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Immigration and demographic trends in China, South Korea, and Japan

Supervisor
Ch. Prof.ssa Sara De Vido

Assistant supervisor
Ch. Prof.ssa Rosa Caroli

Graduand
Davide Capretta
842523

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Abstract

Modern means of transport has made moving from country to country an easier, cheaper and quicker process for people. The flows of migration that are occurring today are having an effect on virtually every country in the world, even though to different degrees. Certain countries are experiencing a decline of the national population due to demographic trends such as decreasing fertility rates and aging of the population, which in turn causes economic issues. For these reasons countries have been trying to take advantage of the effects that migration can have on the national economy. China, the Republic of Korea, and Japan are countries that are particularly affected by those trends, and they have in fact tried to tackle their domestic issues by using immigration as a tool in their favor. However, the results of the policies that have been put in place have had contradictory results, in that they tend to discourage foreign migrants from entering and settling into the country, rather than attracting them.

This paper focuses on the analysis of the contradiction between the policies that China, South Korea, and Japan have implemented in order to attract migrants to solve the demographic issues that they are experiencing, and the contradictory effects that those policies have on attracting the desired immigration, that is, policies that present many limitations and actual obstacles. The immigration policies that China, South Korea, and Japan have adopted will be analyzed in function of the immigration flows that they are affected by and of the negative demographic trends that they are experiencing. In light of the contradiction between the immigration policies adopted by these countries and the actual effects they have, an analysis of each country’s national identity will be done and, backed by examples analyzed in the paper, will show why China, South Korea, and Japan actually do not welcome immigration as a final, long-term, and definite solution to their domestic problems.
China, Japan, and South Korea are all in need of filling labor demands in certain sectors of their economy that are experiencing labor shortages because of a lack of domestic workforce. Changes in their demographics are one of the main reasons for this lack of workers. China’s decision to finally relax its notorious one-child policy after several years is one example of the solutions that are being taken to tackle the issues. (Mauldin, John 2016) The shrinking of the population and consequently of the national workforce caused by negative demographic changes, namely, birth rates decline, aging population, and rising life expectancy, has pushed China, South Korea, and Japan to think long and hard about possible solutions in order to handle the situation. International migration flows are important factors affecting the socio-economic changes in the Asia-Pacific region, and they have potential benefits both for migrants and their country of origin, and for countries of destination. As the President of the World Bank Group mentioned at a press release in 2015, "With the right set of policies, this era of demographic change can be an engine of economic growth." He then continued saying that “If countries with aging populations can create a path for refugees and migrants to participate in the economy, everyone benefits. Most of the evidence suggests that migrants will work hard and contribute more in taxes than they consume in social services.” (Press Release on WB/IMF Report 2015) China, South Korea, and Japan, all seem to be tentative in using immigration as a tool to deal with their domestic issues, as we will see is reflected in the efficacy of their immigration policies. However, the circumstances seem to be pointing in that direction as the only viable solution, as was acknowledged by the Japanese former director of the Immigration Bureau of Tokyo. (Burgess, Chris and Tsuda, College 2014) In fact, all three countries started to take steps in that direction and have adopted and changed their immigration policies in order to mitigate their demographic issues and
attract foreign workers. For example, in 2003 South Korea introduced the *Act on Foreign Workers Employment*, legislation that was adopted “to promote a smooth supply and demand of manpower and the balanced development of the national economy by introducing and managing foreign workers systematically”. (“Act on Foreign Workers’ Employment, etc.” 2013, Art. 1) China, South Korea, and Japan, however, do not seem to be fully committed to have migrants settle into their territory and find a stable job. In all three cases, as we will see, immigration policies are very much based on a strong deep-rooted national identity and influenced by public perceptions about foreigners, to the point where they often present more of an obstacle than they do an incentive for migrants to be able to settle and work in these countries. As this paper will show, there have been instances of abuses and exploitations from the part of certain companies due to flawed national programs, which have also been criticized by main international organizations. Aimed at transferring technical knowledge to foreign participants, some programs were accused of becoming the source of cheap labor for businesses and industries involved in it, like the Industrial Trainee and Technical Internship Program (TTIP) in Japan. ("Trafficking in Persons Report 2014", p. 220)

The Asia-Pacific region contains some of the most developed and wealthy economies in the world. Among these economies we find Japan, the Republic of Korea, and China, which have actually become a major point of attraction for migrants from all parts of the world. The region is also home to some of the poorest countries in the world where people move to find better opportunities in more developed areas. The attractiveness of China, South Korea, and Japan as destinations for migrants is, however, eroded by strict policies that are a big obstacle for immigrants who would like to settle and for those who would like to simply make it to the destination. As mentioned by official Reports by the Asia-Pacific RCM Thematic Working Group on International Migration, the inflow of migrants can have positive effects only if hosting countries commit to promoting safe recruitment, successful employment, and effective protections from abuses and discrimination. ("Asia-Pacific Migration Report” 2015 p. 15) On the other hand, limiting migrants’ opportunities for using regular migration paths and from accessing labor laws protections entails risks. These risks involve inequality,
prevention of improvements on the national economy by, for instance, limiting productivity, and opening the door to human rights violations. Further exacerbating the situation is the fact that China, Japan and the Republic of Korea are popular destination countries for smuggled migrants in the East Asian region, according to a Review by the United Nations Economic and Social Council. (“Trends and drivers of international migration in Asia and the Pacific” 2017, p. 13) Hence, not entirely committing to adopting efficient and welcoming immigration policies that can allow migrants to safely access immigration opportunities can lead to situations of exploitation, of abuses and human rights violations, thus putting the lives of migrants at risk. As a matter of fact, as stated in a 2015 publication by the UN Office on Drugs and Crime, many migrants who are trying to reach job opportunities abroad, utilize smuggling services because regular paths for migration are either non-existent, costly, troublesome, or too slow. (“Migrant Smuggling in Asia” 2015, p. 86)

As mentioned above, there is a significant attraction that South Korea, Japan, and China have for migrants, especially those who, lacking other means to do so, choose illegal ways of moving to another country. On top of that, domestic demographic issues, namely an ageing population and declining birth rates, led to problems such as shortages of the national workforce that left certain sectors of the economy with unanswered labor demands. Due to those demographic difficulties, these countries have shown to actually be in urgent need of foreign labor force. At this point, effective and obstacle-free national laws that help migrants settle and work in their territory would be the ideal path to reach the desired goal, that is, to fill those gaps in the economy and to mitigate the negative demographics trends. However, what China, South Korea, and Japan all have in common is that there seems to be a reluctance and hesitation to fully commit to the “immigration solution”, despite the acknowledged need for it. Their national policies, being influenced by a very strong national identity, seem to reflect this hesitation, as they often present a big disincentive and an obstacle for migrants to settle and work in their territory. Through the analysis of all the circumstances and considerations mentioned above, this paper aims at shedding light on this common
contradictory pattern of reluctance on the part of China, Japan, and South Korea to fully commit to the “immigration solution”, in spite of the evident need for it.

In the first chapter, in order to examine the scenario surrounding China, Japan, and South Korea and the area in which these countries are involved, we will examine the current general situation regarding migration in the Asia-Pacific region. We will look at what drives migrants to move from their country of origin, at the varieties of migration flows that occur in the Asia-Pacific region, and at the legal framework pertaining to migrants. In order to analyze migration occurring in the Asia-Pacific region, official Reports by the United Nations and by other organizations such as the ILO have been utilized. We will then see the reasons why the different flows of migration emerge and consider some of the most important Conventions, legal instruments, as well as agreements between countries and regional consultative processes that are in place to protect the safety and human rights of migrants, and to manage migration flows. Also, we will look at which countries are part of these legal instruments, only focusing on the countries that are relevant to the analysis done in this paper, namely China, South Korea, and Japan.

In the second chapter, we will analyze the migration movements that head toward China, South Korea and Japan, and the way immigration is perceived in these countries. We will examine the development of migration flows towards China, South Korea and Japan up until today and then look at some instances of the different perceptions and attitudes towards the immigrants that are present in the societies of these countries.

The third chapter will look at the demographic trends that are occurring in China, South Korea and Japan, and at the way these countries have regulated immigration in response to the negative demographic trends that they are experiencing. We will look at the negative demographic trends that are affecting these countries and at the impacts of these trends. We will then see how those negative trends led China, South Korea and Japan to start adopting policies to attract foreign migrants, so we will look at the kind of policies and regulations that
they put in place to respond to their domestic issues. The last section of the chapter will also look at the issues and flaws related to the policies that are in place China, South Korea and Japan.

In the fourth chapter, we will examine the potential benefits and contributions of immigration, as well as the national identity of China, South Korea, and Japan. We will analyze the potential positive impacts that migrants can have on hosting countries' economies as well as on negative demographic trends, and we will look at some case studies to reinforce the argument. The last part of this chapter will examine the strong national identity of China, South Korea, and Japan, how it developed, and how it is still present today. We will conclude by reviewing all the considerations and examinations done in the four chapters, and see why China, South Korea, and Japan seem to display a reluctance and hesitation to fully commit to the immigration solution, despite the apparent efforts to actually use it to solve their domestic issues.
CHAPTER 1

Migration situation in the Asia-Pacific region

The number of international migrants worldwide has continued to grow over the past seventeen years, reaching 258 million in 2017, up from 248 million in 2015, 220 million in 2010, 191 million in 2005 and 173 million in 2000. ("International Migration Report" 2017, p. 4) Between 2000 and 2017, Asia added more international migrants than any other region: in 2017, 80 million international migrants were residing in Asia, compared to 78 million in Europe.\(^1\) International migration flows are important factors affecting the socio-economic changes in the Asia-Pacific region, and, as we will see in later chapters, they have potential benefits both for migrants and their country of origin, and for countries of destination. With the evolution and increasing development of the economies in the region and the increasing demographic changes that are taking place, individuals will be more and more motivated to migrate, especially given the growing labor demand and supply for migrant workers. ("Asia-Pacific Migration Report" 2015 p. 9) Migration within the Asia-Pacific region and between that region and others occurs for a variety of reasons, including both voluntary and involuntary migration. In many cases, the decision of an individual or groups of individuals to migrate is driven by financial needs. In fact, the majority of migration flows in the Asia-Pacific region take place from countries with poor economies towards richer countries with economies that allow the opportunity to earn higher wages. ("Trends and drivers of international migration in Asia and the Pacific" 2017, p. 9) Decisions to migrate can also be made simply because of the sheer need to survive, for example in the case of humanitarian crises and threatened livelihoods. Natural disasters like violent typhoons, hurricanes and floods that destroy homes and people’s livelihoods are also often another cause of

\(^1\) Ibid p. 5
migration movements. In these cases migration provides an opportunity for a new life. In order to be able to migrate, however, people require the incentives to do so, which can come in the form of job opportunities and available means of migration, and can involve regular and official paths, irregular means or illegal channels. ("Trends and drivers of international migration in Asia and the Pacific" 2017, section III “Drivers of migration”) In fact, migration flows can occur in different forms, in fact, they involve regular migrants, as well as migrants that are in irregular and illegal situations, such as smuggled migrants, trafficked persons, refugees and asylum-seekers. Flows of regular migration, then, take place in many cases alongside irregular migration.

Up until now the predominant flows have consisted of temporary labor migrants. Looking for better economic opportunities is one important factor driving migration within the region. One problem regarding these movements is that in many cases, the number of individuals looking for employment in the countries they plan to head to, exceeds by a considerable amount the number that those countries allow to employ officially. Another common occurrence is that official procedures are cumbersome or expensive, which consequently discourage migrants from taking regular migration paths. ("Migrant Smuggling in Asia" 2015, p. 86) As a result of these situations, easier ways that facilitate the movements and employment of migrants develop. However, these easier solutions often involve irregular procedures of migration and lead to cases of exploitation, human rights abuses, and risks to the health and safety of migrants. An evident example of this are the deaths of migrants from North Africa trying to cross the Mediterranean Sea in order to reach Europe that are currently occurring, which already reached a death toll of over 1,000 migrants for the year 2018. (Wintou, Patrick 2018) Irregular procedures of migration do not always include a voluntary and willful decision from the part of migrants to move, but also forceful and exploitative movements that infringe their human rights.

There are several legal instruments designed to prevent abuses and protect migrants from such situations. The international normative framework on international migration includes instruments pertaining to the human rights of migrants, the rights of migrant workers, the protection of refugees, as well as
instruments designed to combat migrant smuggling and human trafficking. For instance, one of the most important ones is the International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families adopted by the United Nations General Assembly in 1990. This is the most comprehensive international treaty on migrant rights; it clearly defines the rights of all migrant workers and it standardize the responsibility of States in upholding the rights of migrant workers and members of their families. ("Legal instruments on international migration") As for instruments designed to tackle the issue of smuggling and trafficking, there are two important protocols that supplement the United Nations Convention against Transnational Organized Crime. These two protocols are the 2000 Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, and the 2000 Protocol against the Smuggling of Migrants by Land, Sea and Air. All these and other instruments designed to prevent irregular flows of migration from happening and to protect migrants from exploitation and other dangerous situations, have been ratified in varying degrees by Member States.

This chapter will examine the current general situation regarding migration in the Asia-Pacific region. Firstly, we will look at the different reasons that drive migrants to move from their country of origin. We will give an overview of the main motivations behind migration, as well as provide examples of cases in the region in order to reinforce the analysis. The second part of the chapter will examine the varieties of regular and irregular migration flows that occur in the Asia-Pacific region, including examples from the Asia-Pacific region. Finally we will look at the legal framework pertaining to migrants, considering some of the most important Conventions and instruments that are in place to protect the human rights of migrants. We will also look at which countries are part of these and to what extent, providing examples of those countries that are relevant to the analysis done in this paper, namely China, South Korea, and Japan.

1.1 Drivers of migration in the region
Migration within the region takes place for a variety of reasons, including both
voluntary and involuntary migration. The decision of an individual to migrate can be driven by financial necessities as well as by the simple need to survive, such as in cases where people flee persecutions or armed conflicts. Looking for better economic opportunities is an increasingly important factor driving migration within the region. The growing development of the economies in the region and the domestic demographic dynamics that are taking place in many countries are increasing the likelihood of these migratory movements. ("Asia-Pacific Migration Report" 2015, Chap. 1) However, economically motivated flows of migration are not the only reason why people move. Political factors forcing people too flee in order to survive, or environmental events that push individuals to move for the same reasons, are among other causes that lead migrants to seek new opportunities away from their country of origin. The following part of this section will analyze some of the main motivations behind migration movements.

**Economic drivers**

The growing development of the economies in the region and the domestic demographic dynamics that are taking place in many countries are increasing the movements of economically motivated migration. In the Asia-Pacific region the expectations of gaining higher wages is oftentimes the major drive behind migration. In fact, migration in the Asia-Pacific region occurs primarily from countries with poor economies towards richer countries with economies that allow the opportunity to earn higher wages. ("Trends and drivers of international migration in Asia and the Pacific" 2017, p. 9) For instance, according to a Review by the United Nations Economic and Social Council, China with its major big cities, Japan, and the Republic of Korea are popular destination countries for smuggled migrants in the East Asian region. These economies actually experienced massive growth in the 1970s and 1980s, which led to what is now called "the East Asian economic miracle". (Wickramasekera, Piyasiri 2002 p. 8)

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2 The economic disparities among Asian countries have in fact been mentioned as a significant reason for the movements within the region, with per capita incomes ranging from US$200 in the poorest countries to around US$35-40,000 in the most developed ones. (Wickramasekera, Piyasiri 2002)

3 Ibid p. 12
migrants now tend to gravitate towards countries where there are actual opportunities for employment that are better than those they would encounter if they stayed in their own country. Both skilled and unskilled workers in the region actually choose their destination according to the demand for labor and the job opportunities that are available. ("Migrant Smuggling in Asia" 2015, p. 86)

**Demographic drivers**

Demographic factors also drive migration flows. Demographic trends that are taking place in many countries in the region, particularly Japan and South Korea, as well as China, are causing social and economic changes that have pushed countries to adopt policies that can manage these issue. In many cases, these policies are aimed at attracting foreign talent that can make up for the lack of domestic workforce, and they set in motion migration movements. For instance, over the past decade, South Korea, faced with a pressing demographic crisis, has been opening itself to immigration. With an aging population and fertility rates too low to meet the country’s demand for workers, South Korea has implemented a number of policies in order to attract foreign workers. For example, in 2003 it introduced the *Act on Foreign Workers’ Employment*, which was adopted “to promote a smooth supply and demand of manpower and the balanced development of the national economy by introducing and managing foreign workers systematically". ("Act on Foreign Workers' Employment, etc." 2013, Art. 1) By designing these policies aimed at attracting foreign workers, countries set in motion a series of migratory movements involving individuals who are motivated to move there for the prospects of having better economic opportunities.

**Political drivers**

As we have already mentioned, migration of individuals from their country of origin to a new destination abroad can also be motivated by reasons of survival. Many people are forced to move because of armed conflicts endangering their lives, political persecutions making their life no longer tenable, or human rights violations that force them to seek a better life abroad, like in the case of repressive regimes. A good example of such migration drivers is the case of North Korea.
fact, one of the main reasons why people flee the country is the structural discrimination and repressive political environment set up by the Democratic People’s Republic of Korea. (Choi, Young-Jin 2011 p. 390) For instance, according to a report by Amnesty International, North Koreans have been detained and sentenced after unfair trials because of offences that are not internationally recognized. (AMNESTY INTERNATIONAL) The punishments for breaking the North Korean law can be very harsh, and range from being sent to detention centers, to forced labor camps, to being public executed. Individuals being held prisoners range from persons considered “political enemies of the DPRK”, defectors, and individuals who simply happen to be relatives of other North Koreans who committed a crime before them but who are not there to pay for it. (Harden, Blaine 2015 p. 11) Because of the pressures and risks involved in living there, many North Korean citizens are motivated to escape and move to another country. Interestingly enough, this kind of migration driver is sometimes pushed by factors that are not directly related to the issue itself. For instance, watching foreign TV shows, South Korean soap operas, listening to foreign radio stations, and using any means of getting information on what happens outside of the country is absolutely prohibited by the North Korean law, where the government provides harsh punishments to those who break it. (Harden, Blaine 2015 p. 172) All these materials, however, find their way into the country via smuggling networks, and are often bought by North Korean citizens who, seeing and listening to the kind of freedom that people enjoy in other countries, become highly motivated to try to escape. (M. Beck, Peter 2010) As we have just described using the example of North Korea, migration is then also driven by reasons of survival, where individuals move out of their country to find better opportunities and to improve their lives.

**Environmental drive**

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4 The government of Pyongyang created a repressive and segregated society, where people considered to be loyal to the DPRK can live and work in favorable locations, whereas those who are considered politically suspect are confined to marginalized areas and are constantly monitored and at great risk of being detained. (BBC 2014)
The link between climatic shocks, natural disasters, and migration has received increasing attention in recent years, with many linking climate change and the associated natural disasters to migration. (Mbaye, Linguère Mously 2017,p. 1) As the pressure on natural environment increases, some environmental changes, such as the rise of the sea-level rise, deforestation, deterioration of land and the likes, are likely to increase international migration. ("Trends and drivers of international migration in Asia and the Pacific” 2017, p. 9) Natural disasters like typhoons, hurricanes and floods that end up destroying homes and people’s livelihoods are often the cause of migration movements. Typhoon Haiyan, the strongest storm ever recorded, which occurred in 2013 in the Philippines, is a symbolic example of this kind of movements. With millions of homes severely damaged and completely destroyed, more than four million people were displaced and left stranded and struggling to meet basic needs. (Bradley, Megan 2015) With no alternative strategies to alleviate the effects of natural disasters, the imperative need to move because of it, and enough resources to afford the costs of moving, people can then be driven to migrate for environmental reasons. In these cases, migration can help individuals face the extremely difficult challenges caused by natural disasters by giving them with new options and opportunities. (Mbaye, Linguère Mously 2017, p. 1)

Other important drives of migration

Rigid immigration laws in destination countries and the tendency on the part of countries that are experiencing labor shortages to refuse admission to workers, in particular the unskilled ones, are a major cause of migration, especially the irregular kind. (Wickramasekera, Piyasiri 2002 p. 22) In fact, smugglers often help migrants to secure employment and accommodation in the destination country through a cheaper, faster and more effective service. As stated in a 2015 publication by the UN Office on Drugs and Crime, many migrants who want to reach employment opportunities abroad and utilize smuggling services do so because regular paths for labor migration, if existing, are costly, slow, and troublesome. ("Migrant Smuggling in Asia” 2015, p. 86) As we previously mentioned, China with its major big cities, Japan and the Republic of Korea are
popular destination countries for smuggled migrants in the East Asian region. As we will see in chapter 3, these countries present immigration policies that oftentimes constitute a hindrance for migrants who would like to work and settle there. Migration flows can then be set in motion also as a consequence of such rigid and obstructive immigration laws.

