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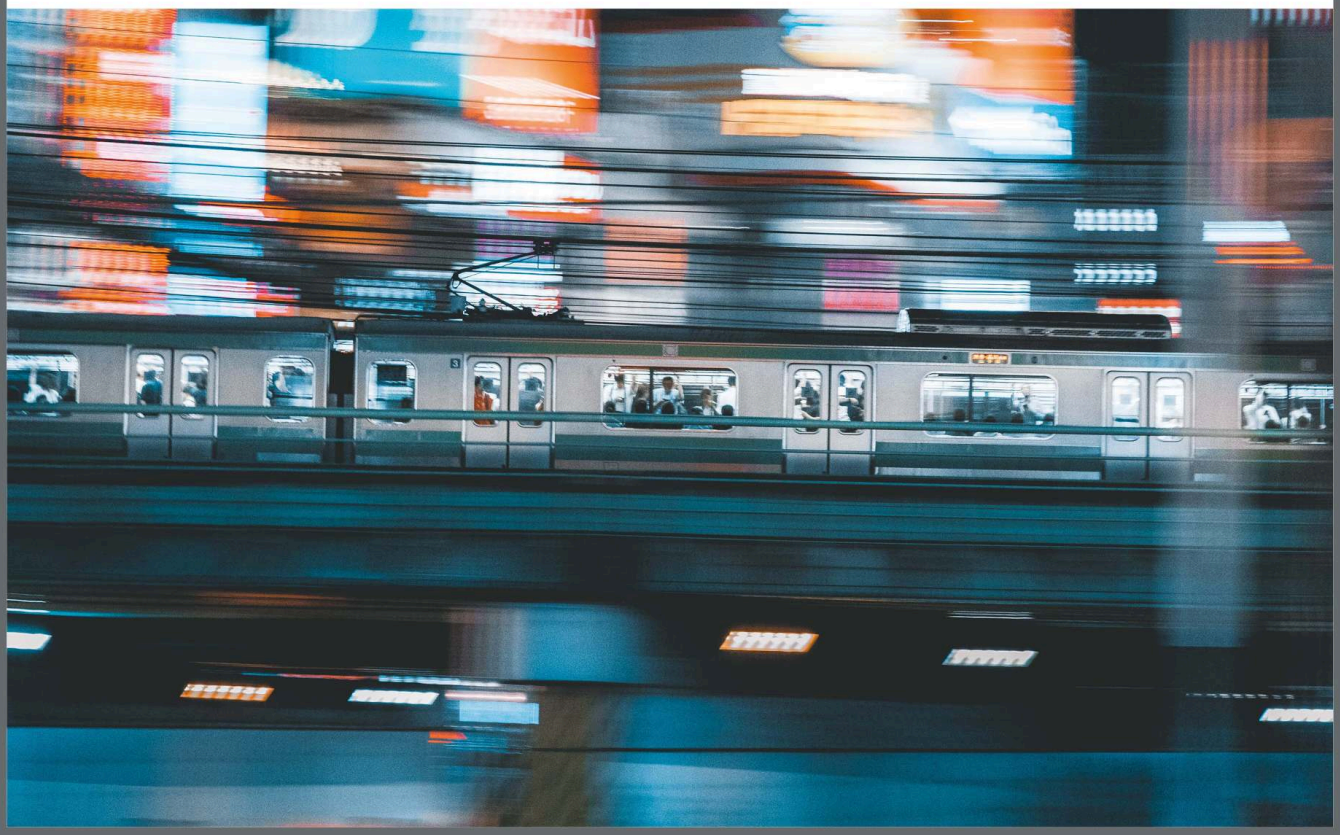

Seeking Asylum in Japan: Oral Tales of a Contemporary Other

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ABSTRACT

This ePaper is a historically informed analysis of the experiences of asylum seekers in Japan. It engages in ethnographic research through the first-hand accounts of 37 asylum seekers, adapted from interviews conducted by Sophia University's *Refugee Voices Japan* project. The perceptions, policies, and practices related to asylum seekers are products of the systemic invisibilisation of mobility and migrants' roles throughout Japanese history, despite their highly politicised presence in mainstream discourses. The ePaper addresses the continued absence of knowledge about asylum seekers by centralising their voices and stories, which opens a window into the complex realities of their experiences of displacement and seeking asylum in Japan. Their narratives demonstrate that the immigration regime severely restricts all aspects of their lives. Yet, asylum seekers are not passive victims 'stuck in limbo' but are active members of society employing various strategies in search of solutions for a less precarious life.
We extend our heartfelt thanks to the Vahabzadeh Foundation for financially supporting the publication of best works by young researchers of the Graduate Institute, giving a priority to those who have been awarded academic prizes for their master's dissertations.

MINAMI ORIKASA

Minami Orikasa completed her master's degree in Development Studies at the Graduate Institute of International and Development Studies (IHEID) in 2021. Prior to her time in Geneva, she studied Classics & Ancient History, English Literature, and Modern History. Beyond academia, Minami has volunteered and worked for various organisations dedicated to supporting people on the move. She is currently working for the International Organization for Migration (IOM).

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Acknowledgements

1 First off, I would like to thank the narrators whose interviews were featured in this paper. Although I am but a stranger to you, I cannot express how grateful and honoured I am to be acquainted with this small part of your lives. I've spent many sleepless nights reliving your stories and did my best to represent them fairly and with respect. I am forever indebted to Mary, Fatima, and Argus in particular for sharing their stories in great detail and with eloquence.

2 This paper would not have been possible without the generosity of Professor David Slater at Sophia University and the *Refugee Voices Japan* team, who entrusted me with their many years of work with asylum seekers and refugees. It was a great privilege to be the first individual outside of Sophia to use the data. Learning about the project and work of the Sophia Refugees Support Group gives me hope for the future of grassroots support to asylum seekers in Japan.

3 Professor Gopalan Balachandran, thank you for your unwavering guidance and support throughout this long process. From the first research outline to the very long literature reviews and first draft, your patience and confidence in my ability to navigate through this topic encouraged me to find a way out of many academic dilemmas.

4 To my family, I cannot count the number of times I faltered, and you all picked me up with your encouragement. This would not have been possible without your shared curiosity for the subject, incredible strength, and never-ending support.

Chapter 1: Introduction

1 Recent narratives surrounding Japan in the context of migration studies have labelled it an 'emerging migration state' and debated its reluctant transition into being a 'country of immigration'.[1] Following its history of isolationism, there has been a gradual increase in mobility since the end of the Meiji Period. There are nearly three million migrants out of the 126 million people living in Japan, which is triple the number in 1990.[2] The purpose of the current immigration regime is to deter foreigners from permanently staying in Japan while preserving its image of generosity. This includes asylum seekers and refugees who have been displaced from their home country. In 2019, the Government of Japan was ranked the fifth highest donor in the world to the UNHCR, with its contributions amounting to USD 124,116,003.[3] In that same year, only 44 individuals out of 10,375 applicants received refugee status in Japan.

2 Critics have argued that Japan's burden-sharing responsibilities should extend beyond financial contributions. However, only ad hoc measures that were adopted from the 1970s to accommodate post-Cold War and Indochinese refugees are in place to meet the needs and basic rights of asylum seekers and refugees.[4] Instead of establishing a comprehensive response for asylum seekers unable to return to their home countries, the national government has focused on maintaining strict criteria for refugee status determination, constructing detention centres, and providing basic cash-based interventions.

3 The underdeveloped state of the reception, recognition, and resettlement mechanisms for asylum seekers and refugees has been well documented and the focus of recent critiques of Japan as a new immigration state. There is a lot of literature on resettlement, even though the number of recognised refugees is much smaller than that of asylum seekers. The main reason for this is a preoccupation with cultural incompatibility, which also goes to explain the national government's reluctance to accept more migrants. Ethnographic studies on asylum seekers and refugees are few and far between. These have been limited to specific periods and/or groups, with a disproportionate emphasis on earlier displaced populations (mainly, Indochinese refugees from 1978, Burmese refugees and Turkish Kurds in the 1990s). To this day, there remains a large gap in the literature on the individuals displaced to Japan since the 1990s, who were not part of large or publicised mobility flows.

4 Since the resettlement of earlier displaced populations, the refugee situation in Japan has become increasingly more complex and scattered. The lives of asylum seekers who have arrived since then have not yet been sufficiently approached by academics. In this sense, English-language media has done a much better job at bringing attention to more recent asylum experiences, which have demonstrated how asylum seekers are subjected to a cycle of fear due to the absence of pathways to establishing more stable livelihoods.[5]

5 In response to this gap, this paper presents a historically informed analysis of the experiences of asylum seekers in Japan. It engages in ethnographic research through first-person accounts, focusing on the experiences of 37 asylum seekers in Japan, adapted from interviews conducted by Sophia University's *Refugee Voices Japan* project. These accounts are supplemented by an analysis of historical and contemporary discourses about mobility and people on the move to understand the positionality of asylum seekers in Japanese society today. In examining their experiences of displacement and seeking asylum in this context, this paper addresses two glaring issues in the representations, policies, and practices related to seeking asylum in Japan, whilst opening a window into the very complex reality of being an asylum seeker.

6 The first issue is that the history of mobility and people on the move in Japan needs to be reframed. Deconstructing Japan's self-image as a non-traditional country of immigration and an ethnically homogeneous nation reveals a collective denial of its transnational, pluralistic history of mobility and migrants. While historians have long been aware of the problematic nature and impact of nationalist discourses, these issues have not been sufficiently considered in critiques of Japan's immigration regime. Political scientists and other academics dealing with the latter have only started to come to terms with the serious political, social, and economic implications of this history on attitudes and policies towards foreigners, including asylum seekers, today. The homogeneity discourse, mobilised by the concept of *nihonjinron*, has invisibilised the stories of foreigners and migrants throughout history.

7 This calls for more inclusive narrative writing and poses the first research question: **How does a historically informed understanding of mobility provide insight into the current attitudes and practices towards asylum seekers and refugees?** Through answering this question, this paper deconstructs assumptions in current attitudes towards refugees in Japan through a critique of the notion of belonging and how this has normalised the marginalisation and discrimination of people on the move. In the tradition of this historical denial and amnesia, there is an absence of public knowledge about the experiences of asylum seekers. This is the product of a concentration of knowledge among the few individuals, organisations, and government authorities working within or parallel to the immigration system. The voices and stories of asylum seekers continue to be marginalised in political and media discourses, despite their highly politicised presence in Japan. This has resulted in an isolated landscape of refugee protection, whereby there is limited awareness and engagement with these issues beyond the key actors involved.

8 Following the reframing of historical and contemporary perspectives on mobility and migrants is the introduction of asylum seekers' perspectives. The second research question is: **What do the experiences of asylum seekers tell us about the state of Japanese representations, policies, and practices relating to people on the move?** This considers the lived experiences of asylum seekers to better understand the well-

known issues of Japan's immigration regime from a different perspective. It brings to light the realities of seeking asylum that we have not yet been sensitive towards, such as imbalances in information exchange, the mental and physical impact of uncertainty as they wait for their application to be processed. Their own accounts challenge the implied sedentariness and inaction assumed of asylum seekers, whose lives have been described as a bureaucratic limbo.

9 This paper begins with an explanation of its methodology, followed by a reflection on key concepts in the analysis. Chapter 4 considers the deep history of the discourses surrounding asylum seekers and refugees by looking at transformations in the positionality of foreigners over time, parallel to the development of the modern Japanese state. Chapter 5 introduces the 37 asylum seekers (hereinafter referred to as 'narrators'), highlighting the three narrators whose autobiographies structure the paper and guide the reader through various aspects of seeking asylum. Chapter 6 considers the risks involved in mobility, from the narrators' first move away from home to their arrival in Japan, and the chance encounters that characterised the start of their lives in Japan. Chapter 7 continues with the strategies employed by the narrators to maintain control over their lives and reinvest in action. The next chapter, organised according to the floors in the Tokyo Regional Immigration Bureau, moves onto their interactions with the immigration system – on the recognition of refugee status, detention, and deportation procedures. Chapter 9 dips into the social interactions and relationships that asylum seekers form with various actors through the themes of trust and dependency.

10 Ultimately, this demonstrates the variety and complexity of asylum seekers' experiences. Their accounts bring to light the precarity of being an asylum seeker and how this permeates throughout all aspects of their lives, but also how they manoeuvre through this experience. These grassroots narratives are framed to subvert popular narratives surrounding asylum seekers and refugees, which perpetuate stereotypes and misunderstandings that continue to shape their lives. In the end, this dissertation calls for further research that raises awareness about the current realities of seeking asylum. It also speaks to the need for greater sensitivity among existing government and non-governmental actors to the negative assumptions embedded in their attitudes towards asylum seekers and the barriers produced by their current practices, which impact the effectiveness of their work and sensitivity towards asylum seekers.

FOOTNOTES

1. James Hollifield and Michael Orlando Sharpe, "Japan as an 'Emerging Migration State'," *International Relations of the Asia-Pacific*, Vol. 17, Issue 3 (2017): 371-400.

2. Martin Gelin, "Japan Radically Increased Immigration - and No One Protested," *Foreign Policy*, 23 June 2020, https://foreignpolicy.com/2020/06/23/japan-immigration-policy-xenophobia-migration/ (accessed on 27 March 2023).

3. UNHCR Division of External Relations, "Contributions to UNHCR – 2019," 30 September 2019, https://www.unhcr.org/5e6a3c497.pdf (accessed on 27 March 2023).

4. For critiques on Japan's immigration policy, cf. Michael Strausz, "International Pressure and Domestic Precedent: Japan's Resettlement of Indochinese Refugees," *Asian Journal of Political Science*, Vol. 20, Issue 3 (2012): 247-9; Yoshio Kawashima, "Japanese Laws and Practices on Indo-Chinese Refugees," *Osaka University Law Review*, No. 38, Issue 1 (1991): 1-12.

5. Cf. Mokoto Rich, "Ethnic Kurds Find Haven, but no Home, in Insular Japan," *New York Times*, 16 August 2018; Sakari Mesimaki, "The Quiet Desperation of Refugees in Japan," *The Diplomat*, 23 August 2019.

Chapter 2: Methodology

1 There is a dangerous absence of historical analysis in 'forced migration' studies, despite it being an interdisciplinary field.[1] People on the move have been silenced by history and highly politicised in contemporary narratives to the point of abstraction due to political projects that deny their place in society. The importance of history to people on the move is described by Philip Marfleet, who wrote,

> New and renewed refugee crises such [as] those in Iraq, Darfur, Zimbabwe, Sri Lanka and Somalia each speak of the past. They are the outcome of complex colonial legacies, global developments, external interventions, local tensions, and conflicts. None can be understood without history, yet we invariably approach them on an ahistorical basis: an outcome in part of the particular pattern of development of our field of study.[2]

2 Migrants' histories continue to be denied a place in the countries they settle in, which fosters ahistorical understandings about mobility and has serious implications on how their current realities are responded to. Therefore, this paper utilises a narrative approach borrowed from oral history methods to uncover interlinkages between the personal histories of asylum seekers and the broader historical context of mobility and migrants in Japan. It aims to use asylum seekers' narratives to complicate the oversimplified image of being an asylum seeker in popular narratives. The inclusion of asylum seekers' accounts reinvigorates the conversation surrounding asylum seekers and refugees in Japan, in examining social structures, their power relations, historical continuities, and how they shape the lives and narratives of people on the move today. The resulting counter-narrative shines a light on some of the many blind spots in our current understanding.

3 Oral history has been used to understand the meaning of events and experiences of individuals whose voices and stories have been marginalised in the construction of historical narratives. It has been the preferred means to capture and validate the silenced histories of women, people of colour, indigenous people, LGBTQ+ people, and other groups whose histories have been excluded by widespread historical denial and amnesia.[3] Oral history methods are a 'powerful corrective', as their personal stories have the potential to destabilise dominant narratives and may even subvert them.[4] Oral historians studying migration in the 1970s and early 1980s were concerned with the reliability and validity of memory as a historical source.[5] Narrative and memory studies

have been perceived as a grey area due to the complexity and contradictory nature of processes of remembering. However, it is important to embrace the peculiarities of oral histories as a resource rather than a methodological issue.

4 In the context of the immigration regime, the accounts of asylum seekers are valuable in determining whether they fulfil or fail to meet the criteria for refugee recognition. These stories are judged by those in powerful positions on their validity and worthiness of basic rights and support. The accounts revealed to researchers are distinct from that of the immigration regime in that they are not constrained within the framework of political understanding. These reveal an overwhelming diversity of experiences in the commonalities, tensions, confusions, and sensibilities that challenge generalised depictions of migrants.

Sources and research process

5 In the absence of a grassroots perspective of the asylum situation in Japan, I determined that a bottom-up approach would be the best course of action. With COVID-19 restrictions making it difficult to return to Japan, the absence of pre-existing connections with key actors, and the nature of the research requiring long-term and trust-building (that could not be replicated in remote settings), there were many factors that made it challenging to set up interviews. My early attempts at getting in contact with key actors were discouraging because most were reluctant or unwilling to participate in interviews. After reading a journal article by Professor David Slater from Sophia University, I reached out to him, and he generously shared interview transcripts from an ongoing project called *Refugee Voices Japan*. This research would not have been possible without his help.

6 Conducted by Professor Slater, his colleagues, past and current Sophia University students, *Refugee Voices Japan* aims to better understand the refugee situation in Japan from the perspectives of asylum seekers. Spanning years of research, the interviews shed light on the narrators' experiences and knowledge of the immigration regime that would have otherwise been marginalised by political narratives.[6] Narrators were identified through existing networks within the Sophia University community, largely through the Sophia Refugee Support Group (SRSG), and the interviews were held on campus.[7] Based on anonymity, written informed consent by each narrator was received, including permission to record the interview.

7 The interview format was semi-structured, based on four categories: the situation in their home country, reason for leaving their home country and coming to Japan, how they came to Japan, and life in Japan. The narrators were encouraged to express themselves chronologically, beginning with their life in their home country/ies (their childhood, family, education, employment, etc.) up to their daily activities in Japan. Guiding questions were asked for clarification at the end of each category, although the flow and speed of the interview were influenced by the narrators themselves. At the time of writing this paper, the interviews have not been made publicly available. A website dedicated to the *Refugee Voices Japan* project will be published soon, featuring the stories of select narrators.

8 89 interview transcripts were received in total, based on the first-person accounts of 37 individuals who were each interviewed between one to five times from 17 October 2017

to 11 May 2019. The quotations featured in this paper were lightly edited for clarity, although meaning, tone, and speaking style were prioritised. The findings and quotations from these interviews reflect the experiences, opinions, and feelings of the narrators from a specific period of their lives as asylum seekers and are not representative of their entire time in Japan, their current situation, or the experiences of all asylum seekers.

9 The interview findings were supplemented with further contextual information drawn from secondary sources through an extensive literature review. This featured academic research from various disciplines – from historical treatments of Japanese imperialism and nationalism, ethnographies on domestic and foreign minorities, and critical race theory critiques of migration studies.[8] Reports commissioned by inter-governmental organisations and NGOs, official policy documents, and media articles from both English and Japanese-language media were also consulted. These sources defined and situated the experiences of the narrators within the broader historical context.

Analysing the data

10 The analysis was carried out on multiple, interrelated layers that followed multiple narrative lines: the official historical record, the public and popular narrative as perpetuated by the homogeneity discourse, and the interviewed asylum seekers' narratives. An assessment of the first two produced a more inclusive and historical understanding of attitudes towards mobility and mobile people. This led to a better understanding of why and how their voices—as with generations of migrants in and out of Japan—were excluded in history. The narrators' accounts revealed the heterogeneous nature of seeking asylum. The goal of this analysis was to search for meaning in and perceptions of being an asylum seeker but also looking at what contributing factors determined commonalities and differences in their experiences.

11 Analysing the interviews required several rounds of in-depth transcript readings to consider the context, content, and form. Using someone else's data meant that I had little contextual information about how the interviews were organised, conducted, and recorded. Due to this, I had to thoroughly familiarise myself with the content and form of the interviews to absorb and understand the environment within which it was produced, taking into consideration the interview format, what materials were available to the narrators, how many people were allowed in the room, etc. This 'ethnography of the research setting' helped to contextualise the relationship between the interviewers and narrators.[9] The transcripts were coded for content using MAXQDA as it supported my ability to access, organise, and analyse a large amount of interview data with ease and accuracy. They were first coded according to general themes related to stages of mobility and aspects of their livelihoods. Then, they were reorganised and selected according to patterns in the data set. This process was guided by the selection of three narrators' autobiographical accounts (Mary, Fatima, and Argus) to represent the range of experiences shared by the narrators.

12 Mary and Argus represent individuals who arrived in the 1990s. Both lived through transformations of the immigration system in the past few decades and were also familiar with its current state. While they both became indispensable members of their local communities, their pathways as asylum seekers were different. Argus relied on brokers, worked around Japan before settling in Tokyo, and experienced deportation.

He found a job that he has been working at for almost two decades and pursued a low-key life in his neighbourhood. Mary lost all contact with her family back home and tried to build one in Japan. She engaged in a range of strategies where she encountered the immigration regime's restrictions at every turn, from chance encounters to being the only narrator who married a Japanese man. The stories of her activism exemplify asylum seekers' burden to search for solutions amidst the precarity of their legal status. Fatima, on the other hand, represents a younger generation of asylum seekers who arrived in the 2010s. Her account demonstrates the toll of immigration authorities' and NGO practices on her health and identity. Furthermore, as there are only nine women in the total sample of 37 narrators, two out of three narrators were intentionally selected as women to compensate for the male-dominated experiences represented in the quotations from the other narrators' accounts.

Ethical considerations and limitations

13 For this research, I practised self-reflexive thinking to keep my positionality and sensitivities in check. A lot of difficult questions were raised during this research process, particularly my motivations and whether I had the right to use their stories as a distant stranger living in Switzerland. It was difficult to navigate the complexity of my position in relation to the narrators and the *Refugee Voices Japan* data, with specific concerns of privilege and power relations. While some of these issues may not be completely solved within the context of this paper, it is essential to acknowledge them here and what steps were taken to start addressing them.

14 The first ethical consideration was about reciprocity and disclosure. Unlike the *Refugee Voices Japan* team, I did not have relationships with the narrators in a collaborative, reciprocal quest for understanding each other through community events over many years. In this sense, I am essentially a voyeur implicated in a 'complicated form of social engagement', but I fully intended to respect the emotions, intentions, and backgrounds of the narrators.[10] The use of this pre-existing relationship for my research raised the ethical issue of the extent to which I was privy to the experiences and emotions disclosed by the narrators (that they would rather keep private). I perceived the borrowing of data as the better of two evils. The other being the exacerbation of interview fatigue and buying the time of asylum seekers, most of whom were severely affected by the pandemic.

15 There was also the risk of exposing their identities based on the level of disclosure in their accounts, where they could be recognised by others and/or have their inner sense of self exposed based on their opinions, thoughts, feelings, and means of expression. The Institute's research ethics guidelines and the *Refugee Voices Japan*'s standards of privacy and confidentiality were followed. The processes and uses of the narrators' accounts were communicated to the participants, who verbally consented to the condition that the information obtained for the project would not be released without maintaining their anonymity and privacy. A release form was signed with Professor Slater to ensure that the narrators' confidentiality was respected in the storage and use of the data. In addition to this, identifying information was limited to the bare necessities, only to the point where the reader can attribute the quotation to its source.

