

Migration and the Potential for International Cooperation in East Asia: A Comparative Examination of State Integration Policies in Japan and Korea¹

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Abstract

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

1. Introduction

The functionalist approach to international integration stresses economic enmeshment as its foundational component.² Initial institutional cooperation in the sphere of economics is expected to create a platform for further cooperation and eventually broader institutional cooperation in the spheres of economics, politics, society, and security. In contrast, the neo-functionalist approach to integration focuses, among other things, on the role of pressure groups in democracies and their ability to influence the direction of policy.³ Specifically, it is argued that democratic governments provide political space for pressure groups to influence the direction of policy and subsequently these pressure groups become the primary instigators of cross-border economic liaisons in order to realize the comparative advantages that exist between one or more countries. Initial cooperation then leads to broader based cooperation and integration through economic complementarities. In both cases, economic cooperation through institutional cooperation is considered to be a precursor to narrowly defined integration in the economic sense, and broader integration that encompasses integration in political, social, cultural and security spheres.

An interesting theoretical and empirical question is whether, en route to broader integration in the Asian region, the economic dimension of integration can be circumnavigated by cooperation in other spheres and be used as a springboard for different kinds of institutional cooperation leading to broader integration. International migration may be fertile ground to address this question since much of the migration that takes place occurs at a regional level,⁴ as it is the case in Asia. Regional organizations and forums such as NAFTA, MERCOSUR and APEC have engaged in discussions on cooperation in the area of migration; but to date only the European Union has adopted comprehensive common policies,⁵ and Asia lags far behind.

Conspicuously absent from regional organizations with some interest in international migration are cooperative linkages among groups or organizations centered in Northeast Asia despite the fact that this part of Asia is home to a large and growing number of international migrations, 18,576,777 of them in 2005, for example.⁶ In fact, rather than being known for cooperative ini-

tatives to mitigate pressures and abuses stemming from international migration, Northeast Asian countries have been characterized as engaging in “benign neglect” with respect to migration.⁷ Stephen Castles attributes this ambivalence to several factors, including interest conflicts in immigration countries, interest conflicts and hidden agenda in migration policies, the structural dependence on emigration, and structural dependence on immigrant labor.⁸

Notwithstanding this “benign neglect,” in his 2004 article on cross-border migration, Akaha argues that increased flows of cross-border migrants have given rise to human security issues such as the rights of foreign laborers/foreign workers, human rights protection, and human trafficking. He adds, however, that these issues have yet to threaten national security interests and that we have yet to see cooperation between the major recipients of cross-border migration.⁹ Similarly, Lee, Oishi, and Douglass and Roberts speak not only of the feminization of migration but also that countries in Northeast Asia are a source, transit, and destination for the trafficking of women for sexual exploitation, and nexuses where foreign migrants are exploited in trainee systems which do not meet national labor standards.¹⁰

I argue that recent developments in Japan and Korea in the area of social integration policies and multiculturalism are congruent with broader integration in the region based on potential institutional cooperation in the sphere of human security. Specifically, in this paper I examine the social integration practices of Japan and Korea at the state level to help understand the measures being taken to mitigate some of the migratory pressures resulting from deepening Asian regional integration at the economic level, to enhance human security in the region and perhaps act as a platform for further integration based on cooperation in the area of human security. By examining the state-led initiatives vis-à-vis Japan and Korea’s burgeoning multicultural societies, we can glean an understanding of their approaches to securing the human rights and security of their growing migrant populations. Through identifying parallels and differences in the approaches of the Japanese and Korean governments we can delineate potential areas of cooperation in dealing with growing trans-border migration between these two countries and in Asia in general, which may act as a platform for further integration at a broader level, overcoming the challenges to integration identified by Frost.¹¹

This paper is divided into three sections. The first section will limit the parameters of this paper by defining the terms migrant, human security, human rights, and social integration. In the second section, I will examine demographic data and the current data on the number of foreign residents in Japan and Korea in a comparative manner to demonstrate parallels and dissimilarities in terms of the two countries’ demographic challenges. As part of this second section, I will also describe the integration practices of Japan and Korea, highlighting important turning points, policy emphasis, and specific measures which are being put into place to help meet the coming demographic conundrum. The third and final section will identify areas of potential cooperation that will help Japan and Korea better deal with the integration of foreign residents to manage their demographic plight.

2. Migrants, Human Security, Human Rights, and Social Integration

Before embarking on the main argument of this paper I should clarify several terms, beginning with the term “migrant”. Migrant or someone who is considered a migrant is defined as a person who has lived outside his/her country of birth for at least 12 months.¹² More specifically, according to the UN Convention on the Rights of Migrants, a migrant worker is defined as a “person who is to be engaged, is engaged or has been engaged in a remunerated activity in a State of which he or she is not a national.”¹³ Separation from one’s country of birth can also include for reasons such as marriage or education but does not include a result of human traffick-

ing or for the purpose of exploitation nor does it include refugees. Moreover, it should be noted that in some countries, such as Korea and Japan, the term “migrant” can include those foreign residents who are born within their borders, including Special Permanent Residents (*tokubetsu eijusha*) in Japan.

The second term to be defined is that of human security. Owing to the focus on Japan and Korea and in consideration of their high level of development, I would like to borrow and revise Lee Shin-wa’s concept of maximum human security, which she defines as the ability of an individual to achieve self-development through equal opportunity, social and political empowerment, and the establishment of a sustainable civil society.¹⁴ In this paper, with its focus on inter-regional immigration and the status of migrants in Korea and Japan, we must focus on Lee’s criteria of the ability of an individual to achieve self-development through equal opportunity and social empowerment rather than political empowerment and the sustainability of civil society. The rationale for not focusing on the latter two criteria is that political empowerment is constitutionally limited in both states for non-citizens.

Whereas human security focuses its limits on opportunity and social empowerment, human rights in the context of this paper echoes the Universal Declaration of Human Rights established in December 10, 1948. Although not universally agreed upon, this declaration can be used as a barometer when arguing potential areas of cooperation between Japan and Korea by stressing generally agreed upon notions of human rights including but not limited to the equality before the law, equal access to public services, the right to favorable conditions of work, and equal pay for equal work as laid out in the thirty articles of the Universal Declaration of Human Rights.¹⁵

Lastly, Wolfgang Bosswick and Friedrich Heckmann of the European Forum for Migration Studies (EFMS) at the University of Bamberg, Germany define social integration as “the inclusion and acceptance of immigrants into the core institutions, relationships, and positions of a host society,” and further state:

*Integration is an interactive process between immigrants and the host society. For immigrants, integration means the process of learning a new culture, acquiring rights and obligations, gaining access to positions and social status. For the host society, integration means opening up institutions and granting equal opportunities to immigrants.*¹⁶

In essence, this definition stresses the bidirectional process of adapting, acculturating, and opening institutions to newcomers such that through realizing their rights and obligations as new members of a society, they can prevent marginalization, while at the same time contributing to their new home if they choose to do so.

