

A Report on the Local Integration of Indo-Chinese Refugees and Displaced Persons in Japan

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Acronyms

AAR	Association for Aid and Relief
ASEAN	Association of Southeast Asian Nations
CPA	Comprehensive Plan of Action
CPP	Cambodian People's Party
CSO	civil society organization
CSR	corporate social responsibility
ICIR	International Conference on Indochinese Refugees
IOM	International Organization for Migration
ISSJ	International Social Services Japan
NGO	non-governmental organization
ODP	Orderly Departure Programme
RHQ	Refugee Assistance Headquarters
RSA Kanagawa	Association for Supporting Refugees' Settlement in Kanagawa
RSD	refugee status determination
SVC	Shanti Volunteer Center
UNHCR	United Nations High Commissioner for Refugees
UNTAC	United Nations Transitional Authority in Cambodia
UNU	United Nations University

Preface

The genesis of this study was a proposal by Mr Saburo Takizawa, the UNHCR Representative in Japan from 2007 – 2008, as a way to commemorate 30 years since the Japanese government's 1978 decision to resettle Indo-Chinese Refugees and Displaced Persons. By forming a team of scholars to undertake research on the current status of those persons who resettled in Japan, it was envisaged that a useful and original contribution could be made that has policy significance for the Japanese government, as it formulates plans for the resettlement of refugees. In this context, an historical and critical review of the resettlement process of Indo-Chinese refugees in Japan, including the ways in which government policy has shifted in relation to changing international and domestic forces and realities; and the legal, socio-economic and other problems those who resettled in Japan had to face, were determined to be of key importance.

It is hoped that this report reflects the significant contributions that various people have made in supporting the resettlement of Indo-Chinese Refugees and Displaced Persons in Japan, and that some of the report's findings may be useful in the future with regards to the recognition and resettlement of refugees.

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1. Introduction

The primary objective of this study is to identify lessons learned based on Japan's past experiences in recognizing and resettling refugees and displaced persons from Indo-China. Useful insights and findings will serve to inform and shape Japan's future refugee policy, which is taking a new direction following the 2008 government announcement to resettle 90 refugees from Burma/Myanmar starting from 2010. As this will be one of the rare occasions in Japan's history for it to open its doors for the resettlement of refugees, there is a keen interest and concern felt by both the government and civil society organizations (CSOs) regarding the provision of adequate assistance for future intakes of refugees, given the long interval since the resettlement of Indo-Chinese refugees and displaced persons.

The existing literature on this subject includes surveys conducted by the Japanese Ministry of Foreign Affairs and Ministry of Justice on the state of the Indo-Chinese population in Japan during the 1980s. Additionally, the International Social Services Japan (ISSJ) and Refugee Assistant Headquarters (RHQ) of the Foundation for the Welfare and Education of Asian People, were deeply involved in addressing the needs of Indo-Chinese Refugees and Displaced Persons, made reports in the early 1990s on the status of the Indo-Chinese who settled in Japan. Furthermore, the authoritative report, "Settlement of Indo-Chinese Refugees and Displaced Persons and its prospects: 20 years since the first settlement" was published in March 1996 by the Cabinet Secretariat of Indo-Chinese Refugees and Displaced Persons Liaison and Coordination Committee, in collaboration with concerned government agencies. This same Secretariat published two additional reports in March 1997 and March 1998 about the Indo-Chinese Refugees and Displaced Persons in Japan. These reports, however, cover only the first 20 years of experience and no comprehensive research has been undertaken during the past decade until the current study.

This new study on the resettlement of Indo-Chinese refugees in Japan presents a timely opportunity to review the past 30 years of refugee policy and practice, particularly from the perspective of the refugees themselves. It examines the legal, social, economic and other problems that Indo-Chinese refugees have faced in their effort to integrate into Japanese society, as well as discusses ways in which Japanese refugee policy has been shaped by the Indo-Chinese refugee resettlement experience. It is hoped that this study provides evidence-based reasoning to the Japanese government and society as a whole for why it should continue to broaden its perspectives still further on providing protection and security to vulnerable people on the move.

Recent statistics suggest that Japan's refugee and humanitarian policy is gradually softening but that there is still much potential for Japan to bear a larger responsibility in recognizing refugees and humanitarian status holders. The number of asylum applications in Japan has increased substantially in recent years – nearly doubling from 816 people in 2007 to 1599 people in 2008. The number of people recognized as Convention Refugees¹ grew from 41 in 2007 to 57 in 2008,

¹ A *Convention Refugee* is someone who is outside his/her home country, or the country where s/he normally lives, and cannot return to that country because of a well-founded fear of persecution based on race, religion, political opinion, nationality or membership in a particular social group.

and those who received humanitarian status increased from 88 in 2007 to 360 in 2008. The figures for 2007 – 2008 are the highest over the past 26 year period since Japan acceded to the Refugee Convention² in 1981.³ By contrast, during 1982 – 2004, only 330 from a total of 3544 asylum applications were recognized as refugees.⁴

As the twenty-first century progresses, what new roles and responsibilities does Japan face in the Asia-Pacific region and the world, particularly in the fields of humanitarian relief and human security? Can it continue to promote the protection of refugees, asylum-seekers and other vulnerable migrant populations through its generous donations to humanitarian relief and development programs around the world, while in addition, strengthening its commitment to protect and provide for refugees, asylum seekers and migrants within its own borders?

The structure of the report is as follows. The first section provides the international context of the Indo-Chinese refugee crisis, the solutions to which are marked primarily by two international conferences held in Geneva: the Meeting on the Situation of Refugees and Displaced Persons in Southeast Asia in 1979, and the International Conference on Indo-Chinese Refugees and Displaced Persons in 1989. This is followed by an examination of the declared ‘end’ to the crisis in 1994. Next is an assessment of the Japanese government’s response to the refugee crisis prior to and following entry into force of the Refugee Convention in 1982, as well as the responses of Japanese civil society to the situation. Part II forms the body of the report and starts with an explanation of the research objectives, available data and methodology used, followed by a description and analysis of the personal and collective experiences as provided by refugees through interviews. Both general and specific policy recommendations are made in the final section in an effort to better facilitate the integration process of refugees in Japan.

² *Convention relating to the Status of Refugees*, adopted on 28 July 1951 by the United Nations Conference of Plenipotentiaries on the Status of Refugees and Stateless Persons convened under General Assembly resolution 429 (V) of 14 December 1950, (entered into force 22 April 1954), <http://www.unhcr.org/protect/PROTECTION/3b66c2aa10.pdf> (Accessed 25 September 2009)

³ Ministry of Foreign Affairs Japan, *Convention Relating to the Status of Refugees* http://www3.mofa.go.jp/mofaj/gaiko/treaty/pdf/B-S57-0001_1.pdf (Accessed 25 September 2009)

⁴ Ministry of Justice Statistics, <http://www.moj.go.jp/PRESS/090130-1.html> (Accessed 25 September 2009)

Part I:

International and Domestic Responses to the Indo-Chinese Refugee Crisis

2. International Responses

2.1 The Indo-Chinese Exodus and Regional Response

The capture of Saigon on April 30, 1975 by the North Vietnamese army, the establishment of the provisional revolutionary government in South Vietnam, the unification of Vietnam, as well as the regime changes that occurred in Laos and Cambodia, simultaneously ended – at least temporarily – the long lasting major warfare on the Indo-Chinese Peninsula. During, and in the aftermath of the Indo-Chinese conflict, more than three million Cambodians, Laotians and Vietnamese left their homes in search of temporary asylum or permanent resettlement. Those who feared persecution under the newly established Socialist Republic of Vietnam due to their political or ideological opinions, and those who were unable to adjust to the new system, began a mass exodus from Vietnam by boat via the South China Sea to seek refuge in neighboring countries. They came to be known as Vietnamese ‘Boat People’: 250 000 arrived in Malaysia by 1995, 200 000 in Hong Kong, 120 000 in Indonesia, 120 000 in Thailand,⁵ as well as several thousand arriving directly to Japan’s shores as well.

Almost simultaneously, there appeared another exodus of people fleeing from Laos and Cambodia into Thailand by land after regime changes in those two countries. They were often called ‘Land People’ in contrast to ‘Boat People’ because they used land routes for fleeing. The number of these people fleeing overland amounted to 110,000 in 1975 – 76 and reached 190 000 in 1979.⁶ Most Indo-Chinese refugees were resettled in third countries outside of Southeast Asia, including 1.4 million in the United States, 260 000 in China, 200 000 in Canada, 185 000 in Australia, 130 000 in France, and 11 000 in Japan. Roughly half a million people returned to their home country, either voluntarily or after being screened-out as non-refugees. Not counted in these figures are all the clandestine movements back and forth across borders, nor the tens of thousands who suffered and died along the way as a result of piracy, pushback, banditry and abuse.⁷

2.2 The 1979 Meeting on the Situation of Refugees and Displaced Persons in Southeast Asia

The response to the Indo-Chinese exodus gave rise to a number of specific initiatives – including anti-piracy and rescue-at-sea programs, the Orderly Departure Programme (ODP), and large-scale repatriation efforts – however it is framed by two international conferences on Indo-Chinese refugees. The first conference in 1979, dramatically increased international resettlement commitments, and the second in 1989, sought to replace resettlement with alternative, regional

⁵ Cabinet Secretariat, Indo-Chinese Refugees and Displaced Persons Liaison and Coordination Committee “Settlement of Indo-Chinese Refugees and Displaced Persons and its Prospect: 20 years since the first settlement”, 1996, 10.

⁶ Ibid at 6.

⁷ Courtland Robinson, *Terms of Refuge: The Indochinese Exodus and the International Response* (London and New York: Zed Books, 1998).

solutions. The 1979 conference was a response to a surge in refugee outflows, by land and sea, in the wake of Vietnam's consolidation of internal control and its invasion of Cambodia. Motivated by the urgent need to save the lives of those fleeing precarious situations, UNHCR organized an International Meeting on Refugees and Displaced Persons in Southeast Asia. It was here that Vietnam agreed to impose a moratorium on illegal departures, and that attending states affirmed the principle of first asylum in the region, but coupled with an agreement that Boat People be resettled in third countries, or as the formula was called, "an open door for an open shore."⁸ Temporary first-asylum in Southeast Asia, in other words, was secured on the basis that refugees would subsequently be offered permanent, third-country resettlement, mostly in the West.

The inception of an ODP was agreed on by UNHCR and the Vietnamese government in May 1979, and allowed for family reunion and 'other humanitarian cases' to leave Vietnam directly for third countries. One obvious humanitarian advantage of the ODP over other ways of leaving Vietnam was, of course, that those who were able to qualify under the Programme avoided the perils of ship wreck, forcible return to sea and pirate attacks. It was stressed at the same time, however, that the ODP should not detract from the priority of those remaining in the camps.⁹

When the first Indo-Chinese refugees began arriving on the shores and borderlines of Asian countries in 1975, not one of those countries was a signatory to the Refugee Convention or the 1967 Protocol.¹⁰ It is arguable that they rejected these instruments as Euro-centric and inappropriate to the Asian refugee experience.¹¹ Or perhaps the instruments conveyed unwanted obligations to provide asylum to unwelcome foreign populations. Whatever the reasons, it was not until July 1981 that the Philippines first acceded to the Convention, followed three months later by Japan, then China in September 1982. Each country came to play a significant, but very different, role in the regional and international response. China became permanent home to a quarter of a million Vietnamese, by far the largest resettlement of Indo-Chinese refugees in Asia. The Philippines agreed to build a regional processing center for refugees bound for third-country resettlement and also provided first-asylum to Vietnamese Boat People; in all, more than 50 000 refugees were offered temporary asylum in the Philippines while more than 280 000 transited the processing center. Following the 1979 international conference, Japan became one of the world's largest donors to UN relief programs for Indo-Chinese refugees.¹² Between 1978 and 2006, Japan also offered to resettle approximately 11 000 Indo-Chinese refugees and displaced persons. Depending on the perspective one takes, this is by far the largest commitment Japan has made to

⁸ Ibid.

⁹ UNHCR, United Nations University (UNU), Ministry of Foreign Affairs (MOFA), Report on the International Seminar on the Indo-Chinese Exodus and the International Response, 1995, Tokyo.

¹⁰ Protocol Relating to the Status of Refugees, 606 U.N.T.S. 267, entered into force 4 October 1967.

¹¹ Sara E. Davies, "The Asian Rejection? International Refugee Law in Asia," *Australian Journal of Politics & History* 52, no. 4 (2006).

¹² Meryll Dean and Miki Nagashima, "Sharing the Burden: The Role of Government and NGOs in Protecting and Providing for Asylum Seekers and Refugees in Japan," *Journal of Refugee Studies* 20, no. 3 (2007).

accept refugees and asylum seekers within its borders; it also ranks 48 out of 50 industrialized countries in relation to the number of refugees resettled per 1 000 inhabitants.¹³

2.3 The International Conference on Indochinese Refugees (ICIR), Geneva 1989

In the Southeast Asian region, the increased numbers of Vietnamese boat people since mid-1987 was observed with keen interest and grave concern. The Association of Southeast Asian Nations (ASEAN) Ministerial Meeting of 1988 proposed to convene an international conference to search for a final solution to the problems relating to Indo-Chinese Refugees and Displaced Persons. As background to the ASEAN proposal, more than ten years had passed since the political upheavals in Indo-China in 1975 and more than 2 million (of which 1.6 million people were resettled in Western countries, Japan and China) left from there; the exodus, however, was still continuing. There was a growing perception in Southeast Asian countries that the basic motivation of more recent departees might not be political but rather economic (seeking job opportunities and a better life abroad) given the worsening economic situations in the three countries of origin. There was also an increasing concern among the international community that the generous guarantee of resettlement to the West was functioning as a pull factor.

Endorsed by the 39th Executive Committee of UNHCR and the 43rd General Assembly of UN, an International Conference on Indo-Chinese Refugees and Displaced Persons was convened in Geneva in June 1989. A Comprehensive Plan of Action (CPA) was adopted by the 74 countries in attendance. It called for humane measures to counter clandestine departures, accelerated and expanded use of regular departure procedures such as the ODP, temporary refuge for all new arrivals and a consistent process for refugee status determination in the region undertaken by national authorities with UNHCR participation and support. It also reaffirmed the importance of third country resettlement and appealed for wider participation in the resettlement of refugee camp ‘long-stayers’, or those who had stayed for more than three years.¹⁴

The CPA sought to position refugees in the larger context of people on the move worldwide by striking a balance between international refugee protection with solutions in their countries of origin. Under the newly introduced screening process, only those who were ‘screened-in’ were offered opportunities for resettlement, whereas those who did not fulfill the Refugee Convention criteria were sent back to their country of origin. While involuntary repatriation of ‘screened-out’ cases remains the most contentious element of the CPA, the plan did allow more than 73 000 people to be repatriated to Vietnam and 26 000 people, including ethnic minority groups to Laos, under conditions of safety and dignity, monitored by UNHCR.¹⁵

2.4 End of the International Regime to Address the Indo-Chinese Refugee Crisis

With drastic shifts in resettlement policy for Indo-Chinese refugees and displaced persons in the international context as outlined above, and domestic policy changes taking place in Indo-China –

¹³ Ibid.

¹⁴ UNHCR, United Nations University (UNU), Ministry of Foreign Affairs (MOFA), note 9 above, at 90-91.

¹⁵ Ibid. at 15.

namely market liberalization reforms, political stabilization and an upturn in the economy, the outflow of boat people began to decrease dramatically around 1991– 1992. The international community gradually started to share the view that there would no longer be an imminent threat of persecution based on political opinions or other equivalent causes, and agreed to abolish the screening system for Boat People as a whole in February 1994.

3. Japan's Response

3.1 The Initial Response

Governmental agencies and local communities in Japan were not prepared for the arrival of Indo-Chinese asylum-seekers, particularly in the early days of the mass exodus from Southeast Asia. Rather than establish a government-only response, the Ministry of Justice, port authorities and local governments sought the cooperation of the Japanese Red Cross and various religious organizations that were able to offer free lodging or help find alternative accommodation.

Comprehensive solutions to address the problems of Indo-Chinese Refugees and Displaced Persons in Japan were eventually reached some two decades on from the initial wave of arrivals in 1975. By 1995, 13 768 Boat People had arrived in Japan and about 40 percent of them had chosen to resettle there, in their country of first asylum.¹⁶ The majority of Boat People to Japan, however, chose to resettle mainly in the United States, Canada, Norway and Australia.¹⁷ In addition to the reception of Boat People, Japan resettled some 4 300 Indo-Chinese from refugee camps in Southeast Asia as well as approximately 2 600 Vietnamese who qualified under the ODP to resettle in Japan (see Table 1).

The first arrival of Boat People to Japan were rescued by an American ship and arrived to the port of Chiba on May 12, 1975. During that year, there were nine ships that rescued a total of 126 Boat People and arrived in Japan, in 1976 there were 11 ships carrying 247 persons, and in 1977 there were 25 ships carrying a total of 833 persons.¹⁸ The arrivals of Boat People continued to increase, and between 1979 and 1982 more than 1 000 Indo-Chinese arrived annually to various ports in Japan, capturing the wide attention of various circles in the country. Since no governmental agencies or local communities in Japan were prepared for such an arrival, basic logistical matters regarding accommodation, food and clothing had to be explored on an *ad hoc* basis. Each time a report was conveyed to the Ministry of Justice that a ship having rescued Boat People was arriving, port authorities and local/national government sought the cooperation of the CSOs. Despite civil society assistance, the government could barely cope with the unexpected arrivals of Boat People during the early years from 1975 – 1982.

¹⁶ Cabinet Secretariat, Liaison and Coordination Committee for Indochinese Refugees and Displaced Persons, Refugee Assistance Headquarters, <http://www.rhq.gr.jp/japanese/know/i-nanmin.htm> (Accessed 8 Aug 2009)

¹⁷ UNHCR, United Nations University (UNU), Ministry of Foreign Affairs (MOFA), note 9 above, at 101.

¹⁸ Cabinet Secretariat for Indo-Chinese Refugees and Displaced Persons, Liaison and Coordination Committee “Settlement of Indo-Chinese Refugees and Displaced Persons and its Prospect; 20 years since the first settlement” (1996) at 12.

