

# THE REFUGEE CRISIS AND JAPAN'S DOUBLE STANDARDS OF PROTECTION

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*Abstract: The Sustainable Development Goals (SDGs) support human rights, strengthen refugee protections, and ensure equal rights for all displaced people in host countries. This article examines how international refugee law is applied in Japan to understand how this relates to the "universality" of the SDGs. Most refugees and asylum seekers are experiencing great hardship in the current refugee crisis. Given the situation in Ukraine, the immigration system seems weak and inadequate to protect immigrants and refugees despite discriminatory practices in some countries, including Japan. The researcher can get a better picture of the daily plight of refugees in Japan by talking to detainees, asylum seekers, and unauthorized immigrants. The article concludes by stating that changing immigration regulations to grant full legal status following international standards to those already in Japan and integrating them into Japanese society is the only way to meet the country's labor demand.*

I. Background

## I. Background

Historical sources are examined to clarify the issue of immigration in Japan further. Ieyasu Tokugawa, who ruled Edo, now Tokyo, from 1543 to 1616, established the shogunate there. During the Edo period (1603–1868), Japan was in a "Sakoku" state of isolation. Therefore, there was no immigration system. Only merchants from Portugal, Spain, and the Netherlands were allowed to enter Japan. By signing treaties with its neighbors, Japan finally took the long-awaited first steps toward legalizing colonial immigration and emigration. This is evident from the article "*Migration and Law in Japan*" (Kondo, 2015), which describes how the Americans intended to establish regular trade with Japan and pushed for the country's opening. The following ten years, from 1951 to 1961, are noted for their uninterrupted economic growth, and later, Japan's policy changed slightly when it began accepting Indochina refugees in the late 1970s (Junichi, 2006). In 1981, Japan became the last country to ratify the 1951 United Nations Convention Relating to the Status of Refugees in 1967, becoming a party to the refugee protocol and revising its domestic legislation (Ghosh, 2016a).

After ratifying the 1967 Protocol, Japan did not have an immigration law until 1983, when it eventually established the Immigration Control and Refugee Recognition Act (ICRRA) (Mitarai, 1976). Updated Koreans, many of whose ancestors fled persecution in their home country and settled in Japan during the colonial era, eventually formed one of Japan's most influential ethnic minorities. Their ancestors fled to Japan to avoid persecution in their country of origin (from

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1885 to 1923). Between 1990 and 2000, those who immigrated to Japan from Latin America were called “*Nikkeijins*.” It is because of their traditional migration patterns and the ease with which they may find work (Gonnami, 2004). Since 1992, there has been a steady rise in the number of non-citizens legally permitted to work in the country, and this trend has been maintained in recent years. When the ICRRA was reconstructed and started establishing a new resident status in 1992, Japan extended a warm welcome to many trainees and technical interns from China and other Asian nations. At the same time, the requirements of the nation’s economy were shifting in a variety of ways. It was the end consequence of ICRRA’s corporate reorganization. Some people believe they cannot take them in because they do not have sufficient financial resources, and they reside in an area with an excessive number of immigrants.

In recent decades, Japan has not shown much enthusiasm for promoting immigration regulation because it was believed that “foreigners have a hard time assimilating to Japanese culture and language” (Martin, n.d.). Since then, Japan has become one of the major foreign donors to refugees in Southeast Asia (“Donor Ranking” n.d.). It is now among the top 10 countries in terms of financial support to UNHCR. To respond to the vulnerability of immigrants and refugees from “all nations” and “all segments of society,” Japan must also address the issue of refugee integration (Mestheneos, 2002). The Japanese government has long debated whether or not to ease the burden on its aging population, which is projected to have an overage rate of 28.7 % by 2020, and further opening up to labor from other countries for the Tokyo Olympic (Kato, Nakamura, and Nemoto, 2020).

In recent years, Japan has introduced new immigration policies for unskilled foreign workers in line with the updated ICRRA, as described in an article titled “Migration and Law in Japan-Asia & the Pacific Policy Studies” in Kondo-2015. According to the information contained in this article, Japan has begun implementing a new immigration policy and revised some of the previous immigration laws in order to allow more non-citizens to enter legally (by extending the maximum length of stay and expanding the types of jobs that can be held) and response to the severe labor shortage the country is suffering from. However, there are still restrictions on immigrants for family reunification, burdening the lives of migrant workers. This problem directly affects the most important historical promise of the 2030 Agenda for Sustainable Development Goals of “Universality” (Kumar and Vivekadhish, 2016).