**Facilitating factors**

An important element of migration is the ability of migrants to move out of their country when there actually are opportunities to do so. Systems that have been implemented by Governments to manage and facilitate migration flows of foreign workers, such as bilateral memorandums of understanding and regional and international agreements, represent one circumstance that creates the opportunity to migrate. (“Trends and drivers of international migration in Asia and the Pacific” 2017,p. 10)5 Let us take the example of South Korea. As we have previously mentioned, South Korea, due to the demographic difficulties it has been experiencing, has implemented a number of policies to attract foreign workers. One of the instruments the country has implemented is the Employment Permit System for foreign workers, which is also based on Memoranda of Understanding (MOUs). (Kim, Min Ji 2015 p. 1) These MOUs are agreements drawn up between the government of Seoul and sending countries that are assigned a certain number of positions available each year, and they are designed to eliminate excessive charging fees by private recruitment agencies. (“Asia-Pacific Migration Report” 2015 p. 125) Without the help of private recruitment agencies, however, migrants would often be unable to move, as they are assisted in dealing with complicated bureaucratic processes that they would otherwise fail to complete. (“Trends and drivers of international migration in Asia and the Pacific” 2017, p. 10) Private recruitment agencies, then, despite having created a business behind migration, are also factors facilitating migration. Finally, social networks also play an important part in making migration easier. Migrants can be given useful information on the necessary procedures as well as assistance by acquaintances

5 These mechanisms shape the size, direction and composition of migrant flows by determining the criteria as to who can migrate and under what conditions.
that have moved to the same place before them. Information to move to the same destination can be sent to encourage friends, relatives and family, who would be more motivated to migrate due to reassuring close connections that have done the same before them. All the examples provided so far regarding drivers of migration show us that cross-border movements of individuals and groups of individuals who leave their country to settle in another one, are motivated by a great variety of factors. All these movements can then be divided into different categories, mainly classified in regular and irregular migration.

1.2 Types of migration flows in the region

As we have seen, migrants can be motivated to move from their country of origin for financial necessities, to find better employment opportunities, or to escape life-threatening situations. People migrate only when there are the incentives to do so, which can come in the form of job opportunities and available means of migration, and these migration flows can involve regular and official paths, irregular means or illegal channels. ("Trends and drivers of international migration in Asia and the Pacific" 2017, section III “Drivers of migration”) In fact, movements of migration actually take place in several forms and involve different situations, as they include regular migrants and irregular ones, such as cases of smuggled and trafficked migrants, and asylum-seekers. Regular migration movements, then, occur in parallel with irregular ones.

1.2.1 Regular migration flows

As far as regular movements, a growing trend is international migration to study abroad from and within the Asia-Pacific region, with the number of international students in the region almost tripling from around 700,000 in 2000 to more than 2 million in 2016. ("Trends and drivers of international migration in Asia and the Pacific" 2017, p. 19) Some governments, including the Japanese government, China, and South Korea, have also implemented policies to attract this kind of

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6 Ibid p. 10
migrants because of the benefits that highly skilled migrants have for their economies. (“Asia-Pacific Migration Report” 2015 p. 25) Nevertheless, up until now the predominant flows of migration towards the Asia-Pacific region have consisted of temporary labor migrants employed in low-skilled jobs, as the increasing development of the economies of the region and the domestic demographic dynamics that are taking place in different countries are increasing the likelihood of these migratory movements. (“Asia-Pacific Migration Report” 2015, Chap. 1) As we mentioned in previous sections, South Korea, due to the demographic difficulties it has been experiencing, has started attracting foreign workforce through a series of policies. The use of MOUs, for example, the agreements made between the government and other sending countries that assign a certain number of available positions each year, is one of the instruments that have been utilized.7 Article 11 of the ILO Convention on Migration for Employment 1949 (No. 97) states: “migrant for employment means a person who migrates from one country to another with a view to being employed otherwise than on his own account and includes any person regularly admitted as a migrant for employment.” (“ILO Convention on Migration for Employment”) This definition by the International Labor Organization, as accurate as it is for a lot of cases, does not reflect the reality of labor migration, given that regularly admitted foreign workers do not represent 100% of the labor migration flows. Many of these movements take place in a regular fashion, following the official procedures that countries have set in place, but that is not always the case. Let us take some factors into consideration. As the demand for migrant labor force grows in countries of destination, so does the number of people that want to migrate. In many cases, however, the number of individuals looking for employment in the countries of destination is much bigger than the numbers those countries are willing to employ. (“Asia-Pacific Migration Report” 2015, Chap. 10) Also, official procedures are sometimes troublesome and expensive, which discourages migrants from utilizing the official channels to seek employment. (“Migrant Smuggling in Asia” 2015, p. 86) Because of these reasons, irregular channels that are more simplified arise and

7 Ibid p. 123
facilitate the movement and employment of migrants.

1.2.2 Irregular migration flows
Because of a series of circumstances, even when regular channels for migration are available, many migrants choose informal or irregular channels. This is often the case, as we have mentioned previously, when the number of migrants allowed by regular channels is limited to a certain amount or when procedures are troublesome and too expensive. ("Migrant Smuggling in Asia" 2015, p. 86) Migrants may find themselves in an irregular status because of different reasons: they entered a country without authorization; they entered legally but are overstaying and working with no authorization; or they entered a country legally and were allowed to work, but the hours, type, and other aspects of their work are in violation of the law ("Asia-Pacific Migration Report" 2015, p. 26) A significant proportion of the irregular migration flows within Asia happens because of desired opportunities of unskilled and low-skilled workers to be employed in positions such as manufacturing, agriculture and construction, which are jobs that are often categorized as ‘dirty, difficult and dangerous’ and that the locals are typically unwilling or unable to engage in. ("Migrant Smuggling in Asia" 2015, Chap. 6) And as we mentioned, given the obstacles that sometimes migrant workers face in securing these jobs, migrants eventually end up taking irregular paths to achieve the desired result, such as utilizing smuggling services. Nonetheless, many other irregular flows of migration take place alongside the regular ones in the region. We will now examine these different kinds of irregular migration flows.

Smuggling
The smuggling of migrants is defined by Art. 3(a) of the UN Protocol against the Smuggling of Migrants by Land, Sea and Air, supplementing the United Nations Convention against Transnational Organized Crime as “the procurement, in order to obtain, directly or indirectly, a financial or other material benefit, of the illegal

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8 Some classic examples of migrants in an irregular status are persons with tourist visas staying beyond the period of validity of their stay and who engage in work; trainees overstaying their visas; regular migrants who continue working beyond the expiration of the contract; and more extreme cases such as individuals who are trafficked into the sex industry. (Wickramasekera, Piyasiri 2002)
entry of a person into a State Party of which the person is not a national or a permanent resident.” ("UN Protocol against the Smuggling of Migrants by Land, Sea and Air") The smuggling of migrants affects all regions of the world, even though to different degrees. Evidence shows that at least 2.5 million migrants were smuggled for economic returns of up to US$7 billion in 2016. ("Global Study on Smuggling of Migrants” 2018, p. 5) Many migrants who choose irregular migration avenues do not act independently, but are rather assisted by other individuals who may be friends, relatives, brokers, or groups belonging to transnational organized crime. ("Trends and drivers of international migration in Asia and the Pacific” 2017, p. 12) The main reason why migrants turn to smugglers is because they help them secure employment and other services in the destination country through a cheaper, faster and more effective system. ("Migrant Smuggling in Asia” 2015, pp. 60-61)9 The smuggling of migrants also involves serious life-threatening risks. Many migrants encounter harsh conditions and serious dangers to their health and safety during their journey, due to the methods used by smugglers. These methods often involve covert operations in which migrants are concealed and transported in ways to prevent their detection by border officials. There have been cases where migrants were being smuggled on fishing boats from China to South Korea and they suffocated inside large, unventilated fish tanks where they were told to hide. (Gittings, John 2001)

In the Asia-Pacific region, Japan, South Korea, and China especially with its big cities, are major destinations for smuggled migrants. ("Trends and drivers of international migration in Asia and the Pacific” 2017, p. 13) A perfect example is the case of migrants from North Korea, where, as previously mentioned, many people flee the country because of the discriminatory and repressive political environment set up by the government. Article 47 of the 1987 North Korean Criminal Code states that: "A citizen of the Republic who defects to a foreign country or to the enemy in betrayal of the country and the people...shall be

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9 A great variety of routes and methods are used to smuggle migrants within and across Asia, and in many cases, the accessibility of land and sea borders between several countries in the region facilitates the process.
committed to a reform institution for not less than seven years.” Hence, due to the potential extremely harsh consequences and high risk of being caught crossing the border, and the necessary knowledge of the territory that it takes in order to successfully escape, defectors hire smugglers who offer planned escapes. (Sang-Hun, Choe 2015) The smuggling of North Korean nationals takes place for the most part by land across the 1,400 kilometers-long border through the Tumen River and towards China. (Tanaka, Hiroyuki 2008) Then, although many of the North Korea migrants crossing into China actually stay there, many others are smuggled across China to South-East Asia and then head to South Korea to seek asylum. (Sang-Hun, Choe 2015) As we have seen, migrants who choose smuggling as a means of migrating, do so because of the incentives and advantages that it involves. There is, then, a voluntary decision made on the part of migrants to utilize such methods for migrating. This is an element, as we will see in the next section, that is not present in migration flows classified as trafficking.

**Trafficking**

Art. 3(a) of the *UN Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children*, supplementing the *United Nations Convention against Transnational Organized*, defines trafficking in persons as “the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation.10 Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs.” (“UN Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children”) Trends of trafficking across the Asia-Pacific region vary greatly, with most victims from

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10 Trafficking is distinct from smuggling as it involves the exploitation, coercion, and violations of the human rights of migrants who are exploited for illicit profits without their consent.
South Asia being trafficked for forced labor and victims from East Asia and the Pacific primarily trafficked for sexual exploitation. ("Global Report on Trafficking in Persons” 2016, p. 8) Among the countries that are affected by these flows, Japan comes into the picture. As reported by the 2018 Trafficking in Persons Report of the U.S. Department of State, “Japan is a destination, source, and transit country for men and women subjected to forced labor and sex trafficking, and for children subjected to sex trafficking.” ("Trafficking in Persons Report 2018",p. 247) The Report also shows the coercive nature of trafficking, stating that traffickers constrain victims to forced labor or forced prostitution using threats of violence or deportation, and other coercive methods such as passport retention, blackmailing, or debt bondage.

Refugees
According to the Economic and Social Council of the United Nations, in 2016 more than 6.5 million refugees were hosted by countries in the Asia-Pacific region, which accounts for almost 40 per cent of the refugees in the world. ("Trends and drivers of international migration in Asia and the Pacific" 2017) Art. 1 of the 1951 Convention Relating to the Status of Refugees considers a refugee to be a person who “is outside the country of his nationality and is unable or, owing to such fear, is unwilling to avail himself of the protection of that country; or who, not having a nationality and being outside the country of his former habitual residence as a result of such events, is unable or, owing to such fear, is unwilling to return to it.” ("1951 Convention Relating to the Status of Refugees") A perfect example of this can be analyzed by looking at the North Korean defectors, who escape from their country because of the discriminatory and repressive political environment set up by the government. Previous sections of this chapter talked about the severe punishments that can be given for breaking the North Korean law, such as forced labor camps, detention centers, and in the worst cases also public executions. (AMNESTY INTERNATIONAL) These circumstances push North Koreans to leave their country and head abroad to seek asylum from other countries, and as we have mentioned with the case of smuggling, many choose China and South Korea
as destinations.

As we have seen, in many cases within the Asia-Pacific region, large numbers of migrants move across borders in an irregular fashion, often aided by smugglers. It is also often the case that within these flows there might be different types of migrants who move for different reasons, including asylum-seekers, victims of trafficking, and labor migrants, some of whom possibly belonging to more than one category at the same time. ("Asia-Pacific Migration Report" 2015, Chap. 1)\(^\text{11}\) All irregular channels involve risks of low levels of social protection and they can lead to situations of exploitation and human rights abuses. ("Trends and drivers of international migration in Asia and the Pacific" 2017, Chap. IV) In order to tackle and prevent those issues, countries and regions across the world have established several forms of protection for migrants, which will be analyzed in the following part of the chapter.

### 1.3 International legal framework pertaining to migrants

Migrants are exposed to many harsh situations during and after the migration process, including violence, threats, discrimination and intimidations. Confinement and harassment by border officials, passport confiscation from employers to ensure that migrants do not leave before completion of their work, threats of violence or deportation, and other coercive situations are risks to which migrants are regularly exposed. ("International Legal Framework for the Protection of Migrant Workers") For this reason, international and regional organizations and countries have developed strategies to ensure the rights, protections, and safety of migrants, which include Conventions, global Forums, formal Agreements between countries, and other consultative processes. The international normative framework on international migration comprises instruments pertaining to the human rights of migrants, the rights of migrant workers, the protection of

\(^{11}\) Migrants can meet the criteria of more than one of these categories, or they can transition between the various categories. These mixed flows of migration can be particularly challenging for national authorities to identify and afford all migrants the protections they need.
refugees, as well as instruments designed to combat migrant smuggling and human trafficking. These instruments, however, as the rest of the chapter will show, have been adopted by States of the region in varying degrees.

**Workers Conventions**

An important legal instrument where the protection of human rights regime to which migrants are subject to is thoroughly expressed, is the *International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families*, also known as UN Migrant Workers Convention, adopted by the UN General Assembly resolution 45/158 of 18 December 1990. It lays out the general human rights of migrants, those of regular and irregular migrant workers, and the specific rights arising from their situation. For instance, Part III of the Convention affirms core human rights such as the right to be protected by law (Article 9), not to be held in slavery and servitude (Article 11), and the right to equality before the law (Article 18); as well as civil and political rights, like the right to freedom of thought, conscience and religion (Article 12), and the right to freedom of expression (Article 13). The Convention also contains rights that are specifically important to migrant workers, such as the unlawful nature of confiscation of identity documents, residency documents or work permits, unless carried out by an official duly authorized by law (Article 21), and enjoyment of treatment not less favorable than that applied to nationals of the State of employment (Article 22). (“International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families”) Moreover, article 88 of the Convention states that ratifying States are not permitted to exclude any category of migrant worker from its application. The Convention, however, has not been ratified by any major country of employment in the Asia-Pacific region, including China, the Republic of Korea, and Japan. (*UN Human Rights Office of the High Commissioner*)

Another United Nations body that deals with migration issues is the International Labor Organization (ILO), whose main objectives include the protections of workers when employed in countries other than their own and the promotion of standards and fundamental principles in the field. (“Mission and impact of the ILO”) The ILO has developed international standards on migration
that provide tools for both countries of origin and destination to manage migration flows and ensure adequate protection for migrant workers. In fact, it has designed the first international instruments for the protection of the rights of migrant workers, which are the Migration for Employment Convention (Revised), 1949 (No. 97) and the Migrant Workers (Supplementary Provisions) Convention, 1975 (No.143). They establish principles of equality of treatment for regular and irregular migrant workers with regard to social security. (International Labor Organization) Yet again, however, as we have seen is the case for the UN Migrant Workers Convention, no major receiving country in Asia has ratified these Conventions, including China, Japan and the Republic of Korea. (International Labor Organization)

Convention on the Status of Refugees
When it comes to refugees, the 1951 Convention Relating to the Status of Refugees and its 1967 Protocol are important instruments that cover the treatment of refugees, who, according to the provisions in these instruments, should receive the same standards of treatment enjoyed by other foreign nationals in a given country. (“1951 Convention Relating to the Status of Refugees”) An important article of the Convention is article 33, which states that “no Contracting State shall expel or return a refugee in any manner whatsoever to the frontiers of territories where his life or freedom would be threatened on account of his race, religion, nationality, membership of a particular social group or political opinion.” Other significant articles include social and economical rights, such as the right to engage in wage-earning employment (Art. 17) and the right to receive equal treatment as that accorded to nationals when it comes to social security (Art. 24(b)).\(^\text{12}\) As of April 2015, 142 States have ratified both the 1951 Convention and the 1967 Protocol, including China, South Korea, and Japan. (United Nations High Commissioner for Refugees) Nonetheless, there have been instances where countries have circumvented the Convention and not accepted refugees entering their borders. For example, the Chinese government, despite being a State Party to the 1951

\(^{12}\text{Ibid}\)
Refugee Convention, has repeatedly repatriated and denied access to refugee status to thousands of North Koreans looking for asylum in China. (Cohen, Roberta 2014)\textsuperscript{13}

**Protocols on Trafficking and Smuggling of Migrants**

Regarding the issue of trafficking and of smuggling of migrants, there are two protocols supplementing the United Nations Convention against Transnational Organized Crime that deal with it: the *2000 Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children* and the *2000 Protocol against the Smuggling of Migrants by Land, Sea and Air*. Article 2 of the Protocol against the Smuggling of Migrants defines its purpose as being “to prevent and combat the smuggling of migrants, as well as to promote cooperation among States Parties to that end, while protecting the rights of smuggled migrants.” The Protocol to Prevent, Suppress and Punish Trafficking aims, on its part, at preventing and combating trafficking in persons, protecting and assisting victims of said trafficking, and promoting cooperation among States in order to achieve these goals (Art.2). The prevention and countering of these two growing issues, the protection of affected migrants, and the promotion of cooperation among States so as to obtain the desired outcome, are what these two Protocols aims to achieve. As of today, the first Protocol on trafficking was ratified by all the major Asia-Pacific countries, including Japan, China, and South Korea. The same can be said for the second Protocol about smuggling with the exception of China, which neither ratified nor signed it. (*United Nations Office on Drugs and Crime, Signatories to the United Nations Convention against Transnational Crime and its Protocols*).

**Regional Consultative Processes: Bali Process and Colombo Process**

When it comes to regional consultative processes, many have been established to promote coordination, cooperation and agreement on procedures and practices, and are carried out in the form of informal and non-binding discussions. (*Asia-

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\textsuperscript{13} Officials of the United Nations High Commissioner for Refugees in the past offered to assess the asylum claims of North Korean asylum seekers that were being detained by Chinese authorities, for fears China might deport them back to North Korea without actually analyzing their asylum claims first, which UNHCR affirmed happened in the past. (Janowski, Kris, *UNHCR*)
Pacific Migration Report” 2015, p. 121) The most relevant of these regional consultative processes it represented by the Bali Process on People Smuggling, Trafficking in Persons and Related Transnational Crime, a voluntary and non-binding process that was established in 2002 and has 45 members, including the major countries in the Asia-Pacific region, the UN Office on Drugs and Crime, the International Organization for Migration, and the UN High Commissioner for Refugees. The principal objectives of the Bali Process with regard to trafficking and smuggling are predicated upon the recognition that “the large flows of people in the Asia-Pacific provide both challenges and opportunities for governments in the region”, and they include:

- The development of more effective information and intelligence sharing;
- The increase of public awareness through information campaigns;
- The improvement of cooperation among regional law enforcement agencies to combat people smuggling and trafficking networks,
- The provision of appropriate protection and assistance to victims of trafficking; and
- The enactment of national legislation so as to criminalize the activities of trafficking and smuggling of persons. (“Bali Declaration on People Smuggling, Trafficking in Persons and Related Transnational Crime”)

The Bali Process has also established a Regional Support Office, whose objective is to facilitate the operationalization of the regional cooperation framework in order to reduce irregular migration in the Asia-Pacific region and encourage Member States to engage in activities such as addressing root causes of irregular movements and promoting orderly and legal migration. (The Bali Process)

As far as labor migration goes, another regional consultative process that was created is the Regional Consultative Process on Overseas Employment and Contractual Labor for Countries of Origin in Asia, also known as the Colombo Process. It was established in 2003 after several Asian labor sending countries saw the necessity to increase benefits of organized labor migration and to protect migrants from exploitation practices in recruitment and employment. (Colombo
The Process aims at establishing a Forum for Asian labor sending countries in order to enhance dialogue with countries of destination, to discuss about issues encountered by overseas workers and labor sending/receiving states, and to propose practical solutions for the wellbeing of overseas workers. 12 Asian countries, including China, are currently the members of the Colombo Process. There are then several States, including South Korea, that act as observers, which are states that participate in the activities of the Process, but that have a limited influence on its decisions-making.