In the first two years of arrivals by sea, the Japanese government issued *Special Landing Permissions* for Boat People under the authority of the Minister of Justice. Article 12 of the *Immigration Control Order* (1951) was the relevant legislative authority in the case they were rescued by Japanese ships, while *Landing Permission Due to Disaster at Sea* under Article 18 of the said Order was granted in case they were rescued by foreign ships. From November 1977 onwards, regardless of the country flag of the rescuing ship, the Ministry of Justice issued only *Special Landing Permissions*, and after the *Immigration Control Order* (1951) was amended to the *Immigration Control and Refugee Recognition Act* in 1982 following Japan's ratification of the Refugee Convention, the newly established *Landing Permission for Temporary Refuge* was consequently issued.

The reason why a *Landing Permission Due to Disaster at Sea* was given to Boat People rescued by foreign ships was because their status was thought to resemble those rescued by ships following shipwreck or other disasters at sea. According to the international law of the sea, the repatriation of rescued persons becomes the responsibility of the ships concerned and the country of its flag.¹⁹ In the case that the first port of call of a foreign ship was a Japanese port, it was deemed appropriate by the Japanese government for it to issue *Landing Permission Due to Disaster at Sea*. On the other hand, if the ship carried a Japanese flag, the Ministry of Justice decided to issue *Special Landing Permissions* on the basis that most Boat People were not carrying passports and that even if some did have travel documents, it would not be practicable to repatriate them to Vietnam in the near future. Based on this line of reasoning, the Japanese government requested those governments under which flag ships were arriving in Japan provide a guarantee that they would take responsibility for the final destination of any of the rescued Boat People.

While such a practice was in operation, however, in 1977 there were three unexpected cases in which foreign ships had to depart with Boat People onboard for another destination before the relevant government (that which the flag was registered under) was able to make a decision about whether to take on responsibility. Despite the tenable legal logic behind the Japanese government's policy in this regard, it was criticized severely both inside and outside of Japan. The Ministry of Justice consequently began to issue *Special Landing Permissions* regardless of the flag of the ship, and the practice of relying on foreign governments to take responsibility was consequently abandoned. Thus, in the early years of the refugee crisis, the Japanese government held the view that Boat People were permitted to stay temporarily in Japan until they were able to resettle in the country of their choice, or in the country whose ships rescued them.

Since the number of Indo-Chinese Refugees and Displaced Persons arriving in Southeast Asian countries far outnumbered those arriving in Japan, the Japanese government found it inappropriate to rely on other countries' willingness to accept those who were rescued by

¹⁹ *UN Convention relating to the Law of the Sea* obligates the state party in Article 98, Paragraph 1 (a) to take necessary measures for the captain of a ship belonging to that state to rescue and assist a person distressed at sea to the extent that the ship concerned is not in risk of its own safety. This convention was adopted in 1982 and came into effect in 1994. However, such a practice was firmly established much earlier.

Japanese ships, or where ships were virtually operated by Japanese owners and arrived in Japan. In accordance with the Cabinet Resolution of April 28, 1978 it was agreed that Japan would allow the settlement of Boat People arriving in Japan, and following the Cabinet Resolution of April 3, 1979 a maximum of 500 Indo-Chinese were accepted for permanent resettlement. However, this limit of just 500 was harshly criticized as being too low in relation to Japan’s economic power at the time. The Japanese government then reiterated that this figure was not a fixed ceiling but to be understood as a target and that once the target was met, the figures would be increased.²⁰

As Japan’s initial resettlement numbers were considered too small by the international community that sought to find global solutions to the Indo-Chinese refugee crisis, the Japanese government decided to resettle Indo-Chinese refugees from refugee camps in Southeast Asia further to an agreement reached at the 1979 Geneva meeting. Pursuant to successive Cabinet Resolutions, the resettlement quota was gradually raised to 10 000 people in 1985,²¹ and later abolished while Japan’s resettlement criteria were lowered to virtually any person who would be able to support his/her own life in Japan.²² This is how more than 4 300 Indo-Chinese were eventually resettled from refugee camps to Japan, thereby giving a total of some 11 000 people who resettled in Japan over the longer term.

Table 1: The State of Indochinese Refugees’ Resettlement in Japan

	Boat People	Residents in Japan as Foreign Students	From refugee camps abroad	ODP	Total
Vietnam	3536	625	1820	2606	8587
Laos	0	73	1233	0	1306
Cambodia	0	44	1294	0	1338
Total	3536	742	4347	2606	11231

Source: Cabinet Secretariat, Liaison and Coordination Committee for Indochinese Refugees and Displaced Persons (Figures as of Dec. 2004)

In order to establish its own refugee status determination procedures, the government enacted the *Immigration Control and Refugee Recognition Act* (1982) into which the main provisions of the Refugee Convention were incorporated. At that juncture, the Japanese government moved from complete reliance on the good will of voluntary groups to resolve logistical matters such as accommodation, to establishing government-supported facilities in order to provide immediate shelter and medical treatment.

²⁰ Yamagami, Susumu, “Japan and Refugee Issues: yesterday, today and tomorrow” Nihon Kanjo Publishing, 2007, at 89.

²¹ Cabinet Resolution of 9 July 1985.

²² It should be noted that the requirement “ability to support his/her life in Japan” is a leitmotiv in Japanese refugee policy.

Pursuant to the Cabinet Resolution of July 17, 1981, the *Omura Refugee Reception Center* was set up, and began operation in February 1982. This reception center accommodated Boat People arriving in Japan for some three months during which individual interviews were conducted in order to confirm identity and future options, and provide medical check-ups and guidance on life in Japan, as opposed to refugee status determination which was not conducted. After approximately three months at the Reception Center, the Indo-Chinese Boat People were transferred to various accommodation facilities operated by the private sector and voluntary groups, which later developed into non-governmental organizations (NGOs) and CSOs.

As mentioned earlier, the Japanese government acted passively and reactively to the unfolding situation rather than proactively in finding solutions to the problems, due in part to the government's lack of "know how" about providing assistance to refugees. Consequently, the government, where possible, tried to accommodate various proposals and recommendations made by CSOs and volunteers which were engaged in helping Indo-Chinese Boat People to resettle and integrate in Japan. Although there was constant dissatisfaction on the part of CSOs regarding the lack of speed and magnitude of governmental involvement, a *Settlement Promotion Center* was established in Himeiji in Kansai prefecture in December 1979. It was followed soon thereafter by a second center in Yamato in Kanagawa prefecture in February 1980. The continuous influx and continued stay of Boat People further led to the establishment of the *Shinagawa International Relief Center* in 1983 in Tokyo. The overall management, Japanese language education, cultural adaptation and job training was entrusted to the *Refugee Assistance Headquarters* (RHQ), an organization which was established within the *Foundation for Welfare and Education of the Asian People* under the coordination and collaboration of UNHCR. In the meantime, from an early stage, the relevant ministries and agencies tried to coordinate their policies and practices under the framework of *The Indo-Chinese Refugees and Displaced Persons Liaison and Coordination Conference* within the Cabinet (and its Secretariat) and through successive Cabinet resolutions.

It should be noted that the involvement of local governments in resettling Indo-Chinese refugees was minimal, if any. In the late 1970s and early 1980s, the number of foreign residents in Japan was small (some 850 000, the majority being residents of Korean origin who had lived in Japan for decades) and the local governments lacked experience and expertise in dealing with foreign nationals who could not communicate in Japanese. Above all, the local governments considered that refugee issues were part of "higher politics" and should be handled by the central government.

3.2 Japan's Accession to the Refugee Convention and Related Legal Issues

When the Japanese government decided to promote the resettlement of Indo-Chinese Boat People, only a small portion of them expressed their wish to resettle in Japan. The fact that no government accommodation facility was arranged until 1982, as well as factors such as the meager resettlement quota of just 500 persons, nurtured the image both domestically and internationally, that Japan was indifferent to refugees. One such symbolic example was Japan's non-accession to the Refugee Convention at a time when all Western industrialized countries were contracting parties. When the Government eventually decided to become party to the

Refugee Convention in 1981, several domestic laws needed to be reformed as they contained a nationality requirement, that is, they were applicable only to Japanese nationals.

Japan's legal system has historically contained various laws and regulations that provide for differential treatment between Japanese nationals and non-Japanese. Such discriminatory laws and regulations included restrictions on eligibility of applications, eligibility for social security allowances, as well as eligibility for public funds and public office.

The Japanese government comprehensively reviewed and amended the so-called nationality clause in its legal system when it acceded to the *International Covenant on Civil and Political Rights*²³ in 1979. As a result, only four laws remained from which the nationality clause needed to be removed so as to comply with Article 24 of the Refugee Convention. These were the *National Pension Act (1959)*, *Child Allowance Act (1971)*, *Child Rearing Allowance Act (1961)* and the *Act Related to the Provisions of Special Child Rearing Allowance (1964)*. From a law reform perspective, the government did not find it too high a hurdle to ratify the Refugee Convention, which had already been signed by some 80 countries.

On the other hand, most corporations abolished the requirement for employees to be Japanese, following a Supreme Court ruling in 1974 which determined that it was illegal for a company to cancel an informal promise of employment based on the fact that an applicant turned out not to be a Japanese national. While this resulted in employment discrimination mostly disappearing from the in-house regulations of companies, there are still some reports of nationality-based employment discrimination today in Japan.

3.2.1 Responsibility for Refugee Status Determination

During governmental consultations on acceding to and implementing the Refugee Convention, the issue of which institution should determine who is a refugee and how such procedures should be established were debated. One proposal was for each relevant ministry or agency to assess whether an asylum seeker is eligible for the protection offered by the Refugee Convention, while the alternate proposal was that one particular institution be solely responsible for undertaking refugee status determination. Related to this, was the question of whether to establish a new and independent institution. Each proposal posed respective challenges: involving multiple institutions opened up the risk of conflicting outcomes for any one asylum application, while the idea of establishing a new institution under the prevailing budgetary constraints was considered a difficult one. Extensive research on the comparative practices of other countries revealed that refugee status determination procedures were greatly diversified and reflected the particular legal system and administrative practices of each country. In other words, there was no uniform standard practice at the international level.

²³ *International Covenant on Civil and Political Rights*, adopted and opened for signature, ratification and accession by General Assembly resolution 2200A (XXI) of 16 December 1966, (entered into force 23 March 1976). http://www.unhcr.ch/html/menu3/b/a_ccpr.htm

A careful reading of the Refugee Convention, however, led to the realization that according to Article 31, asylum seekers should not be penalized for their illegal entry or presence. Such a law may potentially conflict with an administrative decision made by a Japanese authority, and therefore be deemed inappropriate or irrelevant. This underlined the Japanese government's persistent security concern that acceding to the Refugee Convention might create an obstacle to the maintenance of law and order in Japanese society. In determining whether to become party to the Refugee Convention, humanitarian considerations about the plight of asylum seekers and refugees were not the sole concern. In the end, it was agreed that refugee status determination should be undertaken by a single, existing institution for administrative purposes, and that the Immigration Bureau within the Ministry of Justice should handle this function.

The Cabinet Resolution of March 13, 1981 stated that the determination of refugee status for the purpose of implementing the Refugee Convention is to be undertaken by the Ministry of Justice, and other ministries and agencies shall take appropriate supporting measures so that this function could be processed smoothly. Based on this understanding, the Ministry of Justice prepared the determination procedures and issuance of a refugee travel document, while the Ministry of Welfare prepared to delete the nationality clause from the relevant laws. "The Draft Act to Amend the *Immigration Control Order* (1951) and other relevant laws relevant to Japan's Accession to the Convention Relating to the Status of Refugees" was submitted to the Diet in April 1981, passed and enacted in June, and came into effect in 1982 when the Convention came into force in Japan. The Government believed that their accession to the Refugee Convention would be seen as a strong demonstration of its posture to tackle refugee issues seriously and positively.

The screening procedures for determining refugee status that were introduced as part of the CPA following the 1989 international conference were to establish whether an asylum seeker fell within the definition of the Refugee Convention. It was widely acknowledged and accepted, however, that the generically termed 'Indo-Chinese Refugees and Displaced Persons,' who had fled their homelands and arrived in Japan from 1975 onwards had not been required to undergo such a screening procedure. Since UNHCR and the UN General Assembly supported and endorsed such an approach, it was thought inappropriate to review the status of those who were already settled, or to differentiate future treatment depending on whether a person was a Convention refugee or not.

The Indo-Chinese Refugees and Displaced Persons Liaison and Coordination Conference of April 22, 1981 in the Cabinet made the following agreement:

- (1) The Government continues to promote resettlement for Indo-Chinese Refugees and Displaced Persons who hope to resettle in Japan, in accordance with existing cabinet resolutions.
- (2) The Government continues to admit Indo-Chinese Refugees and Displaced Persons who seek temporary refuge in Japan to stay, in accordance with existing cabinet resolutions, provided that UNHCR maintains its current assistance regime.

(3) For the Indo-Chinese Refugees and Displaced Persons who were authorized to resettle in Japan, even if they are not recognized as refugees under the Refugee Convention, they shall be provided with the equivalent treatment that Convention refugees are accorded as far as possible.

By 2005, it was officially recorded that 198 Vietnamese, 96 Cambodians and 115 Laotians had applied for refugee status, and that 59, 50 and 48 people were recognized as such respectively. Only a small portion of the Indo-Chinese who resettled in Japan filed applications for refugee status. This suggests that there were few incentives to attain refugee status, given the fact that there was little difference between refugee status holders and non-holders with regard to daily living and social security entitlements. Refugee status may have a significant implication on admission and residential permission, however, once resettlement was authorized (territorial asylum was provided), the Indo-Chinese in Japan might not have found any need or merit to being labeled as Convention refugees. Notably, those people who were recognized as Convention refugees were issued a *Refugee Travel Document*²⁴ under Article 28 of the Convention, while those who retained their ‘Indo-Chinese Refugee or Displaced Person’ status were issued re-entry permits under the *Immigration Control and Refugee Recognition Act* (1982).

3.2.2 Implications of Recognizing Refugees and Becoming Party to the Refugee Convention

In retrospect, the decision to accept Indo-Chinese refugees had a number of implications for Japan. Above all, it prompted Japan to join the international humanitarian regime for refugees by acceding to the Refugee Convention. International pressure is often cited as the primary reason for Japan’s accession to the Refugee Convention however, there are additional explanations. First, the decision was based on a strategic consideration to maintain international relations of critical importance – particularly the military alliance with the United States. Second, it was a tactical concession by Japan to ensure that in the face of strong international pressure to liberalize its asylum policy, it could still retain its fundamental isolationism by maintaining sovereign control over refugee status determination and its domestic refugee policy.²⁵ In doing so, security concerns rather than humanitarian concerns prevailed. The decision to assign the task of refugee status determination to the Immigration Bureau within the Ministry of Justice was in line with such thinking. Third, public opinion in Japan also shifted towards being in favour of recognizing more refugees, which placed added pressure on the government to play a more active role in global refugee issues by becoming party to the Refugee Convention. Several NGOs played an important role in shaping positive public opinion, as mentioned in Part 3.3 below.

Another important but not well known consequence of acceding to the Refugee Convention were that positive legal reforms that took place. By removing the nationality requirements from social security legislation, foreign nationals, mostly of Korean origin, were no longer excluded from the

²⁴ According to Hiroshi Karube of RHQ, those people recognized as Convention refugees can use the Japanese civil code and other domestic legislation as the legal basis for adulthood and marriage, while those without Convention refugee status must rely on the laws and practices of their country of origin, which may involve considerable time and money.

²⁵ Ryuji Mukae, “To be of the World - Japan’s Refugee Policy” European Press Academic Publishing, 2001, 241-243.

national labor, pension, health-care and social welfare system. Japan's accession to the Refugee Convention had the effect of broadening the social security network for hundreds of thousand foreign nationals in Japan, and this change continues to benefit the two million plus foreigners who live in Japan today. This is a positive, albeit unintended, consequence of becoming party to the Refugee Convention and of becoming a more open society for refugees.

3.3 The Role of NGOs in the Resettlement of Indo-Chinese Refugees in Japan

As the Japanese government was not ready to effectively assist Indo-Chinese refugees when they started arriving in Japan, the role of NGOs in providing relief assistance was a most significant one. In reality, Japan's civil society was not particularly strong and there were only a few NGOs operating 30 years ago. It is useful to understand the socio-political context in Japan during the late 1970s and early 1980s in order to better grasp the role that civil society played at this time. In essence, Japanese society in general was not well prepared to handle the resettlement of Indo-Chinese refugees. Japan had virtually no experience in handling asylum seekers and humanitarian cases until the arrival of Indo-Chinese refugees, and neither was it a signatory to the Refugee Convention in the early years.

The Japanese government supported the United States' military presence in Indo-China and this sparked a strong anti-war movement in Japan throughout the war years. In the late 1970s, memories of atrocities were still fresh and the anti-war sentiment mostly undiminished. There was not much sympathy within Japanese public opinion for people fleeing former South Vietnam, as the Japanese media had typically depicted it to be led by a corrupt, pro-United States government, while the North Vietnam was portrayed as leading a heroic national liberation movement against the almighty military power of the United States, and enduring severe casualties and losses. The harsh treatment of the people from the south by the new Vietnamese government was under-reported by the Japanese media. Similarly, there was little knowledge of the "killing fields" and human rights atrocities caused by Pol Pot's regime in Cambodia. Likewise, the complex political and military situations and harsh realities under the communist regime in Laos were not well known in Japan.

These factors made it difficult for ordinary Japanese citizens to understand why Indo-Chinese people were fleeing their own countries, and led some to believe that the reason for leaving was economically-driven. In combination, this resulted in Japanese society offering a less than welcoming attitude to Indo-Chinese refugees. Moreover, as Japan's economy was flourishing the nation had been single-mindedly pursuing economic growth for a long period, almost oblivious to conflicts and humanitarian issues throughout the rest of the world.

The arrival of Indo-Chinese refugees not only took Japan by surprise but also put the government under pressure, mainly by the United States, to accept larger numbers. The Japanese government was reluctant to accept refugees, on the grounds that Japan is a geographically small country with little space, the difficulty of learning the Japanese language, and marked cultural differences.²⁶ This naïve and untenable argument was strongly criticized by CSOs and the media, however it

²⁶ Reply of the Minister of Justice to parliamentary questioning

reflected the general level of understanding and sentiments within some parts of Japanese society concerning refugee issues at the time.

