

No. 3 / 1997

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A Preliminary Study of Irregular Migration From Mainland China to Taiwan

Zusammenfassung: Dieser Artikel diskutiert die wirtschaftlichen und politischen Hintergründe sowie die Verlaufsformen der irregulären Migration vom chinesischen Festland nach Taiwan in den späten 1980er und frühen 1990er Jahren. Nach einer kurzen Betrachtung der von Taiwan ausgehenden Anziehungskräfte wie Wirtschaftswachstum, Einkommensabstand und Arbeitskräftemangel wendet er sich dem zunehmenden Umfang der Migration und den Migrantenmerkmalen in Bezug auf Herkunftsort, Alter, Geschlecht, Bildungsstand und Berufszugehörigkeit zu. Dazu werden taiwanesischen Polizeistatistiken aus Auffangslagern für illegale Migranten ausgewertet. Mit erörtert werden die taiwanesischen Investitionen und Privatbesuche auf dem chinesischen Festland, rechtliche Probleme bei der Überquerung der Taiwan-Straße und die inner-taiwanesischen Debatte zu Repatriierung oder Import chinesischer Arbeitskräfte.

Schlagnworte: Taiwan, Fujian, Investitionen, Privatbesuche, Migration, Arbeitskräfte, Einkommen, Grenzübertritte, Migrantenmerkmale

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Abstract: This article discusses the economic and political background as well as the process of illegal migration from the Chinese mainland to Taiwan in the late 1980s and early 1990s. Starting with a brief overview of pull factors such as economic growth, income gap and labor shortages in Taiwan, it turns to the increasing volume of migration and migrant characteristics in regard to place of origin, age, sex, educational attainment and occupational structure. The data base is provided by Taiwanese police statistics from detention centers for illegal migrants. Also discussed are Taiwanese investments on Mainland China, legal issues of border crossings in the Taiwan Straits and the inner-Taiwanese debate on repatriation versus labor imports from China.

Key words: Taiwan, Fujian, investment, private visits, migration, labor, income, border crossings, migrant characteristics

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A PRELIMINARY STUDY OF IRREGULAR MIGRATION FROM MAINLAND CHINA TO TAIWAN

GENERAL BACKGROUND

Illegal migration is a term which, in connection with Taiwan, obviously exists only since the middle of the past decade. Since then it has gained more and more in importance. It involves all the classic factors influencing migration, which also exist in other countries of destination: labour shortage here, surplus of labour there; high economic growth rates here, stagnation there; high incomes here, low incomes there.¹

During most years prior to the beginning of irregular migration, figures for GDP growth and income in Taiwan have been significantly higher than in the vast majority of Southeast and East Asian countries, whereas unemployment rates have been definitely lower. For comparative figures for the years 1980 to 1987 please see table 1.

Table 1: **Comparative Economic Data**

Area	Growth of GDP (1980-1987)	Wages (in US\$)	Unemployment Rates
Indonesia	3.6	120-151	*2.21 (11.85)
Korea	8.6	4,784-6,552	2.5
Malaysia	4.5	1,068-4,764	8.1
Philippines	-0.5	873-1,062	9.6
Sri Lanka	4.6	379	**20.0
Thailand	5.6	399	5.8
Taiwan	7.6	7,188	1.69

*Underemployment ** estimated

Source: Selya, Roger Mark, 'Illegal Migration in Taiwan: A Preliminary Overview', in: *IMR*, Vol. xxvi, No. 3, p. 794.

¹ For a discussion of the factors GDP, unemployment rate and income disparities, please compare especially: Lohrmann, Reinhardt, 'Irregular Migration: A Rising Issue in Developing Countries', in: *International Migration (IM)*, Vol. 25, No. 3, 1987, p. 263.

Although overall economic growth declined from 12.6% to 5.2% p.a. between 1986 and 1990, these figures are still higher than those of other countries which are relevant for comparison.² In addition to this, some experts think that significant differences in the income levels and unemployment rates alone stimulated migration sufficiently.³

Last but not least income increases in the 1980s were a consequence of a 30% revaluation of the NT\$ to the US\$ between 1983 and 1990, of an increased strength in employees' organisations and finally of a labour legislation, which provided for industrial minimum wages per month in 1992. These developments are closely connected to the third relevant factor of influence, i.e. the labour shortage in Taiwan.⁴ Many small- and medium-sized enterprises, whose number is especially large in Taiwan, have faced increasing difficulties since the mid-eighties in recruiting new labour, as they cannot afford to pay increased wages and can compete even less with the higher wages in the commonly preferred service sector industry.⁵

Estimates made in 1989, therefore, do proceed from the assumption of a cumulative labour shortage of about 200,000 and an annual net labour deficit of about 50,000 persons in all sectors of the Taiwan economy in the near future. Such labour shortage is especially evident in sectors of the building, textile and garment production as well as the service sector industry, but it also shows up in the high-tech sector.⁶ In the mid-nineties, competent officials of the Council of Labour Affairs were no longer willing to give official estimates regarding the extent of this shortage and the sectors affected. This was due to an increased political sensitiveness towards these problems. According to unofficial statements, however, in the building industry alone there was a labour shortage of about 9%, whereas the figure for the processing industries was 4.4% in 1989. In the mid-nineties, the two sectors faced a labour shortage of about 3% each.⁷

In addition to the inability or unwillingness of many small-sized enterprises to pay higher wages, the following other reasons for labour shortages also played a role: a successful birth control policy, extended training periods, declining female participation rates in formal employment, long-standing cultural preferences for white-collar employment⁸ and training deficits in sectors such as chemicals, plumbing, textiles, construction etc.⁹

Illegal Migrant Workers

Against such a background, the increased illegal labour migration to Taiwan in the late eighties and early nineties becomes understandable. According to official interpretation, however, such a phenomenon does not exist, as this is prohibited by law. Instead, the

² Nieh, Yu-hsi, 'Talfahrt der taiwanesischen Wirtschaft', in: *CHINA aktuell (Ca)*, August 1990, p. 629.