Memoranda of Understanding

Finally, another relevant instrument that is designed to improve the rights of migrant workers and reduce irregular migration are the Memorandums of Understanding (MOUs). MOUs are non-binding agreements between countries that are established to identify areas of shared understanding on the goals of labor migration and to find shared agreements for cooperation between governments, which also outline requirements and responsibilities of the parties involved. (Wickramasekara, Piyasiri 2015 p.13) One example of a MOU comes from South Korea, because of its efforts to attract foreign workers into the country. As previously mentioned, the government of Seoul requires countries that want to send workers in the Republic of Korea to have stipulated a Memorandum of Understanding, which then lays out the number of open positions that are available each year for those sending countries. These MOUs are designed to ensure the protection of migrant workers; for example, one of the key aims is to eliminate the excessive charging fees by private recruitment agencies through a particular approach: the sending country is supposed to designate one approved recruitment agency and South Korea will also appoint one trusted receiving agency, in this case the Human Resources Development Service of Korea. ("Asia-Pacific Migration Report" 2015, p. 125) Under the MOU, workers are given

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14 The Colombo Process focuses around the following main goals: protection and provision of services to migrant workers, such as protecting them from abusive practices in recruitment and employment; optimizing benefits of organized labor migration; increasing cooperation with destination countries for the protection of migrant workers.
information on a series of topics regarding their position in the Republic of Korea, such as how to work in the country, how to obtain a visa and other permits, and what mechanisms for complaints are in place for them. However, despite all the benefits provided by these Memorandums of Understanding, a great number of migrants decide to look for work through other options, as the procedures that are in place to implement the MOUs are often complicated, require a long time to complete and are costly.\textsuperscript{15} At this point, as previously analyzed, the alternative options to which many migrants are drawn are often irregular paths that leave them open to exploitation, violation of their human rights, and other situations that put their lives in jeopardy.

The analysis of this chapter outlined how migration within the Asia-Pacific region and between that region and others occurs for a variety of reasons. Circumstances such as tragic environmental events, negative demographic trends, discriminatory and violent regimes, rigid immigration laws, and the desire to earn a better income and have a better quality of life, all drive and influence the decisions and motivations of individuals to move out of their country of origin and seek to live elsewhere. Depending on the opportunities and the means that are available to migrants, migration can take place in either a regular or irregular fashion. We have analyzed how irregular flows of migration often take place because the regular paths present too many obstacles that are easily surpassed by irregular procedures. These flows include cases such as smuggling, trafficking, and refugees seeking asylum, and we have seen how East Asia, especially Japan, South Korea, and China particularly with its big cities, are the main destinations for smuggled migrants. These migration flows involve risks of low levels of social protection and can lead to situations of exploitation, violence, and other human rights abuses. The examined case of migrants who died of asphyxiation inside fishing boat tanks while being smuggled from China to the Republic of Korea is exemplary of the risks that are involved. (Gittings, John 2001) In order to prevent these dangerous flows and provide protection to migrants, countries and international and regional organizations have developed a series of instruments.

\textsuperscript{15} Ibid p. 124
and forms of cooperation designed to deter and combat the issues involved in the process of migration. Despite being influential on the decision-making of governments and despite bringing benefits and ensuring protection to migrants, the instruments that are in place have been ratified in varying degrees by different States, which means that there are no legal obligations for those States that have not ratified said instruments. Another issue the chapter analyzed is the expensive and complex nature of certain official procedures set up by governments and regional organizations to improve migration flows, which lead migrants to opt for easier and more convenient paths, oftentimes involving a set of irregular and dangerous circumstances. The chapter also gave some examples of situations concerning Japan, South Korea, and China. It examined how these countries are not immune to irregular flows of migration, but instead are greatly affected by it. We saw this for example with the 2018 Trafficking in Persons Report of the U.S. Department of State on the situation of Japan regarding trafficking, and with the flows of North Korean defectors heading towards China. We have also examined how sometimes countries are actually fueling irregular migration movements. We have seen it in the case of South Korea’s system of MOUs, whose complexity deters migrants from taking the regular migration path that is on offer. This chapter offered an overview of the complexity of migration and of how it is a powerful element affecting the socio-economic dynamics of the Asia-Pacific region.
CHAPTER 2

The immigration phenomenon in China, South Korea, and Japan

As we have mentioned, as development and expansion of the economies in the Asia-Pacific region takes place and as the demographic scenario of countries continues to change, people become more and more likely to migrate. Migration within the region and between that region and others occurs for several reasons, and it includes both voluntary and involuntary migration. As was discussed in the first chapter, people move because of financial needs, forced by natural disasters, or because of the sheer need to survive when they try to escape from wars or repressive political regimes. In the Asia-Pacific region the expectations of gaining higher wages is oftentimes the major drive behind migration. In fact, as we have mentioned, migration in the region is mainly composed of individuals moving from poor countries to richer ones that have an economy that allows better economic opportunities. (“Trends and drivers of international migration in Asia and the Pacific” 2017, p. 9) The economies of China, South Korea, and Japan experienced massive growth in the 1970s and 1980s, which led to what is known as “the East Asian economic miracle”. (Wickramasekera, Piyasiri 2002 p. 8) Because of this, they have become desirable destinations for migrants in the region, who move there with the desire of a better life, utilizing either regular or irregular channels. The numbers that migration movements have brought to the countries of destination have been considerable. In Japan, for instance, the foreign population has risen from almost 900,000 in 1990 to about 2.3 million in 2016. (Green, David 2017)

The demographical changes that have taken place because of immigration have raised many debates over the impact of allowing foreigners into the country. In the case of Japan, although public opinion is slowly changing, there is still common concern that inflows of foreigners will bring troubling changes, such as
upsetting the social order, increasing job competition and weakening Japanese traditions. (Foster, Malcolm and Takenaka, Kiyoshi 2018) In fact, a primary concern expressed by opponents of immigration in Japan has been the dilution of “cultural integrity” that would come with the admission of foreign workers. (Brody, Betsy 2002 p. 37) Taking another example from China, the flows of North Koreans that arrive into Chinese territory have created concerns for the government of Beijing, who is worried about North Koreans seeking and stealing food and clothes in the northeastern provinces, after such cases have actually occurred. (Harden, Blaine 2015 Chap. 19) These concerns and other assumptions have led to the occurrence of discriminatory episodes and prejudiced behaviors towards the migrants living in the foreign country. This was noted for example by the Human Rights Watch in a 2017 report on South Korea, where discrimination against foreigners, in particular refugees and migrants, remains a considerable problem. (“South Korea” 2017) China, on its part, is no exception to this. Migrant workers, for instance, despite being depicted as important by the government, still have a vulnerable position in society. An example of this can be seen in the African community in “Little Africa” in Guangzhou, where there have been episodes of police carrying out crackdowns on illegal residents giving unfair and harsh treatment even to legal workers and residents. (AFP 2018)

This chapter will give an overview of the immigration phenomenon in China, South Korea and Japan, and the way it is perceived in these countries. We will first examine the recent development of migration movements towards China, South Korea and Japan, and the different types of flows affecting them. Then we will look at instances of the different assumptions, perceptions, and episodes of discrimination towards immigrants that are present and have occurred in these countries.

2.1 Development of migration towards China, South Korea, and Japan

Immigration in China, South Korea, and Japan started growing significantly more or less at the same time, that is, around the second half of the 20th century. In fact, their economies experienced unprecedented growth in the 1970s and 1980s,
which led to what is now called “the East Asian economic miracle”. (Wickramasekera, Piyasiri 2002 p. 8) Because of this, they have become desirable destinations for migrants in the region, who move there with the desire of a better life. In order to move to the country of destination, migrants utilize either regular or irregular channels. As we have previously seen, China, Japan, and the Republic of Korea are countries affected by large amounts of smuggling activities in the East Asian region. Let us now analyze the different types of migration movements that head towards these countries.

2.1.1 Immigration towards China
China represents one of the world’s most important sources of emigrants, as Chinese are spreading across the world, contributing to economic growth in their destination countries and the development and expansion of China’s own economy and society. However, while China is still the source of a large number of the world's migrants, a growing trend of immigration is emerging in large part due to economic and demographic changes within the country. (Skeldon, Ronald 2011) As international immigration is beginning to fill certain gaps in the labor market and foreigners are attracted by the promise of a better life, China is rapidly becoming an important destination of international migrants. Migration to China is exceptionally diverse. With a robust economy, welcoming universities, and low living costs, the country attracts people from all parts of the world. (Haugen, Heidi 2015)

The major changes started taking place in the 1970s, after the end of the period of the Cultural Revolution (1966-1969), when a growing number of foreign migrants began arriving at the same time as the opening up of Chinese society. (Pieke, Frank N. 2012 p. 44) Then the following growth of the market economy in the 1990s and 2000s is what created the conditions necessary to permit immigration and settlement, which led foreigners to be able to decide where to work and live. Since the start of the Deng Xiaoping’s Reforms in 1979, China has
become an important hub for global migration. Thanks to these reforms and the consequent opening up to foreign trade, today the country has become a major world economic power, with the world’s biggest foreign reserves, second-largest GDP, and third-biggest foreign direct investment, accounting for 18.2 percent as its share of the world’s economy. (Oh, Seung-Youn 2018) China has then become a considerable source of immigration, “a magnet for professionals and students from around the world seeking better job opportunities and a good education.” (Zhang, Kenny 2014 p. 30) As far as students are concerned, China represents an important point of attraction for fee-paying foreign students. Beijing is actually trying to become a major destination for international students, and through government scholarship programs it is augmenting the funds available to foreign students. Besides, as the country’s global role expands, knowledge of Chinese language and culture experienced firsthand becomes an increasingly important advantage, which attracts big numbers of students to go to China. Many students also apply to study in Chinese universities because of the good-quality education combined with reasonable fees. (Pieke, Frank N. 2012 pp. 46-47) Being one of the most robust economies in the world, China is attracting many people to move there for job prospects. According to the Bureau of Exit and Entry Administration of China’s Ministry of Public Security, more than 26 million foreigners arrived in China in 2007 and almost 3 million of them came to find employment. (Haimei, Shen 2011) Foreign workers include thousands of middle-class Taiwanese, Hong Kong Chinese, South Koreans, Japanese, and Southeast Asians, as well as returning Chinese nationals. (Pieke, Frank N. 2012 pp. 47-48) The categories of migrant workers can also vary; for example, Japanese workers who live in big cities such as Shanghai, can be divided into three main categories: those who plan to stay long-

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16 The reforms started two years after the death of the long-time leader of the Communist Party of China Mao Zedong, with the National Party Congress’s Eleventh Central Committee in December 1978, where the party leaders, led by leader Deng Xiaoping, decided to initiate a program of fundamental reform of the Chinese economic system. After the first “period of readjustment” brought promising results, the reform program was expanded and it gradually headed towards more and more opening to foreign trade, which eventually assumed an important role in the Chinese economy, leading to considerable successes. (“Reform of the Economic System, Beginning in 1979”)

17 Ibid p. 32
term who set up their own business; company employees that are sent to China from Japan to work at branch offices and who receive housing and other subsidies from the company; young Japanese who travel to China after their studies in the hope of finding a job there, encouraged by the presence of Japanese companies in cities like Shanghai. (Kuchikomi 2009) Also, smaller communities of traders who come from countries like Russia, Central, South and Southeast Asia, the Middle East, and Africa are part of the migration flows entering Chinese territory. (Pieke, Frank N. 2012 pp.47-48) As we have mentioned above, China’s wealth and stability has made the country an attractive destination for students, skilled professionals and business people from developed countries. However, China is also a destination for people without immediate marketable skills and that bring no benefits to the country when they first arrive. One example representative of this, and which chapter one has touched on, is the case of thousands of North Koreans defectors escaping their country because of the discriminatory and repressive political environment set up by the government of Pyongyang, and crossing the border to China every year. (Choi, Young-Jin 2011 p. 390) As previously mentioned, many North Korean nationals are smuggled by land across the 1,400 kilometers-long border through the Tumen River and towards China. (Tanaka, Hiroyuki 2008) The geographical proximity to the country and the desire to reunite with family members who previously escaped there, are among the main reasons why China is the chosen country of destination for North Koreans.\(^{18}\) Many of them cross the borders heading towards China and then stop there and seek asylum; however, the Chinese government has time and again repatriated and denied access to refugee status to these North Koreans. (Cohen, Roberta 2014) Personnel from the United Nations High Commissioner for Refugees actually offered to analyze the asylum requests by North Korean refugees detained in China, worrying that the government might send them back to North Korea without actually analyzing their asylum claims first. (Janowski, Kris, UNHCR) Because of the risky and precarious conditions that they find themselves in by remaining within Chinese borders, many North Korean refugees tried desperate

\(^{18}\) Ibid
methods of escape, such as breaking into foreign embassies hoping to receive the desired status. (Choi, Young-Jin 2011 p. 401)\(^{19}\) Finally, China is a source, destination, and transit country for men, women, and children subjected to forced labor and sex trafficking. The altered ratio between boys and girls in China, created by the old birth limitation policy, has been identified as a major reason for the increase in demand for prostitution and for foreign women as brides. Thus, women, as well as girls, are either kidnapped or recruited abroad through marriage brokers and then transported to China, where they are then subjected to commercial sex or forced labor. ("Trafficking in Persons Report 2018", pp. 141-142)\(^{20}\)

2.1.2 Immigration towards South Korea

South Korea has been a country of emigration for a long time and has started opening itself to immigration after being faced with long years of falling fertility rates and labor shortages, and economic growth that occurred over the years. For instance, South Korea’s fertility rate was 4.5 children per woman in 1970 and by 2014 it decreased to only 1.21. (Park, Young-bum 2017) On the other hand, in the 1980s and 1990s, the economic growth and development that took place in South Korea during that period has transformed the country into a reality of immigration. (Denney, Steven 2015) By the mid-1990s, more and more people from other Asian countries—including China, the Philippines, Indonesia, Thailand, Vietnam, and Mongolia—were overstaying their tourist visas and joining the workforce. (Park, Young-bum 2017)\(^{21}\) In recent years the Republic of Korea has become a major

\(^{19}\) Breaking into foreign diplomatic missions and agencies has been a recurrent method of escape happening in China. The first episode occurred in 2001, when seven North Koreans took refuge in the UNHCR. Then in 2002, 25 North Korean seeking asylum broke into the Spanish embassy in Beijing.

\(^{20}\) For instance, African and South American women are promised legitimate jobs in China and forced into prostitution upon arrival, and North Korean women are at risk of forced prostitution, forced marriage, and forced labor.

\(^{21}\) The number of illegal workers went from 100,000 in 1998 to 289,000 in 2002, changed that occurred as a result of the imbalance between the needs of the labor market and the pathways of
migration destination. Migrant population in the country has significantly increased from more than 500 thousands in 2006 to more than 1.7 million in 2017, accounting for 3.4 percent of the total population. (Si-soo, Park 2017) Because of the growing worrying demographic trends that are affecting the country and that have a negative effect on the labor demands of the South Korean economy, the government of Seoul has implemented a number of policies in order to attract foreign workers. In 2003 the government adopted the *Act on Foreign Workers Employment*, in order facilitate the acquisition of foreign workforce and the consequent development of the economy of the country. (“Act on Foreign Workers’ Employment, etc.” 2013, Art. 1) These policies aimed at attracting foreign workers set in motion a series of migratory movements involving individuals who are motivated to move to South Korea for the prospects of having better economic opportunities.

Two of the main categories of migrants moving to South Korea are migrant workers and those who enter the country after escaping from the North Korean regime. (Kim, Nam-kook 2009 p. 104) The first category of migrants started arriving at the end of the 1980s during the Olympic Games in Seoul, where the amount of undocumented workers amounted to around 40,000 due to the lack of institutional arrangements.22 The Korean government then introduced a Technical Trainee Program and later on an Employment Permit System, allowing workers to stay in the country for a certain period of time. The number of foreign workers on the Employment Permit System reached about 275,000 as of 2017. (Hyun-ju Ock 2017) The second source of migrants is those who enter South Korea after escaping North Korea. A considerable number of North Korean after crossing the border to China they actually try to head to South Korea, where they are received as citizens rather than refugees. First of all, Article 3 of the South Korean Constitution states that “The territory of the Republic of Korea shall consist of the

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22 Ibid
Korean Peninsula and its adjacent islands.” Besides, Article 1 of the 1997 Act on the Protection and Settlement Support of Residents Escaping from North Korea states as its purpose to “provide for matters relating to protection and support as are necessary to help North Korean residents escaping from the area north of the Military Demarcation Line who desire to be protected from the Republic of Korea, as swiftly as possible to adapt themselves to, and settle down in, all spheres of their lives, including political, economic, social and cultural spheres.” The South Korean government actually offers generous resettlement support structures and programs for North Korean refugees in order to help them overcome cultural barriers, adapt to the local society and acquiring the skills necessary for being able to earn a living in South Korea. (The Ministry of Unification) Because of the generous and welcoming policies that are in place in the Republic of Korea, more and more North Korean defectors try to reach South Korea after escaping their country. Finally, there are cases of migrants who end up in the country through irregular channels and under vulnerable conditions: the Republic of Korea is in fact a source, transit, and destination country for men, women, and children subjected to sex trafficking and forced labor, as mentioned by the U.S. Department of State Report on Trafficking. Men and women from China, Thailand, the Philippines, Vietnam, Indonesia, and other countries in Asia, the Middle East, and South America are subjected to forced labor in South Korea, and some are recruited for marriage to South Korean men through international marriage brokers and are then subjected to forced prostitution after their arrival in the country. (“Trafficking in Persons Report 2018”, p. 258)

2.1.3 Immigration towards Japan

25 There are several resettlement programs and services available for North Korean refugees and they include resettlement subsidies, housing arrangements, vocational training and employment incentives, as well as the provision of education in order to adapt to and settle in the South Korean society.
Japan has a well-known history of isolation. The country has been geographically difficult to reach for a long time during its early history, but it actually remained voluntarily closed to foreign influence up until the Meiji Restoration period in the late 1800s. (Green, David 2017) Later on, the Imperial expansion during the Japanese colonial era from the beginning of the 1900s to 1945 brought with it inflows of Korean, Chinese, and Taiwanese immigrants to Japan. However, Japan’s hard restrictions on immigration and a general distrust of outsiders made the country, for much of its modern history, a less attractive destination for potential migrant workers. This reality saw an important change in the 1980s with the massive growth of the Japanese economy and the following demand for workforce. As Japan’s “bubble economy” from 1986 to 1991 expanded and the strength of the Japanese yen grew, Japan became an attractive destination for migrant labor. (Chung, E. A. 2010 p. 150) Japan’s demographics have undergone considerable changes over the past few decades, and recently the foreign population has risen from just under 900,000 in 1990 to approximately 2.3 million as of mid-2016. (Green, David 2017)

Student migration represents a considerable portion of immigrants entering Japan. For instance, there was a rapid increase of student migration from China to Japan around the 1990s, which was a result of the open-door policies in both countries. For the first flows of student migration from China to Japan, the beginning of economic reforms in China, the wage gap between the two countries and the labor market’s demand in Japan were all important factors for migration inflows of foreign students. (Liu-Farrer, Gracia 2011 p. 29) The third central source of legal migrant labor in Japan actually comes from foreign students. The vast majority of foreign students enrolled in Japanese schools and colleges work either part-time or full-time and, since 2004, are permitted to stay in Japan for 180

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26 Nonetheless, immigration was actually there in the form of immigrant enclaves in major port cities. However, for the most part, the notion of ethnic and cultural homogeneity was a concept that was widely accepted and actually promoted by the government.
27 Ibid
28 Japan entered the 1980s with a lasting economic boom and a severe labor shortage. In China, since the beginning of economic reforms in the late 1970s, people were striving to better their economic situations.
days after graduation with a “temporary visitor” residence status that allows them to find employment. (Chung, E. A. 2010 p. 152) Actually, as of today, the number of foreign workers has reached an all time record of 1.28 million, with a lot of interns and students being hired to fill the labor force shortage. (Kyodo. (2) 2018) Finally, Japan is no exception when it comes to cases of trafficking of migrants. As reported by the 2018 Trafficking in Persons Report of the U.S. Department of State, “Japan is a destination, source, and transit country for men and women subjected to forced labor and sex trafficking, and for children subjected to sex trafficking.” (“Trafficking in Persons Report 2018”, p. 247) Men, women, and children from Northeast Asia, Southeast Asia, South Asia, South America, and Africa travel to Japan for employment or marriage and are then subjected to sex trafficking. For instance, traffickers use fraudulent marriages between foreign women and Japanese men to facilitate the entry of women into Japan for forced prostitution in bars, clubs, brothels, and the likes.