An investigation by the OECD in 2017 discovered that Japan is one of the top three countries annually welcoming many immigrant workers from other nations, and the country recorded approximately 99,000 international migrants in the same year, an increase of 4.3 percent over 2016. In addition, Japan welcomed about 150,000 new immigrants based on long-term or permanent residence, an increase of 15.8 percent compared to 2017. In addition, there were 2.7 million foreign migrants in the country by the year 2019, which represents 2% of the total population of Japan (OECD, 2021). In this metric, Japan trails only Germany, the United States of America, and the United Kingdom regarding workforce shortage. However, because of Japan’s stringent immigration restrictions, most people who do not hold Japanese legal status have revoked their residency status (Nikkei, 2018). Additionally, most non-Japanese

people are pressured to apply for asylum or marry Japanese citizens to keep their legal status in Japan; in other ways, many people in the community and those from other countries who marry and have children eventually find themselves in the role of a single mother.

They are then forced to rely on government assistance, resulting in their children not having a parent. In Japan, this is something that can be considered relatively standard at this point. Others have been forced to emigrate or put behind bars because the loss of their status means they are no longer considered actual Japanese citizens. Only jobs deemed temporarily necessary can justify the employment of foreign workers in Japan. The manufacturing and hospitality industries in Japan, especially hotels, stores, and restaurants, are the leading employers of this category of workers in Japan. Thus, they are apprentices or trainees from countries such as Vietnam, Indonesia, Cambodia, and Myanmar to fill labor shortages in some rural and urban areas (unfortunately, no African countries have been included in this criterion yet). They have been granted a newly created residency status that allows them to remain in the country for the next five years.

According to Shinzo Abe, Japan's former prime minister, disclosed at the UN Summit for Refugees and Migrants, that his country is willing to give "humanitarian and self-reliance assistance" to refugees as well as host communities (General Assembly of the United Nations n.d. 2016).

Despite being one of the biggest donors to United Nations organizations, attempting to mitigate the effects of a global catastrophe, it pledged to provide up to 2.8 billion Yen between 2016 and 2018 to help solve the world's current refugee problems. On the other hand, the Japanese government has ironically officially recognized a small number of refugees; this shows the double standard of the Japanese government's refugee protection on their soil. It is saddening to learn that in 2019, the government accepted only 44 people as refugees under the terms of the Refugee Convention, and 37 others were allowed to remain in Japan with humanitarian status out of 10,375 total applicants per data from the Justice Ministry, regarding immigration services (MOJ, 2020). In 2018, there were 10,943 candidates, but only 42 were chosen. In 2017, there were 19,629 applicants, but only 20 were accepted. The implication is that Japan has thus far denied more than 99 percent of those requesting asylum and recognizes that "Japan only accepts 27 Refugees" (Refugees n.d.).

Currently, topics concerning refugee asylum seekers have sparked much debate among academicians, politicians, and policymakers globally, regionally, and locally. Every country has immigration laws and policies to regulate the number of people allowed to enter the country. However, ever since the crisis in Ukraine, discrimination in the refugee system has become more overt and significant in the member states of Asia, Europe, and Latin America. For instance, countries that share a border with Ukraine have refused to accept African refugees who have fled the country (Walther and Jobbitt, 2022). While the international community's attention is currently focused on refugees from Ukraine, thousands of refugees worldwide continue to live without legal status, including in Japan. It shows that Japan, although it ratified the 1951

International Refugee Convention, does not comply with refugee protection standards. The country accepted many Ukrainian refugees and ensured they received expert care and assistance. Many said that, unlike Ukrainian natives, they had long been excluded from employment, education, and legal status. The way non-Ukrainians who travel to Japan to escape unrest in their home country are treated is a discouraging example of the double standard that prevails here. However, they often face hostility, physical abuse, and other difficulties.

On the other hand, human rights organizations have long criticized Japan for accepting only a small number of immigrants and for the system's being secretive and arbitrary. The number of immigrants does not make it easy to "count" them by any stretch of the imagination. The Ministry of Justice produces annual statistics on registered refugees that provide insight into the "fundamental nature of immigration" flows to Japan (Junichi, 2006). These official estimates have significant flaws that need to be addressed, as they do not consider the greater tendency of refugees to enter the country clandestinely or illegally.