16 The second ethical consideration was the interpretation and ownership of the research. Reusing someone else's data complicated questions of ownership since someone other

than the narrators (the *Refugee Voices Japan* team) had the power to determine whether their consent had been appropriately obtained. Even with a release agreement, my access to the data as a student outside of Sophia University can be fraught. The oral history interview is, ideally, a dialogical process between the interviewer and narrator. Therefore, without the context of how the data was produced there was the risk of rendering these individuals and their stories as 'ghosts' of themselves.[11] With the utmost respect to the narrators and staying as true as possible to the primary data, the hope is that this paper avoided this risk in at least problematising the image of the helpless, ahistorical figure of the asylum seeker.

17 As the researcher, I also had interpretive authority over their accounts, reinforcing power relations in choosing what to keep and remove. Their words are imbued with my voice and presented within the structure of my paper. The interpretive process adapted their thoughts and speech into the written representation of their lives, transforming their personal stories into an example of larger social phenomena for a critique on the immigration regime. This creates a tension between the desire to create space for their individual experiences to be known and the promotion of more inclusive mobility narratives. In acknowledgement of this issue, my paper put the narrators' opinions and words first—above all other narratives—to ensure that a balance of individual specificities and their implications on broader systemic and institutional issues was maintained.

18 Moreover, engaging with their mobility histories was challenging because it was not just a history of these people and their movement from their home country to Japan. It was also about the history of the contexts from which they came, the places they were between the start and end points, attitudes and strategies of mobility, and what their lives were like in displacement. The narrators' highly heterogeneous lives added many layers to the complexity of being an asylum seeker. Due to the scope of this paper, the following analysis focuses on dominant narratives about asylum seekers *in* Japan and less so on their lives outside of this context. Hopefully, this is a first step towards a more inclusive and comprehensive understanding of asylum seekers in Japan.

FOOTNOTES

1. Philip Marfleet, "Refugees and History: Why We Must Address the Past," *Refugee Survey Quarterly*, Vol. 26, Issue 3 (2007): 136.

2. Ibid., 137.

3. Alistair Thomson, "Moving Stories: Oral History and Migration Studies," *Oral History*, Vol. 27, No. 1 (1999): 26.

4. Shulamit Reinharz, *Feminist Methods in Social Research* (Oxford: Oxford University Press, 1992), 126.

5. Thomson, "Moving Stories."

6. Olena Fedyuk and Violetta Zentai, "The Interview in Migration Studies: A Step towards a Dialogue and Knowledge Co-production?" in *Qualitative Research in European Migration Studies*, ed. Ricard Zapata-Barrero and Evren Yalaz (Springer, 2018), 171-188.

7. Sophia University's student-run asylum and refugee support group.

8. Domestic minorities here refer to the Ainu, *burakumin*, *Zainichi* Korean and Chinese, even Japanese with 'markers of foreignness'.

9. Jo-Anne Kelder, "Using Someone Else's Data: Problems, Pragmatics and Provisions," *Forum Qualitative Social Research*, Vol. 6, No. 1 (2005): 21.

10. Lindsay French, "Refugee Narratives; Oral History and Ethnography; Stories and Silence," *The Oral History Review*, Vol. 46, Issue 2 (2019): 267-276.

11. Heath Cabot, ""Refugee Voices": Tragedy, Ghosts, and the Anthropology of Not Knowing," *Journal of Contemporary Ethnography*, Vol. 45, Issue 6 (2016): 1-28.

Chapter 3: Conceptual framework

1 The first step to tackling the research questions is to introduce the mobility lens and unpack the key themes of belonging, labelling and the performativity of people on the move, and everyday experiences. This demonstrates how the theoretical and practical issues considered are not exceptional to the Japanese context but are part of a broader set of patterns related to current paradigms of knowledge about mobility and migrants.

Mobility, not migration

2 Simply put, mobility is social and spatial movement, the ability to move from one position to another. The former entails a change in social position, while the latter deals with the physical movement of goods, information, capital, and people. In terms of the movement of people, mobility is a more inclusive term than 'migration' because it encompasses the different layers and types of movement related to broader livelihood strategies.[1] 'Migration' tends to reproduce a state-centric view of people on the move. Within the mobilities paradigm, mobility is understood as a fundamental aspect of social life and a resource to which people have varying degrees of access.[2] It problematises sedentarist theories that perceive immobility as the natural state of living, where identity is tied to a physical place.[3]

3 The territorialisation of identity, especially through the development of national identity, has serious implications for displacement. It frames the movement of people as a problem that needs to be solved when in reality it may be a solution in itself. Liisa Malkki demonstrates how this is perpetuated by botanical metaphors of 'rootedness', where being displaced is a pathological condition characterised by the ideas of transplantation and uprootedness.[4] The negative connotation attached to mobility is associated with outdated notions on the perceived moral and mental consequences of the loss of homeland, where the loss of an individual's ties to their homeland equates to 'a loss of moral bearings'. This misrepresents the identities of migrants and wrongly assumes that they have inherent characteristics due to this perceived loss.

4 This paper employs the mobility framework because it allows us to understand mobility and people on the move outside the fixed categories that currently dominate migration studies. It captures the social significance of all forms of movement and its impact on

the individual and their communities – seeing its potential as an act of agency, opportunity, and solution before considering its economic and political significance to the nation.

Belonging

5 The concept of belonging is incredibly important to mobility studies. It confronts the question of how people can reconcile differences and live in a multicultural society by looking at dynamics of the inside, outside, and everything in between. Nira Yuval-Davis' theorisation of belonging echoes throughout this paper in consideration of the politics of belonging embedded in historical and contemporary narratives of the foreigner (as the Other). Yuval-Davis' framework highlights how existing attitudes towards people on the move echo historical patterns of exclusion based on the politics of belonging, which shape the positionality and experiences of asylum seekers today.

6 Yuval-Davis defines the politics of belonging as comprising 'specific political projects aimed at constructing belonging to particular collectivity/ies which are themselves being constructed in these projects in very specific ways and very specific boundaries.'[5] This requires the constant maintenance and reproduction of boundaries, which are based on one's social location; people's identifications and emotional attachments; and ethical and political values.[6] Social locations refer to the specific categories of identification that define one's positionality along different axes of power and are shaped by specific historical contexts (e.g. ethnicity, sexuality, religion).[7] Mobility status is another aspect of one's social location. Identifications refer to the identity narratives that shape an individual or collective, which are in constant flux as they transform over time. Ethical and political values reflect the attitudes and ideologies of identity and the categorical boundaries of belonging. These are the value systems that are used to judge whether one does or does not belong.[8] These criteria have been used as a framework of understanding who can enter society (the political project of the state), who qualifies as a citizen and is deserving of civil and political rights (the political project of citizenship).

7 Constructions of belonging are destabilised by various political agents.[9] The most common threat to these constructions are migrants, who are positioned as the alien, non-citizen, the 'Other'.[10] Migrants are often scapegoats for state failures and, due to this, are universally associated with negative assumptions perceived as a threat to the state – that they cause insecurity, crime, disease, unemployment, overload social services, etc. This is bolstered by the essentialisation of their identities through sensationalised figures such as the alien foreigner and the refugee figure in media and political discourses. Such misrepresentations contribute to the normalisation of daily and systemic injustices. The position of migrants, however, is in constant flux as the boundaries expand and retract depending on the immediate interests of the state. Even if in reality they may already be included and participate in society, they are never fully accepted. Therefore, these practices of belonging speak to power relations and how migrants often bear the brunt of political projects in being subjected to stigmatisation of difference at systemic and institutional levels.

Labelling and the performativity of people on the move

8 Since the publication of Roger Zetter's "Labelling Refugees" article in 1991, it has been widely accepted that normative migrant categories are products of their historical and political contexts despite their apolitical and neutral appearance. The 'refugee', for instance, was born in the post-World War II period in Europe as a result of the large-scale displacement of populations and the infrastructure that emerged in response.[11] The construction and use of these categories perpetuate assumptions that contribute to political agendas of the state and the performativity of these categories by migrants to demonstrate their 'authenticity'.

9 Categories can be useful analytical tools to identify and organise the needs of those being described. In the name of simplicity, the heterogeneity of backgrounds is overlooked. The normalisation of these categories leads to the idea that they represent 'distinct social types'.[12] This threatens our ability to reflect on its inherently political nature and how these categories have essentialised identities.[13] They amplify differences between the Self (sedentary, members of the nation state) and the Other (people on the move), which reinforces control over the latter's identities and livelihoods in excluding them from the national order of things. The categorisation of migrants replaces dynamic and varying realities with a one-dimensional echo of reality, determines what rights individuals have access to, and renders them powerless to the forces of conformity.

10 The 'asylum seeker' label is particularly important to this research. The category predates the global refugee regime because it includes individuals who may not have applied for refugee status but require subsidiary protection.[14] In the context of this paper, 'asylum seeker' will be used strictly in relation to refugee status. UNHCR defines an asylum seeker as,

> an individual who is seeking international protection. In countries with individualized procedures, an asylum-seeker is someone whose claim has not yet been finally decided on by the country in which the claim is submitted. Not every asylum-seeker will ultimately be recognized as a refugee, but every refugee was initially an asylum-seeker.[15]

11 Zetter critiques the use of 'asylum seeker' as the 'populist and politicized image of the label – destitute, dependent, above all an alien because they have no right to belong.'[16] The label enables bureaucracies to postpone their decision to accept or reject refugee claims, and in the meantime restricts the rights of the individual by affording them temporary protection.[17] The normalisation of these labels and the assumptions attached to them impact how people interact with the system to obtain refugee status, through the performativity of refugee-ness. In efforts to become a refugee, one must successfully portray their precarity. They must perform the role of a victim who has fled their home with little to no resources in search of a 'haven', to meet the expectations of the authorities with the power to judge the validity and authenticity of their claims. As Deniz Akin argues, '[t]he notion of a genuine refugee subject would only encompass those who become intelligible through their conformity with recognizable standards of refugeeness.'[18] These standards place the burden of responsibility on asylum seekers to prove themselves and dictate the agency and strategies of asylum seekers often on the brink of survival. This is what people refer to as the performativity of people on the move.

12 Located in the Japanese context, this paper is also concerned with the additional layer of meaning attached to these labels in the Japanese language and how it shapes the experiences of asylum seekers and refugees.[19] The national history is embedded in the labels used to describe and categorise people on the move. *Imin* (移民) is the term used to refer to all migrants, although more so about transnational migrants than to describe people engaged in domestic mobility. 移 (*i*) means to shift, move, drift, or pass. 民 (*min*) is the people, nation, or subject. *Imin* was used in policies from 1866 when the country emerged from isolationism and Japanese citizens began to travel overseas.[20] The Immigration Control and Refugee Recognition Act (1951), which governs the movement of people in and out of Japan and procedures for the recognition of refugee status today, uses a different phrase with a more neutral tone – *shutsu nyūkoku* (出入国).[21] The policy does not refer to migrants as *imin* but *gaikokujin* (外国人), a foreign national. This is tied to its informal counterpart, *gaijin*, which has negative connotations that indicate the blanket of discrimination experienced by foreigners – although experiences of discrimination differ according to one's physical appearance and socioeconomic status.

13 There are more specific categories of foreigners with racialised assumptions and stereotypes. In addition to the discrimination that comes with being a *gaijin*, foreigners face prejudices associated with their legal status (technical intern trainee, student, refugee applicant, etc.).[22] *Nanmin* (難民, refugee) is reserved for individuals who have received refugee status. Due to the low number of refugees in Japan, it is also colloquially used to describe asylum seekers since the Japanese term for 'asylum seeker' (亡命希望者, *bomeikibōsha*) is rarely used. They are more often referred to as refugee applicants (難民申請者, *nanmin shinseisha*) or simply as *gaikokujin/gaijin*. While the term 'asylum seeker' is used to describe the narrators, this paper challenges the assumptions embedded in the label. For clarity, to distinguish foreigners who have no claim to refugee status and those who do, the label will be retained with caution. While this research will touch on the definitional and practical issues of these labels, it considers them a very small part of the narrators' identities.

Experiences of the everyday

14 Marlowe's approach to understanding the experiences of refugees is important because their voices and experiences are put at the centre of his analysis. It uncovers the wide-ranging impact of popular refugee discourses beyond policymaking and the underappreciated importance of daily experiences. In *Belonging and Transnational Refugee Settlement*, Marlowe introduces 'the everyday' and 'the extraordinary' aspects of refugee experiences. These notions are adapted from Pierre Bourdieu's critique on how examinations of difference tend to essentialise group identities in producing sensationalist accounts.[23]

15 Popular discourses are fuelled by the most sensational aspects of refugee lives in focusing on the extraordinary, such as experiences of violence or living in a refugee camp. The focus on the extraordinary reproduces misunderstandings and underlying political agendas that portray the refugee figure as traumatised and victimised individuals. Marlowe argues that because policies and practices are developed out of these narrow discourses solely based on the extraordinary aspects of refugees' lives and identities, their rights and opportunities are significantly limited. These discourses

invisibilise experiences of discrimination and exclusion that also inhibit their ability to heal and address their past.

16 To challenge one-sided constructions of the refugee figure, Marlowe prioritises a ground-up perspective of refugee resettlement. This is done by unpacking the everyday 'in a non-pejorative sense to conceptualize the routine and commonplace experiences of settlement (education, employment, housing, community relations, and many others).'[24] Positive recognition of the mundane aspects of refugee lives enables us to move on from simplistic generalisations. It also opens up space to deal with the complexities of the everyday and the local, which reveals that the experience of settling in a new place can be just as painful as the initial trauma of conflict and displacement. This paper aims to take inspiration from Marlowe in prioritising the day-to-day experiences of asylum seekers in Japan to learn about what they tell us about the gaps and impact of the representations, policies and practices of people on the move and how they can be changed for the better.

FOOTNOTES

1. James Hollifield, "The Emerging Migration State," *The International Migration Review*, Vol. 38, Issue 3 (2004): 885-912.

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3. Mimi Sheller and John Urry, "The new mobilities paradigm," *Environment and Planning A*, Vol. 38 (2006): 208-9.

4. Liisa Malkki, "National Geographic: The Rooting of Peoples and the Territorialization of National Identity among Scholars and Refugees," *Cultural Anthropology*, Vol. 7, No. 1 (1992): 32-3.

5. Nira Yuval-Davis, "Power, Intersectionality and the Politics of Belonging," in *The Palgrave Handbook of Gender and Development*, ed. Wendy Harcourt (London: Palgrave Macmillan, 2016), 370.

6. Edward Said, *Orientalism* (New York: Pantheon Books, 1987); Nira Yuval-Davis, "Belonging and the politics of belonging," *Patterns of Prejudice*, Vol. 40, Issue 3 (2006): 204.

7. Yuval-Davis, "Belonging and the politics of belonging," 200-201.

8. Jay Marlowe, *Belonging and Transnational Refugee Settlement: Unsettling the Everyday and the Extraordinary* (New York: Routledge, 2018), 46.

9. Yuval-Davis, "Power, Intersectionality and the Politics of Belonging," 368.

10. Stephen Castles and Mark Miller, *The Age of Migration: International Population Movements in the Modern World* (Palgrave Macmillan: London, 1998), 14-15.

11. Liisa Malkki, "Refugees and Exile: From "Refugee Studies" to the National Order of Things," *Annual Review of Anthropology*, Vol. 24 (1995): 497.

12. E. F. Kunz, "The Refugee in Flight: Kinetic Models and Forms of Displacement," *The International Migration Review*, Vol. 7, No. 2 (1973): 125-46.

13. Malkki, "Refugees and Exile," 516; Roger Zetter, "Labelling refugees: forming and transforming a bureaucratic identity," *Journal of Refugee Studies*, Vol. 4, Issue 1 (1991): 39-62.

14. Cf. United Nations General Assembly, *Universal Declaration of Human Rights*, Resolution 217 A (III), 10 December 1948, Article 14; European Union Agency for Fundamental Rights and Council of Europe, *Handbook on European law relating to asylum, borders and immigration* (2020), 81-3.

15. United Nations High Commissioner for Refugees (UNHCR), *The Global Report 2005* (June 2006), 441.

16. Roger Zetter, "More Labels, Fewer Refugees: Remaking the Refugee Label in an Era of Globalization," *Journal of Refugee Studies*, Vol. 20, Issue 2 (2007): 187.

17. Ibid., 181-2.

18. Deniz Akin, "Discursive Construction of Genuine LGBT Refugees," *Lambda Nordica*, Vol. 23 (2019): 27-8.

19. Cf. Appendix 3 for a summary of the legal categories of asylum seekers and refugees.

20. "Immigrant," 「移民」, *Kotobank*, accessed 30 April 2021, https://kotobank.jp/word/%E7%A7%BB%E6%B0%91-32276 (accessed on 27 March 2023).

21. Ministry of Justice, *Immigration Control and Refugee Recognition Act*, Cabinet Order No. 319, 4 October 1951.

22. Haruka Yoshida, ""Mom, is 'gaijin' bad?" The Rohingya refugee mother who wishes for a future where her children aren't discriminated against by appearance," 「「ママ、"ガイジン"って悪いこと？」ロヒンギャ難民の母が願う、子どもたちが「見た目」で差別されない未来」, *Huffington Post*, 28 November 2020.

23. Pierre Bourdieu, *Homo academicus*, trans. Peter Collier (Cambridge: Polity Press, 1988).

24. Marlowe, *Belonging and Transnational Refugee Settlement*, 2.

Chapter 4: Perspectives on mobility in Japan

1 Japan is a small island nation known for its self-imposed isolation from the seventeenth to nineteenth centuries. In its claims to be a homogeneous society, it is not typically recognised as a 'traditional country of immigration'. This is accompanied by claims that foreigners and those who do not conform to a specific idea of what it means to be 'Japanese' simply cannot fit into society. The collective denial towards people on the move has invisibilised past and present inequalities that undercut continuities, tensions, and transformations in modes of Othering. This includes patterns of discrimination and oppression, from the *burakumin* in the seventeenth century Edo period, former colonial populations in the post-war period, to foreign labour migrants in recent decades. Due to this, it has been incredibly difficult for political actors, civil society and some scholars to accept the plurality and mobile nature of Japanese society.

2 A historically informed understanding of mobility and migrants demonstrates how they have been marginalised in the official historical record despite being integral to the foundations of modern Japanese society. It also helps to explain how existing attitudes, representations, and the resulting experiences of asylum seekers and refugees in Japan are a microcosm of the legacy of this distorted, nationalist history. Produced and reinforced by nationalist discourses, the widespread perception of Japan as a homogeneous country with limited previous experiences with mobility and migrants is invalid and yet instrumental to justifications of its restrictive immigration policies.

Historical narratives on mobility and migrants

3 The modern image of Japan as a homogeneous nation stems from *nihonjinron*, a political narrative tied to post-war era nationalism. *Nihonjinron* preserves the conservative values of a nation state built for a a singular and homogeneous people (the *wajin* or Yamato ethnic group) as representative of the uniqueness of 'the Japanese'.[1] The exclusion of minorities is legitimised through this concept, which is based on the idea that being of Japanese lineage is necessary to fully participate in society.

4 Revisionist historian Eiji Oguma argues that *nihonjinron* discourse departs from earlier notions of Japanese national identity that depended on the empire's 'ethnic heterogeneity'. Pre-war policymakers and intellectuals relied on discriminatory rhetoric to justify Japanese superiority while maintaining the perception of a united empire composed of the many ethnicities represented in East Asia.[2] As an imperial power, Japan believed that it could construct unity in the transformation of its colonial populations into Japanese citizens through assimilation policies – enforcing Japanese education, culture, and even surnames to bury divisions along historical, ethnic, class and geographical lines. This argument is supported by Hwaji Shin and Keiko Yamanaka, who both suggest that the idea of a shared heritage was necessary to manage the ethno-racially hybrid, pan-Asian empire from 1868 to 1945.[3] While Oguma's argument highlights drastic differences in the imperial and post-war identities of Japan, the consideration of the former shows that expressions of diversity were already perceived as a threat to the dominant culture and complacency was the only means for the Other to live.

5 The different configurations of Japanese identity share a preoccupation with the notion of *minzoku* (民族, people of the nation or ethnic group).[4] Adapted from the German concept *volk*, *minzoku* has been key to the differentiation between the 'Self' and 'Other' throughout Japanese history. It was originally used to ascribe a racial order among Asian populations where Japan was at the top, but was also appropriated as a tool to enforce unity.[5] It re-emerged in political discourses from the 1980s, where ministers and parliamentarians frequently described the 'mono-ethnic' nature of Japan to highlight its homogeneous nature, a departure from the country's imperial identity.[6] A slogan from this period that is still used by politicians today–'Japan of one race, one nation, and one language' (一民族、１国家、一言語の日本)–denies the place of both domestic and foreign minorities in society. The gradual distancing from *minzoku* since the end of the Second World War paralleled the historical amnesia surrounding Japan's imperial past and earlier forms of nationalism, further cementing the normalisation of *nihonjinron* discourse. While rarely used today, racialised notions of Japanese and non-Japanese identities still exist as subtle but systemic forms of discrimination.

6 Overlooking continuities of this deep history in the present, scholars have focused on more recent history following the argument that the essentialisation of Japanese identities was an unintended consequence of its democratic transition in the post-war period.[7] This has produced critiques of Japanese immigration policy claiming that Japan's image as a racially homogeneous country emerged from recent history.[8] They portray a dramatic shift in nationalist ideology from a collective unity based on diversity to homogeneity. This history, however, contributes to the repression of imperial history and Japan's invisibilised multi-ethnic and multilingual landscape.[9] It also overlooks the negotiation and manipulation of Japanese identity over time.

7 Tracing the development of Japan's national identity back to the Meiji Period reveals that contemporary state narratives of Japan's superiority as a leading Asian power in a global society correspond to its imperial legacy. Western Orientalism, where Japan was placed at an inferior position in the global hierarchy of power, was appropriated for the country's self-image of being superior to other non-Western (specifically Asian) countries. Roy Miller called this process 'self-Orientalism', which appropriately recognises the contradiction in simultaneously maintaining and challenging Western hegemony.[10] Japanese intellectuals produced this dual ranking system of Western

superiority and Japanese exceptionalism as a solution when Social Darwinism and Blumenbach's five varieties of mankind revealed Japan's inferior position to other nations.[11] As Koichi Iwabuchi wrote in 1994, Japanese particularism and Western universalism demanded each other: where the singular Japanese identity was a product of Western Orientalism in being differentiated from the Others of the East Asian region, but also by being Othered by the West.[12] This illustrates the long tradition of Othering in the construction of the modern Japanese state, but also conflicting narratives of identity and positionality in relation to the rest of the world. This self-positioning in the international community has been reinforced by the Japanese state throughout history in its claims to be a champion of human rights and economic power.

