

IMMIGRATION: JAPAN'S UNFRIENDLY SHORES

'One culture, one race:' Foreigners need not apply

Despite a shrinking population and a shortage of labour, Japan is not eager to accept immigrants or refugees

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TOKYO -- In the Turkish village of his birth, Deniz Dogan endured years of discrimination and harassment by police who jailed him twice for his political activities on behalf of the Alevi religious minority. So he decided to escape to a country that seemed peaceful and tolerant: Japan.

Seven years later, he says he has found less freedom in Japan than in the country he fled. For a time, he had to work illegally to put food on his table. Police stop him to check his documents almost every day. He has suffered deportation threats, interrogations and almost 20 months in detention. In despair, he even considered suicide.

His brother and his family, who fought even longer for the right to live in Japan, finally gave up and applied for refugee status in Canada, where they were quickly accepted.

"We had an image of Japan as a very peaceful and democratic country," Mr. Dogan said.

Print Edition - Section Front



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More World Stories

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- Go to the World section



"It was very shocking to realize that we had less freedom in Japan than in Turkey. We did nothing wrong, except to try to get into this country, yet we were treated as criminals. We felt like insects."

Despite its wealth and democracy, Japan has one of the world's most intolerant regimes for refugees and immigrants. And despite its labour shortages and declining population, the government still shows little interest in allowing more foreigners in.

From 1982 to 2004, Japan accepted only 313 refugees, less than 10 per cent of those who applied. Even after its rules were slightly liberalized in 2004, it allowed only 46 refugees in the following year. Last year it accepted only 34 of the 954

applicants.

Those numbers are tiny in comparison with Canada, which accepted more than 42,000 refugees last year, despite having a much smaller population than Japan.

But they are also tiny in comparison to European countries such as France and Italy. On a per capita basis, Japan's rate of accepting refugees is 139th in the world, according to the United Nations.

Japan's attitude toward immigrants is equally unwelcoming. It has one of the industrialized world's lowest rates of accepting immigrants. Only about 1 per cent of its population is foreign-born, compared with 19 per cent in Canada and 9 per cent in Britain.

Yet paradoxically, Japan is in greater need of immigrants than most other nations. Because of a sharp drop in its birth rate, its population is on the verge of a decline unprecedented for any nation in peacetime. The latest projections have the number of its citizens - 127 million - plunging to just 95 million by 2050.

At the same time, the population is rapidly aging. By mid-century, about 40 per cent will be over 65, leaving a relatively small labour force to support the country.

Demographic decline has emerged as one of Japan's most hotly debated and angst-ridden issues. Yet the obvious solution - allowing in a substantial number of immigrants - is rarely considered. The tight restrictions on foreigners have remained in place. Robots, rather than immigrants, are seen as the potential solution to labour shortages. One government panel has recommended that foreigners should never comprise more than 3 per cent of the population.

Much of Japan's hostility to immigrants and refugees is the result of prejudice against foreigners, who are widely blamed for most of the crime in the country. Ignorance is widespread. In one survey, more than 90 per cent of Japanese said they don't have any regular contact with foreigners, and more than 40 per cent said they rarely even see any.

Politicians are reluctant to allow any challenge to Japan's racial homogeneity. Their beliefs are typified by a top leader of the ruling party, former foreign minister Taro Aso, who described Japan as "one culture, one race." The government has refused to pass laws against racial discrimination, making Japan one of the few industrialized countries where it is legal.

"We do not often see Japanese people praising the work of foreign residents and warmly welcoming them as friends and colleagues," wrote Sakanaka Hidenori, former director of the Tokyo Immigration Bureau who retired after 35 years in Japan's immigration system and now heads the Japan Immigration Policy Institute.

"The native Japanese have lived as a single ethnic group for nearly 1,000 years and it will be a difficult task for them to build friendly relationships with other ethnic groups," he wrote in a recent book, *Immigration Battle Diary*.

These attitudes have shaped a system of tight restrictions against foreigners who try to enter Japan. One of the latest laws, for example, requires all foreigners to be fingerprinted when they enter the country. Japan's rules on refugee claims are so demanding that it can take more than 10 years for a refugee to win a case, and even then the government sometimes refuses to obey the court rulings. Hundreds of applicants give up in frustration after years of fruitless effort.

Japan demands "an unusually high standard of proof" from asylum seekers, according to the most recent United Nations report. They are asked to give documentary evidence of their claims, including arrest warrants in their home country, which can be impossible to provide. They are often required to translate those documents into Japanese, which is costly and complicated. Then the documents are often rejected as invalid.

"It has been a very legalistic approach, showing no humanitarian sense to those who had to flee," said Sadako Ogata, the former UN high commissioner for refugees, in a recent Japanese newspaper interview.

