in the Cabinet Office, and the Cabinet Office published the "Immediate (Short-Term) Support Measures for Foreign Residents in Japan" (Cabinet Office 2009). Thereafter, the Council, composed of members of related Ministries, published the "Promotion of Support Measures for Foreign Residents in Japan", regarding education, employment, housing, disaster prevention/crime prevention, support of voluntary repatriation, multilingual information, and the development of a promotional framework (Council for the Promotion of Measures for Foreign Residents 2009). In 2010, the Council (now renamed) released a guideline for "Basic Policy on Measures for Foreign Residents of Japanese Descent" (Council for the Promotion of Measures for Foreign

Residents of Japanese Descent 2010). Here foreign residents of Japanese descent are recognized as members of Japanese society, and instructions for the implementation of action plans necessary to incorporate the idea of *tabunka kyōsei* were distributed to every ministry in March 2011. The naming of this guideline, with its limited policy target, remains an issue. However, the desirability of extending the target of the measures to other foreign residents is stated. Moreover, this guideline is the first statement in which all related central ministries are involved, even if it is insufficient for a systematic point of view, and agencies are being required to develop policy pertaining to foreign residents.

The targets of integration policy are not only foreign residents but also citizens with a foreign background as shown *Table 9*. The Ministry of Education report on the "Number of Children of Foreign Residents in Need of Japanese Language Tutelage" includes statistics on children of Chinese returnees and children of cross-national marriages with "Japanese citizenship." While other countries are collecting information on foreign-born citizens, Japan's inactivity reflects the poor state of Japan's integration policies. Some local communities' plans for a *tabunka kyōsei* policy use the term "gaikokujin shimin (foreigners residing in the city)," which includes Japanese citizens with foreign

Table 9 Migrants as a Target of Integration Policy

Sweden: *Invandrare* (foreign citizens and foreign born persons), target for mother-tongue instruction; *utländsk bakgrund* (foreign-born individuals and Swedish-born individuals whose parents are both foreign-born)²⁷.

Germany: Foreign citizens *Menschen mit Migrationshintergrund* ("2nd generation and more" immigrants)²⁸.

Japan: "Number of Children of Foreign Residents in Need of Japanese Language Tutelage" include a number of such children with "Japanese citizenship".

In some local plans on multicultural living "foreigners residing in the city" include "Japanese citizens with foreign cultural backgrounds".

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cultural backgrounds. We need a more appropriate Japanese term for ethnic minorities and immigrants. A future challenge in Japan's *tabunka kyōsei* policies will be to establish indicators that illustrate statistical data, such as population, employment, unemployment, and the public assistance ratio of foreign citizens and ethnic minorities.

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[Notes]

- 1 It is generally understood as a process in which people of different citizenship or ethnicity live together as fellow members in the community. See Kashiwazaki (2011: 52). Basic Ideas of this concept had the cultural freedom, equality and partnership, but the first two were not paid attention in some local governments such as Shizuoka Prefecture. See Table 6 in this paper.
- 2 Aichi Prefecture is a member of the Council for the Promotion of a *Tabunka Kyōsei* Society. This Council, originally represented by five prefectures and one city with a high concentration of Brazilian residents of Japanese descent, was formed in March 2004 for the purpose of cooperating and lobbying the central government to create a *tabunka kyōsei* society. As of April 2011, there are seven prefectures (Aichi, Gifu, Mie, Shizuoka, Gunma, Nagano, Shiga) and one city (Nagoya). See *Tabunka Kyōsei Suishin Kyōgikai* (2011).
- 3 Kani City is a member of the Council of Municipalities with a Large Migrant Population. This Council was formed in May 2001, was composed of thirteen member cities, calling upon prefectural and national authorities to reform public education, national health insurance, and the alien registration system to better meet the needs of their foreign residents. As of April 2011, there are twenty eight member municipalities, hailing from eight prefectures. (1) Aichi Prefecture: Toyohashi, Toyota, Komaki, Chiryu; (2) Gifu Prefecture: Ogaki, Minokamo, Kani; (3) Mie Prefecture: Tsu, Yokkaichi, Suzuka, Kameyama, Iga; (4) Shizuoka Prefecture:

