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# Criminalization of Undocumented Migrants in Asia: Securitization of Migration and Institutional Exclusion

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## Abstract

Based on an analysis of government statistical data and interviews and from the perspective of sending and receiving countries' policies, this paper reveals that the criminalization of migrants without residency status is developing in Asia while expanding transnational labor migration in the region. The securitization of migration is progressing globally, in which migrants are treated as a security risk or threat by the more powerful host states. Asian countries are not immune to this global trend. Japan and Taiwan have been using workers from the Global South, such as Vietnam, to cope with challenges such as aging populations and labor shortages amid Vietnam sending its nations abroad as migrant workers with the “labor export” (xuất khẩu lao động) policy. At the same time, the host countries categorize undocumented migrants as “criminals,” posing a threat to public safety, arresting, detaining, and deporting them. In this process of criminalizing migrants without residency status, the host governments name the migrants who flee from their employers and whose residency status becomes undocumented as “disappeared” migrant worker and holds the migrants solely responsible for their actions.

**Keywords:** securitization of migration, criminalization of undocumented migrants, transnational labor migration, Taiwan, Vietnam, Japan

## 1. Introduction

Although the movement of people across borders is expanding with the advance of globalization, migration can also be linked to the context of security and crime. Scholars indicate that this social phenomenon is the securitization of migration (Ibrahim, 2005).

The concept of securitization was conceived by researchers at the Copenhagen Peace Research Institute (COPRI) (Simizu, 2013). Wæver (1995) regards security as a speech act and argues that the elite discourse makes certain matters subject to security, giving the right to take all measures to block them. Thus, if the elite defines a particular matter as a security issue, it becomes a security issue (i.e., it becomes securitized). What security refers to is not determined from the beginning but through a process of the discursive construction—securitization—of specific security threats in the state and society. Furthermore, Wæver (1995) explains that environmental and social issues have also been subject to securitization. Migration has also become securitized and, hence, a social issue (Ibrahim, 2005). During the Cold War era, security focused on war and external threats to the state. Since the end of the Cold War, with the globalization of markets and

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modes of production, the security perspective has shifted from the state to the individual. This has led to a broadening of human security and expanding security issues. In this context, the securitization of migration has arisen because migrants are seen as a threat to the population of the host society. Instead of helping migrants, it has increased their vulnerability (Ibrahim, 2005).

With the aim of better understanding this global trend, the current paper argues that starting in the 2000s, gender, generation, and class became intertwined in the Asian region, with countries in the Global North, such as Japan and Taiwan, mobilizing temporary migrant workers from the Global South, such as Vietnam, into low-wage sectors; all the while, the host countries have intensified the exclusion of migrants without proper documentation status, defining them as criminals and security issues.

In the case of Japan, although the Japanese government has ostensibly claimed that it would not accept “unskilled workers,” it has accepted technical intern trainees and other migrant workers, placing them in jobs in low-wage sectors. At the same time, the Japanese government has been arresting, detaining, and repatriating migrants without residence status because of its policies including the security policy for the 2020 Tokyo Olympic and Paralympic Games. In the run-up to the Olympics, the Japanese government aimed to mobilize technical intern trainees to construction sector to respond to construction demand related to the Olympics (Ministry of Land, Infrastructure, Transport and Tourism, 2014) while thoroughly removing migrants who did not have resident status.

Instead of playing the “hide-and-seek” game like Japan, the Taiwanese government has been mobilizing migrant workers from Southeast Asian countries as a response to the country’s labor shortage. Like technical intern trainees, migrant workers have limited rights, such as not having the freedom to change jobs or the ability to settle in Taiwan. However, migrant workers have become an indispensable part of Taiwan’s production sector, such as in the manufacturing industry, and the care sector, such as in elderly care. At the same time, the Taiwanese government is cracking down on migrants without residence status, as in Japan, and subjecting them to detention, fines, and repatriation.

The number of migrants without status was around 11.4 million in the US in 2018 (Baker, 2021) and 3.9–4.8 million in the EU in 2017 (Connor and Passel, 2019), while Japan and Taiwan each have less than 100,000. However, the Japanese and Taiwanese governments are still moving forward with removing migrant workers without residence status and are on the verge of reducing the number of migrant workers without residence status.

Despite this situation, the Vietnamese government regards sending migrant workers from its own country as a “labor export” and the destination country as a “market.” In this context, the Vietnamese government is more interested in evaluating Vietnamese workers through the lens of the host country than in protecting its workers and supporting the exclusion of migrant workers without status.

With understanding the social context, this paper will show that the development of the “mobilization and exclusion” of temporary migrant workers from the Global South in the Asian region has encouraged the “criminalization” of migrants without residence status who are strongly linked to the migration and security policies of their host governments.

## 2. Migration from Vietnam

To determine what kind of institutional and structural factors are responsible for the current migrant labor movement from Vietnam, I first explore the historical background.

After a long war on the Indochina Peninsula, the South Vietnamese government in Saigon (then present-day Ho Chi Minh City) was defeated by North Vietnam in 1975, and the current Socialist Republic of Vietnam, led by North Vietnam, was established in 1976. At the same time, Vietnam became isolated from the international community because of its invasion of Cambodia in 1978 and the Sino-Vietnamese War in 1979. The embargo imposed by the US on Vietnam prevented the country from receiving aid from international organizations, and imports of consumer goods were limited, resulting in extreme poverty among the Vietnamese people. As a result, most of the country’s diplomatic relations were limited to those with Eastern countries, mainly the former Soviet Union.

With the international situation surrounding Vietnam after the war, the Vietnamese government began to send workers to

COMECON (Council for Mutual Economic Assistance) countries in the 1980s. Initially, labor cooperation agreements were used to send workers to COMECON (Council for Mutual Economic Assistance) countries, mainly the former Soviet Union (Choi, 2010; Dang, 2008; Ishizuka, 2012). Ishizuka (2012) points out that the purpose of sending workers to Eastern countries was “nominally to improve the skills of Vietnamese workers,” but more practically, it was to solve the labor shortage in the host countries, to create jobs for Vietnamese workers, and to partially repay Vietnam’s debt to these host countries. In the Soviet Union and Eastern Europe at the time, there was a shortage of labor (Ishizuka, 2012).

As a result of the reform and opening-up policy adopted at the Sixth Congress of the Communist Party of Vietnam (CPPCC) in 1986, Vietnam maintained its socialist system with a one-party dictatorship while introducing a market economy and opening its doors to foreign investment.

The resumption of Japan’s Official Development Assistance (ODA) to Vietnam in 1992, the establishment of diplomatic relations with the United States in 1995, and Vietnam’s official membership in the Association of Southeast Asian Nations (ASEAN) all contributed to the country’s expansion of external relations.

After that, Taiwan, Japan, and South Korea became a destination for Vietnamese laborers (Ishizuka, 2012). Vietnam began to send migrant workers under the “labor export” (xuất khẩu lao động) policy. The number of workers sent from Vietnam under the contract was more than 80,000 per year. Today, more than 600,000 migrant workers from Vietnam work on contract in 50 countries and territories worldwide (VnExpress, 2022). Moreover, the Vietnamese government, which created Vietnam’s plan for the years 2017 to 2020, has aimed to send 100,000–120,000 workers per year to work abroad via official routes; of these, 80% have been trained (Vietnamese Government, 2009).

The Vietnamese government promotes the xuất khẩu lao động (labor export) policy because it expects that increasing the number of migrant workers will create employment opportunities, combat unemployment, and generate additional income for low-income households in rural areas. The Vietnamese government also expects to secure remittances from Vietnamese workers working abroad. According to the World Bank, remittances to Vietnam totaled US\$17 billion in 2019, representing 6.5% of Vietnam’s gross domestic product (GDP) (Tài chính, 2020).

The Vietnamese government’s labor migration policy is also related to its policies for poverty reduction. In Decision 71/2009/QĐ-TTĐ, the Vietnamese government aimed to improve labor quality and increase the number of workers in poor districts by sending out migrant workers. Expressly, the plan stipulated the following:

- Period 2009–2010: Vietnam will send 10,000 laborers from poor districts to work abroad, of which about 80% belonged to poor households and ethnic minority households; about 70% of laborers will receive vocational training; this will contribute to the reduction of 8,000 poor households.
- Period 2011–2015: Vietnam will send 50,000 laborers from poor districts to work abroad, of which about 90% of laborers will belong to poor households and ethnic minority households; about 80% of laborers will be trained in vocational training, contributing to the reduction of 45,000 poor households (15.6% reduction in the number of poor households in 61 poor districts).
- Period 2016–2020: There will be an increase of 15% in the total number of people going to work abroad compared with the period of 2011–2015, of which about 95% of the workers will belong to poor households and ethnic minority households, contributing to a reduction of about 19% poor households in 61 poor districts. (Vietnamese Government, 2009)

In addition, to support the realization of labor migration among the poor, support measures such as tuition fees, educational materials, and living expenses during the predeparture training period were included (Vietnamese Government, 2009).