## II. The Refugee Crisis and Immigrants in Japan

Even industrialized countries are experiencing a wide range of societal ills due to the global upheaval brought on by factors like climate change, social and economic instability, and more. In truth, they lack the tolerance to accept refugees or immigrants into their community. According to the UNHCR's Statistics Survey, more than 80 million people—including Ukrainians—had been forcefully displaced as of 2022. Due to the situation, these people had to leave their own homes. According to a 2017 directive from the UNHCR office, refugees are people who are compelled to flee injustices and persecution, including "arbitrary detention, torture, sexual torture, and forced labor," which the U.N. referred to as "slavery-like activities" and "crimes against humanity" (Glynn, 2012). Given the record-breaking number of refugees, we may say that one in every 300 people in the 7.8-billion-person world has become a refugee. Nearly 26 million refugees, or more than half, are under 18.

Since the 2016 United Nations General Assembly Summit for Refugees and Migrants. It turned out to be a global initiative with the slogan "Together-Respect, Safety, and Dignity for All," with the aim of "address[ing] the challenges of human mobility" and creating a more sympathetic and coordinated approach to refugees and migrants, as well as an increase in funding for development aid, conflict prevention, and support for the host communities, Vivekadhish and Kumar report (2016). As stated in the Universal Declaration of Human Rights (UDHR) in 1948, refugees must have the "right to seek and enjoy asylum in other countries," as stated in Article 14 (Assembly, 1949). Recently, the Sustainable Development Goals said that by ensuring equal access to all essential services, the United Nations 2030 Agenda hopes to "usher in a better future for all," including refugees, stateless people, and asylum seekers (Morsink, 2012). However, despite having some of the tightest immigration laws, Japan is known for being one of the UNHCR's most generous supporters. On the other hand, the country's refusal to accept asylum seekers shows how far behind the global average it is in accepting migrants, with 99% percent of applications being

turned down and only approximately 1% being accepted (Shiobara, Kawabata, and Matthews, 2019).

Additionally, the procedure could take years, and some detainees might spend a lengthy or indefinite amount of time in immigration prisons due to their refusal to be deported. The duration of their confinement may harm their general physical and emotional health. The U.N. human rights body alleges that Japan is endangering the physical safety and freedom of migrants since its current system frequently authorizes prolonged detention without justification. Academics oppose the current limits for breaking international law and not being susceptible to judicial scrutiny in Japan, too. According to Shiobara, Kawabata, and Matthews' article on "Japan and refugee policy" in 2019, Japan must create a functioning judicial system and enforce term limits on incarceration.

The SDGs encourage international cooperation by creating adequate social protection mechanisms for refugees. They achieve this by enticing states to decide on national and worldwide goals for international agreements and indicators. Nevertheless, the Japanese government still needs to act to protect them. The terms "immigrant" or "immigration legislation" are also avoided by officials, who instead speak of "aliens," "foreigners," "foreign residents or nationals," and "foreign trainees or interns." In 1982, two new laws were passed: the "Alien Registration Law" and the "Immigration Control and Refugee Recognition Act." In 1990, changes were made to the Immigration Control and Refugee Recognition Act (ICRRA) in Japan (Andaya, n.d.). The government policies on aliens, which cover refugees' admission, jurisdiction, and integration, are all intimately related to these immigration control and regulatory procedures. Border control in Japan is less complicated than in the U.S. or the EU because it is an island country like Australia, New Zealand, and Taiwan. The rapid spread of the COVID-19 pandemic has caused the closure of national boundaries worldwide. By late April 2020, almost all countries introduced restrictions on travel and prohibited, as a general rule, the entry of foreigners. Although some European countries began to lift their entry restrictions to foreigners before this summer vacation season, Asia and Pacific countries have kept a cautious stance on accepting foreign travelers until now. Japan has started negotiations to ease entry restrictions with some "safer" countries such as Australia, NZ, Thailand, and Vietnam in June 2020.

Despite Japan's claims that it encourages women and older workers to enter the workforce, 40% more foreign residents now work there than in previous years (Shingo, 2019). It seems inconsistent to assert that the Japanese government actively favors immigration while regularly downplaying such intentional acts. Due to the demographic problems they are currently experiencing, policymakers are obliged to consider refugees, asylum seekers, and illegal immigrants as potential alternatives. Even though Japan has not implemented a quota system and has only acknowledged refugees since the 1951 convention, which was challenged by human rights advocates, who asserted that Japan has "received by far the least number of asylum applications of the major developed countries." International treaties necessary for resolving the refugee issue include the International Labor Organization, the United Nations Human Rights Council, and—most significantly—the Conventions Relating

to the Status of Refugees (Lewis, 2005). As a result, regional organizations like ASEAN, the Asia Pacific Forum, the Comprehensive Economic Partnership for East Asia, and the Asia Cooperation Dialogue have been highlighted in the global push to address the root of the catastrophic refugee conditions in Japan.