In order to obtain first-hand insights into the role of Japanese NGOs during this period, interviews were conducted with representatives from five of the organizations that were active in assisting the Indo-Chinese community over the past three decades: *Rissho Kosei-kai*;²⁷ *Akatsuki no Mura*;²⁸ Japan Volunteer Center (JVC);²⁹ Association for Aid and Relief (AAR);³⁰ Association for Supporting Refugees' Settlement in Kanagawa (RSA Kanagawa).³¹

The interviews focused on the early years of assistance from 1978–1985, and the following three questions were posed:

1. Why and how did your organization get involved in assistance activities?

Well-established religious organizations such as *Rissho Kosei-kai* and *Akatsuki no Mura*, got involved in response to international appeals made by religious bodies such as the World Conference of Religions for Peace. Humanitarian consideration and compassion were their key motives, and they were acutely aware of and concerned about strong international criticism that Japan was indifferent to the plight of refugees and was merely concerned with economic matters.

In its founding days, JVC was comprised of mainly students, young people and homemakers who traveled to Thailand to volunteer in areas where Indo-Chinese refugees were clustered. Following media reports in Japan on the massive exodus and desperate plight of the Indo-Chinese, Japanese of various backgrounds arrived in Thailand out of curiosity and concern, and were able to get involved through JVC, which was a Japanese NGO that also functioned as a kind of visitors' center. While JVC originated as a group of volunteers gathered in Thailand, as the core members gained experience, the organization evolved into the first field-oriented 'operational' NGO from Japan.

AAR was formally established in 1982, but prior to that, its founder Ms. Yukika Souma,³² established the *Association to Help Indochinese Refugees* and organized a series of fund raising campaigns for Indo-Chinese refugees with considerable success.

RSA Kanagawa consisted of volunteer homemakers who taught the Japanese language to Indo-Chinese refugees from the government-sponsored Yamato Settlement Promotion Center in the early 1980s. They believed that language is a key to successful resettlement.

²⁷ A Buddhist organization headquartered in Tokyo <http://www.rk-world.org>

²⁸ An organization affiliated with Caritas Japan <http://www8.ocn.ne.jp/~ak-mura> (Jpn only)

²⁹ <http://www.ngo-jvc.net>

³⁰ <http://www.aarjapan.gr.jp>

³¹ <http://www.enjokyokai.org>

³² Ms Souma was the daughter of respected politician Yukio Ozaki and member of *Moral Re-Armament* which was an international moral and spiritual movement established in 1938 in Oxford, England.

Notably, there was little in the way of refugee assistance activities from the ‘liberal’ and ‘leftist’ groups, such as *Peace for Vietnam! Association of Civil and Cultural Organizations (Beheiren)*, which arguably reflects their one-sided understanding of the nature of the Indo-Chinese war and its consequences. There was also little support for refugees from conservative and right-wing groups.

2. What were your organization’s main activities?

All the aforementioned NGOs focused on providing direct assistance to Indo-Chinese refugees in the form of such things as food and accommodation provision, language education and job training. Torture and trauma care was not offered, however it is notable that victimology and trauma care is relatively new in Japan, with professional associations such as the *Japanese Society of Victimology* being established as recently as 1990. The notion of ‘protection’ was largely absent until a later stage when issues concerning Convention refugees became more widely understood.

Rissho Kosei-kai and *Akatsuki no Mura* provided refugees with accommodation in temples and churches as there were initially no government-sponsored facilities. *Rissho Kosei-kai* also provided funds to UN agencies and other NGOs that were directly involved with the Indo-Chinese refugee crisis. The Association to help Indochinese Refugees (from 1982 AAR), lobbied government authorities to recognize and accept more Indo-Chinese refugees and engaged in fundraising campaigns, whereby they were able to also fund other NGOs. It provided scholarships to refugee children who excelled academically, with the intention of creating ‘star refugees’ that could help to change the negative image of refugees as people simply to be pitied. RSA Kanagawa focused on Japanese language training, and provided supplementary language courses to some 400 Indo-Chinese refugees, some of whom enrolled in consecutive classes and made use of the educational opportunity for many years. In RSA Kanagawa’s view, insufficient language training was one of the major reasons for the difficulties Indo-Chinese refugees faced in Japan.

3. What has been the impact of assistance activities on you individually, your organization, and on Japanese society generally?

On an individual level, most of the young members of the NGOs were deeply impacted by their involvement as it was the first time for them to come face to face with victims of war, political oppression and persecution. For some of the more senior members, it reminded them of the tragedies experienced during World War II, such as children who were left behind during the repatriation of Japanese from China. Individual NGO workers had a strong sense of compassion and commitment, and many admitted that they learned a great deal from their involvement and that “helping refugees is helping oneself.”

At the institutional level, the experience was a turning point in the history of Japanese civil society. Except for the humanitarian assistance extended to East Bengali refugees during the 1970s by the Shanti Volunteer Center (SVC), there were no other Japanese NGOs that had experience in international refugee assistance. The Indo-Chinese refugee crisis led to the creation of dozens of volunteer organizations and NGOs. Many of those that emerged from the Indo-

Chinese crisis era are still active today, however, many NGOs began to branch out and expand their activities to address African famine victims in the mid-1980s, the Iraq and Balkan crises during the 1990s, as well as development, environmental, human rights and peace-building activities in more recent years.

At the national level, the arrival of Indo-Chinese refugees had a *tsunami*-like impact on Japan – in the sense that it was sudden, dramatic and of great magnitude. Having enjoyed peace, stability and economic growth in relative isolation from the international humanitarian scene, the arrival of Indo-Chinese refugees was a wake-up call that Japan cannot be immune to international problems. It was another *kurofune*³³ or strong external pressure to open up Japan. Faced with such unprecedented events, the government sought to cope on a trial and error basis, however, it was the NGOs that filled the gaps until the government developed adequate policies, programs and facilities.

NGOs further contributed to the mobilization of public opinion in favor of recognizing and accepting refugees in Japan, as well as becoming party to the Refugee Convention. Since then, NGOs have contributed to developing the notions of international responsibility-sharing, and the acceptance of refugees for resettlement as a form of international solidarity. According to social constructivist theory, Japanese NGOs served an important agency role by introducing and promoting new norms and beliefs concerning refugees and what Japan's role should be, thereby contributing to the change of the 'structure' surrounding refugee discourse.

However, efforts by those NGOs have been hampered by limited financial resources. Some 15 years ago, MOFA started providing funds to Japanese NGOs that provide refugee assistance outside Japan, but yet no funding has been provided to NGOs assisting refugees and asylum seekers in Japan. The Ministry of Justice does not partner or contract NGOs to assist refugees or asylum seekers, and neither formal or regular meetings between relevant government ministries and NGOs regarding assistance to refugees and asylum seekers in Japan have ever taken place. Recently, there are signs that the situation is evolving in a way that promotes regular contact between NGOs and government ministries, however, such a trend needs further encouragement and support.

³³ *Kurofune*, refers to 'The Black Ships' or Western vessels which arrived in Japan between the 15th and 19th centuries. They helped to trigger the Meiji Restoration or the modernization period in Japan from a feudal society approximately 150 years ago.

Part II: The Indo-Chinese Refugees' Resettlement Experiences

4. Research Methodology

4.1 Significance of this Study

Since the first arrival of Indo-Chinese refugees in the 1970s, several attempts have been made by various actors to identify the facts and nature of refugee issues as they relate to Japan. Such research has generally tended to be inadequate and sometimes confusing. For example, much of the empirical research was carried out by interviewing a limited number of refugees or persons of concern by using a multiple-choice questionnaire. The findings of the existing research also tend to be influenced by the perceptions of the researchers involved. A case in point is a research study carried out by the Ministry of Justice,³⁴ and labeled as "objective research" on the basis of having surveyed the employers of Indo-Chinese refugee workers, but not the refugees themselves. The findings were resultantly more subjective than objective in nature, as they described the views of employers only, along with preconceived notions that were articulated in each of the questions asked.

While it may be difficult to accurately and comprehensively assess and articulate the situation of refugees, it is of great importance to try and understand the situation from the perspective of the refugees themselves. In order to do so, semi-structured interviews and open-ended questions are more suitable than structured interviews or multiple choice questionnaires. Based on this line of reasoning, interviews for this study were carried out in such a manner and therefore set it apart from the existing literature.

4.2 Survey Data and Methodology

The number of Indo-Chinese refugees and displaced persons whom Japan accepted from 1978 to 2006 is approximately 11 000. With more than 30 years having elapsed since the beginning of the official reception until the present day, it is estimated that this figure of 11 000 has undergone substantial change due to changes of residency within the country, deaths, births, resettlement to other countries and voluntary repatriation. The absence of a centralized, reliable and updated refugee database makes it difficult to assess the needs, whereabouts, and degree of integration of the Indo-Chinese refugee community, and therefore was a serious constraint on the execution of this study. Such a database would also be useful for government as it seeks to formulate appropriate integration support policies and measures. Amendments to the *Immigration Control and Refugee Recognition Act* (1982) were approved by the Diet in July 2009, and a centralized

³⁴ Immigration and Refugee Recognition Bureau of the Ministry of Justice, "Investigation of the Actual Situation of Indo-Chinese Refugees in Japan", 1987, p.4 "...this research was primarily conducted by Immigration Bureau officials with employers, managers, and officials of public schools and so forth who are in contact with refugees and their families. In that sense, this report is "objective" in its character and differs from the study commissioned by the Ministry of Foreign Affairs to International Social Services Japan (ISSI) in which interviews were conducted directly with the refugees themselves and was therefore a "subjective" study.

database system, which records details about all foreign nationals in Japan including refugees, is scheduled to be established.³⁵ While such a database is controversial in terms of arguably crossing civil liberties boundaries such as privacy rights, it is anticipated that the database could be used to trace refugee movements and locate them at the municipality level so that service providers (RHQ, UNHCR, CSOs, municipalities and academia) may provide more effective and timely assistance.

From the 3 000 letters that were sent to Indo-Chinese refugees requesting interviews, as many as 1 500 of them were returned to sender, indicating that they no longer lived at the given address. The RHQ database is the most authoritative database on Indo-Chinese refugees in Japan, but it is updated only when a refugee contacts RHQ for information or guidance. It is therefore neither up-to-date nor complete. The high proportion of returned letters suggests that Indo-Chinese refugees move residence, and probably also change their place of employment, more than occasionally. Other reasons for the change of address include emigration to other countries or repatriation to the country of origin. The main motives behind the moves are changing jobs and wanting to live closer together with people from the same community, language group and culture.

In order to understand as accurately as possible the resettlement experience of Indo-Chinese refugees in Japan, it is necessary to know of the major changes and events that have taken place in their lives. By dividing this three decade long process into six chronological sections, some of which are marked by important international and political events, the experiences of the Indo-Chinese refugees may be systematically and collectively analyzed. This section seeks to assess the steps and processes by which the refugees adapted, or were unable to adapt to a new environment amid changes within and outside of Japanese society.

1. Pre-arrival to Japan
2. Early stages of resettlement in Japan (1975 – 1980)
3. Post-ratification of the Refugee Convention by Japan (1981- 1989)
4. Period of economic growth in Indo-Chinese countries (1990-1995)
5. Closure of the Indo-Chinese Refugee Issue (after 1995)
6. Current situation

4.3 Identifying Interview Respondents and Conducting Interviews

The survey focused primarily on first-generation refugees who experienced conflict in their countries of origin, and included those who arrived directly to Japan, as well as those who stayed in camps either inside or outside their homeland and subsequently resettled in Japan. This group was supplemented by the “1.5 generation” who were born during the post-conflict reconstruction years in their countries of origin, and the second-generation of Indo-Chinese who were born in Japan. (Annex I: Generation)

³⁵ Asylum seekers will not be registered in the database.

Letters of request to participate as interview subjects were sent to 3000 households in May 2008 under the letterhead of UNHCR Representation in Japan. These contact details were accessed from a list compiled by RHQ. Only 68 people replied positively to the letter of request and agreed to give face-to-face interviews; these people were subsequently interviewed in their own homes. The main reasons for the initial low response rate seem to be “survey fatigue” and uneasiness about being contacted by researchers who were completely unknown by community. In order to increase the number of interviewees, the research team decided to reach out to the community itself by seeking ‘word of mouth’ recommendations and connections. For example, religious leaders, interpreters and respondents proved to be very cooperative in arranging introductions and helping the researchers to set up additional interviews with people whom they knew. As a result, the number of interviewees rose from 68 to 245 people. In the end, 217 of these interviews were drawn on for analysis and reporting.³⁶ (Annex I: First Contact with Interviewee)

A concerted effort was made to gather an unbiased sample that fairly represented the various communities and dynamics within them. With 80 respondents from Vietnam, 87 from Laos, and 50 from Cambodia, the result was that the three country of origin groups were not proportionately represented, however, particular characteristics and tendencies among the respective groups did appear clearly when the data that was collected through this method was compared. (Annex I: Country of Origin)

The interviews were conducted by a team comprising two lead researchers and several research assistants who were given interview technique training by UNHCR personnel. Together, usually with the assistance of an interpreter, they conducted in-depth interviews by following an interview questionnaire (Annex II: English Translation of Interview Questionnaire). A written record of the interview responses was made and subsequently transcribed in report form. The interview language was either Japanese or the corresponding native language (Khmer, Vietnamese or Lao), with interpreting services utilized when necessary.

4.4 Fieldwork Duration

Interviews were conducted between June and December 2008, and the survey analysis was carried out between January and March 2009. The fieldwork period was prolonged due to the initial low response rate and the need to continually identify more interview candidates.

4.5 Interview Questionnaire Design

The interview questionnaire was designed by Professor Ikuo Kawakami. When seeking to understand how well Indo-Chinese refugees have integrated into Japanese society, it is necessary to consider the ways in which the refugees themselves assess their lives in Japan. According to Professor Kawakami, who has considerable experience in conducting fieldwork that focuses on Vietnamese refugees in Japan, it is apparent that the Indo-Chinese refugees’ way of life is defined

³⁶ The reason why the interview records of 28 individuals were not utilized was because they were conducted as part of a pair or group interview and lacked the kind of response that could be attributed to one independent-thinking person. In other words, a discrete, individual response could not be discerned.

by both external factors (for example, trends in international society, social circumstances, legal and educational system, policies regarding foreign nationals, media and so forth in the country of resettlement) and internal factors (such as family in the country of resettlement, ethnic support networks, access to information in their native language, ways of thinking and customs linked to the country of origin). In other words, while the experiences and worldviews of Indo-Chinese refugees who reside in Japan are grounded in a Japanese social context, they are at the same time influenced by the circumstances of the international society and information in their first language, which are accessed through ethnic networks inside and outside of Japan.

Time is also a decisive factor in shaping experience and outlook. Changes that occur over time such as social and economic circumstances, generational shifts, as well as family circumstances and structure transform the lives of refugees and their way of thinking. It is therefore necessary to take account of temporal considerations when collecting data from refugees regarding how they perceive various aspects of their resettlement experience in Japan.

A total of 51 questions addressed the following issues:

- status of residence;
- family situation;
- employment;
- housing;
- education;
- medical issues;
- social security;
- assistance from the Japanese government, UNHCR, other organizations;
- ethnic community network in Japan;
- language (Japanese and native tongue);
- return to country of origin;
- contact with family/relatives in country of origin and abroad;
- contribution to Japanese society and country of origin;
- communication between parents and children;
- livelihood (in)security;
- future vision.

4.6 Analytical methodology

The collected data from each interview was entered into a database and sorted into a variety of categories, for example, year and mode of arrival. Data sorting was carried so as to discern some of the more intricate details of the resettlement experience for the three country groups.

Certain keywords were highlighted with the purpose of serving as a reference for later interpretation of the resettlement process. For example, the term “discrimination” was highlighted across all 243 interview records in order to ascertain individual and collective experiences of discrimination during their life in Japan. In order to increase the validity of the qualitative analysis, important questionnaire items were cross-analyzed. (Annex I: Sections 1-10)

5. Analysis and Findings

5.1 Introduction

Since 1978, the Japan has accepted approximately 11 000 Indo-Chinese refugees and displaced persons, some of whom arrived directly to its borders as Boat People or continued their stay as foreign students resident in Japan, and some of whom came via refugee camps or through the ODP. This Indo-Chinese refugee crisis marked the first occasion for the Japanese government to dispatch a delegation to refugee camps to select refugees for resettlement in Japan. And for Japanese society as a whole, the local integration of Indo-Chinese refugees and displaced persons served as a test as to how it would respond and treat the group of newcomers, in a society that has historically been so closed to non-Japanese.

The aim of the field work was to ascertain facts about the Indo-Chinese refugees’ resettlement experience in Japan based on empirical research. A lessons-learned approach was adopted that placed a particular focus on the difficulties they encountered in the process of their resettlement. Their collective stories are compiled and summarized so as to illustrate their predicaments and own perceptions regarding their integration, as well as their perceived contributions to Japanese society.

In the following sections, the findings of the survey are presented according to respective country of origin groups. Common issues that Indo-Chinese refugees have encountered in the process of their resettlement are raised and discussed as to how and why they have, or have not, been able to effectively integrate into Japanese society.

5.2 Refugees from Vietnam

Approximately 75 percent of all Indo-Chinese refugees who resettled in Japan came from Vietnam. Their mode of arrival to Japan included all the variations: direct arrival by boat, arrival following temporary stay in refugee camps in Southeast Asia, and arrival via the ODP and family reunification arrangement. The first arrival of Vietnamese refugees in Japan dates back to May 1975, shortly after the fall of Saigon. However, since Japan at that time was not yet signatory to

the Refugee Convention, the Vietnamese refugees were only granted temporary protection according to the *Landing Permission due to Disaster at Sea*. Therefore, Vietnamese refugees during that time were readily resettled to the United States and other resettlement countries. As the resettlement conditions in the United States and other western countries became increasingly restrictive, the Boat People who had been rescued in the adjacent waters of Vietnam and brought to Japan were no longer able to resettle in third countries. This situation, as well as international public opinion, pushed the government of Japan in 1978 to allow these Vietnamese refugees to resettle permanently in Japan.

Section I: Before Arrival in Japan

After the fall of Saigon, former military officials of the South Vietnamese Army were sent to ‘re-education camps’ from where some did not return alive. However, what awaited them after their ‘re-education’ were difficult living conditions, discrimination, religious persecution, fear and a lack of prospects for the future. This caused many to flee their homeland. In effect, many South Vietnamese people were forced to flee due to fear of their lives, discriminatory treatment, mental well-being, fear of persecution, and an overall loss of hope for the future.

