



OAS Rapid Assessment Report : **Trafficking in Persons from the Latin American and** **Caribbean (LAC) Region to Japan**

This report is a rapid assessment on the estimated number of victims.

Project Beneficiaries: Trafficking Victims from Latin America and the Caribbean in Japan

Contracting OAS Entity: Anti-Trafficking in Persons Coordinator Project

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SUMMARY AND OVERVIEW

The purpose of this rapid assessment is to provide preliminary estimates of the number of victims of trafficking in persons in Japan who are from the Latin American and Caribbean region.

Japan is a significant destination country for trafficking in persons¹ for commercial sexual and labor exploitation. A majority of the victims of this exploitation in Japan are from countries in Asia. For that reason, the plight of Asian victims in Japan has received most of the attention from media, professionals, and government officials. However, a significant minority of human trafficking victims are from countries in the Western Hemisphere, principally Latin America and the Caribbean region (LAC). They are the focus of this study.

This rapid assessment is based on a close examination of immigration and criminal data available from the Japanese government, because most, although not all, LAC nationals entering Japan are recorded in the official statistics. On the basis of these statistical data, in addition to observations and analysis of factors prevalent in Japan, this rapid assessment provides a framework for estimates of the scope and magnitude of the trafficking of women from the LAC region into Japan.

We estimate that the number of women victims of trafficking in Japan from the LAC region is approximately 1,700 per year. As the report explains, this analysis focuses principally on foreign women from LAC countries thought to be trafficked into Japan's commercial sex trade.

Our research indicates that the vast majority of LAC victims of trafficking can be identified among the following groups of foreigners in Japan: (1) women detained under the Immigration Control Act; (2) "overstaying" women; (3) women visa holders in the "Spouse or Child of Japanese National" category; (4) female holders of the "Entertainer" visa; and (5) "underground" women.

In this preliminary report, we do not attempt to break down the 1,700 victims per year by nationality. However, the data indicate that most of these victims come from Colombia, Bolivia, Brazil, Mexico and Peru. Other countries that also represent significant sources of victims are Argentina, Chile, the Dominican Republic, Ecuador, and Paraguay.

Anti-trafficking policy in Japan is currently undergoing an extensive review. However, in the present situation, in which laws directly addressing human trafficking are lacking,

¹ This report adopts the definition of "trafficking in persons" as stipulated in Article 3 of the "Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, Supplementing the United Nations Convention against Transnational Organized Crime." UN Doc. A/45/49 (Vol.1), 2001.

Japanese authorities fail to recognize most trafficking cases either because victims simply do not contact the police or because if they do they are treated as “illegal aliens” and deported. Japan’s restrictive immigration policy may further contribute to making migrant women vulnerable to trafficking exploitation, since it limits their legitimate job opportunities as migrants.

Japan’s law enforcement authorities began to count trafficking cases only in 2000. The limited availability of data on potential trafficking victims is also partly attributed to the lack of gender distinction within the statistics produced by the Immigration Bureau. In attempting to sort out data on potential trafficking victims, it should be noted that only the total number of persons of all nationalities entering Japan “legally” is segregated by gender, along with the national criminal records that are kept once a foreigner runs afoul of the law.

1. INTRODUCTION

The government of Japan announced a new national plan to combat human trafficking in December 2004.² Under this plan, Japan hopes to establish an improved anti-trafficking legal framework by ratifying the international anti-trafficking protocol and by revising the penal code to establish human trafficking as a new category of crime. New revisions of immigration laws will also include provisions to exempt identified trafficking victims from deportation as illegal migrants. As a measure to protect victims, the government plans to grant them special permission to stay in Japan temporarily as well as providing them financial assistance, if necessary, to return home.

In a related move, the Japanese government intends to limit the number of persons from the Philippines entering on “Entertainer” visas starting in January 2005 as part of a new visa policy. Many holders of Entertainer visas in Japan are from the Philippines. This visa category has been criticized for facilitating human trafficking. The plan will also modify the law regulating adult entertainment businesses to prevent foreign women working in the industry from being forced into prostitution.

The latest measures reflect the government's increased concern about the trafficking of foreign women into the country. Japan came under international pressure last year to strengthen its efforts against human trafficking after being downgraded in the U.S. anti-trafficking report and put on a special “watch list” of countries that are on the verge of falling into the report’s lowest category. Japan is currently the only industrialized and developed country to be placed on this watch list.³ Although Japan’s new anti-trafficking

² Cabinet Secretariat of Japan, *Action Plan on Human Trafficking (Jinshin torihiki taisaku kodo keikaku)*, III.2.(1), December 7, 2004.

³ *Trafficking in Persons Report, June 2004*, U.S. Department of State; *The Japan Times*, December 4, 2004 and January 19, 2005.

plan is clearly a good conceptual step toward addressing this problem, the implementation of the plan will be crucial to obtaining effective results such as increasing the number of shelters for victims or achieving more criminal prosecutions and convictions of traffickers.⁴

The 2002 criminal conviction of the underworld trafficker Koichi Hagiwara, known as “Sony,” was an important case in Japan’s battle against trafficking in persons, but it did not result in a new departure in policy. Despite some press attention given to the Sony conviction, the national media discussion on the issue of human trafficking has advanced slowly. Press reports in Japan on human trafficking are generally quite meager. Most reports only hint at the size of the problem and the brutality of the exploitation.

It is estimated that tens of thousands of undocumented foreign women labor in Japan’s commercial sex industry. According to Japan’s National Police Agency, the Japanese *Yakuza* and other criminal organizations are deeply involved in this lucrative business industry, which generates an income of 83 billion U.S. dollars per year. These criminal organizations often hold victims captive in situations of servitude. Assistance from the Japanese government to victims of trafficking is currently either very limited or non-existent. Most victims are treated as illegal migrants; when they are discovered by the authorities, they are detained and immediately deported. The lack of a comprehensive anti-trafficking statute in Japan means that criminals rarely face prosecution for exploiting victims. Most traffickers, when brought before the law at all for trafficking-related abuses, usually pay only light fines connected to violations of the immigration laws.

Social research shows that the majority of victims are Asian, but a significant minority is also from the LAC region. The Colombian embassy in Japan estimates that approximately 4,000 Colombians are human trafficking victims, held in some form of servitude by traffickers. The recruitment and transportation of victims by the Japanese *Yakuza* and other traffickers working in Latin American and Caribbean countries is a criminal activity poorly understood by officials on both sides of the Pacific.

To understand trafficking, it is necessary to grapple with more than the misdeeds of a straightforward criminal enterprise. Kyle and Koslowski (2001) define human trafficking as a “crime that is organized,” not simply as “organized crime.” The variety of people, the different types of networks and the diversity of their level of involvement in trafficking make the phenomenon much more complicated than “just” a crime.⁵ Migration studies point to the social network as one primary facilitator of the movement of people. In the case of trafficking in persons, this migration network, which should be an autonomic and independent one, is replaced by one involving a “crime that is organized.” According to James Finckenauer (2001), the various phases of trafficking in

⁴ For more discussion, see Lisa Yuriko Thomas, *Kyodo News*, November 25, 2004.

⁵ Kyle, David and Rey Koslowski, eds., *Global Human Smuggling: Comparative Perspectives*, Baltimore: Johns Hopkins University Press, 2001, p. 16.

the sending, receiving and transiting countries are conducted by a variety of people, ranging from “enterprising individuals not previously or otherwise involved in crime, to individual criminals (not of the organized variety), to mixed groups of these types of individuals, to families, to local criminal groups, to networks made up of both criminals and non-criminals, to sophisticated organized groups operating nationally and internationally.”⁶

Human trafficking victims are also found in Japan's large undocumented labor force working outside the commercial sex trade. Japan's Immigration Bureau estimates that there are 250,000 illegal foreign residents in the country.⁷ Again, information on the nationalities of these workers and the number of potential victims of human trafficking is inadequate. There are no reliable estimates of the scope and magnitude of human trafficking among laborers from LAC countries, although it is known that a large number of Latin Americans work in Japan. Latin Americans are the second-largest ethnic group in Japan, next to Asians. A majority of them are *Nikkeijin* (ethnic Japanese or of Japanese descent; e.g. Japanese Brazilians) who migrated to Japan in the 1990s. These individuals are also a major source of remittance income flowing back to the LAC region. Brazil received 2.5 billion U.S. dollars in 2003 from remittances by its citizens in Japan.⁸ Overall, the few statistics on LAC workers in Japan provide little insight about their situation.

2. OBJECTIVES

The purpose of this rapid assessment is to provide a provisional estimate of the scope and magnitude of the trafficking of victims from the Latin America and Caribbean region in Japan. Criminal networks traffic people for a range of reasons, including work in agriculture, manufacturing and construction. Trafficking victims in Japan include men, women and children. It is, however, generally understood that Japan is a major destination of trafficked women for commercial sexual exploitation.⁹ This preliminary report limits its scope to trafficking in women, principally into the commercial sex trade. (It should be kept in mind that a number of the “women” referred to in this rapid assessment are in fact underage teenagers, but this report will refer to both groups generally as “women.”)

General research has repeatedly shown that the official data on human trafficking alone are insufficient to identify the magnitude of the problem. In the absence of Japanese laws

⁶ Finckenauer, James O., “Russian Transnational Organized Crime and Human Trafficking,” in David Kyle and Rey Koslowski, eds., *Global Human Smuggling: Comparative Perspectives*, Baltimore: Johns Hopkins University Press, 2001, p. 174.

⁷ Japan Immigration Bureau, Ministry of Justice, *2004 Immigration Control*, p.38.

⁸ Kakuchi, Suvendrini, *Inter Press Service*, Tokyo, September 9, 2004.

⁹ ILO office in Japan, *Human Trafficking for Sexual Exploitation in Japan*, 2004, p.3.

that directly address human trafficking, many trafficking cases are simply not recorded. In the current situation in Japan, many victims do not contact the police, or if they are identified, they are treated as “illegal aliens” or are not recognized as persons in need of assistance. Japan’s law enforcement authorities began to tabulate trafficking cases only in 2000. Moreover, the dearth of data on trafficking in persons from other sources (e.g. private shelters and religious, ethnic or community groups) makes it difficult to grasp the real situation of the victims in Japan. In Japan, non-governmental organizations are much less active in general than in comparable highly-developed countries. There are only two private shelters assisting foreign trafficking victims in the entire country, and the number of victims housed or seeking help in these shelters represents only the tip of the iceberg within the total pool of likely victims (a point we will discuss further in our next report).

In this rapid assessment, we begin with a general review of the influx of women migrants and potential trafficking victims from the LAC region by examining immigration data. Geography necessitates that most entries from the LAC region into Japan are carried out within the framework of the country’s existing visa regime. Victims, particularly from the LAC region, hold visas of some kind in almost all cases, and they are therefore recorded in the official immigration data. Most LAC trafficking victims who enter Japan are restricted to the following visa categories: Temporary Visitor; Spouse or Child of Japanese National; or Entertainer. In some cases, the traffickers may arrange a clandestine entry without a visa.¹⁰ There are no known scholarly works that have examined foreign women entrants possessing other types of visas (e.g. student visa or trainee), but those categories, too, may be abused to transport some trafficking victims.

Accordingly, this rapid assessment examines data on registered foreigners and entrants under the following three visa categories: Temporary Visitor; Spouse or Child of Japanese National; and Entertainer. The timeframe of the data review begins in the late 1980s, when the entry of foreign nationals into Japan began to increase rapidly as the Japanese economy and currency soared. This analysis also considers the fact that some LAC women may enter Japan as legitimate visitors or migrants and later fall into the hands of traffickers.

In Japan, immigration and foreign residency are strictly regulated and controlled by the authorities, in part because of the culture and the country’s geographic isolation as a chain of islands. Japan is not a multicultural country. Despite rapid globalization, only 1 percent of Japan’s registered inhabitants are foreigners. The relatively high homogeneity of the society makes foreigners culturally distinct (in language or customs) even though they may not be ethnically different (as, for example, with individuals of Japanese descent). Foreigners attempting to enter Japan illegally or overstay for a long period find the process complicated, risky and difficult to carry out alone. Such foreigners almost always need the assistance of organized criminals or other kinds of intermediaries.

¹⁰ ILO office in Japan, p.35.

The official immigration numbers examined here are further refined by looking at key criminal statistics involving LAC nationals. The statistical information presented here on illegal activities by foreigners is primarily drawn from published official sources as well as from new data provided by the Japanese government upon the request of the researchers. Using all of the collected data, we have undertaken a tentative assessment of the range and numbers of trafficking victims from the LAC region to Japan. The estimation put forward here represents an initial step in a more comprehensive study that we plan to carry out, which will include an interview survey on the issues as well as a qualitative examination. These more detailed results will be presented in our final report in autumn 2005.

3. REPORTED CASES OF TRAFFICKING

Few cases of human trafficking with links to the LAC region have been reported in Japan. The following are the major known cases and provide some general background.

The “Sony” Case

Human trafficking cases from the LAC region had never made headline news in Japan until the “Sony” case in 2002.¹¹ Following testimony from exploited Colombian women victims of trafficking compiled by the Colombian embassy in Tokyo, the Japanese authorities convicted a major Japanese trafficker, Koichi Hagiwara, nicknamed “Sony” by his victims for his habit of taking pictures and videotaping recruited women naked. This underworld figure was responsible for trafficking around 400 Colombian women into Japan, where he sent them to various snack bars and striptease clubs. The women’s testimony also indicated that he forced them to engage in prostitution. The business was profitable: Sony earned more than 30 million Japanese yen (approximately 300,000 U.S. dollars) from this business in 2001 and until his arrest in 2002. For the crime, he was convicted and sentenced to only one year and 10 months of penal servitude, not for trafficking, but for immigration and labor law violations. Such a conviction, according to an NGO representative, would likely have carried an imprisonment of 20 to 30 years in the United States.

¹¹ *Nihon Keizai Shinbun*, November 7, 2003 (in Japanese); *Tokyo Shinbun*, June 30, 2003 (in Japanese).

Strip Performances across Japan

A 21-year-old Colombian woman came to Japan seeking legitimate employment but ended up working at 25 strip clubs across Japan, from Aomori to Kagoshima.¹² She was a student experiencing financial difficulties in Colombia when her friend suggested that she work in Japan to make some money. She was introduced to a recruiter who lured her abroad by saying that she could quickly earn enough money for her school fees. However, upon her arrival in Narita Airport in Tokyo, members of a human trafficking group confiscated her passport and forcibly took photographs of her naked at an office in Tokyo. She was told that she owed a “debt” of 5 million yen (approximately 50,000 U.S. dollars), purportedly for the travel expenses to Japan. To pay her debt, she was forced to work as a strip dancer at a succession of strip clubs all over Japan. She could not escape, since her traffickers threatened to harm her family in Colombia if she ran away. She was also told that she would amass more debt if she refused their orders. From her strip performances, she could earn 130,000 yen in ten days; however, 110,000 yen of this amount was kept as partial payment for her debt. The amount she actually received was not even enough for her living expenses. Although she could earn an additional service charge of 1,000 yen from the strip club, she was often required to pay transportation costs herself. In February, police authorities arrested her at a strip club in the Kansai area and deported her back to Colombia. In a separate incident, a 62-year-old manager of one of the strip theaters in Aomori was arrested during a police raid. A 20-year-old Colombian dancer was also arrested for indecent exposure, illegal entry using a fake passport, and overstaying.¹³

A Case in Okinawa

Several Colombian women and a minor (a 17-year-old girl) were arrested in a strip club in Naha City, Okinawa, in June 2004.¹⁴ They were illegally brought to Japan by a Colombian broker, based in Tokyo, who had contacts with a criminal group operating in Colombia. The broker was later arrested for illegal recruitment that violated immigration law. His arrest also led to the arrest of a 61-year-old Japanese owner of the club for conniving with the broker and promoting the illegal hiring of foreigners. He made use of the women’s illegal status by denying them their pay and by forcing them to engage in prostitution in order to survive. The women were forced to offer sexual services to several men each day. Police officers in Okinawa later arrested the manager of the strip club under charges of obscenity and other lewd acts. The women were also arrested. During an investigation, it was discovered that they had arrived in Japan four or five years earlier, lured under false pretenses to work as waitresses or hostesses and promised good salaries.