As a result of the policy and expansion of the migration industry, in 2019, 147,387 Vietnamese workers went abroad under some form of contract. Regarding the destinations, Japan was the top destination and mobilized 80,002 Vietnamese workers. Taiwan follows Japan regarding the number of workers taken in at 54,480 Vietnamese workers (Viet Nam Government Portal, 2020). Thus, more than 134,480 Vietnamese came to these two countries alone.

In the transition of Vietnamese migrant workers to date, what is noteworthy is the increasing number of female migrant workers. The percentage of women in the total number of regular migrant workers sent out increased from 28.8% in 2000 to 36% in 2011. In the Philippines and Indonesia—the primary sending countries for migrant workers in the Southeast Asian region—the number of female migrant workers ranged from 62% to 75% of all workers, while Vietnam’s ratio was not as high. However, the proportion of women has been increasing and become non-negligible, pointing to the “feminization of migration” seen in other Southeast Asia (Bowen and Huong, 2012).

Migrant labor from Vietnam has mostly been considered in the unskilled sector, but recently, a project to send out candidates for nurses and care workers based on the Economic Partnership Agreement (EPA, effective October 1, 2009) between Japan and Vietnam has been launched. As in the case of candidates from Indonesia and the Philippines, Vietnamese who already have nursing qualifications will become candidates and work and train in Japan while aiming to pass the national examinations for nurses and care workers. In 2013, a project to send nurses to Germany was also launched. Because of the growing demand for elderly care in Germany and shortage of human resources, Germany will provide German language and geriatric nursing training to Vietnamese nurses (Sunai, 2013).

Because of the COVID-19 pandemic, sending workers from Vietnam decreased by nearly 50% to 70,000 in 2020 (Vietnam+, 2020). However, the policy is essential for the Vietnamese government because of the Vietnamese migrant workers’ economic impact through the remittances sent to their families and communities.

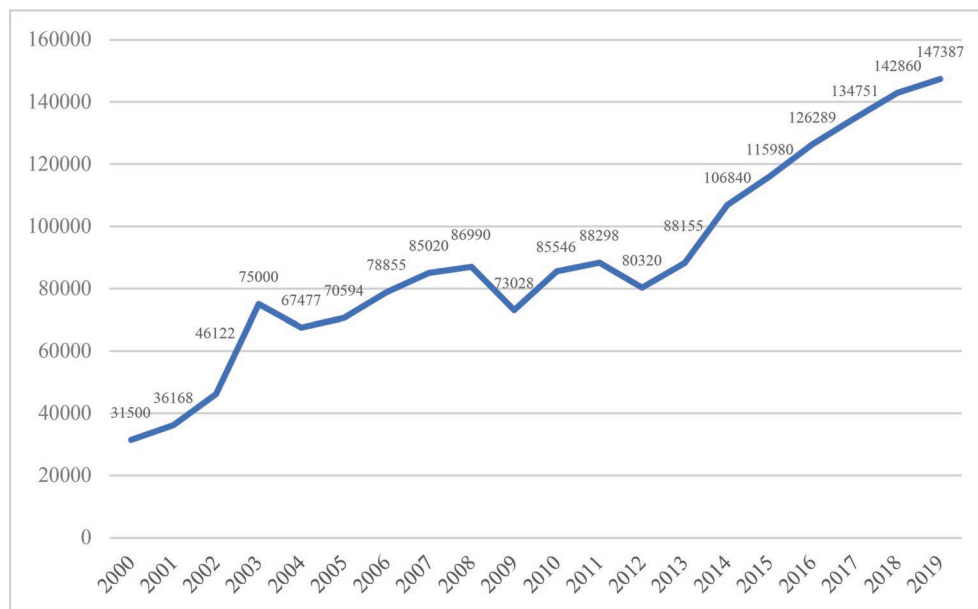


Figure 1. The number of workers sent from Vietnam abroad under contract (unit: person).  
Source: Internal document of the Department of Overseas Labour (DOLAB) of Vietnam, Vietnam Government Portal (2020).

### 3. Undocumented migration from Vietnam

Although the country sends workers abroad via regular channels, some Vietnamese go abroad via irregular channels to various parts of the world. In addition, some workers become undocumented migrant workers in their host countries after running away from their employers. Undocumented migrant workers from Vietnam receive the attention of the media, governments, and society in the host countries. Also, Vietnamese without residency status face various difficulties in the process of migration when doing so through unofficial channels.

For example, in 2019, the bodies of 39 Vietnamese were found in a container truck in the UK. These 39 individuals are believed to have entered Europe by illegal routes through a network of brokers. A female victim’s family paid USD 40,000 for the daughter’s migration to the UK via these brokers. Another woman had experience working in Japan because of the economic difficulties of her family in Ha Tinh Province in the north central part of Vietnam, and

afterwards, she tried to go to Europe, eventually becoming one of the 39 victims. She left a dying message for her family: “I apologize to my parents so much. The path to a foreign country failed. I died because I couldn’t breathe.” This received the attention of both the media and society (Công an, 2019), showcasing the problem of undocumented migration from Vietnam.

It will be necessary to consider the attitude of the Vietnamese government regarding protecting Vietnamese migrants without residency status. As will be discussed later, when the Taiwanese government asked the Vietnamese government to take action against Vietnamese migrants without residency status, the Vietnamese government did not protect its citizens’ rights but instead promised to crack down on Vietnamese individuals without legal residency status.

#### 4. Japan and undocumented migrants

Amid expanding transnational migration worldwide, an increasing number of migrants come to Japan for work, studying, marriage, and reuniting with family. The number of foreign nationals in Japan reached 2,760,635 in 2021 (Immigration Services Agency of Japan, 2022a, Figure 2).

The top five regions of foreign nationals with residency status living in Japan are China, Korea, Vietnam, Brazil, and the Philippines (Figure 3), with many migrants coming from neighboring Asian countries and with Japanese descent. Significantly, in recent years, the number of Vietnamese has increased. As of 2021, the number of Vietnamese people has risen from 52,367 in 2012 to 432,934, ranking second in terms of nationalities/regions (Immigration Services Agency of Japan, Japan 2022).

Looking at the number of foreign nationals by residence status, permanent residents have the highest number, followed by those in the Technical Intern Training program (TITP). The number of individuals placed in technical intern training has expanded from 274,233 in 2017 to 410,972 as of 2019. However, because of movement restrictions to combat COVID-19, the number of technical intern trainees slumped to 378,200 in 2020 and 276,123 in 2021 (Immigration Services Agency of Japan, 2022a; Table 1). Still, because of an aging population and labor shortage, migrant workers, including technical intern trainees, who fall under the banner of the Technical Intern Training Program (TITP), have become an essential part of Japan’s labor force in several industrial sectors.

Apart from foreign nationals, Japan’s demographic situation consists of people from former colonies of imperial Japan or others who have been naturalized as Japanese nationals, the children of international marriages, and Japanese citizens

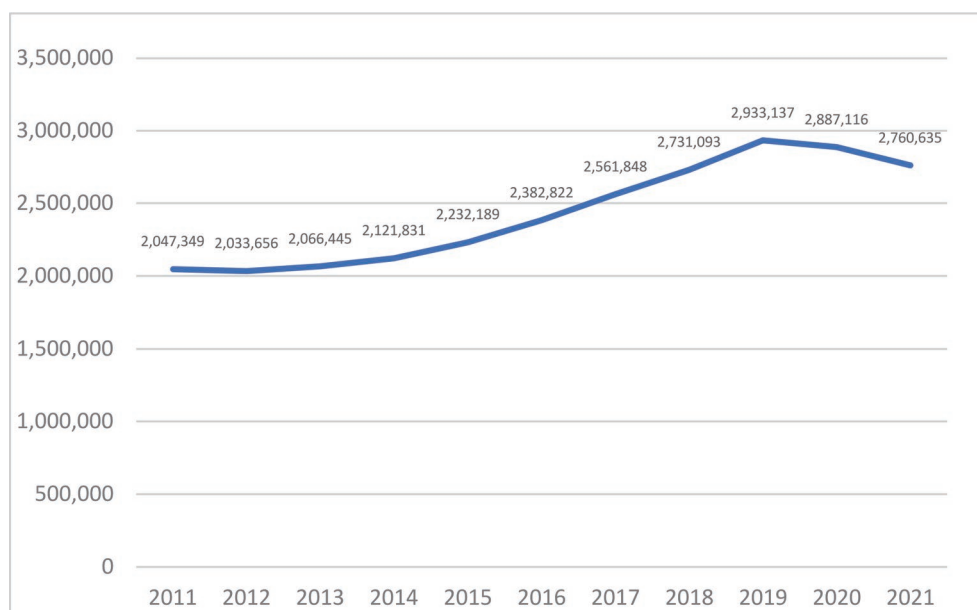


Figure 2. Number of foreign residents with legal status in Japan  
Source: Immigration Services Agency of Japan (2022a).