Many who arrived in Japan had been rescued by tankers which were on their way to or passed by Japan, after spending days floating in the open sea in small fishing boats with broken engines and without food and water. Vietnamese refugees who arrived in Japan were not able to resettle in the country of their choice, and were left with no other option than to resettle in Japan. Many had left their families behind when they fled; and male family members often escaped first and called the family over once they had reached safe land. Family separation caused additional and strong stress and anxiety among refugees.

Besides direct arrival, there were Vietnamese refugees who fled Vietnam by boat or overland and arrived in refugee camps in other Southeast Asian countries. They escaped by boat in the 1970s and 1980s and spent from several months to several years in camps in Singapore, Malaysia, Hong Kong, the Philippines and Indonesia where they were interviewed by Japanese government representatives and subsequently resettled in Japan. The refugee camps they stayed in depended on the circumstances under which they had been rescued, for example, the ship’s destination port or its navigation route. Their reasons for fleeing Vietnam were the same as those who arrived directly to Japan: difficult living conditions, discrimination, religious persecution and so forth. It was not uncommon to only stay a short time in a particular refugee camp before being transferred to another camp, so there was continual readjustment before a durable solution could be found. Camp life required one to make a temporary living. Conditions were harsh, food was scarce and it was not possible to work. Prolonged stays in camps meant that some women were forced to give birth there, often in poor hygienic conditions. Some thought about life after the camp and studied English or Japanese when such means were available. Without the knowledge of which country one would be able to resettle in, and when, forced most people to lead a life of instability and fear in the refugee camps, sometimes for a number of years.

Many believed that they would not have a chance to be resettled in a particular country unless they had relatives who already lived there. For the refugees who lived in the camps, their time was spent anxiously thinking about family members who were being scattered between Vietnam and other countries, and whether they would ever be able to reunite. Many Vietnamese refugees reported that both the Government of Japan and UNHCR failed to provide sufficient information about the status and rights of refugees. It appears that those Vietnamese people who came to Japan from the refugee camps, came for no other reason than the Japanese government had offered to resettle them.

Another way of entering Japan was via the ODP. Some who came through this channel reported that they were able to arrive in Japan due to the forces of international relations, namely, that while the United States had stopped accepting Indo-Chinese refugees Japan was meanwhile proactively making use of the ODP to reach its quota target. While some ODP Vietnamese do not identify themselves as refugees, the Japanese government includes them under the broader definition of Indo-Chinese refugees.

Section II: Early stages of resettlement in Japan (1975 – 1980)

Vietnamese refugees were permitted to resettle in Japan from the end of the 1970s, and were temporarily housed in *Settlement Promotion Centers* where they received adjustment training, job placement and housing assistance before they made their own way in Japanese society.³⁷

Life for Vietnamese refugees at that time was reportedly difficult: many mentioned that learning to communicate in Japanese, their housing situation, and human relations at their workplace were most challenging of all. Securing employment, education, and housing were felt to be particularly crucial in the early stages of resettlement. Ethnic community networks were not well established yet, and so assistance and information were not easily accessible. For example, sending remittances back to one's family in Vietnam could prove to be a problematic task. Being torn apart from one's own family added to the psychological stress of adjusting to Japan. Many refugees responded that the first five years of their resettlement represented the greatest period of challenge and hardship.

Not surprisingly, among the most pressing issues was the Japanese language. It was very difficult for Vietnamese refugees to adapt to life in Japan, as communication problems persisted, particularly at work, dealing with government services, or when seeking medical treatment. Compared to Vietnam, the pace of life in Japan was faster and harder to keep up with. Also, by simply saying that they had come from Vietnam meant that people automatically labeled them as 'refugees', which was cause for discriminatory treatment and narrow stereotyping. Not being able to speak the language meant that their incomes were inferior to that of Japanese workers, and not being able to speak up against wage discrimination only added to their

³⁷ The Japanese government determined that Vietnamese, Laotian, and Cambodian refugees should be placed in different *Settlement Promotion Centers* based on the historical background of the three Indo-Chinese countries.

frustration. In some cases, Vietnamese children were bullied at school, which is typically explained by the fact that they were seen to be different.

Some Vietnamese refugees report that Japanese people looked down on Vietnam and Vietnamese people. They feel that a racial hierarchy prevails in which Westerners are ranked high and Asians low, with Japanese in the middle of the scale and Vietnamese below them. A portion of Vietnamese were consequently not able to adjust to Japanese society and migrated to other countries.

Many Vietnamese affirm that NGOs offered assistance in diverse regions of Japan during that time. Assistance from the Catholic Church (Caritas) and Buddhist organization (*Rissho Kosei-kai*) was extremely valued. Also, the Japanese 'bubble economy' and the accompanying spirit of limited state intervention in the 1980s fostered the attitude that governmental assistance should not be expected, but rather, people should act independently and actively to help themselves, for instance, by collecting information from relatives and friends or moving residence to find a new job.

During that time, Vietnamese refugees living in Japan corresponded with their families back home by mail, but it was widely suspected that the Vietnamese government was censoring their letters. Some refugees suggest that this and other issues gave them the impression that the Japanese government was not very interested in refugee issues.

Section III: Post-Ratification of the Refugee Convention by Japan (1981-1989)

When asked about Japan's ratification of the Refugee Convention, quite a number of Vietnamese refugees answered, "We do not know about the Refugee Convention in detail. Nothing really changed [for us]." Some people claimed, "I was not able to go to the United States because Japan signed the Refugee Convention," while others thought that the Japanese government adopted a very passive stance towards Indo-Chinese refugees. When reflecting on their lives in the 1980s, some refugees responded that "Even when I wished to consult somebody, I couldn't, because I wasn't able to speak Japanese. I was lonely. There was no assistance for Japanese-language education, and it was difficult trying to make a living."

Many felt that more than the ratification of the Refugee Convention itself, the favourable economic conditions during the 1980s in Japan enabled them to find employment, which helped them to cope with the initial hardships. Their homeland Vietnam on the other hand, in the 1980s, faced a dire economic situation due to socialist-style governance. Some Vietnamese refugees residing in Japan sent electronic appliances to Vietnam so that their relatives were able to make a living by selling them. This suggests that some Vietnamese refugees in Japan maintained strong ties with their relatives in Vietnam.

Vietnamese who arrived via the ODP during the 1980s and 1990s shared similar experiences to those who settled earlier. Similarly, their most difficult problem was the Japanese language and the consequent negative impact of not being able to communicate easily, such as bullying and discrimination, and the need to change jobs and residence for those reasons. However, not all

Japanese people treated them in the same way. Some responded that, “the Catholic community was very friendly. Some Japanese would not know how to approach us, but once you broke the ice and talked to them, they treated us in a friendly way.”

Some respondents who came to Japan in the 1990s under the ODP did not receive any training or assistance from the *Settlement Promotion Center* and had to start working right away in order to earn a living. In these cases, even basic Japanese language skills could not be easily acquired and information was therefore difficult for them to obtain. By contrast, a Vietnamese woman who arrived in Japan via the ODP in 2000 experienced the beginning of her resettlement very differently. Thanks to her Vietnamese husband’s understanding and the language training support from teaching volunteers, her integration into Japanese society progressed fairly smoothly. She says, however, that she felt discriminated against at work and attributes this to the prevailing anti-foreigner attitude allegedly held by many Japanese. The only thing she could do was try to get along and cope with the stress, she reports.

Sometimes, traditional family values would change during the course of life in Japan. In one case, parents tell how “in Vietnamese families, it is normal for children to support their ageing parents, but my children do not support us. They left us behind and migrated to the United States.”

In the late 1980s, the issue of ‘bogus refugees’ from Vietnam was reported in the media. While some Vietnamese refugees said that they were not knowledgeable about the controversy over ‘bogus refugees’, one respondent commented, “Since I was working as an interpreter, I came to know this issue very well. As there was a war between China and Vietnam, people of Chinese descent were being persecuted in Vietnam. Moreover, due to the complex historical relations with Cambodia and China, there were Chinese-Vietnamese and North Vietnamese fleeing to China. From there, some Chinese pretended to be Vietnamese and tried to come to Japan by boat to seek asylum.” The resemblances in physical appearance between Vietnamese and Chinese, the poor living conditions in China, and the geographical proximity of China to Vietnam and Japan, formed additional push/pull factors.

The reports about ‘bogus refugees’ impacted negatively on many Vietnamese refugees who had worked hard and sought to integrate into Japanese society. Some Vietnamese refugees attributed these reports to the circumstances in both Vietnam and Japan at that time. In other words, so-called ‘economic migrants’ fled North Vietnam and the alleged groups of ‘bogus refugees’ included North Vietnamese. According to one respondent, “As Japan planned to accept 10 000 refugees at that time, there was still room to receive more, which is why the Japanese government recognized them.” One Vietnamese refugee admits that “because of the bogus refugees, Vietnamese became distrustful of Chinese.” Moreover, these reports instilled anxiety in the Vietnamese community about their eligibility as refugees in Japan. However, as one Vietnamese pointed out, “Bogus refugees are a difficult issue. It is hard to distinguish between ‘bogus’ and ‘genuine’.” Also, some Vietnamese refugees noted changes in the wider society, pointing out that, “Japanese people became suspicious of foreign nationals, as reports on crimes committed by Iranian refugees proliferated.”

Section IV: Economic Growth in Indo-Chinese countries (1990-1995)

From the outset of the 1990s, the Vietnamese economy finally began to recover. The improvement of socio-economic circumstances in their country of origin had a marked influence on the lives of Vietnamese refugees living in Japan. Upon learning that Vietnam was becoming more affluent, the number of Vietnamese refugees who wished to return or temporarily visit their home country increased. Despite the recovery of the economy, their feelings toward their home country remained complex. Many interviewees said, “We could not trust Vietnam, even after the economic reforms of Doi Moi”.³⁸

With the dawn of the internet age from the 1990s and unprecedented access to various sources of information, Vietnamese people living abroad constantly questioned whether the information from Vietnam was trustworthy. For instance, “after Doi Moi, the government of Vietnam welcomed the temporary return of Vietnamese refugees, but the underlying reason was because we would return with money”. Many respondents remarked, “the urban areas in Vietnam have changed but the rural areas are still very poor.”

Furthermore, one refugee reported, “once I returned to Vietnam to visit but I felt so insecure. Every day, the police came and checked up on me. As a result, I decided to shorten my stay and returned to Japan earlier than planned.” Consequently, he felt “insecure in both Vietnam and in Japan”, the latter due to social circumstances as previously described.

Future prospects for those contemplating a return to Vietnam were also uncertain during this period. “Even if I see that Vietnam is improving and that life has become better there, my children grew up here and only know the Japanese language; they are not familiar with Vietnam”. Accordingly, no interviewees responded that s/he would return to Vietnam with their children. Even if they would like to return to Vietnam and think about leaving their children in Japan, some reported having insecure feelings about their future, such as “I would like to return to Vietnam in the future, however, I do not know whether I will receive my pension. I feel very insecure.” This leads them to contemplate issues such as residential status in Japan and attaining Japanese citizenship. One refugee said, “I naturalized in order to travel safely to Vietnam”.

With the 1990 amendment of the *Immigration Control and Refugee Recognition Act* (1982), many Vietnamese refugees were absorbed under the status of ‘long term resident’. Some respondents commented, “it became easier to obtain ‘permanent resident status’ or to become a Japanese citizen after 1990. In fact, you need permanent resident visa status in order to borrow money from a Japanese bank.” Notwithstanding these views, there were many respondents who did not know about the amendment of the aforementioned Act, which indicates that basic information about relevant laws was not sufficiently disseminated among refugee communities.

Reports about the harsh realities of living in Japan as a non-Japanese came to light. According to the real life experiences of their children in Japanese society, “it is practically impossible to get a job without a Japanese name, even as a high school graduate,” and therefore believe that the

³⁸ *Doi Moi* or ‘renovation’ were the economic reforms initiated by the Communist government of Vietnam in 1986, which gradually led to the Socialist-oriented market economy.

possession of Japanese nationality affects one's chances of securing employment. Some respondents noted a change in attitude within Japanese society towards Vietnamese and other foreign residents according to the economic climate. They observed that "when the economy was fine, Japanese people were friendly, but during the 1990s when the economic recession hit they became unfriendly".

Section V: Closure of the Indo-Chinese Refugee Issue (after 1995)

In response to the official closure of the Indo-Chinese refugee issue in 1995, one refugee stated, "the fact that the issue was considered closed was a good thing as Japanese people would otherwise have lost interest in refugee issues". Opinions regarding this declaration among the Vietnamese community were, however, generally negative and their worries about the instability of daily life prevailed. Some reported hardships around this time, such as "after the bubble economy burst, we lost our jobs and our quality of life deteriorated dramatically", or "the fact that they declared the issue over made us change our status of residence to permanent resident status so that we would not fear being forcefully repatriated". Others were concerned that assistance and legal protection would cease when the *Settlement Promotion Centers* closed, and therefore felt insecure. Quite a few respondents felt that "it is difficult for us Vietnamese to gather and unite in Japan".

Section VI: Current Situation

The most pressing issue for the majority of Vietnamese refugees is how to make a secure living. Problems regarding work and income were most frequently cited. Life has become more difficult in the current economic downturn since diminished incomes make it harder for many to make ends meet.

Some respondents said that they wished to acquire Japanese nationality in order to escape the discrimination that persists within Japanese society against Vietnamese and other foreign nationals. Some, however, believe that naturalization requires a high level of Japanese language ability and they are discouraged by their own low level of proficiency and ultimately have abandoned any hopes they may have had to acquire citizenship.

Many first-generation refugees expressed concern about their children's education. As they believe that education is the key to a stable life, the fact that their children only speak Japanese and do not know their parents' homeland worries the parents' generation. Concerns about their children's identity were also raised. Therefore, many do not know how to handle the divisive family issue of "I want to go back, but my children want to stay."

Many Vietnamese parents think that their children are being bullied due to their foreign name. They also claim that "compared to other countries, it is very difficult to acquire Japanese citizenship". As one Vietnamese ODP woman explained her beliefs, "The Government of Japan does not accept applications for naturalization unless they can confirm that the Vietnamese

government has removed Vietnamese citizenship from that person. And yet, the Vietnamese government does not permit us to renounce our Vietnamese citizenship. That is why naturalization is difficult. In countries like Singapore, however, if you have evidence of your application they will allow you to be naturalized after one year or so. It does not make sense to me that Japan insists on the ‘denationalization’ papers as we have to give up our nationality of birth when we acquire Japanese nationality in any case.”

Some people are determined that they “will not return no matter how much Vietnam develops” and state that “I have decided to live permanently in Japan”, most expressed insecurity about their future. It should also be noted that there are some who “even today, have nightmares about the war”, but that there are also those who feel “supported by the Vietnamese Catholic Network”. Some asserted that they contribute to Japanese society through their work, but many replied that they wish to contribute more in the future if they have the chance.

5.2 Refugees from Laos

The political situation in the three Indo-Chinese countries underwent radical changes when in the same year of 1975, the Khmer Republic collapsed on April 17, followed soon after by the fall of Saigon on April 30, and a few months later in December, the monarchy in Laos was abolished. Many Laotians, particularly the elites of the old regime, fled from their homeland under the self-proclaimed Socialist Lao People’s Democratic Republic.

Section I: Before Arrival in Japan

The Laotians who resettled in Japan did not experience the same appalling situations in their home country as did the Vietnamese and Cambodian refugees. Many escaped by crossing the Mekong River by boat or by swimming, and sought refuge in neighboring Thailand where they spent several years in refugee camps. There, they were given the possibility to nominate a resettlement country such as the United States, France and other mainly western countries. Under these circumstances, it is interesting to learn about their expectations and reasons for selecting Japan as their resettlement country.

Although in some cases Laotian refugees had relatives in France or the United States, some of them chose Japan for resettlement as they expected to return to their country of origin as soon as possible, once the situation at home had improved. They anticipated that Japan would be the most convenient in this regard.

A then 16 year old boy who fled from Laos with a friend, and lived in a refugee camp for two years, was interviewed by a Japanese government representative and subsequently arrived in Japan in 1980. He recalls, “I thought of settling down in Japan and not going to other countries. I thought it would be the best place because of the abundant job opportunities here.” Another refugee recollects that “people in Japan are also Asian people, so wherever I go I will see people with black hair and I thought that would be good. Thoughts like that.” Whether such reasons can

be understood as having been made spontaneously is open for question, but at least it can be said that they did not feel discomfort with regards to their perceptions of Japanese society.

A female refugee whose brother lives in the United States and cousins live in France said, “I came to Japan because I liked Japan best. The people are Asian, the same as me. The customs in America are very different from ours.” Interestingly, such decisions about resettlement destination choices appear to be based on mere impressions. It may well be that it is impressions that guide asylum seekers / refugees in important decision-making, even though they tend to lack objectivity and insight. Lacking the means and opportunity to collect relevant information, it is not surprising that the decision-making style is based on hearsay and impressions. Another factor that appears to have informed their decision-making about resettlement options is time. One refugee recalls, “it took me one year, but I think that for others it took from about three to five years. Also, there was an order. My number was 9800, so I had to wait until that number was called up.” In other words, impatience caused by protracted stays in refugee camps was another factor that influenced their decisions, along with the availability of resettlement options, namely, the country which would allow them to resettle the fastest.

Alternatively, there were also respondents who based their decision around a hopeful return to Laos rather than on impressions of Japan: “I thought that since Japan is close to Laos, I may be able to go back if the situation gets better. I therefore started to study Japanese [in the camp].” Respondents with similar thoughts were either themselves well-educated or had friends who had studied abroad in Japan, thus indicating that they came from a rather wealthy background. In other words, these refugees with a strong wish to return to their home country pro-actively selected a country for resettlement that would facilitate their return. It was a very rational decision in the sense that, as a means to an ends, they began by learning the Japanese language prior to leaving the refugee camp. Ironically, what triggered their ability to resettle effectively in Japan was their intention to return to their homeland.

Section II: Early Stages of Resettlement (1975 – 1980)

Of the estimated 11 000 Indo-Chinese refugees and displaced persons in Japan, the number from Cambodia and Laos are fairly low in comparison with those from Vietnam. Laotians, in contrast to Cambodians, are spread all over the country. As one respondent pointed out, this has pushed them in a mini-minority position within Japanese society and pressured them to assimilate. Their experiences of the *Settlement Promotion Centers* and their situations immediately following this assistance were investigated. A male respondent who was 18 years old when he came to Japan, reflects on the resettlement assistance he was given. “I felt that the assistance was sufficient. The Center took good care of me.” Given that he was young at that time, it is likely that he absorbed new things very easily.

