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Introductory Remarks of International Academic Conference

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Introductory Remarks of International Academic Conference¹⁾

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1 Introduction

Stateless people, the theme of this International Academic Conference is not as well known in society as the refugee issue. For this reason, stateless people have been often referred to as “the forgotten people (Chen, 2010)”. There are many groups supporting refugees but very few groups target stateless people. As a result, the stateless issue often does not come to the surface and has been neglected.

In November 2008, the National Museum of Ethnology and UNHCR (United Nations High Commissioner for Refugees) cosponsored a forum at United Nations University in Tokyo titled, “The World Seen from the Viewpoint of the Stateless: A Reevaluation of Nationality in Contemporary Society”. Inspired by this, along with the support from many people, we were able to establish an organization called “Stateless Network” three months later in January 2009. Stateless Network is a non-government organization mainly for supporting stateless persons.

About two years ago from now, I was consulted by a stateless person living in Japan and this led me to hold today's conference. He was stateless, born in Thailand from Vietnamese parents. His parents escaped war and moved to Thailand. He was not given Thai nationality, nor was he registered in Vietnam. He grew up in Thailand stateless. Being stateless in Thailand, his freedom of movement was quite restricted. It meant that freedom to choose his job was also restricted and he was forced to live an inconvenient life. He was born and raised in Thailand, but was more restricted than other ordinary people. He decided to come to Japan with the hope to start a new life, however, he could not obtain a passport since he was stateless. The only way to come to Japan was to make a fake passport. Even though he could move to Japan which is a society governed by law, he was forced to live a restricted life in Japan as well since he was an illegal immigrant.

Since he did not have residence status in Japan, he was restricted in business, in movement, and in other various aspects in daily life. He worked diligently, however, could not be regularly employed because he did not have resident status. Now, he is going through legal proceedings to acquire special permission for residence in Japan, but nothing seems to have changed. He has been living in Japan for more than ten years, and he cannot see his future in obtaining a residential status. However, he can not even return to Thailand where he left his family. It is because, even though he was born in Thailand, he is stateless, and the country would not necessarily accept him as he is not considered a Thai national. Under such circumstances, he has been struggling and has been bearing a heavy psychological

burden.

As I was asked for advice by him, I was very distressed at the fact that there are so many differences in people's human rights, the level of societal interest, and a person's potential future, depending on the place you were born and the time you live. He told me that he would rather go back to Thailand, and I decided to consult various people who are experts in Japanese law. Since Japanese law is strict, it was no easy task to find a solution to the matter. Meanwhile I went over to Thailand accompanied by a Thai specialist and visited groups that support stateless people there. I met Ms. Bongkot and Professor Kritaya and consulted them on this matter.

We exchanged information on the situation of stateless people in Thailand and how the Thai people support them. At the time I visited Thailand, even though they supported stateless people in Thailand, they didn't have any idea of those people who left the country. When I asked them for advice, they became interested and told me that they would cooperate with us for resolution of the cases of Vietnamese stateless people who moved from Thailand to Japan.

Even though some problems can be resolved within each country, sometimes it is necessary to go beyond national borders to achieve real resolution for stateless people. The goal of this conference is to search for a new style of support through exchanging information beyond national boundaries. We will discuss what sort of support we can provide to stateless people, and how to reform the national system to support stateless people in this era where people can easily move globally.

2 Stateless People with and without Resident Status

There are two kinds of stateless people: those with resident status who are legally permitted to live in the country and those without resident status. I would like everyone to have a thorough understanding of those people who legally live in the country even though they are stateless. Many people tend to think every stateless person is an illegal stayer, however, this is a complete misunderstanding of the concept of stateless people.

It goes without saying that stateless people without resident status are living in harsh conditions compared with those who have resident status. Stateless people with residential status do not have limitations on medical treatment, attending schools, or administrative procedures which are necessary for daily life. Aside from ignorance and societal prejudice against stateless people, stateless people with resident status do not always face problems in their daily lives. But to mention one or two, they have trouble acquiring passports and visas when they travel abroad since they are stateless, and have a problem with identity. Since they do not have some kinds of identification, they face the problem that they cannot tell what country they are from or they are uncertain about the relationship with the nation in which they live.

I believe Mr. Zhong Zhang and Mr. Nguyen Thi Hong Hao will talk about the sentiment of stateless people with resident status and their identity.

On the other hand, Mr. Shun Saito will make a presentation on the conditions of life for stateless people without resident status and aspects of their medical care providing concrete examples.

3 Estimated Population of Stateless People

Here, I would like to introduce to you the number of stateless people in the world today. The estimated population of stateless people in the world announced by UNHCR (The UN Refugee Agency) is 12 million as of 2009²⁾.