¹²*Mainichi Daily News*, November 28, 2003.

¹³*Mainichi Daily News*, November 28, 2003.

¹⁴*Ryukyushimpo*, June 17, 2004 (in Japanese).

4. ANALYSES OF GOVERNMENT RECORDS ON IMMIGRATION

(1) Residents from the LAC region

Registered Residents

The following data provide an overview of the LAC nationals living in Japan. As shown in Table 1, Japan reported around 270,000 registered Brazilians and about 50,000 registered Peruvians as residents in 2003. Brazilians and Peruvians are the third (14.3%) and fifth (2.8%) largest migrant communities, respectively. Table 2 shows the number of registered foreigners in Japan from LAC countries, by nationality and gender. The countries for which female residents exceeded male residents are Chile, Colombia, Costa Rica, Ecuador, El Salvador, Guyana, Honduras, Mexico, Nicaragua and Panama.

Latin Americans are the second-largest ethnic group in Japan, next to Asians. The majority of residents from the LAC region are *Nikkeijin* (ethnic Japanese or of Japanese descent; e.g. Japanese Brazilians). The process of formation of the large Latin American community will be discussed in our later report.

| | 1994 | 1995 | 1996 | 1997 | 1998 | 1999 | 2000 | 2001 | 2002 | 2003 |
|-------------------------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|
| Total | 1,354,011 | 1,362,371 | 1,415,136 | 1,482,707 | 1,512,116 | 1,556,113 | 1,666,444 | 1,778,462 | 1,851,758 | 1,915,030 |
| Korea | 676,793 | 666,376 | 657,159 | 645,373 | 638,825 | 636,548 | 635,269 | 632,405 | 625,422 | 613,791 |
| (%) | 50.0 | 48.9 | 46.4 | 43.5 | 42.2 | 40.9 | 37.7 | 35.6 | 33.8 | 32.1 |
| China | 218,585 | 222,991 | 234,264 | 252,164 | 272,233 | 294,201 | 335,575 | 381,225 | 424,282 | 462,396 |
| (%) | 16.1 | 16.4 | 16.6 | 17.0 | 18.0 | 18.9 | 19.9 | 21.4 | 22.9 | 24.1 |
| Brazil | 159,619 | 176,440 | 201,795 | 233,264 | 222,217 | 224,299 | 254,394 | 265,962 | 268,332 | 274,700 |
| (%) | 11.8 | 13.0 | 14.3 | 15.7 | 14.7 | 14.4 | 15.1 | 16.0 | 14.5 | 14.3 |
| Philippines | 85,958 | 74,297 | 84,509 | 93,265 | 105,308 | 115,685 | 144,871 | 156,667 | 169,359 | 185,237 |
| (%) | 6.4 | 5.5 | 6.0 | 6.3 | 7.0 | 7.4 | 8.6 | 8.8 | 9.1 | 9.7 |
| Peru | 35,382 | 36,269 | 37,099 | 40,394 | 41,317 | 42,773 | 46,171 | 50,052 | 51,772 | 53,649 |
| (%) | 2.6 | 2.7 | 2.6 | 2.7 | 2.7 | 2.7 | 2.7 | 2.8 | 2.8 | 2.8 |
| U.S.A. | 43,320 | 43,198 | 44,168 | 43,690 | 42,774 | 42,802 | 44,856 | 46,244 | 47,970 | 47,836 |
| (%) | 3.2 | 3.2 | 3.1 | 3.0 | 2.8 | 2.8 | 2.6 | 2.6 | 2.6 | 2.5 |
| Other foreign countries | 134,344 | 142,800 | 156,142 | 174,557 | 189,442 | 199,805 | 225,308 | 245,907 | 264,621 | 277,421 |
| (%) | 9.9 | 10.5 | 11.8 | 11.8 | 12.6 | 12.9 | 13.4 | 13.8 | 14.3 | 14.5 |

Source: Ministry of Justice, *Statistics on Foreigners Registered in Japan*, 2004.

Illegal Residents

Overstayers are an important category, because they represent persons who are out of legal status in Japan and are therefore particularly vulnerable to intimidation and exploitation. Table 3 shows the changes in the estimated number of illegal overstayers by nationality and gender in Japan. According to the Ministry of Justice, the estimated

number of all overstayers was 219,418 in 2004. Men and women from all nationalities are roughly equally represented in this group. The major countries in the LAC region with overstayers were Peru and Brazil, with 7,230 Peruvians (4,699 men and 2,531 women) and 4,728 Brazilians (2,836 men and 1,892 women). As shown in Table 4, Peruvian overstayers constitute around 40% of all overstayers from the LAC region, followed by overstayers from Brazil, Colombia, Bolivia, Argentina, Mexico, Chile, Costa Rica and Venezuela.

| Table 2 Number of registered LAC foreigners by nationality and gender | | | | |
|---|---------|---------|------------|---------|
| | Men | Women | % of women | Total |
| Antigua and Barbuda | 1 | 0 | 0.0% | 1 |
| Argentina | 2,026 | 1,674 | 45.2% | 3,700 |
| The Bahamas | 50 | 7 | 12.3% | 57 |
| Barbados | 90 | 22 | 19.6% | 112 |
| Belize | 6 | 3 | 33.3% | 9 |
| Bolivia | 2,838 | 2,323 | 45.0% | 5,161 |
| Brazil | 151,136 | 123,564 | 45.0% | 274,700 |
| Chile | 334 | 386 | 53.6% | 720 |
| Colombia | 1,028 | 2,025 | 66.3% | 3,053 |
| Costa Rica | 66 | 93 | 58.5% | 159 |
| Cuba | 92 | 49 | 34.8% | 141 |
| Dominica | 25 | 12 | 32.4% | 37 |
| Dominican Republic | 211 | 168 | 44.3% | 379 |
| Ecuador | 88 | 108 | 55.1% | 196 |
| El Salvador | 32 | 62 | 66.0% | 94 |
| Grenada | 4 | 0 | 0.0% | 4 |
| Guatemala | 46 | 45 | 49.5% | 91 |
| Guyana | 0 | 9 | 100.0% | 9 |
| Haiti | 11 | 8 | 42.1% | 19 |
| Honduras | 76 | 110 | 59.1% | 186 |
| Jamaica | 91 | 70 | 43.5% | 161 |
| Mexico | 902 | 925 | 50.6% | 1,827 |
| Nicaragua | 25 | 29 | 53.7% | 54 |
| Panama | 32 | 33 | 50.8% | 65 |
| Paraguay | 1,071 | 964 | 47.4% | 2,035 |
| Peru | 29,025 | 24,624 | 45.9% | 53,649 |
| Saint Kitts and Nevis | - | - | - | 0 |
| Saint Lucia | 4 | 0 | 0.0% | 4 |
| Saint Vincent and the Grenadines | 4 | 1 | 20.0% | 5 |
| Suriname | 10 | 2 | 16.7% | 12 |
| Trinidad and Tobago | 29 | 17 | 37.0% | 46 |
| Uruguay | 66 | 56 | 45.9% | 122 |
| Venezuela | 143 | 135 | 48.6% | 278 |
| Total (LAC countries) | 189,562 | 157,524 | 45.4% | 347,086 |

Source: Ministry of Justice, *Statistics on Foreigners Registered in Japan*, 2004.

| Table 3 Changes in the estimated number of overstayers by nationality and gender | | | | | | | | | | | | | | | |
|--|-------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|
| | Jul. 1 1990 | May 1 1991 | May 1 1992 | May 1 1993 | May 1 1994 | May 1 1995 | May 1 1996 | Jan.1 1997 | Jan.1 1998 | Jan.1 1999 | Jan.1 2000 | Jan.1 2001 | Jan.1 2002 | Jan.1 2003 | Jan.1 2004 |
| Total | 106,497 | 159,828 | 278,892 | 298,646 | 293,800 | 286,704 | 284,500 | 282,986 | 276,810 | 217,048 | 251,697 | 232,121 | 224,067 | 220,552 | 219,418 |
| Men | 66,851 | 106,518 | 190,996 | 192,114 | 180,060 | 168,532 | 160,836 | 155,939 | 149,828 | 145,225 | 134,082 | 123,825 | 118,122 | 115,114 | 113,066 |
| Women | 39,646 | 53,310 | 87,896 | 106,532 | 113,740 | 118,172 | 123,664 | 127,047 | 126,982 | 125,823 | 117,615 | 108,296 | 105,945 | 105,438 | 106,352 |
| 1 Korea | 13,876 | 25,848 | 35,687 | 39,455 | 43,369 | 47,544 | 51,580 | 52,387 | 52,123 | 62,577 | 60,693 | 56,023 | 55,164 | 49,874 | 46,425 |
| Men | 8,793 | 17,977 | 22,312 | 20,998 | 20,801 | 21,662 | 22,549 | 21,669 | 20,792 | 24,434 | 23,150 | 21,356 | 20,747 | 18,482 | 16,812 |
| Women | 5,083 | 7,871 | 13,375 | 18,457 | 22,568 | 25,882 | 29,031 | 30,718 | 31,331 | 38,143 | 37,543 | 34,667 | 34,417 | 31,392 | 29,613 |
| 2 China | 10,039 | 17,535 | 25,737 | 33,312 | 39,738 | 39,511 | 39,140 | 38,296 | 37,590 | 34,800 | 32,896 | 30,975 | 27,582 | 29,676 | 33,522 |
| Men | 7,655 | 13,836 | 19,266 | 23,630 | 27,152 | 26,013 | 24,789 | 23,762 | 22,778 | 20,748 | 19,361 | 18,182 | 15,749 | 16,449 | 18,075 |
| Women | 2,384 | 3,699 | 6,471 | 9,682 | 12,586 | 13,498 | 14,351 | 14,534 | 14,812 | 14,052 | 13,535 | 12,793 | 11,833 | 13,227 | 15,447 |
| 3 Philippines | 23,085 | 27,228 | 31,974 | 35,392 | 37,544 | 39,763 | 41,997 | 42,547 | 42,608 | 40,420 | 36,379 | 31,666 | 29,649 | 30,100 | 31,428 |
| Men | 10,761 | 12,905 | 14,935 | 15,861 | 15,933 | 16,056 | 16,081 | 15,818 | 15,489 | 14,722 | 13,235 | 11,593 | 10,456 | 10,241 | 10,471 |
| Women | 13,044 | 14,323 | 17,039 | 19,531 | 21,611 | 23,707 | 25,916 | 26,729 | 27,119 | 25,698 | 23,144 | 20,073 | 19,193 | 19,859 | 20,957 |
| 4 Thailand | 11,523 | 19,093 | 44,354 | 55,383 | 49,992 | 44,794 | 41,280 | 39,513 | 37,046 | 30,065 | 23,503 | 19,500 | 16,925 | 15,693 | 14,334 |
| Men | 4,062 | 6,767 | 20,022 | 25,624 | 22,611 | 19,866 | 17,811 | 16,839 | 15,542 | 13,552 | 11,082 | 9,281 | 8,020 | 7,307 | 6,148 |
| Women | 7,461 | 12,326 | 24,332 | 29,759 | 27,381 | 24,928 | 23,469 | 22,674 | 21,504 | 16,513 | 12,421 | 10,219 | 8,905 | 8,386 | 8,186 |
| 5 Malaysia | 7,550 | 14,413 | 38,529 | 30,840 | 20,313 | 14,511 | 11,525 | 10,390 | 10,141 | 9,989 | 9,701 | 9,651 | 10,097 | 9,442 | 8,476 |
| Men | 5,023 | 10,099 | 27,832 | 21,250 | 13,266 | 8,942 | 6,537 | 5,589 | 5,340 | 5,195 | 4,984 | 4,954 | 5,280 | 4,803 | 4,083 |
| Women | 2,527 | 4,314 | 10,697 | 9,590 | 7,047 | 5,569 | 4,988 | 4,801 | 4,801 | 4,794 | 4,717 | 4,697 | 4,817 | 4,639 | 4,393 |
| 6 Taiwan | 4,775 | 5,241 | 6,729 | 7,457 | 7,871 | 7,974 | 8,502 | 9,409 | 9,430 | 9,437 | 9,243 | 8,849 | 8,990 | 9,126 | 7,611 |
| Men | 2,080 | 2,356 | 3,427 | 3,867 | 4,032 | 3,987 | 4,128 | 4,328 | 4,346 | 4,394 | 4,330 | 4,227 | 4,346 | 4,368 | 3,779 |
| Women | 2,695 | 2,885 | 3,302 | 3,590 | 3,839 | 3,987 | 4,374 | 5,081 | 5,084 | 5,043 | 4,913 | 4,622 | 4,644 | 4,758 | 3,832 |
| 7 Indonesia | 315 | 582 | 1,955 | 2,969 | 3,198 | 3,205 | 3,481 | 3,758 | 4,692 | 4,930 | 4,947 | 5,315 | 6,393 | 6,546 | 7,246 |
| Men | 191 | 416 | 1,629 | 2,366 | 2,485 | 2,448 | 2,608 | 2,808 | 3,523 | 3,692 | 3,627 | 3,876 | 4,636 | 4,740 | 5,257 |
| Women | 124 | 166 | 326 | 603 | 713 | 757 | 873 | 950 | 1,169 | 1,238 | 1,320 | 1,439 | 1,757 | 1,806 | 1,989 |
| 8 Peru | 242 | 487 | 2,783 | 9,038 | 12,918 | 15,301 | 13,836 | 12,942 | 11,606 | 10,320 | 9,158 | 8,502 | 7,744 | 7,322 | 7,230 |
| Men | 172 | 339 | 1,904 | 6,469 | 8,869 | 10,066 | 9,067 | 8,513 | 7,721 | 6,885 | 6,132 | 5,723 | 5,277 | 4,992 | 4,699 |
| Women | 70 | 148 | 879 | 2,569 | 4,049 | 5,235 | 4,769 | 4,429 | 3,885 | 3,435 | 3,026 | 2,779 | 2,467 | 2,330 | 2,531 |
| 9 Brazil | 664 | 944 | 2,703 | 2,210 | 2,603 | 3,104 | 3,763 | 5,026 | 4,334 | 3,288 | 3,266 | 3,578 | 3,697 | 3,865 | 4,728 |
| Men | 390 | 570 | 1,558 | 1,253 | 1,474 | 1,726 | 2,059 | 2,798 | 2,465 | 1,847 | 1,855 | 2,080 | 2,175 | 2,296 | 2,836 |
| Women | 274 | 374 | 1,145 | 957 | 1,129 | 1,378 | 1,704 | 2,228 | 1,869 | 1,441 | 1,411 | 1,498 | 1,522 | 1,569 | 1,892 |
| 10 Sri Lanka | 1,668 | 2,281 | 3,217 | 3,763 | 3,395 | 2,980 | 2,783 | 2,751 | 3,071 | 2,734 | 3,907 | 3,489 | 3,730 | 3,909 | 4,242 |
| Men | 1,594 | 2,143 | 2,932 | 3,360 | 3,043 | 2,663 | 2,468 | 2,410 | 2,654 | 3,228 | 3,377 | 3,022 | 3,242 | 3,402 | 3,684 |
| Women | 74 | 138 | 285 | 403 | 352 | 317 | 315 | 341 | 417 | 506 | 530 | 467 | 488 | 507 | 558 |
| Others | 32,040 | 46,176 | 85,224 | 78,827 | 72,859 | 68,017 | 66,613 | 65,967 | 64,169 | 61,488 | 58,004 | 54,573 | 54,096 | 54,999 | 54,176 |
| Men | 26,130 | 39,110 | 75,179 | 67,436 | 60,394 | 55,103 | 52,739 | 51,405 | 49,178 | 46,528 | 42,949 | 39,531 | 38,194 | 38,034 | 37,222 |
| Women | 5,910 | 7,066 | 10,045 | 11,391 | 12,465 | 12,914 | 13,874 | 14,562 | 14,991 | 14,960 | 15,055 | 15,042 | 15,902 | 16,965 | 16,954 |

Source: Ministry of Justice <http://www.moj.go.jp/PRESS/040326-2/040326-2-1.html> (Last access date: January 15, 2005).