2.2 How immigrants are welcomed and perceived

Immigration flows often lead host countries and their population to have concerns regarding the potential threats that migrants and refugees might pose to the local society and to national security. Public perceptions of migrants sometimes connected these with terrorist groups, especially with regard to certain ethnic or religious groups of migrants, and there are impressions that migrants are criminals who disrupt the societal order, ideas that they take jobs from locals, and that they may spread diseases and bring items that can be a threat to the health and environmental security of the hosting country. (Song, Jay 2016) This can be seen in the case of Japan, where a widespread concern is that inflows of foreigners will upset the social order, increase job competition and weaken traditions. (Foster, Malcolm and Takenaka, Kiyoshi 2018) Discrimination and prejudice are then a common reaction given the existence of these ideas regarding immigration, and they occur in public places, public establishments, and sometimes in political discourse. To take an example from South Korea, there have been seen cases of discrimination where anti-immigration demonstrations have taken place and
online platforms have been created to protest after groups of immigrants have recently arrived in the country to apply for asylum after escaping civil war. (Koo, Se-Woong 2018) In this section of the chapter we will look at instances of the different assumptions, perceptions, and attitudes towards immigrants that are present in China, the Republic of Korea, and Japan.

2.2.1 The case of China

China is home to 56 different ethnic groups and many of them, especially the smaller ones, have historically faced pressures to adopt the Han language and customs, while others have experienced harsh treatment by the government and its security forces. (McCormick, Andrew 2018) Later on, the arrival of an increasing number of immigrants and the social consequences of the phenomenon, have become a public and political source of concern. In the 1990s, for instance, what became a common concern were talks about “low-quality” immigrants that were not contributing to China’s modernization but mainly freeriding on the services offered by Chinese society. (Haugen, Heidi 2015) The growth of what then became known as "foreign floating population", which was deemed to simply exploit the country’s new economic development, has been considered a burden on Chinese society, and immigration in general has started being associated with terrorism and international organized crime. (Pieke Frank N. 2012 p. 55) For instance, the flows of North Korean defectors that arrive into China have actually created concerns for the government of Beijing, who is worried about them seeking and stealing food and clothes in the northeastern provinces, after such cases have actually occurred. (Harden, Blaine 2015 p. 19) The African communities living in China are another group that is affected by prejudiced public perceptions, which have also been expressed by Chinese politicians. For example, Pan Qinglin, a member of the Chinese People’s Political Consultative Conference, claimed the African community in Guangzhou and in other places needed to be controlled, as it brings security risks, being engaged in illicit activities such as drug trafficking,

29 These immigrants mainly concerned the large-scale irregular immigration from North Korea and Vietnam.
harassment of women, and fighting that can disturb law and order in the society. (Chiu, Joanna 2017) The comments made by the politician were later backed up by online platforms and by social media, which supported the idea of the “black invasion”.

As a matter of fact, there have been cases of discrimination in the African community in “Little Africa” in the city of Guangzhou, where police has carried out crackdowns on illegal residents, while at the same time giving harsh and unfair treatment to legal workers and residents. (AFP 2018) China’s black residents in general, during interviews with newspaper journalists and commenting on racist attitudes by Chinese individuals, have also reported cases of racial discrimination in public places. Such cases included Chinese people that would change seats in the subway rather than sitting next to them, would touch them without consent being surprised by the color of their skin, and also reported many cases where they were being stared at in disbelief.30 Another famous case that have raised many debates over its racist nature is the Chinese TV commercial showing a Chinese woman stuffing a black man into a washing machine and coming out of it a smiling Asian man. While the ad caused outrage abroad, it did little in China, where it was not considered that much of a scandal. (Graham-Harrison, Emma 2016)

2.2.2 The case of South Korea
South Korea has had to become accustomed to and learn how to deal with the presence of foreigners relatively recently. In the 1880s South Korea was considered a reclusive nation that was only forced to open up in the early 1900s during the Japanese occupation and then after the arrival of American military bases following the Korean War. And only with the occurrence of the 1988 Seoul Olympics did the country really begin to experience interactions with foreigners and with different cultural influences. (Tai, Crystal 2018)31 Still to this day, South Korean society seems to struggle to come to terms with the presence of foreigners in the country. According to a 2017 Human Rights Watch Report, discrimination

30 Ibid
31 The welcoming of foreign visitors and of cultural influences came with the policies of the newly elected democratic government, which also allowed Korean residents to travel abroad freely.
against foreigners, especially refugees and migrants, remains a major problem in the Republic of Korea. (“South Korea” 2017) Despite the increasing multicultural environment of South Korean society, Korean family culture still shows a sense of intolerance and/or hostility toward different cultures, being centered on blood relations. (Cho, Sung-Nam 2013 p. 107) Besides, the state-funded Overseas Koreans Foundation conducted a survey that showed the majority of South Koreans who were interviewed did not consider foreign workers to be real members of Korean society. (Si-soo, Park 2018) On the other hand, as was mentioned by a South Korean professor of sociology at Sungkonghoe University, “Koreans think Western people, white English speakers are the ‘right’ kind of foreigner. If you are from a Western country, you have more chances to be respected. If you are from a developing Asian country, you have more chances to be disrespected.” (Tai, Crystal 2018) The South Korean education system might be to blame for the racially biased mindset that is present in the Korean society, as it used to teach the concept of the Korean nation as being a single-blooded one, definition also known as danil minjok in Korean. (Koo, Se-Woong 2018) Things changed only in 2007, when a UN-affiliated organization, the International Convention on the Elimination of All Forms of Racial Discrimination, advised the South Korean government to stop promoting the notion of ethnic homogeneity of Korea, as it might hinder the promotion of tolerance and good relationships among the different ethnic groups living in the country. (Ji-sook, Bae 2007)\(^\text{32}\) As a matter of fact, the young and well-educated population is actually comfortable with living around foreigners and with accepting that they can qualify for citizenship. The opposite sentiment comes from the older and less well-educated part of the population, which opposes immigration and claims that migrants can never become real South Koreans. (Hundt, David 2017)

There have been several instances of discrimination and prejudice showing an unwelcoming attitude towards foreigners, making South Korean society a

\(^{32}\)Change was also spurred by suggestions made in the report for Korea to include in school textbooks and curricula information about the history and culture of the different ethnic groups living on its territory, as well as information about programs aimed at promoting understanding among those ethnic groups.
destination that is not too appealing for migrants. Amnesty International, for example, in a 2017 Review on the Republic of Korea, mentioning the human rights of migrant workers, cited episodes of verbal abuse, exploitation, and other human rights abuses carried out by employers. (Amnesty International 2017) Episodes of discrimination have also been a common occurrence in public places, such as when a Korean-born film director, who was adopted by Americans and grew up in the U.S., was yelled at in Seoul subways for speaking in English and “not being Korean enough.” (Sang-Hun, Choe 2009) Foreigners being denied entry into bars and similar establishments on the basis of their particular nationality, is also not an uncommon incident. A famous case that raised many debates happened in 2017 when an Indian student tried to enter at a bar in Seoul and was rejected because of his nationality, after the bouncer notoriously said: “It is a rule. No Kazakhstan, no Pakistan, no Mongolia, no Saudi Arabia and no Egypt.” (Borowiec, Steven 2017) In another more recent occasion, protests were sparked when hundreds of Yemenis fleeing civil war arrived on the South Korean island of Jeju and applied for asylum at the beginning of 2018. In response to the event, more than half a million South Koreans asked the government to turn away all refugees, online platforms were created to protest against the new arrivals, and actual anti-refugee demonstrations occurred in the capital Seoul. (Koo, Se-Woong 2018)

2.2.3 The case of Japan
Racially biased discourses can be found in Japan going back to the middle of the 20th century, after Japan surrendered to the Allied Powers in 1945 and saw the arrival of an authoritarian imperial state. Under the leadership of this imperial state, postwar Japan asserted that Japanese subjects were united by blood under the emperor, and citizenship status became the reference point according to which former colonial subjects were differentiated from Japan’s population. (Chung, E. A. 2010 pp. 70-71) Koreans living in Japan, for instance, after the postwar discourse on national identity, began to be excluded from society. Occupation policies regarding Koreans reflected the view that they belonged outside of Japan and were obstacles to Japan’s democratic revolution, which led to many cases of repatriation of Koreans, who were also accused of participating in illegal activities involving the
black market and were feared for their potential hostile nature as former colonial subjects.\(^\text{33}\) As we have seen previously in this chapter, Japan became an attractive destination for immigrants at the end of the 1980s. Just like other countries that have only recently experienced considerable flows of immigration, new immigrants arriving to Japan have often had to face anti-immigration situations and general hostility, language and cultural barriers, and legal discrimination.\(^\text{34}\)

Nowadays, Japan has a legal contradiction where racial discrimination is unconstitutional, as Japan’s Constitution guarantees protection against racial discrimination, but it is not illegal, as there is no law that makes racial discrimination illegal or a criminal offense. (Arudou, Debito, 2015 p. 3) The government justifies this absence on the grounds that Japan, a “racially homogeneous” country, has very few cases of racial discrimination to the point where it would be unnecessary to have laws that handle them. (Russell, G. John 2018) Even though public perceptions are slowly changing, there is still widespread concern that an influx of foreigners will upset the social order, increase job competition and weaken Japanese traditions. (Foster, Malcolm and Takenaka, Kiyoshi 2018) As a matter of fact, debates by Japanese politicians, scholars, and a considerable portion of public opinion over the “foreign worker problem” have revealed concerns about the possible negative impact of allowing foreign workers to enter and work in Japan. And a primary concern was the dilution of “cultural integrity” that would accompany the admission of foreign workers: introducing them would have the unintended consequence of distorting Japanese culture. (Brody, Betsy 2002 p. 37) There have actually been cases of discrimination towards foreigners reflecting these ideas, such as the refusal of entry and of service to foreign customers in various establishments in Japan’s private sector: from ramen shops, pachinko parlors, to barbershops and hotels. (Arudou, Debito, 2015 Chap. 3) The reasons behind the refusal by owners of these different establishments to accept foreign customers, which was shown for instance on “Japanese only” signs, include claims that it would disrupt the

\(^{33}\) Those who actually remained in Japan were considered residents who were subject to Japanese laws, but as foreigners they could not enjoy the privileges of Japanese citizenship.

\(^{34}\) Ibid p. 19
atmosphere and drive away Japanese customers, fears of miscommunication and of the language barrier, and other issues related to unusual behavioral and alleged cases of foreign clients engaging in inappropriate conduct.

This chapter examined how the immigration phenomenon has developed in China, South Korea and Japan, and the way it is oftentimes perceived and welcomed in these countries. We first looked at the development of migration flows towards these three countries. We have seen that the first big encounter with foreign influences that they had only occurred towards the end of the 1900s, and we have looked at the different types of migration flows heading there. We then described some instances of the different assumptions, perceptions, and episodes of discrimination towards immigrants that are present and have occurred in these three countries. After the rather recent encounter with foreign influences, mixed sentiments arose in Chinese, Japanese, and Korean society, which then reacted in different ways in the face of the new phenomenon. The unfamiliarity and sometimes fear of the new situation have led to various situations of discrimination. Common occurrences have been cases and situations of discriminatory and prejudiced behaviors both in public places, and on the part of politicians who are opposed to the idea of welcoming foreign influences. We have seen this in the case of Japan, where public establishments have refused entry and/or service to people whose nationality was not Japanese on the grounds that it would either disrupt the atmosphere and drive away Japanese customers, or because of fears of miscommunication and language barriers. In other cases that occurred in public places in South Korea and China, people made comments and engaged in behaviors that showed a racial bias and a discriminatory attitude towards foreigners. This chapter showed how the environment that is present in China, Japan, and South Korea can be discouraging and unequipped for migrants who arrive in these countries as their final destination, and we will actually examine why this is the case in the final chapter when we will analyze the national identity of each of these three countries. In the next chapter we will examine how national regulations in China, Japan, and South Korea are set up to handle these immigration flows in order to deal with demographic trends that are hurting the development of these countries.
CHAPTER 3

National demographic trends and the nature of the immigration policies of China, South Korea and Japan

The global population is aging. The number of the elderly part of the population is growing in almost every country, with serious consequences for many of the main parts of society. ("World Population Ageing” 2017, p. 2) China, South Korea, and Japan are countries that have been greatly affected by this negative trend. This demographic trend has in part been the cause of the economic success experienced by these countries. Initial economic success usually leads to increased labor force participation, and this, on its part, increases the cost for women to have children, which sometimes leads to a decrease in marriages, and consequently of birth rates. (Ducanes, Geoffrey 2013, p. 1) For instance, women in China are postponing marriage and pregnancy in order to focus on their career. (Huang, Echo 2018) The decline in birth rates and the consequent aging of the population and decrease of the young population leads to a decrease of national workforce that eventually becomes insufficient to fill certain sectors of the economy. These labor shortages have increased the pressure on all the governments to find a solution to this negative trend. One option that has been discussed is to persuade current workers to work longer hours or postpone retirement. While the other less desired option to deal with labor shortages is to admit foreign migrant workers. (Ducanes, Geoffrey 2013, p. 4) China, South Korea, and Japan, after trying other strategies to combat the labor shortages, have all started to take steps towards the latter solution: putting in place regulations in order to facilitate the entry of migrants that can fill domestic labor demands. The Republic of Korea, for example, has adopted a system called Employment Permit System, which is based on

35 The main sectors that are affected by the aging trend are labor and financial markets, services sectors such as housing, as well as the transportation and social protection sectors.
agreements made between the government of Seoul and countries that are sending workers, which are later given a certain number of positions every year. ("Asia-Pacific Migration Report" 2015, p. 125) However, despite efforts on the part of all three countries to implement policies favoring immigration, what has been put in place oftentimes presents limitations and restrictions for migrants. In fact, as we have previously stated, China, Japan, and the Republic of Korea are common destinations for smuggled migrants. And as the first chapter talked about, smuggling services are often used when the number of migrants permitted by the regular channels in countries of destination is limited or when the procedures for regular migration are excessively troublesome, they take too much time and they have high costs. That is when smugglers come into play, offering a cheaper, faster and more effective service and helping migrants secure employment and other services in the destination country. ("Migrant Smuggling in Asia" 2015, p. 86)

This chapter will analyze the demographic trends that are affecting China, South Korea, and Japan and examine the regulations that have been put in place to tackle the issue. First, we will look at the trends that are affecting the population in these countries and negatively impacting the economy. Secondly, we will see that these countries have considered the immigration option to combat the trends they are affected by, and examine what kind of immigration policies have been implemented as a consequence. In the last section, we will analyze the issues and limitations that these policies present for migrants.

3.1 Demographic trends and their impact on the economy

Population aging is occurring all over the world, with Asia leading the way. (Table 1) The world's population aged 60 years or over is projected to double from 962 million today to 2.1 billion in 2050. ("International Migration Report" 2017,p. 19)\(^36\)

\(^36\) In the more developed regions, the average age is expected to increase from 41 years in 2015 to 45 years in 2050, while in the less developed regions, it is expected to rise from 28 years in 2015 to 35 years in 2050.
Decreasing fertility and increasing longevity have been the main culprits of population aging and have contributed to changing the population age structure in many countries: a reduction of the proportion of children and young persons, and an increase of the proportions in older groups. ("World Population Ageing 2017", p. 12) This, in turn, has led to the labor shortages that many countries now have to deal with. China, South Korea, and Japan are countries that have been particularly affected by these negative trends. On the one hand, the costs of welfare services such as elder care have increased and have taken their toll on the national economy. (Vogt, Gabriele 2018 p. 15) On the other hand, the economic success of China, South Korea, and Japan has brought with it many benefits, but it also involved many side effects. Economic success typically leads to more job opportunities coming up, but then the opportunity costs of having children increase and, over time, this leads to an increase in the average marrying age, maybe even a decrease of marriages\(^{37}\), and consequently to lower fertility rates and to the aging of the population. (Ducanes, Geoffrey 2013 p. 1)\(^{38}\) As far as labor

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\(^{37}\) In about 2 generations, Asia actually changed from a culture of universal marriage to a reality where non-marriage in some countries has amongst the highest rates in the world. (Jones, Gavin W. 2008)

\(^{38}\) Protracted economic success can also lead to the decrease of the labor force participation of the young portion of the population, who enrolls into higher education, and of the older population, who retires with good savings.
shortages, they also may be the result of factors such as nationals who are not attracted to works that are demanding, that involve physically hard tasks, or that are often low paying. For example, in Japan, small and medium-sized firms were the ones that were mostly affected by the labor shortages because they were unable to fill labor demands in what are called the “3D” (dirty, difficult, and dangerous) industries. (Chung, E. A. 2010 p. 150) The very low fertility reached in a number of countries in the East Asian region, including Japan, Republic of Korea, and China with its major cities, appears to also be the result of factors such as caution in building a family because of insecurities about long-term employment opportunities, because of priority given to career, and a consequent reluctance to have children. (Jones, Gavin W. 2008 p. 16) Let us now examine the demographic trends that have been affecting China, South Korea, and Japan and that are affecting their economic development.

3.1.1 China’s circumstances
In China the low fertility rate is a pressing issue that the government has been trying to tackle. In 2015, after forty years since the one-child policy was first established39, China announced that it was going to allow families to have two children, after being faced with one of the lowest birth rates in the world and a serious issue of a declining working-age population that needed to be address. (Huang, Echo 2018) The new policy went into effect in 2016 and soon afterwards China experienced a considerable growth in the number of births: 11.5% more than the previous year. The following year, however, these numbers fell considerably by 3.5%. An important factor that was considered to have had a big impact on this declining trend is the fact that Chinese women are postponing marriage and pregnancy in order to focus on their career. The high costs for raising a child in Chinese society, social norms that still place the burden of childcare mostly on women, as well as the responsibility to take care of the elderly, are some of the main reasons why women are discouraged from starting a family and

39 China first restricted births for most families to one child starting in 1979, in order to stop the high birth rate that was occurring at the time, and which was thought to be an obstacle for the development of the economy. (Potts, Malcolm 2006)
instead choose to pursue their career.\textsuperscript{40} Along with the declining fertility rates, China is also experiencing a rapidly aging population, with UN estimates saying that people aged 60 and above will become the majority by 2050. (Table 2) The United Nations also calculated that the country’s number of retired citizens will rose from the 100 million of 2005, to 330 million in 2050, at which point the Chinese government will not have the funds necessary to take care of all of them. (Rapoza, Kenneth 2017)\textsuperscript{41}

Table 2

\begin{figure}[h]
\centering
\includegraphics[width=\textwidth]{chart.png}
\caption{Population pyramids}
\end{figure}


The portion of the working age population in China has steadily been decreasing since 2012, resulting in a gradual reduction of the available human resources that can support the country’s economic growth. (Guangzong, Mu 2018) Some of the main economic sectors where China has been hit by the labor shortage phenomenon are the modern high skills-based service industries such as IT, customer management, finance, software, and so on. In fact, China’s transition to an economy that increasingly provides quality and high-end products, led to a shortages of employees with high skills, due to a general lack of skills and skewed career expectations from college graduates, and a lack of job-training opportunities. (\textit{J.P.Morgan} 2016)

\begin{itemize}
\item \textsuperscript{40} Ibid
\item \textsuperscript{41} As the population aging process continues, the Chinese government will have to redirect a growing portion of its funds towards elderly care and public pensions.
\end{itemize}
3.1.2 South Korea’s circumstances

The Korean War that lasted from 1950 to 1953 had grave effects on Korean society. From 1955 the rate at which the population size was increasing started slowing down considerably, and then in the period spanning from 1960 to 1980, the Republic of Korea experienced one of the most rapid fertility declines in demographic history. (Dudley, L. Poston Jr. and Heo Nayoung 2018 p. 40-41) The birth rates plunged from a level of 6.3 children per woman at the end of the 1950s to around 1.2 in 2015. Then, in 2017 the number decreased even more and reached 1.05 children per woman; so much so much that since the 1980s, because of the lack of children, around 3,500 schools had to close, trend which is still ongoing. (Danyang 2018) An important element factoring into this negative trend is the unwillingness on the part of women to marry or have a family. Personal achievement and career are instead prioritized, and society’s heavy expectations on women and the actual costs of having a family are also considered an off-putting issue. (Maybin, Simon 2018)^42 Along with the low fertility rates, another issue that is affecting the Republic of Korea is the aging of the population: the median age of the population is expected to be over 50 years old by 2050, more than 10 years older than the current median age. (Table 3) Moreover, South Korean people aged 65 or older are expected to make up 20 percent of the total population in about 10 years, as opposed to when the Korea War broke out, where those aged 65 or older constituted only about 3 percent of the population. (Ok, Lee Sang and Boon, Tan Teck 2016)

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^42 As far as women’s role on society, they are often expected to assume the role of care provider in the family, to the point where they will bare most of the responsibility in raising the children. On the other hand, the competitive nature of the school system in South Korea has pushed families to pay extra tuition for their children so that they can have a better education.
Initially, in the 1980s and 1990s, there were labor shortages in the agriculture, construction, and manufacturing sectors, partly created by the economic prosperity and improved living standards that took place in South Korea during that period. (Denney, Steven 2015) Nowadays, all the trends that we have mentioned above have greatly contributed to the labor shortages that have been affecting the country. Another element that is partly responsible for the inability to fill labor demands in certain sectors of the economy is society’s pressure for the young population to obtain higher education. (Ducanes, Geoffrey 2013 p. 9) As a consequence of this pressure, South Korea’s highly educated population has considerably grown, and low-skilled jobs, also known as 3-D (difficult, dangerous, and demanding) jobs, have started to be shunned by native workers. (Park, Young-bum 2017)

### 3.1.3 Japan’s circumstances

In the 20th century Japan's population experienced rapid growth: in the year 1900 there were about 44 million people and 100 years later the number grew up to

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43 A wealthy lifestyle and improved living standards led to more stable and higher paid jobs for many South Koreans.
about 128 million. However, soon afterwards this massive growth has seen a stop and a reverse trend. In the 1970s, the average number of kids per Japanese woman was about 2.1, whereas today that number shrank to around 1.4. (Berke, Jeremy 2018) Japan is also the only country in Asia to have more deaths than births. In 2015 the country announced a severe demographic tendency: 8 births for every 10 deaths. (Dudley, L. Poston, Jr. and Heo Nayoung 2018 p. 37) In 2017, the number of births in Japan fell below 1 million for the second consecutive year, a record number for the country; and deaths also saw a record number of more than 1.3 million, a trend of more deaths than births that has not changed for 11 years now. (Kyodo (1) 2018) Another worrying trend that has been affecting the country is the total number of old people that is outnumbering the young population. (Table 3) People aged 65 and above account for almost 27 percent of the total population, whereas the young proportion of the population aged 14 or younger represents just 12 percent of it. (“Statistical Handbook of Japan 2017”, p. 13) These demographic tendencies have consequently contributed to the creation of labor shortages in the economy.