In this paper, the above definition of social integration needs to be expanded to include all categories of foreign residents, ranging from trainees and foreign workers, to long-term residents and permanent residents to Special Permanent Residents. The rationale for this inclusive definition is that neither Japan nor Korea has an official immigration policy; rather they admit foreigners into the labor force using various admission schemes. These schemes do not anticipate and, therefore, do not include a road map towards citizenship.

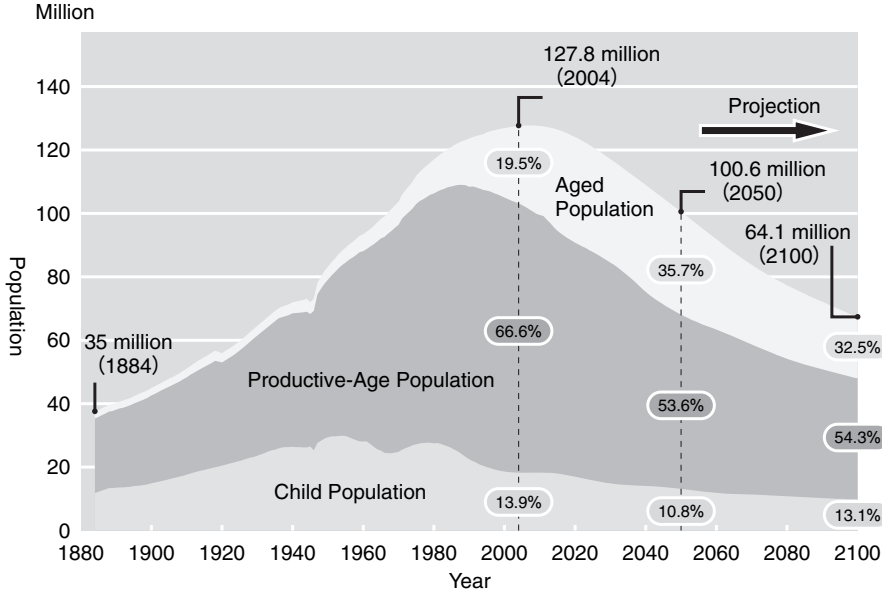
3. Demographic Conundrum: Twin Plagues of a Graying Population and Low Birth Rates

Japan

As of 2005, Japan’s population began to decline owing to low birth rates, a reality that will affect the country’s future economic vitality.¹⁷ In fact, Japan has entered a longstanding depopulation process. The population is expected to drop to 115 million by 2030 and approximately 90

million by 2055 (see Figure 1.0) and according to Goodman and Harper this drop will have three major impacts: (1) increase in public spending on pensions; (2) high dependency ratios between workers and nonworkers; and (3) slowdown in consumption.¹⁸ At minimum, the greater tax burden on a smaller number of tax payers will result in a larger share of national budget allocated to health care, social services, and pensions, decreased economic strength because of lower consumption rates, loss of position in international society (lack of resources, decreased innovativeness), and a hollowing out of countryside (potential loss of agricultural independence).

Figure 1. Actual and Projected Population of Japan, 1950-2050



Source: National Institute of Population and Social Security Research. Tokyo: National Institute of Population and Social Security Research, 2006, http://www.ipss.go.jp/pr-ad/e/ipss_english.pdf, p. 6. (Accessed January 3, 2009)

Like other nations, Japan is using foreign workers to compensate for this trend. Migrant workers find employment (legal and illegal) in Japan’s manufacturing industries and other forms of employment deemed dirty, dangerous, and difficult (3 D’s). Since 2003, we have seen a steady increase in the overall number of foreign residents in Japan (see Table 1).

In terms of the number of foreign nationals in Japan by status of employment, we have also seen a steady increase in the number of foreign workers since 2003 in all categories of visas excluding entertainment visas (see Figure 2). The drop in foreign workers with entertainment visa status was largely due to Japan’s efforts to reduce human trafficking into Japan after being placed on the United States State Department's Tier 2 Watch List for Trafficking in 2003.

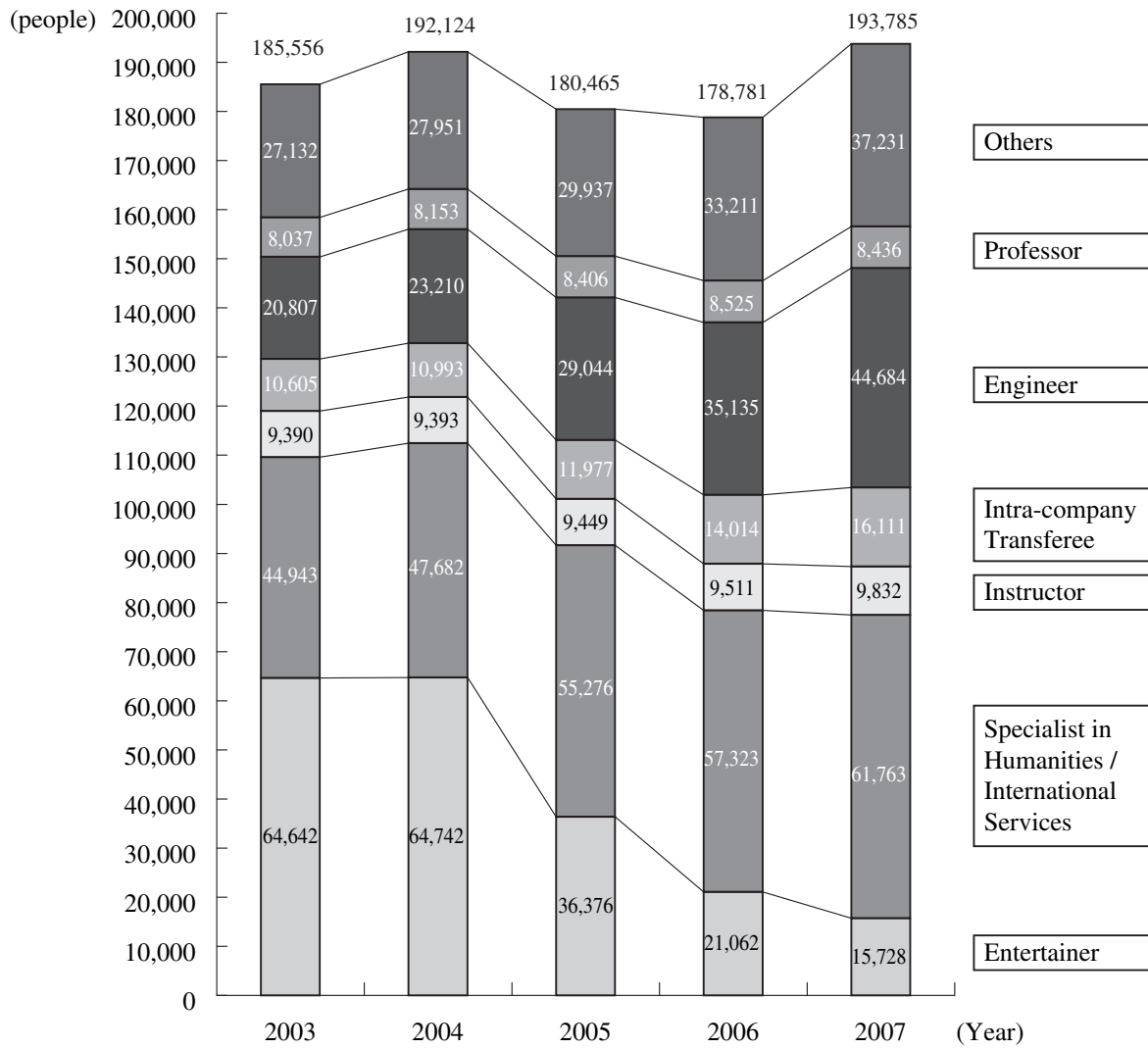
According to the Statistics Bureau of Japan, the number of foreigners living, working, and studying in Japan reached 2,084,919 in 2006, representing 1.63 percent of the total population (see Figure 3).¹⁹ This number represents a 46 percent increase in the number of registered foreigners compared with 1994. This figure does not include the number of known illegal foreign residents which, according to the Ministry of Justice, has climbed to 207,299 (see Figure 4).²⁰ Moreover, the number of foreign residents could be much higher if we considered those children that result from international marriages called “daburu” in Japan.²¹