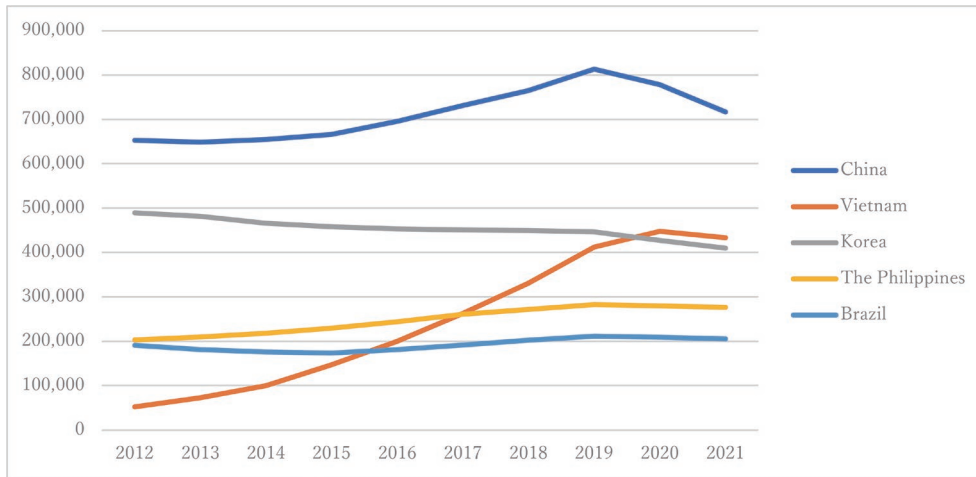


Figure 3. The top five nationalities of foreign residents with legal status in Japan. Source: Immigration Services Agency of Japan (2022a).

Table 1. Number of foreign residents with legal status by residence status

	2017	2018	2019	2020	2021
Permanent Resident	749,191	771,568	793,164	807,517	831,157
Technical Intern Training	274,233	328,360	410,972	378,200	276,123
Engineer/Specialist in Humanities/ International Services	189,273	225,724	271,999	283,380	274,740
Student	311,505	337,000	345,791	280,901	207,830
Long-Term Resident	179,834	192,014	204,787	201,329	198,966
Dependent	166,561	182,452	201,423	196,622	192,184
Spouse or Child of Japanese National	140,839	142,381	145,254	142,735	142,044
Designated Activities	64,776	62,956	65,187	103,422	124,056
Specified Skilled Worker			1,621	15,663	49,666

Source: Immigration Services Agency of Japan (2022a).

who have other origins, such as those from the Ainu and Okinawa. Also, there are stateless people (Abe, 2010). Indeed, Oguma (1995) criticizes the myths of Japanese homogeneity or the monoethnic myths of Japan, showing that many people have overseas roots and different backgrounds.

Also, there are migrants without legal status in Japan. The Japanese government calls those migrants without legal status “illegal residents” (不法残留者 Fuho-Zanryusha/不法滞在者 Fuho-Taizaisha). If a migrant without legal status works, the government also treats them as an “illegal worker” (不法就労者 Fuho-Syurosha). Takaya (2018) traces the changes in the category of migrants without the status of residence in Japan since the 1980s and points out that the category of “illegal residents” (不法滞在者 Fuho-Taizaisha) has become dominant.

According to the Ministry of Justice’s data, the number of migrants without legal status in Japan reached 298,646 in 1993, and after this peak, the number continued to decline because of stricter border control methods and crackdowns by government agencies. In recent years, the number of migrants without residence status has hovered in the 60,000–80,000 range (Figure 4; Table 2).

Looking at those migrants without residency status by nationality, the number of Vietnamese is around 6,700–15,000. This can be attributed to the rapid increase in the number of Vietnamese living in Japan (Table 3). Also, the number of migrants without residency status is mostly short term, followed by those in the TITP (Immigration Services Agency of Japan, 2022b; see Table 4).



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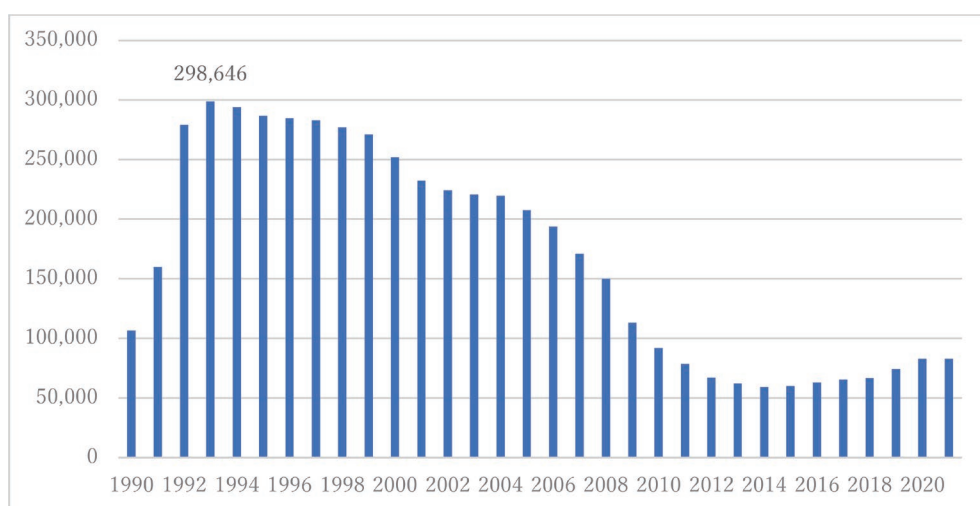


Figure 4. Number of “illegal residents” in Japan

Source: Data from Bureau Immigration, Ministry of Justice of Japan (2005) ; Immigration Services Agency of Japan (2021).

Table 2. Number of migrants without legal residence status in Japan

	2018	2019	2020	2021	2022	Change (%) From January 1, 2021
	As of January 1	As of January 1	As of January 1	As of January 1	As of July 1	
Total	66,498	74,167	82,892	82,868	66,759	-19.4
Men	37,052	42,632	49,098	49,496	39,116	-21.0
Women	29,446	31,535	33,794	33,372	27,643	-17.2

Source: Immigration Services Agency of Japan (2022b).

Table 3. Top five nationalities/regions of migrants without legal residence status in Japan

	2018	2019	2020	2021	2022	Rate of increase/ decrease (%) from January 1, 2021
	As of January 1	As of January 1	As of January 1	As of January 1	As of July 1	
Vietnam	6,760	11,131	15,561	15,689	7,148	-54.4
Men	5,244	8,469	11,740	12,062	5,819	-51.8
Women	1,516	2,662	3,821	3,627	1,329	-63.4
South Korea	12,876	12,766	12,563	12,433	11,631	-6.5
Men	5,091	5,056	4,996	4,920	4,528	-8.0
Women	7,785	7,710	7,567	7,513	7,103	-5.5
China	9,390	10,119	10,902	10,335	7,716	-25.3
Men	5,815	6,331	7,060	6,649	4,902	-26.3
Women	3,575	3,788	3,842	3,686	2,814	-23.7
Thailand	6,768	7,480	8,872	8,691	7,783	-10.4
Men	2,807	3,225	3,930	3,827	3,425	-10.5
Women	3,961	4,255	4,942	4,864	4,358	-10.4
The Philippines	4,933	5,417	6,061	5,761	5,148	-10.6
Men	1,465	1,720	2,127	2,043	1,833	-10.3
Women	3,468	3,697	3,934	3,718	3,315	-10.8

Source: Immigration Services Agency of Japan (2022b).



Table 4. Migrants without legal residence status in Japan per original status of residence

	2018	2019	2020	2021	2022	
Status of residence	(As of January 1)	As of January 1	As of January 1	As of January 1	As of July 1	Change From January 1, 2021(%)
Total	66,498	74,167	82,892	82,868	66,759	-19.4
Short-term stay	44,592	47,399	51,239	50,092	43,266	-13.6
Technical intern	6,914	9,366	12,427	13,079	7,704	-41.1
Designated activities	2,286	4,224	5,688	5,904	5,305	-10.1
Student	4,100	4,708	5,543	5,041	2,436	-51.7
Japanese spouse, etc.	3,092	2,946	2,687	2,608	2,300	-11.8
Others	5,514	5,524	5,308	6,144	5,748	-6.4

Source: Immigration Services Agency of Japan (2022b).

In the late 1980s and beginning of the 1990s, the Japanese government did not focus on controlling undocumented migrants, and many small- and medium-sized companies employed undocumented migrants because of the labor shortage. However, after the 9/11 attacks in 2001, the Japanese government started strict measures to stop terrorists and undocumented migrants (Suzuki, 2009). Torii Ippei of the Solidarity Network with Migrants, which has supported migrant workers for years, said the following in my interview:

*In the past, the police did not clamp down so much on migrants without residency status because it was a problem for small- and medium-sized businesses. This was because they knew that small businesses would be in trouble if they lost undocumented migrant workers amid the labor shortage. However, with the growing acceptance of cheap and easy-to manage technical interns and Japanese descendants, the Japanese government has changed its policy of cracking down migrants without residence status (Torii).*

The Immigration Control Bureau within the Japanese Ministry of Justice started “The Five Years Plan to Halve Illegal Residents” in 2000s. Under this plan, the Japanese government has implemented comprehensive measures based on the three pillars of “Do not allow them to come,” “Do not allow them to enter,” and “Do not allow them to stay” (Table 5). As a result of these measures, the number of undocumented migrants decreased by 48.5%, dropping from 219,418 as of January 2004 to 113,072 by January 2009. The number of illegal entrances decreased from 30,000 (estimated) in January 2004 to 15,000–23,000 (estimated) in January 2009 (Immigration Services Agency of Japan, 2009).