8 The focus on recent history has also limited acknowledgement of how contemporary mobility narratives (including refugee discourses) emerged out of the homogeneity discourse. As the latter invisibilised mobility histories, it has produced highly problematic representations and attitudes towards migrants. Even with scholarly interest in post-war Japan, little attention has been given to migration flows into Japan and their impact on its development following the end of the war. The loss of its colonies was key to the development of Japanese national identity, as it no longer needed to justify or enforce the notion of a multi-ethnic empire. Attitudes towards mobility and migrants grew hostile in their association with the memory of decolonisation and a desire to distance away from the empire's failures, as seen in the experiences of other former colonial participants.[13]

9 This gradual distancing from its imperial past occurred alongside the historical amnesia surrounding the mobile and ethnically plural nature of Japanese society. For instance, the Allies' efforts to dismantle the Japanese empire contributed to making the East Asian region appear more ethnically homogeneous by reversing the large population movements during the imperial period. The identities of colonial migrants were under constant adjustment with the redrawing of the boundaries of nationality, until the (neo)colonial redrawing of the map of Asia itself and Japan's place in it by the Allied powers. 1 million Koreans, 40,000 Chinese, and 18,000 Taiwanese were returned to their countries of national origin by February 1946.[14] Colonial migrants who remained in Japan were progressively stripped of their citizenship and made foreigners by the 1950 reform of the Nationality Law (1899), in a country that once adopted them as their own people. Their descendants are still legally classified as aliens, labelled as 'Zainichi', with the implication that their presence is foreign and temporary.[15]

10 With the writing and rewriting of the boundaries of Japanese identity, little has been retained in the collective memory about the source of underlying tensions between the Other and Self. Due to this, diversity continues to be seen as a relatively new threat in the face of Japan's claimed homogeneity rather than an old issue that it has been grappling with for a long time. Furthermore, this exclusionary politics of nativism and its hold over the collective memory remains unaffected by critiques about the 'myth' of Japan's homogeneity because of its internalisation by Japanese society and how it has become complacent to the erasure of its multi-ethnic and diverse history.[16] This is evident in how post-war ideas of homogeneous Japan and the stigmatisation of foreignness informed immigration policies, which merely formalised old hostile attitudes and discriminatory practices towards the Other.[17]

The immigration regime and contemporary narratives on migrants

11 These large gaps in the collective memory have meant that the Indochinese 'refugee crisis' from 1978; the large inflow of the Japanese diaspora from Brazil and Peru (*nikkeijin*) in the 1990s; and the increasing numbers of migrant workers throughout the 2000s have all been framed as new threats to the government and its idea of Japanese society.[18] This unease towards migrants arguably reflects the precarity of Japanese national identity, especially when confronted with the possibility of uncovering the need for a collective reckoning with its invisibilised past.

12 The excessive focus on recent history has also affected our understanding of the immigration regime's development. Academics such as Meryll Dean and Miki Nagashima argue that Japan recently adopted restrictive policies, alongside other liberal democracies, due to its self-imposed isolation and in the absence of mass movements in Asia.[19] In fact, Japan does not fit this narrative about the recent emergence of restrictive policies, as marked by a massive shift in attitudes towards asylum seekers since the Cold War period.[20] While the modern system of immigration control was designed in the post-war period to register, monitor and control foreigners according to the Japan-United States Security Treaty, the restrictiveness of policies predated its formalised immigration regime.[21] Satoru Furuya notes that, unlike other states, Japan did not require legal reform to strengthen its immigration policy after 9/11 because its policies were just as restrictive, if not more, than the supposed shift following the securitisation of migration.[22] While 9/11 led to the detention of suspected terrorists and the amendment of the Immigration Control Act on 22 November 2001, policies related to the entry and livelihoods of foreigners were already established as instruments of national security.

13 The importance of the longue durée of attitudes towards mobility and migrants has recently been recognised by political scientists, who have utilised critical race theory to argue that policy gaps are caused by racial assumptions embedded in current immigration practices.[23] Apichai Shipper argues for the racialised hierarchy of foreign workers that differentiates wages and privileges across different groups based on their physicality and place of origin.[24] Some foreigners (European, North American, *Zainichi* populations, and *nikkeijin*) are perceived to be at the higher end of this racialised hierarchy and afforded privileges and rights that are closer to those of the Japanese *wajin* population. South and East Asian migrants are positioned lower on this hierarchy, where opportunities for social mobility are limited in being stuck with inferior jobs with little to no security and benefits. This hierarchy in the immigration system echoes notions of superiority and inferiority from the tension between Western Orientalism and Japanese particularism.

14 Racialised assumptions about foreigners are not new or particularly unique to Japan. Yet, according to Pascale Hatcher and Aya Murakami, these systemic issues can be addressed if the Japanese government and people come to terms with their imperial and mobile past.[25] There is an obvious need to revisit history and develop a more inclusive narrative that includes migrant experiences. However, the extent to which these assumptions have shaped and embedded themselves into individual and collective imaginaries should not be underestimated. As Japan continues to exist in a 'post-colonial fantasy', it is difficult to imagine a massive overhaul of national identity

occurring anytime soon that could also accommodate nuances to address the centuries-long invisibilisation of migrants.[26]

15 There are other issues with their argument. First, it tends to portray the Japanese government as a single, homogeneous entity despite the decentralised nature of immigration governance and variations in attitudes and practices between and within national and local authorities. Second, the role of independent and organised support and migrant strategies to address the challenges posed by the immigration system are ignored. Third, the role of non-governmental institutions in reinforcing narratives of homogeneity and securitisation is also neglected. Didier Bigo speaks of the complicity of various institutions in building and reinforcing the securitisation of immigration.[27] Among these institutions are NGOs and the media, both of which play important roles in reinforcing the dominant ethnocentric discourse. In their shared failure to reconcile with the past, assumptions of the Other from nationalist discourses are reproduced in the policies, practices, and representations of migrants and, therefore, asylum seekers.

Refugee discourse in Japan

16 While links to early modern history should not be overstated, the complex history of mobility and migrants helps to situate contemporary attitudes and practices related to asylum seekers and refugees. The refugee discourse, a product of the homogeneity discourse, unsurprisingly presents a narrow understanding of their experiences in reproducing its biases and assumptions. It produces representations that minimise migrant challenges, aspirations, stories, and ultimately inhibit their access to basic rights. This is magnified by the limited public discussion and media coverage on the issue.

17 Despite the highly politicised issue of foreigners in Japan, public discussions on immigration policies rarely occur and are actively avoided by the political elite. Junichi Akashi argues that in the absence of public discussion, government officials have intentionally avoided speaking on these issues due to conflicting opinions and interests between and within parties.[28] The policies of denial about migration contribute to the nationalist discourse, in their refusal to recognise the existence of these groups.[29] This specific form of animosity towards foreigners echoes the collective distancing from Japan's colonial past and the national narrative of Japanese victimhood from its defeat in the Second World War. The failure to acknowledge the marginalised experiences of migrants in Japan has increasingly posed a challenge to the state's self-image as a champion of human rights, another key narrative to the development of its identity as a modern nation state.[30]

18 In response to criticism from the international community about Japan's inadequate efforts to 'share the burden', former Prime Minister Shinzo Abe stated at the United Nations General Assembly in September 2015 that 'it is an issue of demography. I would say that before accepting immigrants or refugees, we need to have more activities by women, elderly people and we must raise our birth rate. There are many things that we should do before accepting immigrants.'[31] Abe argues against the case for more immigration and instead offered alternatives to migration with seemingly progressive agendas, failing to address its potential as a solution to Japan's chronically low birth rate and ageing population.[32] Underlying the thin veil of diplomacy is the securitisation rhetoric that prioritises the perceived needs and safety of the Self over the Other.

Petrice Flowers best describes this statement as the tension between a desire for legitimacy for its state identity—as an economic power and democratic country mobilising its commitment to international humanitarian cooperation—and its national identity as an ethnically homogeneous country.[33] Japan's racialised history and its legacy have been buried by this two-fold representation projected to the rest of the world, which conveys an image of acceptance and diversity rather than the minimal toleration of difference in practice.[34] This inherent contradiction echoes gaps between the national human rights framework and international human rights law, in parallel with discrepancies between Japan's large financial contributions to the 'global refugee crisis' and its strict immigration policies.

19 The equally limited media coverage of asylum seekers and refugees magnifies negative assumptions about migrants. In the media, the refugee figure is mobilised through the dichotomy between 'fake refugees' (偽装難民, *gisō nanmin*) and 'real refugees' (真の難民, *shin no nanmin*). The notion of 'fake refugees' is used to explain the high number of refugee applicants and justify the extremely low acceptance rate. In contrast to 'real refugees', it refers to 'illegal' migrants disguised as refugee applicants. Common perpetrators include international students, technical intern trainees, and labour migrants who overstay their visa and supposedly take advantage of the refugee determination system to work in Japan.[35] The Ministry of Justice takes on a similar position in claiming that there is a growing perception in 'developing countries' that 'in Japan if you apply for refugee status you can get a job', which has resulted in prolonged application processing times and affected 'real refugees'' access to assistance.[36] This dichotomy underscores a major issue in the refugee determination system.

20 While it is impossible to deny that some individuals could take advantage of the system, it is unfair to claim that all refugee applicants who work without the appropriate permit do not have valid asylum claims. The precarious legal status of many foreigners has meant that asylum seekers and those who stay in Japan to work are not mutually exclusive groups of people; asylum seekers share experiences with other migrants. Nicholas De Genova argues that migrants are publicly targeted as individuals to be excluded based on their 'illegality' although they participate in the economy discretely and are subjugated to unfavourable environments. Yet, the current refugee determination system is incapable of simultaneously recognising asylum seekers' need for employment and the exceptional circumstances that led them to Japan.

21 The media treats the conflation of all migrants to a negative effect, as all refugee applicants are judged in light of the few individuals who have committed crimes and are perceived as potential foreign imposters, criminals, and even terrorists.[37] The dichotomy of exclusion and inclusion here works on multiple levels based on co-existing humanitarian and securitisation discourses. While the 'fake refugee' questions the legitimacy of all refugee applicants, this narrative also denies basic rights to foreigners who are not asylum seekers in favour of 'real refugees'.[38] This clear differentiation of the rights and privileges of genuine asylum seekers/refugees from 'illegal migrants' operates on the assumption that the latter have malicious intentions undeserving of basic rights and the former as dependent and with no agency but worthy of support.[39]

22 The bottom line for popular understandings of asylum seekers and refugees is cultural difference, the undeniable fact that they are and always will be foreign. News coverage on asylum seekers and refugees in Japan often makes links to the broader issue of

foreigners. An otherwise sympathetic opinion piece entitled ‘Let's listen to the voices of refugees’ reveals the matter-of-fact way common assumptions about migrants are repeated. The author wrote, ‘[f]or Japanese people living in an island nation, it is hard to imagine the sight of so many refugees and migrants pouring into Japan. However, I feel that the time is not far off when Japan will also accept refugees and migrants and live together in coexistence.’[40] Describing Japan as an ‘island nation’ recalls its isolationist past, which remains at the forefront of collective memory and understanding of Japan’s national identity. The final sentence is rooted in the homogeneity claim, with the implication that foreigners at large have not existed in and become a part of Japanese society already. This emphasises how experiences of colonial, diaspora, and foreign populations in Japan have yet to be acknowledged by the public.[41]

23 Another article stated, ‘[u]nlike “immigration nations” like the United States and Australia, Japan is not accustomed to accepting people from abroad. Establishing a system that eases tensions, such as Japanese language education, vocational training, and a means to familiarise people with Japanese customs, will be essential when considering refugee policies.’[42] This is the epitome of the homogeneity discourse. Official policies and resettlement programmes focus on language and cultural training to fix the perceived gap between refugees as foreigners and Japanese people. While a basic understanding of Japanese language and society is important, the idea that this is the most essential component to successful resettlement—over psychosocial support, legal protections, family reunification, as well as the right to work and education—is self-deceiving.

24 The preoccupation with integration issues is used to justify low refugee acceptance but is pre-emptive of anxieties of foreign ‘contamination’. This has also significantly shaped what forms of support are available to asylum seekers. Many organisations provide Japanese language classes, which explains why many of the narrators featured in this paper are fluent in Japanese but still struggle to afford necessities. As James Clifford explains, while it is important to make cultural room for migrant cultures, the focus on issues of tolerance and education concerning multiculturalism deflects attention from more basic needs.[43] The media’s failure to challenge these assumptions has reinforced discriminatory discourses and attitudes towards foreigners.

25 Conversations around asylum seekers and refugees in Japan perpetuate stereotypes and are becoming increasingly more complex as the refugee discourse develops. This is reflected in the ways the political elite have struggled to maintain the homogeneity discourse in encounters with the growing migrant population and, simultaneously, number of asylum seekers. In the widespread invisibilisation of the mobile and diverse history of Japan, asylum seekers and refugees as migrants have a strong presence in the public imagination, but they are foreigners, criminals, outsiders never able to settle or be accepted in Japan. This is concerning because these ideas directly shape public perceptions, including migrant self-perceptions, and impact the opportunities available to them in reinforcing counterintuitive policies and practices.

FOOTNOTES

1. Manabe Kazufumi and Harumi Befu, "Japanese Cultural Identity: An Empirical Investigation of Nihonjinron," *Japanstudien*, Vol. 4, Issue 1 (1993): 93-4.

2. Oguma Eiji, *A Genealogy of 'Japanese' Self-Images* (Tokyo: Trans Pacific Press, 2002), 209-216.

3. Keiko Yamanaka, "Citizenship, immigration and ethnic hegemony in Japan," in *Rethinking Ethnicity: Majority Groups and Dominant Minorities*, ed. Eric Kaufmann (London: Routledge, 2004), 161-3; Hwaji Shin, "Colonial legacy of ethno-racial inequality in Japan," *Theory and Society*, Vol. 39, No.3/4 (2010): 327-342.

4. Eiji, *A Genealogy of 'Japanese' Self-Images*, 209-216; Oguma Eiji, *The Boundaries of the Japanese* 「「日本人」の境界」(Tokyo: Shin-yo-sha, 1998), 535; Yuko Kawai, "Deracialised Race, Obscured Racism: Japaneseness, Western and Japanese Concepts of race, and Modalities of Racism," *Japanese Studies*, Vol. 35, Issue 1 (2015): 24.

5. Kawai, "Deracialised Race," 37.

6. Masataka Okamoto, "Confusions regarding the concept of "Japanese" and Japanese nationalism," 「日本人内部の民族意識と概念の混乱」F*aculty of Human and Social Studies Bulletin, Fukuoka Prefectural University*, Vol. 19, No. 2 (2011): 79.

7. Shin, "Colonial legacy of ethno-racial inequality in Japan," 328.

8. Such as Japan's quick (economic) recovery from its defeat in the Second World War and the 'brutal colonialism' of the Allied Powers that forced a 'decolonisation from above'.

9. Yamanaka, "Citizenship, immigration and ethnic hegemony in Japan," 175-8; Xavier Robillard-Martel and Christopher Laurent, "From colonization to Zaitokukai: the legacy of racial oppression in the lives of Koreans in Japan," *Asian Ethnicity* (2019).

10. Roy Andrew Miller, *Japan's Modern Myth: The Language and Beyond* (New York: Weather Hill, 1982), 120.

11. Yasuko Takezawa, "Translating and Transforming 'Race': Early Meiji Period Textbooks," *Japanese* Studies, Vol. 35, Issue 1 (2015): 15.

12. Koichi Iwabuchi, "Complicit exoticism: Japan and its other," *Continuum: Journal of Media & Cultural Studies*, Vol. 8, Issue 2 (1994).

13. For example, the Japanese soldiers who returned to Japan from the Second World War (called *hikigesha*) received a cold reception when they returned and were stigmatised due to their experience overseas and association with the empire's failures. Cf. Lori Watt, *When Empire Comes Home: Repatriation and Reintegration in Postwar Japan* (Cambridge: Harvard University Press, 2010), 200.

14. Ibid., 3.

15. Min Byung Chae, "The Evolving Zainichi Identity and Multicultural Society in Japan," *The Yale Review of International Studies*, June 2020, http://yris.yira.org/comments/4092#_ftn1 (accessed on 27 March 2023).

16. Mokoto Rich and Hikari Hida, "In Japan, the Message of Anti-Racism Protests Fails to Hit Home," *New York Times*, 1 July 2020.

17. Richard Siddle, "Race, ethnicity, and minorities in modern Japan," in *Routledge Handbook of Japanese Culture and Society*, ed. Victoria Bestor, Theodore Bestor, and Akiko Yamagata (Oxon: Routledge, 2011), 150.

18. Keiko Yamanaka, "Return Migration of Japanese-Brazilians to Japan: The Nikkeijin as Ethnic Minority and Political Construct," *Diaspora*, Vol. 5, No. 1 (1996): 78.

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24. Shipper, "The Political Construction of Foreign Workers in Japan," 41-68.

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31. David Brunnstrom and Rodrigo Campos, "Abe says Japan must solve its own problems before accepting any Syria refugees," *Reuters*, 30 September 2015.

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33. Petrice Flowers, *Refugees, Women, and Weapons: International Norm Adoption and Compliance in Japan* (Stanford: Stanford University Press, 2009), 37; Atsushi Yamagata, "Conflicting Japanese Responses to the Syrian Refugee Crisis," *The Asia-Pacific Journal*, Vol. 15, Issue 24, No. 2 (2017): 4.

34. Siddle, "Race," 159-60.

35. Technical intern trainees are part of work training programmes administered by the Ministry of Justice that provides employment opportunities for foreigners. Permits for technical trainees last up to 3-7 years. There were approximately 411,000 foreign trainees in 2019. Cf. "Foreign trainees a huge help, but do we have to help them, too?," *Asahi Shimbun*, 2 December 2020, http://www.asahi.com/ajw/articles/13982238#:~:text=The%20number%20of%20trainees%20has,figure%20had%20risen%20to%20410%2C972 (accessed on 27 March 2023).

36. "Further reforms to protect "true refugees"," 「「真の難民」保護に一層の改革を」, *Nikkei Shimbun*, 17 January 2018, https://www.nikkei.com/article/DGXKZO25820240X10C18A1EA1000/ (accessed on 27 March 2023).

37. *Nikkei Shimbun* published a feature article on an Angolan man who was a member of the Front for the Liberation of the Enclave of Cabinda (FLEC), an organisation categorised as an international terrorist organisation by the Japanese government, and how he applied for refugee status in Japan. It implied that individuals linked to extremist organisations could enter the country as international students. Cf. Kaoru Yamada, "Angolan civil war warrior applies for refugee status in Japan," 「アンゴラ内戦の闘士、はるか日本で難民申請」, *Nikkei Shimbun*, 18 March 2015, https://style.nikkei.com/article/DGXMZO83762910X20C15A2000000; "Let's increase the number of international students from Syria," 「シリアの留学生を増やそう」, *Nikkei Shimbun*, 8 May 2016, https://www.nikkei.com/article/DGXKZO02035500Y6A500C1PE8000/ (accessed on 27 March 2023).

38. Nicholas De Genova, "Spectacles of migrant 'illegality': the scene of exclusion, the obscene of inclusion," *Ethnic and Racial Studies*, Vol. 36, No. 7 (2013): 1181.

39. Bigo, "Security and Immigration," 79.

40. Sara Mori, "Let's listen to the voices of refugees," 「難民の声に耳を澄まそう」, *Nikkei Shimbun*, 9 August 2018, https://www.nikkei.com/article/DGXMZO33939150Y8A800C1KE8000/?unlock=1 (accessed on 27 March 2023).

41. The Alien Registration Law (1947) defined these populations as 'alien', but they received social rights with the ratification of various international covenants in the mid-1980s and 1990s. The Citizenship Law (1985) created citizenship pathways for *Zainichi* Koreans, while the 1989 amendment of the Immigration Control Act granted permanent residence status to the *nikkei* population. Cf. Yamanaka, "Return Migration of Japanese-Brazilians," 78-84; Tessa Morris-Suzuki, "Beyond Racism: Semi-Citizenship and Marginality in Modern Japan," *Japanese Studies*, Vol. 35, Issue 1 (2015): 67-84.

42. "How Japan will confront the European refugee crisis,"「欧州の難民問題に日本はどう向き合うか」, *Nikkei Shimbun*, 19 October 2015, https://www.nikkei.com/article/DGXKZO92961980Z11C15A0PE8000/ (accessed on 27 March 2023).

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Chapter 5: Introducing the narrators

Figure 1 Map of the narrators' countries of origin

1 The narrators featured in this paper represent 15 countries, with the majority from Central and East Africa.[1] Aged 19 to 79 years old, they arrived in Japan between 1995 and 2018 and at the time of the interviews were living in the Greater Tokyo region. All were asylum seekers with active refugee applications. Of the 27 that shared their legal status and permit, there were:

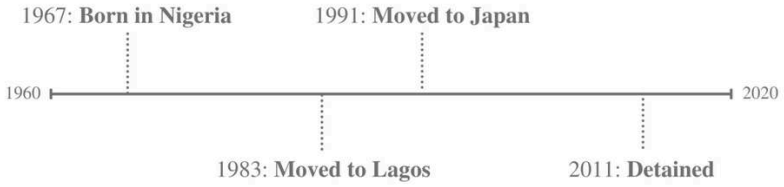
12 with provisional release (仮放免, *karihōmen*)
11 with designated activities (特定活動, *tokutei katsudo*)
2 students (留学, *ryū gaku*)
1 stateless person (無国籍者, *mu kokusek isha*)
1 refugee (難民, *nanmin*)

2 The narrators' lives before Japan encompassed everything from a professional musician, descendant of Palestinian refugees, to a royal prince. All, however, broadly related to each other through their experiences of being asylum seekers and refugee applicants in Japan. This is exhibited in their displacement from and inability to return

to their home country, interactions with the immigration system, experiences of community, access to information and resources. They also shared loss, hardship, determination, and incredible strength in their experiences as people on the move who are away from their home and in search of a less precarious life.

Mary

3 Mary is a 50-year-old woman from Nigeria. Since she was young, she advocated for herself and her friends by writing letters to schoolteachers and organising protests to improve school conditions. When she was 15 years old, an older man bribed her father into selling her to him. This man also wanted her to be circumcised before their marriage. Female genital mutilation was common in her village, but Mary knew of many classmates who bled to death from it.

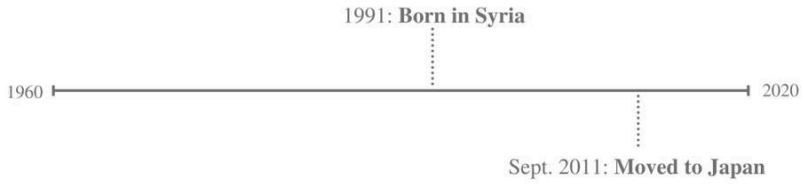


> Interviewer: Well, why did you decide to leave Nigeria at that point?
> Mary: Because I wasn't free, and I don't want to do circumcision. I was scared I don't want to... I saw my cousin die through that. I saw my friends; schoolmates die through that.

4 Mary's mother arranged for her to be rescued from this man and her father. When somebody at the place where she escaped from died, they blamed her of killing him. Since then, she has been on the move and unable to return home. At 16, estranged from her family, Mary hid in Lagos where she stayed with her friends at a university. She travelled frequently with them, to Italy, Germany, the United Kingdom, but decided after three years that she had to get out because of the looming fear of being caught. Applying for a visa to Japan was relatively easy with the help of her friends and she heard that an old schoolmate lived there, so she decided to go to Japan.

5 When Mary arrived in 1991, nobody knew about being a refugee so requesting asylum was not an option. From a chance encounter with the old classmate and guidance from her mother over the phone, she hoped to remain in Japan to attend a Japanese language school but ended up becoming an advocate for asylum seekers under a *karihōmen* permit. In her 27 years in Japan, she had bad encounters with members of a church, her mother back in Nigeria died from poisoning by the same people who targeted her, she overstayed her visa but found work to sustain herself, married a Japanese man, volunteered to visit people at detention centres, and was herself detained for ten months.

Fatima



'My background is not representative of Syrian society.'