### III. Integration Context and Refugee Rights

In academic work examining migration and how immigrants acclimate to life in a new society, integrating is often discussed in depth. An urgent issue on the global agenda is how to successfully reintegrate refugees into their home countries, especially in light of the laws governing immigrant integration. According to Robila, integrating refugees is consistent with Sustainable Development Goal 16: “Peace, Justice, and Strong Institutions.” This objective encourages the creation of peaceful, inclusive, and just societies as a part of sustainable development that ensures everyone has access to justice and builds inclusive, effective institutions at all levels. Because it produces efficient, responsible, and inclusive institutions at all levels, Robila contends that refugee integration is consistent with this objective.

Although the word “inclusion” is commonly used in both popular culture and academic literature, it can be challenging to find an acceptable definition for all parties (Sudakova and Astafyeva, 2019). According to Robinson (1998), inclusion is “a disordered idea” and “a term used by many but understood differently by most,” as noted by Ager and Strang (2008). According to the research findings, several reasons for the inclusion concept can be given. According to (Li et al., 2017), inclusion can be achieved through acculturation, adaptation, or flexibility. These are just a few of the many possible scenarios. According to Hynie (2018), the two most common definitions of inclusion are participation and inclusion in economic and social spheres. These are also two of the most critical components of inclusion. According to Dubus, acculturation and adaptation are two possible interpretations of inclusion (2020). Nevertheless, acclimation to a new culture that is dynamic, diverse, and reciprocal is a process that takes a long time (Ager and Strang, 2008; Strang and Ager, 2010; Phillimore, 2011). Because reciprocity is critical in integrating newcomers, host communities and refugees must adhere to explicit norms (Hirschberg and Papadopoulos, 2016).

Refugee integration is referred to by the United Nations High Commissioner for Refugees (UNHCR) as “*a dynamic and diverse two-way process*” that necessitates the efforts of all parties involved. These efforts include the readiness of both the host communities and public institutions to accept migrants and cater to the requirements of a varied population and the willingness of refugees to integrate into the host community as long as they can keep their cultural identity. Social exclusion, on the other hand, is described as “a process and circumstance that prohibits individuals or groups from fully participating in social, economic, and political life and from claiming their rights” (Edwards, 2005 & Crisp, 2021). It is highlighted that all financial opportunities, including those provided to enterprises and entrepreneurs, continuously ignore refugee communities, while refugee populations can significantly boost the economy, this is the case.

Identifying how refugee groups could contribute to growing production, consumption, trade, entrepreneurial initiatives, and financial and capital markets is crucial. Ager and Strang (2008) claim that efforts to create a society that includes people from both the majority and minority groups are referred to as “integration.” However, the term has generated controversy and may be misleading. When diversity is accepted, and multiple identities are acknowledged and united by a sense of belonging, minorities are shielded from discrimination and exclusion (Ager and Strang, 2008).

#### IV. Research Objective, Methodology and Data Collection

This study examines the benefits of legal status to immigrants' efforts to assimilate into the historically homogeneous Japanese culture. It explores the intersection of institutional scarcity and legal ambiguity in this area, which can be helpful. Relationships between non-governmental organizations (NGOs) at the local, state, and international levels are explored. The researcher spoke with 12 refugees and asylum seekers living in the Canton region, which includes Tokyo, Kanagawa, Saitama, and Chiba prefectures, between September 2019 and December 2020. The researcher also interviewed individuals concerned about refugee rights in their societies, countries, and internationally, particularly Japan. The interviews focused on learning from refugees with different statuses, including asylum seekers, stateless refugees, and prisoners who had attended language schools, about their experiences with and solutions to problems with residency status in Japan. These migrants applied for asylum at the immigration office. However, many of them could not be thoroughly examined due to various legal problems or because local or federal officials had rejected their applications for work permits and other social assistance. However, most of them were considered refugees and had various educational goals.