Table 4

Source: Japan’s Statistics Bureau. (Statistical Handbook of Japan 2017)

44 Japan’s Statistics Bureau estimates that by 2050 the country’s population will plunge to slightly more than 100 million people. (“Statistical Handbook of Japan 2017”)
Japan’s aging population and the shrinking labor force present several problems for the country. For instance, these trends entail that there will not be enough young people to care for the elderly, that the government will have to spend more on healthcare, that there will be a shortage of pension funds, and consequently higher costs for the government and slow economic growth. (Berke, Jeremy 2018)

The low levels of fertility rate and the rapid aging of the population have left the Japanese government to deal with a decrease in the number of people who are eligible to work. Up until the 1980s, Japan’s domestic labor force was enough to satisfy the needs of the national economy; however, with the decreasing levels of fertility rate and the aging of the population, the country had to come to terms with the fact that the domestic workforce could not fill the existing demands for labor by itself. (Liu-Farrer, Gracia 2011 p. 29) Businesses that rely heavily on human labor are the ones that were hit the hardest by the labor shortages; for instance, restaurants, hospitality, construction, shipping, and other labor-intensive industries. (Nikkei 2017)

3.2 How immigration is regulated at a national level

A 2000 United Nations Population Division on Replacement Migration, on the population decline and aging trends that were affecting countries all over the world, mentioned that considering the severe and overarching consequences of the trends, countries would have to reevaluate social, political and economic policies, including the ones related to international migrants. (“The UN Population Division on Replacement Migration”, p. 416) Labor shortages, given the strains that they have put on the labor market, have actually increased the pressure on governments affected by the trend to admit foreign workers. (Ducanes, Geoffrey

45 Another aspect of the economy that has been affected by the trends is the quality of the goods and services offered, which have declined and led to an increase in prices. (Morikawa, Masayuki 2018)

46 What are also called the “3D” (dirty, difficult, and dangerous) industries, commonly known as the “3K” (kitanai, kitsui, and kiken) industries in Japan.
As we have seen, China, South Korea, and Japan have been affected by different factors that have eventually led to a situation where the national workforce of these countries could no longer fill domestic labor demands in certain sectors of the economy. There have been transitions to an economy that increasingly provides quality and high-end products leading to a shortage of employees with high skills; a highly educated population that is unwilling to engage in jobs in labor-intensive industries; as well as a general decline of the population and consequently of the number of available workers, brought by declining fertility rates and the aging of the population. The governments of China, South Korea, and Japan have tried different strategies in order to tackle the issues brought by the social, economic, and demographic changes described above. Convincing current workers to work longer hours or postpone retirement are some of the strategies that have initially been adopted to overcome the labor shortages. Not being enough to combat the issue, however, these countries have all started to take steps towards welcoming more foreign immigrants. Let us now examine these and other regulations that China, South Korea, and Japan have implemented in order to tackle their demographic issues, regulate immigration, and fill the labor shortages.

3.2.1 China's policies

As we have previously mentioned in this chapter, China has initially tried to tackle the country's extremely low birth rates and the declining working-age population by allowing families to have two children. Yet, after an encouraging period of increase, numbers started to decline again. China realized that to fulfill its modernizing ambitions it needed to welcome foreign workers that could share their skills and expertise and help China develop. (Skeldon, Ronald 2011) In order to achieve this, the Chinese government implemented the 1996 Regulations that served “to enhance management of employment of foreigners in China” (“Regulations on the Management of Employment of Foreigners in China”) During
the following years the immigration phenomenon grew in size.\textsuperscript{47} As we have seen in chapter two, China has been experiencing immigration from all parts of the globe, and thanks to its growing economy it has become a major destination for migrants. Because of the increasing presence of foreign migrants, the Chinese government and society in general has developed concerns over social stability and other consequences of the migration flows towards the country. For this reason, laws and regulations have been put in place to coordinate and regulate immigration flows. An important change in the legislation regulating the issue is the 2012 Exit and Entry Administration Law passed by the Standing Committee of the National People's Congress, the first comprehensive legal framework that regulated visa, residence, and rights of foreigners in China. (Haugen, Heidi 2015) The first article of the law shows China's goal of both controlling the challenges and managing the opportunities that immigration brings with it: “In order to regulate exit/entry administration, safeguard the sovereignty, security and social order of the People's Republic of China, and promote foreign exchanges and opening to the outside world, this Law is hereby formulated.” (The State Council of The People's Republic of China) As far as controlling the challenges posed by the immigration phenomenon, Article 3 of the Exit and Entry Administration Law goes into more detail stating that “Foreigners in China shall abide by the Chinese laws, and shall not endanger China's national security, harm public interests and disrupt social and public order.” Among other changes, the law has made it easier to enter and stay in China, by introducing new visa types that facilitate the entry of certain categories of migrants. (Haugen, Heidi 2018)\textsuperscript{48}

The efforts to open to the outside world and promote foreign exchanges can be seen in the amount of foreign students that choose China as a destination for their studies: in 2016 the number of foreigners who studied in the country reached around 440,000, making China one of the most selected countries for international

\textsuperscript{47} As previously mentioned in chapter two, more than 26 million foreigners arrived in China in 2007 and almost 3 million of them came to find employment, according to the Bureau of Exit and Entry Administration of China's Ministry of Public Security. (Haimei, Shen 2011)

\textsuperscript{48} The new visa introductions are intended for the employment of highly skilled workers in sectors that are affected by a shortage of skilled workers, and for people who have family ties to China who can now enter and stay in the country through an easier process.
students worldwide. (ChinaPower 2017) As a matter of fact, as we have previously mentioned in chapter two, China is actually trying to become a major destination for international students, and through government scholarship programs it is augmenting the funds available to foreign students. (Zhang, Kenny 2014 p. 32) Finally, in order to attract highly skilled foreign talent that can fill the economy’s labor shortages, the Chinese government has recently introduced a new Green Card system, which relaxed the rules granting eligibility for permanent residency in China. The new system expanded the opportunities for foreign workers to apply for permanent residency, by giving eligibility to those working in high-tech companies, national laboratories, engineering research centers, foreign-funded research centers, and a few others. (Huifeng, He and Ye, Josh 2018) The Chinese government obtained good results through the introduction of the new system; for instance, the number of individuals whose application has been approved rose by 163 percent from 2015 to 2016. (Zhou, Laura 2017)

3.2.2 South Korea’s policies

In order to deal with its declining population and the consequences this entails, South Korea has tried increasing birth rates to tackle the issue. The government enforced the “The First Basic Plan on Low Fertility and Aging Society 2006-2010”, and later on “The Second Basic Plan” for 2011-2015, which aimed to tackle the issue by expanding childcare and education payments as support for South Korean families, as well as raising the quality of life of the older population. (Sixth Asian and Pacific Population Conference 2013) These benefits that were provided by the South Korean government, however, contributed only to a partial recovery in the fertility rates, as the negative trend that has been going on for decades has actually “reduced the pool of future parents.” (Hundt, David 2017) For this reason, given the pressing demographic crisis, the Republic of Korea has also been opening itself to immigration. In order to deal with its aging population and with declining birth rates that are negatively affecting the country’s labor demands, the South Korean

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49 Before the new Green Card system, the only foreigners who could apply for permanent residency in China were those who worked for important national projects in government departments or laboratories.
government has implemented a number of policies in recent years to relax controls on immigration and attract foreign workers. For instance, one of the instruments that the country has adopted is the Act on Foreign Workers Employment, which was introduced to promote a labor supply and demand by attracting foreign workers in order to have a positive impact on the economy. ("Act on Foreign Workers’ Employment, etc." 2013, Art. 1) Later on, another strategy that the country has implemented for the admission of foreign workers is the Employment Permit System (EPS) 50, which involves a great amount of planning and involvement on the part of the South Korean government, and which is also based on Memoranda of Understanding (MOUs). (Kim, Min Ji 2015 p. 1) The recruitment of foreign workers is done on a government-to-government basis and the Korean Government itself greatly discourages the involvement of private recruitment agencies. (Ducanes, Geoffrey 2013 p. 14) In fact, as we have mentioned in chapter one when talking about facilitating factors for migrants, these MOUs are agreements made between South Korea and countries that are sending workers who are then assigned a certain number of positions each year, and they are designed to eliminate excessive charging fees by private recruitment agencies. ("Asia-Pacific Migration Report" 2015, p. 125) An important characteristic of the Act is that it allows employers to hire foreign workers in those industries that are affected by the labor shortages, a system specially designed to tackle the issue of the lack of local workforce. ("Introduction of Employment Permit System")

In order to deal with the issues that might result from welcoming big numbers of foreigners who are not familiar with the country of destination and its workings, the government of Seoul has implemented policies that help immigrants integrate and find their place in the South Korean society. In 2008 the government implemented “The First Basic Plan for Immigration Policy”, which is a “social integration policy that helps immigrants become responsible and self-reliant members of the society rather than beneficiaries of support.” (Korea Immigration

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50 An important expansion that the system has seen regards the selection criteria for admission to the EPS: initially there was a considerable focus on the performance in the Korean language test and on some basic skills, and later on it also started including work experience and general qualifications. (Ducanes, Geoffrey 2013 p. 21)
Among the main tasks of the First Basic Plan were the following ones: creation of a foreigner-friendly living environment; enforcement of immigration laws; management of borders and information on foreigners for the protection of national security; attracting foreign workers for balanced national development; and promoting understanding of a multicultural society. In 2013 the Second Basic Plan for Immigration Policy was supposed to continue what the First Basic Plan was created to do and it also tried to address some issues regarding the integration of immigrants. The Plan was also reiterated because of the increasing awareness of the consequences of long-term foreign residents, and because of tolerance as well as fears that were increasing in the South Korean society. (Snyder, Scott A. 2015)

Finally, it is worth mentioning the actions that the government of Seoul has undertaken to handle the migration flows of North Koreans who flee their country and try to head towards South Korea. Article 1 of the 1997 Act on the Protection and Settlement Support of Residents Escaping from North Korea states as its purpose to “provide for matters relating to protection and support as are necessary to help North Korean residents escaping from the area north of the Military Demarcation Line who desire to be protected from the Republic of Korea, as swiftly as possible to adapt themselves to, and settle down in, all spheres of their lives, including political, economic, social and cultural spheres.” (“North Korean Refugees Protection and Settlement Support Act”) The South Korean government actually provides generous resettlement support structures and programs for North Korean refugees in order to help them overcome cultural barriers, adapt to the local society and acquiring the skills necessary for being able to earn a living in South Korea. (The Ministry of Unification)

3.2.3 Japan’s policies

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51 The integration of immigrants was supposed to be done using a series of actions plans highlighted in the Plan: promote social integration that respects shared Korean values, ensure a safe society for Koreans and Non-Koreans alike, prevent discrimination and respect cultural diversity. (Immigration Policy Commission)
The 1980s in Japan were characterized by severe labor shortages that affected the service and the manufacturing sectors, and to handle the issue Japan started importing cheap labor\textsuperscript{52} using trainee and technical intern systems, as well as giving permissions to foreign students to work part-time. (Liu-Farrer, Gracia 2011 p. 29) Some of these “legal loopholes” that the Japanese government has been using in order to deal with the demand for foreign labor, were used to circumvent policies that prohibited the admission of unskilled workers and that discouraged immigrant permanent settlement. (Chung, E. A. 2010 p. 151) Through these methods, Japan was able to meet the domestic labor demands and at the same time it saved companies and businesses the trouble of recruiting immigrants illegally. An instrument that was adopted in 1990 to combat the issue of illegal immigration and to respond to the labor market demands, is the Immigration Control and Refugee Recognition Act, which allowed unskilled workers to enter Japan for the first time. (Brody, Betsy 2002 p. 2) Later on, in 1993, the Ministry of Justice established the Technical Intern Training Program (TITP) to combat growing illegal immigration. This Program was created to function as an initiative that could boost Japan’s international cooperation and contribution, by providing training to foreign nationals from all countries in order to transfer skills and knowledge that could be used to improve the economic development in the respective countries of the interns. ("Outline of Technical Intern Training Program") The program initially allowed foreigners to remain in Japan for up to three years under a contract with the company by which they were employed, and it eventually became a tool for employers to hire cheap and unskilled foreign labor\textsuperscript{53}. For this reason, in 2007, the Ministry of Justice modified the guidelines for companies joining the TITP: companies were forbidden to engage in unfair conduct that actually occurred during the early stages of the Program, such as cases of passport confiscations, cases where companies would keep foreign workers from leaving the company dormitories, and other similar cases of unfair

\textsuperscript{52} The small- and medium-sized firms in particular, which relied on cheap labor to survive, were the ones who lobbied the most to allow foreigner to enter the country and work.

\textsuperscript{53} Common types of works that those participating in this Program were engaged in are apparel production, plastic molding, and the likes.
treatment towards foreign workers who took part in the Program. (Chung, E. A. 2010 p. 153) However, despite the government intervention on the matter, cases of abuses and exploitation of the interns from the companies that were part of the Program did not stop. As a matter of fact, in 2014 the U.S. Department of State issued its annual Trafficking in Persons Report and mentioned Japan’s TITP Program as a means of leading foreign workers into forced labor:

“Male and female migrant workers from China, Indonesia, the Philippines, Vietnam, Nepal, other Asian countries, Uzbekistan, and Poland are subjected to conditions of forced labor, sometimes through the government’s Industrial Trainee and Technical Internship Program (TTIP)” ... “During the “internship,” migrant workers are placed in jobs that do not teach or develop technical skills—the original intention of the TTIP; some of these workers experience under- or non-payment of wages, have their contracts withheld, and are charged exorbitant rents for cramped, poorly insulated housing that keeps them in debt.” ("Trafficking in Persons Report 2014", p. 220)

After the Report was issued, the Japanese government has made significant efforts to improve the situation and protect participants from exploitation, efforts that have later been acknowledged by the U.S. Department of State.\(^{54}\) To tackle the labor shortage issue, Japan has also relied on foreign students permissions to work while they are enrolled in a Japanese university. In fact, foreign students represent a big chunk of legal migrant labor\(^{55}\): most of them work either part-time or full-time, and after graduation they are allowed to stay in the country for a few months with a residence status of “temporary visitor” that authorizes them to find employment. (Chung, E. A. 2010 p. 152)

\(^{54}\) “The government demonstrated increasing efforts by passing legislation in November 2016 enhancing oversight of the Technical Intern Training Program (TITP) to protect program participants from exploitation.” (“Trafficking in Persons Report 2017”, p. 225)

\(^{55}\) The number of individuals with a student visa between 2006 and 2016 went from about 130 thousand to more than 250 thousand, that is, from about 6 percent of the total Japanese population up to 11 percent. (Green, David 2017)
immigration movements, in 2012 Japan replaced the Alien Registration System, which was created to record information regarding foreign residents in the country, with a new residency management system that included the following main changes: the abolition of the re-entry permit for immigrants in possession of a valid passport and resident card and who will re-enter Japan within 1 year of their departure; the extension from three to five years of the maximum residency period for foreigners, without having to renew or change the visa. (Immigration Bureau of Japan) Recently the Japanese government has also announced plans for new policies that will introduce new work permits for foreign workers, and that will be valid for up to five years and will apply to the sectors that, given the labor shortages affecting them, are relying on foreign workers in order to survive: agriculture, nursing care, lodging, construction, and related manufacturing. (“Japan to ease language requirements for unskilled foreign workers”)\textsuperscript{56} For instance, in 2016 the Japanese government adopted the “Japan Revitalization Strategy”, which aims to attract top talent into the country:

“Under the difficulties of foreseeing future new technologies, it is clear that there is a limit for a company to make products only by its own technology (...) In order to attract world’s top level human resources, Japan will become one of the first countries to introduce “Japanese Green Card for Highly Skilled Foreign Professionals’ which is the fastest such system in the world.” (“Japan Revitalization Strategy 2016”, pp. 3-4)

Immigration has always been a delicate subject in Japan, where, as we have seen in chapter two, there are widespread concerns over the consequences of allowing foreign workers and fears that the country will see its culture change because of these foreign influences. Prime Minister Shinzo Abe has always been reluctant to opt for the immigration solution, so much so that in order to address the issues of declining birth rates and of aging of the population, the government has actually promoted a “Japan First” immigration policy, through which domestic

\textsuperscript{56} Applicants are required to take language tests specifically made for each type of work; however, the new policy will also make Japanese language requirements easier for foreign workers, with basic requirements being the ability to understand slow conversations.
reforms such as encouraging women and retired workers to re-enter the workforce are implemented. (Siripala, Thisanka 2018) However, these are only medium-term solutions to the problem, which is why Japan has recently announced plans to increase the number of low-skilled workers by attracting 500,000 foreign workers to the country by 2025, in order to make up for the labor shortages that are affecting the national economy.57

3.3 The issues and flaws related to restrictive immigration policies

Many countries in the Asia-Pacific region have restrictions limiting the entrance of migrants into their territory, and limiting the protections that migrants can have such as those for their rights, instead of developing immigration policies that converge with considerations on the national development. (“Asia-Pacific Migration Report” 2015, p. 7) Some restrictions lead to irregular migration and informal employment, where the rights of migrant workers can be easily violated. As we have mentioned in the first chapter, it is often the case that when the number of migrants permitted by the regular channels in countries of destination is limited or when the procedures for regular migration are excessively bureaucratic, time-consuming and costly, many migrants choose informal or irregular channels of migration, even though regular channels are available. And, as we have seen, that is when opportunities like smuggling come into play, as they often help migrants to secure employment and other services in the destination country through a cheaper, quicker and more efficient service. Rigid immigration laws in destination countries and the tendency on the part of countries that are experiencing labor shortages to refuse admission to workers are a major cause of migration, especially the irregular kind. (Wickramasekera, Piyasiri 2002 p. 22) As was mentioned by the UN Review on the trends and motivating factors of migration in the Asia-Pacific region, China with its major big cities, Japan and South Korea are popular destination countries for smuggled migrants in the East Asian region. ("Trends and drivers of international migration in Asia and the Pacific"

57 Ibid
In fact, as we will see in the following sections of this chapter, these countries present immigration policies that oftentimes constitute a hindrance for migrants who would like to work and settle in their territory.

Circumstances like having an illegal status in a destination country and being excluded from the regular labor market, also increase the vulnerability of migrants to irregular situations, such as smuggling or human trafficking. ("Migrant Smuggling in Asia" 2015, p. 90) Irregular migration then entails major problems and costs for migrants, which mostly involve them being in a vulnerable situation where they can be easily exploited: unfair treatment, abuses of their human rights, being at risk of exploitation from companies, labor brokers, or local criminal gangs, and other risky and dangerous situations. (Wickramasekera, Piyasiri 2002 p. 25-26)

The case of Japan's Technical Intern Training Program (TITP) under which, as mentioned in previous sections of this chapter, there have been cases of companies taking advantage of and violating the rights of workers, is a good example of what can happen in the absence of proper regulations and efficient oversight.

Many destination countries have strictly temporary contracts, as we will see is the case with South Korea, China, and Japan, and this means that they limit the total years of work in their territory. As a consequence, long-term integration of the migrants that arrive in the destination country is usually not expected, and this also leads to a series of issues for the hosting country, as well as for the immigrants. This section of the chapter will analyze some of the main issues of the policies regulating immigration in China, the Republic of Korea, and Japan, which, as we will see, can present an obstacle for migrants to settle and work in their territory.