Furthermore, even though the number of undocumented migrants has declined, the government has continued the strict policy against undocumented migrants and accepted “The Creative Strategy of the Safest Country in the World, Japan,” at a Cabinet meeting in 2013 after the Great East Japan Earthquake (magnitude 9.0) and tsunami in 2011 and ahead of the Tokyo Olympics and Paralympic Games, which was initially planned for 2020 (Prime Minister’s Office/Cabinet Secretariat, 2013). In their policy, the government introduced a strategy to handle undocumented migrants and realize a society where people can live together with foreign nationals with a sense of security:

*The Tokyo Olympics will be an occasion to regain self-confidence as “the strong Japan” with reconstruction after the earthquake disaster. With such a perspective, as a premise of success of the Olympics in 2020, it must be realized that creating “the safest country, Japan” where the Japanese people can feel the safe and secure country and the visitors from all the countries of the world share an impression of the Olympics with safety and peace of mind.*

(The Creative Strategy of the Safest Country in the World, Japan, Prime Minister’s Office/ Cabinet Secretariat, 2013)

*The reduction of illegal residents and the construction of a social environment where the Japanese people and foreign nationals can live together with a sense of security are substantial as control of the criminal by foreign nations.* (The Creative Strategy of the Safest Country in the World, Japan, Cabinet Secretariat, 2013)

Table 5. Measures for “The Five Years Plan to Halve Illegal Residents”

“Do not allow them to come” measures	“Do not allow them to enter” measures	“Do not allow them to stay” measures
Implementation of preclearance	Introducing an advanced passenger information system	Establishing a system, promoting intense raids, promoting joint raids in cooperation with police agencies
Implementation of rigorous examination for the Certificate of Eligibility	Implementation of immigration inspections using personal identification information	Active use of Article 65 of the Immigration Act Implementing the departure order system
	Implementation of rigorous landing examinations, including enhanced forensics of forged documents	

Source: Immigration Services Agency of Japan (2009).

This indicates that the control of undocumented residents is one of the Japanese government’s essential security policies to control criminals through crackdowns on migrants and to realize living together with foreign nationals in Japan to secure the safety of the country. Under the policy, the Immigration Services Agency has called on business owners who employ migrants to check the residence cards and report to the authorities those migrants without residence status, while explaining that businesses that allow foreigners to work illegally will also be subject to penalties (Figure 5).

However, many companies still employ undocumented migrants because of the shortage in the labor force; indeed, undocumented migrants are an essential part of the labor force in Japanese industries. The production of undocumented migrants is partially because of the state’s firm policy of criminalizing, marginalizing, and stigmatizing undocumented migrants in the territory while using migrant people as a “cheap” labor force.

Foreign nationals without residency status include technical intern trainees who have fled from their employers. The Japanese government refers to technical intern trainees running away from their companies as a “disappearance,” and when a technical intern trainee runs away from the host company, the host company must submit a “disappearance report” to the government. Technical intern trainees who run away from the company will still be able to keep their visas, but they will not be able to work for any other company, and if they do, they risk arrest, detention, and deportation. The number of “disappeared” technical intern trainees increased from 2,005 in 2012 to 9,052 in 2018 (Figure 6). However, the overall number of technical intern trainees has been increasing, and the percentage of disappeared technical interns among the total number of technical interns from 2014 to 2018 has remained steady, at around 2% (Immigration Services Agency of Japan, 2019) (Table 6). Although the Japanese government treats the disappearance of technical intern trainees as a security issue, the actual rate of disappearance of technical intern trainees has remained low.

In particular, the Japanese government is concerned about the escape of Vietnamese technical interns. In its documents, the Japanese embassy in Vietnam explains that the number of undocumented migrants, disappearances, and arrests for criminal offenses is higher for Vietnamese people, pointing out that disappearances are behind this (Embassy of Japan in Vietnam, 2020). However, the embassy’s data do not sufficiently examine the background of why Vietnamese technical interns are forced to abandon their status of residence, housing, and jobs. As a result, it disseminates an image that links disappearances, illegal residency, and crime with the Vietnamese people.

After COVID-19, many Vietnamese were not sent back to Vietnam, and others lost their jobs or had reduced working

hours (Sunai, 2021). In this situation, the Japanese media covered the crimes committed by Vietnamese residents, and in December 2020, the Japanese police called for Vietnamese to stop engaging in criminal activities, even though most Vietnamese were merely facing economic challenges and did not commit any crimes (Nippon Television Network, 2020).

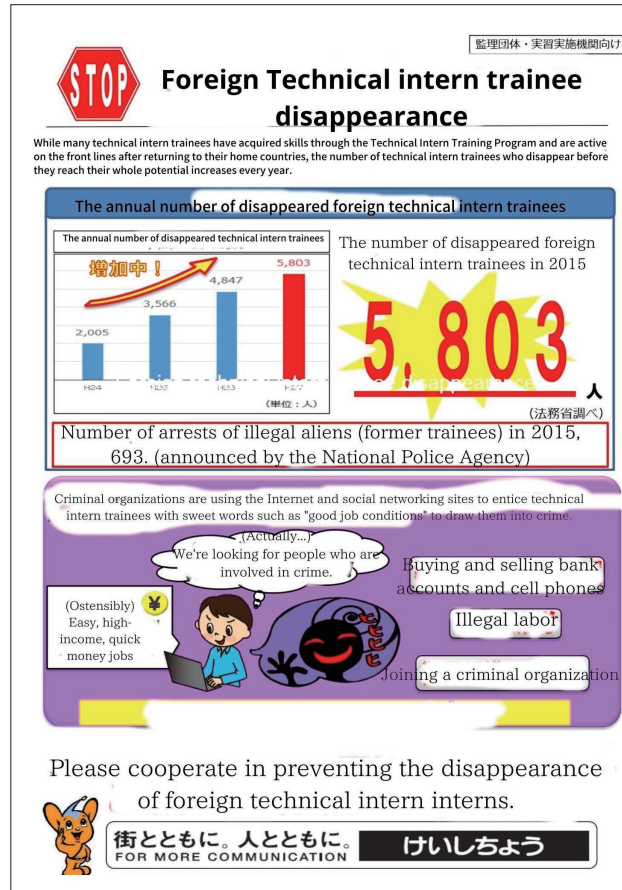


Figure 5. National Police Agency's poster for supervising organizations and employers warning about the disappearance of technical intern trainees (translated to English by the author).

Source: National Police Agency via the Japan International Training Cooperation Organization (JITCO) website.

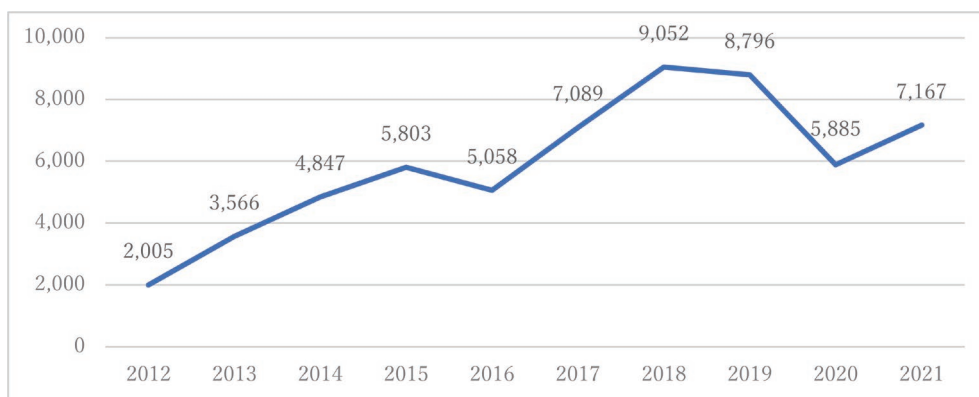


Figure 6. Total number of disappeared technical intern trainees  
Source: Ministry of Justice (2018).

Table 6. Number of “disappeared” technical intern trainees

	1) Number of disappeared technical intern trainees	2) Total number of technical intern trainees in residence at the end of the previous year and newly arrived technical intern trainees who entered the country in the current year	3) Ratio of 2 to 1
2014	4,847	237,739	Around 2%
2015	5,803	264,630	Around 2.2%
2016	5,058	298,786	Around 1.7%
2017	7,089	356,276	Around 2%
2018	9,052	424,394	Around 2.1%

Source: Immigration Services Agency of Japan (2019).