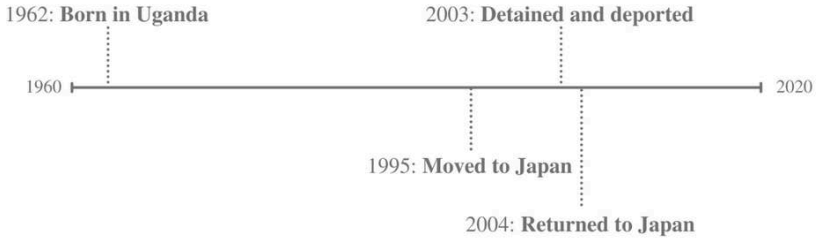
6 Fatima is a 27-year-old from Syria who arrived more recently as a student. In her interviews, she was an incredibly empathetic and articulate speaker. She came from a middle-class background with a kind and religious father and a mother from a liberal family. Like Mary, Fatima was highly aware of social injustices and inequalities from a young age. Despite her love for Syria and her religion, she often critiqued the patriarchal society that she lived in.

7 Fatima studied Japanese at university for two years, which coincided with escalating tensions and violence in Syria that led to the revolution in March 2011. At university, she began to develop her political opinions as life became increasingly dangerous.

> '[Politics] is trying to control everything. Every section, every part of Syrian life or the Syrian community. So, you hear a merchant talking about a cousin to the President who is trying to blackmail him and trying to take over his business, his successful business. You hear about a student who is not being active in this political party. He is not doing them favours, he is not working with them.'

8 Later that year, Fatima accepted a scholarship to study in Japan, optimistic that the violence would end by the time she completed her exchange abroad. In her second year, her house in Syria was bombed and her family were arrested by the Assad regime. She became a 引きこもり (*hikikomori*) as a student in having to adjust to the new environment and facing racism as a foreigner, while hearing about the escalating situation at home.[2] At the end of her exchange programme, she successfully applied for refugee status.

Argus



9 Argus is a Catholic man from Uganda, a natural storyteller with an optimistic view of life. He came from an impoverished background, growing up in a village where his family 'dug food for themselves to eat'.

> ‘My family was very poor. They could not afford the school fees for me, so I only graduated Primary 7.’

10 In his early 20s, he opened a store where Allied Democratic Forces (ADF) rebels were regular customers. Without his knowledge, these rebels were smuggling information and videos in the passion fruits that they sold to Argus. He was implicated in a situation much larger than himself when an investigation involving the government and the rebels was opened. Fearing that the rebel group was going to kill him, Argus left Uganda with the help of his uncle’s network. Within a month of leaving his fruit store and family, he flew to Japan.

11 His early years in Japan were largely influenced by brokers, who found housing and work across the country for him in exchange for money and his flight ticket back home. He worked to send money back to his children until he was detained and deported. He returned to Tokyo soon after, but his second time around was not easier as he spent 13 years inside his employer’s building out of fear of being deported again. In 2014, Argus became seriously ill due to the dangerous working and living conditions, which led him to report himself as an overstayer and apply for refugee status. At the time of the interview, at 56 years old, Argus was living with his son in Tokyo but still undergoing the process of claiming asylum.

12 The autobiographical accounts of these three narrators will unfold in more depth as the paper explores different aspects of being an asylum seeker, demonstrating how their journey and decision to stay in Japan were merely the beginning of another precarious life.

FOOTNOTES

1. This is a stark contrast to the top nationalities of refugee applicants in Japan, which were Sri Lanka, Turkey, Cambodia, Nepal and Pakistan in 2020. The geographical representation is a reflection of the existing network of the *Refugee Voices Japan* team, not an indicator of the validity of one’s application or representative of all asylum seekers in Japan, let alone Tokyo. Neither the over 11,000 Indochinese refugees nor the 1,300 ethnic Kurds from Turkey in areas around Tokyo, for instance, are represented. Cf. Appendix 2 for full list of countries. Cf. Immigration Services Agency of Japan, “On the number of refugees recognised in 2020,” 「令和元年における難民認定者数等について」, 27 March 2021, http://www.moj.go.jp/isa/publications/press/nyuukokukanri03_00004.html (accessed on 27 March 2023).

2. A *hikikomori* is someone who experiences acute social withdrawal, choosing to live in extreme isolation within the confines of their home.

Chapter 6: Taking risks and chance encounters

1 The lives of asylum seekers are rarely revealed to the public. The narrators' experiences in search of basic needs—from housing, finding the immigration office and earning a living to a safe and stable life—uncover the constraints imposed on them by the immigration regime. This shows that traumatic experiences at home and of leaving their home did not end once they arrived in Japan. This chapter considers the risks involved in leaving their home country and deciding to stay in Japan as an overstayer and seeking asylum, but also the chance encounters that contributed to their ability to navigate life in the country.

Mobility histories

> 'I've travelled everywhere. That was not my first journey to go out of Nigeria.' – Mary

2 As with all other aspects of being displaced, the drivers, means and trajectories of mobility for the narrators were highly diverse. Their reasons for moving within and out of their country of origin, as well as their reasons for moving to and staying in Japan, go beyond simplistic understandings of asylum seekers and refugees that disproportionately focus on their first and last moves. Many narrators left their home due to extenuating circumstances—'voluntarily', but reluctantly—but this should not define their entire mobility history as they may have also travelled for leisure or business before being displaced. The narrators' accounts challenge the perception of asylum seekers as destitute and dependent in demonstrating that they are more than just asylum seekers, but also people who engaged in mobility under less dangerous circumstances.

3 Plotting the mobility histories of the narrators and the decisions that led them to Japan reveals three broad patterns: individuals who came directly to Japan; individuals engaged in multiple short-term moves; and those who lived in multiple countries before arriving in Japan.[1] Fatima came directly to Japan from Syria. In contrast, Mary moved to the city and travelled to Europe frequently with her friends before deciding to move to Japan. Other narrators, whose fear of being persecuted and need to move

out of the country was more immediate, transited to a second country or engaged in multiple short-term moves in preparation for their move to a much farther country. After realising that he was being targeted by the government intelligence organisation, Argus stepped out of his country for the first time when he was 33, to Kenya on his way to Japan in 1995.

> 'I ran away immediately. I had nowhere to go. The poor Argus you see here, I have never even crossed a border of any nearby country here. Tanzania, Rwanda, Sudan, Congo, whatever I have never crossed. [...] Then they [his family] told me to go. To run away from the country.' – Argus

4 S.P.B.'s mobility history was similar to that of Argus, in the use of a short-term transit country.

S.P.B.'s mobility timeline

Uganda –> 2006: Tanzania –> 2007: Japan
Arrested four times by the Ugandan government between 2001 and 2006 and prevented from going to Dubai for work because he was part of the royal family (at the time the Democratic Party was against them).
Went to Tanzania out of fear for his life after his last arrest.
Decided to apply for a visa at the Canadian Embassy, but easily received one for Japan.
Left for Japan.

5 Unlike the three main narrators, others engaged in multiple medium-term moves before ending up in Japan. A.K. and her husband moved from Liberia to Cote d'Ivoire. They returned to Liberia after eight months due to difficulties adjusting to the new environment, limited resources, and not knowing French. Being back home, they continued to be pursued and A.K. was immolated. This led to their decision to go to Ghana, where they acquired a visa for Canada. Before going to Canada, they decided to transit in Malaysia in search of A.K.'s brother, although by the time they arrived he had resettled in New Zealand.

A.K.'s mobility timeline

Liberia –> 2009: Côte d'Ivoire (8 months) –> 2009/10: Liberia –> 2012: Ghana –> 2016: Malaysia –> 29 December 2016: Japan
There was also I.A., who travelled under arguably less precarious circumstances.
I.A.'s mobility timeline
Jordan –> 2005: Dubai –> 2012-2017: Turkey (2 months) –> Jordan (6 months) –> Egypt (25 days) –> Jordan –> August 2017: Japan
Moved from Jordan to Dubai to work as a car sales executive.
Returned to Jordan for vacation and resigned from his job in Dubai in the hope of receiving a visa to go to the United States.
Tried to apply to the US, Canada, and considered Morocco among other countries.
Applied for Japan after encountering an issue with his ex-girlfriend's family and being targeted by them.

6 These general patterns exhibit the different relationships asylum seekers have with being mobile, as shaped by the networks and resources that enable them to move. Their mobility histories zoom out from the extraordinary aspects of their lives and counter narratives of 'forced migration' in demonstrating how external circumstances are met with intent and agency in mobility.

Drivers and reasons for staying

> 'I had to choose between my life and my country, and there was no way to choose my country because I could not be in my country from that, so I had to choose my life. I had to live however much I loved everything.' – A.A.

7 Decision-making processes related to mobility are incredibly complex, especially for individuals who are displaced. Some of the contributing factors that shape mobility-related decisions are fear due to the immediate threat to life; contextual factors that create an enabling environment for the existence and perpetuation of the issue at hand; and aspirations.

8 The fear for their lives is undeniable. At the most basic level, the narrators' reasons for moving were political persecution (16 narrators), targeted violence (14), conflict (4), religious persecution (2), and statelessness (1). While asylum seekers avoid the immediate threat to their lives by leaving their home, it does not follow that they are able to escape this fear or that it stops once they are in a different country. For some narrators, this fear heightened while in Japan due to interactions with people from their home country, the deteriorating situation back home, or out of fear of being 'found out' in Japan.[2] S.P.B. moved out of necessity because he was arrested multiple times and targeted for his political opinions. He escaped from the immediate threat to life by moving to Japan, but his brother found himself in a similar position back home and was eventually kidnapped for three weeks and died from his injuries.

> 'I called and he [his brother] was talking to me: "These people do this and this and maybe I can't survive." And I said, I told him, "[y]ou leave, it is better to leave. Cause even me, I left everything. I left my children, I left my mother, I left everything, it is better to live." He said no.' – S.P.B.

9 The contrast between S.P.B. and his brother encapsulates the role of agency in being 'forcibly' displaced. One can 'voluntarily' decide to move while also under coercion. The dichotomy of forced and voluntary mobility fails to capture this nuance. Moreover, even though mobility was perceived as a solution to their issues, the narrators' opinions on mobility were largely negative. As R.T. expressed,

> 'I never liked travel. But I just travel, I just do it because I don't have options. They push me to do it. For instance, if I get in the first place refugee status in Russia, I will stay in Russia. If I get to Ukraine, I will stay in Ukraine. I will not move. If I get to Poland, I will [go] to Poland. I will base my life in Poland. If I get in Germany, I [will] live in Germany. But no one, no one, nobody gave me the status, so I am always pushing, pushing, pushing. Push out to Japan. And then I believe that Japan [will] also push me and I have to again continue like this.'

10 The normative framework of understanding asylum seekers and refugees does not consider the situation where individuals are already on the move or have the agency to do so voluntarily when their ability to return home is compromised by unforeseeable circumstances. Some narrators initially planned to visit Japan for short to medium-term purposes (e.g. education or business) and did not intend to stay for long. Fatima left Syria to start her exchange programme in September 2011 with relative optimism, thinking that she was going away for a short period of time. While the growing revolution in Syria was consequential to her decision to do the exchange programme, she fully intended on returning after studying the Japanese language to become a translator. By the end of her first year, it became clear that she could not go back home.

> 'We were thinking very optimistically that it will end [...] I wanted for this year to end as soon as possible to come back and witness [...] this atmosphere of trying to live in a democracy. [...] I kind of anticipated and was worried that it would be a bloody fight but I didn't think that it would develop into a civil war, that's for sure.' – Fatima

11 G.A. found himself in a similar situation when he published a book inspired by Christianity that caught the attention of Boko Haram. He was marked by them and would have risked his life if he returned home.[3] Fatima and G.A.'s experiences show the need to be sensitive towards changing circumstances, since many refugee applicants are criticised for being 'fake refugees' by entering Japan under a different visa and then applying for refugee status. This assumption fails to recognise that refugee applicants have lives beyond their hardships. The decision to move and/or stay in Japan is not always an immediate, intuitive decision as implied in the image of refugees 'fleeing' their countries due to the sudden onset of violence. Asylum seekers may not know about refugee status to begin with. Many of the narrators merely perceived Japan as a place of safety or did not have time to fully prepare themselves to apply for refugee status.

12 As such, without negating the exceptional circumstances of their inability to return home, the experiences of asylum seekers still fall under the key drivers of mobility as defined in mobility literature:

Lack of economic security, due to limited employment opportunities, underemployment, indecent working conditions;
Lack of human security or protection, due to humanitarian reasons (escaping regions affected by conflict and violence, natural disasters);
Educational advancement (e.g. study abroad experiences);[4]
Family reunification and 'family formation'.[5]

13 On a macro-level, broader social, political, economic, and environmental dimensions of a context (such as political stability, quality of education, conflict, rate of natality, etc.) also contribute to the decision to move. These dimensions are often minimised, if not completely overlooked, despite their centrality to mobility-related decisions. Displacement, especially medium to long-term displacement and the inability to return to their home country, is induced by the cumulative impact of pre-existing vulnerabilities based on broader contextual factors. These factors create barriers to resolving the situation or particular threat, which would require significant structural change.[6] This was noted by narrators who emphasised the longue durée of the circumstances that led to their move to Japan.

> 'So, the questions that they are going to ask you. Did you run away from your country because of this? I don't think there would be any proof so how can they believe you? That's some of the things that we face because the problems are not going to be your own.' – A.S.

14 Those who perceived the threat of their livelihoods as part of an issue much greater than themselves had difficulties explaining and proving their situation. It often meant that they had to give a history lesson. To explain his decision to move, C.T. provided an overview of the Anglophone crisis in Bamenda, Cameroon – a situation that has seen violent confrontations between the military and Ambazonian separatists.[7] He explained how the violence that threatened his livelihood was rooted in Cameroon's colonial past, in the failure of the French and British to reconcile differences between Francophone and Anglophone citizens in decolonisation processes.[8]

> 'Most of the people, they don't know what is happening Bamenda. This is one part of the country that has trouble. [...] The military with the people from Bamenda, from [the] Anglophone part, want to separate Cameroon because before in history, Cameroon was two countries. The English part and the French part because they were colonised by the French and British. So Bamenda, from the Anglophone part, they are British. But we are from the French. [...] That's why they should stand, to say also to France, "[s]top, we can make our own currency. We can develop our own country."' – C.T.

15 The emphasis on structural issues and how they contributed to their personal experiences of displacement subverts popular discourses. From an international law perspective, this is indicative of a critical protection gap between international humanitarian law and refugee law in that they both neglect individuals displaced as a result of 'generalised violence'.[9] 'Generalised violence' is often juxtaposed to a 'well-founded fear of persecution', as found in the Convention Relating to the Status of Refugees (1951) definition of a refugee, because the former connotes indiscriminate violence and does not explicitly account for targeted violence.[10] Regional instruments, such as the Organisation of African Unity (OAU) Convention Governing the Specific Aspects of Refugee Problems in Africa (1969) and the Cartagena Declaration on Refugees (1984), provide broader definitions of refugees that include people who are displaced by 'generalised violence' and other structural issues that characterise 'fragile states'.[11] Since the 1951 Refugee Convention does not include this, there is a gap in protection for victims of armed conflicts (particularly non-international armed conflicts),[12] meaning that it is very difficult for individuals who leave conflict-affected contexts and are in danger of being targeted to be recognised as refugees.[13]

16 A guide on refugee applications in Japan by the Japan Association for Refugees states: 'Saying that your government (or the government of the country of your residence) violates human rights, or that the situation in your country is generally unstable, is not enough. It is necessary to explain the specific reasons why you would be a target of persecution.'[14] According to this NGO's interpretation and the refugee determination criteria, the lack of differentiated risk from other civilians caught in armed conflict leads to the refusal of refugee protection. This denies the reality that structural violence can be both widespread and targeted. In the face of these complex layers of mobility, existing policies and responses severely lack a sophisticated understanding of what contexts asylum seekers come from. The current system fails to capture the complex relationships of the political, social, and economic drivers of mobility within the framework of 'forced migration'. Therefore, the realities of displacement and seeking asylum in a foreign country are largely misunderstood.

17 Aspirations may also play a part in an individual's decision to move and determine where they will go to next. For R.T., who sought asylum in many countries and self-identified as belonging to the Soviet Union, his decision to move to Japan was driven by a desire to visit an abandoned Russian village.[15] He said, 'I [saw a] village, Russian, and I liked it very much. I was already thinking of planting potatoes, cabbages there, tomatoes, so [the idea of living there was] already coming [to me] you know.'[16] Unlike R.T. who was a veteran asylum seeker, the other narrators' decision to move and stay in the country rarely had to do with any profound interest towards Japan, as they knew very little about the country beyond its remoteness and relative safety. They expressed a more pragmatic approach to their decision-making, based on available resources, chance, and the ease with which they could receive a visa. The decision to move to or

stay in Japan was, thus, largely out of practicality and necessity given the time-sensitive circumstances under which they had to make the decision.

> 'A little before I came here, I did a little research about Japan. [...] There was one series where [they listed] the 100 best policies in the world. In terms of safety, Japan has one of the lowest crime rates, it is the safest place. So from there I was seriously thinking about going there.' – K.D.

18 The mobility lens reveals the different dimensions to asylum seekers' mobility trajectories and histories. The sense of urgency due to the immediate threat posed to their lives defines the decision to move out of their home country, but there is more depth to their mobility-related decision-making than a single driver of displacement.

Arrival in Japan

> 'I didn't reach any of them [her family] until I got to Japan. And I came to Japan. First, when I called my mom, she asked me, "where are you?". I told her, "I'm in Tokyo." "Tokyo?!" You know she was shocked.' – Mary

19 Mary arrived in Narita Airport at Easter in March 1991 with a three month tourist visa and USD 3,000 in her pocket. She checked into a hotel in central Tokyo, where she stayed for four days. After speaking to her mother for the first time in over 17 years, she followed her mother's advice and went to the Nigerian embassy and registered at the City Hall. Knowing that an old university friend was in Japan, she planned to find him but incidentally met him in the lobby of her hotel.

> 'I came down one evening just to sit in the lobby and I saw a black man [...] I said "Hi", then he went back again. So, I said "please I wanted to talk to you and that I'm Nigerian. I just came in about three days now, don't know anyone though I have been to the embassy." He says [he] himself is a Nigerian. The face look[ed] familiar, you know? So I said, "were you UNILAG [University of Lagos]?" He said, "Yes, yes, yes. What's your name?" So, that was how we met.'

20 Experiences of arrival in Japan depends on one's plan of action, as determined by their pre-existing knowledge of Japan and immigration processes; existing contacts or networks; and how far they can stretch their financial resources. The few who had existing contacts—such as Fatima and Argus—had temporary housing, access to employment opportunities, etc. Other narrators, such as Mary, relied on chance encounters to guide their way through everything from finding housing to completing the refugee application. This involved approaching strangers and asking for their help at the airport, on the streets of Tokyo and in the immigration building. One of the narrators even met Professor Slater of *Refugee Voices Japan* on the day she arrived in Tokyo.[17]

Being an 'overstayer' and police interactions

21 The risk of being an asylum seeker starts when individuals overstay their visa, in becoming 'overstayers'.[18] Most narrators entered on a tourist or business visa, which permitted them to stay in Japan for 90 days. Not all narrators experienced being an overstayer because they applied for refugee status soon after their arrival or before their visa expired. For others, overstaying their visa was an unfortunate necessity that came with the lack of access to information and/or support related to seeking asylum.

Mary overstayed because she could not find a guarantor to sponsor her student visa and had no information about refugee status.

> 'I didn't know there was the asylum [...] nobody knew about refugees when I first came to Japan. In Nigeria, we don't know anything about the refugees. You just left the country because you have a problem, you know, so I didn't know anything about the refugees so I didn't know what to tell them.' – Mary

22 Being an overstayer in the 1990s and early 2000s was a much different experience than being one today, where the weight of being an overstayer is omnipresent. It has been incredibly difficult to overstay for long due to the police and immigration authorities' crackdown on 'illegal migrants' from 2018 onwards – through stopping foreigners on the street to ask for their documentation and worksite raids. Attitudes towards foreigners have increasingly taken on both a racialised and securitised dimension, where being seen on the streets (outside) is a fearful state and means putting yourself at risk as authorities in search of illegality rely on racial profiling. The older narrators noted this change, in the heightened fear towards the police and immigration authorities in comparison to the past when the police were 'really friendly people. They were not as strict as today. Immigration was friendly.'[19]

> 'Actually, since I came to Japan, no police ever stopped me. "Where is your paper?", no. They said sit down, let's talk, but my card is this dot dot dot haha. So no one has stopped me [to ask] "where is your paper?" until recently. So, it was shocking to me [that] for more than 20 something years, no policeman has ever stopped me.' – Mary
>
> 'I always move with my passport because I didn't have the residence card. It doesn't just happen back home. It happens even around the street, anywhere. [...] I think that's why some people are afraid of moving because they fear the police. You know like stopping here and "where are your papers?" They're so scared of that.' – A.A.

23 In his return to Japan after being deported, Argus adopted a new strategy as an overstayer in response to the authorities' heightened vigilance. He experienced extreme exploitation through living in a building—owned by his employer—to avoid being caught, during which time he worked at the leather company and had restricted access to the outside world. He said, 'I faced a lot of problems because the immigration, the police were against anyone who could be found in the street with no proper documents. So anytime we could be hiding, and because of that you touch sickness.' For thirteen years, Argus, alongside other asylum seekers, relied on brokers, ate stale bread, and earned little money from working at the leather factory.

24 The minimal protections afforded by employers, in the face of the unpredictability of the police and immigration authorities and their inconsistent enforcement of immigration rules, delay and create incentives for asylums seekers to remain as overstayers. Argus, whose boss was a 'famous person' in the neighbourhood, had sway with the police officer, which explains how he and the other asylum seekers who worked under the same employer were able to stay hidden from the authorities for so long.

> 'The 社長 [*shachō*, boss] said, "the police you see passing by, we know them. Unless you commit a big problem. But unless you don't commit a big problem, this problem of overstay[ing], we [will] talk with them." In fact, I can say that these people, they are good, really. When you are good to them they are good to you. I don't get why the immigration comes and says we are fed up of you.' – Argus

25 Argus expressed gratitude for these protections, but he described this situation as 'enslavement' because his insecure status created an enabling environment for

exploitation. He said, 'There was a lot of torture in our masters. Okay, they are good, we are staying with them, but also once they know that you are nowhere, you cannot go out, you cannot escape from them. They have a way of torture in that system.'[20] Eventually, the long-term stress of extreme isolation and exposure to chemicals to treat leather led to the deterioration of Argus' health. He had to be smuggled into a taxi and hospitalised, which led to his decision to turn himself in to the authorities. Similarly, M.N. worked at a salon in Shibuya for a year as an overstayer with someone else's documents. She was grateful for the job but suspected that it lasted for so long because her employer was associated with the yakuza. While she remained friendly with her employer, M.N. described how she feared her for being 'young with money and she was controlling me'.[21] The meagre protections afforded to asylum seekers ultimately prolonged their insecure status and exposed them to being taken advantage of by their employers.

26 The precarity of an asylum seeker does not end at the border. Being in Japan requires individuals to take risks, such as in becoming an overstayer. Tracing the mobility histories of the narrators and the multiple layers of reasons for their movement and decision to stay in Japan demonstrate how the journey out of violence or conflict in their home countries is also a traumatic experience. Regardless of the resources and networks one has access to, there is only so much that an asylum seeker can plan for their journey to a safer environment and finding pathways forward. Some narrators were lucky in their chance encounters with helpful strangers or people who were willing to guide them in the right direction.