Note: The estimation is made by computing those who overstay their entitled period through matching embarkation card and disembarkation card.

| Rank | | Men | Women | Total | % |
|------|------------------------------|---------------|--------------|---------------|--------------|
| 1 | Peru | 4,700 | 2,500 | 7,200 | 43.9% |
| 2 | Brazil | 2,800 | 1,900 | 4,700 | 28.7% |
| 3 | Colombia | 500 | 800 | 1,300 | 7.9% |
| 4 | Bolivia | 400 | 300 | 700 | 4.3% |
| 5 | Argentina | 400 | 200 | 600 | 3.7% |
| 6 | Mexico | 300 | 200 | 500 | 3.0% |
| 7 | Chile | 100 | 50 | 150 | 0.9% |
| 8 | Costa Rica | 50 | 50 | 100 | 0.6% |
| 9 | Venezuela | 60 | 40 | 100 | 0.6% |
| | Other LAC countries | 690 | 260 | 950 | 5.8% |
| | Total (LAC Countries) | 10,000 | 6,300 | 16,300 | 99.4% |

Source: Provided by Immigration Bureau, Ministry of Justice in January 2005 by the request of the researchers.

Table 5 Changes in the number of new arrivals with the status of "Temporary Visitor" by nationality among the LAC countries

| | 1980 | 1981 | 1982 | 1983 | 1984 | 1985 | 1986 | 1987 | 1988 | 1989 | 1990 | 1991 | 1992 | 1993 | 1994 | 1995 | 1996 | 1997 | 1998 | 1999 | 2000 | 2001 | 2002 | 2003 | Total |
|----------------------------------|---------------|---------------|---------------|---------------|---------------|---------------|---------------|---------------|---------------|---------------|---------------|----------------|---------------|---------------|---------------|---------------|---------------|---------------|---------------|---------------|---------------|---------------|---------------|---------------|------------------|
| Antigua and Barbuda | - | - | 2 | 4 | 7 | 1 | 2 | 14 | 1 | 5 | 5 | 10 | 3 | 14 | 11 | 16 | 3 | 18 | 21 | 23 | 15 | 5 | 18 | 12 | 210 |
| Argentina | 7,327 | 6,825 | 2,512 | 2,425 | 2,845 | 2,900 | 4,707 | 4,010 | 3,727 | 4,217 | 4,214 | 4,182 | 4,294 | 4,071 | 4,360 | 3,211 | 3,687 | 3,913 | 3,972 | 3,206 | 5,413 | 3,560 | 3,121 | 3,202 | 95,901 |
| The Bahamas | 14 | 24 | 54 | 57 | 60 | 43 | 69 | 30 | 73 | 27 | 247 | 280 | 55 | 56 | 42 | 68 | 42 | 47 | 62 | 91 | 82 | 85 | 99 | 53 | 1,760 |
| Barbados | 10 | 15 | 48 | 48 | 47 | 48 | 44 | 61 | 48 | 59 | 220 | 82 | 32 | 44 | 41 | 49 | 55 | 69 | 61 | 61 | 62 | 51 | 101 | 58 | 1,404 |
| Belize | - | - | 5 | 21 | 12 | 7 | 14 | 14 | 35 | 57 | 111 | 70 | 56 | 59 | 51 | 45 | 29 | 62 | 54 | 33 | 41 | 35 | 48 | 35 | 894 |
| Bolivia | 164 | 202 | 155 | 153 | 301 | 326 | 241 | 325 | 301 | 435 | 634 | 1,776 | 1,280 | 1,251 | 537 | 487 | 375 | 484 | 423 | 397 | 349 | 377 | 396 | 364 | 11,733 |
| Brazil | 5,597 | 6,405 | 8,486 | 6,450 | 7,230 | 11,861 | 11,084 | 9,226 | 12,893 | 22,566 | 51,845 | 66,493 | 38,408 | 30,161 | 34,011 | 45,074 | 43,827 | 26,985 | 19,031 | 12,145 | 13,031 | 9,848 | 10,627 | 7,749 | 511,033 |
| Chile | 876 | 977 | 970 | 885 | 1,010 | 1,039 | 992 | 1,161 | 1,166 | 1,346 | 1,107 | 1,641 | 1,527 | 1,622 | 1,568 | 1,702 | 1,674 | 1,947 | 1,388 | 1,641 | 1,691 | 1,484 | 1,948 | 1,451 | 32,813 |
| Colombia | 1,382 | 1,779 | 2,428 | 2,090 | 1,980 | 2,136 | 1,863 | 1,913 | 1,877 | 2,271 | 1,968 | 2,293 | 2,421 | 2,796 | 2,886 | 2,701 | 2,390 | 2,386 | 2,048 | 1,963 | 2,325 | 2,518 | 2,966 | 2,158 | 53,538 |
| Costa Rica | 445 | 421 | 451 | 380 | 442 | 488 | 443 | 349 | 303 | 352 | 410 | 426 | 346 | 383 | 295 | 370 | 319 | 386 | 377 | 474 | 461 | 501 | 917 | 421 | 10,160 |
| Cuba | 6 | 18 | 175 | 190 | 257 | 175 | 204 | 94 | 62 | 74 | 289 | 347 | 220 | 253 | 224 | 366 | 334 | 390 | 249 | 346 | 534 | 372 | 233 | 404 | 5,816 |
| Dominica | 40 | 82 | 59 | 123 | 105 | 108 | 5 | 20 | 16 | 8 | 31 | 22 | 14 | 48 | 27 | 20 | 45 | 53 | 56 | 26 | 24 | 34 | 49 | 35 | 1,050 |
| Dominican Republic | 385 | 639 | 903 | 1,008 | 989 | 1,124 | 1,092 | 1,211 | 879 | 1,095 | 1,130 | 1,033 | 982 | 897 | 810 | 741 | 846 | 1,000 | 1,122 | 1,044 | 1,165 | 965 | 1,055 | 826 | 22,941 |
| Ecuador | 412 | 454 | 369 | 284 | 304 | 518 | 419 | 524 | 298 | 389 | 411 | 470 | 357 | 432 | 508 | 505 | 287 | 309 | 320 | 281 | 351 | 442 | 2,079 | 281 | 11,004 |
| El Salvador | 90 | 140 | 150 | 170 | 154 | 193 | 209 | 241 | 208 | 218 | 219 | 209 | 183 | 181 | 180 | 263 | 190 | 211 | 173 | 260 | 238 | 271 | 403 | 202 | 4,956 |
| Grenada | 2 | 2 | 0 | 7 | 4 | 7 | 6 | 14 | 2 | 8 | 5 | 7 | 2 | 6 | 11 | 7 | 2 | 7 | 8 | 5 | 4 | 17 | 18 | 157 | |
| Guatemala | 220 | 227 | 347 | 340 | 562 | 300 | 359 | 356 | 317 | 296 | 241 | 268 | 307 | 234 | 269 | 389 | 259 | 292 | 241 | 394 | 427 | 553 | 758 | 307 | 8,263 |
| Guyana | 18 | 13 | 39 | 56 | 37 | 39 | 47 | 56 | 44 | 61 | 31 | 38 | 39 | 43 | 51 | 47 | 30 | 39 | 26 | 28 | 41 | 43 | 53 | 56 | 975 |
| Haiti | 52 | 21 | 41 | 54 | 43 | 81 | 38 | 96 | 45 | 64 | 41 | 42 | 30 | 43 | 26 | 55 | 26 | 40 | 49 | 59 | 87 | 44 | 78 | 66 | 1,221 |
| Honduras | 76 | 107 | 164 | 251 | 236 | 223 | 205 | 194 | 186 | 214 | 141 | 182 | 542 | 290 | 229 | 246 | 162 | 230 | 181 | 186 | 183 | 251 | 308 | 193 | 5,180 |
| Jamaica | 54 | 58 | 165 | 198 | 160 | 205 | 164 | 212 | 193 | 234 | 174 | 215 | 207 | 251 | 251 | 217 | 212 | 266 | 238 | 259 | 241 | 335 | 358 | 243 | 5,110 |
| Mexico | 8,803 | 12,255 | 7,678 | 4,643 | 8,796 | 9,576 | 6,668 | 7,973 | 9,420 | 8,092 | 8,595 | 8,037 | 8,759 | 8,518 | 7,635 | 6,087 | 7,135 | 8,699 | 9,188 | 9,596 | 10,988 | 10,588 | 22,349 | 9,779 | 219,857 |
| Nicaragua | 27 | 57 | 34 | 31 | 70 | 75 | 77 | 68 | 43 | 64 | 37 | 70 | 70 | 95 | 74 | 78 | 66 | 90 | 63 | 71 | 63 | 90 | 87 | 110 | 1,610 |
| Panama | 317 | 332 | 435 | 376 | 434 | 436 | 390 | 342 | 220 | 285 | 317 | 283 | 258 | 288 | 263 | 266 | 217 | 292 | 292 | 260 | 264 | 304 | 351 | 266 | 7,488 |
| Paraguay | 129 | 195 | 242 | 230 | 206 | 212 | 224 | 242 | 335 | 294 | 339 | 245 | 221 | 225 | 249 | 256 | 309 | 304 | 259 | 232 | 350 | 201 | 431 | 169 | 6,099 |
| Peru | 769 | 980 | 1,295 | 1,300 | 1,253 | 1,292 | 1,223 | 1,554 | 1,343 | 1,599 | 8,164 | 20,893 | 14,918 | 10,364 | 9,216 | 4,484 | 2,271 | 3,757 | 2,143 | 2,764 | 2,865 | 2,691 | 2,602 | 2,250 | 101,990 |
| Saint Kitts and Nevis | - | - | - | - | - | 2 | 1 | 3 | 2 | 4 | 1 | 2 | 1 | 2 | 1 | 4 | 8 | 5 | 4 | 3 | 3 | 6 | 9 | 6 | 67 |
| Saint Lucia | 1 | 2 | 6 | 3 | 5 | 1 | 1 | 5 | 4 | 4 | 10 | 12 | 4 | 8 | 4 | 11 | 10 | 13 | 7 | 14 | 6 | 4 | 21 | 23 | 179 |
| Saint Vincent and the Grenadines | - | 1 | 8 | 5 | 7 | 4 | 7 | 12 | 7 | 12 | 6 | 7 | 3 | 10 | 3 | 7 | 4 | 11 | 8 | 6 | 4 | 8 | 4 | 26 | 170 |
| Suriname | 17 | 40 | 115 | 101 | 46 | 33 | 19 | 15 | 17 | 13 | 20 | 74 | 25 | 31 | 30 | 34 | 15 | 36 | 34 | 25 | 37 | 28 | 38 | 55 | 898 |
| Trinidad and Tobago | 89 | 112 | 398 | 513 | 434 | 433 | 284 | 222 | 166 | 140 | 103 | 156 | 169 | 183 | 186 | 195 | 299 | 373 | 484 | 472 | 421 | 407 | 493 | 402 | 7,134 |
| Uruguay | 394 | 588 | 545 | 433 | 358 | 386 | 349 | 468 | 451 | 369 | 336 | 539 | 423 | 480 | 533 | 558 | 569 | 614 | 624 | 662 | 617 | 544 | 730 | 349 | 11,919 |
| Venezuela | 1,728 | 2,263 | 2,586 | 982 | 884 | 1,138 | 847 | 885 | 1,397 | 959 | 1,004 | 1,401 | 1,190 | 1,245 | 897 | 928 | 812 | 1,123 | 1,123 | 1,037 | 1,256 | 1,310 | 1,292 | 606 | 28,893 |
| Total (LAC Countries) | 29,444 | 35,234 | 30,865 | 23,811 | 29,278 | 35,410 | 32,297 | 31,910 | 36,079 | 45,831 | 82,406 | 111,805 | 77,346 | 64,584 | 65,474 | 69,491 | 66,514 | 54,446 | 44,328 | 38,067 | 43,630 | 37,959 | 54,039 | 32,175 | 1,172,423 |

Source: Ministry of Justice: Annual report of statistics on legal migrants

(2) Influx into Japan from the LAC region

Temporary Visitors

The status of Temporary Visitor is accorded a foreign national whose purpose in Japan is tourism, sightseeing, recreation, sports, visiting relatives, participating in an observation tour, educational course or meeting, or any other activity that requires the foreign national to stay in Japan for only a short period of time. Temporary Visitor visas are not required to be issued in advance for visitors from those countries which have entered into a mutual visa exemption agreement with Japan, which includes the U.S. and many countries in Europe.¹⁵

The following 12 LAC countries have also agreed to the mutual visa exemption with Japan: Argentina, the Bahamas, Barbados, Chile, Colombia*, Costa Rica, Dominican Republic, El Salvador, Guatemala, Honduras, Mexico, Peru*, Suriname, and Uruguay. The so-called “Visa Encouragement Measure” (*Sashou Kansho Sochi*) is a Japanese policy decision which recommends that visitors from certain exemption countries nevertheless obtain visas before traveling. This was introduced for Colombia and Peru in February 2004. Since that date, Colombians and Peruvians, although technically exempt from applying for a Temporary Visitor visa, are strongly urged to obtain one before traveling to Japan. Otherwise they run a strong risk of being denied entry to Japan by immigration officials.¹⁶

Table 5 shows the changes in the number of new arrivals with the status of Temporary Visitor among the countries in the LAC region, by nationality. The influx from the region since the 1980s has been approximately 1.2 million. In recent years, 30,000-60,000 people from the LAC region have entered per year. The influx from the LAC region had earlier been on the rise, reaching 111,805 in 1991. Since then, it has been decreasing significantly. In 2003, the total number of new entrants from the LAC region with the status of Temporary Visitor was 32,175 (28.8% of the 1991 total).

The large influx from the LAC region in the early 1990s was clearly encouraged by the revised Immigration Control Law of 1990, which allowed second and third-generation *Nikkeijin* (persons of Japanese descent) easier access to residency visas with no employment restrictions. Aggressive recruitment by employers in Japan also played a role. The number of the entrants from half of the 12 countries with large *Nikkei* populations, particularly Brazil and Peru, decreased in the late 1990s. The number of

¹⁵ Japan Immigration Bureau, Ministry of Justice, *2004 Immigration Control*, p. 7.

¹⁶ In the years 1999-2003, Japanese Immigration denied “landing” – i.e., entry -- permission to 1,574 Colombians, largely out of concern about altered passports or falsified travel documents. The basic facts of these cases fit the modus operandi of traffickers and suggest that a considerable number of these denials could have been linked with trafficking. See Japan Immigration Bureau, Ministry of Justice, *2004 Immigration Control*, p. 20.

entrants from other countries, however, has remained stable or has increased slightly even after 1992, when Japan's economy began to decline.

Individuals overstaying their permitted residence granted through the Temporary Visitor status account for approximately 70 percent of all illegal overstayers in Japan. The *Yakuza* have increasingly become involved in trafficking since the economy began its downturn in 1992, forcing them to seek additional sources of income. A significant number of these entry permits, especially those issued after 1992, might have been used for trafficking purposes.

Spouse or Child of Japanese National

Immigration law authorizes a visa for the spouse, child or adopted child of a Japanese national. Table 6 shows the changes in the number of new arrivals with the status of Spouse or Child of Japanese National, by nationality. The influx from the LAC region since 1985 with this visa has been approximately 170,000. In recent years, about 10,000 people with such a visa have entered annually. The total number of entrants from the LAC region sharply increased in 1990 and reached 18,023 per year in 1992. Since then, the entries have been rather stable with only occasional fluctuations. The majority of entrants with this visa since 1985 were from Brazil (151,667 people, accounting for 89.0%), followed by Peru (9,707 people or 5.7%), Argentina (2,941 people or 1.7%) and Paraguay (2,425 people or 1.4%).