In-depth interviews with judges, officials, lawyers, refugees in reception centers, and humanitarian organizations (NPOs) served as the basis for the report. The data are analyzed thematically. Interview questions focus on refugees' problems, aspirations, and goals closely related to their studies. In some cases, the interviews are also recorded. Short- and long-term initiatives are urgently needed for the humanitarian efforts of the UN, and other countries with large refugee populations could benefit from the services and knowledge of Japanese higher education institutions. The results of this study can serve as the basis for further policy analysis and research, including an impact study that will help many more refugees in Japan and around the world achieve academic success.

#### V. Research finding / Discussion's

In June 2020, a spokeswoman for the Japan Association for Refugees named Kazuko Fushimi stated that “about sixty percent of the roughly six hundred people who need help each year in JAR are from Africa ” (Refugees n.d.). In general, migrants from Asia can easily mingle with the various ethnic groups that already exist in Japan. Asylum seekers from Africa, on the other hand, often rely on non-governmental

organizations (NGOs) because they fear that contacting their compatriots could lead to their families being persecuted by their governments. Fushimi continued, "Because of the threat to their lives, refugees have no choice about which country to come to." Even if they know little about the country's language or culture, they often begin their journey in the country that first issues them a visa. The current migration of Africans to Japan began in the early 1980s. It is likely due to the increased implementation of border controls in Western Europe and the United States. At the same time, immigrants from Africa began to look for work in the Middle East (Arab countries) instead of making the traditional journey to Europe or the United States for better life prospects; they did so in favor of Japan (Kawada, 2005, 2007; Wakabayashi, 1996).

The researcher talked to several African migrants since he is from Africa. One of them said that although he has lived in Japan for more than 20 years and speaks the language well, he needs help finding the kind of work he wants, such as a clerk in a luxury hotel or a Japanese company. He said that most Africans find their communities where they help each other in many social areas. Since he is fluent in Japanese, he can help immigrants with immigration procedures, language barriers, and finding jobs. The interviewee mentioned above claimed that African communities in and around the central business district of Tokyo, including Roppongi, Kabuki Cho, and Shinjuku, seem to be closely connected (Andall, n.d.). By helping each other and introducing them to the executives of their factories and construction companies, Africans get their positions without difficulty. In reality, they work together in groups. So, there is not even a language barrier between them. There may be three or four working for the same company, although only one is fluent in Japanese; that person is a translator for the others.

Most have entered the country on temporary or extended visas. The lucky recipients of the new spouse visas are married to Japanese women. According to one of the Africans I spoke with, there is still a lot of ignorance, prejudice, and stereotyping about African refugees in Japanese society. "As soon as you say you are from Africa, your first impressions sound like poverty, illiteracy, deprivation, and savagery," the African said. The media occasionally reinforces these myths when we see programs about African countries where many African refugees are portrayed as coming from underdeveloped, backward countries. One of the interviewees added, "If you mention to Japanese people that you are American, they show interest in you and your career." Most people are not interested if you mention that you are a refugee, and others will even make fun of you if you do. They will ask stupid questions about Africa that are sometimes offensive and insulting. The term "refugee" can put people in a disadvantageous situation because the basis for this prejudice can be skin color and the perception of refugees as people who are challenging to deal with (Achieme and Lake, 2022). Most of these refugees and migrants have suffered long periods of political instability, poverty, social injustice, and numerous other unspeakable problems in their home countries (Ghosh, 2016b).

However, they seem content to live in a country where they can enjoy a certain degree of freedom and opportunity, so they are willing to take any opportunity to integrate into the culture of their host communities without getting involved in racist conflicts, at least in public. Undoubtedly, some socially disadvantaged refugees feel



affected by prejudice. Even if they are looked down upon, they are not easily offended (Hynie, 2018). In this case, they are convinced that interdependence and support are essential to managing their lives in Japan; the same happened in other countries because they cannot escape the experience that racism still exists and is deeply rooted, as Junichi (2006) stated. Some are ostracized or isolated from the Japanese community and have little to no contact with Japanese people, but mainly with people from their own country.

Contrary to popular belief, more young people are migrating due to “processes of economic development and social change” on the African continent, claim renowned scholars Kennedy Atong, Emmanuel Mayah, and Akhator Odigie (2018). It contradicts the notion that people migrate in search of better opportunities abroad. In other publications, such as Michael Clemens’ “Does Development Reduce Migration?” and “Explaining Change in Established Migration Systems: Clearly Stating the Movement of Algerians to France and the UK,” migration and economic development are inextricably intertwined on the African continent. Both papers show how migration and economic growth are intertwined (Clemens, n.d.). However, when it comes to refugees, Japanese legislation has double standards. As a result, immigrants are forced to work in menial positions such as the so-called “3D jobs,” which stand for “DIRTY, DANGEROUS, and DIFFICULT/DEMANDING,” or in service sectors known for hiring salesmen (canvassers) in Tokyo’s nightlife and social neighborhoods, in bars and underground brothels. Unable to communicate with their employers or find employment, these individuals are often recruited by outside agencies. Few qualified professionals are allowed to work in educational institutions or as employees for Japanese companies.