3.3.1 The obstacles that Chinese immigration policies present

Moving to China for work is no easy task for foreigners. Applying to work in the country can be a lengthy and difficult process. As the founder of the Chinese Economic Development Board said, the bureaucratic processes are lengthy and time-consuming, and have strict requirements that are hard to qualify for. (Huang, Kristin and Yan, Alice 2018) As we have previously mentioned in this chapter, China has relaxed the rules related to the Green Card system, which now grant
eligibility for permanent residency to different categories of foreign workers. Applicants, however, still have to get through several obstacles that make it very difficult for foreigners to qualify. For instance, in the city of Guangdong, in order to be eligible for a Green Card you must have to following qualifications: work experience in the province that amounts to four years and have an annual salary of 400,000 Chinese yuan (around USD58,000); or have around 70,000 Chinese yuan (around USD10,000) of annual tax payments to the local authorities; or have made more than 2 million U.S. dollars investments in China; or be an associate professor/fellow at a top research institution. (Huifeng, He and Ye, Josh 2018)

According to the Chinese government, Green Cards grant their owners the same rights as Chinese citizens in certain areas (investment, housing and schooling), and when making purchases such as buying transportation tickets or booking hotel rooms, the cards can also be used as a form of identification. However, the owner of Beijing Global Strategy Consulting, who has been involved in urban infrastructure projects with the municipal government of Beijing, spoke on the actual limited benefits that the cards has. He mentioned that since many people have never seen a Green Card, they still ask for other identification forms: he talked about an occurrence where he wanted to open a bank account, and despite having the Green Card with him, they still asked for his passport. (Huifeng, He and Ye, Josh 2018) We have also seen that China has been trying to attract foreign talent to find a solution to the labor shortages that are affecting the country. Migrant workers, however, as chapter two touched on, despite being depicted as important by the Chinese government, are still in a weak position in society and are vulnerable to abuses. This situation can be seen in the African community in “Little Africa” in Guangzhou, where there have been cases of police giving unfair and harsh treatment to legal workers and residents, and where foreign business owners are moving to other countries because of considerable bureaucratic barriers that they face in China. (AFP 2018)58 As far as unfair treatment towards immigrants, another situation where this is the case concerns the flows of North

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58 Instances of unfair treatments include police handcuffing and dragging foreign individuals living in the community to the police station for not carrying identification with them, during normal document checks.
Koreans coming into China. We have seen in the first chapter that the 1951 Convention Relating to the Status of Refugees and its 1967 Protocol are important instruments that cover the treatment of refugees, and we mentioned the fact that China is also a State Party to the 1951 Convention, whose article 33 states that “no Contracting State shall expel or return a refugee in any manner whatsoever to the frontiers of territories where his life or freedom would be threatened on account of his race, religion, nationality, membership of a particular social group or political opinion.” (“1951 Convention Relating to the Status of Refugees”)

Nonetheless, there have been many instances where the Chinese government circumvented the Convention and did not accepted refugees entering their borders: as Human Rights Watch reported, China has repeatedly repatriated and denied access to refugee status to thousands of North Koreans looking for asylum in the country, with the justification that it considers them as illegal economic migrants, and thus claiming they are not eligible for refugee status. (HUMAN RIGHTS WATCH) There have actually been cases where officials of the United Nations High Commissioner for Refugees offered to assess the asylum claims of North Korean asylum seekers that were being detained by Chinese authorities, for fears that China might deport them back to North Korea without actually analyzing their asylum claims first, which UNHCR affirmed happened in the past. (Janowski, Kris, UNHCR)

There still are a few challenges for China’s current immigration policies and laws. Let us take an example from the 2012 Exit-Entry Law, which, as previously mentioned in this chapter, was created with the aim of providing a comprehensive legal framework for managing immigration and regulating visa, residence, and rights of foreigners in China. The problem of this Law, however, is that it is not enforced the same way all over China. Immigration is managed in many and various ways throughout the country: national and provincial regulations for reference to the law are insufficient, which creates situations where the police take orders from local authorities with their own political priorities. (Haugen, Heidi 2018) As for the more irregular immigration flows heading towards China, which are endangering the human rights and life of the migrants, there also seem to be some issues in the way the Chinese government deals with it. As previously
mentioned, according to the U.S. Department of State Trafficking in Persons Report of 2018, China is a country highly affected by trafficking flows, with individuals forced to engage in activities such as sex trafficking. Examining the Chinese regulations for combating the problem, the Report also states that “the Government of the People’s Republic of China (PRC) does not fully meet the minimum standards for the elimination of trafficking and is not making significant efforts to do so.” ("Trafficking in Persons Report 2018", p. 138) Situations that are mentioned and that migrants find themselves in include, for instance, African and South American women who are promised legitimate jobs in China, but who are then forced into prostitution upon arrival. Besides, the Report also stated that State-sponsored forced labor continues to be an issue in the country: it mentions that despite actions taken by China to abolish a punitive system called “Re-education through labor” (RTL), where individuals had to go through extra-judicial detention that involved forced labor, forced labor has been reported to still occur in the establishments that have replaced the RTL facilities.

3.3.2 The obstacles that South Korean immigration policies present
We have already mentioned in this chapter that in order to tackle the negative demographic trends that are affecting the country, the South Korean government introduced a series of policies that are designed to attract foreign workers. And one of the instruments the country has implemented, as we have seen in previous chapters, is the Employment Permit System for foreign workers, based on Memoranda of Understanding (MOUs), the agreements drawn up between the government of Seoul and countries that are sending workers. Despite the strengths displayed by this system, which is designed to address labor shortages in some sectors of the economy by providing great transparency and giving a solid structure to the policies handling the mobility of foreign workers entering and exiting the Republic of Korea, the System still has big defects. (Kim, Min Ji 2015 p. 15) For instance, Korean employers using the System have oftentimes talked about
the lengthy and inefficient bureaucratic process of the EPS.\textsuperscript{59} And for this reason, given the difficulties of managing to hire foreign workers through this system, there have been many cases where employers would try to hold on to their foreign employees using methods that were almost in violation of labor standards, including many situations where employers would withhold the passport of the workers.\textsuperscript{60} Moreover, according to a recent report on South Korea by Amnesty International, migrant workers have found themselves in a vulnerable position of exploitation under the Employment Permit System, such as working long hours with little or no time to rest, low and irregular wages, as well as dangerous working conditions. (“Korea 2016/2017”)\textsuperscript{61} The Report gave the example of a Nepalese migrant worker who committed suicide in the dormitory of a factory in the North Chungcheong Province. He left a note saying that the employer of the factory had declined his request to either change workplace or go back to Nepal to be given treatment for severe insomnia that he was suffering from. In fact, the United Nations Working Group on Business and Human Rights, after a visit to the Republic of Korea in 2016, wrote a report stating the following issues regarding human rights in the business environment: a lack of proper oversight of supply chains and the reluctance on the part of some big business companies to take responsibility for the prevention of human right violations associated with their businesses. (\textit{UN Human Rights Office of the High Commissioner 2016})

When it comes to irregular flows of migration, South Korea still presents some issues regulating the regulations of these flows. As far as refugees are concerned, we have seen that the government provides generous resettlement support structures and programs for North Korean refugees, so that they can adapt to the local society and eventually earn a living in South Korea. (\textit{The Ministry of Unification}) However, refugees in general seem to face considerable barriers to enter the country: in 2017 the Korea Immigration Service calculated that more

\textsuperscript{59} There have been situations with hundreds of people waiting in line outside the Employment and Labor Ministry, some of them also staying in makeshift tents for a few days in order to not lose their place in the line. (\textit{The Korea Herald 2012})

\textsuperscript{60} Ibid p. 23

\textsuperscript{61} Cases of deaths of migrant workers from suffocation while cleaning areas in dirty conditions at pig farms have been mentioned in the Report.
than 15,000 refugees between 1994 and April 2017 were recorded, but only 688 of them were accorded refugee status. (Hwan-bong, Jung 2017) Finally, just like China, South Korea is a source and destination country for individuals involved in forced labor and sex trafficking. ("Trafficking in Persons Report 2018", p. 258) And similar to the case of China, the Republic of Korea has been reported in the 2018 U.S. Department of State Trafficking in Persons Report for not having done enough to address the issue: “Although the government meets the minimum standards, it did not adequately address labor trafficking; the government investigated and prosecuted fewer cases, and penalized and deported trafficking victims due to inadequate identification efforts.”

3.3.3 The obstacles that Japanese immigration policies present

Previously in this chapter we mentioned that Japan has tried tackling labor shortages by importing cheap labor using trainee and technical intern systems, and giving permissions to foreign students to work part-time. We have seen that these strategies that the government has been using in order to deal with the demand for foreign labor, were used to circumvent policies that prohibited the admission of unskilled workers and that discouraged immigrant permanent settlement. One of the side-effects that these strategies had, however, regard the long-term consequences of having to deal with a foreign population that, thanks to the policies put in place by Japan, eventually settled into the country. Because of this settlement, local governments found themselves having to deal with a growing foreign population that was not familiar with the Japanese language and customs. (Chung, E. A. 2010 p. 154) The integration of foreign migrants is an aspect of immigration that is not necessarily dealt with appropriately in the Japanese society. For instance, Japan recruits health-care givers from Southeast Asian countries, who are mostly employed by big hospitals and nursing homes where they are not pushed to integrate into the local community, as they are usually not assigned to private homes or local community centers where health-care givers are actually more needed. (Vogt, Gabriele 2018 p. 27)

There have been numerous policy recommendations and plans talking about managing immigration as one way to tackle the country’s demographic
issues, but contrasting political interests have prevented the attainment of a common, agreed-upon solution. (Akashi, Junichi 2014)\textsuperscript{62} The solutions that so far the Abe administration has decided to adopt to combat the country’s declining demographic trends leading to labor shortages, have been the promotion of female participation in the labor market, increasing birthrates, and the employment of the older part of the population, among others. We have already mentioned that the government has actually promoted the adoption of a “Japan First” immigration policy, where encouraging women and retired workers to re-enter the workforce are the desired domestic reforms. (Siripala, Thisanka 2018) However, realizing that these policies will not be enough as a long-term solution to the issues, the government has also taken action to attract foreign workers and to make it easier for migrants to reside in the country. We have seen that in 2012 Japan replaced the Alien Registration System, which extended the maximum residency period for foreign workers, and we have talked about the introduction of the Japan Revitalization Strategy in 2016 that aimed at attracting foreign talent to the country. These solutions seem to speak to the government’s positive stance towards adopting the immigration solution to solve its domestic problems. However, the acknowledgment that immigration is needed in order to solve its demographic issues appears to be reluctant in nature. For instance, the number of foreign workers over the past decade saw a massive increase, from around 300,000 in 2007 to almost 1.3 million in 2017. And yet, few of these individuals have actually been offered permanent resident status. (Kopf, Dan 2018) There are several obstacles that prevent immigrants from settling in Japan, and these include restrictions for working visas that are limited in the number of years for which they are valid and workers not being allowed to bring family members with them. (Siripala, Thisanka 2018) The reforms that have been implemented by the Japanese government in order to attract foreigners are considered a temporary solution more than a long-term arrangement, as workers seem to be expected to return home at some point in the future.

\textsuperscript{62} The absence of agreement from the population as well as the issue of public safety are among the reasons for the government’s lack of a strong stance in favor of the immigration solution.
Another area of immigration where Japan has been criticized is the treatment of refugees. Japan’s bad record in accepting refugees has actually been noted by organizations such as Human Rights Watch, as it “remains closed to thousands of asylum seekers, including Syrians, while those who do make it to Japan rarely have their refugee status recognized.” (“Japan: Improve Migrant Treatment, Accept Refugees”) In fact, among more than 10,000 applications made in 2016, Japan only granted refugee status to 28 asylum seekers. (Usuda, Kohei 2017) In 2017, the country was actually urged to accept more refugee by the United Nations Refugee Agency, which in the past, mentioning the government’s Resettlement Pilot Program for refugees, already stated that a “sustainable Resettlement Programme responsive to humanitarian needs” needed to be created. (UNHCR, p. 70) We have also seen that Japan have made improvements on the situation regarding the government’s Technical Intern Training Program, where abuses and other violations of the rights of migrants participating in the program were taking place. However, such cases have continued to occur and Japan has once again been negatively mentioned in the U.S. Department of State Report on trafficking:

“The government was unable to fully enforce TITP reform law provisions aimed at blocking foreign-based recruitment agencies from charging excessive fees—a key driver of debt bondage among TITP participants. Authorities detained, charged, and in some cases deported TITP interns who absconded from exploitative conditions in their contracted agencies, rather than screening them and referring them to protective services.” (“Trafficking in Persons Report 2018”, p. 244)

The same Report also talks about Japan’s situation concerning trafficking, mentioning that despite meeting the minimum standards for combating the issue, the country still shows weaknesses in the way it deals with the problem. For instance, many suspected cases of trafficking and forced labor were handled with penalties such as loss of business licenses, instead of using criminal investigations

63 (Wilson, Thomas 2017)
This chapter analyzed the demographic trends that are affecting China, South Korea, and Japan, and what these countries have done to try to tackle them, analyzing in particular the immigration policies that have been implemented as an attempt to make up for the gaps that those trends have created in the labor market. We have seen that in all three countries, as is a common trend in many other countries in the world, the national population has been decreasing in numbers as a result of the low fertility rates and the aging of the population, and this has led to a decrease of the national workforce that, in its turn, created labor shortages. China, South Korea, and Japan have all tried to deal with the issue by encouraging more women and senior citizens to join the workforce; however, the labor shortage trend could not be reversed. In order to fill the gaps in the labor market, all three countries have adopted a series of policies to facilitate the arrival of immigrants and use foreign workers to fill labor demands that the domestic workforce could not fill. They have implemented regulations to control migration flows into the country and combat the illegal ones, regulations that have expanded the range of individuals who can apply and be eligible for working visas, that have relaxed the rules granting eligibility for permanent residency, and that facilitate the employment of foreign workers and migration flows in general.

However, what China, South Korea, and Japan all have in common, is that the policies and regulations that they have put in place often present a big obstacle for migrants to settle and work in their territory. China, on its part, despite having given access to more categories of foreign workers who can now qualify for permanent residency, and despite having provided foreigners in China with means that can facilitate their life in the country, it still presents some issues. Mainly, the bureaucratic processes are lengthy and time-consuming, and there are strict requirements that make it difficult for migrants to acquire the desired results. As far as South Korea is concerned, policies have been set up to facilitate the employment of foreign workers who can fill the country’s labor shortages, and the country also offers generous support programs for refugees, especially for the North Koreans escaping their country. However, firstly, its record for accepting refugee status to asylum seekers is very low compared to the amount of
applications it actually receives. Second, the policies that are supposed to favor migrant workers, just like the case of China, are backed by administrative processes that are lengthy and inefficient, and cases of abuse and exploitation under certain programs have actually undermined their credibility. Finally, Japan has also implemented policies to attract foreigners to solve its demographic issues, such as the extension of the residency period for foreign workers. The regulations that have been implemented by the Japanese government, however, seem to be just a temporary solution, as it is expected that worker will return home at some point. As we have already, it is often the case that when the procedures for regular migration are excessively bureaucratic, time-consuming and costly, many migrants choose informal or irregular channels of migration in order to achieve the desired results through a cheaper, faster and more efficient ways. In the first part of the next chapter we will analyze the potential benefits that migrants can have on the hosting countries’ economies and on the negative demographic trends that they are affected by. The second part will analyze the national identity of China, South Korea, and Japan, shedding light on the reasons why there is a reluctance to see immigrants as a final solution to the domestic issues we have analyzed.
Chapter 4
Preventing the actual benefits from taking place

The number of international migrants across the world has continued to grow over the past years, going from 173 million in 2000, to 220 million in 2010, and up to 258 million in 2017. (“International Migration Report” 2017, p. 4) Between this span of time, Asia received about 1.8 million migrants per year, which ended up amounting to 30 million international migrants during that period, thus hosting more migrants than any other country in the world. (Table 5)

<table>
<thead>
<tr>
<th>Region</th>
<th>2017</th>
<th>2000</th>
</tr>
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<tbody>
<tr>
<td>Asia</td>
<td>79.6</td>
<td></td>
</tr>
<tr>
<td>Europe</td>
<td>77.9</td>
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</tr>
<tr>
<td>Northern America</td>
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<tr>
<td>Africa</td>
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<tr>
<td>Latin America and the Caribbean</td>
<td>9.5</td>
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<tr>
<td>Oceania</td>
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As flows kept increasing, countries of destination started to worry about the socio-
economic consequences that immigration would entail. In chapter 3 we have analyzed all the policies and regulations that China, South Korea, and Japan have put in place in order to manage the flows of immigration, and we have seen that they have done so with the intent of using the flows in their favor, to solve the demographic issues that have been affecting them. In fact, international migration is an important factor that leads to socio-economic change and it has potential benefits both for migrants and their own country, and for the country of destination. For example, migration can have positive benefits for the negative demographic trends that we have talked about in the previous chapter, since it gives countries of destination that are affected by those trends a “demographic bonus”. (Jones, Gavin W. 2008 p. 27) In fact, to provide an example, between the years 2000 and 2015, positive net migration brought a 42 per cent increase in the population growth in North America and 31 per cent in Oceania. Also, in the case of Europe the population size would have decreased by one per cent without immigration flows. (“International Migration Report” 2017, p. 18) Restrictions on the policies regulating migration flows and on migrants themselves, on the other hand, have the consequence of preventing national development from taking place, causing irregular migration, as well as endangering the lives and the human rights of migrants. (“Asia-Pacific Migration Report” 2015 p. 7) We have seen this for example in the case of government-run programs in South Korea and in Japan, where migrant workers were subjected to abuses and exploitation from the companies by which they were hired. In such cases, migrants still give some contributions to the economic development; however, their potential benefits are greatly diminished and unevenly distributed.

China, South Korea, and Japan all have very strong identities that seem to have an impact on the way they manage the migration flows that are heading into their territory, as well as the migrants that are already there. In this chapter we will examine the potential benefits of migration and the national identity of South Korea, China and Japan. We will first examine the positive impacts that migrants can have on the hosting countries’ economies and on the negative demographic trends they are experiencing, and we will look at some case studies to support the argument. In the second part of the chapter, we will analyze the peculiar national
identity of these countries and we will see how their strong identities developed over time.

4.1 Migrants’ potential benefits for the hosting countries

It is usually assumed that immigrants “steal” jobs from national workers and cause pressures on national workers’ wages that eventually lead to their decrease. However, evidence departs from these assumptions, showing that migration is generally beneficial for the economy of those countries whose immigrants are actively participating in it. In fact, as we will see, one of the potentials immigration has is to increase internal labor's supply and demand, which in turn is able to create further employment opportunities for other workers, as well as economic gains for the hosting country. For instance, it has been shown that the taxes that migrants pay outweigh the losses from the utilization of national tax-supported services, and they also increase the hosting country’s GDP. ("Asia-Pacific Migration Report" 2015, Chap. 2) Moreover, migrants oftentimes fill labor shortages in sectors involving jobs that the local population is not willing to perform, jobs that are also known as “3D” (dirty, difficult, and dangerous) jobs. In fact, in Japan, businesses that have been particularly affected by the labor shortages were involved in those industries. (Chung, E. A. 2010 p. 150) International migration can also have positive effects for negative demographic trends that certain countries are experiencing, as it can slow down and mitigate the trend of population decline and population aging. In fact, estimates made by the United Nations show that if current migration flows stopped, those demographic trends would be even worse than what current predictions indicate. (United Nations Population Division)

4.1.1 Impacts on the negative demographic trends

Population aging is occurring all over the world and it is a trend that is expected to only grow as time goes on: the world’s population aged 60 years or over is expected to go from the 962 million of today to 2.1 billion in 2050. ("International Migration Report” 2017, p. 19) The extremely low numbers of birth rates and the growing longevity have been the main causes of the population-aging trend and
they have changed the age structure of the population in several countries, reducing the number of children and young persons, and increasing the portion of the population constituted by the elderly. ("World Population Ageing 2017", p. 12) Many countries have chosen to tackle the root causes of these trends by adopting policies aimed at increasing their fertility rates. We have seen that in the case of China, which after long years spent with the one-child policy, enabled families to have two children; and in the case of South Korea, which provided families with financial incentives to encourage them to have more children. In the end, however, the declining trends could not be stopped by adopting such solutions, mainly because of the pressures in those societies that discourage individuals from having a family. International migration has the potential to make a positive contribution for the demographic dynamics of countries that are affected by the declining population trend. Studies show that if current migration flows were absent, the population decline and aging trends would become even more severe than the ones currently predicted. For example, according to a 2017 United Nations Report on International Migration, in the absence of migration, the median age of the population of developed regions in 2050 is expected to become 1.7 years higher, which would not be the case if migration flows kept the current volumes. ("International Migration Report" 2017, p. 20) In fact, the percentage of migrants between 20 and 64 years old (74%) in 2017 was higher than the one of people aged 20 to 64 years in the total population, meaning that international migrants have the potential of balancing out the older population. (Table 6) This in turn can also lead to the decrease in the ratio of older people within the working age population, which means that migrants are then able to make up for the labor shortages that are affecting sectors of the economy where the median age of the workforce is too high and cannot fill labor demands by itself.