Table 7 breaks down the LAC region on the basis of the estimated numbers of inhabitants of Japanese descent. Not surprisingly, the countries with the greatest numbers of people of Japanese descent have sent more people in the Spouse or Child visa category to Japan. The data indicate that the revision of the Immigration Control Act affected those holding Spouse or Child visas more than those with Temporary Visitor visa status. Interestingly, the number of entrants from Paraguay with the Spouse or Child visa has been disproportionately large in comparison with similarly-situated LAC countries, and thus it represents an area requiring further research.

Figure 1 shows the number of international marriages registered in Japan's family registry, by gender. Notably, the number of marriages between Japanese men and foreign women has increased drastically since the mid-1980s, whereas marriages between Japanese women and foreign men have increased only rather modestly. The statistics show that Japanese men are bringing an increasing number of foreign women to Japan. The impact of this development is unclear, but it must be recognized as a vehicle, at least in some cases, to traffic foreign women into Japan. In her report on international trafficking in women to the United States, Amy O'Neil Richard stated that traffickers are increasingly operating under the guise of international marriage or matchmaking

agencies, services, or “mail-order bride” catalogues.¹⁷

There are many Japanese websites run by matchmakers offering contact with a large number of women from Asian countries, the Russian Federation and the LAC region.¹⁸ As in the U.S. and Europe, it is virtually impossible to quantify how many LAC entrants into Japan under the "Spouse or Child" visa category may be mail-order brides or potential trafficking victims. Factors suggest that some Spouse visa cases may indeed involve trafficking, but investigation and monitoring of the situation rests principally with national authorities. A survey focusing particularly on recruitment and the fates of foreign Spouse or Child visa holders from the LAC region is necessary.

Entertainer

According to Ministry of Justice figures, approximately 130,000 foreign nationals enter Japan each year on Entertainer visas. In 2003, the largest number of new Entertainer visa holders came from the Philippines, followed by nationals from the U.S., China, and Russia.¹⁹ The breakdown of the numbers shows that about 80,000 came from the Philippines, compared with 6,000 to 7,000 each from the United States, China and Russia.

Approximately 40,000 LAC nationals have entered Japan on Entertainer visas since 1980. A breakdown by nationality is provided by Table 8 for the years 1980-2003. The largest number of entrants over the last twenty years with this visa were from Brazil (17,249 visa holders accounting for 43.6% of entrants from the LAC region), followed by entrants from Mexico (6,193 visa holders or 15.6%), and from Argentina (4,280 visa holders or 10.8 %). In recent years, about 2,000 LAC entertainers have entered Japan annually. It is unclear how many of these individuals may have been trafficked, but it is widely understood that abuse of the Entertainer visa in developing countries is a common modus operandi for traffickers.

¹⁷ Amy O’Neil Richard, *International Trafficking in Women to the United States: A Contemporary Manifestation of Slavery and Organized Crime*, Center for the Study of Intelligence, November 1999, p.27.

¹⁸ For instance, <http://www.bridal-field.com/search04.html> (Last access: 15 January, 2005) has many links to matchmaking websites.

¹⁹ Japan Immigration Bureau, Ministry of Justice, *2004 Immigration Control*, p. 13.

Table 6 Changes in the number of new LAC arrivals with the status of "Spouse or Child of Japanese National"* by nationality

| | 1985 | 1986 | 1987 | 1988 | 1989 | 1990 | 1991 | 1992 | 1993 | 1994 | 1995 | 1996 | 1997 | 1998 | 1999 | 2000 | 2001 | 2002 | 2003 | Total | | |
|----------------------------------|------|------|------|------|-------|-------|--------|--------|--------|-------|--------|--------|--------|-------|--------|--------|--------|-------|--------|---------|--------|------|
| Antigua and Barbuda | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0.0% |
| Argentina | 9 | 7 | 13 | 55 | 93 | 465 | 551 | 262 | 103 | 84 | 158 | 228 | 214 | 77 | 73 | 90 | 97 | 192 | 170 | 2,941 | 1.7% | |
| The Bahamas | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0.0% |
| Barbados | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0.0% |
| Belize | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 1 | 0.0% |
| Bolivia | 28 | 15 | 7 | 22 | 40 | 42 | 52 | 47 | 23 | 43 | 49 | 71 | 118 | 96 | 55 | 108 | 125 | 85 | 78 | 1,104 | 0.6% | |
| Brazil | 78 | 84 | 88 | 503 | 1,178 | 7,545 | 15,105 | 16,815 | 12,111 | 8,859 | 9,049 | 9,600 | 13,945 | 7,382 | 9,274 | 14,544 | 8,627 | 6,978 | 9,902 | 151,667 | 89.0% | |
| Chile | 5 | 8 | 10 | 6 | 8 | 6 | 17 | 17 | 5 | 5 | 9 | 8 | 8 | 10 | 11 | 8 | 4 | 6 | 6 | 157 | 0.1% | |
| Colombia | 17 | 16 | 16 | 27 | 38 | 22 | 34 | 46 | 43 | 35 | 23 | 43 | 51 | 40 | 72 | 77 | 62 | 24 | 24 | 710 | 0.4% | |
| Costa Rica | 1 | 3 | 2 | 2 | 5 | 4 | 5 | 7 | 6 | 5 | 4 | 5 | 3 | 3 | 4 | 4 | 3 | 5 | 2 | 73 | 0.0% | |
| Cuba | 2 | 0 | 2 | 1 | 3 | 0 | 0 | 2 | 1 | 1 | 5 | 2 | 6 | 3 | 4 | 3 | 4 | 11 | 10 | 60 | 0.0% | |
| Dominica | 0 | 0 | 1 | 0 | 0 | 0 | 6 | 3 | 7 | 12 | 3 | 3 | 4 | 3 | 1 | 0 | 0 | 1 | 1 | 45 | 0.0% | |
| Dominican Republic | 1 | 0 | 2 | 3 | 4 | 18 | 51 | 25 | 22 | 22 | 31 | 21 | 33 | 22 | 19 | 23 | 12 | 15 | 11 | 335 | 0.2% | |
| Ecuador | 1 | 0 | 2 | 7 | 3 | 4 | 9 | 5 | 0 | 4 | 9 | 10 | 7 | 11 | 2 | 8 | 4 | 5 | 3 | 94 | 0.1% | |
| El Salvador | 2 | 3 | 1 | 3 | 0 | 2 | 0 | 4 | 1 | 2 | 4 | 0 | 2 | 0 | 0 | 1 | 1 | 0 | 2 | 28 | 0.0% | |
| Grenada | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 0 | 0 | 0 | 0 | 1 | 0.0% | |
| Guatemala | 3 | 5 | 1 | 6 | 1 | 1 | 0 | 5 | 3 | 1 | 4 | 0 | 2 | 3 | 2 | 2 | 5 | 2 | 4 | 50 | 0.0% | |
| Guyana | 1 | 0 | 1 | 0 | 0 | 0 | 2 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 4 | 0.0% | |
| Haiti | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 1 | 0 | 0 | 2 | 1 | 0 | 1 | 1 | 8 | 0.0% | |
| Honduras | 1 | 6 | 0 | 3 | 2 | 7 | 1 | 11 | 8 | 1 | 3 | 5 | 4 | 7 | 3 | 5 | 4 | 2 | 3 | 76 | 0.0% | |
| Jamaica | 0 | 0 | 0 | 1 | 1 | 0 | 0 | 1 | 4 | 1 | 1 | 2 | 6 | 6 | 7 | 3 | 4 | 4 | 5 | 46 | 0.0% | |
| Mexico | 18 | 12 | 28 | 26 | 30 | 40 | 46 | 36 | 29 | 29 | 40 | 35 | 32 | 35 | 38 | 28 | 32 | 32 | 32 | 598 | 0.4% | |
| Nicaragua | 0 | 2 | 2 | 3 | 1 | 1 | 3 | 2 | 2 | 0 | 5 | 0 | 2 | 3 | 4 | 8 | 1 | 4 | 0 | 43 | 0.0% | |
| Panama | 3 | 2 | 1 | 2 | 1 | 0 | 2 | 1 | 4 | 2 | 1 | 5 | 3 | 0 | 3 | 3 | 0 | 0 | 2 | 35 | 0.0% | |
| Paraguay | 2 | 4 | 8 | 57 | 48 | 159 | 462 | 262 | 103 | 133 | 130 | 121 | 139 | 89 | 85 | 180 | 143 | 120 | 180 | 2,425 | 1.4% | |
| Peru | 19 | 23 | 11 | 11 | 25 | 777 | 789 | 456 | 438 | 399 | 675 | 813 | 894 | 959 | 618 | 844 | 979 | 441 | 536 | 9,707 | 5.7% | |
| Saint Kitts and Nevis | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0.0% |
| Saint Lucia | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0.0% |
| Saint Vincent and the Grenadines | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0.0% |
| Suriname | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 2 | 0.0% | |
| Trinidad and Tobago | 1 | 1 | 4 | 0 | 0 | 1 | 2 | 0 | 3 | 1 | 1 | 1 | 1 | 0 | 0 | 0 | 0 | 1 | 2 | 19 | 0.0% | |
| Uruguay | 1 | 1 | 0 | 0 | 2 | 4 | 14 | 5 | 2 | 2 | 1 | 9 | 3 | 6 | 3 | 6 | 1 | 3 | 6 | 69 | 0.0% | |
| Venezuela | 8 | 9 | 11 | 5 | 15 | 7 | 15 | 11 | 8 | 7 | 13 | 20 | 11 | 11 | 7 | 5 | 3 | 3 | 1 | 170 | 0.1% | |
| Total (LAC countries) | 201 | 203 | 211 | 743 | 1,498 | 9,105 | 17,166 | 18,023 | 12,926 | 9,648 | 10,219 | 11,003 | 15,489 | 8,766 | 10,288 | 15,951 | 10,111 | 7,935 | 10,982 | 170,468 | 100.0% | |

Source: Ministry of Justice: *Annual report of statistics on legal migrants*

Note 1: * "Spouse or Child of Japanese National "visa is permitted to spouse, child and adopted child of Japanese.

Note 2: The category of "Spouse or Child of Japanese National" was introduced in 1985.

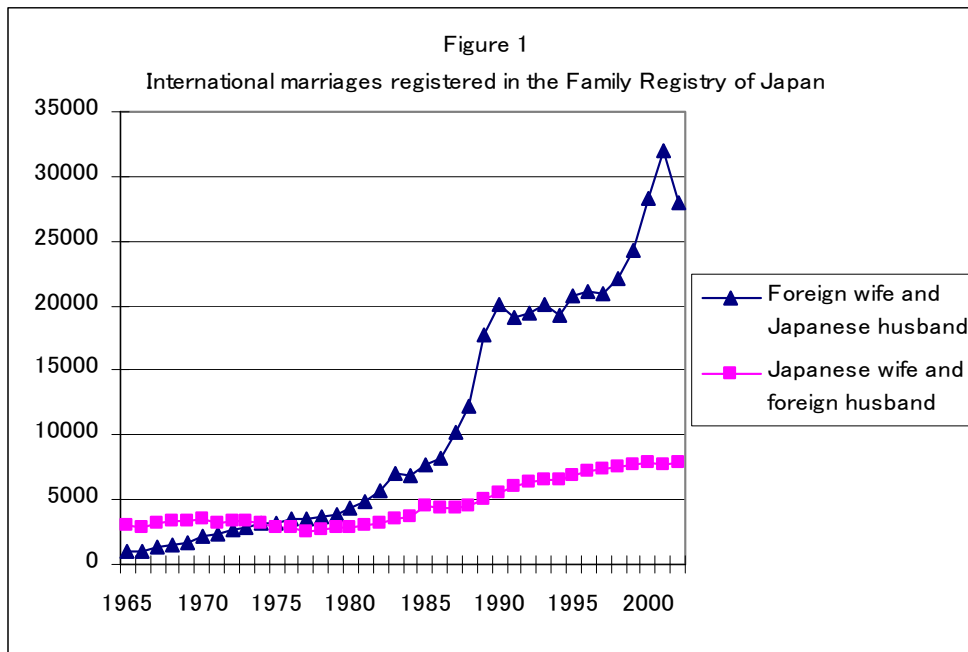
Table 7 Estimated populations of the Japanese descent by country order (Top 12) among the LAC countries

| Rank | Country | Japanese descendants | % |
|-------|--------------------|----------------------|--------|
| 1 | Brazil | 1,400,000 | 90.3% |
| 2 | Peru | 80,000 | 5.2% |
| 3 | Argentina | 32,000 | 2.1% |
| 4 | Mexico | 16,300 | 1.1% |
| 5 | Bolivia | 10,000 | 0.6% |
| 6 | Paraguay | 7,000 | 0.5% |
| 7 | Chile | 1,600 | 0.1% |
| 8 | Colombia | 1,200 | 0.1% |
| 9 | Venezuela | 800 | 0.1% |
| 10 | Cuba | 800 | 0.1% |
| 11 | Dominican Republic | 800 | 0.1% |
| 12 | Uruguay | 500 | 0.0% |
| Total | | 1,551,000 | 100.0% |

Source: Ministry of Foreign Affairs, March 2004.

(Provided by the Ministry of Foreign Affairs at the meeting with the researchers on November 5, 2004)

Note: Estimation was based on statistics and survey by the overseas agencies of the Ministry of Foreign Affairs.



Source: Ministry of Health, Labor and Welfare, *Vital Statistics of Japan*.