When asked whether the three-month resettlement assistance she received from the Japanese government was sufficient, a female refugee who switched jobs frequently and changed residence within the Kanto (eastern) and Kansai (western) regions of Japan, answered very succinctly, “only some Japanese language [training was provided].” Even for someone like her who could

not speak the Japanese language proficiently, jobs were available. She found a job right after ending the training period in the *Settlement Promotion Center* and subsequently made use of job-placement offices to find employment. There appears, however, to be reasons other than personal ones for her repeated change of jobs. It may be that without a reasonable knowledge of the Japanese language, she was left with no choice but to accept work where there was little opportunity for growth and development. Alternately, it may also be observed that her experience demonstrates that Japanese society was tolerant and generous to support cases like hers. Acknowledging that life was not easy, she is very grateful for the assistance provided to her, “I worked really hard, and the Center and my company assisted me well.”

It is often mentioned that the direct cause of resettlement difficulties is the Japanese language. The fundamental problem, however, lies in an assistance program where the language training period is fixed without taking into consideration any individual differences among refugees. They are practically bundled out into Japanese society without a social safety network after having completed the minimum training. Despite having benefited from such “assistance”, respondents reported that they were led to feel inferior and alienated from the host society, as well as made to suffer from the stereotyped image of a “refugee” being a burden on society. This is an unexpected but ironic result of how inadequate governmental “assistance” can construct, albeit unintentionally, a negative image of “refugees” which compounds their suffering and hardship.

In some cases, Laotians reported that the governmental assistance set them on the right track to finding gainful employment. “I stayed in the *Yamato Settlement Promotion Center* in Kanagawa prefecture for three months and looked for a job opportunity for another three months.” This respondent said he continued to work in the same job for 11 years, and then resigned due to health problems. He then resumed work and has been with his present company until this day.

With regard to job placement assistance, it was felt that such a service should not focus on salary and working hours alone, but also to what extent the job criteria can be applied to the individual, and vice-versa. Moreover, respondents suggested that any alternative positions that become available should also be presented to the job-seeker.

Section III: Post-Ratification of Refugee Convention by Japan (1981 – 1989)

While it was anticipated that Japan’s ratification of the Refugee Convention would influence the legal status of Indo-Chinese refugees, the reality was that their interests were confined to more practical matters such as how to visit their family and relatives living abroad. Even though the newly-created refugee protection system was of significance, what mattered more were the kinds of visible and concrete benefits that would be brought about.

When foreign nationals try to make a living in Japanese society, there are many who are troubled by issues that originate from lifestyle differences. A female refugee, who explained that it was not unusual in Laos if one slept until 9am, described Japan’s pace of life as always “speedy, speedy, speedy”. Thinking back to the time when she was in the *Settlement Promotion Center*, she said, “everyone, at first, was still sleeping even though we were supposed to be studying Japanese from

9am so our teachers had to come and say “Wake up, now! It is 9 o’clock!” Over time, she reported that they adjusted themselves to various lifestyle differences in Japan. “All the refugees work hard now, same as the Japanese.” This account is not presented to imply in any way that these people were apathetic or slack, but rather that there were different attitudes to time and daily rhythm.

On the issue of integrating into a society, questions of identity preservation and cultural receptivity are raised. Faced with no other choice but to live in Japan, some respondents commented that they sought to find their place in a society where the vast majority of people share a common cultural knowledge and understanding, and think of each other as a homogenous people. The standards by which foreign nationals are measured by are always according to a Japanese benchmark. For example, while Laotian people are not innately lazy and Japanese people are not innately diligent, the standard of diligence that Laotian people were measured against was always that which prevailed in Japan. In other words, some respondents suggested that in considering integration and harmonization of foreign nationals into a society, it is important to compare the relative standards on both sides, rather than deeming that one is good and the other bad, or one is right and the other wrong.

Notably, despair or a lack of well-being, do not characterize the responses given by the Laotian refugees who were interviewed. Rather, their responses are suggestive of a willingness to accept the various circumstances and challenges that they have been dealt. It is not possible, however, to definitively attribute this perceived resilience to the fact they are Laotian, or the fact they are refugees, or whether it is some other factor, such as being relatively well-educated and from wealthy families.

Section IV: Economic Growth in Indo-Chinese Countries (1990-1995)

Most of the Laotian refugees who resettled in Japan arrived in the 1980s. Overwhelmed with work and the need to make a living after completing their training at the *Settlement Promotion Centers*, many reported that they lacked the time and wherewithal to observe current affairs and their surrounding circumstances during that period. “I had a very hard time for the first five years after I left the *Yamato Settlement Promotion Center*. During those five years, I studied Japanese on the weekends and learned Japanese from volunteer groups in Yokohama. It was a tough time.”

One refugee commented on the change of circumstances in his home country during this time: “when I went back to Laos in 1990, I noticed that the economy had started to stabilize because there was no more conflict.” Another refugee recalls this period of change in Laos and the influence it had on his life in Japan: “Yes, things became more stable. With Laos’ economy stabilizing, my relatives were able to find work and so we could stop sending them money.” Another respondent said, “my mother, younger brother and sister still live in Laos today. If they need some money I help out, but not regularly.” Some people had different perceptions of the situation back home: “Nothing had improved in Laos around 1995. But those who lived in Laos received support and assistance from their families who lived abroad.”

Among those who fled Laos for Japan, many maintained deep emotional ties with their family and relatives who remained in their country of origin. In such cases, the remittances sent from Japan helped to support their relatives' livelihood and meant that the remitter carried an extra burden or responsibility. Such injections of overseas' money helped to improve the economic, and arguably the political situation in Laos. It also influenced the disposable income, savings and standard of living of the average Laotian refugee in Japan.

Section V: Closure of the Indo-Chinese Refugee Issue (after 1995)

Although the Indo-Chinese refugee issue was officially declared "closed" in 1994 in Geneva, for the persons concerned, however, this development was generally of little concern. According to some Laotian respondents, "no, it did not bring any change to my life in Japan," and "[it did not change anything for me] at that time, no, not really." Meanwhile, others claim that they were not aware of such a declaration, "I have never heard about such a thing." One may conclude that Laotian refugees probably had little interest in this policy issue, and did not follow developments at the international level, which helps to explain their lack of awareness.

One respondent reports that the difficulties she encountered while trying to change her residential status from a temporary to a permanent visa led her to apply for Japanese citizenship. As she was unable to receive the necessary assistance when applying for permanent residence, that is, secure two letters of guarantee from referees to support her application, she decided to apply for Japanese citizenship instead, as that procedure did not require her to secure such a high level of supporting documentation.³⁹

The political situation at the state-level was not of great interest to many Laotians at this time as there were other issues that preoccupied them in their daily life. For example, receiving the necessary support to improve their Japanese language skills in order to meet the requirements for citizenship was of great importance to them. "The *Yamato Japanese Association* taught me Japanese. This allowed me to prepare for the Japanese language exam which is part of the application process for acquiring Japanese nationality." It was pointed out by the respondents that there appear to be two sets of skills involved when learning the Japanese language: proficiency for daily life and work which is more practical, and skills that prepare one for the Japanese language proficiency test. Although these skills are not unrelated, it is useful to be conscious of their difference when analyzing the challenges surrounding language for Indo-Chinese refugees, and foreign nationals more broadly.

Based on data from this study, there appears to be a comparatively large proportion of Laotians who have not acquired Japanese citizenship. While it is beyond the scope of this study, it would be beneficial to examine the relationship between Japanese language proficiency and the decision

³⁹ The Ministerial Regulation under Immigration Control and Refugee Determination Act requires only one copy of letter of guarantee (Article 22, Paragraph 1). However, the current regulation was enforced in 1982, and before 1982, the supporting documents to be submitted for the application of permanent residence was decided by the operation manual within the Ministry of Justice. In those days two letters of guarantee might have been required for permanent residence.

to acquire citizenship, particularly in terms of the challenges posed by the citizenship application procedure.

Section VI: Current Situation

One elderly female Laotian refugee reports that although her current life in Japan is generally going well, she and her husband are experiencing serious economic difficulties. She is the primary-carer for her husband who is unable to work due to a workplace accident. She appealed to the interviewer: “If only the United Nations could please help us...” For such people, awareness of the issues that shape the policies and activities of the Japanese government or UNHCR is not of great importance. What matters is to find assistance that can solve the pressing issues they face on a day to day level. This is probably why aid that is not highly visible is presumed not to exist. She commented: “There is no assistance from UNHCR.”

Some respondents complained that although they are trying to overcome extremely serious difficulties, there are a number of more minor refugee-related issues that also trouble them. Some respondents were not even aware of the existence of UNHCR. Others were conscious of people whom they knew had problems: “I do not have any major problems right now, but I think other refugees might need assistance.” Even though they have chosen to live in Japan, the decision to remain in the country is in most cases neither a dream nor a wish. It is rather a decision formed through a process of elimination when searching for a way to make a living. For a female refugee who has never returned to her home country after coming to Japan, her impression of Laos is as follows: “if peace returns to Laos, I will go and visit (my home country).” When asked about returning to Laos now, she replied “If I return now...I will have nothing there.” Life in Japan is certainly not easy, however, returning to Laos was not considered a viable option by nearly all respondents.

Regarding the survey conducted for the purposes of this report, one male refugee stated, “why is UNHCR conducting this kind of study at this point in time? They must have quite a lot of free time to be doing this. Indo-Chinese refugees are fed up with studies that have led to no improvement of their situation. We think it is meaningless.”

5.3 Refugees from Cambodia

In 1979, after having accepted the first group of Vietnamese refugees for resettlement, the Japanese government enlarged its resettlement quota to include refugees from Laos and Cambodia. Following interview screenings and selection by Japanese government representatives in Southeast Asian refugee camps, the Laotian and Cambodian refugees arrived in Japan by air. The majority of Cambodian refugees were aged in their twenties to forties, the core group being in their thirties. The male to female ratio was fairly evenly balanced, due to the selection criteria.

Section I: Before Arrival in Japan

The primary reasons that Cambodian refugees fled their homeland were fear of war and insecurity. Many respondents explained that they fled in order to escape the Pol Pot regime. Another reason was to avoid conscription and the risk of having one's sons sent as soldiers to the ongoing war with Vietnam. In essence, they fled from the calamities of war in their home country to seek a life of peace and security. Many fled overland to Thailand where they stayed in refugee camps, such as the *Kao I Dang Camp*. Some, however, came to Japan after staying in Southeast Asian refugee camps in countries such as Malaysia or Vietnam. Just like their Vietnamese and Laotian counterparts, Cambodians also spent from several months to several years in refugee camps, and some people were moved between different camps.

When asked what their feelings were on being interviewed for resettlement selection by Japanese government representatives, many respondents reported, "I applied for resettlement in the United States and Canada but failed, and Japan accepted me." Others commented, "I heard a rumor that the Japanese government accepts more refugees than any other country. The reason I decided to go to Japan was that it is a free and peaceful country"; or "I wanted to go to France because I have studied in a French school since I was a child"; or "I wanted to go to Canada because my sister went there". One person stated, "Conditions in the refugee camp were terrible. I was happy to go anywhere as long as I was able to get out of the camp," while another said, "there were thieves in the camp, so I was unable to sleep."

Furthermore, access to information about resettlement countries was limited inside the camp. Many refugees learned about Japan once they landed. One refugee reports, "I did not know anything about Japan, but seeing the Japanese NGO workers in the camp, I got the impression that it would be better than the United States." Another respondent stated, "I decided to live in Japan because I was Asian and looked sort of similar to Japanese people. Therefore, I thought it might be easier for me to adapt to Japanese society. Another reason is that I knew about Japan and liked it. I also knew that Japanese people were hard-working, so I wanted to resettle in Japan." These responses demonstrate that some Cambodian refugees had a positive image of Japan before their arrival, which many later found to not match the reality once they started living in the country.

Section II: Early Stages of Resettlement in Japan (1975 – 1980)

Cambodian refugees were provided assistance by the *Settlement Promotion Centers* in Kanagawa Prefecture (Greater Tokyo Area), and as a result, they established their communities mainly in the Kanto region (eastern part of Japan) after the end of their training period.

As with their Vietnamese and Laotian counterparts, Cambodian refugees also echoed the view that achieving competency in the Japanese language proved to be the biggest challenge. According to one respondent, "Everything was so tough for me. I am sure not only for me, but for other refugees too. In particular, I had problems with the language and Japanese customs." Despite receiving three (and in some cases four) months of language education and life

adjustment training, some reflected, “Why is it that we only had three months of training? How can I be expected to communicate with the person next to me at work? Being able to communicate is so important. Just three months and then going to work, that’s no good. Words are so important.” Others said, “We were only given three months of language education. But it was not enough at all”; and “The problem I felt was that I was sent off to work without receiving enough language training. It was three months plus a couple more months while we searched for a job, but this was too short. When I left the Center, I could not understand Japanese at all. At the Center, we studied Japanese with textbooks, but what I studied at the Center was very different from the daily Japanese I needed to use in society. In other words, the Japanese language I learned at the Center was completely different from the Japanese I heard at work. People were able to understand me but I could not understand them.”

Many Cambodian refugees reported that they learned Japanese at work or at language classes that were offered by Japanese volunteers. One person stated that he acquired his Japanese language skills when preparing for his driver’s license test. A large number of interviewees, however, felt that communication in the workplace was very complicated. The following comment illustrates this: “They told me to do this and that, but I didn’t understand. When I was asked to use the dangerous machines, I didn’t know how. I would try, but make mistakes, and they would get angry. I had no idea why they were mad at me, but it was indeed me who made the mistake.”

The language barrier also reportedly influenced the working conditions and workplace atmosphere for Cambodian refugees. They claimed, “Our income is lower than that of Japanese co-workers” and “Japanese workers who entered the company after me got promoted faster.” Some expressed the opinion that Japanese people discriminate against Cambodian refugees. There were occasions when they heard success stories from other Cambodian refugees who had resettled in France, Australia or the United States, and inevitably made comparisons with their own lives in Japan. “My classmates went to France, Australia or America. I only finished high school, but other people got their PhD or at least graduated from university. When explaining to them what I am doing, they laughed at me saying ‘if you had chosen to resettle in other countries, you would not be doing such a job,’ which made me feel so embarrassed. If I had not chosen Japan, I could have been like other people. That is my mistake”. Such statements suggest that the degree of satisfaction that some refugees in Japan feel is influenced in part by the relative comparisons they make with refugee counterparts in other countries, rather than solely with Japanese people.

A refugee who arrived in 1982 was asked the following question “Was the assistance from the Government of Japan sufficient when you started your resettlement?” He replied “If you say such a thing, we refugees will get angry. There was none [assistance]. None. I’m still very angry about that.” Another refugee who arrived in 1984 responded to the same question, “For three months after our arrival, the Government of Japan took good care of us. I actually stayed at the Center for four months – three months to study and another month while my husband was looking for a job. However, there was no assistance after we left [the Center]. I heard that in America, for example, assistance is provided for a few years. So I think Japan isn’t good compared to that. I have relatives living in America, and when they wanted to study, the American government gave them assistance. But in Japan we are on our own.” Furthermore, a Cambodian refugee who arrived in

1990 responded as follows, “When I left the Center, I told a staff member there: ‘I was working as a teacher in Cambodia so I would like to study even though I cannot speak Japanese well at the moment.’” But the staff member gave me a cold reply and said, ‘The Japanese government did not allow you to come to Japan to study, but to work.’ I know that in Europe and America, there is a system to support those who wish to study. Maybe that staff member did not think I knew about such a support system for refugees... But the Japanese government sees refugees only as part of the labor force.”

Language problems hamper effective communication and can create misunderstandings. One Cambodian refugee said, “I could not express myself well enough to convey my feelings and what I wanted to do. Also, the Japanese classes at the Center taught everything in honorific language, but once I left the Center, people spoke in a colloquial form which I could not understand. For example, there are many ways to address “you” in Japanese, but I was using the uncomplimentary form of “*omae*” without knowing that it was rude. This eventually became an issue. There were times when I wondered whether I was being discriminated against because I could not understand what people were talking.”

Some respondents felt that this kind of discrimination does not only stem from misunderstandings due to language, but also originates from a particular kind of Japanese disposition against foreigners and Asian residents in Japan. For instance, many respondents said, “I wish Japanese people and society stopped discriminating against other Asian people. They admire Westerners but look down on other Asians.” Another added, “Most Americans and Europeans come to Japan to work. These people might not face any difficulties here but Indo-Chinese people who live here permanently ...we do face discrimination.”

Language difficulties together with a perception of racism / discrimination against Indo-Chinese, were also reported to have a negative impact on some people’s experiences at work and in the community. For instance, “Other problems that I encountered were generally to do with human relations in the company. No matter how hard I tried, it was not easy to get along well. The same is true regarding the relationships with my neighbors. My Japanese neighbors didn’t like Cambodian food and thought our food smelled too strong. Even though they complained about it, I thought I could not do anything to resolve the issue because this is our custom.”

Cambodian respondents reported that finding employment was not an easy task. Some mentioned the problem of job-hunting as one of the central challenges in daily living. One respondent stated, “Finding a job? We didn’t have any choice except to do the “3D (dangerous, dirty, difficult/demeaning) jobs. The job market was not open to foreign nationals. But I found that there were a lot of other foreigners like Koreans and Chinese. They were also forced to work in difficult jobs and were similarly in a tough situation. Such news encouraged me because I realized that it was not only me who was in a tough situation.” The same refugee also explained, “Those who left the Center were in principle given the chance to study more with the help of volunteer Japanese language classes. But this system was not effective. The reason why is that we studied Japanese only once or twice per week and most of us worked in physically demanding jobs. We were very tired after work and not able to study and remember much of what we learnt, so it was not effective.”

Numerous refugees cited difficulties with Japanese customs. A female refugee explained, “I couldn’t get used to bowing. I could not understand why Japanese people always do that. No one taught me the meaning of bowing, and how and why one should bow. I wanted to go to school. But I couldn’t, so I was very frustrated about that. In any case, I studied very hard. Many people misunderstood my words and my attitude. I was very sensitive. After many years, I finally got used to the different customs in Japan, and since then, I feel that I have integrated in Japan to some extent and it is so now much easier to live here.”

When asked about their perception of assistance from UNHCR, regardless of the refugee’s year of arrival, the following answer was very common: “UNHCR helped us while we stayed in the refugee camps but there was no assistance from them after coming to Japan”. Also, “No, I did not realize that there was any assistance from UNHCR, only from RHQ.”