Table 1. Changes in the Number of Registered Foreign Residents

Status of Residence \ Year	2003	2004	2005	2006	2007
Total	1,915,030	1,973,747	2,011,555	2,084,919	2,152,973
Professor	8,037	8,153	8,406	8,525	8,436
Artist	386	401	448	462	448
Religious Activities	4,732	4,699	4,588	4,654	4,732
Journalist	294	292	280	273	279
Investor/Business Manager	6,135	6,396	6,743	7,342	7,916
Legal/Account Services	122	125	126	141	145
Medical Services	110	117	146	138	174
Researcher	2,770	2,548	2,494	2,332	2,276
Instructor	9,390	9,393	9,449	9,511	9,832
Engineer	20,807	23,210	29,044	35,135	44,684
Specialist in Humanities/International Services	44,943	47,682	55,276	57,323	61,763
Intra-company Transferee	10,605	10,993	11,977	14,014	16,111
Entertainer	64,642	64,742	36,376	21,062	15,728
Skilled Labor	12,583	13,373	15,112	17,869	21,261
Cultural Activities	2,615	3,093	2,949	3,025	3,014
Temporary Visitor	74,301	72,446	68,747	56,449	49,787
College Student	125,597	129,873	129,568	131,789	132,460
Pre-college Student	50,473	43,208	28,147	36,721	38,130
Trainee	44,464	54,317	54,107	70,519	88,086
Dependent	81,535	81,919	86,055	91,344	98,167
Designated Activities	55,048	63,310	87,324	97,476	104,488
Permanent Resident	267,011	312,964	349,804	394,477	439,757
Spouse or Child of Japanese National	262,778	257,292	259,656	260,955	256,980
Spouse or Child of Permanent Resident	8,519	9,417	11,066	12,897	15,365
Long Term Resident	245,147	250,734	265,639	268,836	268,604
Special Permanent Resident	475,952	465,619	451,909	443,044	430,229
Without Acquiring Status of Residence	16,628	18,236	15,353	17,415	13,960
Temporary Refugee	30	31	30	30	30
Others	19,376	19,164	20,736	21,161	20,131

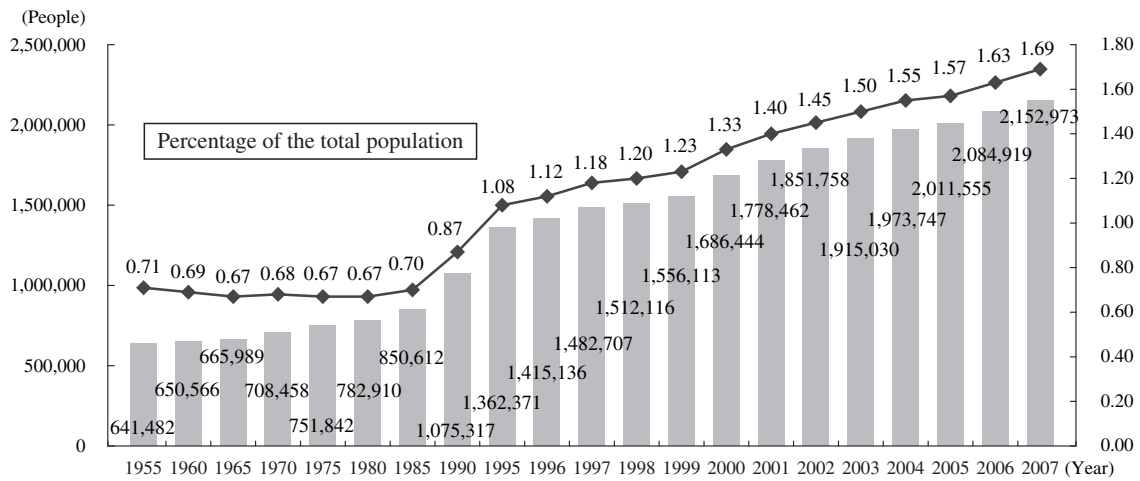
Source: The Ministry of Justice, "Immigration Control 2007," <http://www.moj.go.jp>, p. 20. (Accessed January 4, 2009)

Figure 2. Changes in the Number of Foreign Nationals by Status of Employment



Source: The Ministry of Justice, "Immigration Control 2008," [http:// www.moj.go.jp](http://www.moj.go.jp), p. 21. (Accessed January 4, 2009)