| Table 8 Changes in the number of new LAC arrivals with the status of "Entertainer" by nationality | | | | | | | | | | | | | | | | | | | | | | | | | | |
|---|------|------|------|------|------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|--------|--------|
| | 1980 | 1981 | 1982 | 1983 | 1984 | 1985 | 1986 | 1987 | 1988 | 1989 | 1990 | 1991 | 1992 | 1993 | 1994 | 1995 | 1996 | 1997 | 1998 | 1999 | 2000 | 2001 | 2002 | 2003 | Total | |
| Antigua and Barbuda | - | - | 0 | 0 | 0 | 0 | 0 | 1 | 0 | 0 | 0 | 2 | 6 | 0 | 0 | 3 | 0 | 0 | 0 | 1 | 0 | 0 | 1 | 0 | 14 | 0.0% |
| Argentina | 76 | 55 | 80 | 64 | 93 | 91 | 116 | 174 | 197 | 163 | 157 | 202 | 181 | 159 | 250 | 208 | 281 | 260 | 388 | 283 | 272 | 214 | 169 | 278 | 4,280 | 11.2% |
| The Bahamas | 1 | 0 | 2 | 0 | 0 | 0 | 1 | 1 | 3 | 4 | 3 | 4 | 2 | 1 | 1 | 22 | 15 | 13 | 15 | 10 | 3 | 9 | 0 | 1 | 110 | 0.3% |
| Barbados | 0 | 0 | 1 | 0 | 0 | 2 | 1 | 0 | 0 | 3 | 3 | 4 | 1 | 1 | 3 | 2 | 7 | 4 | 1 | 0 | 0 | 1 | 0 | 1 | 35 | 0.1% |
| Belize | - | - | 0 | 0 | 0 | 0 | 0 | 0 | 2 | 0 | 0 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 0 | 2 | 1 | 1 | 1 | 0 | 14 | 0.0% |
| Bolivia | 5 | 1 | 7 | 4 | 5 | 10 | 0 | 10 | 21 | 6 | 18 | 19 | 7 | 18 | 3 | 17 | 11 | 18 | 16 | 21 | 46 | 19 | 11 | 11 | 298 | 0.8% |
| Brazil | 138 | 172 | 218 | 333 | 382 | 489 | 771 | 1,091 | 1,323 | 570 | 624 | 717 | 832 | 878 | 1,126 | 1,049 | 905 | 887 | 798 | 755 | 798 | 984 | 769 | 938 | 17,249 | 45.0% |
| Chile | 8 | 30 | 33 | 40 | 18 | 11 | 25 | 46 | 64 | 13 | 54 | 36 | 39 | 7 | 21 | 14 | 12 | 19 | 18 | 12 | 27 | 40 | 11 | 17 | 577 | 1.5% |
| Colombia | 17 | 11 | 29 | 48 | 31 | 37 | 49 | 205 | 343 | 59 | 20 | 25 | 9 | 47 | 22 | 46 | 17 | 10 | 8 | 41 | 12 | 23 | 10 | 11 | 1,102 | 2.9% |
| Costa Rica | 1 | 0 | 1 | 4 | 2 | 0 | 1 | 2 | 3 | 0 | 7 | 1 | 24 | 16 | 37 | 28 | 15 | 0 | 2 | 6 | 3 | 4 | 2 | 2 | 160 | 0.4% |
| Cuba | 23 | 29 | 11 | 10 | 0 | 10 | 11 | 0 | 24 | 0 | 8 | 77 | 172 | 101 | 97 | 70 | 47 | 103 | 59 | 71 | 246 | 160 | 134 | 106 | 1,517 | 4.0% |
| Dominica | 0 | 0 | 0 | 0 | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 5 | 11 | 1 | 2 | 3 | 3 | 1 | 0 | 0 | 0 | 0 | 2 | 0 | 29 | 0.1% |
| Dominican Republic | 1 | 2 | 1 | 5 | 1 | 1 | 5 | 0 | 4 | 7 | 19 | 40 | 33 | 40 | 22 | 26 | 42 | 20 | 14 | 23 | 37 | 12 | 4 | 16 | 372 | 1.0% |
| Ecuador | 1 | 3 | 1 | 3 | 2 | 2 | 6 | 14 | 30 | 6 | 15 | 38 | 42 | 54 | 48 | 59 | 28 | 3 | 2 | 7 | 13 | 17 | 15 | 15 | 420 | 1.1% |
| El Salvador | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 1 | 1 | 1 | 2 | 0 | 1 | 3 | 2 | 1 | 0 | 0 | 2 | 1 | 0 | 16 | 0.0% |
| Grenada | 0 | 1 | 0 | 0 | 2 | 2 | 1 | 0 | 0 | 0 | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 6 | 0.0% |
| Guatemala | 1 | 0 | 1 | 1 | 0 | 1 | 1 | 3 | 1 | 9 | 4 | 1 | 1 | 4 | 1 | 1 | 2 | 1 | 1 | 1 | 1 | 2 | 1 | 3 | 41 | 0.1% |
| Guyana | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 2 | 2 | 0 | 2 | 0 | 1 | 3 | 1 | 1 | 0 | 1 | 1 | 0 | 1 | 1 | 0 | 0 | 17 | 0.0% |
| Haiti | 1 | 1 | 2 | 1 | 0 | 0 | 1 | 0 | 2 | 1 | 12 | 1 | 3 | 5 | 3 | 13 | 20 | 24 | 12 | 4 | 4 | 1 | 4 | 15 | 128 | 0.3% |
| Honduras | 0 | 0 | 2 | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 0 | 1 | 1 | 2 | 6 | 1 | 1 | 1 | 0 | 0 | 1 | 0 | 2 | 2 | 21 | 0.1% |
| Jamaica | 6 | 0 | 17 | 14 | 26 | 57 | 53 | 41 | 81 | 93 | 141 | 168 | 226 | 233 | 294 | 290 | 194 | 127 | 157 | 132 | 61 | 24 | 107 | 106 | 2,642 | 6.9% |
| Mexico | 188 | 282 | 165 | 212 | 153 | 230 | 268 | 471 | 572 | 168 | 229 | 255 | 353 | 290 | 270 | 389 | 394 | 373 | 284 | 266 | 223 | 249 | 239 | 140 | 6,193 | 16.1% |
| Nicaragua | 0 | 0 | 0 | 0 | 2 | 3 | 1 | 0 | 0 | 1 | 1 | 6 | 2 | 1 | 4 | 6 | 6 | 1 | 9 | 0 | 0 | 0 | 0 | 0 | 43 | 0.1% |
| Panama | 14 | 3 | 15 | 1 | 3 | 3 | 5 | 49 | 4 | 6 | 4 | 5 | 9 | 7 | 2 | 3 | 13 | 1 | 4 | 3 | 6 | 9 | 7 | 3 | 162 | 0.4% |
| Paraguay | 1 | 2 | 10 | 15 | 29 | 18 | 24 | 19 | 8 | 31 | 39 | 19 | 19 | 22 | 45 | 25 | 29 | 17 | 39 | 8 | 10 | 38 | 31 | 42 | 537 | 1.4% |
| Peru | 12 | 27 | 3 | 3 | 1 | 6 | 2 | 5 | 10 | 4 | 17 | 26 | 24 | 21 | 26 | 78 | 13 | 12 | 15 | 47 | 34 | 39 | 28 | 46 | 460 | 1.2% |
| Saint Kitts and Nevis | - | - | - | - | - | - | - | 0 | 2 | 0 | 1 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 2 | 0 | 0 | 0 | 0 | 7 | 0.0% |
| Saint Lucia | 1 | 0 | 0 | 0 | 0 | 1 | 0 | 0 | 0 | 1 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 0 | 0 | 2 | 6 | 0.0% |
| Saint Vincent and the Grenadines | - | - | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 0.0% |
| Suriname | 0 | 0 | 0 | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 1 | 1 | 0 | 1 | 0 | 0 | 1 | 3 | 2 | 1 | 0 | 12 | 0.0% |
| Trinidad and Tobago | 23 | 17 | 4 | 15 | 17 | 3 | 16 | 3 | 7 | 4 | 18 | 19 | 31 | 67 | 111 | 85 | 107 | 77 | 35 | 35 | 39 | 27 | 32 | 57 | 809 | 2.1% |
| Uruguay | 3 | 26 | 28 | 1 | 8 | 30 | 8 | 39 | 45 | 17 | 19 | 23 | 16 | 21 | 38 | 12 | 70 | 20 | 12 | 9 | 5 | 24 | 24 | 7 | 476 | 1.2% |
| Venezuela | 51 | 3 | 2 | 6 | 5 | 2 | 12 | 20 | 15 | 29 | 44 | 42 | 20 | 35 | 56 | 24 | 33 | 35 | 24 | 31 | 46 | 35 | 38 | 40 | 594 | 1.5% |
| Total | 572 | 665 | 633 | 780 | 781 | 1,010 | 1,379 | 2,196 | 2,763 | 1,197 | 1,461 | 1,738 | 2,062 | 2,039 | 2,491 | 2,477 | 2,270 | 2,031 | 1,916 | 1,771 | 1,893 | 1,937 | 1,644 | 1,859 | 38,348 | 100.0% |

Source: Ministry of Justice: Annual Report of Statistics on Legal Migrants

Japan's standard by which an applicant from the LAC region is deemed to qualify as a genuine entertainer in order to receive a visa in this category is vague. Undoubtedly, many of the LAC entertainers are genuine, but it is also common knowledge that many of the "entertainers" work as "hostesses" in Japan's massive adult entertainment industry. As has been noted in several studies, a number of women entering Japan as dancers and singers are actually forced into the commercial sex trade. Japanese authorities have recognized that some Entertainer visas have been abused by traffickers. In the context of the Philippines, in November 2004 the Japanese government decided to impose stricter conditions for Filipino Entertainer visa applicants.²⁰

As stated in the International Labor Organization (ILO) report published in 2004, Japan's adult entertainment industry is enormous and diverse; clubs range from highly-formal elite establishments to those which include sexual services in addition to normal hostessing services.²¹ Most of the foreign women in this industry are in Japan on Entertainer visas. Women from developing countries tend to end up working in the more exploitative segment of the industry.

A 1997 International Organization for Migration (IOM) survey report on Filipino women in Japan may provide some insights on what is likely happening to many of their counterparts from the LAC region. According to the IOM report,²² 52 out of 100 Filipino women respondents entered Japan on Entertainer visas: 36 of the women had Temporary Visitor visas, and six entered Japan as Spouse visa holders. Two of the women respondents managed to gain entry illegally. Some 77 of 100 Filipino women reported that they were forced into prostitution in Japan. Eighteen of these reported being refused the option of requesting that customers use condoms. Moreover, 84 women reported that their passports were confiscated and about 73 women said their free movement was regulated. 66 reported being forced to work with no regulation of their working hours, and 47 women claimed to have been physically assaulted.

The study conducted by Cameron and Newman (2000) revealed similar findings based on information from 20 Filipino women respondents.²³ Their report revealed that 7 of the 20 women respondents held Entertainer visas. Cameron and Newman described the means used by criminal groups to intimidate and control their women victims, including confiscation of passports and documents, withholding of payments, threats to turn

²⁰Cabinet Secretariat, 2. (4).

²¹ ILO Office in Japan, p.34.

²² IOM, *Trafficking in Women to Japan for Sexual Exploitation in Japan: A Survey on the Case of Filipino Women*, May 1997, pp. 33-34.

²³ Cameron, Sally and Newman, Edwards, *Trafficking of Filipino Women to Japan: Examining the Experiences and Perspectives of Victims and Government Experts*, United Nations University, March 2000.

http://www.unodc.org/pdf/crime/human_trafficking/Exec_summary_UNU.pdf (Last access date: January 15, 2005)

women over to police and immigration officers for deportation, in addition to confinement, restricted communication and movement, and physical and sexual violence.

LAC entrants with the Entertainer visa constitute only 1.4 % of all such visa holders in Japan. Several factors suggest that LAC Entertainer visa holders, especially male entrants, are more likely to enter Japan as genuine entertainers than those from the Philippines. Nevertheless, given the general pattern of abuse of the Entertainer visa, and considering the findings of the research on women from the Philippines, a significant number of LAC entertainer visa holders may be victims of trafficking. This point is further underscored by the fact that the vast majority of the 2,000 LAC entrants per year come from Brazil. It is documented that Brazilian women are trafficked to Europe with Entertainer visas.

5. ANALYSES OF GOVERNMENT CRIMINAL RECORDS

(1) Detained foreigners from the LAC region under the Immigration Control Act

Violations of the Immigration Control Act include overstaying, illegal entry, illegal landing, non-permitted activities and other criminal offenses. Most foreign nationals violating the Act are subject to deportation, except for a small number of persons who are wrongly accused or who are granted "Special Permission for Residence" by the Ministry of Justice. According to an immigration officer, 70-80% of violators under this Act are deported. Violators who voluntarily surrender to the Immigration Bureau are also registered under the category of "violations and deportations/repatriations."

As shown in Table 9, the number of violation cases involving LAC nationals between 1999 and 2003 was 15,274, accounting for 6.5% of the total cases of violations committed by foreign nationals. The breakdown of the figures by gender shows that 8,557 men and 6,717 women from the LAC region have violated the Immigration Control Act. On average, this represents about 1,700 men and 1,300 women per year, with the trend showing an increase in the number of violations.

| | 1999 | 2000 | 2001 | 2002 | 2003 | Total |
|--------------------|--------|--------|--------|--------|--------|---------|
| Total | 55,167 | 51,459 | 40,764 | 41,935 | 45,910 | 235,235 |
| Men | 30,506 | 27,156 | 22,948 | 23,225 | 25,959 | 129,794 |
| Women | 24,661 | 24,303 | 17,816 | 18,710 | 19,951 | 105,441 |
| Total (LAC region) | 2,821 | 2,587 | 2,458 | 3,482 | 3,926 | 15,274 |
| Men | 1,509 | 1,384 | 1,407 | 1,994 | 2,263 | 8,557 |
| Women | 1,312 | 1,203 | 1,051 | 1,488 | 1,663 | 6,717 |

Source: Provided by Immigration Bureau, Ministry of Justice in January 2005 by the request of the researchers.

Table 10 shows the changes in the number of LAC cases of violation of the Immigration Control Act by nationality and gender. For the past five years, cases involving Peruvians totaled 6,671 (43.7%), which is the largest number within Latin America. Brazilians were second with 4,337 cases (28.4%) and Colombians were third with 2,684 cases (17.6%). It is noteworthy that cases involving Peruvians exceeded those of Brazilians, who account for the largest number of residents and annual arrivals in Japan among LAC nationals.

Table 11 shows the number of cases of violation of the Immigration Control Act by age and gender. The largest number of violations was committed by individuals in the 30-34 age bracket for men, and in the younger 25-29 age bracket for women. The data for 2003 indicate that over a thousand LAC women in the 20-35 age range were detained for violating the Act. Experience suggests that many of these women may have been trafficked, and the authorities should conduct a closer review of these and similar detainees under this statute.

(2) Foreigners from the LAC region arrested under the Anti-Prostitution Law

As shown in Table 12, 603 Latin American and Caribbean women were arrested between 1990 and 2003 for violating the Anti-Prostitution Law. By far, the LAC country accounting for the greatest numbers of arrests under this statute is Colombia. Arrested Colombian nationals totaled 553, followed by 16 Peruvians, 7 Brazilians, 7 Ecuadorians, 7 Mexicans, 6 Chileans, and 3 Argentineans. One national from each of the following countries was also arrested: Bolivia, Dominican Republic, Paraguay, Uruguay, and Venezuela. The literal translation of the Japanese statute used to make these arrests is the "Protection of Selling Sex Law" (*Baishun Boushi Hou*). This Anti-Prostitution Law has received quite a bit of criticism because it criminalizes the selling of sex by women (making prostitution a criminal act in Japan subject to punishment), yet seems to condone the buying of sex by men. Few customers are arrested under this law. Based on the statistical data and our knowledge of the commercial sex trade in Japan, it is logical to deduce that a significant number of the women arrested under the Anti-Prostitution Law have been victims of trafficking. Many foreign women are arrested because they have broken with their traffickers and have no other real option than to be detained by the authorities.

The relatively higher number of arrests of Colombians among LAC women calls out for more investigation, and it will be discussed more intensively in our next report. There are several points in this context worth noting. A considerable number of Colombian women victims, as described in three news reports mentioned earlier, have been forced to work as strip dancers in Japan. The high number of arrests in official records can be partially attributed to the fact that strip theaters, which attract an audience, are easy targets for the arresting police or immigration officers. The advocacy of the Colombian embassy on behalf of victims (a subject to be discussed more thoroughly later) is another factor that brings the situation of Colombians to the attention of Japanese authorities.