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- Hamamatsu, Fuji, Iwata, Kakegawa, Fukuroi, Kosai, Kikugawa; (5) Nagano Prefecture: Ueda, Iida; (6) Gunma Prefecture: Isezaki, Ota, Oizumi; (7) Shiga Prefecture: Nagahama, Koga, Konan; (8) Okayama Prefecture: Soja. See *Gaikokujin Shimin Shūjū Toshi Kaigi* (2011) and Pak (2006: 68-9).
- 4 The MIPEX project is led by the British Council and the Migration Policy Group. Thirty-seven national-level organizations, including think-tanks, non-governmental organizations, foundations, universities, research institutes and equality bodies are affiliated with the MIPEX project alongside the British Council offices in thirty-one countries across Europe, Canada and the USA.
 - 5 They comprise all regions of Europe plus Northern America, Australia/-New Zealand, and Japan.
 - 6 The Immigration Bureau (1981: 9-12) explained the reasons for Japan's traditional unwillingness to admit permanent residence to be 1) an overcrowded population and, 2) 'monoethnic' state mentality.
 - 7 National Institute of Population and Social Security Research (2011). However, the percentage has decreased from 5.6% in 2007, 5.1% in 2008 to 4.9% in 2009.
 - 8 For example, Yokohama District Court decision of June 19, 1974 held that the dismissal of Korean worker because of his citizenship was unlawful. For this Hitachi company case, see Iwasawa (1998: 200) ; Weiner and Chapman (2009: 174) ; and Chung (2010: 97-100).
 - 9 Officially, these quasi-permanent residents are designated as "long-term residents," but this status can only be granted upon arrival in Japan and it has to be renewed every year or every three years, though renewal is a relatively simple matter. This status's special feature is that it entitles its holders to work without restriction in the same manner as permanent residents.
 - 10 Special permanent residents are protected from deportation except when they are sentenced to imprisonment for more than 7 years and the Minister of Justice finds that the vital interests of Japan are jeopardized by their crimes (Article 9, Special Law on Immigration Control). Permanent residents are deported when they are sentenced to imprisonment for more than 1 year (Article 24, Immigration Control and Refugee Recognition Act).

- 11 49 *Minshū* [Supreme Court Reports about Civil Cases] (February 28, 1994), 639.
- 12 Several examples of plans for *tabunka kyōsei* promotion in the Tokai region, which due to its strong base of manufacturing industries, has a large foreign population, would include those issued in 2007 by Gifu Prefecture, Iwata City, Hamamatsu City, Toyoake City; in 2008 by Aichi Prefecture; in 2009 by Toyohashi City, Minokamo City; in 2010 by Toyokawa City, Yokkaichi City; in 2011 by Mie Prefecture, Shizuoka Prefecture, Kani City, Komaki City.
- 13 Miyagi prefecture has a population of approximately 2.3 million, of which approximately 0.7 % is foreign.
- 14 Shizuoka prefecture has a population of 3.8 million, of which 2 % is foreign.
- 15 Reporter for Japan was Atsushi Kondo; peer reviewers were Keizo Yamawaki (Meiji University) and Chikako Kashiwazaki (Keio University).
- 16 59 *Minshū* [Supreme Court Reports about Civil Cases] (January 26, 2005), 128.
- 17 U.N.E/C.12/1999/10, General Comment No.13: The right to education (Art.13), par. 50.
- 18 Immigration Bureau (2006). In general, a ten-year (previously twenty-year) continuous residential term; in cases of quasi-permanent residents (long-term residents), refugees, a five-year continuous residential term; in cases of spouses of Japanese and permanent residents, a three-year continuous residential term; in cases of children of Japanese and permanent residents, a one-year continuous residential term.
- 19 See Hammar (1990: 20-1).
- 20 See Waldrauch (2006: 129).
- 21 See Hammar (1990: 76) ; Dilek Çinar (1994: 59-61) ; Waldrauch (2006: 129-32).
- 22 House of Representatives Committee on Judicial Affairs, statement by Director-General of the Ministry of Justice's Civil Affairs Bureau, Seiichi Fusamura (June 2, 2004).
- 23 Osaka District Court, decision of June 18, 1993.
- 24 Hamamatsu Branch, Shizuoka District Court, decision of October 12, 1999.
- 25 Sapporo District Court, decision of November 11, 2002; Sapporo High Court, decision of September 16, 2004.

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- 26 Sapporo District Court, decision of November 11, 2002; Sapporo High Court, decision of September 16, 2004; Supreme Court, decision of April 7, 2005; Osaka District Court, decision of December 18, 2007.
- 27 SOU 1996:55, p. 48; Statistiska centralbyran (2010: 106-7).
- 28 Bundesministerium des Innern (2010: 212).