Other difficulties during the early stages of their resettlement included issues concerning housing, daily life and Japanese customs, the cold climate, lack of an ethnic community network, and worries about family members who remained in Cambodia. While the following case is somewhat exceptional, there were refugees who suffered extreme mental health issues relating to the challenges of resettling in Japan that led them to commit out of character acts. For example, due in part to the various stresses and pressures of adjusting to life in Japan, Mr. Bouy Moeun killed his own wife and three children (aged eight, six and four years old) in Yamato City, Kanagawa Prefecture on February 8, 1987. He was sentenced to 12 years imprisonment by the Yokohama District Court on January 31, 1992. This sentence was reduced on the basis that his criminal conduct was affected by a mental disorder caused by stress and pressure following his arrival in Japan.⁴⁰

Section III: Post-Ratification of the Refugee Convention by Japan (1981-1989)

As most Cambodian refugees worked long hours in manual labour jobs, they had little time or opportunity to access information. Japan’s accession to the Refugee Convention and broader social and political issues went by largely unnoticed. One Cambodian refugee reflects on that time: “I worked and did a lot of overtime hours. Basically all I did was work. I came home around 10 or 11pm and then slept. I didn’t even have the time or energy to watch television.” As a consequence, many Cambodian refugees reported that Japan’s accession to the Refugee Convention had no influence on their lives. The same applies to the scandal surrounding ‘bogus refugees’ in the 1980s. Due to a general lack of information, and low levels of Japanese literacy, many seem not to have been aware, or concerned with such issues.

Moreover, most of the Cambodian refugees reported difficulties in obtaining information from their homeland about the prevailing circumstances under the Socialist regime, which made many of them worry about their relatives and family who remained there. The following statement reflects this: “I contacted my two brothers and one sister who lived in France by postal mail. I had

⁴⁰ Yokohama District Court, Judgment 31 January 1992 (Judgment for Case No. 81 Wa 1987)

another brother in Cambodia but at that time the infrastructure was not well developed so communication, including sending and receiving postal mail, was quite difficult. I was rarely able to contact him.”

In response to the question, “Did information from abroad or from your family in other countries affect your life in Japan?” the same respondent replied, “Yes, it influenced my life. I have a relative in Canada. When I first came to Japan, I faced lots of problems. I heard from people who lived in other countries...and even though they had problems, when compared to what I was facing in Japan, their problems didn’t seem that huge. This influenced me in that I realized that in order to change the situation I was facing, I had to help myself. I had to work harder and study more Japanese. I don’t like to lose.”

Section IV: Economic growth of Indo-Chinese countries (1990-1995)

While the primary concern for Cambodian refugees in the 1980s was to secure a job and maintain a decent standard of living, by the 1990s, many refugees gradually became used to the Japanese language and their lives in Japan. Having said this, however, mastering the language and finding and maintaining gainful employment remained major challenges throughout this 1990s. Moreover, the ongoing civil war in Cambodia⁴¹ made those in Japan feel isolated and distanced from their families.

In 1993, when democratic elections were carried out and peace was restored, Cambodian refugees in Japan began to consider returning to their homeland. Some remained skeptical about the restoration of peace in Cambodia. “I went back to Cambodia in November or December 1993 for a short trip. My father and brothers had already returned in January or February, 1993. I got married in May 1993. The national election overseen by the United Nations Transitional Authority in Cambodia (UNTAC) also took place that same month. I was very afraid that the election would cause panic and that the situation would become dangerous so I returned to Japan with my wife as soon as the wedding ceremony was over.” Another refugee said, “I have returned to Cambodia three times so far. The last time I visited was six years ago. The first time I returned was with my family in 1993, after peace was declared in Cambodia. The second time, I went alone to visit my dying grandmother. The third time was when my grandfather died. Out of the three visits, two of them were to attend funerals.”

Cambodian refugees who arrived in Japan during the 1980s tended to return temporarily to their homeland, rather than repatriating for good. The main reason cited for deciding to continue living in Japan was that their lives were already well-established, together with their children, families and supporting ethnic community. By the time the economic bubble of the Japanese economy had burst in the 1990s, however, living conditions grew even more difficult for refugees.

⁴¹ A comprehensive peace settlement was made in 1991 when the Paris Peace Agreement was signed, and a UN peacekeeping mission helped maintain a cease-fire. The UN-sponsored general election in 1993 helped to restore stability however the coalition government formed in 1998 following the general election won by the Hun Sen-led Cambodian People’s Party (CPP) provided renewed political stability and peace.

During the period of recession in Japan, respondents were asked whether the Japanese government or UNHCR reached out to them with assistance and support. Most Cambodian refugees responded negatively to this question. “It would have been good if UNHCR had given us assistance. Refugees who have encountered trouble in Japan could not directly contact UNHCR. If only UNHCR paid better attention to us, we could have accessed more information. I think UNHCR’s assistance has not been enough. For example, typically refugees do not have a solid understanding of the Japanese language, especially *kanji*, the written Chinese characters. And refugee-related information was always written in Japanese, right? So if refugees don’t understand written Japanese, how could we possibly comprehend the information?” explained one respondent. As a consequence, it is evident that refugees have relied on their own respective ethnic networks to access useful information. One refugee explains, “When refugees encounter problems in their companies, friends exchange information on workplace related issues and solutions. Through our network among Cambodian people, we are able to get better jobs. The Cambodian refugee community in Japan comprises around 1,300 members, organizes a lot of activities, and fulfils a vital function.”

Not only did Indo-Chinese refugees report that they do not receive much information or assistance from UNHCR, but many Cambodian refugees expressed dissatisfaction with the level of support that was provided by the Japanese government.

Attaining Japanese citizenship was also reported not to be an easy process either. One Cambodian refugee recounted his experience, “When I applied for Japanese citizenship in 1992, The Bureau of Immigration requested that I submit original documents from Cambodia, but since I came to Japan as a refugee and have lived here for around 20 years it is not possible. My name is not even registered in Cambodia so how could I get those kinds of documents? I could have obtained fake documents by bribing a corrupt Cambodian official, but I didn’t want to do that. In the early 1990s, the system of government in Cambodia was very different from the way it is now. I therefore had difficulty trying to prepare the required documents for my citizenship application. In order to apply for Japanese nationality, the Immigration Bureau requires too many documents.”

As time passed, the children of first-generation refugees learnt to adapt to Japanese society and speak Japanese fluently, while on the other hand, they were are not able to speak Khmer, their parents’ native language. Representing a typical case, the following comment was made by a refugee who came to Japan as a child: “We (parents and children) have difficulties communicating. We all struggle with the language. I can understand Khmer, but only speak Japanese. Since I have been living in Japan for such a long time, I started feeling ashamed of speaking Khmer...when my parents talk in Khmer in public I would sometimes criticize them by saying, ‘Don’t speak Khmer!’ I think we cannot communicate well enough in our family.”

Section V: Closure of the Indo-Chinese Refugee Issue (after 1995)

A number of Cambodian respondents expressed worry about their future. Even though they have settled down in Japan, they do not know what their life will be like in their senior years. Pension benefits from the Japanese government may be received from age 65 onwards, but some worry about how they will cope until then, and whether they really will receive a government pension. Due to an inability to either access or fully comprehend relevant information, their feelings of insecurity are heightened. Furthermore, many feel that their employment, which represents the basis for their livelihood, is unstable. “It was difficult to find a job because I am a foreigner. Many companies said they were not looking for foreigners,” reported one respondent whose experience emphasizes that finding stable work is more difficult for non-Japanese people.

While such scenarios could already be observed in the 1980s, the years following 1995 – when economic conditions in Japan had deteriorated – forced issues such as employment and instability to surface. The official declaration of the closure of the Indo-Chinese refugee issue also spelled the closure of the *Settlement Promotion Centers*. The fact that many Cambodian refugees who encountered hardships did not know where else to turn for assistance once the Centers had closed down, increased their feelings of insecurity.

Section VI: Current Situation

There are three major areas of concern for Cambodian refugees who have lived in Japan for over 20 years. First, the ageing first-generation of refugees is concerned about economic security in their twilight years. Among them are those who would like to return to Cambodia and live their final years in their homeland, however, as their children are well settled in Japan they find it difficult to reach a decision about whether to go or to stay.

Second, many of them think that the Japanese government and UNHCR have not done anything to assist them. They remain troubled by their low standard of living, demanding working life and insufficient vocational training, and sense a lack of options in terms of improving their situation in Japan. On being asked, “In your opinion, do you currently contribute to the development of Japanese society?” one refugee replied, “I don’t think so. It’s not just me, but most of us, because we need to work hard to make a living, and never have enough time to focus on studies. And because of that we cannot contribute much to society. In the United States, since there is more assistance for education, refugees can contribute to society a lot more. They can become civil servants or teachers if they want to. But in Japan, we hardly have any options except for working in restaurants that are visited more by Cambodians than by Japanese people. It is also difficult to obtain Japanese citizenship. America is a country of refugees and immigrants and is a friendly place for them. But Japan is not. Japan has helped us [to some degree] but we need to make our living by ourselves. We face discrimination here and it is hard for us to fit completely into Japanese society.”

The third issue relates to all Indo-Chinese refugee groups. The issue of residential status is of considerable importance when examining what it is like to integrate into Japanese society. And

residential status for the first-generation's children is of particular interest. One refugee said, "For the second-generation of refugees, there should be more flexibility and the process to acquire Japanese citizenship should be easier. This should also include those second-generation refugees who were born in other countries. My son, for instance, was one year old when we reached the refugee camp in Thailand. My daughter was born in that camp. When we came to Japan, my son was three years old and my daughter was only three months. These kids were basically raised in Japan; they don't know anything about the past. They have heard so little about Cambodia and can only speak a little Khmer. They are basically like Japanese. The only difference is Japanese nationality, which is difficult to acquire. Therefore, the second-generation should have an easier time applying for and attaining Japanese citizenship. This is my wish." Another refugee reported, "When our children are grown up, I want them to have Japanese nationality. I want to change my son's name...but the procedure is so complicated. In order to change it, I have to go to court but I do not have the time or money."

A Cambodian refugee who came to Japan as a child is currently applying for Japanese citizenship and explains, "We are permanent residents and I am at present applying for Japanese nationality. However, because I was a refugee, the Embassy of Cambodia will not do anything to assist me, such as issuing the necessary certificates. Japan, on the other hand, does not do anything either. That means that I have to go to Cambodia in order to get all the documents to complete the application procedure. But that is too expensive!" When asked why she is applying for Japanese nationality, she replied, "I want to live in Japan. I cannot go abroad. I have been here since I was born, and I need a Japanese name when I search for a job." Many interviewees who came to Japan as infants or were born in Japan see themselves with certainty as part of Japanese society. The second-generation is more fluent in Japanese than in Khmer, while their parents are not as proficient in Japanese as they are. For this reason, the relationship between parents and children of first and second generation refugees is complicated and undergoing various changes. As one refugee puts it, "There is distance between children and parents. When there is a community meeting, adults usually speak Khmer and their children speak Japanese."

The fact that younger Cambodians may speak limited or no Khmer is apparent within the community, however it does not mean that they are indifferent to Khmer culture. On the contrary, there are some who are actively engaged and want to take advantage of their cultural heritage. As one young Cambodian said, "I'd like to continue my career in Khmer dance. And in the future, I'd like to make Khmer dance known in Japanese society. And I also want us to have our own Khmer temple. Vietnamese and Laotian people in Japan have their own temples, but it is only Cambodians who do not." Some respondents expressed their enthusiasm about engaging in activities between Japan and Cambodia in the future, "I have thought about that before. I've been visiting Cambodia every year since 2003. When the Cambodian economy improves I would like to try starting some business activities. It's not that I want to return to Cambodia for good, but I would like to be successful in a business between the two countries."

5.4 Overall Findings

Below is a preliminary summary about the degree of integration and resettlement experiences of Indo-Chinese refugees in Japan based on the interviews conducted with respondents from the three country groups.

Before Arrival in Japan

In most cases, Japan was not the preferred destination country for resettlement or for seeking asylum, according to the majority of respondents across the three country groups. This is perhaps the most pronounced characteristic among Indo-Chinese refugees who resettled in Japan at that time. Often, refugees' hopes to be reunified with family members who had already resettled in countries like the United States, Canada, and France informed their destination preferences. It was against a backdrop of increasingly restrictive resettlement policies in Western countries like the United States, and strong international pressure on Japan to accept Indo-Chinese refugees for resettlement, that an estimated 11 000 refugees and displaced persons made their home in Japan. While not necessarily wishing to resettle in Japan, most Indo-Chinese refugees were left with no other option as the possibility for them to resettle in other countries diminished. For those who spent prolonged periods in refugee camps in Southeast Asia, it is noteworthy that many Laotians, in particular, did want to resettle in Japan and held positive images of the country. For many, their rationale was that settling in Japan – a country that was a part of Asia – may be easier than settling in a Western country. Some of them aspired to go to Europe or the United States after initially settling in Japan.

Early stages of resettlement in Japan (1975 – 1980)

The *Resettlement Promotion Centers* established by the Japanese government at the end of the 1970s were designed to provide Indo-Chinese refugees with temporary accommodation, language and cultural training, followed by job placement assistance and housing advice, before they were sent out into Japanese society. The training was initially for just three months, and was later extended to four months. As a result, many respondents said that due to the insufficient language, cultural and vocational training, and lack of governmental assistance after the initial period, they encountered various difficulties particularly during their early stages of resettlement.

Among the various challenges, the greatest one was coping with the Japanese language. With only three or four months of language training, many felt that they could not make use of what they had learnt in their workplace. Without a solid understanding of the Japanese language, many had painful experiences trying to adapt to daily life, and when navigating human relations at work and in the local community. Language problems were cited as the single biggest challenge to adaptation and integration to Japanese society, according to all respondents regardless of their date of arrival to Japan, between the 1970s and 1990s.

Conversely, there were a minority of respondents who expressed their appreciation for the job placement assistance provided by the *Settlement Promotion Centers*. Others were grateful for the helpful assistance provided by NGOs and religious organizations, particularly during the initial stages of resettlement in Japan.

Japanese schools were required to accommodate Indo-Chinese refugees for the first time, and as a result, failed to offer sufficient adaptation courses and Japanese language education to the children. The academic performances of most Indo-Chinese children were consequently below average and led to very limited opportunities with regard to higher education and secure career paths. In many cases, Indo-Chinese refugees accepted low-wage jobs doing the kind of unskilled labour that Japanese workers preferred not to do. Their living arrangements tended to be in small, old public housing projects and wooden apartment buildings.

Due to a policy of dispersed settlement, some refugees led an isolated life after leaving the *Settlement Promotion Centers*. Even at present, some refugees live far from their own ethnic communities.

Post-Ratification of the Refugee Convention by Japan (1981-1989)

After Japan acceded to the Refugee Convention in 1981, the Japanese government gradually increased its quota of Indo-Chinese refugees. Although the Indo-Chinese refugees in Japan faced difficulties, particularly in the early stages of their resettlement, and lived hard lives, many were able to find jobs during this decade as the Japanese economy was flourishing during the 1980s. There is general agreement by the respondents, however, that upon leaving the *Resettlement Promotion Centers* after three or four months, there was virtually no assistance from the Japanese government. Many also responded that while UNHCR assisted refugees living in camps outside of Japan, there was no support from UNHCR once arriving in Japan. Local governments also made little effort to assist those refugees who became part of their constituency. Left on their own, it was their ethnic community networks that supported them the most in the 1980s.

The Vietnamese refugees sought to form an ethnic community group by establishing countrywide organizations. Among those, the Catholic Vietnamese network showed particularly strong solidarity, and spread itself throughout Japan. Neither the Cambodians nor Laotians developed a similarly expansive national network during this period, although their numbers were considerably smaller than the Vietnamese community.

When asked about whether Japan's accession to the Refugee Convention influenced their lives, many respondents reported the following sentiment, "I do not know much in detail about the Refugee Convention. Nothing changed for us [after the accession]." As Indo-Chinese refugees were not given sufficient language training opportunities, they relied solely on information that was gathered through their respective ethnic community network. Through such sources, they changed jobs and residence within Japan, which eventually led to the formation of several ethnic enclaves or neighborhoods. Vietnamese refugees, in particular, shaped their residential choices around information from their ethnic community networks. Cambodian and Laotian refugees on

the other hand, often lived in small groups, but tended not to form concentrated ethnic neighborhoods.

The issue of ‘bogus refugees’ that was picked up by the Japanese media at the end of the 1980s had a negative impact on Vietnamese refugees, who had until then worked very hard to make a living and integrate into Japan. The public perception of the existence of ‘bogus refugees’ put their credibility as ‘genuine refugees’ in danger, and caused them to worry about their status of residence, but also resulted in adverse feelings between South and North Vietnamese. In contrast, information regarding this issue did not appear to reach nor impact on the Cambodian and Laotian refugees to the same extent. A core reason for this may be that the ‘bogus refugee’ issue was of less concern as the allegations were not directly related to groups of refugees from Cambodia and Laos.

Economic Growth of the Indo-Chinese countries (1990-1995)

In the first half of the 1990s, the economies of the three Indo-Chinese countries finally began to recover and political stability returned. On the other hand, the Japanese economy started to enter into an extended period of recession following the end of the “bubble economy” in early 1990s. This triggered a desire for many Indo-Chinese refugees to return temporarily to their homeland, and consequently increased the number of refugees who visited their country of origin for a short period. Yet, underlying the socialist governments of Laos and Vietnam’s official welcome of refugees to visit their homeland was the expectation that they would bring economic investment and stimulus from abroad, which refugees who had resettled in Japan were not really able to offer. Although UNTAC laid the foundations for democratic governance in Cambodia, from the perspective of Cambodian refugees, economic and political stability had not yet fully returned during this period. Even if they returned temporarily, it was difficult for them to voluntarily repatriate as a whole family to their home country.

Furthermore, the amendment of the Japanese *Immigration Control and Refugee Recognition Act* (1982) in 1990 brought together many Indo-Chinese refugees under the status of ‘long-term resident’. While there are some who report that this step facilitated their acquisition of permanent residence status or Japanese citizenship, there are others who were unaware about the amendment of the aforementioned Act and its implications. This demonstrates that basic legal knowledge did not trickle down adequately to affect the lives of Indo-Chinese refugees.