| Table 10 Changes in the number of Latin American cases of violation of the Immigration Control Act by nationality and gender | | | | | | | | | | | | | | | | | | |
|--|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|--------|
| | 1999 | | | 2000 | | | 2001 | | | 2002 | | | 2003 | | | Total | | |
| | Men | Women | Total | Men | Women | Total | Men | Women | Total | Men | Women | Total | Men | Women | Total | Men | Women | Total |
| Antigua and Barbuda | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Argentina | 19 | 12 | 31 | 16 | 11 | 27 | 16 | 9 | 25 | 28 | 15 | 43 | 36 | 14 | 50 | 115 | 61 | 176 |
| The Bahamas | 1 | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 0 | 1 | 2 | 0 | 2 |
| Barbados | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 1 | 0 | 1 | 1 | 1 | 0 | 1 | 1 | 2 | 3 |
| Belize | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 2 | 1 | 3 | 0 | 0 | 0 | 2 | 1 | 3 |
| Bolivia | 103 | 74 | 177 | 67 | 47 | 114 | 65 | 35 | 100 | 56 | 34 | 90 | 43 | 36 | 79 | 334 | 226 | 560 |
| Brazil | 127 | 64 | 191 | 188 | 81 | 269 | 340 | 177 | 517 | 905 | 527 | 1,432 | 1,195 | 733 | 1,928 | 2,755 | 1,582 | 4,337 |
| Chile | 11 | 9 | 20 | 3 | 14 | 17 | 9 | 9 | 18 | 8 | 12 | 20 | 18 | 11 | 29 | 49 | 55 | 104 |
| Colombia | 131 | 442 | 573 | 118 | 369 | 487 | 148 | 324 | 472 | 187 | 379 | 566 | 177 | 409 | 586 | 761 | 1,923 | 2,684 |
| Costa Rica | 5 | 16 | 21 | 3 | 7 | 10 | 3 | 2 | 5 | 3 | 2 | 5 | 4 | 1 | 5 | 18 | 28 | 46 |
| Cuba | 0 | 1 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 2 | 1 | 3 | 2 | 2 | 4 |
| Dominica | 11 | 9 | 20 | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 0 | 1 | 0 | 1 | 1 | 12 | 10 | 22 |
| Dominican Republic | 6 | 10 | 16 | 4 | 8 | 12 | 5 | 21 | 26 | 6 | 8 | 14 | 6 | 5 | 11 | 27 | 52 | 79 |
| Ecuador | 1 | 4 | 5 | 9 | 7 | 16 | 2 | 4 | 6 | 5 | 2 | 7 | 5 | 4 | 9 | 22 | 21 | 43 |
| El Salvador | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 1 | 1 | 0 | 1 | 1 | 1 | 2 |
| Grenada | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Guatemala | 0 | 0 | 0 | 0 | 0 | 0 | 2 | 0 | 2 | 2 | 2 | 4 | 2 | 0 | 2 | 6 | 2 | 8 |
| Guyana | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Haiti | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 1 | 0 | 1 | 1 | 0 | 2 | 2 |
| Honduras | 9 | 3 | 12 | 14 | 4 | 18 | 11 | 2 | 13 | 2 | 1 | 3 | 6 | 5 | 11 | 42 | 15 | 57 |
| Jamaica | 1 | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 0 | 1 | 4 | 0 | 4 | 6 | 0 | 6 |
| Mexico | 64 | 30 | 94 | 48 | 29 | 77 | 49 | 20 | 69 | 35 | 28 | 63 | 31 | 26 | 57 | 227 | 133 | 360 |
| Nicaragua | 2 | 2 | 4 | 1 | 0 | 1 | 0 | 0 | 0 | 1 | 0 | 1 | 1 | 0 | 1 | 5 | 2 | 7 |
| Panama | 0 | 1 | 1 | 0 | 0 | 0 | 0 | 3 | 3 | 1 | 1 | 2 | 0 | 0 | 0 | 1 | 5 | 6 |
| Paraguay | 6 | 2 | 8 | 2 | 0 | 2 | 2 | 3 | 5 | 14 | 12 | 26 | 9 | 15 | 24 | 33 | 32 | 65 |
| Peru | 1,010 | 632 | 1,642 | 909 | 625 | 1,534 | 755 | 441 | 1,196 | 736 | 460 | 1,196 | 708 | 395 | 1,103 | 4,118 | 2,553 | 6,671 |
| Saint Kitts and Nevis | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Saint Lucia | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Saint Vincent and the Grenadines | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Suriname | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 1 | 2 | 1 | 3 | 2 | 2 | 4 |
| Trinidad and Tobago | 1 | 0 | 1 | 2 | 0 | 2 | 0 | 0 | 0 | 1 | 0 | 1 | 3 | 0 | 3 | 7 | 0 | 7 |
| Uruguay | 0 | 0 | 0 | 0 | 1 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 3 | 1 | 4 | 3 | 2 | 5 |
| Venezuela | 1 | 1 | 2 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 5 | 4 | 9 | 6 | 5 | 11 |
| Total (LAC region) | 1,509 | 1,312 | 2,821 | 1,384 | 1,203 | 2,587 | 1,407 | 1,051 | 2,458 | 1,994 | 1,488 | 3,482 | 2,263 | 1,663 | 3,926 | 8,557 | 6,717 | 15,274 |

Source: Provided by Immigration Bureau, Ministry of Justice in January 2005 by the request of the researchers.

| Table 11 Number of LAC cases of violation of the Immigration Control Act by age and gender | | | | | | | | | | | | |
|--|----------|-------|-------|-------|-------|-------|-------|-------|-------|-------|--------------|--------|
| | Below 15 | 15-19 | 20-24 | 25-29 | 30-34 | 35-39 | 40-44 | 45-49 | 50-54 | 55-59 | 60 and older | Total |
| Men | | | | | | | | | | | | |
| 1999 | 413 | 45 | 113 | 267 | 277 | 195 | 104 | 63 | 21 | 8 | 3 | 1,509 |
| 2000 | 97 | 33 | 140 | 320 | 347 | 235 | 126 | 56 | 20 | 7 | 3 | 1,384 |
| 2001 | 77 | 26 | 174 | 297 | 313 | 241 | 152 | 74 | 32 | 11 | 10 | 1,407 |
| 2002 | 306 | 50 | 213 | 315 | 362 | 315 | 197 | 106 | 66 | 49 | 15 | 1,994 |
| 2003 | 373 | 54 | 244 | 373 | 365 | 314 | 206 | 135 | 103 | 61 | 35 | 2,263 |
| Total | 1,266 | 208 | 884 | 1,572 | 1,664 | 1,300 | 785 | 434 | 242 | 136 | 66 | 8,557 |
| | 14.8% | 2.4% | 10.3% | 18.4% | 19.4% | 15.2% | 9.2% | 5.1% | 2.8% | 1.6% | 0.8% | 100.0% |
| Women | | | | | | | | | | | | |
| 1999 | 360 | 56 | 178 | 301 | 191 | 111 | 44 | 32 | 14 | 14 | 11 | 1,312 |
| 2000 | 102 | 48 | 216 | 305 | 251 | 128 | 61 | 41 | 23 | 15 | 13 | 1,203 |
| 2001 | 79 | 54 | 197 | 238 | 203 | 127 | 69 | 33 | 19 | 16 | 16 | 1,051 |
| 2002 | 287 | 60 | 208 | 273 | 235 | 163 | 89 | 68 | 38 | 51 | 26 | 1,498 |
| 2003 | 341 | 68 | 254 | 267 | 251 | 170 | 119 | 70 | 61 | 34 | 28 | 1,663 |
| Total | 1,169 | 286 | 1,053 | 1,384 | 1,131 | 699 | 382 | 244 | 155 | 130 | 94 | 6,727 |
| | 17.4% | 4.3% | 15.7% | 20.6% | 16.8% | 10.4% | 5.7% | 3.6% | 2.3% | 1.9% | 1.4% | 100.0% |

The Japanese have no other legal recourse than to “rescue” them by taking them into custody. Whatever the reasons for this phenomenon, it is important to recall that by all estimates, many thousands of foreign women work in the Japanese sex trade and the higher number of arrests for Colombians should be considered within that context. It appears that Colombians are arrested disproportionately to their relative numbers within the Japanese sex trade. This is an area that calls for more attention from local authorities.

As indicated in Table 10, the number of LAC women violators detained under the Anti-Prostitution Law is relatively smaller than the number of LAC women violators under the Immigration Control Act. Article 24 of the Act defines the conditions for deportation. According to the law’s definition, foreigners who have engaged in any activities of prostitution are subject to immediate deportation, even if they have not been arrested or convicted under the Anti-Prostitution Law. In other words, the Immigration Control Act is enforced more strongly than the Anti-Prostitution Law. Arrests carried out by immigration authorities are usually not reported to the police department. Furthermore, given the complex nature of the sex trade, violations committed by women may simply be recorded under the Immigration Control Act, not specifically under the Anti-Prostitution Law. All of this strongly implies that the number of arrests related to prostitution is underreported in Japanese police records.

| | 1990 | 1991 | 1992 | 1993 | 1994 | 1995 | 1996 | 1997 | 1998 | 1999 | 2000 | 2001 | 2002 | 2003 | Total |
|--------------------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|------------|
| Argentina | | | | 1 | | | 1 | | | | 1 | | | | 3 |
| Bolivia | | | | | | | | | | | | 1 | | | 1 |
| Brazil | 1 | | | | | | | | 4 | 1 | 1 | | | | 7 |
| Chile | | | | 1 | 1 | | 1 | 2 | | | 1 | | | | 6 |
| Colombia | 9 | 48 | 11 | 36 | 73 | 45 | 34 | 51 | 52 | 30 | 41 | 36 | 58 | 29 | 553 |
| Dominican Republic | | | | | | | | | | 1 | | | | | 1 |
| Ecuador | 1 | | | | | | | 2 | | | | | 2 | | 5 |
| Mexico | | | | | 1 | 2 | 2 | 1 | | | | | 1 | | 7 |
| Paraguay | | 1 | | | | | | | | | | | | | 1 |
| Peru | | | | | 5 | 2 | 1 | | | 4 | 2 | | 1 | 1 | 16 |
| Uruguay | | | | | | | | | | | 1 | | | | 1 |
| Venezuela | | 1 | | | | | | | | | | | | | 1 |
| Unknown | | | | | | | | | 1 | | | | | | 1 |
| Total | 11 | 50 | 11 | 38 | 80 | 49 | 39 | 56 | 57 | 36 | 47 | 37 | 62 | 30 | 603 |

Note: No statistics were available before 1990.
Source: Provided by National Police Agency at the meeting with the researchers on November 5, 2004

(3) Trafficking

As previously mentioned, Japan’s law enforcement authorities began officially to count trafficking cases only in 2000. As shown in Table 13, Japanese police arrested 194 persons, including 52 brokers, in 285 cases between 2000 and 2004. Table 14 shows that the police identified 334 victims of trafficking during the past five years. All victims were women. Thais make up the largest number of victims with 194, followed by 57 Colombians, 25 Taiwanese, 18 Filipinas, 14 Russians, 13 Chinese, 10 Indonesians, 2 Cambodians, and 1 Korean.

| | 2000*1 | 2001 | 2002 | 2003 | 2004*2 | Total |
|--------------------------------|--------|------|------|------|--------|-------|
| Number of arrested cases | 80 | 64 | 44 | 51 | 46 | 285 |
| Number of arrested individuals | 55 | 40 | 28 | 41 | 30 | 194 |
| Brokers | 16 | 9 | 7 | 8 | 12 | 52 |

Source: Provided by National Police Agency at the meeting with the researchers on November 5, 2004

Notes:
*1 No data were collected by the National Police Agency before 2000.
*2 Data were collected between January and September.

The government policy of counting the number of trafficking cases, begun in 2000, is a good step forward, giving evidence of a change in attitude in the Japanese policy towards trafficking. Yet it should be noted that many victims are still likely being overlooked. Experience indicates that some foreign women who are arrested will deny being victims or be unable to articulate their situation to police officers. Language barriers are often considerable, and traffickers can usually communicate more convincingly with the police than foreign women can. It has been noted in some studies that victims of trafficking or forced labor are reluctant to report their own abuse to law enforcement personnel,

because they view making such statements as risky. The victims fear that they themselves, not the traffickers, may be criminally charged and deported. They also fear retribution against themselves or their families. Another reason for this reluctance is the fact that many victims have an inherent fear of the police, based on their past experiences with corrupt authorities in their home countries and communities.²⁴

| Table 14 Number of trafficking victims in the arrested cases | | | | | | | |
|--|-------------|--------|------|------|------|--------|-------|
| | | 2000*1 | 2001 | 2002 | 2003 | 2004*2 | Total |
| Nationality of victims | Cambodia | 0 | 0 | 0 | 2 | 0 | 2 |
| | China | 7 | 0 | 4 | 2 | 0 | 13 |
| | Colombia | 1 | 3 | 6 | 43 | 4 | 57 |
| | Thailand | 73 | 39 | 40 | 21 | 21 | 194 |
| | Taiwan | 3 | 7 | 3 | 12 | 0 | 25 |
| | Indonesia | 3 | 4 | 0 | 3 | 0 | 10 |
| | Korea | 1 | 0 | 0 | 0 | 0 | 1 |
| | Philippines | 4 | 12 | 2 | 0 | 0 | 18 |
| | Russia | 12 | 0 | 0 | 0 | 2 | 14 |
| Total | | 104 | 65 | 55 | 83 | 27 | 334 |

Source: Provided by National Police Agency at the meeting with the researchers on November 5, 2004

Notes

*1 No data were collected by the National Police Agency before 2000.

*2 Data were collected between January and September.

Table 15 shows the variations in the number of trafficked women, by nationality, provided with temporary shelter by the Women's Consultation Office. The Women's Consultation Office was established by the government as a shelter in accordance with the Anti-Prostitution Law. Each prefecture has at least one consultation office. The function of the office was originally to offer consultation, guidance, and temporary protection to women who engage in or fall into prostitution. Now, however, the office also functions as a shelter for many female victims of domestic violence. According to the 2001 Law for the Prevention of Spousal Abuse and the Protection of the Victims, the Women's Consultation Office was duly authorized to function as a spousal violence counseling and support center. At present, the government is also considering using the office as a shelter for foreign victims of trafficking. Observers, however, have pointed out that the office will face difficulties in taking on this additional task due to its limited operating budget. Furthermore, security in these facilities is also an issue, and the number of staff is insufficient.²⁵ As a result, these facilities will currently be unable to accommodate many foreign trafficking victims.

²⁴ Free the Slaves and Human Rights Center, University of California, Berkeley, *Hidden Slaves: Forced Labor in the United States*, September 2004, p.2.

²⁵ Cabinet Secretariat, Summary of White Paper on Gender Equal Society (*Danjo kyodo sankaku hakusho*), 2002. (in Japanese)

http://www.gender.go.jp/whitepaper/h14/1_5.html (Last access date: January 15, 2005)

| | 2001 | 2002 | 2003 | 2004 | Total |
|-------------|------|------|------|------|-------|
| Colombia | | | | 1 | 1 |
| Thailand | 1 | 2 | 3 | 4 | 10 |
| Philippines | | | 3 | | 3 |
| Korea | | | | 1 | 1 |

Note: Fiscal year. Data were collected between April and August in 2004.
Source: Provided by Ministry of Foreign Affairs on November at the meeting with the researchers on November 5, 2004
(The original data was by Ministry of Health, Labor and Welfare on Oct.28, 2004)

Table 16 shows the number of women seeking refuge at the private shelter HELP (House in Emergency of Love and Peace). The HELP facility, aside from private shelters for foreign victims of domestic violence, is one of only two NGOs which assist foreign women who are victims of trafficking. The HELP shelter, located in Tokyo, has 10 rooms which can accommodate a maximum of 15 people. A number of its clients have fled from rural areas of Japan (e.g. Nagano Prefecture).²⁶ The House for Women, *Saalaa*,²⁷ also runs a smaller shelter in Yokohama, mainly for Thai women trafficking victims.

There is no general awareness or widespread consciousness in Japan that foreign trafficking victims are a vulnerable population group that merits assistance. Victims must be resourceful to break away from their handlers and survive on their own in Japanese society. Most foreign women victims, after having received help from a compassionate customer or compatriot, are introduced to the shelters by their respective embassies. The existence of shelters for victims of trafficking is not widely known among foreign women and even among Japanese. Most of the telephone help lines in operation are designed only for victims of domestic violence.

²⁶Otsu, Keiko and Kaori Muto, "From the Private Shelter's Perspective" (*Minkan sheruta karano shiten*) in Yoshida, Yoko and JNATIP eds., *Measures to be taken to eliminate human trafficking* (Jinsin baibaiwo nakusutameni), Akashishoten 2004 (in Japanese), p. 14-45.

²⁷"Saalaa" means "harbor" in the Thai language.

| | 1996 | 1997 | 1998 | 1999 | 2000 | 2001 | 2002 | 2003*1 | 2004*2 | Total |
|------------|------|------|------|------|------|------|------|--------|--------|-------|
| Thailand | 9 | 7 | 8 | 5 | 2 | 17 | 16 | 19*3 | 24 | 88 |
| Colombia | 5 | 5 | 3 | 4 | 9 | 17 | 7 | 1 | | 51 |
| HongKong | 1 | | | | | | | | | 1 |
| Taiwan | | 1 | | 7 | | | | | 1 | 9 |
| Korea | | 1 | 1 | 1 | | | | | | 3 |
| China | | 1 | | | | | 1 | | | 2 |
| Mexico | | | | 1 | | | 1 | | | 2 |
| Romania | | | | 1 | | 1 | | | | 2 |
| Peru | | | | | | | 1 | | | 1 |
| Costa Rica | | | | | | | | 2 | | 2 |
| Total | 15 | 15 | 12 | 19 | 11 | 35 | 26 | 3 | 25 | 161 |

Source: Yoshida, Yoko and JNATIP edit., *Measures to be Taken to Eliminate Human Trafficking (Jinsin baibaiwo nakusutameni)*, Akashishoten 2004 (in Japanese), p. 20.