27 Even if the risk of being an overstayer is avoided—because they arrived in Japan long before the immigration system took shape, applied for asylum soon after their arrival, or isolated themselves from the outside world—, the insecurity attached to their legal status is maintained by the immigration regime in all aspects of their lives. The issues associated with being an overstayer, such as labour and financial exploitation, fear of being detained or deported, and limited access to information continue to exist even if one becomes a refugee applicant due to the many restrictions imposed on their livelihoods and the precarity of their status as an asylum seeker.

FOOTNOTES

1. Movements within their home country are mentioned to the extent of the details in their interviews.

2. Cf. Chapter 9: Trust and dependency for a more detailed exploration of interpersonal relationships.

3. G.A., Interview 2.

4. Laura Camfield, Awae Masae, J. Allister McGreggor, and Buapun Promphaking, "Cultures of Aspiration and Poverty? Aspirational Inequalities in Northeast and Southern Thailand," *Social Indicators Research* (2013).

5. Inés Crosas Remón, "Migrant Brides in the Matchmaking Industry: Blurring the Binaries," *United Nations University* (18 May 2016); Maria Franco Ganovel, *Patterns and Drivers of Internal*

Migration Among Youth in Ethiopia, India, Peru, and Vietnam, Young Lives Working Paper 16 (March 2017), 8.

6. Hein De Haas, Carlos Vargas-Silva, and Simona Vezoli, *Global Migration Futures: A conceptual and methodological framework for research and analysis* (International Migration Institute, 2010).

7. Jess Craig, "Violence in Cameroon's Anglophone crisis takes high civilian toll," *Al Jazeera*, 1 April 2021.

8. Piet Konings and Francis Nyamnjoh, "The Anglophone Problem in Cameroon," *The Journal of Modern African Studies*, Vol. 35, No. 2 (1997): 207-229.

9. Vincent Chetail, "Armed Conflict and Forced Migration: A Systematic Approach to International Humanitarian Law, Refugee Law, And International Human Rights Law," in *The Oxford Handbook of International Law in Armed Conflict*, ed. Andrew Clapham and Paola Gaeta (Oxford: Oxford University Press, 2014), 724-5.

10. Vanessa Holzer, *The 1951 Refugee Convention and the Protection of People Fleeing Armed Conflict and Other Situations of Violence*, UNHCR Legal and Protection Policy Research Series (September 2012), 5.

11. Organisation of African Unity (OAU), *Convention Governing the Specific Aspects of Refugee Problems in Africa* (10 September 1969); *Cartagena Declaration on Refugees* (22 November 1984).

12. *Convention Relating to the Status of Refugees* (22 April 1951).

13. There are exceptions on the national level for countries not covered by the OAU or Cartagena Declarations, such as Switzerland with its government's adoption of 'violence refugees' in 1999. Cf. Corina Salis Gross, "Struggling with Imaginaries of Trauma and trust: The Refugee Experience in Switzerland," *Culture, Medicine, Psychiatry*, Vol. 28 (2004): 157.

14. Emphasis by the organisation. Cf. Japan Association for Refugees (JAR), *To Those Who Wish to Apply for Refugee Status* (February 2018), https://www.refugee.or.jp/for_refugees/tothose/tothose_english_1802-2.pdf, (accessed on 28 March 2023).

15. Applied for refugee status in Russia, Ukraine, Belarus, Poland, Germany, France, Spain, Norway, Ireland, the United Kingdom, and Finland.

16. R.T., Interview 2.

17. K.A., Interview 1.

18. According to Article 24 of the Immigration Control Act, overstaying risks detention for an indefinite period and then deportation.

19. R.K., Interview 3.

20. Argus, Interview 2.

21. M.N., Interview 4.

Chapter 7: Asylum strategies

1 The life of an asylum seeker is commonly described as being in a state of limbo.[1] This state of being is constructed by bureaucratic processes that have become incredibly complex with the proliferation of different legal categories intended to improve the efficiency of the refugee determination system. Limbo can be real, as many live through repetitive days within the physical, economic, and social limits imposed on them by bureaucratic procedures that disempower and constrain their agency. This is problematic because the current legal framework reserves basic freedoms and protections for those recognised as refugees. Also, asylum seekers face an indefinite waiting period for their application to be processed and prospects for a successful application are low.

2 Life in limbo represents a very specific point in the lives of asylum seekers, often at the start of their stay in Japan and during the six months after they submit their refugee application.[2] It was especially true for individuals with a *karihōmen* status and who received regular external support. A.A.'s daily routine involved visiting the grocery store, listening to music in the park, and returning home. Some attended Japanese language classes, church, and even yoga classes provided by NGOs, but their goal was to fill their time until their application was processed.[3]

'My movement was my house, church, job, my house.' – Mary

3 Yet this bureaucratic limbo is far from the whole truth, for 'limbo' implies passivity and asylum seekers are not passive victims of the system. The narrators were, in fact, actively in search of solutions through various strategies despite and/or within the limits of their legal status. The principal strategies considered by the narrators to sustain themselves and build a life beyond insecurity and dependence included: marriage to a Japanese person; the pursuit of further education or training; employment; and activism.

Marriage: the unideal option

4 In 2006 Mary met a Japanese man while she was working in an ink cartridge factory. Her original plan of attending a Japanese language school did not work out. She said, 'I got married… I didn't want to, but it got to a point from 2004, […] everybody was

thinking of what we can do to stabilise our life, you know. So, I did.' She had little to say about her ex-husband except for the fact that he borrowed money from her when she was working at the factory, that he was an engineer but also a drug addict who was arrested multiple times during their marriage, went missing, and was eventually imprisoned. Upon marrying this Japanese man, Mary received a *karihōmen* for three years. The stability from being married was short-lived because once her husband was in prison, she was arrested and detained.

5 The narrators shared stories of other foreigners who married Japanese people and that they themselves received pressure to do so. Those who arrived more recently expressed strong opinions against this option. Many refused to entertain the idea, citing how it went against their religious or personal beliefs and recognising that even marriage itself does not ensure stability. In practice, marriage to a Japanese citizen or permanent resident provides little legal protection to asylum seekers from detention and deportation. L.O.O. said, 'A lot of our people are being forced into marriage when the plan was not there. [...] When [the immigration authorities] push you outside, they expect you to get married and have a child.'[4] This pathway ultimately delegitimises their original fear of persecution, displacement, and inability to return to their home country.

Pursuing further education or training

> 'I wanted to be a student. I didn't want to be a refugee and I thought for sure [the violence in Syria] would end after four years and I could go back, but after a third year, I realised that it's not going to settle to the end.' – Fatima

6 The option of pursuing further education or training was taken by three narrators, which reflects the small proportion of overall refugee applicants who came in as students with a study abroad (留学, *ryū gaku*) or technical intern trainee visa (技能実習, *ginō in*). It is a competitive pathway for people from a narrow range of socioeconomic backgrounds, as they require education up to university level, work experience in a particular sector, and andesire to continue their education. In describing how he received a government-sponsored scholarship, H.F. said, '[i]t was among three million Syrian refugees and there were only ten seats.' These two visas cannot be extended because they were designed to be short-term, without pathways to long-term employment. Therefore, such visa-holders are expected to return to their home country immediately after the completion of their intended purposes. The application process for either permit is also difficult for individuals already in Japan. Of the narrators who arrived as students or technical intern trainees, only Fatima was able to continue to remain as a student. She came to Japan with a scholarship to study the Japanese language and she was only able to become a student because her refugee status application was accepted.

> 'That is why I have a second plan, not only waiting for immigration to decide about my case. I'm trying to join university because it usually takes 2 or 3 years before they give you the answer. [...] If I am a graduate from, for example, public health here, it's going to help me get recognised as a refugee and work here in Japan.' – G.M.

Employment

> 'No work permit, but how do you survive? How do we live? And that came to the result that there is nothing you can do other than work. There are so many people, they work but without a work permit. The immigration too, they know. But when they come and see you working with no work permit, they arrest you, put you inside the detention centre, and you will spend a year inside.' – L.O.O.

7 Refugee applicants can apply for a designated work visa (特定活動, *tokutei katsudo*) after six months of submitting their application and while waiting for their results. With inadequate financial and material support and the fact that Japan has some of the most expensive cities in the world, there is incredible pressure for asylum seekers to work illegally. Being employed was essential for the narrators to support their families back home and network with other foreigners as a source of socialisation and external support. They also had to earn some kind of income to pay for the invisible costs of being an asylum seeker.[5] At the bare minimum, transportation around Tokyo is incredibly expensive – even for a trip to the immigration bureau or to receive food, clothing, and other forms of support. It costs a lot to be in detention centres as well, let alone having to find the money to pay the fee for their provisional release from detention.

8 Their permit, refugee applicant status, and the general ignorance of employers have significantly limited the type of work available to the narrators. C.F.F., who worked as a water engineer and trade unionist in his home country, said, '[i]t is not a matter of qualifications here in Japan. [...] I brought my certificates, but I can burn them because they are of no use here.'[6] A.A. noted that even with a valid work permit, it is difficult to secure non-manual labour jobs (e.g. teacher, restaurant worker) because many employers are unfamiliar with and refuse to understand the specific work permits given to refugee applicants.[7] With little consideration of the pre-existing qualifications or knowledge about the specific permits afforded to refugee applicants that legally allow them to work full time, most opportunities available to asylum seekers are inferior, manual labour jobs with little security and few benefits.[8] This aspect of the lives speaks to the general experience of being a foreign worker in Japan, although the medium to long-term dimensions to being a refugee applicant present additional barriers to finding and maintaining a job.

Table 1 Examples of narrators' jobs

Narrator	Job	Wage (yen/hour)	Hours	Benefits
Argus	Daikon harvesting	800	8 am to 5pm	Accommodation provided
C.F.F.	Bread factory	800		Accommodation provided
Mary	Paper factory	900		+25% for overtime
I.A.	Motorcycle factory	1,000 – 1,500		Accommodation provided
	Transportation company	1,050 for 8 hours; 1,350 for over 8 hours		2,050 yen/hour for overtime

A.S.	Recycling company	1,000	6 am to 4 pm	N/A
L.O.O.	Security at bar	850 – 1,050	8:30 pm to 5am	N/A

9 Susan Banki explains that migrants are referred to as occupying '3D' jobs – 'dirty, dangerous, and demanding' (in Japanese, '3K' jobs – '*kitanai*, *kiken*, and *kitsui*').[9] The table shows that this is true, as the narrators worked in different kinds of factories in Tokyo but also engaged in farm work outside the city. There are rare exceptions where working conditions are less demanding, as for L.O.O. who worked as security at a bar or M.N. who worked at a hair salon. Working hours are normal, but they were often required to work overtime with little to no breaks despite the physically demanding nature of these jobs. There are few benefits, although sometimes accommodation is provided when employers hire people without work permits. These jobs, however, only meet short-term needs because of their as-needed basis, the high risks involved in working without proper documentation, and the exploitative and discriminatory environment.

10 The as-needed basis of many jobs mean that asylum seekers can go days or weeks without earning money. This is often the case for seasonal work on farms outside of Tokyo. Argus said, 'I worked [at a farm]. We reached there in January, [...] then in March we started the planting, weeding and harvesting. Then, in September, they said it was finished. We'd have to sit in the house until next season. So, we could not manage. We changed to Tokyo again.'[10] Fatima suggested that even for a cake factory, there was no certainty that she would be called in the next day. 'Because, for example, Golden Week or Mother's Day, when there's not much pressure, they ask you not to come and you will financially be very troubled.'[11]

11 The absence of more stable, long-term employment is also closely linked to the high risks involved for those without a work permit. Police officers have the authority to stop, search, and arrest individuals to be detained, if found without a proper permit, and immigration raids frequently occur at workplaces.[12] While employers are liable for employing undocumented migrants, they are rarely held accountable by the immigration authorities.[13]

> 'When you see a blue person, blue uniform person, just take off or you have to go [to detention].' – M.N.

12 The fear of getting caught compels asylum seekers to be constantly on the move, jumping from one job to another. M.N.'s employment history from 2004 to 2008, across three different cities, exemplifies the continuous mobility of asylum seekers. Her first job was at a plastic company, but after one and a half months she moved to a glass company. She said that at this time, 'I used to cry every night because [the glass] was so heavy', and that 'the Japanese workers, they were beating me'. After three months, she moved onto a software company where she assembled cameras for seven months, during which she was using someone else's papers. 'The immigration came and took 25 Chinese [workers] without visas, but at the job they were saying [that] they had visas.' The raid led her to quit this job and work at a leather company to hide skin for a few months, to a restaurant, and then a salon for a year where she enjoyed working but was caught by the immigration.

> ‘When you think about the safety of the job, not your personal safety, but the safety of the immigration… It started giving me nightmares, so I needed to shift.’ – L.O.O.

13 Shipper suggests that this constant movement inhibits the formation of communities. While this mobility may be a contributing factor to the limited development of communities and the participation of asylum seekers, there are other reasons for the lack of community.[14] The narrators showed that the quick turnover of jobs and exposure to different workplaces actually helped to build their networks. As R.R.M. put it, ‘[t]he immigration was very strict, they were catching people near our area so we would think that maybe tomorrow is our time. It’s our time. […] People start moving on after making some money, some contacts.’[15]

14 Alongside the disintegration of communal ties, the increasingly mobile nature of foreign workers also led to the diminishing power of brokers, who used to be central to the system of exploitation in the labour market. While Argus and other narrators who arrived in the 1990s or early 2000s spoke of brokers, those who arrived from the 2010s never brought them up. Through their extensive networks composed of foreigners, Japanese employers and the Yakuza, brokers provided basic needs from food to telephone cards, housing and jobs. These individuals were foreigners with a more stable work permit and/or who married a Japanese national/resident. Argus relied on brokers during his first visit to Japan; he was a ‘willing victim’ to their exploitation because he did not have any contacts or knowledge. He paid 10,000 yen to a broker in 1997 for his job at the leather factory.

> ‘Many can move for themselves now, but before, wherever there is a job, whether you have money or not, moving from one place to another place, that chance was not there […] But now this *karihōmen* process changed everything. But again, if they [the brokers] get new faces, [the broker system] is there. I cannot say 100 per cent if it is not there, it is there.’ – Argus

15 More recently, the exploitative and discriminatory environment of workplaces alone has contributed to the constant movement and short-lived nature of jobs. With regard to her work experiences, Fatima declared: ‘I just hate this proletarian experience.’ She described the disposability of foreign workers’ bodies, a new person always available to replace anyone who gets injured.

> ‘They ask you to come and work for very long hours. Sometimes workers are very stressed and tired to the point that they hurt each other with knives because they are cutting food and the treatment. I felt like I was in a slaughterhouse. […] They don’t like it if they change people […] so they are just trying to use this body as much as possible. You have people collapsing and going to hospital so it was quite horrifying.’ – Fatima

16 The long hours and limited safety gear while working with dangerous equipment inevitably leads to serious injuries, creating difficult situations because most asylum seekers do not have health insurance and access to most public welfare services.

> ‘Some people when you look at them, their fingers are… how do I say… their fingers are not good, like there’s some bones. Their fingers look horrible because of the work. There’s so much heat. I don’t think it’s something good because if I see your body getting disabilities and getting weird, I don’t think that’s a nice job for you to do, but some people get used to it and start liking it and they never change to go look for other jobs.’ – A.A.

17 For serious injuries, narrators stated that they were not compensated, although in most cases employers paid for the medical fees and coordinated with medical staff with a level of discretion (i.e. without having to register their name in medical records). More

fortunate individuals such as Fatima moved when they were able to find a job with better working conditions. At the same time, many remained in these physically taxing jobs despite the dangers.

> 'The company took me to the hospital. They treated me at the hospital. The next day I even came to work. [...] There was no compensation. You know, other places they could compensate you for having such a situation at work, but that is how it ended. So, I don't understand how the system works, I did not want to talk to [the employer] because honestly, we don't understand the system. We are like beggars.' – C.F.F.

18 Discrimination in the workplace was conveyed through the narrators' comparisons of the treatment and interactions between *gaijin* and Japanese workers. This fits into Shipper's argument on the hierarchy of foreign workers that exists in Japan, whereby there is a discriminatory racial element in the determination of wages and working conditions.[16] Argus describes the 'money power' that Japanese employers have over asylum seekers, who they had to provide very little in contrast to the basic wages and privileges afforded to Japanese workers. Asylum seekers are paid less, work longer hours, and have less time off. C.F.F. said, 'Japanese people work now, but it is different. When the Japanese person is working, they have bonuses after every six months but the refugee workers, they don't have bonuses.' One narrator noted that in addition to different wages and working conditions, *gaijin* and Japanese workers were segregated at his workplace. 'Even our lockers are different from Japanese lockers. They have bigger ones. [...] We are bigger, but we have something to put our shoes on only. They have different badges; they have different anything – so different dress rooms and different anything.'[17]

19 Some differentiated between foreigners with and without a work permit, although the narrators had very different opinions on this matter. Argus claimed that a new Ugandan man who joined his workplace ('the *gaijin*, he doesn't know Japanese') was in a better position than he because the newcomer had a work permit and health insurance. Another narrator claimed that 'it's safer in some ways to work illegally' because neither the immigration authorities nor the Refugee Assistance Headquarters (RHQ) would have knowledge of their economic activities and, therefore, would not be able to reduce their monthly subsidies accordingly.[18] This suggests that official financial support to asylum seekers serve as wage subsidies to employers, which poses the question of whether current practices of key actors that provide financial support to asylum seekers incentivise employers to hire asylum seekers.

> 'If you have a contract, it's too much danger because this contract will go to the Japanese government taxes or something, so just by computer RHQ can know if you are working.' – I.A.

20 While working can be a highly risky and exploitative endeavour, it has potential as a source of support and tolerance. For Fatima, the cake factory was the only place that allowed her to wear a hijab at work. Despite his initial issues, Argus developed a strong relationship with the family that owned the company he was working for and described himself as the 'black son' of his employers. They even paid for his ticket back home when he was forcibly deported. Mary put a positive spin on her experience of working in Japan.

> 'I learned a lot from working with them and they are not selfish. If you work with them, they pay you what you work for. Anywhere I worked, they paid you what you worked for. They cannot deduct one yen from your salary, that sincerity from them I really appreciated working with them.' – Mary

Activism

> 'I was in Chiba yesterday. There was a demonstration in Tokyo. Did you see it?' – R.R.M.

21 Even with the general sense of being spatially and socially trapped as asylum seekers, the narrators were able to reinvest in action through their activism on the asylum situation in Japan and/or the political situation back home. Some even identified a newfound purpose through mobilising their political freedoms in Japan.

22 Mary started regularly visiting asylum seekers in detention centres in 2003 when her friend had been detained. Through her frequent visits, lawyers began to approach her to speak to foreigners in detention on behalf of them. When she was detained herself, she was disillusioned by detention conditions and the impact on people inside. Two Chinese women were arrested for attempting suicide, one of whom stopped eating for almost four months. A Filipino woman was given antidepressants that caused insomnia. Mary became a leader in her block, determined to make changes from the inside. Within her first month of being in the Shinagawa detention centre, she organised a demonstration. When she was moved to another detention centre, she held weekly meetings where others could express their grievances that would be brought up to the detention officers. One of the issues she successfully addressed was discrimination against LGBTQ+ people, who were isolated from everyone else.

> 'When [the other detainees] go inside, [LGBTQ+ detainees] go outside for ten minutes. They really suffered, which is not good because they are all human beings. If you are keeping them separate, let them be free to talk to others during the break. [...] Those are the things they do to them in the categories, you know. Before, I was writing against this. Now they can mix them up. During break time, they can come out and make a phone call as [we] all do. Normal time, unlike restricting them from making phone calls for ten minutes. I stopped that.' – Mary

23 Taking advantage of her rapport with the immigration authorities and guards at the detention centre from her volunteering work, she enacted change from the inside. While Mary was in an exceptional position, protests and organised hunger strikes in detention centres are very common.[19] L.O.O. explained how he participated in a hunger strike to be released and receive 'unconditional amnesty'. He said, '[w]e went on hunger strike, they told us to go back into our room, we refused to go back, then all of us sat on the ground and held each other's arms. Then they came in with an anti-riot squat, all fully dressed.'[20] In their small ways, many of the narrators put in the effort to transform practices and behaviours among asylum seekers, immigration authorities and the rest of Japanese society. Outside detention, G.M. was working at a non-profit organisation to advocate for asylum seekers and refugees in Japan.[21] Others engaged in independent activism through lectures at universities, press conferences, and interviews with the media to raise awareness about where they came from and the asylum situation in Japan. R.T. made a public appeal to the Japanese media about his situation, where he said that 'if [the deportation order] is issued, I will lose my place on earth.'[22]

24 Even in the precariousness of being an asylum seeker, narrators who were already politically active before coming to Japan found it easier to be politically engaged outside their home country through sending political remittances back home or writing articles.[23] R.K. shared how he wrote two articles that were published in a

national newspaper.[24] When asked if he was afraid of pushback as a result of his political writing, he answered, '[n]o, because I'm in Japan. Being in Japan is also an advantage. It's because I'm doing something which is for the good of our country. Don't forget about my daughter. My daughter is back in Uganda. I don't want my daughter to be a victim.' Fatima expressed that she found the courage to take action only through overcoming her fear of being targeted in Japan. 'I'm scared, I am always scared. But I feel like I can't do anything alone and it's very easy to be, honestly. I'm done with watching the news, crying, feeling guilt. I want to do something.' As a Syrian in Japan, her desire to take action required a shift in perspective and came from a growing need to empower other Syrians and herself.

> 'They don't see it as a political issue anymore. It is a humanitarian issue. People are being killed. And if they are willing to help whichever, whether it's with the government or against the government, if you look at it as a human and you just want to help, then I'm more than willing to be with them. It's not a political issue anymore.' – Fatima

25 Like Fatima, B.D., who was not politically active back home, said that she became involved as a member of the Forum for Democratic Change (FDC, the main opposition party in Uganda) chapter in Japan. She participated in demonstrations that were organised in response to events such as President Museveni's visit to Japan and the arrest of Bobi Wine. Her explanation for this change was 'when you come out of Uganda, you know you've been in problems. [...] [W]hen you look back home, that's when you see what's really happening at home isn't good.'[25]

26 The narrators used their political freedom in Japan to raise awareness about the contexts from which they came to put pressure on the international community and encourage political change back home. Being politically active was an important way of taking action and contributing to the life they left behind. On the other hand, most narrators expressed as a sense of reluctance to bring attention to their legal status and current situation – apart from few individuals, such as Mary, who focused on improving the livelihoods of asylum seekers.

> 'We are creating awareness for what's going down in our country and that we are not here just for the sake of being in Japan. No, we all prefer staying home but because of the conditions down home, we're not comfortable to stay in those conditions. So, if the Japanese government can help us, I think we would be grateful.' – S.N.

27 The high risks involved in the strategies adopted by asylum seekers were outweighed by the high payoff in reclaiming agency through action. Marriage to a Japanese person is an option that many foreigners have considered. To our narrators, however, it was an undesirable option and not as reliable as it appeared to be. Few individuals attempted to pursue further education as it is a difficult pathway for refugee applicants already in Japan. Employment is a complex and challenging endeavour for asylum seekers due to the risks involved, from work hazards to detention. Due to this, it is not uncommon for asylum seekers without a work permit to remain idle and instead become dependent on the RHQ and NGOs. Yet most narrators explained that there is significant pressure to work illegally due to the need to support family back home, cover basic living costs in Japan, and a refusal to become dependent. Finally, many narrators took advantage of their ability to contribute to political and social causes that reinvigorated their sense of purpose. While limbo can be real, in these ways asylum seekers take action to challenge the pressures and constraints imposed on them by the immigration regime.