64 We have seen that societal pressures on women, who are supposed to bear most of the responsibility when it comes to raising a family, as well as the high cost of education for children, play an important factor in these countries.

65 Another pattern that would change thanks to migration is the ratio of older people within the working age population. Without migration, the number of people aged 65 or above in the year 2050 in developed regions would actually make up 57% of the working age population, as opposed to a 53% in case the current migration flows continued.
International migration, then, can make important contributions and have positive effects for certain countries’ demographics: it can mitigate aging population tendencies, as well as slow down the trend of population decline and the consequences that this involves.

### 4.1.2 Impacts for the economy

Migration flows motivated by economic factors have the potential of setting in motion a sequence of beneficial events for both the host country and the sending country. For instance, unemployment at home pushes people to seek better opportunities abroad, and the country where they then arrive will benefit from the economic and social contributions that the foreign workers can make to the hosting society. This has actually been acknowledged and recognized by several governments with economic needs that cannot be answered by their domestic workforce. One such case can be seen from the country of Singapore. Given domestic trends such as that of population aging, the government of Singapore has recognized the importance of foreign labor as an essential element for the support
of economic sectors that are in need of foreign talent. In fact, in its 2013 Population White Paper, Singapore discussed about the benefits that immigrants can have for the nation, among which, the following ones were mentioned: “Immigrants bring with them diverse talents, skills, experiences, and knowledge. Diversity in our population supports innovation and entrepreneurship, and adds to our strengths as a society and economy, helping us to adapt to rapidly shifting global trends and rising competition.” (Population White Paper 2013, p. 26) At the same time, migrants that move to a different country to work, will able to send money back home, where they can help their own family, as well as have an impact on the development of their own country, by reducing poverty and providing capital that can increase economic growth. (Vargas-Silva, Carlos 2016, See 2.1.1)

We have seen in the first chapter that expectations of gaining higher wages is oftentimes the major drive behind migration, and that both skilled and unskilled workers choose where to go according to the perceived demand for labor and the availability of jobs in the country of destination. However, we have previously mentioned that when the procedures for regular migration are excessively bureaucratic, time-consuming and too expensive, migrants will are likely to choose informal or irregular channels of migration in order to achieve the desired results. Excluding migrants from regular channels of migration and from the protections that labor laws would grant them entails risks, such as rising inequality, opening the door to human rights violations, and ultimately prevention of improvements on productivity. ("Asia-Pacific Migration Report" 2015 p. 15) The inflows of migrants can have positive effects only if hosting countries commit to allowing migrants to find employment and to be recruited, and if they establish the right conditions that are necessary for migrants to integrate into the new environment. As the President of the World Bank Group said at a press release in 2015:

"With the right set of policies, this era of demographic change can be an engine of economic growth." He then continued saying that "If countries with aging populations can create a path for refugees and migrants to participate in the economy, everyone benefits. Most of the evidence suggests that migrants will work hard and contribute more in taxes than they consume in social services."
Using migration flows in their favor, countries can actually gain considerable benefits, such as filling labor demands that are not being filled by the local workforce, thus bringing benefits in the national economy. In fact, migrants oftentimes fill labor shortages in sectors involving jobs that the local population is not willing or able to perform. We have seen this in the case of Japan, where some of the businesses that were mostly affected by the labor shortages were those that were unable to fill labor demands in the so-called “3D” industries (dirty, difficult, and dangerous). (Chung, E. A. 2010 p. 150) Also, as we have previously mentioned, the government of Singapore has acknowledged the importance of foreign labor as an essential element for the development of the economy, in particular its importance for the country's ability to respond to shifting global trends and to increasing competition.

Another assumption that is usually made about migrants, especially in the case of refugees, is that they are a burden on the national economy because of the social benefits that they live on. However, studies show that the benefits that migrants bring to the hosting countries outweigh the costs that are involved in welcoming and assisting them. The Organization for Economic Cooperation and Development (OECD) found that the social contributions of migrants and the taxes they pay outweigh the amount of benefits that they receive from the hosting countries. (“Is migration good for the economy?” 2014, p. 2) For example, in the case of the United States, recent studies have shown that refugees, over time, make a positive contribution to the national economy with the taxes they pay, which end up being greater than the assistance benefits that are given to them by the government. (Table 7) Hence, if labor migration became one of the avenues for refugees, destination countries would gain an important asset that will make a good contribution to the local economy, as well as to the country of origin of the migrants that can benefit. For example, the International Labor Organization

66 For more information on the topic, see the OECD discussion on alternative pathways for refugees at the following link: https://www.oecd.org/els/mig/migration-policy-debates-12.pdf
67 For instance, in some cases, the remittances that these migrants send back home are used to
estimated that in 2015, more than $610 billion in remittances had been sent across the world, a number that is significantly larger than the official amount of development assistance, and that is actually thought to be bigger if the unrecorded amounts are included. (“A migrant centered approach to remittances”)

Table 7

![Graph showing fiscal costs of refugees aged 18-45.](source)

*Source: National Bureau of Economic Research. (Maas, Steve 2017)*

An important aspect of the economy of the hosting country where migrants can have a positive impact is GDP growth. The McKinsey Global Institute calculated that in 2015 migrants contributed to around 9.4% to the global GDP, almost two times more than what they would have contributed by simply remaining in their country of origin. *(McKinsey Global Institute 2016)* Another way migrants can contribute to the economy is also by increasing internal expenditures. Permanent migrants, for instance, have the potential to increase consumption in the economy by increasing the amount of consumers, by increasing personal financial expenditures, and by utilizing government services. *(The Australian Government, improve the livelihood of their family or help friends or other family members who have been left behind. (Vargas-Silva, Carlos 2016)*

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*79*
the Treasury and the Department of Home Affairs 2018, p. 25)

Different types of migrants lead to different types of contributions and impacts on the hosting society. We have already mentioned that one of the main benefits of low-skilled migrants is that they can fill labor shortages in the 3D industries. Highly skilled migrants, on the other hand, usually have a positive impact on the economy because they improve innovation and productivity. ("Asia-Pacific Migration Report" 2015, Chap. 2) In Australia, for example, this type of migrants have been found to positively affect the GDP per capita in several ways: mainly, by increasing participation of the workforce and the productivity, and by allowing businesses to acquire skills that are not easily obtainable in short periods of time. (The Australian Government, the Treasury and the Department of Home Affairs 2018, p. 24) We will now look at some case studies of countries in the Asia-Pacific region where immigration has had positive impacts for their demographics and especially for their national economy.

4.1.3 Case studies

Migrant workers in countries in the Asia-Pacific region that have experienced large immigration flows make up a considerable portion of the labor force, especially in labor intensive sectors such as construction, manufacturing, fishing and others. (Ahsan, Ahmad 2014) This contribution that migrants workers have made has allowed local workers to move to higher occupations and has helped alleviate labor shortages, as well as negative demographic trends like population aging. Let us know analyze the case of Malaysia, Thailand, and Australia, countries that have experienced large flows of migration and that have greatly benefited from it.

Malaysia

Malaysia is one of the economies of the Asia-Pacific that is most dependent on migrant workers, with estimates suggesting that around 4 million migrant workers are employed in the country. ("Malaysia" 2017) Malaysia has found it difficult to convince national workers to engage in jobs in sectors that are now taken care of mostly by migrants: these sectors include agriculture, construction, manufacturing, and other service sectors involving domestic work, and restoration. ("Asia-Pacific
During the years, immigration has been essential to the development of the country’s economy. Over the last two decades, foreign migrant workers have become essential to fill labor demands in low-skilled, labor-intensive sectors of the economy, such as agriculture, manufacturing, and construction. (Moreno, Rafael Munoz 2016) These large flows of migration composed of low-skilled workers have also led to the increase of Malaysian skilled workers, and a consequent augmentation of wages for these workers. (“Asia-Pacific Migration Report” 2015 p. 63) The increase of jobs for Malaysian citizens (Table 8) is also the result of reductions in production costs, making Malaysian firms cheaper and more competitive in the global market, allowing them to expand and consequently increasing their demand for Malaysian workers. (Ministry of Human Resources of Malaysia 2013, p. 43)

Table 8

Note: It has been calculated that every 1000 foreign workers entering a given sector, 836 new full-time jobs and 169 part-time jobs are generated for Malaysians.

Source: The World Bank (Ministry of Human Resources of Malaysia 2013)

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68 The large amounts of immigrants that arrive to Malaysia are usually made up of the younger part of the population of the sending-country, and these migration flows are usually the ones to fill labor demands in the Malaysian labor market.
Finally, migration flows have also affected the country’s GDP. In fact, it has been shown that in 2014, by filling labor shortages in the low-skilled sectors like agriculture, manufacturing, and construction, migrants along with these industries contributed to 35.7 percent of the Malaysia’s GDP, which accounts for US$68 billion. ("Malaysia” 2017)

**Thailand**

In 2016 over 3 million migrant workers were registered in the country, including high-skilled and low-skilled workers, with the latter group constituting the majority. (OECD/ILO 2017 p. 29) Migrants in Thailand are especially condensed in certain industries and occupations, and the majority of them fill industries involving low-skill jobs, such as agriculture, construction, and domestic work. ("Asia-Pacific Migration Report” 2015 pp. 69-70) The contributions that migration flows have made for the Thai society are multiple. A study that published by the Organization for Economic Cooperation and Development (OECD) has found that migration in Thailand has had the effect of spurring youth employment: the young native-born portion of the population, thanks to the disparities between their education and income situation, and the one of foreign migrants, are put in a position where they have more opportunities to choose their employment. (OECD/ILO 2017 p. 30) As a matter of fact, what has been found is that foreign workers do not have any negative impact on the employment rates of Thai workers, but they instead bring positive effects. (Table 9)

![Table 9](image)

*Note: The “+” sign and the “o” sign indicate, respectively, no considerable impact and a positive considerable impact. Source: OECD Development Center, International Labor Organization (OECD/ILO 2017)*
Another effect of migration that was mentioned in the study by the OECD is that the young portion of the foreign migrants alleviates the population-aging trend occurring in the Thai workforce, thus being able to fill labor shortages affecting certain sectors of the economy. In fact, similar to the case of Malaysia, immigrant workers in Thailand usually fill labor demands in sectors of the economy that national workers are not able to fill. ("Asia-Pacific Migration Report" 2015 p. 74)69 The contribution that immigration makes to the national GDP has also been noted by the study, which states that foreign migrant workers make up from 4.3% to 6.6% of the national GDP.

**Australia**

The Australian government has put great efforts into post-arrival support programs for migrants that allow them to access job opportunities and to better integrate into the country’s society. For instance, through the Adult Migrant English Program, the government gives free tuition for English language classes up to 510 hours for migrants satisfying the appropriate conditions, so that they can acquire skills that allow them to participate into Australian society and into the country's economy. *(Australian Government)* By supplying funding to provide settlement services to migrants and refugees, these individuals have made considerable contributions to the socio-economical development of the country. The benefits to the country that resulted from the presence of these migrants were greatly analyzed by a study done by the NSW Spanish and Latin America Association for Social Assistance that was submitted to the Joint Standing Committee on Migration of Australia. The study found that one of the main ways migrants and refugees contributed to the national economy is by expanding the consumptions of local goods, which in turn opened new markets; for example, the demand for infrastructure has increased thanks to migrants expenditures on commodities and services such as food, clothes, household appliances, and housing. *(NSW SLASA, p. 9)* Another important contribution migrants have made concerns the technological development they have brought to Australia,

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69 Especially given the fact that Thai people have more options in a growing economy, such as moving to other countries that offer better-paid jobs, like Israel, South Korea, and Taiwan.
particularly state-of-the-art technology from Eastern Europe and from Asia.\textsuperscript{70} The study also shows that the Australian Labor Market have benefited from skilled migrants as they have created employment and filled labor demands that prior to their arrival were not being met, because of the capacity limitations that certain businesses and industries had to deal with. Because they raised the participation of the workforce and the productivity, and allowed businesses to acquire skills that are not easily obtainable in their absence, highly skilled migrants have been found to positively affect the GDP per capita of the country. (The Australian Government, the Treasury and the Department of Home Affairs 2018, p. 24) As a matter of fact, both temporary and permanent skilled migrants have a positive effect on the GDP of the country; as well as other categories of migrants such as foreign students, who have also been found to give significant contributions. (Table 10)

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<th>Table 10</th>
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Source: (Migration Council Australia)

\textsuperscript{70} In fact, the knowledge and connections migrants possess have had a significant impact on the development of the country. The study makes a noteworthy example mentioning the Vietnamese community living in Australia. This community is today well established in the business sector, and plays an important part in developing socio-cultural and business relationships between Australia and South-East Asia. (NSW SLASA)
By looking at these case studies of Australia, Malaysia, and Thailand, we have seen that migrants can have potential benefits for both the demographics and the overall economic situation of hosting countries. Filling labor shortages in sectors where the local workforce is not available, and contributing to the overall GDP of the hosting country being some of the main benefits. We have mentioned in chapter three that China, South Korea, and Japan present immigration policies and societal patterns that can sometimes be an obstacle for immigrant to successfully secure job opportunities, and to settle and integrate into society. The next section of this chapter will analyze the national identity of China, South Korea, and Japan, and will give us an insight into why there are all these hurdles that migrants face in those countries, which we will talk about in the conclusion of this paper.

4.2 Analysis of China, South Korea and Japan’s distinct national identities

“Why and how could a concept so remote from the real experience of most human beings as 'national patriotism' become such a powerful political force so quickly? It is plainly not enough to appeal to the universal experience of human beings who belong to groups recognizing one another as members of collectivities or communities, and therefore recognizing others as strangers.”
(Hobsbawm, E. J. 1990 p. 46)

Many countries have a strong nationalistic sense that makes them feel unique and very different from other countries. Being afraid of changes to this strong national identity because of external factors, such as immigration bringing foreigners into the country, is then a common reaction that these types of nations can have. In fact, it is often the case that prejudices and distorted perceptions against migration is what shapes a country’s policies against the challenges that the migration phenomenon poses, instead of being shaped by development-focused and evidence-based approaches. (“Asia-Pacific Migration Report” 2015 p. 7) We have seen cases of prejudices in chapter two, with the example taken from Japan, where
there have been debates in the past, by Japanese politicians, scholars, and a considerable portion of public opinion, over the “foreign worker problem” that demonstrated concerns about the possible negative impact of allowing foreign workers to enter and work in Japan. Such concerns being for instance the dilution of “cultural integrity” that would accompany their admission. (Brody, Betsy 2002 p. 37) This fear that cultural integrity and the distinct identity of the nation would be damaged by external factors, and the feeling of intolerance towards these external factors, as we will see in this chapter, is a characteristic that is still present in the societies of China, South Korea, and Japan. The Republic of Korea and Japan have a long history of cultural and ethnic homogeneity that is only gradually changing. China, on its part, has historically been infused with notions of centrality and superiority. In this section of the chapter we will analyze the development of the distinct national identities that these three countries possess.

4.2.1 China
The Chinese characters that stand for China literally mean “central nation” (中国); in fact, centrality and superiority are concepts that have always been present in Chinese history, texts, and ideology. (McCormick, Andrew 2018) For thousands of years the Chinese cultural and national identity has been based on the conviction that the country was superior to other nations, and the beginning of Chinese history actually saw a China being predominant over all the countries surrounding it. (Meissner, Werner 2006 p. 3-4) At the end of the 20th century Chinese culture saw a revival of the philosophy of Confucianism under the Chinese Communist Party71, which promoted a traditionalist ideology associated with devotion to the nation, social harmony, and protection of family, and it gave Chinese people an identity that was actively opposed to the Western ideologies.72 In fact, when the country opened up after the isolationism of Mao Zedong, Chinese academics began translating books and other works on Western ideology, with the intent of

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71 One of the national role models that China started to revaluate was Zeng Guofan, former Chinese statesman and military general who was regarded as a national hero associated with nation building, as well as someone who helped protect the Chinese “race”.

72 Ibid p. 9-10
analyzing the differences between that and Chinese thought, and then contrasting the two by highlighting Chinese cultural views.

China hosts many different ethnicities in its territory, and it is in fact home to 56 different ethnic groups and many of them, especially the smaller ones, have historically faced pressures to adopt the Han ethnicity, which constitutes the majority of the Chinese population and which has controlled the nation’s culture as well as its politics for a long time. (McCormick, Andrew 2018) To this day, there still are a few different groups like the Tibetan groups, and the Uighurs in the province of Xinjiang, that experience pressures and restricting treatment by security forces of the government, which tries to keep them under control. When it comes to control and supervision, China is no stranger to the topic. For example, the country is notorious for the Internet censorship that has been established to both block content that criticizes the nation and the government, and to not have foreign influences and information, such as Western content representing Western ideals, "undermining national unity or infringing upon national honor and interests." (Bristow, Michael 2010) For example, in recent years, the State Administration of Press, Publication, Radio, Film and Television communicated that all news platforms were prohibited from showing news and entertainment content that promotes Western lifestyles, and that all content should comply with the Chinese Communist Party's ideology. (Zhen, Liu 2016) Big foreign companies the likes of Facebook and Google have in fact been asked on several occasions by the Chinese government to remove certain content from their platforms. For instance, in the first half of 2017 Beijing asked Google to remove content from 2,290 sources, more than three times the number that it asked to be deleted in the second half of the previous year. (Mozur, Paul 2018)

As we have previously mentioned, for many years China has tried to spread its culture and values, especially by opposing it to the Western one. The desire to

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73 The Han ethnicity in China makes up almost 92% of the entire Chinese population, that is, 1.2 billion people. ("Han Chinese")

74 Some members of this ethnic group turned out to be a violent separatist movement that the government has tried to combat, and now the whole province of Xinjiang has become a highly surveilled place that makes residents live with fears of repercussions by the government simply because of their ethnic status. (Chin, Josh, and Bürge, Clément 2017)
spread and let the world know about its traditional, unique and harmonious culture and identity has been a goal that the Chinese government is still pursuing. Former Chinese President Hu Jintao, during the Seventeenth National Congress of the Communist Party of China in 2007, referring to China's intention to make the country an attractive model for the world, reported: “The great rejuvenation of the Chinese nation will definitely be accompanied by the thriving of the Chinese culture.” He then went on saying that China would “create cultural works in the great practice of socialism with Chinese characteristics, so that the people will share in the benefits of cultural development.” (CHINA.ORG.CN) His successor, current Chinese President Xi Jinping, also reiterated the message in several occasions by using expressions like “Chinese Dream” and “China Model”. (Albert, Eleanor 2018) China has in fact been trying to become an attractive model as a country by actually spending billions of dollars a year for this “state-sponsored image-building”. (The Economist 2017) A big part of this has been done by promoting its language and culture around the world through non-profit public educational organizations known as Confucius Institutes, which provide language courses, classes on the Chinese arts, as well as Chinese holidays celebrations. (Albert, Eleanor 2018) The promotion of its language is seen by China as a way to spread knowledge about the culture, the history, and the country in general; however, strategies like the aforementioned Confucius Institutes have been greatly criticized by many governments and by the public opinion in general after concerns of restrictions on academic freedom, and for fears that they may be utilized to gain influence and to expand Chinese propaganda (Gil, Jeffrey 2017)

Concerns about factors that are external to Chinese society and that represent a different reality, and that might have a negative impact for the nation as a whole, are not only represented by government’s actions like the implementation of the notorious Internet censoring system that we have mentioned, but it is also expressed by Chinese public officials and by citizens in general. We have seen for example in chapter two the case of a Chinese political representative who said that the African communities that are present in China need to be controlled because they bring security risks and they disturb law and order in the society. After the politician’s comments, the Internet community
showed considerable support by opposing what they referred to as “black invasion”, while others expressed concerns that they did not want to see “thousands of years of Chinese blood become polluted.” (Chiu, Joanna 2017)