Notes

*1 Fiscal year was introduced in 2003.

*2 Data were collected between April and September in 2004.

*3 Including 3 minors.

The majority of foreign women have difficulty escaping from traffickers due to fear, intimidation and physical or psychological threats. There is a saying among NGO case workers that the “policemen return women, who came to seek help, to the traffickers.” For women who are working in remote areas of Japan, such as the isolated islands in Okinawa, it is almost impossible to escape. Foreign women are working in all parts of Japan, including many urban areas outside of Tokyo, such as Fukuoka and Sapporo, which have populations exceeding one million and flourishing sex industries.

Embassies are important way stations for foreigners needing assistance. In Japan, the overall record of assistance to victims by foreign embassies or consulates is uneven. Thailand, for example, is widely recognized as the most significant source country for trafficking victims in Japan. As indicated in Table 3, there were 8,386 overstaying Thai women in 2003. However, Table 14 shows that only 194 Thai women were identified as victims during the past five years, and Table 16 shows that only 88 Thai women were sheltered at the HELP facility during the past nine years. In the case of Colombian women, Table 4 shows that there were about 800 overstaying Colombian women in Japan. As indicated in Table 14 and Table 16, only 57 Colombian victims were identified and 51 sheltered during the same period. The foreign women housed in these shelters have generally been assisted in this process mostly by their respective embassies. The numbers indicate that the Colombian embassy may be among the most assertive among all of the foreign missions in Japan in helping its nationals who have been trafficked. As mentioned earlier, this may be linked to the number of arrests of Colombians under the Anti-Prostitution Law.

6. SUMMARY OF LAC COUNTRY DATA

Table 17 shows the country profiles with regard to selected indicators of migration and trafficking from the LAC region to Japan. It should be noted that all LAC countries which had at least one hundred women arrested under the Immigration Control Act also had at least one national arrested under the Anti-Prostitution Law. These same countries – Bolivia, Brazil, Colombia, Mexico and Peru – also had large numbers of illegal overstayers.

7. DISCUSSIONS AND ESTIMATIONS

(1) Magnitude of trafficking from the LAC region into Japan

As mentioned above, this rapid assessment suggests that the vast majority of LAC victims enter Japan with a legal visa and are later subjected to trafficking exploitation. Most are presumed to have entered Japan with a visa or legal status in the categories of Temporary Visitor; Spouse or Child of Japanese National; or Entertainer. Japan's restrictive immigration policies do not offer many other likely visa categories for traffickers to abuse in transporting victims into Japan (exceptions are the student or trainee visas, which are not examined in this rapid assessment report). The other major means of access to Japan is clandestine entry into the country.

Accordingly, these categories, including both legal and illegal entries, provide an overview of the universe of LAC nationals moving into Japan each year, from which subsets can be derived that offer more information about the scope and magnitude of potential trafficking activity. Examination of each relevant visa category, as well as the criminal statistics on foreigners who have come to the attention of Japanese authorities, allows us to define the pool of potential victims. From these raw numbers, we apply our own observations and understanding of the dynamic of human trafficking in Japan. This gives a baseline that we use to estimate victims by pertinent category.

The crucial categories considered are:

- LAC Women detained under the Immigration Control Act
- LAC Women illegally overstaying
- Spouses of Japanese
- Female Entertainers
- Underground Women

Table 17 Country profiles on selected figures on migration and trafficking from the LAC region to Japan in 2003

| | Temporary stay | Spouse/child of Japanese | Entertainer | Estimated overstayer*1 | | Violation*2 | | Prostitution*3 | Victims*4 | HELP clients*5 | Other references |
|----------------------------------|----------------|--------------------------|---------------|------------------------|-------|-------------|-------|----------------|---------------|----------------|------------------|
| | Men and Women | Men and Women | Men and Women | Men | Women | Men | Women | Men and Women | Men and Women | Men and Women | Men and Women |
| Antigua and Barbuda | 12 | 0 | 0 | - | - | 0 | 0 | 0 | 0 | 0 | - |
| Argentina | 3,202 | 170 | 278 | 400 | 200 | 115 | 61 | 3 | 0 | 0 | - |
| The Bahamas | 53 | 0 | 1 | - | - | 2 | 0 | 0 | 0 | 0 | - |
| Barbados | 58 | 0 | 1 | - | - | 1 | 2 | 0 | 0 | 0 | - |
| Belize | 35 | 1 | 0 | - | - | 2 | 1 | 0 | 0 | 0 | - |
| Bolivia | 364 | 78 | 11 | 400 | 300 | 334 | 226 | 1 | 0 | 0 | - |
| Brazil | 7,749 | 9,902 | 938 | 2,800 | 1,900 | 2,755 | 1,582 | 7 | 0 | 0 | - |
| Chile | 1,451 | 6 | 17 | 100 | 50 | 49 | 55 | 6 | 0 | 0 | *6 |
| Colombia | 2,158 | 24 | 11 | 500 | 800 | 761 | 1,923 | 553 | 57 | 51 | - |
| Costa Rica | 421 | 2 | 2 | 50 | 50 | 18 | 28 | 0 | 0 | 2 | - |
| Cuba | 404 | 10 | 106 | - | - | 2 | 2 | 0 | 0 | 0 | - |
| Dominica | 35 | 1 | 0 | - | - | 12 | 10 | 0 | 0 | 0 | - |
| Dominican Republic | 826 | 11 | 16 | - | - | 27 | 52 | 1 | 0 | 0 | - |
| Ecuador | 281 | 3 | 15 | - | - | 22 | 21 | 5 | 0 | 0 | - |
| El Salvador | 202 | 2 | 0 | - | - | 1 | 1 | 0 | 0 | 0 | - |
| Grenada | 18 | 0 | 0 | - | - | 0 | 0 | 0 | 0 | 0 | - |
| Guatemala | 307 | 4 | 3 | - | - | 6 | 2 | 0 | 0 | 0 | - |
| Guyana | 56 | 0 | 0 | - | - | 0 | 0 | 0 | 0 | 0 | - |
| Haiti | 66 | 1 | 15 | - | - | 0 | 2 | 0 | 0 | 0 | - |
| Honduras | 193 | 3 | 2 | - | - | 42 | 15 | 0 | 0 | 0 | - |
| Jamaica | 243 | 5 | 106 | - | - | 6 | 0 | 0 | 0 | 0 | - |
| Mexico | 9,779 | 32 | 140 | 300 | 200 | 227 | 133 | 7 | 0 | 2 | *7 |
| Nicaragua | 110 | 0 | 0 | - | - | 5 | 2 | 0 | 0 | 0 | - |
| Panama | 266 | 2 | 3 | - | - | 1 | 5 | 0 | 0 | 0 | - |
| Paraguay | 169 | 180 | 42 | - | - | 33 | 32 | 1 | 0 | 0 | - |
| Peru | 2,250 | 536 | 46 | 4,700 | 2,500 | 4,118 | 2,553 | 16 | 0 | 1 | - |
| Saint Kitts and Nevis | 6 | 0 | 0 | - | - | 0 | 0 | 0 | 0 | 0 | - |
| Saint Lucia | 23 | 0 | 2 | - | - | 0 | 0 | 0 | 0 | 0 | - |
| Saint Vincent and the Grenadines | 26 | 0 | 0 | - | - | 0 | 0 | 0 | 0 | 0 | - |
| Suriname | 55 | 0 | 0 | - | - | 2 | 2 | 0 | 0 | 0 | - |
| Trinidad and Tobago | 402 | 2 | 57 | - | - | 7 | 0 | 0 | 0 | 0 | - |
| Uruguay | 349 | 6 | 7 | - | - | 3 | 2 | 1 | 0 | 0 | - |
| Venezuela | 606 | 1 | 40 | 60 | 40 | 6 | 5 | 1 | 0 | 0 | - |
| Unknown | - | - | - | 690 | 260 | - | - | 1 | - | - | - |
| Total (LAC Countries) | 32,175 | 10,982 | 1,859 | 10,000 | 6,300 | 8,557 | 6,717 | 603 | 57 | 56 | - |

Notes:

*1 Data were collected in 2005.

*2 Number of cases of violation of the Immigration Control Act for the past 5 years.

*3 Number of arrested foreigners against the Anti-Prostitution Law from the LAC countries for the past 14 years.

*4 Number of trafficking victims in the arrested cases for the past 5 years.

*5 Number of women having fled to HELP (House in Emergency of Love and Peace) from traffickers for the past 9 years.

*6 Ryann Connell, Staff Writer of the Mainichi Daily News, reported on two women accusing Anita Alvarado of bringing them to Japan to serve as sex slaves. July 10, 2003.

*7 Lederer, Laura J.D., reported " Mexican authorities recently uncovered a crime ring that had lured approximately 1,200 Mexican women to Japan for purposes of prostitution. The women, who were between the ages of 18 and 30, had been promised employment as artists, singers, or dancers." in *The Protection Project, January 2001*, *Human Rights Report on Trafficking of Women and Children: A Country-by-Country Report on a Contemporary Form of Slavery*, p.277.

A. Women Detained under the Immigration Control Act

During the past five years, some 6,717 Latin American and Caribbean women have violated the Immigration Control Act, representing approximately 1,300 women per year. Figure 2 shows the Japanese government's estimates of the number of illegal foreign female workers by work activity. According to these government statistics, 34.7 % of women were working as hostesses or entertaining customers. It is believed that many women in this category are in fact in the commercial sex trade. Another 4.1% of women working illegally stated that they were engaged in prostitution, an activity which often involves a high element of exploitation. In Japan, this can include stripping and similar kinds of sexual services such as working as a "Soap Lady" (*Sopujo*). As a *Sopujo*, a woman is formally employed to wash her male customers' bodies, but it is known that these workers often provide sexual services.

Furthermore, women in the other categories listed in Figure 2 are also potential victims, because they may have concealed their real activities after being detained. Experience indicates that many women responding to inquiries from the authorities after being arrested are reluctant to disclose that they have been forced into prostitution. Another imperfection in these statistics is that they do not reflect the fact that some women may have been trafficking victims, forced for a while into the sex trade, but later managed to extract themselves and find a new illegal job before their detainment. Experience indicates that such victims would not likely reveal the nature of their first "work" to the Japanese authorities.

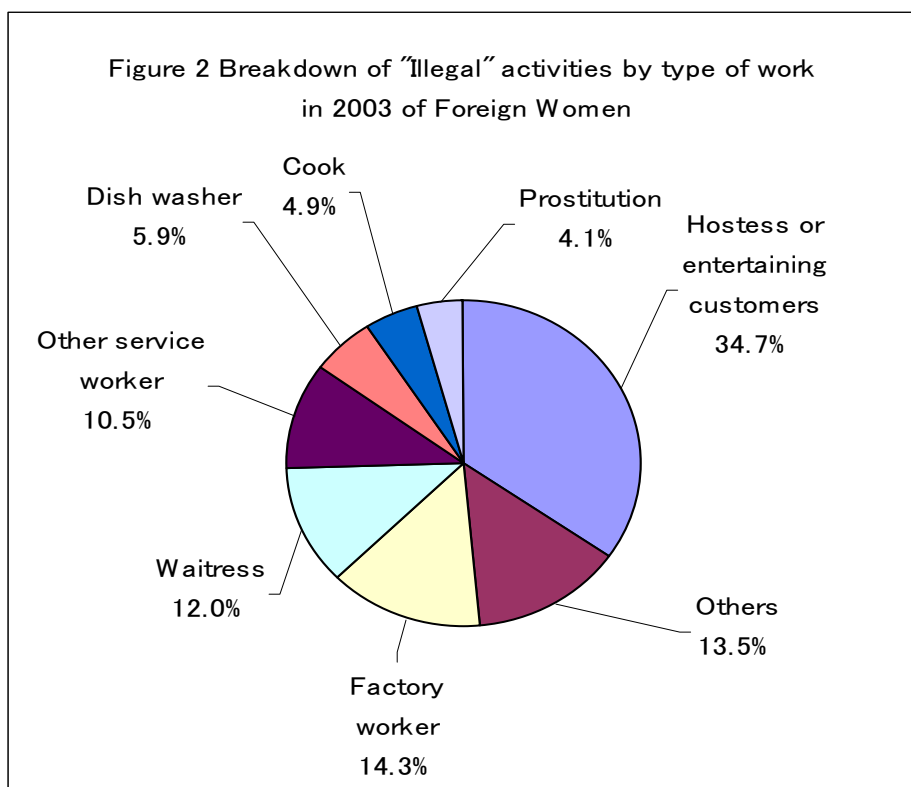
Mike Douglass has observed that overt specialization in female immigration for sexual services and the limited alternative occupational opportunities available to immigrant women sets Japan apart from other high-income societies.²⁸ For many non-skilled LAC women migrants to Japan, who arrive with few economic options, the commercial sex trade – furthered by the connivance of traffickers – holds a unique dominance as the principal "workplace" option. This same phenomenon can be seen even among those non-skilled LAC women who migrate to countries where they have cultural similarities and a command of the language, such as Spain. In the case of Japan, where LAC women face significant language and cultural barriers, the economic options are even fewer and the adult entertainment industry is more widely developed. Furthermore, in Japan, these foreign women are most likely to be pushed into the most exploitative segment of the sex trade.

In summary, the Japanese government's own data on detained foreign women working illegally suggest that 38.8% (34.7% plus 4.1%) have worked in areas potentially linked to the adult entertainment industry (serving as prostitutes, hostesses or entertainers), a

²⁸ Douglass, Mike, "The Singularities of International Migration of Women to Japan: Past, Present and Future," in Mike Douglass and Glenda S. Roberts eds., *Japan and Global Migration: Foreign Workers and the Advent of a Multicultural Society*, University of Hawaii Press, 2000, p.113.

commercial activity in which foreign women often suffer some kind of trafficking exploitation. It is important to recall that experience shows that victims of trafficking exploitation suffer abuses across a continuum. In other words, victims suffer different abuses to different degrees. We believe that this occurs in the Japanese adult entertainment industry. Not all foreign women serving in this industry can be considered trafficking victims; however, the international standard is rightly generous to potential victims, who are often vulnerable individuals isolated in foreign countries. The international standard establishes that supposedly “mild” infractions such as restricting movement, controlling passports, or using unspoken intimidation and threats are all examples of trafficking abuses.

We therefore conclude that many of the LAC women detained under the Immigration Control Act would fit the profiles of persons linked to or having passed through some kind of “work” in the adult entertainment industry, particularly given the barriers they face in finding legitimate employment within the Japanese economy. We further suggest that the Japanese government’s statistics do not fully capture all of the individuals who might have been forced into this kind of work. These factors in combination support our estimate that 50% of LAC women detained under the Immigration Control Act are potential trafficking victims. This represents approximately 650 persons per year.



Source: Provided by Immigration Bureau, Ministry of Justice in January 2005 by the request of the researchers.

B. Overstaying Women

Another significant category of potential trafficking victims is represented by individuals who have overstayed their permission to remain in Japan. The official estimate of overstayers is made by matching embarkation cards with disembarkation cards, thus identifying those who overstay their entitled temporary period of presence. There is no overlap or double-counting between the number of overstayers and foreigners detained under the Immigration Control Act, because the detained foreigners under this Act are recorded by the government and subtracted from the number of overstayers.

Overstayers can be defined as persons who have violated the Act but have not yet been detained by the authorities. In 2004, 6,300 Latin American and Caribbean women were estimated as overstaying. The annual number of overstaying LAC nationals began to increase in 1990. Broken down by year, the number of overstayers has increased by an average of 400 LAC women. This number reflects LAC women who entered Japan legally but stayed a longer period than their visas permitted. There is no information about why these women decide to overstay; clearly there are many factors involved, some of which are presumably related to illegal work in the commercial sex trade and hence trafficking.