FOOTNOTES

1. Annette Ekin, "Lives in limbo: Why Japan accepts so few refugees," *Al Jazeera*, 20 June 2017; Philip Brasor, "Asylum-seekers in Japan are stuck in bureaucratic limbo," *The Japan Times*, 13 July 2019.

2. Refugee applicants can only apply for a designated activities permit (which allows them to work) six months after submitting their application for refugee status while waiting for their application to be processed. This is not afforded automatically to all refugee applicants but is only available to applicants whose applications have a high probability of success. There are no official criteria for this process (as known to the public).

3. Refugee Empowerment Network (REN), a non-profit organisation in Japan, hosts yoga and meditation classes for asylum seekers and refugees.

4. L.O.O., Interview 3; Substantiated by R.K., Interview 4.

5. James Manning, "World's Most Expensive Cities Revealed," *Time Out*, 25 November 2020, https://www.timeout.com/news/revealed-the-most-expensive-cities-in-the-world-right-now-112520 (accessed on 28 March 2023).

6. C.F.F., Interview 2.

7. Many foreign workers have a designated activities permit (*tokutei katsudo*) that allows them to work in specific jobs, but asylum seekers sometimes receive a version of this permit specifically for refugee applicants (*tokutei katsudo nanmin nintei shinsei chū*). Cf. A.A., Interview 3.

8. Some of the occupations the narrators had before coming to Japan include business administration, gynaecologist, car trader, computer software engineer, Japanese language expert, and political activists.

9. Susan Banki, "Burmese Refugees in Tokyo: Livelihoods in the Urban Environment," *Journal of Refugee Studies*, Vol. 19, Issue 3 (2006): 328-30.

10. Argus, Interview 1.

11. Golden Week is a week of public holidays in Japan from the end of April to early May.

12. L.O.O. shared that immigration officers also make home visits. Cf. L.O.O., Interview 2.

13. Makoto Oda, "Immigration authority beefing up oversight of foreign workers," *The Asahi Shimbun*, 24 September 2020, http://www.asahi.com/ajw/articles/13756470 (accessed on 28 March 2023).

14. Cf. Chapter 9: Trust and dependence for more on the nature and role of community in the lives of asylum seekers.

15. R.R.M., Interview 2.

16. Shipper, "The Political Construction of Foreign Workers in Japan."

17. M.M., Interview 3.

18. I.A., Interview 1. The RHQ is the main government-commissioned organisation responsible for assisting refugees. Asylum seekers with work permits are obligated to inform the RHQ of how much they receive monthly, from work or otherwise. This number is deducted from monthly subsidies. In most cases, however, RHQ completely stops providing subsidies to asylum seekers with work permits. Cf. Chapter 8: Floors 3, 6, and 7 for more on the financial restrictions placed on asylum seekers.

19. Cf. ""Give me freedom". Tokyo immigration detainee appeals for protest against prolonged and poor environment," 「「私に自由をください」東京入管収容外国人が訴え　長期化、劣悪な環境に抗議デモ」, *Mainichi Shimbun*, 21 June 2020, https://mainichi.jp/articles/20200620/k00/00m/040/218000c (accessed on 28 March 2023).; Taku Suzuki, "The Desperation of Japan's

Detained Asylum Seekers," *The Diplomat*, 18 September 2020, https://thediplomat.com/2020/09/the-desperation-of-japans-detained-asylum-seekers/ (accessed on 28 March 2023).

20. L.O.O., Interview 3.

21. G.M., Interview 1.

22. "Persecution, escape, and wandering for 27 years... Finding hope in Japan," 「迫害、脱出、流浪27年...たどり着いた日本で見えた希望」, *Asahi Shimbun*, 20 June 2020, https://www.asahi.com/articles/ASN6M3QXKN6KUQIP01H.html (accessed on 28 March 2023)..

23. A.S. stated that he remained politically active in Japan by collecting and sending remittances to a political group in his country. Cf. A.S., Interview 1.

24. R.K., Interview 2 and 3.

25. B.D., Interview 2.

Chapter 8: Floors 3, 6, and 7

1 Visiting the Tokyo Regional Immigration Services Bureau (東京出入国在留管理局, *Tōkyō shutsunyūkoku zairyū kanri-kyoku*), 'Shinagawa' for short, was always a daunting and degrading experience for the narrators. The building serves two purposes: as the location of interactions with immigration authorities and as a detention centre. Asylum seekers regularly visit this building or any branch of the immigration bureau to submit their refugee application, take part in interviews for the application process, and renew their permit.

2 During these administrative obligations, the threat of having their permit cancelled and being detained loom over their heads (literally and metaphorically). The sixth floor of the Immigration Bureau is dedicated to administrative processes for individuals who overstayed, entered the country illegally, or have provisional release or stay permits. The seventh floor is where they process individuals for detention. All floors above that are the detention centre. The Refugee Investigation Department is on the third floor of the Immigration Bureau.[1] This 'refugee floor' is where people submit their refugee status application, although few return to this floor after their first visit. The building, thus, is also where asylum seekers encounter the idea of being a refugee.

3 To explore how asylum seekers interact with the immigration regime, this chapter will first look at how the narrators manoeuvre through the refugee determination system and relate to the 'refugee' label. This will be followed by interactions with the immigration authorities and experiences of detention and deportation.

Floors 3 and 6: Applying for refugee status

> 'Japan is strict, they said. It is laws, laws, laws, laws. Rules, rules, rules, rules. Investigations, investigations. Syllable, syllable, syllable. 確認する, 確認する, 確認する [*kakunin suru*, to confirm].' – R.K.
>
> 'I've already been to the immigration more than eight times! Not the third floor, the third floor is for refugees. I'm on the sixth floor, provisional release.' – C.T.[2]

4 Many asylum seekers submit their application much too late during their time in Japan. This is due to the fear and anxieties associated with the immigration authorities, lack of knowledge about refugee processes, and the need to come to terms with their situation and the idea of being a refugee.

5 The fear and anxiety attached to going to the immigration authorities make overstaying a more appealing pathway to asylum seekers. Discouragement from people from their home country, other asylum seekers, and NGO workers had a delaying effect on the narrators' submission of a refugee application. The low refugee recognition rate and repercussions of being an overstayer were frequently conveyed to the narrators by everyone they encountered.[3] While describing her early days in Japan, Mary recounted, '[a friend] told me the system here is really difficult, so I gave up.'[4]

6 Many narrators only learned about refugees and their right to apply for refugee status upon encountering immigration authorities, when they had already overstayed their visas and were detained. Some asylum seekers are more aware from the start, but when they eventually are aware, they research and acquire a better idea of their rights and the state's legal obligations. Mary submitted her refugee application while in detention. Argus said, '[h]onestly speaking, I never heard a word of refugee in Japan. If it was there before, I would have been a refugee but I never heard of it. I came to hear it in 2014 or 2015.' He reported himself to the immigration authorities only when his health deteriorated to the point of hospitalisation: 'The day I reported myself as a refugee, I weighed 54kg'. A.A.'s father was in a similar position: he had been 'hiding for 13 years because he knew he couldn't get home and he didn't know anything about refugees.'[5] While both arrived in the 1990s, M.N.'s experience shows that difficulties in accessing information continues to be an issue. M.N. stopped eating because she was overwhelmed by her situation of not being able to return home. It was only when the police were called on her and she was on her way to the detention centre that she learned about refugee status.[6]

7 The difficulties with applying for refugee status, thus, also has to do with coming to terms with their situation, in their inability to return home. Fatima was still a student when there came a turning point that made her apply for refugee status. Back in Syria, her brothers were arrested and the family house was bombed as the entire neighbourhood was destroyed.

> 'They were destroyed, mentally. My father [...] was crying and he told me, "I cannot support you in any way so if you can survive, please do. If you can help us in any way too, for example, bring your brother to Japan or anything. Just try to live and just leave us right now." From that time, I didn't tell them what I'm doing. [...] To this professor, I told her that I can't go back home and I need help. She's the one who contacted a lawyer and so I didn't know at the time that there is "refugee" as a word that I'd end up trying to use.' – Fatima

8 It also means coming to terms with the idea of being a refugee. Marie Lacroix described 'refugeeness' as 'a contradiction in experience – their files become who they are while they define themselves otherwise.'[7] The 'refugee' label is instrumentalised in different ways based on context: who they are talking to, where, or whether in comparison to 'fake refugees', etc., which creates contradictory ideas of the Self. While narrators eventually identified themselves as refugees in relation to the immigration system, there was a disconnect between how they self-identified and their perception of what a refugee was, as influenced by the media and their past experiences with refugees in other countries. H.F., for instance, brought up his encounters with refugees in Lebanon and Jordan.

> 'The refugees in Lebanon and Jordan live in a tent and no one cares about them. I didn't live this life. I didn't live this very hard life. No, I had my own money. I went to Lebanon even though there was a lot of racism in Lebanon, but I was financially

> protected. I didn't have to go through all these things, but I had friends, I had family, and they went through the refugee thing.'[8]

9 He characterised refugees as people who 'live in a tent', who 'no one cares about', and do not have financial resources or networks – all of which contrasts with his self-perception. K.A.F. understood 'refugee' as an insult: 'So when you call me a refugee – Shoo, it's like an insult. Back home, you call me a refugee, whichever way it's an insult. So they should not look at them like second-class citizens.'[9] At the same time, there is a desire for the acknowledgement of their experiences. R.T., who happened to be stateless, wanted to be recognised as a refugee. He fought against his lawyer when they tried to build a case around his statelessness, since in Japan this would not have afforded him any rights and he wanted his experience as a member of the ethnic Armenian minority in Georgia to be recognised.

10 Overcoming these problems in the submission of their claim is only the first step to the long and meticulous refugee application process. The two principal approaches to being recognised as a refugee are either to continuously apply for refugee status or file an appeal and go to court if the initial claim is rejected. Most take the former approach, although it prolongs insecurity in limbo. The latter will most likely result in rejection. When an application for refugee status is submitted, the individual will receive either a provisional stay (*tanki taizai*) or provisional release (*karihōmen*) permit. The introduction of these permits in the early 2000s was intended to encourage asylum seekers to apply for refugee status and create a safety blanket for them to stay in Japan without the fear of being detained and/or deported upon arrest.

11 Over the years, this system has become highly politicised as the means for 'fake refugees' to take advantage of the system. Moreover, the establishment of this system has not reduced fears and anxieties about the immigration authorities in their inconsistent use of power to determine applicants' fates. There is always the possibility of being detained or returning to limbo due to the unpredictability of the immigration authorities, who often cancel permits without reason. Rather than having the right to reside in Japan, the current system suspends arrest and deportation procedures.[10] It restricts what asylum seekers can do, where they can move and live. It also prolongs waiting times for their application to be processed. In the meantime, refugee applicants are obligated to appear at the Immigration Bureau when summoned for application updates or interviews to support the application.[11] On average, the narrators attended two to three interviews, but some narrators said that they attended up to seven.[12]

12 The determination of refugee status is based on an administrative review conducted by the Immigration Services Agency of Japan, which sits within the Ministry of Justice. A positive outcome can mean anything from receiving 'Convention' refugee status to humanitarian status.[13] Following a negative decision, applicants can request a review. If this ends in a negative decision again, they are allowed to reapply or appeal for a judicial review in court.[14] A big issue that most narrators encountered was that the immigration authorities did not provide a legitimate reason for rejecting their application. As one narrator explained, '[t]he problem is that they will not tell you the main reason. They just tell you that your application does not have a strong basis for us to grant you asylum', and this initiates a bureaucratic cycle experienced by many asylum seekers.[15] Rather than the linear process depicted in the illustration, since many asylum seekers apply for refugee status determination multiple times, they become stuck in a loop of administrative processes – as described by L.O.O.

> ‘They were on that appeal for about almost three years. I went for renewal every two months, but no work permit. They said that the appeal has not been granted. Then, they put me into detention. I stayed there for about one year plus. I came out again. I reapplied inside. Then I put in permit for *karihōmen*. I still waited for a year plus. Then, they released me again. Then, I was on two months, two months, two months. I stayed there for the last time again. They said that my application is not okay. They put me inside again, detention. So, I stayed there for about nine months. Then they released me again. I’m outside now.’ – L.O.O.

13 The only narrator with refugee status was Y.J.A., whose mother and sister were also recognised as refugees. Based on their experiences and other narrators’ opinions of the application process, the three most important factors to receiving a positive result are: having a good lawyer, a story with strong supporting evidence, and grit.

14 The narrators had a lot to say about their lawyers. Y.J.A. and his family were fortunate because they had Shogo Watanabe to represent them, a well-known attorney at law who specialises in refugee cases and is a representative of the Japan Lawyers’ Network for Refugees.[16] Many organisations provide legal support and access to networks of pro bono lawyers, through which asylum seekers can receive legal representation (even while in detention). This is how most narrators found their lawyers. Some were provided a lawyer by the government or found one through contacts, while others applied without a lawyer and were not in contact with one until they were in detention or waiting to be deported.

15 Regardless of how the narrators found their lawyers, the lawyer’s capacity and familiarity with regards to managing a refugee application was always a gamble. Like Y.J.A. and his family, some were represented by lawyers that specialised in immigration law. These individuals were better off, with stronger cases to present to the court and immigration authorities. Otherwise, the difficulties related to and subsequent rejection of an application were attributed to the fact that ‘the lawyer is green, he doesn't know anything and they have no time.’[17] Many asylum seekers encounter issues with their application because most lawyers have little experience in dealing with immigration law and refugee claims, limited familiarity with the contexts from which the refugee applicants come, meagre time and resources to sufficiently support every applicant, and do not have a common language to speak to them.

16 For some narrators, providing their testimony for seeking asylum required them to give a crash course of their own country and its entire history – to their lawyers, the immigration authorities and other people they had to prove their claim to. People outside the immigration ecosystem (including lawyers) struggle to manage refugee cases, which is magnified by the complexity of each asylum seeker’s situation. The burden of responsibility is thus placed on the asylum seeker.

> ‘When I was looking for a lawyer, I went to Shinjuku. They have a big building, I forget the name, like, six floors I think. There were lawyers, many lawyers and then they saw my case. “Ah, what is it, Georgia? What is it?” They don’t know Georgia. You know, I was surprised, eh, like, there are many lawyers, they don’t even know the country.’ – R.T.

17 In response to this gap in support, a handful of narrators found themselves in the position of supporting lawyers. This is because, due to long application waiting times, asylum seekers develop an expertise in their encounters with the immigration system. Mary, for instance, gave advice to both lawyers and refugee applicants. R.K. did something similar while he was in detention: ‘So when [the lawyer] came, because I

would speak Japanese—most of the people there, they cannot speak Japanese—,she started using me whenever she came to visit other inmates. [...] Sometimes there are some areas where we know better than them.'[18] In these small ways, some individuals instrumentalised their first-hand experience with the immigration system to support others.

18 The second important factor is an individual's story and having strong 'evidence of persecution' to support it. Y.J.A.'s mother and lawyer produced a lot of information and documentation to support their case. His mother was a journalist in Syria, which the lawyers and immigration authorities focused on as a means to understand their background and justify their cause for displacement.[19] This was substantiated by the testimony of their high-profile relative in London. The asylum seeker's truth alone is not enough because being a 'true refugee' requires one to also be an effective storyteller – to produce a coherent story with enough details to demonstrate their 'fear of persecution', but only to the point where the authorities find the circumstances of displacement plausible.

19 The narrators explained that they were caught in a dilemma in having to negotiate between presenting a better story or telling the whole truth. R.K., who first applied for refugee status with a fake passport said, '[m]y stories are not strong. It's a true story but in the heat [of the moment], I came up with a couple of lies. So, I'm afraid to go to immigration.'[20] A narrator from Uganda said that her lawyer asked her to focus on Kony, although this was not related to how she was targeted or her reason for leaving the country. The telling of their stories is where assumptions embedded in the refugee determination criteria meet with asylum seekers' agency, as they are pressured into presenting themselves in a way that complements these assumptions.

> '[The lawyer] told me that if I had a Kony story, it is done. And you know it's true and you'll get the stamp. And he would get a visa for me. Because he knew, according to his studies and the laws and everything, that he advised me to do this and do this and get the visa.' – M.N.

20 Evidence is crucial and another problematic aspect of the refugee application process, since practices fail to consider the conditions under which many individuals left their home country. This includes the possibility that asylum seekers did not know of refugee protections beforehand; the inability to premeditate the collection of evidence; and/or the risks involved in contacting people back home. C.F.F. noted the absurdity of these practices in their general insensitivity, as an immigration officer asked for the death certificate of his colleague.[21] As a computer engineer at a water company in his home country, he was also asked to describe the water treatment process. His explanation was then taken to the ministry in charge of water supply in Japan to verify his expertise.[22] Another narrator simply said '[w]hat evidence? If I want to get evidence, I would ruin my life.'[23] Asylum seekers unable to provide sufficient evidence that demonstrates 'differentiated risk from other civilians' are significantly disadvantaged.

21 The third factor and probably the most important characteristic for a successful application is grit. It takes anywhere from six months to two years for a refugee claim to be processed, which simultaneously prolongs insecurity and gives more time for individuals to remain in Japan.[24] Having patience during this process and the strength to have strangers dissect and question your life are essential to being an asylum seeker. Underlying the narrators' accounts of their interactions with the immigration authorities was the anxiety and frustration associated with these encounters. Y.J.A.'s

mother took part in a seven day-long interview and it had a visible emotional toll on her. He described how 'they made her tired every day' and that 'she cried a lot at the time'. The retraumatising effects of migration politics are evident in this interview process and the impact it had on the narrators.[25] In response to his mother's strength, Y.J.A. said, 'I think if it was just me, I would have just given strict answers and get out of there because I wasn't in the mood to speak about everything because it was still new. [...] I think she is the one reason we got the status.'

> 'It's a little bit difficult for me to repeat and repeat and repeat. Every time I go and ask the same question, same question, same question. And I repeat the same answer, same answer, same answer.' – M.N.

22 The narrators expressed that they struggled with the immigration authorities' interview tactics, what I.A. called 'psychological strategies'.[26] To validate their claims, especially those with limited supporting documentation, applicants were tested on their ability to tell their story repeatedly on separate occasions to see if they deviated from previous explanations. As another narrator said, '[w]ith the words from your mouth, that will be used for or against you. What you write is what will be used to judge you.'[27]

23 Between submitting an application and receiving the result, the immigration authorities put a lot of pressure on individuals to return to their home countries or pursue alternative strategies, such as getting married to a Japanese person. What they fail to understand is that the grit of asylum seekers to go through the meticulous and laborious process of applying for refugee status is driven by the inability to return home. So when they were asked to return home, the narrators interpreted this as a question of life and death that made detention appear to be a more favourable option.

Floor 7 and above: Detention and deportation

> 'I was on the 7th floor. So now your world is closed, you are closed now in your room. It's very, it's tough.' – R.R.M.
> 'She told us that it's intentional, everything from the food to the psychological treatment. Everything is designed to make you give up.' – A.K.

24 From the 7th floor and above, the immigration building is the Tokyo Immigration Bureau Detention House, also known as the 'Shinagawa Detention Centre'. Shinagawa and the Higashi-Nihon Immigration Detention Centre ('Ushiku') were the main detention centres that the narrators experienced, although according to the Global Detention Project there are fourteen other centres currently in use in Japan.[28] Detention is instrumental to the immigration regime, but a traumatic experience. Places of no dignity or freedom alongside criminals, they are designed to deter asylum seekers from rejoining the rest of Japanese society, regardless of the fact that these individuals cannot return to their home country without jeopardising their lives.[29]

25 The long days, months and years that the narrators spent in detention encompassed a wide range of experiences. They were detained due to overstaying the visa they entered with or small infractions (such as not renewing their permit in time) and served anywhere from a couple of months to years, with no upper limit to the duration of detention. The narrators' experiences demonstrate how asylum seekers are dehumanised, discouraged and broken down by the system. The system works against

them at all levels, and in this way, the struggles of being an asylum seeker are encapsulated in the experience of being detained.

26 The introduction of the provisional release and stay system afforded refugee applicants protection from being detained or deported. As a result, Japan saw a drastic increase in refugee applicants up until 2017.[30] Yet, in practice, an increasing number of foreigners have been held in detention centres since 2010; the number of detainees increased from 914 foreigners in 2013 to 1494 in 2018 (of which 394 and 604 respectfully were asylum seekers).[31] The pressure to be deported is also extremely high in detention, as the immigration authorities frequently pressure individuals into pursuing this option – the offer being that accepting deportation would decrease detention time.

27 While the narrators were able to find ways to manage being in detention and, in general, the precarity of their lives in Japan, they do not represent all asylum experiences. The stories and experiences of the asylum seekers who were deported, for instance, continue to be invisibilised and still have to be uncovered, despite the common practice of forced deportation. The extent and frequency of deportation practices by Japan have yet to be understood. Argus, one of the two narrators who was deported, shared some insight about the experience of being deported. He was brought to the airport in chains with three buses full of other detainees and put on a plane that brought him and others in a roundabout way back home. Argus simply said, '[w]hen I went back the situation was still terrible.' After hiding in his uncle's house out of fear of being detained and tortured by his government and spending ten months with his children, he returned to Japan. The short time Argus spent in Uganda after being deported shows that the fear and threat of arrest and arbitrary detention in Japan echoes what asylum seekers tried to escape from back home.

28 Not all individuals survive detention centres. Wishma Ratnayake from Sri Lanka died in the Nagoya Regional Immigration Services building in May 2021 because the detention officers refused to bring her to a doctor. An article reported that '[s]he experienced dizziness, vomiting, and lost more than 20kg in weight.'[32] Back in 2019, the death of a Cameroonian man in detention received similar media attention as gruesome images of the surveillance footage of him dying in his cell were published.[33] The narrators brought up similar experiences, stating that denial of medical attention was one of the many serious issues in detention that threatened their survival.

> 'I met a Peruvian there. That guy almost died in our presence. [...] His stomach was in pain. They said ちょっと待って [*chotto mate*, wait a minute]. That guy stood for about three or four days. He couldn't defecate, then he couldn't eat again, then he couldn't walk. [...] They observed him one day. He couldn't eat. Then his pain was too much. They took him to the hospital. The doctor saw him and said, if it is by tomorrow, he is a dead man already, that he was lucky to have been brought in.' – L.O.O.

29 In accounts of how the narrators came to be detained, they were often blindsided. It happened in the immigration building, where individuals were taken to the detention centre on the spot; in the streets of Tokyo, where a police officer made an arrest; at their workplace in an immigration raid; etc. With little or no time to process this, narrators were extracted from their lives in Japan – out of their housing, work and community. G.A. went in to renew his *karihōmen* permit at the immigration building, but was rejected and immediately detained. He applied for the same permit and refugee application again from within the detention centre and was only released five months later. 'They detained me. Oh, that was shocking because I went there expecting to

renew my *karihōmen* and return home as usual.'[34] A.K. was detained upon requesting asylum at the airport. She was not privy to her rights, information on immigration procedures, or available support while in detention, which demoralised her by the supposed lack of prospects in Japan.

> 'The Japanese government doesn't tell you anything. You don't know when you're going anywhere, you don't know when your interview is, you don't know anything! Nobody knows anything, so people would just be upset and people would just cry, and we just screamed. It was terrible. [...] It was just uncertainty, so you would be scared.' – A.K.

30 Every single day in detention was identical. In living at the heart of a system built to trap them physically and mentally, detention is the epitome of bureaucratic limbo. The figure below is a general schedule based on the narrators' experiences in detention. The narrators lived by this set daily schedule, although some tried to remain active through various activities. Mary, as with many other narrators and the people before them, struggled from within detention centres to consolidate and capture the voices of asylum seekers and other detainees to improve living conditions. It was common for people in detention centres to create and participate in prayer groups, incorporating religion into their lives.