After interviewing refugees, the author of this paper spoke with a Congolese obstetrician and gynecologist who is 34 years old and has lived in Japan for four years. He informed the author that his workplace is in Japan. He is currently enrolled in the master's program at the Kanagawa College of Human Services School of Health Innovation, where he is also participating in a fellowship program offered by that institution. He recently stated that the approach to refugee integration will benefit the country’s economy because “Japan has the highest average life expectancy in the world despite a declining birth rate and an elderly population.” He was referring to the fact that Japan has the highest average life expectancy despite a declining birth rate and an older population. It shows that he is a diligent learner, especially in English, and actively participates in daily online activities while working as a janitor and volunteering in a private apartment. He also works part-time as a translator at Shonan-Kinen Hospital, where he is responsible for English and French. Currently, the outbreak of COVID-19 is active and spreading worldwide. During this time, he is also working as a janitor. This Congolese man presents us with a fascinating paradox that warrants our investigation. Having worked hard all his life to become fluent in Japanese, he is now in a position to set an example for those who have been forced to leave their homeland. In general, it is essential to provide permanent employment opportunities in full-time positions for fluent Japanese individuals due to the significant role that language plays in social inclusion.

Another conversation with a 29-year-old Congolese male from Congo who had received his degree from Kinshasa College and was originally from Congo; he arrived in Japan on a three-month tourist visa, but he applied as an asylum seeker and has been there for more than four and a half years. As he explained, "he lost almost five years of his life" without doing anything, even though he had the skills and ability to work. Later on, with the help of some NGOs, he obtained a full-time position in a Japanese computer firm's Information Technology Department (IT). However, this was an extraordinary talent since the corporation saw him as an asset to the organization (IT). He was eventually able to develop his experience as well as his talents while serving in this capacity as an expert support worker. In addition, he is thrilled that he was recently granted a work visa as an "engineer/specialist."

With the help of a Catholic charity in Tokyo, a young man from Africa could enroll in a school where he could study Japanese and become fluent in the language. He feels that he has a lot to be thankful for, including the chance he provided. As long as he continues to uphold his reputation at the company where he is currently working as an open, honest, and trustworthy individual, the employer will enable him to continue working there. Most individuals formerly classified as refugees expressed gratitude to the researcher for the chance to be in a nation that provides them with protection and safety. However, some of them find it extremely challenging to live here because, unlike the Nikkei, they have never been publicly recognized as refugees or asylum seekers in Japanese society (Hashimoto, 2021).

Consequently, some of them find it extremely challenging to live here, while others find it challenging to continue. Even if there is a chance for them to reside in Japan, they have fewer opportunities to assimilate into Japanese society than other Asian immigrants have. Unfortunately, most African people who moved to Japan have been excluded from Japanese society compared to other Asian immigrants. After speaking with immigrants, mainly in the Tokyo area and neighborhood, the study concluded that learning to read and talk to Japanese is the hardest for them, no matter the situation or setting. They must be able to live in Japan and integrate with society to do so. However, at the same time, their refugee status ends up being the most challenging issue to solve rather than something that can be rectified. However, rather than being exposed to development, their inability to speak and understand Japanese is the most challenging problem. The researcher concluded after interviews with refugees in the Tokyo area and neighborhood.

## VI . Refugee resettlement, complementary pathways in Japan

Promoting education as a component of global policies is the main objective of SDG 4, which was established to "provide inclusive and equitable quality education and promote lifelong learning opportunities for all." It aims to promote inclusive and fair quality education for refugees living in Japan to address the "great unmet demand" that refugees have for "strong educational objectives and firmly recognize education as a crucial tool to restore dignity, security, and hope." due to the "great unmet need" among refugees for "high educational ambitions." The Japan Association for Refugees (JAR) recently put forth a new project called "complementary paths" as a

concept for higher education in order to accommodate Syrians applying for refugee status in Japan beginning in the year (2017–2021). A program that offers “*extra scholarship stipends*” in addition to tuition fees and other study expenses funded by the universities, NPOs, and others has been developed as a result of the collaboration of thirteen different colleges, according to a private Japanese university (Almasri, n.d.).