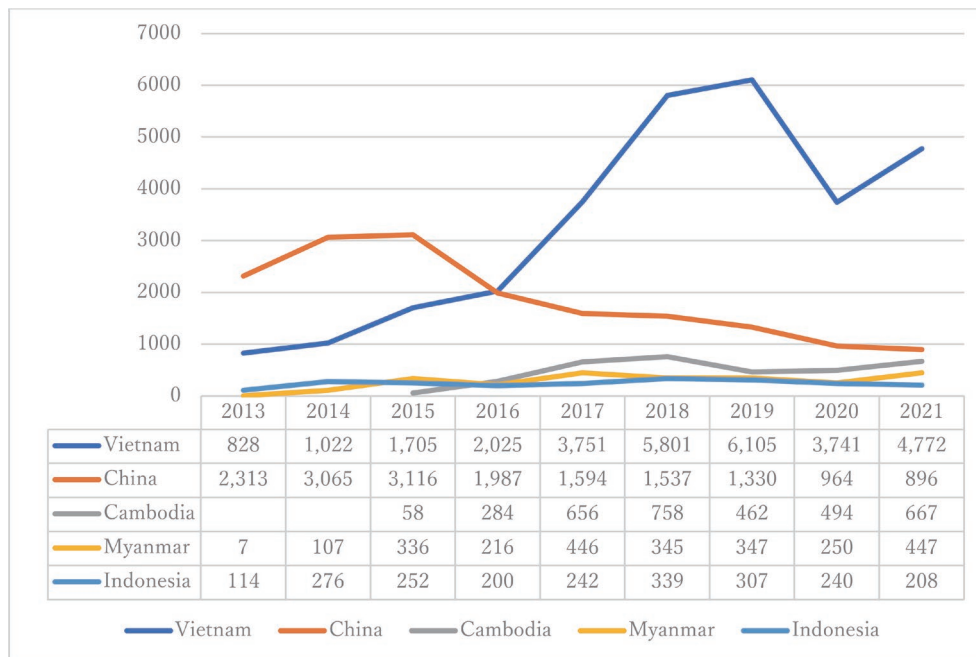


Figure 7. Number of disappeared technical intern trainees per nationality

Source: Ministry of Justice of Japan (2018).

## 5. Taiwan and undocumented migrants

In 1992, the Taiwanese government enacted the Employment Service Act and began in earnest to implement measures to legally accept migrant workers, or 外籍勞工 (*wàiji láogōng*).

Tseng and Wang (2013) point out that Taiwan’s system for accepting 外籍勞工 (*wàiji láogōng*) is classified as a “guest worker” system and that migrant workers are only “guests” and have no way of obtaining citizenship in Taiwan. The term 外籍勞工 (*wàiji láogōng*) does not refer merely to all migrant workers in general. According to One-Forty (2022), workers can be divided into white-collar (*báilǐng*, 白領) and blue-collar (*lánlǐng*, 藍領) workers, and 外籍勞工 (*wàiji láogōng*) are classified as blue-collar (*lánlǐng*, 藍領) workers. Also, 外籍勞工 (*wàiji láogōng*) are not free to change jobs or bring their families with them and are temporary residents who are expected to return home. In Taiwan, migrant workers can work for more than 10 years by renewing their contracts. However, even if they work in Taiwan for an extended period, they cannot apply for permanent residency. At the same time, migrant workers are only allowed to work in specific jobs that are approved by the Taiwanese government. In Taiwan, the term 移工 (*yí gōng*, migrant workers) is also used to refer to unskilled migrant workers (One-Forty, 2022).

The number of migrant workers in Taiwan has continued to grow and reached to 718,058 in the end of 2019. Of these, 391,113 are female migrant workers, exceeding that of the 326,945 male migrant workers. Historically, the number of

female migrant workers has always exceeded that of male migrant workers, which has become a major trend of Taiwan’s migrant workers (Ministry of Labor, Republic of China (Taiwan), 2020; see Figure 8). Furthermore, looking at the statistics of migrant workers by nationality, Taiwan has mainly accepted workers from Southeast Asian countries.

The majority of migrant workers are from Southeast Asian countries such as Indonesia, Vietnam, the Philippines, and Thailand (Ministry of Labor, Republic of China (Taiwan), 2022; see Table 7).

The Taiwanese government accepts the following two main categories of 外籍劳工/移工 (foreign workers/migrant workers): “産業移工/industrial migrant workers” and “社福移工/social welfare migrant workers” (One-Forty, 2022).

Industrial migrants include migrant workers in sectors such as construction, manufacturing, and fishing. Social welfare migrants include migrant workers engaged in domestic work at home, domestic care work at home, and institutional care work (Table 8). The number of industrial migrants increased from 195,709 in 2007 to 443,104 in 2022. Despite their constant movement, the number of industrial migrant workers has steadily grown. In addition, the number of social welfare workers has increased from 162,228 in 2007 to 226,888 in 2022 (Ministry of Labor, Republic of China (Taiwan) 2020; see Figure 9).

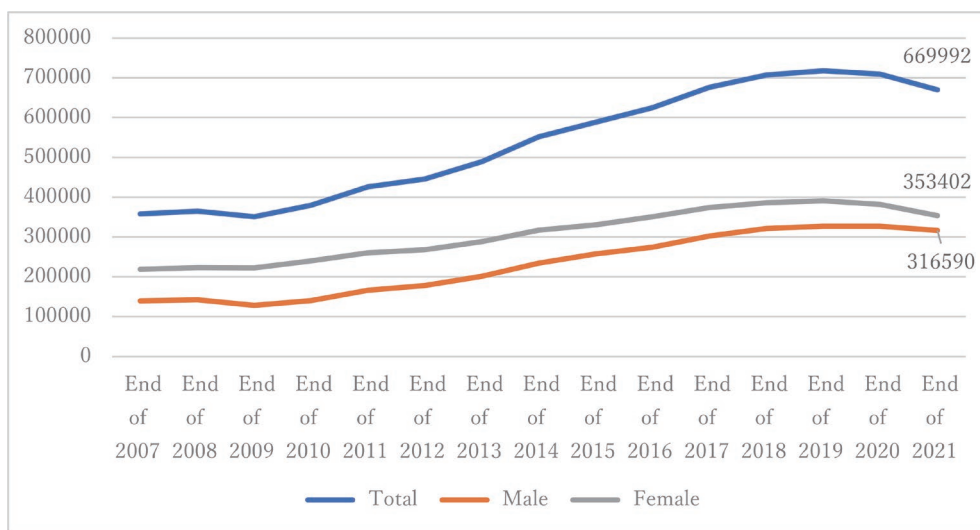


Figure 8. Number of 外籍劳工 (wàiji láogōng) in Taiwan  
Source: Ministry of Labor of the Republic of China (Taiwan) (2022).

Table 7. Number of migrant workers in Taiwan per nationality

	Indonesia			Philippines			Thailand			Vietnam			Others		
	Total	Male	Female	Total	Male	Female	Total	Male	Female	Total	Male	Female	Total	Male	Female
2007	115490	12845	102645	86423	29079	57344	86948	73057	13891	69043	24031	45012	33	18	15
2008	127764	15373	112391	80636	28035	52601	75584	64015	11569	81060	34568	46492	16	12	4
2009	139404	17016	122388	72077	24596	47481	61432	52031	9401	78093	34949	43144	10	10	0
2010	156332	19706	136626	77538	26296	51242	65742	55647	10095	80030	38462	41568	11	10	1
2011	175409	24975	150434	82841	29154	53687	71763	60734	11029	95643	50790	44853	4	3	1
2012	191127	30676	160451	86786	32754	54032	67611	56891	10720	100050	57554	42496	5	3	2
2013	213234	41573	171661	89024	33843	55181	61709	51234	10475	125162	74310	50852	5	3	2
2014	229491	49737	179754	111533	40734	70799	59933	49528	10405	150632	94302	56330	7	3	4
2015	236526	53743	182783	123058	44791	78267	58372	48503	9869	169981	110288	59693	3	1	2
2016	245180	56061	189119	135797	48876	86921	58869	48903	9966	184920	120468	64452	2	1	1
2017	258084	61082	197002	148786	56023	92763	61176	50739	10437	208095	134323	73772	1	1	0
2018	268576	65244	203332	154209	59967	94242	60764	50479	10285	223300	145571	77729	1	1	0
2019	276411	68421	207990	157487	62276	95211	59445	49407	10038	224713	146840	77873	2	1	1
2020	263358	64810	198548	150786	59194	91592	58135	48501	9634	236835	154582	82253	9	8	1
2021	237168	58755	178413	141808	56103	85705	56954	47579	9375	234054	154146	79908	8	7	1

Source: Ministry of Labor of the Republic of China (Taiwan) (2022).

Table 8. The categories of migrant workers in Taiwan

外籍勞工 (wàiji láogōng, foreign workers)		
移工 (yí gōng, migrant workers)		
Main category	產業移工 (industrial migrant workers)	社福移工 (social welfare migrant workers)
Job sector	Construction Manufacturing Fishing	Domestic work (live-in) Domestic patient care (live-in) Institutional care

Source: One-Forty (2018).