Closure of the Indo-Chinese Refugee Issue (after 1995)

With the Indo-Chinese refugee issue declared concluded in Geneva in 1994, the *Resettlement Promotion Centers* in Japan were consequently closed, which signified a loss of counseling opportunities for refugees and bred feelings of insecurity. Some respondents reported that this development prompted them to apply for permanent residence status at this time, in order to avoid any fear of forced repatriation. Their feelings of insecurity remained, as they understood that they would not be entitled to any support or legal protection thereafter. Having increasingly less

expectations about receiving assistance from the Japanese government, they faced a dilemma as many felt that repatriating permanently to their country of origin was also not a feasible or attractive option.

Current Situation

The current economic downturn in Japan has impacted many Indo-Chinese refugees and forced them to lead an especially grueling life. First-generation refugees are ageing and find that reasonably paid jobs are difficult to find and maintain. For them, the most pressing issues relate to employment and salary, and whether their retirement years will be spent living insecurely due to a sense of uncertainty about their pension entitlements and residential status. One reason for this is that the Japanese language proficiency of first-generation refugees is low, which means they are less able to access information related to these issues. Some first-generation refugees abandon their hopes of acquiring Japanese citizenship due to their insufficient language ability and the perception of cumbersome procedures and documentation requirements.

Language proficiency disparities within families of first and second generation Indo-Chinese is a cause for communication difficulties. Typically, parents speak their country of origin language and lack proficiency in Japanese, while their children speak Japanese fluently and have a difficult time communicating in their parent's native tongue. This has consequences for decisions about the family's future place of residence. Even if a refugee family wishes to return to their homeland, the reality is that the Japanese-speaking children are invariably not keen to move away from Japan, an environment that they are familiar with. Many first-generation refugees feel trapped in this kind of situation whereby they want to return to their homeland, but their children do not, and yet they want to keep the family together.

The health of a number of Indo-Chinese refugees has markedly declined since their arrival as a direct result of workplace-related accidents and injuries. It should be noted that many Indo-Chinese refugees found employment in sectors that are considered to be "dirty, difficult and dangerous". While the national health insurance scheme provides them with coverage, sufficient explanations and translation assistance is not provided for those who lack proficiency in Japanese. Their access to such social security services should therefore be considered limited, in reality. This is particularly true for mental health problems and trauma counseling that was not readily managed, due to a lack of specialist services in Japan. The above-mentioned case of Bouy Moeun, a Cambodian refugee who killed his wife and three children in Yamato City, Kanagawa Prefecture in 1987, may be considered emblematic of the kinds of extreme acts that can be triggered when stress leads to psychological/psychiatric disorders. As recently as 2008, a Vietnamese refugee, who suffered from serious mental health issues, committed suicide in the same Kanagawa city of Yamato.

Nationality issues

Among the foreign nationals living in Japan and the volunteers helping them, there are persistent complaints regarding Japan's citizenship policy and procedures. For example, it is asserted that

the criteria for attaining citizenship are too rigid, and that the procedure takes too long. A waiting period of over one year is to be expected, and this is due to the backlog of applications that exist.⁴² There does not seem to be any substantive difference in terms of the criteria for citizenship when compared with other countries: for example, five years of actual residency, good behavior/conduct, ability to support oneself with his/her livelihood or assets, and the loss of one's former nationality upon the granting of Japanese citizenship. In reality, over 10,000 citizenship applications are authorized annually.⁴³ Nonetheless, an impression remains among foreign nationals that attaining Japanese citizenship is difficult. This may derive partly from past practices that have already been abandoned, which required applicants to provide a Japanese family name in order to be included in the official family registry. Moreover, the fact that one's current nationality is lost, as dual and multiple citizenship is not permitted, adds to the image that citizenship conferral in Japan is strict.

Since application procedures for acquiring Japanese nationality are complicated and eligibility criteria is very high (including length of stay in Japan, strict documentation requirements such as birth certificate and renunciation of previous nationality), not many first-generation refugees sought to acquire Japanese citizenship given their comparatively low levels of language proficiency. Without the status of a full member of society that citizenship provides, many first-generation refugees feel insecure about their future. A comparative analysis of the ratio for those who chose *not* to attain Japanese citizenship, it is noteworthy that Laotians are significantly higher (65/87) than Vietnamese (43/80) and Cambodians (25/50). Such a comparison may point to the insufficient dissemination of accurate information reaching the Laotian community, or may be indicative of the fact that many Indo-Chinese refugees, and Laotians in particular, have not naturalized because they hope to return to their homeland in their senior years, be it either willingly, or reluctantly due to financial concerns that their pension in Japan is insufficient to live on.

A shared experience among all three country groups is the ability to access information via the internet or telephone from Indo-Chinese who have resettled in other countries. It is easier for them to compare their living standards and experiences in Japan with those of their counterparts living abroad. In this way, they learned that refugees in other resettlement countries appear to have easier access to higher education, skill acquisition and citizenship, which prompted some respondents to reconsider their lives in Japan and feel discontent towards the Japanese government. Notably, this discontent has not meant that the government or wider society have received concrete demands and requests from the Indo-Chinese communities.

⁴² According to the Ministry of Justice website, there is no standard time frame for processing naturalization applications (<http://www.moj.go.jp/ONLINE/NATIONALITY/6-2.html>). Observers and practitioners suggest that approximately one year would be needed before naturalization is approved; For instance, website of International Labor Law Firm mentions that the process may take between 6 months and 18 months (<http://krh-office.com/visa/naturalization.html>)

⁴³ According to Ministry of Justice statistics, between 1999-2008 14,000 – 18,000 naturalizations were reported each year. Home page on statistics relating to Family Registration related matters (http://www.moj.go.jp/TOUKEI/t_minj03.html)

The role of a supporting ethnic community is quite significant in facilitating integration and ease of living in Japan. It is noteworthy however that both Vietnamese and Laotian communities have organized religious groups and engage actively in community activities, however Cambodian refugees do not have their own place of worship and lack a communal space to gather and organize.

More than 30 years have elapsed since Japan accepted Indo-Chinese refugees. The degree of local integration is largely influenced by individual differences and particularities. Some have adapted well to Japanese society and stressed that Japan is a safe and stable place to live compared with other countries, which makes it attractive. There are some refugees who have become successful and well-respected in Japanese society. In some instances, those who had no other option but to resettle in Japan came to realize the benefits on offer when comparing information with relatives who remained in their homeland.

On the other hand, many respondents claimed that they have had difficulties in integrating into Japanese society and expressed dissatisfaction with their lives in Japan. Some refugees who had a positive opinion about Japan in the early stages of resettlement adopted a more negative point of view over time. These perspectives seem to be constantly reviewed and subject to change over the years spent living in Japan.

The overall picture that emerges from this survey is not much different from the one presented in the findings of the 1997 Cabinet Secretariat report, “Current Status of the Settlement of Indo-Chinese Refugees and Displaced Persons in Japan and Future Tasks”. The biggest problems that Indo-Chinese refugees faced according to the 1997 were reported to be:

- Japanese language 43.6 percent
- housing (high price, too small) 36.1 percent
- job related issues (unfamiliarity with wage and promotion system, regarded as illegal workers among others) 23.2 percent
- economic problems including wages 22.6 percent
- unfamiliarity with administrative procedures (difficulty to make themselves understood, inability to understand documents and explanations, unavailability of guarantors, among others) 19.1 percent
- children’s education (future career, expenses and native languages and cultures, among others) 17.0 percent.⁴⁴

As for their future plan, 34 percent responded that they intended to be naturalized and obtain Japanese nationality, 32 percent preferred to stay in Japan with the status of permanent resident,

⁴⁴ Secretariat for Indo-Chinese Refugees and Displaced Persons Liaison and Coordination Committee in The Cabinet, “Current Status of Indo-Chinese Refugees and Displaced Persons and Future Tasks”, March 1997, 83-87.

and 13.5 percent hoped to return to their homeland if possible.⁴⁵ In reality, 55.6 percent of the respondents had “long term resident” status and 39.6 percent had “permanent resident” status, which means that only 5 percent of the respondents had become Japanese citizenships at that stage,⁴⁶ presumably due to the difficulty, perceived or otherwise, in obtaining Japanese nationality.

Another survey conducted in 2004 with regard to 163 Vietnamese refugees showed that 12 of the respondents replied that they regret having come to Japan at all.⁴⁷ In cautiously interpreting this figure, it must be noted that the sample size was small. Nonetheless it suggests that a minority of refugees were unable to integrate at all into Japanese society.

It would be difficult to conclude that the current survey when read together with previous survey data, supports a theory of widespread integration of Indo-Chinese refugees in Japan, whereby they feel that they are valued members of society. Most refugees arrived in Japan having no other choice. Government support was limited, particularly language training. This limited their options for employment and education, and most refugees were obliged to take up 3K (or 3D) jobs. Some live in relative poverty. Many have struggled to survive, even with the support of their ethnic community network. These factors help to explain why some refugees regret coming to Japan in the first place. It is rather surprising that after 30 years of the first arrival of Indochinese refugees in Japan, a minority of refugees still feel insecure and struggle to achieve a stable life in Japan. One could argue that there is a small-scale ‘protracted refugee situation’ in Japan.⁴⁸

⁴⁵ Ibid 72.

⁴⁶ Ibid 45-87.

⁴⁷ ‘Japan’s Acceptance of Refugees: past, present, future’ *Nihon no nanmin ukeire: kako, genzai, mirai*, Chuokouronjigyo Publishing, 2007 at 143.

⁴⁸ *Protracted refugee situations*, EC/54/SC/CRP.14, June 2004. The paper defined a protracted refugee situation as one in which a refugee population of 25,000 persons or more has been living in exile for five years or longer in a developing country. 11,000 Indochinese refugees in Japan, an industrialized country, thus does not meet this definition, however, the UNHCR definition is not universally accepted.

Conclusions

The Japanese government's decision to accept and resettle Indo-Chinese refugees came about in large part due to strong international pressure. Having no experience in accepting a large number of refugees previously, the Government relied on CSO assistance for a considerable time and was slow to establish its own comprehensive support services. Nonetheless, the decision to accept Indo-Chinese refugees prompted the Government to become party to the Refugee Convention in 1981 and assume a new degree of international responsibility. In doing so, the Japanese nationality clause was removed from various pieces of legislation, which has since benefited hundreds of thousands of foreign nationals living in Japan.

It is evident that the majority of Indo-Chinese refugees did not pro-actively choose Japan as their country of resettlement, but instead preferred the United States or other western countries due to a mixture of historical, political, language and family reasons. Many resettled in Japan reluctantly and held on to the hope that one day they might be able to resettle elsewhere. The lack of strong motivation and willingness to resettle in Japan over the long term negatively affected their integration experience, such as their determination to learn the Japanese language. Combined with the inadequate governmental support to facilitate their integration in Japan, many Indo-Chinese refugees have struggled to achieve a stable and secure life in Japan. Given that the Government has formally ceased to assist Indo-Chinese refugees as of 2006, it is unlikely that their situation will improve.

Japan's Refugee Policy

Until recently, the Government did not seem to have had a clearly articulated 'refugee policy' to speak of; what has been in place was a collection of 'administrative procedures' with a strong immigration control orientation. In the absence of a government body that is centrally responsible for refugee issues, it has fallen to 11 ministries, which have formed an inter-ministerial coordination committee to jointly deal with refugee issues.

Over the last five years, there has been a positive change in Japan's refugee policy, starting with the 2004 revision of the *Immigration Control and Recognition of Refugees Act* (1982). The number of asylum seekers in Japan increased from some 300 to 1600 in 2008, while the number of persons recognized as refugees increased from one dozen a decade ago to 57 in 2008. The number of humanitarian status holders grew sharply to 360 in 2008. The most remarkable policy change is the announcement of a third country resettlement program on a pilot basis from 2010 with respect to Myanmar refugees living in camps in Thailand. This decision signals that Japan is becoming a more open country for refugees, and that it is making a new commitment to offering durable solutions like resettlement.

Japan's Assistance and Integration Policy

Assistance provided to refugees by the Japanese government until the establishment of RHQ in 1979 was largely 'supply driven,' that is, it relied on the existing and available services to assist

them rather than catered to the actual needs of refugees. Assistance programs designed for Indo-Chinese refugees have reflected what assistance providers presumed were good for refugees, thereby causing protection gaps.

The Government-sponsored Japanese language training program for Indo-Chinese refugees was created with the best of intentions, however, the outcome was that survey respondents on the whole found them to be too short in duration and not necessarily reflective of their actual needs. The assumption that four months of training in formal style language was sufficient proved to be inaccurate, and caused long lasting handicaps by forcing refugees to become self-reliant during a period when they clearly needed ongoing assistance. As a result, most refugees left the *Settlement Promotion Centers* without enough language skills to cope with everyday life. After leaving the Centers, the only language training and assistance that was provided was that offered by NGOs and volunteer groups. One reason which explains why many Indo-Chinese refugees have largely remained in the lower socio-economic bracket of Japanese society is the inadequate language training they received in the early stages of resettlement.

For refugees to integrate effectively into Japanese society, dissemination of information in their native language regarding important issues such as refugee rights, administrative procedures, employment, housing, school education, health care and social security is necessary. This is all the more so given their weak Japanese language skills and the considerably complex administrative procedures at the national and municipality levels in Japan. To date, such services have been provided on a limited scale, which has made refugees feel confused and insecure, and obliged them to rely on piecemeal and sometimes inaccurate information from fellow refugees. Similarly, it is very important that plain language legal advice is provided about various civil/criminal affairs, including status of residence issues, as such legal assistance has been in short supply to date.

Other forms of integration support that have not been provided sufficiently include job training and re-skilling. Rather, efforts were made by RHQ and government agencies like *Hello Work* to arrange introductions and placements for Indo-Chinese job-seekers, however, these tended to be limited to unskilled labour opportunities. RHQ subsidized the salaries of Indo-Chinese employees during their first six months of employment while they received on-the-job training. This being said, there were few opportunities to find jobs other than in factories. Refugees arrived in Japan from a range of professional backgrounds, however, that experience, knowledge and skill-set was not utilized effectively. University degree holders, for example, were obliged to work as manual laborers, and former farmers were sent to manufacturing factories. The ability to be self-reliant and use one's own skills and knowledge is important not only for economic reasons but also for a sense of dignity and pride.

Communal recreation and cultural events provide refugees with an opportunity for fun and relaxation, a sense of solidarity and mutual support, and a way of keeping cultural traditions alive. It also provides opportunities to heal psychological trauma arising from experiences of persecution or family separation, and helps prevent social isolation. Indo-Chinese refugees were obliged to find places such as churches and public facilities on their own for such purposes.

Incidentally, only a very limited degree of trauma care and mental health services were available to refugees, and these were provided by NGOs with partial funding from RHQ and local governments.

Many refugees who have spent years living in Japan wish to attain Japanese citizenship. Such a decision can be an ultimate form of adaptation and integration, however, the requirements for Japanese citizenship are numerous (such as bank deposits and birth certificates) and standards are so high that many applicants are forced to give up. This causes them to feel that they are forever a 'refugee' or 'gaijin' (foreign national); a person who cannot put down roots and become a full member of society.

Public information and awareness-raising

When Indo-Chinese refugees started arriving there were only approximately 750,000 foreign residents living in Japan, most of whom were Koreans and Chinese who had lived in the country since the end of World War II or before. These groups of foreign nationals were subject to considerable discrimination by Japanese. It is fair to say that Japanese society was not prepared – either socially or pragmatically – to receive Indo-Chinese refugees. For the majority of the Japanese public, the arrival of Indo-Chinese refugees was the first time for them to encounter victims and survivors of war, political oppression and persecution. They had little idea of what a refugee was, why they left their countries, and what their needs might be. Ignorance and disrespect to other Asian people are arguably responsible for numerous incidents of discrimination against Indo-Chinese, who tended to keep their refugee identity secret. While such discriminatory attitudes are gradually disappearing among the younger generation, and although many refugees appreciate the fact that Japan has provided them with protection and a level of safety and freedom that is unthinkable in their own countries, some felt they experienced a second victimization by living in Japan.

The Japanese media has traditionally reported on refugee issues in a relatively favorable manner, particularly during the early days of the Indo-Chinese refugee crisis. Nonetheless, their portrayal of Indo-Chinese refugees has typically been about a group of people to be pitied and in need of assistance, rather than survivors of human rights violation or people who can make positive contributions to Japanese society.

More recently, the younger generation in particular has demonstrated interest in refugee issues, as seen by the numbers of university students who enroll in courses on refugees, or pursue refugee studies at the graduate level. Seminars and symposia about refugees and migration are also well attended. One refugee lawyer remarked that the situation ten years ago was very different to today – few students were interested in refugee affairs at that time. The annual Refugee Film Festival in Tokyo, organized by UNHCR Representation in Japan and Japan for UNHCR and sponsored by various organizations and corporations attracts large audiences and public interest. NHK's (Japan Broadcasting Corporation) 2009 airing of a TV drama modeled on the Tokyo office of UNHCR was a new development that helped to spotlight the issue of refugees for the Japanese mainstream public.

Local Governments

This study found that local governments have played a relatively minor role in providing integration assistance to Indo-Chinese refugees. Reasons for this may be that the majority of Indo-Chinese refugees have typically resided near the *Settlement Promotion Centers*, and since their numbers are few compared with migrant workers, they have not drawn the attention of local governments. Moreover, since refugee issues are primarily the responsibility of the Ministry of Justice, Ministry of Foreign Affairs and the inter-ministerial coordination committee, local governments have considered the issue to be within the jurisdiction of the central government and not theirs. The relatively minor role played by most local governments has meant that they have not offered substantive support measures for Indo-Chinese refugees to integrate in their local areas. Moreover, refugees chose to reside in a small number of cities close to the various Settlement Promotion Centers where larger refugee populations are concentrated and mutual support can be expected. As the number of refugees who are resettled and recognized in Japan increases, the issue of integration in the communities where they live becomes more important, as do the roles of local governments. Unless more local governments take a proactive role, the successful integration of refugees into local communities will remain difficult. It is time, in response to the central government's initiative to start a resettlement pilot program, that local governments make sincere and substantial effort to receive refugees in their constituencies and provide proactive integration support measures.