Those who would not usually be able to pursue higher education are eligible for this initiative, which aims to “provide access to higher education.” The various universities cover the cost of tuition and other educational expenses (Shingo, 2019). In this case, only those whose status as classic refugees and asylum seekers with humanitarian status has been recognized by the Japanese government, including their siblings, are eligible for this program and the others on this list. All universities have offered undergraduate courses for refugees, in addition to the postgraduate course offered by the researcher’s institution, the Graduate School of Asia-Pacific Studies at Waseda College. Since most refugees cannot obtain legal status, their opportunities and access to higher education are severely limited. This is because it is difficult for refugee candidates to obtain public attention, legal status, and support. Recently, however, the United Nations High Commissioner for Refugees (UNHCR) has worked with national and international nongovernmental organizations (NGOs) and nonprofit groups to help refugees access education (NPOs). However, most refugees and asylum seekers still need to catch up due to residency requirements (Andaya, 2021).

The fundamental right of refugees to work “serves as a powerful driver for change and protects a critical group of young men and women by maintaining their hopes for the future, fostering inclusion and non-discrimination, and acts as a catalyst for the recovery and rebuilding of post-conflict countries and busting the economic backup of the hosting states,” according to the United Nations High Commissioner for Refugees (UNHCR). In Japan, the refugee application process is complicated, and it takes an average of three years for a successful candidate to be recognized as a refugee. However, there have been cases in which it has taken as long as ten years because of multiple appeals, so the process can take as long as it wants.

Applicants with legal status, when they submit their asylum request, are entitled to apply for work permits after eight months. While they wait for the government to recognize their refugee status, refugees should study the Japanese language. Once they have obtained a master’s degree in the language, they can find employment (even part-time employment) or pursue educational opportunities as long as they are eligible to enroll in high schools, colleges, or universities. If they are unable to enroll in any of these levels of education, they are unable to find employment. This circumstance has arisen with the Congolese man currently enrolled in the master’s program at Kanagawa University, who, as mentioned in the previous chapter, also works part-time at a hospital. Regarding resolving the issue of higher education for refugees, the major challenge is, above all else, the financial constraints. International Social Service Japan (ISSJ), Refugee Assistance Headquarters (RHQ), Japan Association for Refugees (JAR), Support 21 Social Welfare Foundation (Support, 21), and WEL-gee are some of the non-governmental organizations and non-profit organizations that are partners of the United Nations High Commissioner for

Refugees (UNHCR) and receive funding from the Nippon Foundation and other organizations.

These partners are tasked with carrying out various projects to assist refugees. A man from Ghana will graduate from an evening high school in the spring. He is overjoyed to have been admitted into Kansaigakuin University, a Christian university in western Japan, as part of a scholarship program. He is now in his early 20s. When he was still in his teens, it had been more than seven years before he arrived in Tokyo. He was permitted to begin his studies at an evening school among other Japanese pupils. In general, refugees who have completed higher education have stated that despite their challenging circumstances, they can devote themselves well to their studies because “they feel more secure and safe in Japan, compared to other industrialized Western countries.” As was noted above, there is undoubtedly still a knowledge gap and a significant deal of miscommunication within the Japanese community, especially given the disparity between their cultures and traditions. They all have improved their living conditions due to overcoming the problems and difficulties that might have arisen from some misconceptions, prejudices, and discrimination on the part of Japanese people, according to Hashimoto (2021). More refugees are blending into this formerly homogeneous community. Unexpectedly, some are willing to travel to isolated, rural areas where their presence will likely increase awareness among the local populace. Language abilities and the recognition of qualifications emerge as critical difficulties, which can encourage them to build up their careers both now and in the future, even to work as full-time employees for some Japanese companies, among many coordinated endeavors.

After conducting interviews with refugees, the researcher realized that the UN's political motivations and the international legal system of refugee rights and obligations sound somewhat fake. As a result, only some people want to be bound by the universal system decree, especially when upholding the international law of responsibility to protect (R2P). Regarding this, we must exert pressure on them to address the underlying problems in their own countries so that they can carry out their obligation to ensure the security of their citizens. If not, the UN must adopt a mandate to impose penalties against governments following international protocol. The researcher has started to place more importance on the problem of higher education for refugees. People who have spent much time working on refugee aid projects have suggested that, as was demonstrated above, some refugees have already been offered jobs in ICT and other technologies, along with opportunities for new businesses and ways of life that can be made equally available to their coworkers. Additionally, we will be responsible for analyzing some studies on higher education for refugees and assessing the current cutting-edge ways to plan fresh, novel ideas in this area.