Table 2 Example of a daily schedule in detention

A Day in Detention[35]	
7 am	Wake up, clean the room
7:30 am	Breakfast and roll call (body temperature checked)
9:30 am	Doors open, free time[36]
11:30 am	Return to the room
12:00 pm	Lunch
1:30 pm	Doors open, free time
4:30 pm	Return to room, doors close for the rest of the day
5:30 pm	Dinner

31 The activities that occur in detention are best encapsulated by the importance of money, revealing the invisible costs of being an asylum seeker. Cash is used for telephone cards to contact their family, friends, lawyers, NGOs, etc. and to buy extra food from the in-house convenience store, all of which are sold at inflated prices. One narrator noted that detainees could make small profits out of selling telephone cards to other detainees.[37] Transactions of material goods and information are essential to surviving in detention, while also creating prospects for life outside.

> 'You have a problem, maybe you don't have money, these are the people [other detainees] who can give you money, these are the people who give you advice. Maybe you need to call, you don't have telephone cards. Calling is the most consuming expense in detention.' – R.R.M.

32 In addition to basic necessities, it also takes a lot of money to initiate the process of getting out of detention. Applying for provisional release requires a guarantor, an address, and a deposit fee. Since the deposit fee is not fixed, our narrators paid anything between 100,000 and 500,000 yen.[38] Raising enough money for this fee alone prolonged time in detention, as narrators without savings had to collect money over time from other detainees, people who came to visit them, or their guarantor. However, meeting these requirements did not always guarantee that the application for provisional release would be approved.[39]

33 In hindsight, L.O.O. realised that it did not matter whether he was inside or outside the detention centres because he was restricted by the limitations imposed on him as an asylum seeker either way. During his interview, it was clear that upon reflection he felt the weight of being a foreigner and asylum seeker outside detention because of the absence of rights. He said, '[w]hen you are outside, it is different, it is different. It is different anyway, but not too different honestly. Let us just be honest with ourselves, it is not too different. This attitude towards foreigners in the country is both inside and still outside.'[40]

> 'People are dying, not only in the detention centre but even outside because they are confused. You said that I cannot work. You released me into society. How do I feed? How do I clothe myself? How do I take the train? I don't have access to healthcare. So if I'm sick, what do I do? No insurance.' – L.O.O.

34 This speaks volumes to the impossible position that asylum seekers are put into. In being unable to survive outside, two narrators brought up that they even requested to be put into the detention centre.[41] This resignation was a response to the unreasonable proposition posed by the immigration system: either to live with no rights and support in Japan or return to a country where they have no foreseeable future.

FOOTNOTES

1. Japan Association for Refugees (JAR), "Status of residence," 「在留資格」, accessed 24 May 2021, https://www.refugee.or.jp/for_refugees/status/ (accessed on 28 March 2023).

2. C.T. had only been in Japan for five months at the time of this interview.

3. Only 81 out of 10,375 applicants (0.78%) received positive outcomes for their refugee status application in 2020. Cf. Immigration Services Agency of Japan, "On the number of refugees recognised in 2020."

4. Mary, Interview 2.

5. A.A., Interview 2.

6. M.N., Interview 2.

7. Marie Lacroix, "Canadian Refugee Policy and the Social Construction of the Refugee Claimant Subjectivity: Understanding Refugeeness," *Journal of Refugee Studies*, Vol. 17, Issue 2 (2004): 161.

8. H.F., Interview 1.

9. K.A.F., Interview 1.

10. JAR, *To Those Who Wish to Apply for Refugee Status*, 19.

11. Article 54, Immigration Control Act.

12. This does not include interviews for judicial review after individual appeals a negative decision or re-applications following the final rejection of their application for refugee status. Even when their application falls through, asylum seekers are allowed to apply as many times as possible. This would not have been possible if the recent proposal for revising the Immigration Control Act had passed, which would have introduced a limit. Cf. Daisuke Akimoto, "Japan's Changing Immigration and Refugee Policy," *The Diplomat*, 12 March 2021.

13. Cf. Appendix 3 for more details on the legal categories for refugees.

14. UNHCR Regional Representation in Japan, *Information for Asylum-Seekers in* Japan, https://www.refworld.org/pdfid/42b91bb64.pdf (accessed on 28 March 2023).

15. L.O.O., Interview 1.

16. Japan Lawyers' Network for Refugees (JLNR) provides pro bono legal assistance to asylum seekers, ensuring that cases are properly prepared for and applicants legally represented.

17. S.P.B., Interview 4.

18. R.K., Interview 4.

19. Y.J.A., Interview 2.

20. R.K., Interview 3.

21. C.F.F., Interview 2.

22. C.F.F., Interview 2.

23. A.S., Interview 1.

24. Six months to two years is the official approximation, although a handful of narrators claimed that they waited for much longer than two years without notification about their application.

25. Gross, "Struggling with Imaginaries of Trauma and Trust," 159-161.

26. I.A., Interview 1 and 2.

27. L.O.O., Interview 2.

28. Global Detention Project, "Japan Immigration Detention Profile," accessed 26 May 2021, https://www.globaldetentionproject.org/countries/asia-pacific/japan#detention-centres (accessed on 28 March 2023).

29. The situation since 2020 has been drastically different from the time when the interviews were conducted. With the spread of the COVID-19 pandemic, there was an exodus of foreigners from detention centres. This continued throughout the year as waves of foreigners, including asylum seekers, were put on provisional release. Cf. "Foreign detainees let go temporarily amid pandemic have nowhere to go," *The Japan Times*, 25 December 2020.

30. There were 1,202 refugee applications in 2010 and this number steadily grew until 2017, which saw the peak of refugee applications at 19,629. After that, the number started decreasing due to the discontinuation of automatic work permits enabling legal employment six months after the submission of refugee status in January 2018. This occurred with the increase of inspections and immigration raids to target individuals supposedly taking advantage of the refugee application system. Cf. Immigration Services Agency of Japan, "On the number of refugees recognised in 2020,"; Daisuke Kikuchi and Chisato Tanaka, "Japan toughens screening rules for refugees; automatic work permits ditched," *The Japan Times*, 12 January 2018.

31. David Slater and Rose Barbaran, "The Whole Block Goes Down: Refugees in Japan's detention centers during the pandemic," *The Asia-Pacific Journal*, Vol. 18, Issue 18, No. 5 (2020): 6.

32. Julian Ryall, "Japan drops plans to fast-track refugee deportations after Sri Lankan's death in detention," *South China Morning Post*, 18 May 2021, https://www.scmp.com/week-asia/people/article/3133948/japan-drops-plans-fast-track-refugee-deportations-after-sri (accessed on 28 March 2023).

33. "Japan's hidden darkness: Deaths, inhumane treatment rife at immigration centers," *The Mainichi,* 9 July 2019, https://mainichi.jp/english/articles/20190709/p2a/00m/0fe/012000c (accessed on 28 March 2023).

34. G.A., Interview 1.

35. This representation of a typical day in detention was derived from the anecdotes of the narrators and not drawn from official sources. There are typically 15 individuals in a room, 5-7 rooms per block. Ushiku has two blocks for women, while Shinagawa has six blocks for women. The exact times differed according to the detention centre.

36. During their free time during the day, people make telephone calls, hold prayer groups, do laundry, use the outdoor area, etc. They are allowed to have visits, for a maximum of 30 minutes.

37. G.A., Interview 2.

38. Only based on the narrators' experiences. On paper, this can go up to 3 million yen. Cf. Immigration Services Agency of Japan, "Detention, Visit/Entry, Temporary Release," 「収容、面会·差入れ、仮放免」, accessed 26 May 2021, http://www.moj.go.jp/isa/applications/guide/tetuduki_taikyo_syuuyou.html (accessed on 28 March 2023).

39. International Social Service Japan (ISSJ). "Residence Status and Social Services," accessed 25 January 2021, https://www.issj.org/en/refugees/refugees-and-social-resources (accessed on 28 March 2023).

40. L.O.O., Interview 3.

41. M.N., Interview 2; I.A., Interview 3.

Chapter 9: Trust and dependence

1 Being an asylum seeker is an isolating experience, but the bare minimum to survive requires dependence on other asylum seekers and foreigners, strangers, NGOs, and volunteers. For the narrators stuck in this bureaucratic limbo, whether they were in detention or outside waiting for their application to be processed, dependence was a necessity although it did not translate into trust. This is because the competitive nature and high risks of being an asylum seeker make it difficult to establish deep connections. It causes reticence towards friendships, family, and community, which magnifies the scattered geography of asylum seekers in the city and the decentralised support available to them. Yet, the undercurrents of suspicion and anxiety do not take away from asylum seekers' ability and willingness to help each other and form networks that are a key resource for their survival.

2 This chapter will consider how asylum seekers access support and information through the themes of dependency, trust and belonging. It begins with an overview of the external support available to them, the role of transmitting information by word of mouth, and challenges to community-formation.

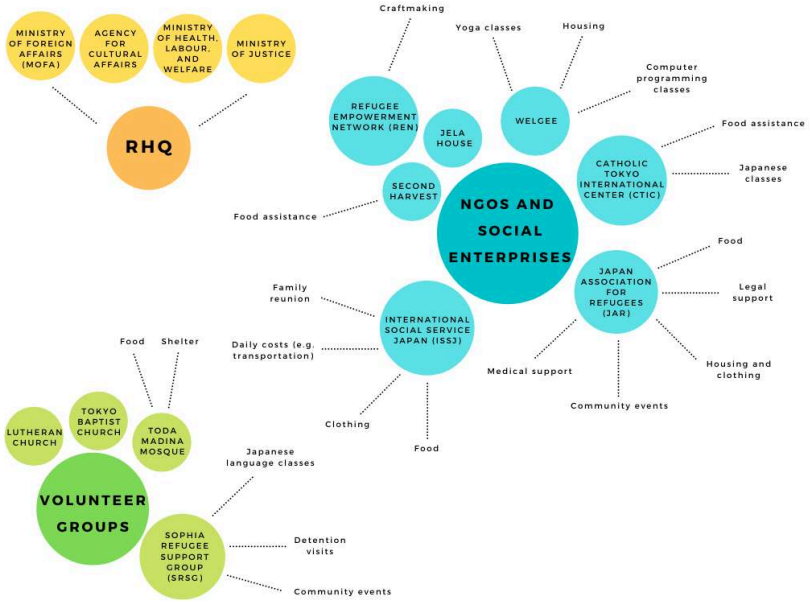
Help me help you: external support

> 'He's not working, so RHQ is giving him the money he's living on right now. It's not enough, but it's okay because he doesn't have a choice.' – Translator interpreting for J.K.

3 Composed of the Refugee Assistance Headquarters (RHQ), NGOs, volunteer groups and activists, the landscape of actors providing support to asylum seekers is still very small and has limited resources. The government-run RHQ is the primary provider of financial assistance to refugee applicants, covering housing, basic living expenses and medical bills.[1] NGOs and volunteer groups also provide a range of essential services and support. The Japan Association for Refugees (JAR), International Social Services Japan (ISSJ), and Catholic Tokyo International Center (CTIC) are the largest organisations. Another key source of support is the individuals independent of these organised efforts, who support asylum seekers out of goodwill. Based on the narrators' experiences, this included chance encounters with people who guided the narrators to the right place, those who opened their homes for them to stay, and other asylum

seekers who volunteered to support others. G.A. received 30,000 yen each month for three and a half years from a woman who read an article he wrote about being an asylum seeker in Japan.[2] When R.T. found himself homeless, he was taken under the wings of homeless Japanese people. 'Many homeless people were there in Shinjuku Station, so I was also among them. They showed me all the places where you can get free food or handouts.'[3]

Figure 2 Map of key actors supporting asylum seekers and refugees.



Source: Author.

4 Many solely depended on the various forms of support outlined above to survive, although most were eager to become independent when possible. The consensus among the narrators was that these actors were inconsistent in the long term due to how they often withdrew support over small technicalities related to their strict conditions, which became a source of stress as another unpredictable aspect of their livelihoods. Like the refugee determination system, a hierarchy of vulnerability is established among asylum seekers in need of the available services and support through a selection process. Through their practices, these actors maintain an atmosphere of secrecy and discretion that fundamentally reinforces the restrictions imposed on asylum seekers by the immigration regime.

5 Selection processes restricted support to individuals that conformed to stereotypes of the 'asylum seeker', a personification of bare life. Adapted from an information leaflet issued by RHQ, the criteria states:

> [P]ersons who are eligible to receive assistance are those applicants for recognition of refugee status (including persons who filed an appeal) who are recognized to be in need of protection (assistance), such as persons who live a high degree of poverty in Japan, lacking up clothing, food, accommodation, etc. Persons are not recognized to be in need of protection (assistance) if they have assets or income; if they can work; if they have relatives on whom they should and can depend; if they are receiving public assistance, etc.; or if it has been determined that the implementation of protection measures for them is inappropriate.[4]

6 Individuals must be a refugee applicant to receive RHQ support, but second-time applicants are not eligible.[5] Short periods between the renewal of a permit, reapplication, or rejection (where the individual is technically not an applicant yet) often lead to gaps in financial support.

> 'When my application was first rejected, RHQ cut off the support for house rent and money. [...] It was in the middle of the month when the government said no. RHQ wrote to me that I have to refund the money for the rest of the month, even though they were supposed to support me up to a certain period. I owe RHQ money.' – M.N.

7 Existing 'assets or income' and people 'whom they should and can depend on' was another issue, as it includes in-kind support from individuals who are practically strangers and other organisations despite their irregularity. Other sources of support could jeopardise an asylum seeker's eligibility for RHQ support, which encourages dependency and inactivity. The RHQ's criteria made it impossible for people to practice any form of agency. The control that the RHQ has over the finances of asylum seekers is another way in which their agency and privacy is taken away from them, on top of the restrictions imposed on their movement and daily activities. One indicator of agency that the RHQ monitored was access to disposable cash. They penalised individuals with any form of savings through deducting their monthly financial support or withdrawing their support completely, even if the source of this money was the RHQ. Saving up the money received from the RHQ had negative consequences for R.T.

> 'That's why I have a problem now. Because I got money from RHQ and then I didn't remember where I got it, so I saved it. How much was it, 50,000? And they said, "Ohhhh, you have money! You're working! Where are you getting this money?". I said, "I got this money from you! I'm not working." "No, No, No. You lied to us. We don't pay you money." So, they stopped paying me.' – R.T.

8 This practice forces individuals to live at the most basic level with no financial security or the ability of foresight. It reinforces the temporary existence of asylum seekers, as if the marker of a 'fake refugee' is having agency and the ability to plan for the near future.

9 Even if individuals meet the criteria, they have to earn the support of the RHQ and other actors through extensive interviews. One narrator said, 'I feel like I'm in Guantanamo and they want to kill me (laughs)', in describing the repetitive, six hour-long interviews he had to partake in to receive financial support.[6] Other narrators reported even longer interviews (over seven hours) and described that they contributed to interview fatigue. The significant time and effort required to receive this support deterred some narrators from applying for support at all.

10 The need to divulge every aspect of their lives and an atmosphere of discretion result in the monopoly that a few actors (especially government actors and the JAR) have over asylum seekers' personal information and the reality of their lived experiences in Japan. The repeated interviewing of asylum seekers indicates the decentralised nature of the immigration authorities, whereby standards differ across locations and agencies. Based on the narrators' experiences, the RHQ holds a higher standard on the type and amount of information than the Immigration Bureau, which is responsible for managing refugee applications. This purging of information and lack of privacy contradicts the simultaneous value and sacredness attributed to their stories as evidence of their (fear of) persecution. It also contradicts, and possibly plays into, the

secrecy and discretion attached to the testimonies of asylum seekers, as encouraged by organisations such as JAR.

> Interviewer: Do you share this kind of information with other refugees?
> R.A.: No, because JAR said that it's a secret thing, so don't share it anywhere. Maybe some kind of information is harmful to you. [...] They say that it is about safety because some kind of information may leak out, so it's very harmful to us.

11 The reasoning behind this practice remains vague. By implication, it seems to be driven by the value attributed to their testimony and the perception that it needs to be protected from individuals who could take advantage of their insecure status. While M.N. said that she never saw anyone get caught for sharing information, she suggested that 'it's logical. Immigration wants you to. It's a detention, deportation thing, so they would not want you to stay.'[7] Despite the perceived risks associated with data protection, the tight control over information further invisibilises asylum seekers in Japan and magnifies challenges for individuals to access important information about their rights and available support. Many asylum seekers continue to live in the dark as a consequence of this discretion.

> 'There was a lady, she didn't speak English and she had this problem. She has two years of Japanese visa, but she was supposed to work in a certain area and she worked overtime. So because of this, her visa was revoked and she kept explaining that she couldn't go back home because she borrowed money from some people to come to her blah blah blah... I heard from other people that this was like a refugee claim, so I gave her the number.' – A.A.

12 It also limits socialisation in creating an environment of suspicion among asylum seekers and distrust between different actors, organisations, and the public. M.N. noted that an organisation even told her to keep information about the support available to asylum seekers a secret from others, which signals an active effort to deter individuals from requesting support.

> 'Even now when I go to immigration to renew something and I meet some volunteers, when they are talking to us, they are afraid of immigration seeing or hearing what they are saying. One guy who came with Mary, when he's talking to you, he doesn't do it in front of immigration. He's like come talk in private.' – M.N.

13 Dependency on external support was another common theme that came up in the interviews, through the anxieties related to being in limbo. Some individuals accepted the fact that for the time being—within the restrictions imposed onto them and/or unwillingness to pursue a more active lifestyle—they had no other option but to be dependent on available support. As they had plans to move on from Japan, being dependent was perceived as a temporary way of life that some narrators had accepted. Others expressed strong opinions about being dependent on external support. This was further evident in the fact that most narrators were employed and participated in various activities. Most narrators were unable to remain dependent while remaining inactive in the bureaucratic limbo. Fatima, for instance, found her time as a student and reliance on her professor in the refugee application process a humiliating experience, saying,

> '[f]or me, to be reliant on someone is very destructive. The fact that I needed to apply for refugee status, wanted the university to support me, couldn't pay the tuition fee. All of these feelings I never experienced before. I never turned to someone I don't know and asked them for support. It killed a lot of things inside of me.'

Bouche à oreille (by word of mouth)

14 Despite discouragement from these actors regarding information sharing, information by word of mouth is a solution to the inconsistent support from immigration authorities and NGOs. Organic networks of asylum seekers and foreigners provided essential information and resources to the narrators put off by the tightly controlled practices of key actors and the perceived difficulties attached to this support. This mode of sharing was not confined to Japan, as some experiences show that information travels very far and with great accuracy by word of mouth.

15 Argus was instructed by his uncle in Uganda on how to board his flight to Entebbe International Airport and take public transportation to a bus stop in Japan where he met the broker.

> 'I followed the people who were entering, then I found myself on the train, not knowing if it was going to Chiba or if it was going to Mitaka. I entered the train, but by God, the train was going the direction I was thinking. Coming out of the subway, the first bus I saw had the number is written, Number 18. I said, "Thank you, God." I entered the bus. Then, when I reached the bus, they had written to me that those people on the bus, they don't know English. I should show them the name of the station that was written on the paper. I showed the name of the station to the driver. Then when he reached there, the driver himself stopped the bus. He came and touched and then said you are going out. I went out. Looking around they told me that if you get out, looking around there is a call box. In the call box, they told me that I only use brown coins, which is ten yen. That's what I did. [...] The guest house which I was going to was about 20 meters from that. Then when I called, the guy that picked [up] the phone said, "You're already at the station?" I said yes. "Just wait in a minute we shall be there." Turning around like this, I saw the black guy. I said this is Jesus. That's how I came to reach the place called Meito-ku in Nagoya there. I reached there.' – Argus

16 Argus' experience was exceptional in the sense that he had extremely detailed information about how to reach the broker due to his uncle's network, down to the type of coin he had to use to make a call. Others relied on word of mouth through chance encounters with strangers and loose networks of asylum seekers, foreigners, and Japanese for information, available resources, and opportunities.[8]

17 The narrators were clear on the fact that asylum seekers, and foreigners in general, were willing to support each other. M.B.R.K., a 34-year-old Bangladeshi man, declared, '[w]e're very helpful. If any foreigner asks for help, then we always try to help the people. Then, you can do anything.'[9] Every narrator had at least one story about how they were connected to a job, organisation, or guarantor through the people that they knew (or did not know).

> 'If I don't have a job, I call somebody and say, "Please can you tell me where I can get a job." He calls another person who calls another person, just like a chain. We communicate through each other and finally tell you, "There is somebody there who needs somebody. There's somebody there, so you can go to this place."' – C.F.F.

Community-building / You (don't) got a friend in me

> 'It's difficult to find really good friends. We're like passengers, like a big train. You got inside and move three stops, move there, I go north move there, so friends are just people who know each other, that's it. I guess asylum seeker, like someone is

> my good friend and I know him, but like Sergei, like these people are no friends.' – R.T.

18 The extensive networks that asylum seekers rely on are composed of individual relationships with Japanese people, foreigners, and other asylum seekers. Despite the centrality of these networks to their survival and how they found relief in these small interactions, the narrators reported limited trust and few friendships within these circles due to the distance they kept from other people. Many rejected community with the difficulties in developing a strong sense of belonging and inclusion.

19 This is not to say that communities of migrants are non-existent. There is the community of approximately 2,500 Turkish Kurds who came to Japan in the 1990s that have established themselves in Saitama (many of whom are asylum seekers, but none recognised as a refugee so far).[10] A small neighbourhood in Tokyo called Takadanobaba, also known as 'Little Yangon', is home to the many restaurants established by Burmese asylum seekers who arrived in the 1990s.[11] It has become a hub for the Burmese community in Tokyo, as their cultural and social lives revolve around these restaurants. This reflected some narrators' experiences, particularly individuals from African and South and Southeast Asian countries who were part of and relied on groups composed of people from their country.

20 When Argus first arrived in 1995, he lived in a broker's house that he shared with other Ugandans: 'I felt at home because of the language we were speaking, the colour of the people, the culture system, everything that was as if they were my fellow people.' He also described how the companies were organised by 'tribes', based on country of origin. 'In the neighbouring companies, there were Ugandans and Nigerians, Cameroonians, Ghana, so many. [...] Honestly speaking, we have that tribalism system, racism, so where you find Nigerians, 99 per cent they are Nigerians. Where you find Ugandans, they are Ugandans. Even inside there, we are Ugandans, we even have tribes there.' A.A. shared that this neighbourhood was called 'Black Street'.[12]

21 While these communities still exist, there are some indications that they exist more loosely today in comparison to the near past. According to Alex Easley, an American man who has led the Tokyo Baptist Church's Detention Ministry and provided housing to asylum seekers, it was common for asylum seekers to be a part of migrant communities (of their own country) in the late 1990s to early 2010s. Easley said, '[it] used to be a whole lot better to be truthful, like seven years ago [...] [t]here used to be a lot more cooperation between people of the same countries. Basically, that has almost all broken down.' Various systemic and social changes throughout the 2010s corroborate Easley's claim about the disintegration of communal ties and increased reluctance to participate in communities. Some barriers to community-building and the trust inherent to such communities mentioned by the narrators were: risks involved in interactions with other people; practices adopted by the immigration authorities; mobility of asylum seekers; and prejudices towards foreigners and asylum seekers.