Table The trend of foreign residents by area (as at the end of each year)

| Area | 1999 | 2003 | 2005 | 2009 | 2010 |
|---------------|-----------|-----------|-----------|-----------|-----------|
| Asia | 1,160,643 | 1,422,979 | 1,483,985 | 1,688,865 | 1,581,459 |
| South America | 278,209 | 343,635 | 376,348 | 340,857 | 300,142 |
| North America | 54,882 | 63,271 | 65,029 | 66,876 | 64,653 |
| Europe | 41,659 | 57,163 | 58,351 | 61,721 | 50,975 |
| Oceania | 11,159 | 16,076 | 15,606 | 14,179 | 13,548 |
| Africa | 7,458 | 10,060 | 10,471 | 12,226 | 12,130 |
| Stateless | 2,103 | 1,846 | 1,765 | 1,397 | 1,234 |
| total | 1,556,113 | 1,915,030 | 2,011,555 | 2,186,121 | 2,134,151 |

Reference: This table is drafted by the writer based on data from “Statistical Data of Foreign Residents,” Japan Immigration Association.

Please take a look at the statistical data of foreign residents in Table. This is statistical data based on foreign residents in Japan. In the statistical data of the foreign residents by area, they divide the areas into Asia, South America, North America, Europe, Oceania and Africa. They take the statistics of foreign residents by country as those subgroups. Then, the number is left on the bottom of the statistical table which is the number of the stateless. As you can see in the table, there are people in Japan whose nationality column is written as ‘stateless’. As of 2010, we can see from the statistical table that 1,234 stateless people live in Japan. Please take a look at Figure. In the nationality column of this Alien Registration Card, it says, ‘stateless’. This person is a stateless person without resident status, which I mentioned before. We can see that it is clearly written ‘no residential status’ in red.

For the last few years, we can know from the data that the total number of stateless persons is decreasing. However, through research and surveys in recent years, it has become clear that there exist *de facto* stateless persons besides those who are listed as ‘stateless’ in their Alien Registration Cards. For instance, though nationality is written as “Vietnam” or “Korean” on his/her foreign resident registration card, he might not be recognized as a national of that state. He might



Picture Alien Registration Card: In the nationality column, it says, 'stateless'

not have rights as a national nor does he fulfill his obligation as a national. These people belong in the group of '*de facto* stateless'.

Those who are in the group of '*de facto* stateless' are misclassified among those with nationality according to the statistics of foreign residents. Therefore, in fact, the number of stateless persons who do not have nationality rights can be presumed to be much bigger than the number in the statistics. In today's conference, two panelists will speak as *de facto* stateless persons. Mr. Zhong Zhang labeled his nationality as "Cho-sen" which means "Korea" in his Certificate of Alien Registration card, however, this 'Cho-sen' is just a code and he actually doesn't have a nationality. He will talk to us later about how he is not registered as a citizen in North Korea or South Korea. Another person who will talk to us in the afternoon session is Ms. Nguyen Thi Hong Hao, whose parents are Vietnamese refugees and she was born and raised in Japan. Since her parents cannot access the Vietnamese government, she registered her birth only to Japan. She has been living in Japan with a foreign resident registration card which says her nationality is Vietnamese since birth. She went to a Vietnamese Embassy to apply for her passport, however, could not acquire it. She will share what *de facto* stateless really is through her experiences.

These '*de facto* stateless' persons cannot be found in statistics or in registration cards. Since it is difficult to support these less-visible stateless issues, they tend to be neglected and as a matter of fact we cannot find solutions for many of the issues.

Through today's conference, we will turn our attention to this stateless issue which is hard to paint a precise picture of. Also, we will share the issue, comprehend the actual situation and find the best solution together. Stateless issues indeed have a need for governmental response. On the other hand, we shall discuss what non-

governmental organizations can do to lobby policy makers, what each of us can do to support stateless people, and we shall pick the brains of people from abroad and working in the field.

Firstly, we will have Ms. Napaumporn Bongkot here talk to us about stateless persons and the way they support them in Thailand. In addition, we will have two commentators in the morning session. The first is Mr. Ishii Hiroaki from Japan Association for Refugees, who has long been playing an active role in supporting refugees while cooperating with civic groups. He will explain to us a new way of support that we and every individual can engage in and will give us comments from the standpoint of civil society support. The second is Ms. Tsukida Mizue, a professor who has a detailed knowledge of support for the welfare of stateless children. She will give us valuable recommendations from the perspective of children's rights and welfare.

Notes

- 1) Hereinafter, this content is based on the information as of the end of February, 2011 at the conference.
- 2) Inter-Parliamentary Union (IPU) and The UN Refugee Agency (UNHCR) (eds). 2009. *Nationality and Stateless: A Handbook for Parliamentarians*, UNHCR Representation in Japan.

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