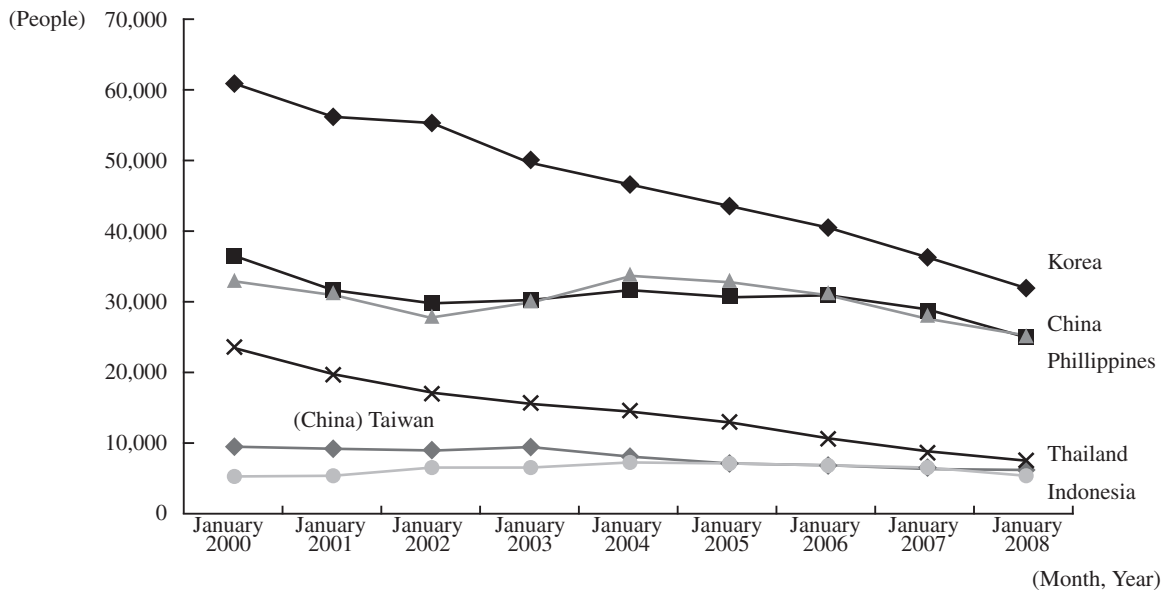
Figure 3. Changes in the Number of Registered Foreign Nationals and Its Percentage of the Total Population in Japan



(*1) "Number of registered foreign nationals" as of December 31 each year.
 (*2) The "Percentage of the total population in Japan" is calculated based on the population as of October 1 every year from "Current Population Estimates as of October 1, 2004" and "Summary Sheets in the Population Census" by the Statistics Bureau, Ministry of Internal Affairs and Communications.

Source: "2008 Immigration Control," Immigration Control Bureau, Japan, 2008, p. 18.

Figure 4. Estimated Number of Visa Overstayers by Major Nationality/Place of Origin



Source: "2008 Immigration Control," Immigration Control Bureau, Japan, 2008, p. 30.

What is driving the migration into Japan? The Ministry of Justice in its *Immigration Control 2007 Report* outlined six explanations for the increase: (1) availability of Trainee Programs; (2) special residency and opportunities for Nikkeijin²²; (3) abundant jobs for foreign students and entertainers; (4) job opportunities for undocumented workers; (5) family reunion opportunities for those who belong to an international marriage; and (6) the ease at which foreigners can enter Japan and overstay their visa.²³

It is clear from the above that Japan faces the challenge of untangling its own Gordian knot, namely, how to combat its declining population and, at the same time, how to successfully integrate the growing number of non-ethnic Japanese residents who are choosing to become perma-

ment residents in order that they can contribute to Japan economically, culturally, politically and socially.

An essential task in the integration of newcomers is the promulgation of substantive measures to prevent discrimination (racial or otherwise), exploitation, and marginalization: *videlicet*, wage differences for equal work, barring of entry or refusal of services based on nationality,²⁴ truncated access to public rights including but not limited to national health care, social welfare programs, exclusion from family registries based on nationality,²⁵ education gaps,²⁶ high truancy among foreign youths,²⁷ and legal protection.

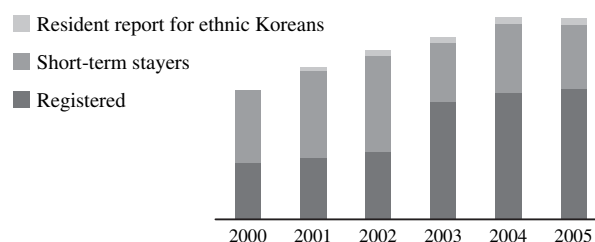
Korea

Korea is also experiencing a very rapidly graying population and a crisis-level low birth rate. As of 2007, Korean women were averaging just 1.26 children compared with Japanese women at 1.34.²⁸ This below replacement rate level compounds the current labor shortage as young Korean men and women tend to shun blue-collar employment opportunities for their white-collar counterparts.²⁹ Magnifying the problem associated with labor shortages and a declining tax pool, according to the Asian Demographic and Human Capital 2008 Data Sheet, Korea's aging population (those 65 years old and above) will represent 10 percent of the total population in 2007, 23 percent by 2030 and 32 percent by 2050.³⁰ More illustrative of coming crises is that in 2007 the aging population was supported by a tax base of 72 percent, but this is expected to drop to 65 percent in 2030, and then 57 percent in 2050. Echoing Goodman and Harper's analysis of the impact of Japan's population pyramid reversal, Korea will inevitably face similar economic and social hardships at a level even higher than Japan owing to a lower birthrate which will have the effect of having an even smaller tax base to contribute to existing social welfare programs and economic productivity.

Korea has also seen a large increase in the number of foreign residents working legally and illegally in country beginning in 1987.³¹ According to Kwon Ki sup, Director of Foreign Employment Division of the Ministry of Labor, there is "an embedded structural demand for foreign labor, which is being compounded by Korea's aging population."³² In 1987, Korea was home to approximately 6,409 migrant laborers, and the number soared to at least 640,000 in 2007 (see Table 2).³³

Table 2. Increase in Legal and Illegal Foreign Residents in Korea between 2000 and 2005

Foreign Residents	[Unit : a person]					
	2000	2001	2002	2003	2004	2005
Total	481,611	566,835	629,006	678,687	750,873	747,467
Registered	210,249	229,648	252,457	437,954	468,875	485,144
Short-term stayers	271,362	322,451	357,340	218,426	259,464	236,958
Resident report for ethnic Koreans		14,736	19,209	22,307	22,534	25,365



Source: "Immigration Bureau Publications," Immigration Bureau, Ministry of Justice, 2008.