> 'Most times we keep our secrets because we don't trust each other. That's "we", the Africans. Because all people you trust, and then they do something bad. You can never forget. If you tell someone like you are telling a friend, you will find it tomorrow in another one's home. [...] Most people don't tell. Even if they tell, we can be close, but they will not tell you deep. So that's how we've grown up. We are even scared of ourselves.' – S.K.

22 There is a general sense of mistrust within these circles stemming from the risks of interacting with other people, especially people from their own country. This ranged from being exploited by people simply due to their precarious legal status to being targeted or spied on by their government. Discouragement from NGOs regarding sharing personal information contributed to the fear of these risks. Although most continued to share practical information on navigating life in Japan, the potential consequences of sharing information about their backgrounds are too risky to develop deeper relationships with other people. For many narrators, maintaining a certain level of discretion was directly linked to their chances of receiving refugee status – for instance, if information reached the immigration authorities and was perceived as inconsistent with their testimonies in the refugee application. On the other hand, there was a very real fear of being targeted in Japan by people from back home or potentially jeopardising the safety of their family. Argus said, '[s]ome of our problems, like my case, were kept a secret. Why was it a secret? Our governments in Africa there, especially my Ugandan government, have so many spies here in Japan. [...] So everyone's problems, especially the major problems we could keep them secret in your hearts.'

23 Similarly, when Fatima arrived in Japan, she feared being targeted. She was wary of Japanese supporters of the Assad regime, the embassy, and other Syrian students in Japan (some of whom the embassy bought the loyalties of to spy on other Syrians: 'If they saw a student who's struggling, they pay him money just to survive and they ask him. They already, they even asked me when I went once to extend my passport.'). After a strange encounter with a Syrian working at the embassy, she 'stayed [inside] for three days, very afraid and always looking at the windows.'

> 'A staff there broke the law. He took my personal information, contacted me, and tried to invite me for dinner, which is very unthinkable. If I have the money to do it and the power to do it as I would easily file a suit against him.' – Fatima

24 Another individual from Cameroon shared Fatima's anxieties related to the embassy. 'My passport has expired. I am reduced to hopeless that I cannot go anywhere. I cannot go to my embassy because I'm running away from my embassy.'[13] An asylum seeker risks statelessness if they are prevented by fear from renewing their passport for reasons related to their status.[14] Yet, some narrators were told by the immigration authorities to go to their respective embassies for passport and evidence-related issues for their application.

> 'I'm mostly not joining the Sri Lankan community. I'm not liking to join the Sri Lankan community. I come here to not to do with them. I come here to protect my life. I do something to try to protect my life. I stay on my own. I don't need many people in here. I come here secretly.' – S.N.L.

25 Political differences and the need to reconcile them among compatriots still exist in Japan. The fear of being targeted followed many asylum seekers and is something that they must confront by themselves. Merely being in a different country does not mean that they are safe from the threat and fear of being targeted, which is a risk that is worsened by the precarity of their legal status. This reinforces how politics are not suspended for asylum seekers, but instead are another layer that complicates their ability to live a less precarious life. These complications affect interpersonal relationships on a daily basis and inhibit the ability to develop a sense of belonging.

Argus made the point that regional differences from back home carried over in the interactions with Ugandans in Japan.

> ‘Even, suppose, as we are here, we are all Ugandans. This one is from the North, those two from, for example, the East and the rest are from central, then I am from West. I am the greatest enemy because the president is from that side. [...] Now we are here in Japan. First of all, the Japanese government is looking for us; we are hiding. And while we are hiding, we are again quarrelling. Can’t you use your common sense and forget what is in Uganda and you determine what you are doing? But again, it is there. So, I can say, how do I call it? Call it a common disease in our community.’ – Argus

26 For Fatima, the need to be among fellow Syrians, regardless of their political beliefs eventually trumped the fear of exposing herself through interactions with other Syrian people. While she was a self-described 引きこもり (*hikikomori*) in the first few years in Japan, her attitude towards interacting with other Syrians changed over time. ‘At first, I was scared, and I thought, okay if I would always be worried about this, I would never do anything and I have to take the risk. And I go, so they probably know that I am not with the government.’

> 'Last month [...] I realised that for me, if I ever wanted to do something of use or meaning to Syrians, I needed to break this fear or always take this risk. [...] for me now, if I think that they are probably against the government or even if they are with the government [...], I’m willing to meet with them and I’m doing that right now. [...] You feel that you are ending up in this vicious cycle and you’re not moving forward. You need a fresh idea, you need to move, you need this dynamic, and it’s impossible for me to have it here with Japanese. I’m sorry to say it. So that’s why I was thinking okay, I need Syrians.’ – Fatima

27 The atmosphere of discretion and secrecy surrounding asylum seekers contribute to the anxieties associated with establishing relations with other people. Beyond that, current practices by the immigration authorities act as barriers to community-building. Their practices appear to intentionally isolate asylum seekers from each other and discourage congregation. Multiple narrators who were detained stated that on the day of their release, the detention officers told them that they were ‘changing their room’. This made it impossible for them to keep in contact with the people they were detained with.

> ‘The day I got released, I didn’t know I was getting released. [...] They said you have to change your room at 1 o’clock. Pack everything. So, ten mins they told me to pack everything I was like, “What! I can’t leave this place. I don’t want to go”, and they said you don’t have a choice, just pack. So that was how I left and nobody had any chance to give me anything.’ – A.K.

28 Easley noted a change in detention practices to further segregate blocks and its impact on communication between them, stating that he used to be able to meet with multiple people from different blocks each time he visited the detention centre but now he could only see a maximum of two people from the same block.[15] In addition to this, detainees were frequently moved around between blocks and detention centres. The constant mobility both inside and outside detention centres makes it difficult to maintain close ties. All these practices lead to the breakdown of communication among asylum seekers, causing people to leave detention centres alone and untraceable.[16]

29 Prejudices towards asylum seekers and refugees also affected the narrators’ sense of belonging, making it difficult to establish genuine friendships as an asylum seeker (foreigner). This was prominent in descriptions of interactions with Japanese people

and their shocking ignorance. Fatima had many experiences to share as a former student in Tochigi.

> 'I received questions that were covered with stereotypes. At some points, I felt like I'm not in a developed country, or an advanced one. Very, very backward questions. [...] Mostly ignorance, I would say. Like they would ask me, "Do you still use camels? Do you have cars?"' – Fatima

30 She described how she felt 'looked down upon by Japanese' because of these incidents and that she was '*hontoni kawaisou datta*' (felt very sad looking back at how she lived at that time). Fatima attributed these experiences to her wearing a hijab, which impacted her relationship with her religion and contributed to her refusal to go outside.[17] Another narrator explained that he faces the repercussions of the negative associations to the refugee label when he 'outs' himself as a refugee to Japanese friends, saying that 'tomorrow he's going to block you, not talk to you.'[18]

31 Finding trust and a sense of belonging are two incredibly important but difficult challenges that asylum seekers face daily. They magnify the precarity of their situation in not knowing who to rely on and for how long, complicating the formation of friendships and communities. Even in instances where they find themselves a community, such as in the church or among compatriots, the risk of being taken advantage of is almost always there. Simultaneously, people are dependent–to varying degrees–on a wide range of actors to survive as asylum seekers in Japan. Belonging and trust have the potential to progress over time in their social lives, but there is only so much that an individual can do with a temporary permit when the immigration regime interferes with their social relations.

FOOTNOTES

1. The RHQ is also responsible for the official Settlement Support Programme for refugees.

2. G.A., Interview 1.

3. R.T., Interview 3.

4. Emphasis mine. UNHCR, *Information for Asylum-Seekers in* Japan, 5.

5. G.A., Interview 1.

6. I.A., Interview 2.

7. M.N., Interview 4.

8. Also housing, food, guarantors, telephone cards, money for *karihōmen* fees, etc.

9. M.B.R.K., Interview 2.

10. Suzuki, "The Desperation of Japan's Detained Asylum Seekers,"; Rich, "Ethnic Kurds Find Haven, but No Home."

11. Donican Lam, "Tokyo's "Little Yangon" a legacy of culture, freedom and hope," *Kyodo News*, 9 August 2019, https://english.kyodonews.net/news/2019/08/a568f74b407c-feature-tokyos-little-yangon-a-legacy-of-culture-freedom-and-hope.html (accessed on 28 March 2023).

12. A.A., Interview 4.

13. C.F.F., Interview 1.

14. Even if their embassy does not recognise them as nationals, the immigration authorities can provide foreigner residence cards that recognise them as persons possessing their nationality. Cf. Ayane Odagawa and Sosuke Seki, *Typology of Stateless Persons in Japan* (UNHCR Japan, 2017), 65.

15. Alex Easley, Tokyo Baptist Church, online interview, 15 March 2021.

16. Volunteers shared that they lost contact with the people they used to visit at the centres in the recent exodus of asylum seekers from detention centres due to COVID-19. Cf. Slater and Barbaran, "The Whole Block Goes Down."

17. Fatima eventually stopped wearing a hijab. She expressed conflicting thoughts towards her religion, saying that she felt crushed between her rejection of its patriarchal values, her deep love for it, and her inability to practice it to the full.

18. G.M., Interview 3.

Chapter 10: Conclusion

1 This paper opened a window into the lived realities of asylum seekers in Japan through the exploration of the 37 narrators' experiences, opinions, and feelings. The prioritisation of their narratives dispels the myths and unjustified fears about asylum seekers, and migrants in general. It is abundantly clear that the current level of understanding about the lived experiences of asylum seekers in immigration policies, practices, and representations is severely limited and that the asylum seeker is rarely put first.

2 The first research question of this paper asked how a historically informed understanding of mobility provides insight into the current attitudes and practices related to asylum seekers and refugees. Revisiting the changing positionality of migrants throughout Japanese history, as seen through the lens of the development of Japanese national identity, shed light on the long tradition of stigmatisation against people on the move and the invisibilisation of their histories. This is a pattern that will continue to exist until the ideas attached to Japanese national identity, as mobilised through the homogeneity discourse, are destabilised. The effects of this widespread historical denial of the discrimination and marginalisation of both domestic and foreign minority groups need to be overcome by first recognising the important role people on the move and foreigners have in history and modern society. In this sense, the recent work of Sara Park, Apichai Shipper, Pascale Hatcher, Aya Murakami and others prove essential in their call for historical reparations. Despite the considerable feat that this poses for the national government and a large part of Japanese society, alternative narratives surrounding asylum seekers and people on the move are taking shape with the gradual increase in awareness and activism about these issues.

3 The impact of these historical dynamics is still palpable in popular political and media narratives surrounding asylum seekers, but more importantly is manifested in the experiences of asylum seekers themselves. The historical attitudes and practices towards mobility and migrants add an extra layer of meaning to their situation, in demonstrating how their invisibility echoes that of many other minorities throughout Japanese history. It also acts as a reminder that the experiences of asylum seekers today are a microcosm of the discrimination and marginalisation of all foreigners. In addition to the need to revisit and address past injustices, the narrators' accounts point to insufficient critical reflection by relevant government and non-governmental actors

on the additional barriers added to asylum seekers' livelihoods by their current attitudes and practices.

4 This is evident in the way the personal information of asylum seekers is managed and owned by government authorities and NGOs, where the pressure to keep their lives and status a secret from other people has created an atmosphere of distrust and suspicion. The concentration of information with these actors has meant that there are very few in the know about the circumstances under which asylum seekers came to and live in Japan. The invisibilisation of their stories indirectly reinforces, if not echoes, negative discourses surrounding asylum seekers, refugees, and foreigners.. It affected the narrators too, as it was a source of stress that deterred individuals from tapping into available support and reinforced anxiety about interacting with other people. Therefore, current approaches to addressing the precarity of asylum seekers weaken organic social structures and make it more challenging to develop trust and a sense of belonging.

5 The second research question considered the perspective of asylum seekers and what can be learned from them in relation to current attitudes, policies, and practices. These findings were informed by the patterns and complexities that emerged from key aspects of the narrators' experiences as asylum seekers. Their strategies, opportunities and challenges looked different according to their socioeconomic status, network, and where they came from. In addition to the heterogeneity of their profiles, the variety of experiences reflects the inconsistencies and unreliability of immigration authorities and other actors, which exacerbated the systemic issues uncovered in the first research question. The current immigration regime shapes asylum seekers' stories in the constraints and pressures it puts on individuals that ultimately prolong their insecurity.

6 Due to this, the burden of responsibility for finding pathways through the immigration system and to a meaningful, more stable life is ultimately placed on asylum seekers. As the precarity of their position–in the prolonged state of bureaucratic limbo, being denied the status of refugee–permeates all aspects of their lives, their survival is very much reliant on the independent efforts of the individuals themselves and chance encounters. They manoeuvre through life in Japan by seeking and pursuing solutions within the system and to the restrictions imposed on their lives. The story that emerged from the autobiographical accounts of the narrators was that they were neither merely vulnerable nor in possession of complete agency at any point in time. Despite the bureaucratic limbo, asylum seekers can be and are social, economic, and political actors that contribute to Japanese society.

7 At the end of their final interviews, each narrator was asked about their future plans. Some narrators had big dreams, of owning companies to tackle age discrimination in employment; of finding a way to resettle in Canada; being smuggled to a different country; and acquiring a business license. Our three narrators also shared their aspirations, hopeful for the future.

> 'I hate oppression and you should do things rightly. So that's my life right from childhood. [...] I'm fighting for justice, and the same thing I'm doing in Japan. It has been there right from my childhood to now.' – Mary

8 Mary continues her path as an advocate for asylum seekers in Japan. Even with her provisional release status, she organises and participates in protests. She said, '[y]esterday, Friday there was snow, right? I couldn't sleep because a lot of people

called me.' Most recently, she led demonstrations against the bill that aimed to revise the Immigration Control Act that would have decreased detention time but increased deportation and put a limit on the number of times an individual could apply for refugee status. The unprecedented public response to this bill and infighting among lawmakers forced the government to drop the bill.[1]

9 Argus' name was often brought up in other narrators' stories as a household name within the Ugandan community in Tokyo. He is still around, roaming the streets of the city, and working in that leather factory with his adoptive Japanese family as his son is a student at a local university.

10 In her interview, Fatima excitedly talked about what she wanted to study as a student. She expressed her interest in continuing her weekly meetings with fellow Syrians and a desire to support Syrians back home while raising awareness about her home country in Japan. While a large part of being an asylum seeker is maintaining the hope of one day being a refugee, it is also so much more than that.

> 'Earth's being, I don't know, suffocating with gas. After surviving this or living this and staying human, you want to live a decent life and do something good to the community that you live in is something very hard.' – Fatima

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FOOTNOTES

1. "Japan withdraws immigration bill after the death of Sri Lankan sparks criticism," *Reuters*, 18 May 2021, https://www.reuters.com/world/asia-pacific/japan-withdraws-immigration-bill-after-death-sri-lankan-sparks-criticism-2021-05-18/ (accessed on 28 March 2023).

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Appendix

Appendix 1: Timeline of key policy and mobility events

1 **1947** – Alien Registration Law established.

2 **1950** – Nationality Law established.

3 **28 Jul. 1951** – Convention Relating to the Status of Refugees approved.

4 **8 Sept. 1951** – Treaty of San Francisco signed.

5 **4 Oct. 1951** – Immigration Control and Refugee Recognition Act passed and enacted.

6 **19 Jan. 1960** – Treaty of Mutual Cooperation and Security Between Japan and the United States of America amended.

7 **April 1978** – The Government of Japan resettled refugees from the Indochinese refugee crisis. Approximately 11,300 Indochinese were settled in Japan from 1978 to 2005.

8 **21 Jun. 1979** – Ratification of the International Covenant on Civil and Political Rights (1966) and International Covenant on Economic, Social and Cultural Rights (1976).[1]

9 **Jul. 1979** – Meeting on Refugees and Displaced Persons in South-East Asia in Geneva.

10 **3 Oct. 1981** – Ratification of the Convention relating to the Status of Refugees (1951).

11 **1 Jan. 1982** – Ratification of the Protocol relating to the Status of Refugees (1967).

12 The 195 – Immigration Control Act amended to include provisions relating to the recognition and acceptance of refugees, also incorporation of the Convention's definition of a refugee.

13 **1989** – The Immigration Control Act amended to shift focus from the zainichi population to migrant workers.

14 International Conference on Indochinese Refugees (ICIR).

15 **Early 1990s** – First arrivals of Turkish Kurds in Japan to seek asylum from the armed insurgency of Kurdish militants against the Government of Turkey.

16 **1994** – Official declaration of the "end" of the Indochinese refugee crisis.

17 **2004** – Amendment of the Immigration Control Act to include a refugee status determination system, abolition of application period restrictions, and introduction of the refugee guarantor system.

18 **2010** – Japan began to accept Myanmar asylum seekers from camps in Thailand. According to a New York Times article in 2016, only 24 families were accepted.[2]

19 **2016** – The Diet, Japan's national legislature, passed the Hate Speech Elimination Bill.

20 **2016-2017** – The Government of Japan agreed to host up to 150 Syrian refugees as foreign exchange students under a JICA project, Japanese Initiative for the future of Syrian Refugees (JISR).[3]

21 **Dec. 2018** – The Immigration Control Act amended to increase quota for highly skilled labourers, but discontinued automatic provision of work permits to applicants six months after submission.

Appendix 2: List of narrators

Initials	Country
A.S.	Cameroon
A.A.	Uganda
A.K.	Liberia
B.P.	Democratic Republic of Congo
B.D.	Uganda
C.K. (Argus)	Uganda
C.T.	Cameroon
C.F.F.	Cameroon
E.O. (Mary)	Nigeria
G.A.	Nigeria
G.E.M.	Uganda
G.M.	Congo
H.F.	Syria
I.A.	Jordan
J.K.	Congo
K.D.	Gambia
K.A.	Nigeria

K.A.	Cameroon
L.O.	Nigeria
L.O.O.	Nigeria
M.N.	Uganda
M.B.R.K.	Bangladesh
M.M.	Tunisia
M.A.	Syria
N.A.B. (Fatima)	Syria
P.S.	Uganda
R.R.M.	Uganda
R.A.	Bangladesh
R.K.	Uganda
R.T.	Georgia
S.N.L.	Sri Lanka
S.K.	Uganda
S.W.	Ethiopia
S.N.	Uganda
S.P.B.	Uganda
T.M.	Mali
Y.J.A.	Syria

Appendix 3: Summary of legal categories of asylum seekers and refugees

22 The following tables represent a comprehensive list of the legal categories and the associated permits that exist in the Japanese immigration system available in relation to asylum seekers and refugees.

Legal categories of asylum seekers [4]

Legal status	Description				

		Length of permit	Residence status	Ability to work	Health insurance
'Overstayers'	Individuals who have not notified the Immigration Bureau of their presence in Japan and/or have overstayed the visa that they entered the country with.	N/A	N/A	N/A	N/A
Provisional release (*karihōmen,* 仮放免)	Individuals who have a pending refugee application and have permission to be released from the detention centre.	Two months. Can be renewed before expiry.	Not permitted.	Not permitted.	Not permitted.
Provisional stay (*tanki taizai*, 短期滞在)	Individuals who have a pending refugee application. As with provisional release, restrictions placed on place of residence, area of movement, activities, and the obligation of appearing at summons.	Extended until the refugee application is approved or denied.	Yes, temporary residence permit in passport.	Not permitted.	Not permitted.
Designated activities (*tokutei katsudo nanmin nintei shinsei chū,* 特定活動難民認定申請中)	Individuals permitted to conduct specific activities (internship, training, etc.). Refugee applicants apply *after* their first six months of being in Japan.	Up to 6 months. Must be renewed every three months for the first nine months, but renewed every six months after.	Yes, residence card provided.	Yes, with restrictions based on the job.	Yes, health insurance available.
Family stay (*kazoku taizai,* 家族滞在)	Families to stay in Japan from 3 months to 5 years.	Set on a case-by-case basis.	Yes, a medium- to long-term residence card provided.	Yes, with restrictions on a case-by-case basis.	Yes, health insurance available.

Student visa	Individuals attending Japanese language schools, vocational schools, universities.	6 months to 2 years, can be extended and renewed depending on length of enrolment.[5]	Yes.	Yes, but limited to 28 hours per week.	Yes, health insurance available.
Stateless person (*mikokusekisha*)	This may include individuals with a residence permit in Japan, without a residence permit, and a person classified as a foreign national. There is no official definition of statelessness in Japanese legislature and no statelessness determination procedure in place at the moment.[6]	N/A	N/A	N/A	N/A

Legal categories of refugees

	Convention refugees (*jōkaku nanmin*, 条格難民)	**Humanitarian status holders or Special Permission Grantees** (*jindō hairyo*, 人道配慮)	**Refugee by "Cabinet Agreement" or Resettled Refugees**
Description of legal status	Recognised as a refugee by the Government of Japan, regulated under the Immigration Control and Refugee Recognition Act (ICRRA).	Based on MoJ criteria, although there are no official or consistent criteria for granting this permit.[7] For applicants who supposedly fall short in meeting refugee standards but are allowed to remain in Japan based on 'humanitarian reasons'.[8]	Accepted based on a political decision that can be rescinded at the government's will.
Length of stay	Permission to stay as residents for up to 1 year, 3 years, or 5 years.	Special permission to stay in Japan for up to one year (*zairyū tokubetsu kiyoka*, 在留特別許可).	Indefinite stay.

Documentation	Residence card National health insurance card *My Number**		
Status of employability	Yes.	Yes, with restrictions.	Yes.
Privileges/ Institutional support	Granted rights and use of public service within the scope of their residence status and laws. Granted economic self-sufficiency Given travel documents (afforded a passport) Family reunification Access to the Settlement Support Programme, which is the government-funded resettlement support and services (language education, life orientation, and employment placement)	Granted work permit and special permission to stay in Japan for one year. Unlike individuals with refugee status, unable to travel or receive government support dedicated to refugees. This is a legal status that is commonly afforded to members of the Japanese diaspora (Japanese-Brazilians, -Peruvians) and victims of trafficking.[9]	Has only been granted to Indochinese refugees who arrived in Japan from 1978 to 2006.

FOOTNOTES

1. University of Minnesota, "Ratification of International Human Rights Treaties – Japan," *Human Rights Library*, http://hrlibrary.umn.edu/research/ratification-japan.html.

2. Rich, "Ethnic Kurds Find Haven."

3. Japan International Cooperation Agency, "Japanese Initiative for the future of Syrian Refugees (JISR)," https://www.jica.go.jp/syria/english/office/others/jisr.html.

4. International Social Service Japan (ISSJ), "Residence Status and Social Services," accessed 25 January 2021, https://www.issj.org/en/refugees/refugees-and-social-resources; Ministry of Justice, *Applicants for Refugee Recognition Subject to Restrictions on Employment*, accessed 24 January 2021, http://www.immi-moj.go.jp/tetuduki/nanmin/pdf/nanmin_nintei_shinsei/nanmin_nintei_shinsei_en.pdf.

5. International Study Institute, "Application Process - Student Visa," accessed 18 May 2021, https://www.isi-education.com/application/process/student-visa/.

6. For more information on the current situation for stateless people in Japan, cf. Odagawa and Seki, *Typology of Stateless Persons in Japan*.

7. Banki, "Burmeses Refugees in Tokyo," 328-344.

8. UNHCR Japan, “On refugee determination processes in Japan,” 「日本の難民認定手続きについて」, https://www.unhcr.org/jp/j_protection.
9. Immigration Services Agency of Japan, *Guidelines on Special Permission to Stay in Japan* (Tokyo: Ministry of Justice), July 2009.