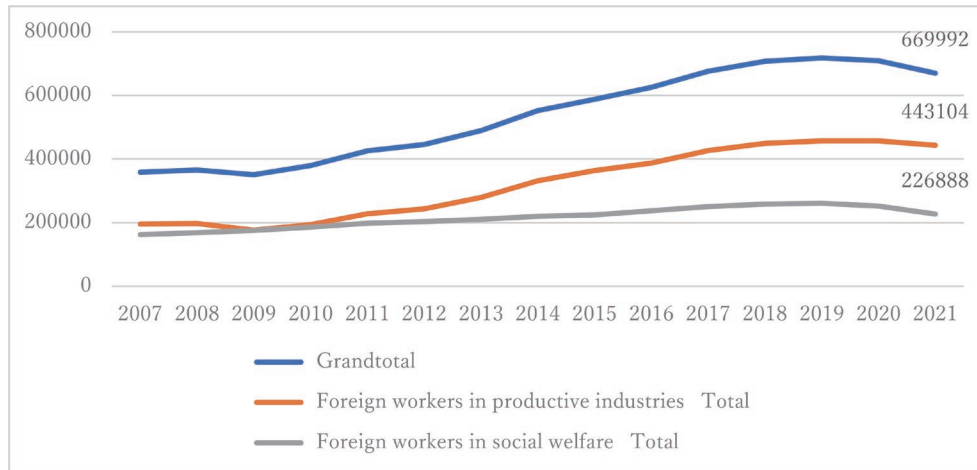


Figure 9. Number of migrant workers in the two main categories  
Source: Ministry of Labor of the Republic of China (Taiwan) (2022).

Looking at the industrial sector by nationality as of 2021, Vietnamese topped the list with 205,159 workers, followed by Filipino, Indonesian, and Thai workers. Initially, the number of Thai nationals was high, but the number of Thai nationals has decreased, indicating that Vietnamese and Filipino nationals are being accepted more often (Figure 10). In this sense, industrial transplants are dominated by males from Southeast Asian countries (Ministry of Labor, Republic of China (Taiwan) 2020) (Figure 10).

Also, looking at social welfare transplants by nationality, as of 2021, Indonesians have accounted for most of the social welfare transplants, reaching 171,515. Many social welfare workers are women; thus, social welfare workers are highly gendered and characterized by women from Southeast Asia (Ministry of Labor, Republic of China (Taiwan), 2020) (Figures 11).

Although Taiwan has accepted many migrant workers, the protection of these migrant workers' rights has not been sufficient. For example, in 2005, 1,728 Thai workers working on a subway project rioted, claiming that they were being treated inhumanely (Japan Institute for Labour Policy and Training, 2005a). The treatment of migrant domestic workers is also riddled with problems, with live-in domestic and care workers subjected to long working hours, low wages, and harassment (Sunai 2017).

In Taiwan, as in Japan, some migrant workers flee from their employers, and these disappeared migrant workers are treated as a "social problem" and are subjected to crackdowns by security authorities (Ministry of Labor, Republic of China (Taiwan), 2020) (Table 9).

The Taiwanese government's measures against migrant workers without residency status are not limited to crackdowns and pressure on sending countries. The Taiwanese government has introduced the Overstayers Voluntary Departure Program, a policy that encourages migrant workers without residency status to return home voluntarily (Focus Taiwan, 2019; see Figure 12). In Taiwan, when migrant workers without status return home, they are subjected to penalties, such as the payment of fines, repatriation, and prohibition of re-entry for a certain period. Under the voluntary departure



program, these penalties are reduced or exempted. However, to be eligible for this program, migrant workers without legal status must be willing to “return” to their home country.

As a preventive measure against the spread of COVID-19, the Taiwanese government has implemented the aforementioned “Expanded Overstayers Voluntary Departure Program” for migrant workers (National Immigration Agency, 2020).

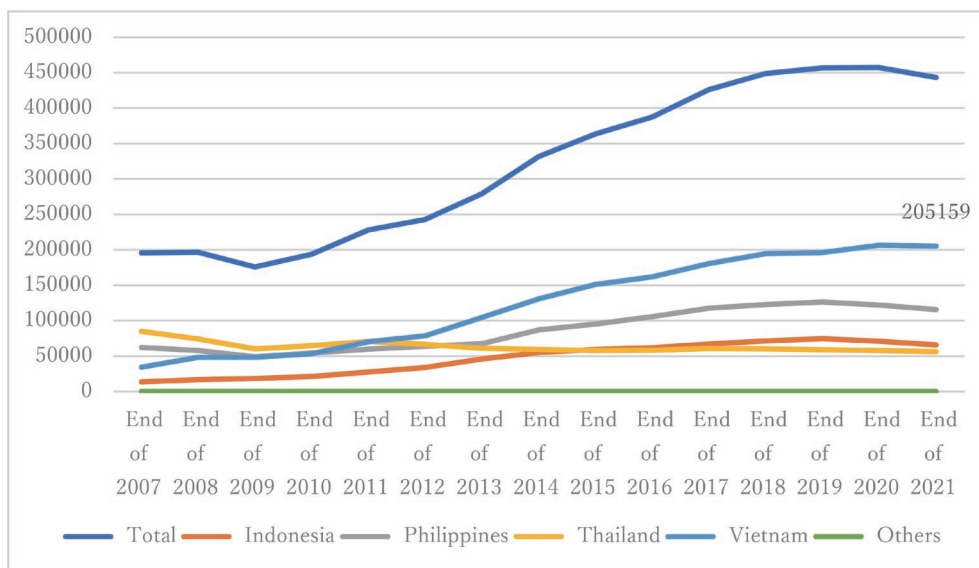


Figure 10. Industrial migrant workers in Taiwan per nationality  
Source: Ministry of Labor of the Republic of China (Taiwan) (2022).

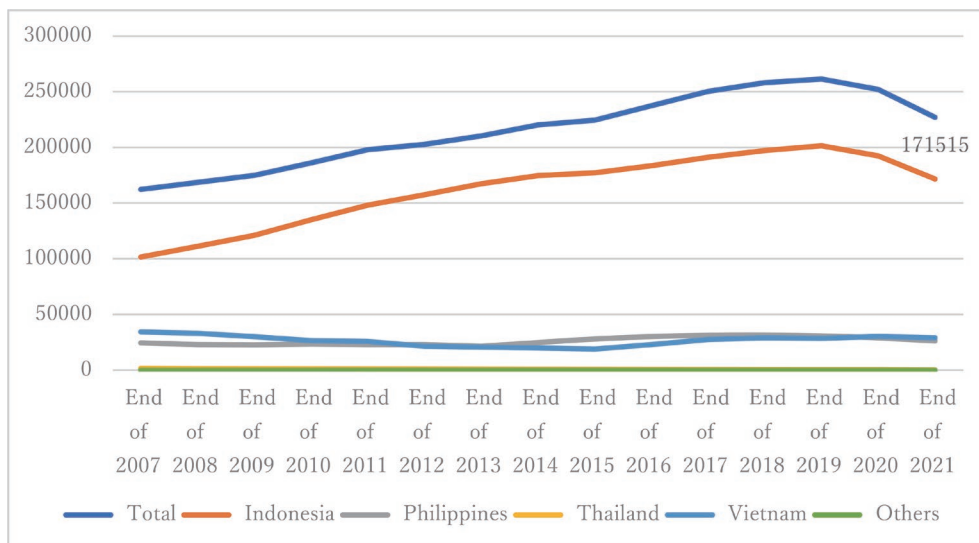


Figure 11. Social welfare migrant workers per nationality  
Source: Ministry of Labor of the Republic of China (Taiwan) (2022).