4.2.2 South Korea

When it comes to language, culture, and ethnicity, Korea is one of the most homogeneous countries: for centuries, it has kept a firm political community, fixed territorial borders, and a reasonably homogeneous ethnic nation. (Gi-Wook, Shin 2006, p.18) Absolute monarchies ruled the country for a thousand years, and the last kingdom in particular ruled the peninsula through a Confucian ideology for around 500 years until the Japanese colonial era started. (Kim, Seokho and Yang, Jonghoe 2013, p. 187) Then, since the Japanese colonized the country, Korea has been eager to regain its sovereignty and to claim the distinct and pure nature of the Korean nation. In fact, the Japanese assimilative nature of its colonial ruling asserted that Japanese and Koreans had common origins, but then Koreans were always held in a position of subordination. Besides, the assimilative strategies of the Japanese colonizers included a transformation of Korean habits and practices: the colonized had to use Japanese names, a school structure shaped after the Japanese system, the language spoken had to be Japanese, and religious worshipping was also shaped after Japanese practice. (Gi-wook, Shin 2010)

Following the US Military colonial rule after World War II, the authoritarian regimes that dominated South Korea from the 1950s erected nationalism as one of the main ideologies, so as to turn Koreans into what was called kungmin, or state’s people. (Moon, Seungsok 2013 p. 22) As a matter of fact, the State boosted the ideology of nationalism to encourage Koreans to be good representatives of the Korean nation. The authoritarian era created norms and institutions that were aimed at instilling notions of national unity and of a well-defined Korean identity; for instance, Charters were written to emphasize the country’s historical mission of resurrection of the nation and Nationality Acts were formulated to outline
conceptions of Korean nationality and citizenship. (Lee, Yoonkyung 2009 p. 367)75 Later on, when South Korea transitioned into a democratic nation in 1988, organizations demanding political and civil rights started to emerge and to promote ideas such as simin (citizens) being chuin, or masters, of the nation.76 In the case of Korea, then, historical events like the period of colonization that the country experienced77, and the perception of external threats, have been some of the main reasons for the creation of an ethnic and harmonious concept of nation emphasizing collectivism and internal unity. (Gi-Wook, Shin 2006, p.8)

Nowadays, despite the increasing multicultural environment of South Korean society, Korean family culture still shows a sense of intolerance and/or hostility toward different cultures, being centered on blood relations. (Cho, Sung-Nam 2013 p. 107) In fact, a survey conducted by the Ministry of Gender Equality and Family in 2012 showed that 86.5% of South Koreans consider ethnic descent to be important, and only 36% said they are in favor of cultural coexistence in the country. (Uhyun, Jung 2012) Also, the state-funded Overseas Koreans Foundation conducted a survey in 2017 revealing that the majority of South Koreans who were interviewed did not consider foreign workers to be real members of Korean society. (Si-soo, Park 2018) Because of the population-aging trend and the consequent increase in numbers of older Koreans holding conservative beliefs that show a preference towards the more traditional concepts of Korean identity, such as bloodline and ethnic descent, acceptance and equal treatment of foreigners might be difficult to find in South Korean society. (Moon, Katharine H.S. 2015, p. 10) The concept of a strong Korean national identity has been built and strengthened in people’s minds also because of the South Korean education system, which used to teach the concept of the Korean nation as being a single-blooded one, definition also known as danil minjok in Korean. (Koo, Se-Woong 2018) It has often been thought that real Koreans should originate ethnically,

75 The 1948 Korean Nationality Act, for example, stated that only children with fathers who were ethnically Korean could earn Korean nationality.
76 Ibid p. 23
77 In fact, when the modern Korean nation was being created, Korea looked at the Japanese model as an example to follow, given the success of Japan’s nationalism during its ascent as an East Asian power. (Gi-Wook, Shin 2006, p. 9)
culturally, and genetically from two Korean parents, and those who were not have often been discriminated against for not being “pure-blooded”.\(^{78}\) (Chang, Young Mi 2015 p. 18) It was not until 2007 that schools’ curriculums changed and removed the definition from textbooks, after a UN-affiliated organization, the International Convention on the Elimination of All Forms of Racial Discrimination, advised the South Korean government to stop promoting the notion of ethnic homogeneity of Korea. (Ji-sook, Bae 2007) A study conducted in 2015 showed that because of the only recent change in school curriculums, most teachers received that kind of education and learned to respect the concept of cultural homogeneity of the nation, and in fact the majority of the teachers that participated in the 2015 study considered Korean identity to be an important aspect of education. (Chang, Young Mi 2015) Another aspect that really reflects this need for conformity is the fact that harmonious conformity itself is in fact extremely important for succeeding in South Korean society. So much so that a person’s social worth is based on socially desirable characteristics such as attending the right university, having a wealthy family, as well as having ideal physical qualities, which all together make a big difference between having success or failing in Korean society. (Tai, Crystal 2018)

Still to this day, the strong sense of homogeneity, national harmony, and internal unity can be seen being expressed. We have seen that there have been protests after hundreds of Yemenis refugees arrived on the island of Jeju at the beginning of 2018. More than half a million South Koreans protested in the city of Seoul, worried about the problems that immigrants would cause to society, and signed petitions to ask the government to “put Koreans before refugees”\(^{79}\), while other protesters in the island of Jeju similarly expressed their opposition to the refugees with banners reading “Our own people first!”\(^{80}\)

\(^{78}\)We have mentioned in chapter two that there have been episode of discrimination in public places, such as when a Korean-American film director was yelled at in the subway in Seoul for speaking in English and “not being Korean enough.” (Sang-Hun, Choe 2009)

\(^{79}\) (Tobin, Olivia 2018)

\(^{80}\)(Sang-Hun, Choe 2018)
4.2.3 Japan

The idea of Japanese homogeneity and uniqueness has been cultivated for hundreds of years, fomented by and contributing to the country's isolation that lasted two hundred years beginning in the 1600s, which led to the emergence of a strong cultural nationalism, and of the belief of “one language, one race” that constructed the definition of national identity. (Brody, Betsy 2002 p. 1) The notion then developed over time and acquired other elements. Although it has been questioned over recent years, a key concept in Japan’s identity discourse has been what is called “Nihonjinron” (日本人論), that is, the idea that Japan is a racially unified nation, made up of homogeneous people with a unique culture, society and language. (Liddicoat, Anthony J. 2007)

The development of the concept of the Japanese race/people known as “minzoku” (民族) started in the nineteenth century when Japan was considered a “family state” united by the emperor, by their “kin” and by religion, making it a harmonious collectivity. (“Minzoku”) This ideology changed with the country's defeat in the Second World War. However, racially biased national discourses could still be found in Japan after its surrender to the Allied Powers in 1945, when, despite changing from an authoritarian imperial state to a developing democracy, the country wanted to maintain the idea of a unified nation. The postwar Japanese state asserted that Japanese nationals were united by blood, and citizenship status became the main point differentiating former colonial subjects from Japan's population. (Chung, E. A. 2010 p. 70-71)

Later on, the notion of Japan being a distinctive nation resurfaced in the 1970s and 1980s with prominent discourses related to the concept of “Nihonjinron”, which stressed the uniqueness of the country's culture, and the homogeneous nature of Japanese society. (“Nihonjinron”) A widespread belief surrounding this notion was that unless someone was actually born Japanese, the culture's behaviors and thoughts were so distinctive that one could not understand them fully. However, studies that critiqued the notion and the changes that occurred over time in the

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81 In 1633, Japan's shogun prohibited the population from travelling abroad, and later on isolated the country even further by limiting trade relations with only a few countries and also by banning foreign books. (Edo Period (1603 – 1867))
country, namely, growing inflows of migrants from developing regions in the 1980s and 1990s, pushed Japan’s society to question the idea of the homogeneous people. ("Minzoku") Among the main elements that led to Japanese society questioning that notion was the fact that migrant workers kept being displayed on TV programs, newspapers, as well as books, having relationships with the local community and working alongside Japanese people. By the same token, the growing presence of migrants made locals notice that Japanese society was also composed of foreigners who could sometimes speak their language just as well as they could, and at the same time, there were Japanese people who returned from abroad with a foreign-like behavior.\footnote{Ibid} In the 1990s, as Japan was experiencing these large inflows of foreign migrants arriving into the country, the government developed what is called “tabunka kyousei” with the aim of providing settlement support to the migrants; however, the process was supposed to incorporate only those elements that involve no social transformations for the country. (Sayoko, Iisaza 2015) As a matter of fact, as the research done by the Kwansei Gakuin University in Japan and the University of Melbourne shows, “tabunka kyousei” 教育共生 – which is referred to as “multiculturalism”, but which actually translates into “coexistence of several cultures” (Table 11) – has actually been the subject of critics from Japanese scholars, because of the fact that it does not necessarily entail reciprocal respect or the protection of cultural identity of minor groups. For this reason, the concept is considered to entail assimilation rather than integration. (Lee, Eun Ja and OLSN, Jesse E. 2015 p. 12-13)
An aspect of Japan that is also telling of this idea is what Anthony J. Liddicoat argues in an article published in the Journal of Multicultural Discourse concerning an underlying reality in the acquisition of the English language in Japan: it is not done to promote an understanding of intercultural realities and to negotiate with other perspectives, but it is done more to express Japanese perspectives, ideas, and opinions to others, when Japanese cannot be used as the language of communication. (Liddicoat, Anthony J. 2007 pp. 17-18) At the same time, Liddicoat argues that the teaching of the Japanese language is focused on properly representing Japanese culture, ideas, and values.

Even though these conceptions of homogeneity and cultural unity developed a long time ago, the idea that Japan is unique and might be negatively impacted by external foreign factors is something that still comes up in modern Japanese society. We have mentioned the case of Japan where politicians and public opinion expressed concerns about the possible negative impact of allowing foreign workers to enter and work in Japan, worried that it might lead to the diminishment of the Japanese cultural unity. (Brody, Betsy 2002 p. 37) Even though public perceptions are slowly changing, there is still widespread concern that an influx of foreigners will upset the social order, increase job competition and weaken Japanese traditions. (Foster, Malcolm and Takenaka, Kiyoshi 2018) In fact,
the idea that foreigners might become permanent residents of Japan is not so welcoming for the government. Recently, Prime Minister Shinzo Abe, during a Diet session, referring to migrant workers said: “They are invited to work on a temporary basis in Japan to alleviate the pressure arising from acute labor shortages.” And during recent discussions about new policies regarding work visas for foreigners, politicians have strongly opposed the idea that foreign workers could become long-term residents. (Murakami, Yumiko 2018)

This chapter analyzed what benefits immigration can have for the hosting countries’ economy and for countries that are affected by negative demographic trends such as aging of the population and declining fertility rates. Trends that can in turn lead to more expenses for the country, having to invest in healthcare for the older population, and to a decrease of the labor force, which can have negative consequences for the economy. In the case of countries with a demographic issue, flows of migrants can actually make important contributions and have a positive impact, as these flows can mitigate aging population tendencies, as well as slow down the trend of population decline. We have mentioned that according to estimates made in a United Nations Report, without migration flows the median age of the population in developed regions in 2050 would be 1.7 years higher. By the same token, the ratio of older people within the working age population would diminish thanks to migration, which also means that migrants would make up for the labor shortages that are affecting countries like Japan, in sectors of the economy where the median age of the workforce is too high and cannot fill labor demands without external help. At the same time, the economic contribution that migrants can make here, as we have seen, is that they oftentimes fill labor shortages in sectors involving jobs that the local population is not willing or able to perform, be it low-skilled or high-skilled. When it comes to economic benefits brought by immigration, we saw that the process is actually twofold: on the one hand, migrants can send remittances at home and help reduce poverty and improve the economy of their own country, while on the other hand, they also contribute to the economy of the hosting country when they participate in it, granted that the policies of the country of destination allow such a process to happen. As for the latter case, contrarily to common assumptions on migrants
being a burden on the economy, the studies done in the United States demonstrated that, over time, migrants will bring more benefits in the form of the taxes they pay, which will outweigh what they receive through the assistance they are initially provided. Other important positive impacts they can have are the increase of the hosting country’s GDP, increase in innovation, and productivity growth. We analyzed some case studies of countries in the Asia-Pacific region that had successful results thanks to immigration. In Malaysia, foreign migrant workers filled labor demands in low-skilled sectors of the economy that could not be filled by the local workforce, and their contribution led to a huge increase of the national GDP. Similarly, immigration in Thailand had the benefit of filling labor shortages that were caused by the population-aging trend occurring in the Thai workforce, which also helped increase the national GDP. Finally we analyzed Australia, where immigration brought multiple benefits by contributing to the national economy, since it expanded internal consumptions, raised national GDP, and filled labor shortages in businesses with capacity limitations, thanks to the arrival of skilled migrant workers.

The second part of the chapter examined the very distinct identity that China, South Korea, and Japan present. We have seen that all these countries have developed their strong nationalistic identity over the years. In fact, long years of isolationism and in certain cases followed by colonial rule, fomented and reinforced the feeling of being an ethnic homogeneous community that is very unique compared to others, and that might be negatively impacted by external foreign factors. We saw that these ideas are still present in modern society in these countries, and we have mentioned cases showing public officials as well as public opinion actually expressing concerns over the effects that the arrival of foreign migrants would have on the nation.
Conclusion

This paper has tried to examine the contradiction that there is between the types of policies that China, South Korea, and Japan have put in place to attract migrants in order to solve the demographic issues that they are experiencing, and analyze the actual effects that those policies have on obtaining successful result for foreign migrants.

We started this paper by giving some context of the environment that China, South Korea, and Japan are involved in. We saw that the Asia-Pacific region is greatly affected by migration flows and that China, South Korea, and Japan are countries where a lot of migrants head to, either because they are attracted by better economic opportunities, or to escape dangerous situations at home. Migration policies implemented by hosting countries can present a big incentive for migrants to move there. Specifically we saw that China, South Korea, and Japan have actually tried to attract migrants by adopting different immigration policies, so as to tackle the internal demographic issues that these countries, which are similar to each other in this regards, are experiencing: an aging population trend that is creating labor shortages that are in turn affecting the economy. These countries have been chosen as subject of analysis because of the similarities they have with each other. Compared to China, Japan and South Korea have mainly shown the need to attract low-skilled migrants in order to fill labor shortages in the so-called 3D industries, which the local workforce is no longer willing or able to fill. China, on its part, is lacking talent that can fill labor demands in the modern high skills-based service industries. For these reasons, they have adopted policies to augment the range of foreigners that can apply and be eligible for certain working visas, policies that relaxed the rules granting eligibility for permanent residency, and regulations to facilitate the employment of foreign workers and migration flows in general.
Despite the efforts these countries have made to tackle their domestic issues, this paper argues that there seems to be a reluctance on the part of China, Japan and South Korea to adopt the immigration solution, given all the limitations that their immigration policies have, which ultimately present obstacles for immigration. Through the analysis given in this paper, we have seen that the very same policies that have been implemented to attract foreign migrants actually have the opposite result, making these countries unattractive destinations. In the case of China, the administrative procedures that are involved in getting new Visas are lengthy and actually have strict requirements that oftentimes prevent migrants from concluding those procedures. Benefits that the government also gives to migrants living in China, such as the new Green Card system, fail to succeed because of a lack of coordination between municipalities. South Korea, on its part, just like the case of China, implemented policies whose bureaucratic procedures are lengthy and time-consuming. Also, the systems the government established to attract foreigners have been the subject of critics after cases of violations of labor standards and of abuses that occurred at the working place. Similarly, the government of Japan, along with its bad record of accepting asylum seekers recently remarked by the United Nations, it carried out policies that involve time limitations and other restrictions, which shows the country’s “continued reluctance to commit to a clear road map for the future.” (Tian, Yunchen and Chung, Erin Aeran 2018) Japanese Prime Minister Shinzo Abe’s ‘Japan First’ immigration policy and his recent statements that the administration does not intend to relax the existing immigration policies are also a clear example of this reluctance. (Batchelor, Tom 2017)

In order to give an explanation as to why China, South Korea, and Japan, despite needing immigration to solve their demographic issues and despite acting on it, present policies that prevent those benefits from taking place, we have examined the nationalistic identity of these countries. This analysis showed that these countries are characterized by a strong feeling of being a peculiar community that is very unique compared to others, and that might be negatively impacted by external foreign factors. This latter characteristic of fearing outside factors has actually been shown in chapter two, by giving examples of cases where
migrants have been excluded from certain public establishments on account of their foreigner status, and cases where public officials expressed concerns over the negative impacts that migrants can have on the local society. We mentioned cases where debates by Japanese politicians and scholars revealed concerns about the negative impacts that the admission of foreign workers would entail for the national culture. We have also seen it in the case of South Korea, where protests against asylum seekers involved signs reading “Put Koreans before refugees”. Similarly, in China, we have talked about the comments made by Chinese officials saying that the black communities in the country bring security risks, comments that have later been supported by online communities being afraid that “thousands of years of Chinese blood become polluted.” While there are limitations as far as the amount of cases and events analyzed, which might not give a complete picture and a totally accurate account of what 100% of the population thinks about it, the cases analyzed reinforced the argument that the nationalistic identity of China, South Korea, and Japan is, in fact, also characterized by concerns about the negative impact that foreign migrants can have on the local society. And as this paper argues, this has a negative impact on the immigration policies that these countries have implemented.

This paper has tried to shed light on the contradiction that there is between the policies that China, South Korea, and Japan have put in place to attract migrants in order to solve the demographic issues that they are experiencing, and the actual effects that those policies have on attracting the immigration that they need. Those policies, as this paper’s main argument maintains, seem to be guided by a strong nation-state and influenced by public perceptions about foreigners and by a deep-rooted national identity, thus leading these countries to actually want to keep a certain distance from immigration. In fact, international migration reports by the United Nations actually show that among the countries that are hosting big numbers of international migrants, Japan, South Korea, and China are not even in the picture. (Table 12)
Table 12

<table>
<thead>
<tr>
<th>Country</th>
<th>2000</th>
<th>2017</th>
</tr>
</thead>
<tbody>
<tr>
<td>United States of America</td>
<td>34.8</td>
<td>49.8</td>
</tr>
<tr>
<td>Russian Federation</td>
<td>11.9</td>
<td>12.2</td>
</tr>
<tr>
<td>Germany</td>
<td>9.0</td>
<td>12.2</td>
</tr>
<tr>
<td>India</td>
<td>6.4</td>
<td>11.7</td>
</tr>
<tr>
<td>France</td>
<td>6.3</td>
<td>8.8</td>
</tr>
<tr>
<td>Ukraine</td>
<td>5.5</td>
<td>8.3</td>
</tr>
<tr>
<td>Canada</td>
<td>5.5</td>
<td>7.9</td>
</tr>
<tr>
<td>Saudi Arabia</td>
<td>5.3</td>
<td>7.9</td>
</tr>
<tr>
<td>United Kingdom</td>
<td>4.7</td>
<td>7.0</td>
</tr>
<tr>
<td>Australia</td>
<td>4.4</td>
<td>5.9</td>
</tr>
<tr>
<td>Pakistan</td>
<td>4.2</td>
<td>5.9</td>
</tr>
<tr>
<td>Kazakhstan</td>
<td>2.9</td>
<td>5.2</td>
</tr>
<tr>
<td>Iran (Islamic Republic of)</td>
<td>2.8</td>
<td>5.0</td>
</tr>
<tr>
<td>China, Hong Kong SAR</td>
<td>2.7</td>
<td>4.9</td>
</tr>
<tr>
<td>United Arab Emirates</td>
<td>2.4</td>
<td>4.0</td>
</tr>
<tr>
<td>Italy</td>
<td>2.1</td>
<td>3.6</td>
</tr>
<tr>
<td>Côte d’Ivoire</td>
<td>2.0</td>
<td>3.6</td>
</tr>
<tr>
<td>Jordan</td>
<td>1.9</td>
<td>3.4</td>
</tr>
<tr>
<td>Israel</td>
<td>1.9</td>
<td>3.2</td>
</tr>
<tr>
<td>Japan</td>
<td>1.7</td>
<td>3.1</td>
</tr>
</tbody>
</table>


The examination of the strong nationalistic identity of these countries that this paper have done, has been carried out by analyzing surveys, events, and viewpoints of the public opinion, without necessarily taking into consideration the age of those who expressed negative opinions towards immigration and the effects it can have on the cultural identity of the country. In fact, as we have seen at the end of chapter two when analyzing public perceptions of migrants in the case of South Korea, we mentioned that the young part of society seem to be the portion of the population who is actually comfortable with the idea of living around foreigners. And that the opposite sentiment comes from the older part of the population, which opposes immigration and thinks that migrants could never become real South Koreans. This has not been found to be the case for every country that this paper has focused on, nor have been analyzed thoroughly enough. For this reason, an interesting subject of research that would add to the main argument of this paper and maybe change its direction, would be to analyze if the younger part of the population of these countries, giving the growing trend of
globalization and the increasing presence of foreigners in virtually every country, is actually changing the overall perception towards immigration; and, if this is the case, examining the extent to which the younger part of the population is actually influencing public perceptions on immigration and the effects it can have on the local society.
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