Table 3. Demographic Data on Japan and Korea through to 2050

	Japan	Korea
Total population	127,000,000	48,846,823
Foreign resident population	2,152,973	1,066,273
Percentage of total population	1.69%	2.20%
Number of overstayers	149,785	180,000
Projected % of population		
2010	no data	2.80%
2020	no data	5.00%
2050	10.00%	9.20%
International marriage rate	6.60%	11%
Number of foreign children	No data	30727
Population growth rate	-0.14%	0.39%
Children per family	1.34 (2007)	1.26 (2007)
Life expectancy	female: 85.59 years male: 78.73 years	female: 80.93 years male: 73.81 years
Age structure		
0-14 years:	13.7% (male 8,926,439/female 8,460,629)	18.3% (male 4,714,103/female 4,262,873)
15-64 years:	64.7% (male 41,513,061/female 40,894,057)	72.1% (male 18,004,719/female 17,346,594)
65 years and over (2008 est.)	21.6% (male 11,643,845/female 15,850,388)	9.6% (male 1,921,803/female 2,794,698) (2007 est.)
Beginning of influx	Early 80s	Early 90s
Rationale	3Ds	3Ds

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

Above and beyond the influx of migrant laborers into Korea, brides hailing from Southeast Asia have also been major sources of the increase of non-Korean residents, resulting in a remarkable international marriage rate, 13.6 percent in 2006.³⁴

The continued influx of migrant workers into Korea can be attributed to several factors. First, as with many developed nations, there is a structural demand for migrant workers that in part contributes to national economic prosperity by being able to continue to manufacture goods at competitive prices using cheaper foreign labor. Second, trainee programs continue to persist, creating a window to enter into the Korean economy. Third, proactive post-graduation employment programs for international students who have graduated from Korean universities boost the number of foreigners staying in Korea for work purposes. Fourth, the continued economic gap between Korea and sending countries makes Korea an attractive destination for migrant workers. Fifth, the continued dearth in potential spouses in the Korean countryside has created a niche for marriage migration, infusing the Korean countryside with not only foreign brides but also skyrocketing numbers of children who belong to international families.³⁵

Japan and Korea share many similarities when we comparatively examine their demographic profiles and the numbers of foreigners continuing to settle in their borders (see Table 3). In particular, both countries will experience a reversal of their respective population pyramids which will affect their socio-economic vitality and international standing. Both countries are also seeing a large influx of foreigners who come to each respective country as a foreign worker

or spouse, for education, or for other purposes. Collectively they present a difficult challenge in terms of how best to integrate them, protect their labor rights and from exploitation, and assure that their basic human security needs are met. They also present a great opportunity for them to contribute to the long-term socio-economic prosperity of each respective country.

4. Social Integration and Migration Practices in Japan and Korea

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

Second, both bottom-up and top-down initiatives contributed to the creation and shaping of foreign resident policy. Bottom-up initiation was exemplified by Korean demands for equality and access to social welfare programs, whereas top-down initiatives were exemplified by the recommendations of the then Ministry of Home Affairs's so-called local internationalization and Governor Nagasu's expansion of the parameters of the people-to-people diplomacy declaration.³⁶ Nagasu believed that local governments and internationalization were inextricably linked with the national government not being able to provide for all the needs of its citizens. This included the basic needs of citizen security and welfare for all residents of Kanagawa, Japanese and non-Japanese alike.

In part owing to the local government-led and grass-roots activism, in March 2006 Japan's Ministry of Internal Affairs and Communications (MIAC) promulgated the Plan for the Promotion of Multicultural Coexistence. Its major pillars include: (1) communication assistance; (2) lifestyle assistance; (3) creation of multicultural coexistence; and (4) establishment of a system to promote multicultural coexistence.³⁷ The MIAC multicultural coexistence plan's recommended policies aim to overcome systemic, cultural, and language barriers in Japanese society. By overcoming these barriers, the MIAC plan is promoting more diverse social conditions which in turn can contribute to the development of a more pluralistic society. Policies espoused by the MIAC multicultural coexistence plan wed systemic, language, and cultural initiatives in an effort to open access to Japanese society and by consequence weave diversity into the fabric of society in the spheres of housing, education, and public services.

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

Japan's Ministry of Justice (MOJ) has also put forth several strategies to manage Japan's labor shortage, to maintain its *raison d'être* of protecting domestic security, and to realize Japan's international commitments to economic partnership agreements. Specifically, the Ministry is advocating the acceptance of foreign workers in professional areas, the acceptance of high skilled laborers, the acceptance of non-professional/technical acceptance, and demand-based acceptance in areas such as nursing-care.³⁸ The Ministry of Justice has remained reticent to the idea of more open policies towards migration, stressing instead "that Japan should not rely on foreign workers, especially not the unskilled."³⁹ In fact, the Ministry of Justice prefers to maintain the temporary nature of migrant laborers, which manifests itself as a three-year nonrenewable system,⁴⁰ while

boosting immigration procedures to decrease the number of foreigners who come to Japan for work without the appropriate visa qualification.⁴¹

The newest proposed immigration plan 2008, put forth in June 2008 by a group of conservative Liberal Democratic Party (LDP) lawmakers, is the latest attempt to maintain Japan's economic competitiveness and contribute to abating the problems associated with Japan's population decline. The immigration proposal includes five major tenets: (1) raise population of non-Japanese residents to 10 percent of total population by 2050; (2) increase number of asylum seekers accepted to 1,000; (3) increase foreign students to 1 million by 2025; (4) guarantee "better" human rights; and (5) emphasis on accepting immigrants and their families as new Japanese nationals.⁴² Collectively, the proposal aims to broaden the acceptance of individuals who can contribute to Japan socioeconomically and to those who have been educated and to some degree already assimilated into Japanese society.

The above three approaches to social integration and migration have different focuses. The MIAC initiative revolves around a strong focus on communication, lifestyle assistance, multicultural awareness, provision of services on par with Japanese, but offers no road to citizenship, nor a national action plan to promote integration at a significant level. The MOJ on the other hand conceptualizes policy related to migrant workers as temporary and thus sees no need for long-term investment in social integration programs. Lastly, the newly proposed immigration policy attempts to embrace the notion of immigration to combat Japan's declining population and labor shortage through a proposed system that prioritizes those immigrants who are already partially culturally assimilated through language or those who possess needed human capital to contribute to Japan's socio-economic prosperity.

To date, social integration and migration policies in Japan have been mostly initiated by local governments and grassroots organizations. Nonetheless, the LDP Immigration Plan and the Plan for the Promotion of Multicultural Coexistence by the MIAC mentioned above illustrate a shift towards top-down policy initiatives that aim to broach some of the challenges associated with migration and social integration in the country.