Table 9. Missing Status of Foreign Workers in Productive Industries and Social Welfare in Taiwan

	Grand total		Indonesia		Philippines		Thailand		Vietnam		Others	
	Persons	Rate	Persons	Rate	Persons	Rate	Persons	Rate	Persons	Rate	Persons	Rate
2008	11105	3.01	5506	4.44	643	0.76	680	0.82	4275	5.6	1	4.6
2009	10743	3.1	4672	3.47	552	0.79	381	0.6	5138	6.6	0	0
2010	14147	3.85	6484	4.34	662	0.87	411	0.64	6590	8.36	0	0
2011	16320	4.02	7984	4.77	790	0.98	561	0.8	6985	7.93	0	0
2012	17579	4.01	7969	4.31	675	0.79	468	0.66	8467	8.66	0	0
2013	19471	4.19	9759	4.79	685	0.79	289	0.46	8738	7.82	0	0
2014	17311	3.34	8594	3.88	562	0.56	286	0.48	7868	5.77	1	14.81
2015	23149	4.02	9569	4.05	685	0.58	277	0.47	12618	7.79	0	0
2016	21708	3.59	8833	3.68	547	0.42	274	0.47	12054	6.86	0	0
2017	18209	2.78	7391	2.91	536	0.37	226	0.37	10056	5.12	0	0
2018	17925	2.59	7564	2.88	621	0.41	304	0.5	9436	4.38	0	0
2019	17776	2.5	7564	2.78	487	0.31	251	0.42	9474	4.26	0	0
2020	19324	2.73	6914	2.55	443	0.29	350	0.61	11617	5.19	0	0
2021	20660	2.96	5104	2.04	335	0.23	465	0.8	14756	6.08	0	0
July	1770	0.25	336	0.13	26	0.02	36	0.06	1372	0.56	0	0
Aug.	1968	0.28	451	0.18	20	0.01	40	0.07	1457	0.6	0	0
Sept.	2030	0.29	504	0.2	40	0.03	39	0.07	1447	0.6	0	0
Oct.	1924	0.28	437	0.18	32	0.02	41	0.07	1414	0.59	0	0
Nov.	1936	0.29	364	0.15	28	0.02	38	0.07	1506	0.63	0	0
Dec.	1817	0.27	352	0.15	30	0.02	39	0.07	1396	0.59	0	0
2022	24948	3.71	2932	1.24	227	0.16	382	0.63	21407	9.16	0	0
Jan.	1983	0.3	339	0.14	27	0.02	30	0.05	1587	0.68	0	0
Feb.	2660	0.4	345	0.15	19	0.01	51	0.09	2245	0.97	0	0
Mar.	3987	0.6	538	0.23	39	0.03	51	0.09	3359	1.47	0	0
Apr.	4266	0.64	400	0.17	44	0.03	43	0.07	3779	1.65	0	0
May	3196	0.48	507	0.22	23	0.02	63	0.1	2603	1.12	0	0
June	4938	0.72	471	0.2	34	0.02	71	0.11	4362	1.84	0	0
July	3918	0.57	332	0.14	41	0.03	73	0.11	3472	1.44	0	0
Number of the uncaptured	72655		26479		2534		1411		42230		1	

Source: National Immigration Agency (2022).

Figure 12. Poster for the Overstayers Voluntary Departure Program

Source: National Immigration Agency of Taiwan, via the Pingtung County Police Bureau website.

## 6. Disappeared migrant workers

In Japan, technical intern trainees who run away from their employers are called “失踪者・失踪技能実習生/disappeared trainees,” and the action by technical intern trainees running away from their companies is called “失踪/disappearances.” In Taiwan, migrant workers who have fled from their employers are also known as “失聯移工/disappeared migrant workers”

Such naming of “disappearance” places the blame solely on the migrant worker for running away from his or her employer and having his or her status of residence illegalized.

In Taiwan and Japan, there are many cases of undocumented migration, in which migrants enter the country with regular status and then flee from their employers, resulting in their status becoming illegal. Although residency status is important for migrants, a paradox exists in Japan and Taiwan, where regular migrants dare to abandon their residency status and engage in undocumented migration. If this is the case, then the governments of the host countries need to investigate the background of why migrant workers are illegalizing their status of residence, despite the risk of arrest and deportation. However, rather than examining the difficulties faced by migrant workers, the governments of Japan and Taiwan have instead labeled the act of migrant workers fleeing their employers as “disappearances,” thereby placing the responsibility for the irregular status on the migrants and treating them as a threat to public safety. As Wæver (1995) says, this discourse construction by the governments encourages the securitization of migration and, by extension, the criminalization of migrants without residency status.

In addition, in criminalizing migrants without residency status, the host country may ask the sending country’s government to collaborate in policing the situation. At the same time, the sending government does not protect its citizens but rather follows the host government and cooperates in policing undocumented migrants.

For example, in August 2002, the Taiwanese government suspended the acceptance of Indonesian workers, citing the high number of disappearances and inadequate management of the Indonesian Human Resources Department in helping find these disappearances. The Taiwanese government also pressured the Vietnamese government to stop accepting Vietnamese workers unless it arrested the disappeared Vietnamese workers by the end of 2004. In response, the Vietnamese government ordered 100 intermediary companies to search for Vietnamese disappeared workers who were believed to be living in Taiwan (Japan Institute for Labour Policy and Training, 2005b). However, the Taiwanese government later froze the acceptance of Vietnamese domestic workers in 2005 (Ishizuka, 2013).

There are various reasons why migrant workers leave their employers. However, before considering these complex backgrounds, the Taiwanese government asked the sending country to take care of those disappeared migrant workers. Taiwan also said that if the sending country did not control the situation, Taiwan would stop accepting migrant workers from Vietnam. In this sense, the issue of disappearance is not limited to Taiwan, but it has also become an issue affecting the sending countries’ sending policies, even becoming a diplomatic issue.

## 7. Conclusion

The current article has shown that Japan and Taiwan have made progress in removing migrant workers without status while promoting the exploitative use of migrant workers from the Global South, such as Vietnam.

Japan and Taiwan have been cracking down on migrants without status as part of their security policies but have done so without thoroughly investigating why migrants choose to migrate irregularly.

Undocumented migrants continue contributing to Japan’s and Taiwan’s production and care sectors after fleeing as employers hire undocumented migrants as cheap labor. Still, the Japanese and Taiwanese governments ignore the contribution of undocumented migrants. The industrial and care sectors and citizens of the countries that benefit from them can also escape responsibility for the problem by blaming undocumented migration solely on migrants.

However, this paper only makes descriptive remarks. It fails to provide a theoretical framework for the social situation in which the criminalization of undocumented migrants and the mobilization of migrant workers from the Global South

coincide in these Asian regions. There is room to introduce a theoretical framework and use methods of policy analysis to develop a discussion of the securitization of migrants in Asia.

## References

- Abe, Kohki, 2010, Overview of statelessness: International and Japanese context. Tokyo: UNHCR.
- Baker, Bryan, 2021, Estimates of the unauthorized immigrant population residing in the United States: January 2015–January 2018 (DHS report). Washington, DC: U.S. Department of Homeland Security, Office of Immigration Statistics.
- Bowen, Ruth and Huong, Do Van, 2012, Women in international labour migration from Viet Nam: A situation analysis. UN Women Viet Nam and Department of Overseas Labour, Ministry of Labour, Invalids and Social Affairs, Viet Nam.
- Bureau Immigration, Ministry of Justice of Japan, 2005, Immigration control. [<https://www.moj.go.jp/isa/content/930002488.pdf>] (Accessed August 31, 2022).
- Choi, Horim, 2010, Vietnamese labor migration to South Korea: Government policies, social capital, labor exporting agencies, and chain migration. *Japanese Journal of Southeast Asian Studies* 48 (3), pp.242–264.
- Công an, 2019, Vụ 39 người chết trong container ở Anh: “Họ nói đây là con đường an toàn.” [[https://congan.com.vn/quoc-te/cha-cua-co-gai-nguoi-viet-bon-buon-nguoi-noi-day-la-con-duong-an-toan\\_82083.html](https://congan.com.vn/quoc-te/cha-cua-co-gai-nguoi-viet-bon-buon-nguoi-noi-day-la-con-duong-an-toan_82083.html)] (Accessed August 31, 2022).
- Connor, Phillip and Passel, Jeffrey, 2019, Europe’s unauthorized immigrant population peaks in 2016, then levels off. Pew Research Center. [<https://www.pewresearch.org/global/2019/11/13/europes-unauthorized-immigrant-population-peaks-in-2016-then-levels-off/>](Accessed August 31, 2022).
- Dang, Nguyen Anh, 2008, Labour migration from Viet Nam: Issues of policy and practice. ILO Working Papers. International Labour Organization.
- Embassy of Japan in Vietnam, 2020, Points to keep in mind concerning the acceptance of Vietnamese technical intern trainees. [<https://www.vn.emb-japan.go.jp/files/100079870.pdf>] (Accessed August 31, 2022).
- Focus Taiwan, 2019, 2,300 overstayers surrender since amnesty program started Jan. 1. [<https://focustaiwan.tw/society/201901240007>] (Accessed August 31, 2022).
- Ibrahim, Maggie, 2005, The securitization of migration: A racial discourse. *International Migration* 43 (5), pp.163–187.
- Immigration Services Agency of Japan, 2009, Results of the implementation of the Plan to Reduce the Number of Illegal Aliens by Half in Five Years. [[https://www.moj.go.jp/isa/publications/materials/121226\\_huhoutaizai.html](https://www.moj.go.jp/isa/publications/materials/121226_huhoutaizai.html)] (Accessed August 31, 2022).
- Immigration Services Agency of Japan, 2019, Response to the problem of disappearances in the Technical Internship Program. [<https://www.moj.go.jp/isa/content/930004592.pdf>] (Accessed August 31, 2022).
- Immigration Services Agency of Japan, 2021, Immigration control and residency management. [<https://www.moj.go.jp/isa/content/001361691.pdf>] (Accessed August 31, 2022).
- Immigration Services Agency of Japan, 2022a, Number of foreign residents as of the end of 2021. [[https://www.moj.go.jp/isa/publications/press/13\\_00001.html](https://www.moj.go.jp/isa/publications/press/13_00001.html)] (Accessed August 31, 2022).
- Immigration Services Agency of Japan, 2022b, Number of illegal migrants in Japan (as of January 1, 2022). [[https://www.moj.go.jp/isa/publications/press/13\\_00003.html](https://www.moj.go.jp/isa/publications/press/13_00003.html)] (Accessed August 31, 2022).
- Immigration Services Agency of Japan, 2022c, Trends in the number of missing Technical Intern Trainees (2013-2021). [<https://www.moj.go.jp/isa/content/001362001.pdf>] (Accessed August 31, 2022).
- Ishizuka, Futaba, 2012, Chapter 5 International labor migration in Vietnam–Policies, systems and issues. In Miwa Yamada ed., *Legal system for migration of people in East Asia*. Research Report, Institute of Developing Economies, pp.1–19.
- Ishizuka, Futaba, 2013, International labor migration in Vietnam and the impact of receiving countries and policies. IDE Discussion Paper, 414: 1–35.
- Japan Institute for Labour Policy and Training, 2005a, Taiwan’s Treatment and Management of Foreign Workers -Lessons Learned from the Thai Workers’ Riots. [[https://www.jil.go.jp/foreign/jihou/2005\\_10/taiwan\\_01.html](https://www.jil.go.jp/foreign/jihou/2005_10/taiwan_01.html)] (Accessed August 31, 2022).
- Japan Institute for Labour Policy and Training, 2005b, Policy of freezing the acceptance of foreign workers [[https://www.jil.go.jp/foreign/jihou/2005\\_2/taiwan\\_03.html](https://www.jil.go.jp/foreign/jihou/2005_2/taiwan_03.html)] (Accessed August 31, 2022).

