Civil Activism for Migrant Workers’ Rights in Japan, Korea and China

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Common Immigration Policies

- In E and SE Asia, economic goals precede the human rights of unskilled transnational migrant workers.
- Migrant workers are entitled to few rights and public services.
- In China, rural migrant workers are not entitled to “citizenship rights” in cities.
Common Immigration Policies in E and SE Asia

- Skilled workers
- **Unskilled workers** (the majority)
  - Temporary, short-term stays
  - Limited rights and welfare benefits
  - No family reunification
  - (No social integration)
China

- Rural migrant workers in cities
  - Unskilled
  - Without household registration (*hukou*)
  - Few entitlements to public health services, housing, schooling for children
A Question

- In E and SE Asia, including China, where can a migrant worker turn for assistance in time of need?
Civil Society Response

Depends on:

1. Government tolerance for civil activism
2. History of civil activism
3. Rights conferred to migrant workers
4. Migrant workers’ activism
Impact of Civil Activism on:

1. Immigration policy of the national government
2. Administrative procedures of local governments
3. Employers, employment
4. Court rulings
5. Public opinion
Japan & Korea: Convergence

- Until recently, these two shared similar immigration policies on unskilled migrant workers.
  - Tight border controls
  - Absence of contract labor systems
  - Large numbers of *de facto* immigrant workers:
    - Industrial trainees
    - Undocumented residents
    - Foreign nationals whose ancestors had once been nationals, such as Japanese-Brazilians in Japan and Korean-Chinese in Korea
Japan & Korea: Convergence

- Both of these have a democratic constitution that includes civil activism.
- Both have relatively active citizens’ groups advocating for migrants’ rights.
- In both, migrant workers actively seek their own rights.
Japan and Korea: Divergence

- These two diverge in the nature, form and intensity of civil activism for migrants’ rights by citizens and migrants.
- Consequently, the impact of civil activism on change in immigration policies varies significantly.
Japan

- Migrant NGOs (NPOs):
  - are run by small numbers of dedicated immigrants and citizens;
  - lack expertise, funding and networking;
  - focus on cultural and social issues.
- Local governments are relatively receptive to migrants’ rights.
- Some NGOs engage in rights and policy advocacy.
Japan

- Advocacy activities characteristically link specific problems of implementation at the local level.
- Advocates’ interactions with public officials have resulted in bridging various state agencies.
- Their impacts on policies are often invisible and incremental.
CONSULTA GRATUITA SOBRE A SAÚDE E ATENDIMENTO MÉDICO AOS ESTRANGEIROS
FREE HEALTH CONSULTATION AND CHECKUPS FOR FOREIGNERS

DATA: 18 October, 1998; 9:00 ~ 15:00
PLACE: Hamamatsu Red Cross Hospital, Mikawashima Center
LOCAL: Hamamatsu Hospital Chubu Dai 14, Kamihigashi-ku, Hamamatsu City

日本赤十字社東邦支部

外国人無料検診会場

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Many NGOs are run and supported by religious, labor or human rights organizations that include immigrants.

Major NGOs are endowed with manpower, funding, facilities, and expertise.

They advocate for migrants’ rights, negotiate for immigration policy change, and address social needs of migrants.
Korea

- Networks of NGOs are well coordinated.
- NGOs exert pressures on the government.
- Court rulings have favored migrants’ rights.
- Employment Permit System (EPS), 2004
- Abolition of industrial trainee system, 2006
Mini Concert designed by Migrant Workers
Civil society is in an embryonic stage.

Government is wary of NGOs.

Migrants have developed organizations for well-being of women, children and workers.

- Clubs for social and educational goals
- Hotline for emotional crisis
- Schools for children
China

- Urban residents provide assistance to migrant workers.
  - Legal aid organization by lawyers
  - Educational assistance for children and mothers by university students
  - Information & knowledge by professionals
  - Art performance training by foreign residents
Conclusion

- Lack of basic rights for migrant workers has prompted civil activism in East Asia.
- History of civil society in each country has a different impact on levels of activism for migrants.
- Impact of civil activism on policy varies depending on responses among major institutions, including the government, the courts and public opinion.