In contrast, Korea's social integration and migration policy development has been fuelled by three important factors: (1) sudden increase in international marriages; (2) the rapid rise in the number of foreign residents; and (3) government initiatives to protect the rights of migrant laborers (legal and illegal) in the early 1990s.⁴³

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

The rapid increase of foreign residents since the 1990s and the associated rampant abuses of foreign residents, ranging from lack of pay for industrial accidents to low wages and clear violations of the Labor Standard Act in Korea, also brought to light the societal discrimination faced by foreign residents in Korea. As a result, Korea's Ministry of Labor announced initiatives to protect the rights of migrant laborers (legal and illegal), including the enforcement of the Labor Standards Act on companies that hired illegal foreign workers.⁴⁴

The above three factors have been instrumental in Korea's about-face approach to multiculturalism, social integration policy, immigration policy, and anti-discrimination policy since 2004.

In 2004 the Ministry of Labor implemented the “Employment Permit System (EPS)” as a response to foreign migrant workers organizing unions to protect themselves from labor standards violations.⁴⁵ Protecting migrant workers from discriminatory wage treatment, the EPS regime ensures that migrant laborers do not settle in Korea by making the EPS a 3-year, non-renewable permit. The EPS was then followed by several initiatives directly related to the plight of spouses and children of international marriages, including the 2006 establishment of the “Council for the Protection of Human Rights & Interests of Foreign Nationals,” the “2006 Plan for Social Integration of Mixed Bloods and Migrants,” the 2006 “Plan for Social Integration of Marriage Migrants,” and the 2006 “Basic Act on the Treatment of Foreigners” (effective July 18, 2007).⁴⁶ According to Yoon In-Jin, the promulgation of these initiatives was in part a result of several factors, including the 2006 announcement by the Ministry of Government Affairs and Home Affairs that “South Korea is rapidly becoming a multiracial and multicultural society” and “the transformation of S. Korea into a multiracial and multicultural society cannot be stopped.”⁴⁷ Other scholars, such as Kim Hee Jung have a more sinister explanation for these policies, and assert that rather than targeting and protecting the human rights and treatment of all foreign residents, these policies in fact only target a very small number of foreign residents who belong to the Korean household through marriage.⁴⁸

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

5. Potential Areas of Cooperation

In arguing that it is in the interest of Japan and Korea to cooperate in the area of human security, I will borrow from Robert Scalapino who conceptualizes integration into three forces: (1) communalism; (2) nationalism; and (3) internationalism.⁴⁹ At the communalism level, Scalapino asserts that cooperation can be based on shared ethnicity, affiliation or regional identity.⁵⁰ In the case of Japan and Korea, local governments, grass-roots organizations, churches, and even unions have strong, established track records of cooperating transnationally, even at times at odds with respective national governments. Good examples include regional organizations such as the Northern Region Hokkaido Concept (hoppoken koso),⁵¹ economic exchange/networks, municipal diplomacy,⁵² and recently the joint workshop held by the ILO apropos internationalizing labor standards.⁵³

Cooperation in the sphere of human security which includes human and labor rights, between Korea and Japan can and should proceed first in the communitarian sense, to strengthen current social integration and migration polices, and approaches to labor and human rights as well as human security. The rationale for cooperation at this level is that it bypasses many of the challenges to integration outlined by Frost, such as border disputes, differences in historical interpretations, and a host of other obstacles to cooperation at high levels.⁵⁴

First, in the area of labor rights, the protection of all workers’ rights in both Japan and Korea is a useful example of potential communitarian-based cooperation between the two countries that

could be a basis for broader regional cooperation.⁵⁵ Both Rengo (Japanese Trade Union Confederation) and KOILAF (Korean International Labor Foundation) are strong proponents of labor rights protection for all workers, including foreign workers. To illustrate, Rengo's official stance vis-à-vis foreign workers is as follows:

*All individuals working in Japan should be subject to labor laws and regulations guaranteeing proper working conditions and occupational health and safety standards, and be protected by labor and social insurance schemes. Even if foreign workers are illegal, in violation of the Immigration Act, and are thus engaging in unauthorized work, their human rights should be observed equally with those of Japanese. Also, as a matter of course, they should be subject to Japanese labor laws and regulations and should be given protection under labor and social insurance schemes.*⁵⁶

This protective stance related to foreign workers in Japan resonates well with the enforcement of Korea's Labor Standards Act in 1997 for employers of foreign migrants but also with KOILAF's stance on foreign migrant workers, which states: "To protect the basic labor rights of foreign migrant workers, we provide labor relations education and grievance counseling to leaders of migrant worker communities and counselors of civil support organizations."⁵⁷

With congruent views on the labor rights of foreign workers within each country's respective borders and a shared affiliation with workers of all nationalities, there is a foundation for regional, or at least bilateral cooperation in the communitarian sense to lobby each respective government to more strongly advocate labor rights for migrant workers and to fortify their social integration programs so that foreign workers can be more productive, even if the length of their stay may be limited. Owing to the structural dependence on foreign labor in both countries, labor unions in Japan and Korea also can have a key role in ensuring a steady supply of reliable foreign labor for small and medium sized enterprises (SMEs) by creating attractive working environments which not only pay well compared to sending countries, but are also attractive because of their strong advocacy of labor rights, human rights, and human security issues.⁵⁸ In this light, stronger cooperation between unions in both countries can broaden and increase the quality of labor and human rights for migrant workers and decrease exploitation of migrant workers while contributing to maintaining the economic productivity of each country. I would add that strong advocacy at the transnational level not only protects the labor and human rights of migrant workers in the receiving country, but also protects the labor and human rights of Japanese and Korean citizens while working in their own country.

According to Lim, Japanese and Korean labor unions such as the Zentoitsu Labor Union (ZWU) and the Labor Pastoral Center (LPC) have been effective in securing the labor rights of foreign migrants by appealing to international labor standards set forth by the ILO.⁵⁹ However successful both unions have been in securing labor rights and subsequently a component of human security for migrant workers, the bureaucratic agencies and employers still can ignore or subvert these progressive approaches because of what Lim points out as the lack of a judicial body that can enforce, rather than just persuade parties to abide by labor standards.⁶⁰

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

The second potential area of communitarian cooperation is at the local government level.