- Ministry of Labor of the Republic of China (Taiwan), 2019, The function of 1955 Hotline provided by the Ministry of Labor is to assist migrant workers in seamless communication. [[https://www.wda.gov.tw/en/News\\_Content.aspx?n=8E8FA34452E8DBC2&mp;s=4B08E109578D2D32](https://www.wda.gov.tw/en/News_Content.aspx?n=8E8FA34452E8DBC2&mp;s=4B08E109578D2D32)] (Accessed August 31, 2022).
- Ministry of Labor of the Republic of China (Taiwan), 2022, Foreign workers statistics. [<https://statdb.mol.gov.tw/html/mon/i0120020620e.htm>] (Accessed August 31, 2022).
- Ministry of Land, Infrastructure, Transport and Tourism, 2014, Announcement on the Project for Acceptance of Foreign Construction Workers. [[https://www.mhlw.go.jp/file/06-Seisakujouhou-11800000-Shokugyounouryokukaihatsukyoku/0000183166\\_1.pdf](https://www.mhlw.go.jp/file/06-Seisakujouhou-11800000-Shokugyounouryokukaihatsukyoku/0000183166_1.pdf)] (Accessed August 31, 2022).
- National Immigration Agency, Ministry of Interior, Republic of China (Taiwan), 2020, Expanded Overstayers Voluntary Departure Program starts to encourage overstaying foreign citizens to turn themselves in. [<https://www.immigration.gov.tw/5475/5478/141457/142068/217277>] (Accessed August 31, 2022).
- National Police Agency via the Japan International Training Cooperation Organization (JITCO) website. [[https://www.jitco.or.jp/stop/data/shissou\\_01.pdf](https://www.jitco.or.jp/stop/data/shissou_01.pdf)] (Accessed August 31, 2022).
- Nippon Television Network, 2020, Calls on Vietnamese Living in Japan to Deter Crime. [<https://news.ntv.co.jp/category/society/793809>] (Accessed August 31, 2022).
- Oguma, Eiji, 1995, *The myth of the homogeneous nation*. Tokyo: Shinyosha.
- One-Forty, 2022 August 29, Infographic: Southeast Asian migrant workers in Taiwan. [<https://one-forty.org/tw/blog/southeast-asian-migrants-in-taiwan>] (Accessed August 31, 2022).
- Prime Minister's Office/Cabinet Secretariat, 2013, The creative strategy of the safest country in the world. [<https://www.kantei.go.jp/jp/singi/hanzai/kettei/131210/kakugi.pdf>] (Accessed August 31, 2022).
- Shimizu, Ken, 2013, The Securitization of Migration in Sweden: Recognition of a Non-Traditional Security Threat, *International Relations* 2013 (172), pp. 87-99.
- Sunai, Naoko, 2013, Nurses and caregivers from Vietnam to Japan and Germany, *JBpress*. [<https://jbpress.ismedia.jp/articles/-/38994>] (Accessed August 31, 2022).
- Sunai, Naoko, 2017, *Transnational migration and women's experience in a transition economy: Case studies of Vietnamese female migrant workers in the 2000s*, Master Thesis, Graduate School of Social Sciences, Hitotsubashi University.
- Sunai, Naoko, 2021, Chapter 2: Multilayered difficulties and possibilities for solidarity before/after corona: The case of Vietnamese Technical Intern Trainees. In Suzuki, Eriko ed., *Migrants under the pandemic: A place where Japanese society's vulnerability appears*. Tokyo: Akashishoten, pp.52-73.
- Suzuki, Eriko, 2009, *Undocumented migrants in Japan: Are they "undesirable foreign workers?"*, Tokyo: Akashishoten.
- Tài chính, 2020, Dự báo lượng kiều hối năm 2020 giảm mạnh do ảnh hưởng của Covid-19. [<http://tapchitaichinh.vn/ngan-hang/du-bao-luong-kieu-hoi-nam-2020-giam-manh-do-anh-huong-cua-covid19-322026.html>] (Accessed August 31, 2022).
- Takaya, Sachi, 2018, From "Foreign Workers" to "Illegal Residents": Changes in the Categories of Irregular Migrants and Its Consequences in Contemporary Japan, *Japanese Sociological Review* 68 (4), pp.531-548.
- Tseng, Yen-fen and Wang, Hong-zen, 2013, Governing migrant workers at a distance: Managing the temporary status of guestworkers in Taiwan. *International Migration*, 51 (4), pp.1-19.
- Vietnamese Government, 2009, Quyết định 71/2009/QĐ-TTg Phê duyệt Đề án Hỗ trợ các huyện nghèo đẩy mạnh xuất khẩu lao động góp phần giảm nghèo bền vững giai đoạn 2009-2020. [<https://moit.gov.vn/van-ban-phap-luat/van-ban-phap-quy/-quyet-dinh-phe-duyet-de-an-ho-tro-cac-huyen-ngheo-day-manh-.html>] (Accessed August 31, 2022).
- Vietnam Government Portal, 2020, VN sends 147,387 workers abroad in 2019. [<https://en.baochinhphu.vn/vn-sends-147387-workers-abroad-in-2019-11137084.htm>] (Accessed August 31, 2022).
- Vietnam+, 2020, Xuất khẩu lao động năm 2020: Giảm gần 50% vẫn khó đạt được chỉ tiêu. [<https://www.vietnamplus.vn/xuat-khau-lao-dong-nam-2020-giam-gan-50-van-kho-dat-duoc-chi-tieu/682135.vnp>] (Accessed August 31, 2022).
- VnExpress, 2022, Japan, S Korea pay Vietnamese workers up to \$1,400 - 1,800 per month. [<https://e.vnexpress.net/news/news/japan-s-korea-pay-vietnamese-workers-up-to-1-400-1-800-per-month-4491247.html>] (Accessed August 31, 2022).
- Wæver, Ole, 1995, Securitization and desecuritization. In Ronnie Lipschutz, ed., *On security*. New York: Columbia University Press, pp.46-87.

## アジアにおける在留資格を持たない移民の犯罪者化

—— 移民の安全保障化と制度的排除 ——

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社会学分野

(2022年8月31日受理)

### 要 旨

本稿は、移住労働者の送り出し国と受け入れ国双方への視点をもとに、アジア地域で国境を越えた労働移動が拡大する中、在留資格を持たない移民の犯罪者化が進展していることを明らかにするものである。この際、政府統計データとインタビュー調査のデータを分析しながら、送り出し国と受け入れ国双方の政策に目を向ける。世界的に移民の安全保障化が進行し、移民受け入れ国の中で移民を安全保障上のリスクや脅威として扱う動きが広がっている。アジア諸国もこの世界的な傾向と無縁ではない。ベトナム政府が「労働力輸出」(xuat khau lao dong) 政策により自国民を移住労働者として海外に送り出す一方、日本と台湾は高齢化や労働力不足などの課題に対処するためにベトナムなどのグローバルサウス出身の移住労働者を動員してきた。この反面、日本と台湾は在留資格を持たない移民について、治安を脅かす「犯罪者」として分類し、逮捕・拘留・強制送還の対象とする。このような在留資格を持たない移民の犯罪者化の過程において、受け入れ国政府は、雇用主から逃げることで在留資格を失った移民を“失踪者”として名付け、取り締まり対象としつつ、その責任を移民だけに押し付けるのである。

キーワード：移民の安全保障化、在留資格を持たない移民の犯罪者化、トランスナショナルな移住労働、台湾、ベトナム、日本

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