Civil Society

The Indo-Chinese refugee crisis led to the creation and growth of dozens of Japanese volunteer groups and NGOs, many of which later expanded their activities to address a range of global issues. NGOs have contributed to promoting a deeper understanding of refugee issues in Japan using advocacy techniques, and considerable dedication and personal effort. Lawyers' associations have been instrumental in mobilizing public opinion in favor of both recognizing and accepting refugees to Japan, and this included Japan's accession to the Refugee Convention. NGOs, particularly operational ones, have faced numerous challenges. These include raising funds, which may be attributed to Japanese society's general lack of understanding about refugee issues, as well as a taxation system that does not encourage or reward individual or corporate donations for humanitarian causes. In addition, low remuneration levels and a lack of social status/prestige accorded to NGO activities has made it difficult to attract qualified personnel and bring professional standards to NGOs. The refugee-oriented NGO community has suffered from a lack of economies of scale, competition for limited funding, and a general lack of collaboration and partnership, which in turn has reduced its visibility, clout and ability to effect change.

UNHCR and international organizations

According to a number of respondents, UNHCR was not active in assisting Indo-Chinese refugees following their arrival in Japan. Indeed, the fact that some respondents reported that they

had not received any assistance from UNHCR, or otherwise had never heard of the UN refugee agency since resettling in Japan was a surprising finding, given that UNHCR's key mandate in Japan is to assist refugees who live in the country. In spite of these views, it is also a fact that UNHCR established its initial presence in Japan as a result of the Indo-Chinese refugee crisis and that UNHCR personnel were actively engaged in consultations during this period.

Academia

Studies on refugees in Japan have been few in number and limited in their analysis. Much of the academic focus by Japanese scholars has been on refugee status determination (RSD) issues from an international law perspective; and only a few studies have been written from a political or policy perspective. It is only recently that scholars have started to examine these issues from the perspectives of 'people on the move' or forced displacement. As recently as 2008, the *Japanese Society on Immigration Policy Studies* was established in response to the growing need to analyze the phenomena of migration in and around Japan, and integration issues in Japan, including refugees and humanitarian status holders.

This study on the integration of Indo-Chinese refugees in Japan should be a point of departure for further refugee studies and research. Future analysis could focus on adaptation by refugees and acceptance by Japanese society at the community level. A number of studies focusing on adaptation by and acceptance of migrants, and the notion of multicultural co-existence have been made, and would be complemented by new refugee-oriented studies. Collaboration between refugee scholars and migration scholars is important to advance this common front. Further research also needs to be made on the roles of NGOs, the media, local governments, and corporations, which have played varying roles in terms of assisting Indo-Chinese refugees to date, but whose future roles with regard to refugees will be of great importance.

The following policy recommendations are made based on the findings of this study, as well as principles of best practice for third country refugee resettlement and integration. General recommendations

General Recommendations

- Reports such as this provide an opportunity for refugees' opinions and experiences to be disseminated and made known. It is therefore recommended that a range of platforms and forums, both official and informal, be put in place to enable refugees' voices to be more widely heard and understood.
- Japan's resettlement policy should serve three important functions: be an important tool to provide international protection and meet the special needs of refugees whose life, liberty, safety, health or other fundamental rights are at risk; provide a durable solution for refugees; and be an expression of international solidarity and responsibility sharing that helps States share each other's burdens and reduce problems impacting the country of first asylum.
- The adoption of a comprehensive approach to resettlement is important. It should incorporate protection, socio-economic, cultural and language support that extends from pre-departure in the country of first asylum right through to the objective of successful integration in Japan. It is important that the necessary budgetary provisions are made at the national and local levels, and for civil society, and that an effective coordination mechanism is developed.
- Refugees – irrespective of their status as Convention refugees, resettled refugees, or another category of protection visa should be:
 - Afforded the same residency status, and the rights and privileges that result from that status so as to ensure equal access to services and assistance;
 - Offered support for family reunification, as this is one of the building blocks of integration.
- Japan's resettlement program should be based on a comprehensive policy that views refugees not simply as new members of the workforce but as members of a convivial society who should be able to enjoy their full rights and human dignity, and contribute to Japan using their own valuable knowledge and experiences.
- The coordination committee with representatives from 11 ministries concerned with the entry and residence of refugees should take a comprehensive and flexible approach that closely reflects principles of international refugee law and best practice in determining the size and selection criteria of Japan's new resettlement program. The Committee should be complemented by several working groups that comprise representatives from civil society, local government, refugee communities and the concerned ministries. Such working groups would be accountable to the committee, but operate at a more functional, accessible and dynamic level so as to feed useful information between high level policy makers and those who are affected by refugee and resettlement policies

Specific Recommendations

Country of Asylum

i) Selection Criteria

- Selection criteria for resettlement that are flexible should be introduced. The individual's reasons for fleeing his/her country of origin and degree of need for legal and physical protection should be of utmost concern, however there are a set of other important factors as which should also be taken into account.¹

ii) Pre-Departure

- A pre-selection briefing to inform refugees about Japan as it compares with other resettlement countries is advisable, given that decisions to apply for resettlement in certain countries may be made based on hearsay and unsubstantiated information. This could be communicated in the form of an information package that is made available both electronically and on public notice boards in the refugee camps;
- Both the pre-selection briefing orientation and pre-departure orientation should be carried out by an international organization or local NGO that is familiar with the Japanese resettlement context as well as the local realities in the country of asylum;
- In order to facilitate resettlement, pre-departure training, employment readiness and post-traumatic stress counseling should be offered in order to prepare refugees for integration in Japan. These should also include language and cultural orientation courses, as well as useful information about resettlement locations and support networks.

In Japan

iii) Protection

- Convention status should be granted to refugees who resettle in Japan, as this would entitle them to permanent residence status, and protection against *refoulement*. It would also provide access to civil, political, social, economic and cultural rights similar to those enjoyed by nationals, and the opportunity to become a naturalized citizen of Japan. Comprehensive legislation (for example, a proposed "Refugee Assistance Act") should be enacted in order to provide enhanced protection and integration support for resettled refugees, and to clearly define ministerial responsibility for such protection and assistance in an integrated and coordinated manner. It is a welcome development that the Government is considering the enactment of a refugee protection and assistance law in the near future.

iv) Assistance

- New legislation such as a proposed “Refugee Assistance Act” should comprehensively address the assistance needs of all categories of refugees in Japan. This includes reception, integration and financial assistance.
- When designing assistance and integration programs, the Government should adopt a community-oriented approach and consult refugees about their actual needs, taking into account the fact that their needs vary with time and circumstance.
- Language education should be more widely available and accessible to resettled refugees. There should be greater flexibility as to the duration and method of instruction of language training so as to reflect the day to day demands faced by refugees. Formal language training should be complemented by informal opportunities that continue in the workplace and local community, with the assistance of local governments, employers’ associations, NGOs and volunteer groups.
- Useful information about life in Japan should be prepared and disseminated in the native languages of resettled refugees. This should be managed by local governments in consultation with NGOs and municipalities that have already prepared similar information kits for migrant workers.
- During the orientation period, newly resettled refugees should be provided with skills training that reflects their backgrounds and interests. Such training should take into account job availability in areas where they live.
- In order to minimize the occurrence of economic, employment and housing problems, the Government should provide financial assistance to local governments or NGOs so that they are in a better position to offer substantive assistance to refugees in the early stages of resettlement. Such assistance should include social security benefits if needed, access to affordable housing, and employment guidance and re-skilling opportunities. Efforts should be made to alleviate financial burdens on local governments as they will face many challenges in assisting refugees to resettle and integration. The Government, in consultation with UNHCR and Japan’s bar associations, should set up a system to provide means-tested legal aid for refugees.
- The Government, in consultation with UNHCR and NGOs should establish a program to train ‘refugee advisors’ who can provide face to face assistance to all category of refugees about integrating into Japanese society
- The Government, namely the Ministry of Justice, should accord priority to all categories of refugees in terms of acquiring Japanese citizenship. This could, for example, include reducing the required length of stay prior to application.

v) Partnerships

- There should be more opportunities for meaningful dialogue between civil society and government ministries, particularly the Ministry of Justice, concerning refugee issues. A working group should be set up under the auspices of the inter-ministerial coordination committee, and serve as a highly functional mechanism for interaction between local government officials, refugee and community leaders, NGOs and concerned ministries so as to adequately reflect refugees’ voices. The views of various members of the workshop

- group should be represented during the Age Gender Diversity Mainstreaming (AGDM) participatory assessments which are carried out jointly by UNHCR and NGOs.
- The Government should consider introducing an Ombudsperson's system to serve as a trusted intermediary between various stakeholders concerned with refugee issues.
 - Briefings should be given to local communities in Japan that host refugees so as to create greater awareness and understanding of refugee-related issues and their special needs, as well as the positive aspects of living with refugees as neighbors.
 - New legislation, known as the "Refugee Assistance Act" should articulate a mechanism for improved coordination between UNHCR, local government, and NGOs, based on the understanding that government alone cannot provide all services.
 - The central government should encourage local governments to support the integration of refugees by providing useful services and resources to them, including those which have been provided to migrant workers.ⁱⁱ
 - Local governments in regional parts of Japan should be encouraged to host refugees as that would provide refugees with more options and greater visibility so that they may avoid becoming a 'forgotten population'. Their presence would also help to usher in greater cultural diversity within the regional host communities.
 - Relevant government ministries should provide funding to NGOs to carry out tasks relating to the resettlement and integration of refugees.
 - UNHCR Representation in Japan should develop a more collaborative relationship with local government authorities, particularly those which are responsible for constituencies where refugee communities live.
 - UNHCR Representation in Japan has played a significant role in improving relations with NGOs and the Government, however, these favorable developments need to be sustained and strengthened. Closer collaboration with the International Organization for Migration (IOM) in Japan, as well as with local governments which host refugees and/or migrants would be beneficial to all parties concerned. Refugee communities themselves can play an instrumental role in the successful integration of newly arriving refugees. They should participate in the planning and implementing of community programs, as well as orientation workshops and seminars. They should also be given the chance to provide cohesive input into government consultations and contribute to the development of improved policy and services across government.
 - For Japan to formulate sound migration and refugee policies, and equivalent systems, it is essential that Japanese academia takes a keener interest in migration and refugee studies. It is encouraging that the United Nations University, the Human Security Program at the University of Tokyo, among other academic institutions, have been active in this area of research and training, in collaboration with UNHCR Representation in Japan and IOM.
 - Japanese universities and research institutes should be more active in promoting international academic cooperation that focuses on refugee protection and resettlement issues by networking with refugee specialists, practitioners and refugees themselves.
 - Scholarships for refugees and the recruitment of scholarly refugees as researchers and academic staff should be further promoted so that scholars and opinion-makers from both Japan and from refugee communities may have increased opportunities to understand and learn from each other.

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Annex 1: Data sets from interviews conducted between June and December 2008 with Indo-Chinese refugees living in Japan

1. Country of Origin

Vietnam	Cambodia	Laos	Total
80	50	87	217

2. Generation

Generation	Vietnam	Cambodia	Laos	Total
Others (family reunification)	13	4	7	24
1 st	55	44	76	175
1.5	8	1	4	13
2 nd	4	1	0	5
Total	80	50	87	217

3. Nationality and Residential Status

Nationality	Vietnam	Cambodia	Laos	Total
N/A (Interviewer did not ask)	1	0	0	1
Country of Origin	63	31	74	168
Japanese	16	19	13	48
Total	80	50	87	217

4. Residential Area

Tokyo	9	2	6	17
Saitama	2	3	2	7
Kanagawa	44	45	77	166
Gunma	1	0	0	1
Aichi	4	0	0	4
Osaka	4	0	0	4
Hyogo	16	0	1	17
Shizuoka	0	0	1	1
Total	80	50	87	217

5. Age

Age	Vietnam	Cambodia	Laos	Total
15-18	3	0	0	3
19-24	5	2	2	9
25-34	9	4	4	17
35-44	19	13	21	53
45-54	18	19	37	74
55-64	19	8	13	40
over 65	7	4	10	21
Total	80	50	87	217

6. Sex

Sex	Vietnam	Cambodia	Laos	Total
Male	47	27	55	129
Female	33	23	32	88
Total	80	50	87	217

7. Mode of Arrival

Mode of Arrival	Vietnam	Cambodia	Laos	Total
N/A (Not asked or Second generation)	8	1	2	11
ODP (family reunification for Vietnamese refugees)	22	0	0	22
Boat	50	1	0	51
Resettled Refugee from Overseas Camps	0	36	76	112
Family Reunification Program (for Cambodian and Laotian refugees)	0	12	9	21
Total	80	50	87	217

8. First Contact with Interviewee

Mode of Contact	Vietnam	Cambodia	Laos	Total
Letter	36	16	19	71
Fieldwork Coordinator	28	32	19	78
Family	3	0	4	7
Friend	0	2	1	3
Interpreter	13	0	44	57
Total	80	50	87	217

9. Number of years lived in Japan

Years	Vietnam	Cambodia	Laos	Total
Others (Second generation, born in Japan)	4	1	0	5
More than 30 (Arrived before 1979)	1	0	3	4
20-29 (Arrived 1980-89)	49	28	47	124
10-19 (Arrived 1990-99)	20	15	33	68
Under 9 (Arrived after 2000)	6	6	4	16
Total	80	50	87	217

10. Voluntary Repatriation in the Future

Nationality	Vietnam	Cambodia	Laos	Total
Unsure or Not asked	25	7	15	47
Certainly	8	8	14	30
Maybe	12	13	27	52
Never	35	22	31	88
Total	80	50	87	217

Annex II. English Translation of Interview Questionnaire

Targeted interviewee:

- (A) Male refugee of first generation
- (B) Female refugee of first generation
- (C) Refugee who came to Japan as a child

The first phase of resettlement in Japan:

- When did you come to Japan?
- When did you settle down in Japan?
- What was your occupation in your home country?
- Please explain how you arrived to Japan.
- What was the reason for your resettlement in Japan?
- What was your status of residence at that time?
- What was the most difficult issue you encountered when you began to resettle in Japan? (For instance, employment, housing, education, language, healthcare, social security)
- Was the assistance from the Government of Japan (RHQ) sufficient when you started resettlement?
- Was the assistance from UNHCR sufficient when you started resettlement?
- What other assistance was effective when you resettled in Japan?

Before arrival to Japan:

- The following questions were asked to those who departed their country via the Ordinary Departure Programme.
- Did you come to Japan to resettle for the long term, or with the expectation that you would move on and resettle in another country?
- Did you apply for resettlement in other countries besides Japan? If yes, what was the result? If no, please let us know the reason why you did not apply to resettle in other countries?
- Please explain the reason for leaving your country of origin.
- Please explain your background while in your country of origin (place of birth, member of a social group etc.)

Japan's ratification of the Refugee Convention in 1981

- Did you experience any change to your life before and after the Japanese government acceded to the Refugee Convention?
- Reflecting on your life in Japan during the 1980s, what was the most difficult issue you encountered? (for instance, employment, housing, education, language, healthcare, social security)
- What do you think were the reasons for those hardships?
- How did you gather information that was relevant to your life at that time?
- Were you in contact with your family abroad at that time? How did you contact them?
- Did the information from abroad, or from your family abroad, affect your life in Japan?
- What was the most difficult issue you encountered when searching for a job, or on the job?
- In the second half of the 1980s, the issue of 'bogus refugees' was taken up by the media. Did you hear about such reports?
- Did these media coverage about 'bogus refugees' affect your life?
- At the time of this news issue, what was your opinion of Japanese society?

Economic growth in Vietnam, Cambodia, and Laos from the mid- 1980s to the 1990s:

- Have you ever visited your country of origin?
- During this period of growth in Indo-Chinese countries, did the economic stabilization in your home country lead to any change in your life in Japan?
- In 1990, the *Immigration Control and Recognition of Refugees Act* (1982) was amended. Did this change affect your status of residence?
- What were the most difficult issues you encountered at that time? (for instance, employment, housing, education, language, healthcare, social security)
- What was the most difficult issue you encountered when searching for a job, or on the job?
- At that time, was the assistance from the Japanese government sufficient?
- At that time, was the assistance from UNHCR sufficient?
- What was the most efficient support you received at that time?

The political situation in Indo-Chinese countries stabilized in the 1990s, and the ‘Indo-Chinese Refugee Issue’ was declared over in 1994.

- Did the closure of the ‘Indo-Chinese Issue’ bring any change to your life in Japan?
- Did this announcement affect your status of residence?
- What were the most difficult issues you encountered following the end of the ‘Indo-Chinese Refugee Issue’? (for instance, employment, housing, education, language, healthcare, social security)
- After the closure of the issue, what was the greatest difficulty you encountered when searching for a job, or on the job?
- After the closure of the issue, was the assistance from the Japanese government sufficient?
- After the closure of the issue, was the assistance from UNHCR sufficient?
- After the closure of the issue, what was the most efficient support you received?

Current living situation

- Please explain your current status of residence.
- What were the reasons for acquiring, or not acquiring, Japanese citizenship?
- What are the most difficult issues you face today? (for instance, employment, housing, education, language, healthcare, social security)
- Please explain if you are facing hardships with regard to your current employment or education.
- What are the reasons behind these hardships?
- Is the assistance provided by the Japanese government sufficient?
- Is the assistance provided by UNHCR sufficient?
- In what language do you communicate in your family?
- In your opinion, is there enough communication taking place?
- Do you feel that you lack sufficient Japanese language proficiency for your work or daily life?
- Would you like to learn the Japanese language? / Would you like to continue studying the Japanese language?

- Do you feel content with your current life?
- What is the main reason for that?
- What are your plans for the future?
- How would you like to spend your life after retirement and in your old age?
- In the future, would you like to return to your home country?
- In your opinion, do you currently contribute to the development of your home country?
- In your opinion, do you currently contribute to the development of Japanese society?

Personal data requested from each interviewee:

- Gender: Male/Female
- Marital Status: Married/Unmarried/Divorced/Widowed
- Age: 15 - 18, 19 - 24, 25 —34, 35 —44, 45 —54, 55 —64, 65 and up
- Place of Birth:
- Period of resettlement in Japan:
- Language used at home:
- Education: primary school, junior high school, high school, vocational college, two-year college/ four-year college
- Current employment: permanent employee, part-time worker, unemployed

ⁱ These include, but are not limited to the following concerns:

- whether the person is a victim of torture or violence
- length of stay in country of asylum
- women-at-risk considerations
- situation in country of asylum (including an assessment of security threats)
- potential ability to integrate into Japanese society
- criminal record
- any relatives/acquaintances in the resettlement country
- known treatment requiring medical condition
- skills and education
- separation from nuclear family members (often left behind in country of origin)

ⁱⁱ One course of action would be to consult the *Gaikokujin Sujuu Toshi Kaigi*, an association established in 2001 by 28 local governments to examine issues relating to migrant workers and foreign nationals, as it could provide valuable knowhow on the integration of refugees in local communities.