Japanese and Korean local governments are often the immediate interface for foreign residents with each respective society. Upon arrival in area country, foreign residents register with the local government in the area in which they reside. This registration process makes them eligible for social welfare, pensions, health care, and in many cases multilingual advisory services to help them navigate through administrative procedures, legal questions, etc. Because of the division of labor between the national and local governments, local governments have been the primary administrative bodies building the infrastructure to socially integrate foreign residents. These policies translate into communication assistance, language training, culture training, lifestyle assistance, multilingual information services, anti-discrimination awareness education, and counseling for newcomers.⁶¹

Here, Japanese local governments have a potential leadership role. Japanese local governments can and should share with their Korean counterparts their extensive successful and unsuccessful social integration strategies that have been in development since the early 80s. In particular, the Hamamatsu Declaration, with its focus on education, social security, and the revamping of foreign registration, offers a treasure trove of valuable suggestions on how to better integrate foreign residents into local communities.⁶² Specifically, the Hamamatsu Declaration provides substantive strategies to deal with education issues faced by the children of migrant workers, the children of international marriages, and the establishment of language classes to equip foreign residents with the language and cultural skills they need to improve their life while in Japan. The declaration also offers concrete strategies to cooperate with medical organizations, NPOs, NGOs, and other volunteer groups, and consider creating a system where non-Japanese residents can avail themselves of multilingual medical care and information with peace of mind.

Similarly, other Japanese municipalities with multicultural coexistence plans, such as Shinjuku Ward, Adachi Ward, and Tachikawa City located in the Tokyo Metropolis, are well situated to share their well-developed multicultural coexistence plans which have been developed to meet each local government's particular needs. They have developed integration strategies which to different degrees focus on cultural, structural, interactive, and identificational integration.^{63, 64}

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

In the case of coordination with NPOs, unions, and church groups to facilitate social integration, Seol and Skrentny and Yoon assert that non-governmental groups form strong lobby groups which not only influence the direction of policy development vis-à-vis foreign residents, but also provide a plethora of services to foreign residents. For example, citizen-led multiculturalism manifests itself as citizen-led NPOs and religious groups who assist foreign residents, marriage migrants, and children of international marriages. Activities are broad in scope but include the establishment of migrant women's counseling centers such as the Solidarity for Migrant Human Rights and the Joint Committee for Migrant Workers in Korea.⁶⁵ In each case, human rights, labor rights, and the protection from exploitation are the major tenets of these organizations and point to another potential area of cooperation that can be leveraged to broader integration between Korea and Japan.

Japan, with its relative dearth in citizen-led multiculturalism and advocacy groups for foreign residents, may have much to learn from Korea. With shared views on human rights, labor rights, and protection from exploitation, Japanese NGOs could find their Korean colleagues to be useful partners in promoting their agenda to local and state governments, but also in the areas of

organization and experience in inculcating international standards into their rhetoric in order to put pressure on concerned parties.

The benefit of cooperation at the communitarian level between non-governmental organizations is several fold. First, sharing resources and expertise allows both partners to enhance their domestic agenda. Simply, they can harness and learn from the successes and failures of each partner's experience to refine and strengthen domestic initiatives. For example, Korean non-governmental organizations have utilized the plight of marriage migrants and international children to broaden the human rights, labor rights, and human security agenda such that it applies to all foreigners in Korea.

Second, because of the more nebulous and apolitical nature of people-to-people cooperation at the NGO level, there is room to broaden cooperation beyond solely Korea and Japan.

Third, and equally important, is that bilateral networking can also be expanded to cooperation with human rights groups in the labor (migrant) source countries as well. Cooperation that results from liaisons between Japanese and Korean organizations and groups has the potential to enhance their collective leadership capacity vis-à-vis the migrant labor source countries, especially if the bilateral cooperation is extended to NGOs and other human rights advocacy groups in source countries. As a consequence of these activities, we could see multilateral cooperation emerge between Japan, Korea and a third country based on shared affiliation and interests.

6. Conclusion

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

Using Scalapino's concept of integration at the communitarian level, I demonstrated that there already exists ample opportunity for Korea and Japan to cooperate at the non-governmental organization, local government, and the labor union level to deal with trans-border migration, securing human and labor rights as well as human security in general. This paper showed that it is in the interest of labor unions to cooperate, as it not only helps to secure the rights and prosperity of foreign migrant workers but it also enhances their own employment prospects by ensuring that SMEs do not engage in discriminatory employment practices that favor migrant workers because they do not fall under labor standard acts.

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

Conversely, Korean NGOs have shown leadership and effectiveness in developing support programs that secure human and labor rights as well as protect foreign residents, marriage migrants, and children from international marriages from marginalization and/or exploitation.

Although a considerable vacuum exists at the national level in terms of cooperation that would contribute to broader integration in the area, integration between these two neighbors can

proceed at the communitarian level in the area of human security and human and labor rights protection. Being based on shared values, maintaining prosperity of citizens and non-citizens, and efforts to achieve international standards in the areas of labor and human rights and human security, this initial seed of cooperation at the non-state level can provide a strong foundation for broader regional integration efforts.

Notes

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- ³ R.J. Harrison, "Neo-functionalism," in A.J.R. Groom and Paul Taylor, eds., pp. 139-151.
- ⁴ Stephen Castles, "The Factors That Make and Unmake Migration Policies," in Alejandro Portes and Josh DeWind, eds., *Rethinking Migration: New Theoretical and Empirical Perspectives*, New York: Berghahn Books, 2007, pp. 29-61.
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- ⁶ T. Akaha and B. Etkin, "International Migration and Human Rights: A Case for a Regional Approach in Northeast Asia," in Martina Timmermann and Jitsuo Tsuchiyama, eds., *Institutionalizing Northeast Asia: Regional Steps towards Global Governance*, Tokyo: United Nations University Press, 2008, pp. 336-358.
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- ⁸ Castles, pp. 37-44.
- ⁹ Tsuneo Akaha, "Cross Border Migration as A New Element of International Relations in Northeast Asia: A Boon to Regionalism or New Source of Friction?" *Asian Perspective*, Vol. 28, No. 2 (2005), pp.101-133.
- ¹⁰ Lee Shin-wha, "Human Security Aspects of International Migration: The Case Study of Korea," *Global Economic Review*, Vol. 32, No. 3 (2003), pp. 41-66; Lee Shin-wha. "Kankoku ni okeru Imin Seisaku no Genjitsu (Migrant policies in Korea)," in Tsuneo Akaha and Anna Vassilieva, eds., *Kokkyo wo Koreru Hitobito: Hokuto Ajia ni okeru Jinko Ido* (People crossing national borders: Movement of people in Northeast Asia), Tokyo: Kokusai Shoin, 2006, pp. 237-262; Oishi Nana, *Women in Motion: Globalization, State Policies, and Labor Migration in Asia*, Stanford: Stanford University Press, 2006, pp.1-14; Mike Douglas and Glenda S. Roberts, "Japan in a Global Age of Migration," in Mike Douglass and Glenda S. Roberts, eds., *Japan and Global Migration: Foreign Workers and the Advent of a Multicultural Society*, Honolulu: University of Hawaii Press, 2000, pp. 2-37.
- ¹¹ Ellen Frost portends that a plethora of obstacles contribute to the glacial pace of deeper integration in the region including: geography, culture, history, the dual nature of the effects of globalization, regional politics, problematic governance, corruption, as well as unpredictable threats such as the collapse of North Korea. (Ellen L. Frost, *Asia's New Regionalism*, Boulder, Colorado: Lynne Rienner, 2008, pp. 217-231.) I would add to this list two other drivers of integration that can play an enormously positive role or inhibitory role in further integration: United States involvement and overseas nationals. A United States that remains distracted by conflicts in Iraq and Afghanistan will be unable to direct the resources necessary (material, political, and intellectual) to positively contribute to the region. Similarly, overseas nationals such as overseas Chinese and Indians who remain disinterested in their ethnic homelands, may inadvertently negatively affect the shape of Asian regional integration by not lending their experience, wealth, and ability to act as purveyors of human and social capital from the developed world to the developing world.