"From the perspective of Japanese officials, the fewer that come the better."

While they struggle to prove their cases, asylum seekers are often interrogated by police and confined to detention centres, which are prisons in all but name. When not in detention, asylum seekers cannot legally work and are required to live on meagre allowances, barely enough for subsistence.

In one notorious case in 2005, Japan deported two Kurdish men after the UN refugee agency had recognized them as refugees. The UN agency protested the deportations, calling them a violation of Japan's international obligations.

"We really hesitate to tell asylum seekers to apply to Japan," said Eri Ishikawa, acting secretary-general of the Japan Association for Refugees.

"Work permits are not given to them, but they have to work to survive, so they work illegally."

In one of the most bizarre twists in its refugee policy, Japan sometimes sends its officials on fact-finding missions in the home countries of the asylum seekers, accompanied by local police and army troops, even when the police and soldiers are the ones accused of the persecution.

"This is really shocking to us," Ms. Ishikawa said. "It puts their families in danger."

In the case of Deniz Dogan and his brother, for example, Japanese officials went to their family's home in Turkey, accompanied by local police. The families felt frightened and intimidated. Then the family were repeatedly called to the police station for questioning after the visit. "It was an indignity and a violation of our human rights," he said.

Mr. Dogan's lawyer, Takeshi Ohashi, says the long process of applying for refugee status is like a "mental torment" for asylum seekers.

"The government is very negative about accepting refugees," he said. "It's worried that there will be social unrest and crime if it allows too many foreigners into Japan."

Mr. Ohashi, a refugee specialist for the past 11 years, says the process is heavily influenced by Japan's diplomatic objectives. Because it is seeking good relations with countries such as China and Turkey, for example, it almost never accepts any refugees from those countries, he said.

Hundreds of Kurdish people from Turkey have applied for refugee status in Japan in recent years, but not a single one has been accepted.

Consider the case of Kilil, a 35-year-old Kurdish activist, who fled from Turkey fearing for his life after he was repeatedly detained by police and soldiers in his hometown because of his political activism.

He arrived in Japan in 1997, stayed illegally for two years, and then applied for refugee status. His application was twice rejected and his third appeal is now before the courts. In the meantime, he was put into custody for eight months at a detention centre. To support himself, he now works illegally as a labourer, demolishing buildings and removing asbestos. It is dirty, dangerous work - and asylum seekers are among the few who are willing to do it.

He lives in constant fear of being arrested for working illegally. "It's very stressful," he said. "The worst is the uncertainty. It's been 10 tough years here, without any result. I can't even afford to go to a hospital if I get sick. Every day is like being in prison."

In many ways, he regrets his decision to flee to Japan. "But I want to keep fighting to change the system here. I want to fight to the end."

Deniz Dogan and his brother, who endured the same kind of conditions, became so frustrated by 2004 that they held a sit-in for 72 days at the Tokyo office of the UN refugee agency. When it failed to influence authorities, his brother made the decision to emigrate to Canada.

This summer, Deniz was finally given a one-year visa to live and work in Japan, but only because he had married a Japanese woman.

"My visa could be cancelled at any time," he said. "I feel a lot of unease. But for the other refugees, it is even worse. We all have the same goal: freedom."

FIGHTING TO STAY

Win Soe, a political activist from Myanmar, knows from painful experience how difficult it can be to survive in Japan's refugee system.

As one who took part in protests against Myanmar's military junta before fleeing the country, he knows he would face persecution if he returned to his homeland. He has been seeking refugee status in Japan for four years, but the government has twice rejected his application.

Most asylum seekers end up working illegally to survive. But because he wants to abide by the rules, Win Soe is trying to live on the official monthly allowance, which amounts to \$760.

Most of it is needed for rent, electricity, utilities and transportation costs, leaving him about \$90 a month for food, barely enough for survival in this expensive country.

He can't afford new clothes, shoes, or medicine for his hay fever. He eats only two meals a day and often goes hungry.

"Sometimes I can't even afford rice," he said. "I eat mostly bread, potatoes and bananas. I'm trying to abide by the law very carefully."

He believes the meagre allowance is part of the government's attempt to put pressure on refugees to give up their claims. "They want me to surrender. But I will never give up."

Geoffrey York

Japan's closed doors

Despite its wealth and democracy, Japan shows little interest in allowing more foreigners to enter the country.

Percentage of foreign-born population within each country

Australia: 23 per cent

Canada: 19

New Zealand: 19

United States: 13

Germany: 13

Sweden: 12

France: 11

Belgium: 11

Britain: 9

Italy: 4

South Korea: 1

Japan: 1

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