As with women detained under the Immigration Control Act, overstaying women are more vulnerable to trafficking exploitation. The principal reason is that their handlers can control them by threatening to turn them over to the authorities for deportation. According to our analysis, the potential trafficking vulnerability of overstaying women is identical with that of the women detained by the authorities under the Immigration Control Act. Both groups are from the same pool of LAC migrants, with the main difference being that some have been detained by the authorities and some have not. For that reason, we estimate that 50% of overstaying women are potential trafficking victims. This represents approximately 200 persons per year.²⁹

C. Spouses of Japanese Nationals

It is widely known that traffickers in many regions abuse family reunification visas in order to move victims across international borders. In Japan, this category of family reunification is mainly represented by the Spouse or Child of Japanese National visa. In fact, Japan's new Action Plan on Measures to Combat Trafficking in Persons recognizes that many foreigners working as hostesses at drinking establishments have the residency status of "spouse or child of Japanese national," suggesting that this visa category may

²⁹ It should be emphasized that the estimate of LAC overstayers is from Japan's Immigration's Bureau. The Bureau estimates that 219,000 foreign nationals are out of status in Japan – in effect overstayers – of which 16,300 are LAC nationals, of which 6,300 are women.

currently be abused by traffickers.³⁰ Anecdotal evidence suggests that traffickers use phony marriages to move women to Japan from Latin America, often via Europe. The data reveal that 10,000 spouses or children of Japanese nationals from the LAC countries enter Japan each year, and a further breakdown indicates that the vast majority of these entrants, perhaps 90%, are qualifying for these visas as spouses rather than children.

This analysis is suggested by the growing number of registered marriages to foreigners as compared with entering migrants. It also reflects the steadily declining birth rate of Japanese in recent years, a factor which contributed to the 1991 revision of the Immigration Control Act, allowing an influx of people of Japanese descent into Japan. Unfortunately, a breakdown of figures in this spouse or children visa category by gender is not available. However, Japan's national registry of international marriages provides some insights. It reveals that 77.9% of the marriages registered in 2002 between Japanese nationals and foreigners were between Japanese men and foreign women, showing an overwhelming use of this visa in recent years for foreign wives.³¹ Accordingly, among the 90% of "Spouse or Child of Japanese National" visa holders who are spouses, it can be fairly estimated that 70 % are wives.

Trafficking exploitation and abuse connected to the Spouse visa are difficult to document. Clearly, the overwhelming majority of these visa entrants are not involved in trafficking. Some cases, however, are known to exist in which phony marriages arranged by traffickers are used to move foreign women into the Japanese sex trade or the underground labor force. Other trafficking exploitation may result from the growing "mail-order bride" phenomenon in Japan, in which foreign women may fall into trafficking exploitation as a result of factors related to their abuse by a husband.

Another type of trafficking in which spouses of Japanese are involved is illustrated by the case of Chilean Anita Alvarado, the wife of a Japanese national, who was recently arrested for allegedly having trafficked five Chilean women into Japan.³² This high-profile case both in Chile and Japan indicates that some Latin American women married to Japanese are involved in the trafficking business themselves. A number of them, as in the case of Anita, were victims themselves before having married a customer or a member of the *Yakuza*.

Although further research on the issue should be undertaken, at present we tentatively estimate that 7% of all Latin and Caribbean wives of Japanese are potential victims. This represents approximately 440 persons per year.

³⁰ http://www.vitalvoices.org/desktopdefault.aspx?page_id=39 (Last access date: January 15, 2005).

³¹ Ministry of Health, Labor and Welfare, *Vital Statistics of Japan, 2000*.

³² *Asahi Shinbun*, February 12, 2005.

D. Female Entertainers

A major vehicle for trafficking foreign women into Japan is the abuse of the Entertainer visa. This category is widely used to bring Asian women to Japan, particularly Filipinas. Some 2,000 entertainers from the LAC countries enter Japan each year, and little is known about the standards used to certify a LAC national as an entertainer. The Entertainer visa permits the foreign national to stay for as long as six months in Japan. Research shows that in the case of Filipina entertainers many of the same applicants have received the Entertainer visa several times, including those who may have been subjected to trafficking exploitation. Many Japanese observers contend that a higher number of Entertainer visa holders from the LAC region engage in activities related to genuine entertainment, since Latin American and Caribbean music and dance are popular among the Japanese.

However, other factors indicate that the Entertainer visa is being used to traffic LAC women to Japan. This analysis is based on three significant factors: 1) the Entertainer visa is recognized as a prominent vehicle for trafficking Asian women to Japan; 2) it is known that the Entertainer visa is used to move LAC women to Western Europe (e.g., Switzerland and Austria); and 3) Brazil in particular is a leading source country of victims moved to Europe on the Entertainer visa, and Brazil leads by far the number of Entertainer visas issued to Japan.

We should repeat that this rapid assessment can only point to areas requiring further study, many of which will be part of second phase of this report. In order to lessen the potential of double-counting victims in this category and illegal overstayers or women detained under the Immigration Control Act (i.e., Entertainer visa holders who go out of status after six months), we estimate conservatively, based on our observations and the data, that 20% of the LAC Entertainer visa holders are potential trafficking victims. This represents approximately 400 persons per year.

E. Underground Women

An unknown number of women enter Japan clandestinely, without any documents, and end up as likely victims of trafficking. The Immigration Bureau states that 30,000 foreign nationals are secretly staying in Japan.³³ There are no estimates on how many are LAC nationals. Some women are given altered passports from other countries to facilitate their entry, and then they disappear. In undercover meetings with traffickers, the Global Survivor Network (GSN) found that women and girls are frequently transported into Japan via Moscow, Kiev, and Vladivostok.³⁴ It is also known that since

³³ Japan Immigration Bureau, Ministry of Justice, *2004 Immigration Control*, p.41.

³⁴ Lederer, Laura J.D., *The Protection Project, January 2001, Human Rights Report on Trafficking of Women and Children: A Country-by-Country Report on a Contemporary Form of Slavery*, p. 217.

it is difficult to enter Japan as a Colombian, brokers route Colombian women to Europe or the United States, and then transport them into Japan using altered travel documents, a problem recognized by the Immigration Bureau.³⁵ Some women doubtless do not pass through the formal immigration process at all.³⁶ The Immigration Bureau reported that alone in 2003 at least 777 foreign nationals entered Japan without obtaining permission from an immigration inspector. Of those, 26 were from Brazil, and 25 were from Peru.³⁷

There are several scenarios under which traffickers can move foreign women into Japan without leaving any records, sometimes using subterfuge at entry points. For example, traffickers have been known to disguise women as airline staff, enabling them to pass more easily through immigration. Some traffickers infiltrate airport security in order to facilitate the entry of trafficked women. In bolder cases, traffickers bribe officials to expedite an unauthorized entry.³⁸ The fact that the victims are complicit in these illegal entries has nothing to do with the fact that they may be abused by traffickers. The numbers are difficult to estimate, but such cases potentially constitute some 1 percent of trafficking victims from the LAC region. This represents approximately 15 persons per year.

(2) Calculation of LAC female human trafficking victims

$$\begin{aligned} & [\mathbf{A}(1,300 \times 50\%) + \mathbf{B}(400 \times 50\%) + \mathbf{C}(10,000 \times 90\% \times 70\% \times 7\%) + \mathbf{D}(2000 \times 20\%)] \\ & \times 101\% (\mathbf{E}) \\ & = [650 + 200 + 441 + 400] \times 101\% = [1,691] \times 101\% = 1,707 \end{aligned}$$

Our rapid assessment of the approximate number of women victims of trafficking in Japan from the LAC countries is 1,700 annually.

Viewed in a wider context, this calculation provides a cautious estimate that can help give much-needed scope and magnitude to the phenomenon of trafficking in persons from Latin America and the Caribbean to Japan. Observers should keep in mind that human trafficking is a dynamic crime, in which some persons move in and out of victim status, depending on how they are handled by their traffickers. The data we have produced in this rapid assessment are firmly anchored in concrete immigration, labor and criminal statistics from the government of Japan. The conclusions drawn in this report are also based on known information, patterns arising from similar situations in other

³⁵ ILO, p.56. Also, in the years 1999-2003 the Japanese Immigration Bureau denied “landing” permission to 1,574 Colombians, largely out of concern about altered passports or other issues of falsified travel documents.

³⁶ *Ibid.*, p.35.

³⁷ Japan Immigration Bureau, Ministry of Justice, *2004 Immigration Control*, p.46.

³⁸ Otsu, Keiko and Kaori Muto, p. 40.

parts of the world and professional assessments related to human trafficking. An effort has been made not to be speculative, but to provide a framework for further scholarly examination, which is planned in the second phase of this study.

It is useful to compare this rapid assessment estimate of 1,700 to other existing reports. Although almost no statistics exist on trafficking from the LAC region to Japan, according to U.S. government data, 5,000-8,000 persons per year are estimated to be trafficked from the Western Hemisphere to Asia. While there is no detailed breakdown of those numbers, a fair assumption is that the vast majority are destined for Japan, coming from developing countries in the LAC region. Our estimate of 1,700 is a significantly below the U.S. estimate.³⁹

(3) Likely Source Countries

Putting the Arrests of Colombians in Context

Understanding and quantifying crimes which are unrecognized or unreported are major challenges when attempting to estimate the extent of human trafficking into Japan. Due to the absence of laws that directly address human trafficking, many trafficking cases are not recorded, either because the victims simply do not contact the police, or they are treated as immigration violators and not recognized as trafficking victims.⁴⁰

This rapid assessment shows data that Colombians are arrested much more often than other LAC victims under the Anti-Prostitution Law. A major reason for this disparity appears linked to the activism of the Colombian embassy in Tokyo on behalf of Colombian nationals trapped in trafficking situations. The Colombian embassy has conducted extensive outreach to identify and assist these victims. Senior Colombian officials have spoken out about the situation. One Colombian embassy staffer in particular has earned a reputation as a pioneer in documenting and presenting information directly to the National Police Office of Japan. These efforts bring cases to the attention of the Japanese police, who have no option under current law but to arrest victims rather than assist them. This situation not only helps explain why Colombians are arrested at a higher rate, but also points to the importance of the LAC embassies' efforts to help their nationals.

Likely Significant LAC Source Countries

Besides Colombia, the data point to the LAC countries of Bolivia, Brazil, Mexico and Peru as the most significant sources for trafficking victims in Japan. Each of these

³⁹ United States Government Report. Updated Estimates for Global Human Trafficking, April 2004.

⁴⁰ ILO office in Tokyo, p. 31.

countries has had more than one hundred violation cases under the Immigration Control Act as well as at least one case of arrest under the Anti-Prostitution Law (see Table 17).

Other Likely Source Countries

Table 17 also shows data indicating that Argentina, Chile, Dominican Republic, Ecuador, and Paraguay may also be significant source countries, since they have violation cases in double digits as well as at least one arrest case under the Anti-Prostitution Law.

8. CONCLUSIONS AND OBSERVATIONS FROM THE RESEARCHERS

As this rapid assessment report points out, Japanese policy with regard to the LAC countries seems to focus principally on Colombia as the only significant source country within the Western Hemisphere. However, as discussed in Section 5, we cannot make the assumption that other LAC countries are not significant sources of victims. In fact, the evidence clearly points to the conclusion that other countries in Latin America, particularly Peru and Brazil, may have a significant number of their nationals trafficked into the Japanese sex trade. This will be an area of further examination in the second phase of this report.

One of the most serious obstacles in trying to determine the scope and magnitude of trafficking in persons is the limited availability of statistical data on the potential victims. Even basic official records are not always open to the public, a fact which presented considerable difficulties to our research team during the collection of preliminary data. However, this lack of statistics ironically gives us insights into some of the workings behind the scenes. For example, as our report indicates, gender-segregated data for each visa category is not available in Japan (or for that matter in many other countries). Only the total number of individuals of all nationalities entering Japan "legally" is tabulated by gender, along with criminal records which are compiled once a foreigner comes into conflict with Japanese law, as described in Section 4. This pattern of official data collection points to the underlying attitude of the Japanese government, which basically pays little attention to the gender aspects of the social situation within which the statistics are gathered.

If we consider the complex nature of human trafficking, it seems that the Japanese government's present strategy to combat human trafficking by restricting the entry of migrants and foreign visitors from such targeted sending countries as the Philippines and Columbia may not be the most effective measure over the long term, particularly if it is not part of a more comprehensive national anti-trafficking strategy. In order to control the entry of temporary visitor visa holders, Japan introduced the Visa Encouragement Measure in February 2004 for nationals from Colombia and Peru. Japanese officials see the measure as a proactive step to reduce trafficking, because they view the temporary

visitor visa as one of the categories most subject to trafficking-related abuse within the LAC region. However, as a stopgap measure, in the absence of a broader strategy, this initiative may have the unintended consequence of pushing the source of victims to other LAC countries where the mutual visa exemption with Japan continues, for example, Argentina, Costa Rica, El Salvador, and Mexico.

As is widely recognized, identifying the victims of trafficking is extremely difficult because of the nature of the phenomenon. However, a rigorous review of the data of the Japanese visa categories was the only logical starting point for examining the movement of LAC nationals into Japan. Given the country's geography, the movement of nationals into Japan for both legal and illegal purposes – with the few exceptions mentioned in the report – is a process largely controlled within the framework of Japanese visa law.

These limited visa categories represent the only options for foreigners, especially those from developing countries, who wish to stay and work in Japan legally. Japan's extremely restrictive immigration policy prevents the inflow of unskilled workers and simultaneously paves the way for the trafficking of women from developing countries, while shutting the door to other legal employment opportunities for them. This restrictive policy inevitably allows only so-called "side-door" and "back-door" entries into the Japanese labor market. The "side door" permits foreigners to gain entry to Japan and work legally earning minimal compensation, using a visa category that is different from their actual work (e.g. "entertainer"). The "back door" allows undocumented workers to enter Japan to fill needs on the margins of the legitimate labor market.

The economic lure of Japan and, importantly, the existence of a large sex industry with its demand for foreign women, draw many women into the human trafficking trap. The current situation indicates to us that human trafficking in Japan is not only brought about by the transnational criminal networks, but also, on a much more fundamental level, by the nature of immigration policy in Japan. (This point will be discussed more intensively in our next report.) Even though it is among the largest destination countries for human trafficking in its region, Japan has not yet fully addressed the enormous drawing power of the national sex industry to bring vulnerable foreigners into the country. Although the transnational networks of criminal organizations have supposedly intensified with globalization, their presence is not new. This is a situation that has existed for some years.

Demand plays a significant role in this phenomenon. As Finckenauer (2001) points out, "the ultimate foundation for profits from illicit goods and services is the customers for these goods and services, then, in this particular case of trafficking, they are consumers and buyers in the sex industry." This is a significant aspect of the trafficking of foreigners into Japan that has been largely ignored by the Japanese government. The present strategy of the Japanese government against human trafficking is mainly focused on combating the global networks of criminal organizations. We can point, in part, to this narrow attitude of the Japanese government as an important indirect factor in continuing to make the sex trade in Japan attractive to traffickers.

Another crucial factor is the invisibility of the real situation and working conditions within the sex trade. More light needs to be shed on the subtle way in which victims are pushed into vulnerability and further exploitation in Japan. Potential LAC migrants to Japan, particularly those in categories at risk of being trafficked, should be assisted by their own countries before migrating to understand and resist trafficking abuses abroad. Many of these migrants face complex social situations and attitudes in Japan that further complicate the realities of their being trafficked. As this report makes clear, they also need the very active assistance of their embassies in Japan.

This lack of comprehension on the part of migrants is closely tied to the lack of transparency as well as the social factors surrounding human trafficking to Japan. These factors are often more social than criminal. As Finckenauer states, "Ironically, in one sense it might make law enforcement easier if human trafficking were controlled by true organized crime. The targets for investigation and prosecution would at least be much clearer, and the effort could be more focused."

In efforts to curb human trafficking, government policies of close cooperation and communication between sending and receiving countries are urgently needed, as is the creation of protective support service systems for those who are already victims of trafficking. These policies should not be short-term stopgap measures, but steps toward a fundamental solution to the violation of trafficking victims' human rights. Needless to say, we must gain an effective overview of the situation, especially the numbers and realities of trafficking in persons from LAC countries, but at the same time, we also need to examine the factors that have led to this phenomenon, as well as its connections to Japan's legal, economic and social system.