- ¹² Castles, p. 38.
- ¹³ United Nations Educational, Cultural and Scientific Organization's definition of migrant: http://portal.unesco.org/shs/en/ev.phpURL_ID=3020&URL_DO=DO_TOPIC&URL_SECTION=201.html (accessed December 5, 2008).
- ¹⁴ Lee Shin-wa, "Human Security in East Asia: The Role of the United Nations and Regional Organization," *Korean Political Science Review*, Vol. 37, No. 4 (2003), pp. 317-342.
- ¹⁵ Overview of UN Declaration of Human Rights: <http://www.un.org/Overview/rights.html> (accessed December 12, 2008).
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- ¹⁸ R. Goodman and Sarah Harper, "Japan in the New Global Demography: A Comparative Perspective," *Japan Focus*, <http://japanfocus.org/products/details/2472> (accessed August 2008).
- ¹⁹ Ministry of Justice homepage: <http://www.moj.go.jp/PRESS/070921-1/070921-1.pdf> (accessed April 30, 2008).
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- ²¹ "Daburu" is the Japanese pronunciation of "Double". It refers to children who have one Japanese parent and one non-Japanese parent. Children who have parents from different countries but whose parents are not of Japanese nationality are called international children or just foreign children. (See Tabunka Kyosei Ki-wa-do Jiten Henshu Iinkai, *Tabunka Kyosei Ki-wa-do Jiten* [Dictionary of multicultural coexistence key words], Tokyo: Akashi Shoten, 2004, p. 71). See also Eriko Suzuki, "Gaikokujin Shuju Chiiki ni miru Tabunka Kyoshakai no Kadai: 'Kyosei' wa Nanika?" (An examination of multicultural coexistent society in areas with a high concentration of foreigners: What does "coexistence" mean?), *FIF Special Report*, No. 8, Tokyo: Fujita Mirai Keiei Kenkyujo, 2004, pp. 23-25.
- ²² The revision of Japanese immigration policy to allow individuals of Japanese ancestry (up to three generations) to return to Japan for work has resulted in an influx of Nikkeijin into Japan. The rationale behind this ethnic based immigration selection was that it was assumed that Nikkeijin would assimilate more smoothly than other foreigners because of their shared blood. See: Ministry of Justice, *Shutsunyukoku Kanri Kihon Keikaku* (Immigration control basic plan), Tokyo: Ministry of Justice, 1992, p.12; Manolo I. Abella, "Asian Migrant Contract Workers in the Middle East," in Robin Cohen, eds., *The Cambridge Survey of World Migrations*, Cambridge: Cambridge University Press, 1995, pp. 418-423; Hiroshi Kojima, "Foreign Workers and Health Insurance in Japan: The Case of Japanese Brazilians," *The Japanese Journal of Population*, Vol. 4, No. 1 (accessed March 3, 2006), pp. 78-92.
- ²³ The Ministry of Justice, "Immigration Control 2007," <http://www.moj.go.jp> (accessed March 30, 2008).
- ²⁴ A vivid example of the widespread, illegal social-cultural discrimination can be seen in the plethora of Japanese businesses that overtly reject providing services to non-ethnic Japanese, <<http://www.debito.org/roguesgallery.html>> (accessed February 4, 2008).
- ²⁵ David Chapman argues that the current family registration system in Japan ensures that non-ethnic Japanese are indefinitely outside the Japanese nationality framework. As such, the final step in the identification process, both at the cognitive and emotive levels, remains an aloof. Specifically, Chapman demonstrated that only Japanese nationals can be registered as the head of household (*setai nushi*) on the *juminhyo*. See David Chapman, "Tama-chan and Sealing Japanese Identity," *Critical Asian Studies*, Vol. 40, No. 3 (2008), pp. 423-443.
- ²⁶ Hirohisa Takenoshita, "Nanbeikei Gaikokujin no Koyo to Rodo: Jinteki Shihon, Rodo Shijo Sekuta, Rodo Juyo no Kanten kara (Labor and education of South American foreigners: From the perspective of human capital, labor market sector, demand for labor)," in Ikegami Shigehiro, eds., *Gaikokujin Shimin to Chiiki Shakai e no Sanka: 2006 nen Hamamatsu Shi Gaikokujin Chosa no Shosai Bunseki* (Foreign residents and their participation in local community: A detailed analysis of the 2006 survey of foreigners in Hamamatsu), Shizuoka Prefecture: Shizuoka Bunka Geijutsu Daigaku, 2008, pp.19-35.
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- 50 Ibid.
- 51 <http://www.pref.hokkaido.jp/soumu/sm-tksai/nforum/rekishi%20hongenkou.files/rekishisaishu.htm> (accessed September 5, 2004). Geographically Hokkaido is located in an ideal and significant location in the northern hemisphere. With that understanding in mind Hokkaido believes it has an important role in Japan as an exchange base with countries located in the northern hemisphere, facilitating further prosperity and development.
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- 55 <http://www.jilaf.or.jp/English-jilaf/seminar/index.html> (accessed September 3, 2008).
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- 61 Jichitai Kokusaika Kyokai, "Kankoku Shakai wo Torimaku Saikin no Shojosei" (Recent developments in Korean society), Jichitai Kokusaika Forumu, No. 211, May 2007, pp. 2-6.
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