## VII . Concluding Remarks

From the Population Division of the UN (2001) research, we can estimate that Japan needs the most significant number of immigrants in the future. Even in an economic recession, it is often pointed out that the demand for future immigrants in Japan exists. However, the future needs to be clarified for the industrial structure pension

system. It is challenging to forecast the future industrial structure and social security system because they have been extremely different over the last 50 years. The Opinion Survey (Cabinet Office, 2001) asked questions about prospects for the future. In connection with the shrinking population, 26.4 percent felt that “the shortage in the labor force will be a serious problem everywhere,” 41.6 percent that “the shortage in the labor force will be a serious problem in some job categories,” and 31.6 percent, that “the shortage in the labor force will not necessarily be a serious problem.” In line with these views, 33.8 percent felt that the government should “aggressively enforce whatever policies for foreign nationals it had in place,” while 37.9 % felt that the government should be “moderately serious in enforcing such policies.”

Refugee Higher education depends enormously on the UNHCR Japan and other Local NGOs/NPOs' academic institutions activity, with a mission to bring changes to the degraded statuses of refugees. The UN educational program was founded in 2017 as the first response to a series of refugee higher education challenges in Japan. Various scholars have agreed that if refugees could become integrated into society, it would create a more significant asset in the economy of the host community. However, according to the stereotyped notion of the local people, if they provide jobs to refugees and immigrants, they will assumedly lose their jobs and livelihood. Undoubtedly, since March 2020, however, refugees and immigrants have been enormously affected by the COVID-19 pandemic in Japan. However, we intend to pursue our research and to contextualize the actual conditions of refugees and higher education more intensely, specifically within the international framework of higher education for refugees and, in this way, to highlight the obligations of the states and international organizations, NPO's or NGO's so that they will take more action to support the higher education programs of refugees even by using some sandwich approach.

Furthermore, the researcher would like to recommend that all the leaders and officials of the nation's respect and put into practice the Universal Declaration of Human Rights to protect the refugees' human rights in a humanitarian international way, namely, to guarantee their human rights to seek asylum, to ensure access to complete and fair asylum procedures, to prevent them from being sent back to the situations in which they often run the risk of being tortured or smuggled, or being subjected to inhuman degrading conditions, and finally to improve the deteriorated conditions in all the migration-related facilities and refugee camps. The researcher would also like to propose that the countries and states may recognize the UN refugee agencies formally and give them full access to all the places, for instance, where non-nationals are kept or detained, and that, above all, they may observe the international legislation of the human rights, including the principle of nonrefoulement and non-Human Trafficking, especially with an emphasis on the Fundamental and Universal Human Right; Article 6 of the Universal Declaration on Human Rights stipulates that “Everyone has the right to recognition everywhere as a person before the law.”

The other is the Global Compact on Refugees (GCR). The framework for “governments, international organizations, and other partners to ensure that host communities receive the support they need, and refugees can lead productive lives” is one of the two commitments made in the 2016 New York Declaration for Refugees

and Migrants. The following goals are interrelated: “Reducing the burden on host countries; promoting refugee self-reliance; improving access to solutions in third countries and improving conditions in countries of origin for safe and dignified return.” Jeff Crisp will speak at the Japan Association for Human Security Studies (JAHSS) and Japan Society for International Development conferences on November 16-17, 2019, at the Komaba Campus of the College of Tokyo (JASID). “It is questionable whether international refugee law has been adequately presented or applied, especially concerning the local refugee situation.” Therefore, it remains challenging for scholars, policymakers, and refugee activists.

In conclusion, the researcher calls on the Japanese government to meet its international obligations and address social insecurity and hazards by acting according to the “3 P’s”: Partnership, Prevention, and Prosperity Paradigm. It must urgently promote peace and sustainable development projects, i.e., prosecuting cases of refoulement, human trafficking, and crimes against human rights. They protect victims with dignity by fighting modern slavery and preventing exploitation and discrimination, especially by offering and facilitating creative solutions. At the same time, all member states are urged to avoid all kinds of conflicts and wars, not only within their states but also with their neighboring states worldwide.

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