³ Lohrmann, op. cit., p. 263.

⁴ 'Mainland finds favour', in: *Financial Times (FT)*, 9.10.1992, p.27; *Free China Journal (FCJ)*, 7.8.1989; Selya, Roger Mark, 'Illegal Migration in Taiwan: A Preliminary Overview', in: *International Migration Review (IMR)*, Vol. xxvi, No. 3, 1992, p. 791.

⁵ *FCJ*, 21.8.1989; Selya 1992, op. cit., p. 791.

⁶ Selya, op. cit., p. 791.

⁷ Chen Yuh-Jiunn, Council of Labour Affairs, Executive Yuan, Personal Conversation, Taipei 16.12.1994.

⁸ Selya, op. cit., p. 800.

⁹ *FCJ*, 21.9.1989.

authorities prefer terms such as overstayers or underground workers to describe illegal migrants.¹⁰ The phenomenon, however, is not that new for Taiwan either. As early as in the sixties, there were both real and pro forma students in Taiwan earning their living by teaching English illegally in private tuition facilities. Although not extremely common, housemaids of Philippine or Thai origin have been recruited since the seventies through English-language newspapers. This happened despite of the fact that the laws did not actually allow them to take up work. What is new, nowadays, is the great number of illegal workers and the economic sectors in which they become active.¹¹ In this connection, one may speak of a qualitative and quantitative jump made since the second half of the eighties.

Although illegal working migration has since then met with a lively response in the Taiwanese media, there are no official estimates regarding the number or composition. According to police sources, approximately the same number of migrants comes from Indonesia, the Philippines, Thailand and Malaysia, from South Korea and Sri Lanka. The ratio of male to female workers is supposed to be even because textile production and construction provide most of the jobs.¹² According to these data, the migrants came from Southeast Asian countries relatively near to Taiwan, a fact that supports the widely held thesis that migrant workers do in general prefer closer destinations.¹³

The estimates published in Taiwan on the total number of illegal workers vary so much that there is plenty of room for doubt about the basis of such estimates. It is also true that no official data seem to be available on the characteristics of illegal workers currently employed in Taiwan.¹⁴ The large-scale irregular migration of Chinese from the PRC to Taiwan, however, is no exception.

The Background of Irregular Migration from Mainland China

The ever increasing importance of this migration becomes obvious once numbers of apprehended foreigners and mainland Chinese staying illegally in Taipei are compared (see table 2).

These figures only covering Taipei demonstrate clearly the increasing importance of Chinese migrants from the mainland in the context of illegal migration to Taiwan. However, they do not reveal the actual dimension of the phenomenon. From 1987 to April 1995, at least 30,000 mainland Chinese were arrested who had illegally come to Taiwan.¹⁵ None of the competent official authorities are willing to give at least some

¹⁰ Chen Yuh-Jiunn, op. cit.

¹¹ Selya, op. cit., p. 798.

¹² Ibid., p. 793.

¹³ Lohrmann, op. cit., p. 263; Parnell, Mike, *Population Movements and the Third World*, London/New York 1993, pp. 16-18.

¹⁴ Selya, op. cit., p. 792.

¹⁵ This is a minimum number because the basis of the calculation is not very clear. The figure provided by the Entry & Exit Service Bureau for the total number of detainees between January 1987 and February 1994 is 28,368 migrants. Unfortunately, no information is provided on whether this figure reflects the number of apprehensions or the number of repatriations. If it is the number of apprehensions, at least 2,097 cases for the time from March 1994 to April 1995 have to be added, raising the total to 30,465 cases. The source failed to record the dates of apprehension for 6,306 cases. It can be assumed, that these are mainly cases of the early period of recording.

If the 28,368 cases were the number of repatriations over the given time, 3,800 more cases should be added to total at least 32,168. In this case, the information provided directly to the author by the Entry & Exit Service Bureau shows no records on the

vague estimate as to the approximate number of unknown cases of PRC citizens who might stay in Taiwan without valid documents.¹⁶ Before discussing some characteristic features of both the migrants and the migration process on the basis of data for almost 20,000 apprehended persons, the general framework of that phenomenon should be sketched.

Table 2: Apprehensions of Illegal Immigrants in Taipei by Year

Year	Illegal Aliens	Illegal Mainland Chinese
1990	241	N.A.
1991	532	347
1992	4,787	589
1993	2,888	1,477
1994	1,604	359
(January-August)		

Source: *Taipei shi jingwu zhongyao tongji subao* (Quick Report on Important Statistics of Taipei City Police Affairs), Vol. 123, Taipei, 08.1994, p.12.

It seems worthwhile recalling that the government on Taiwan gave up its uncompromising attitude towards the PRC during the years 1986 and 1987, so that the Cold War era was gradually brought to an end and a lively exchange on the non-official level ensued. In connection with such developments, which went along with the lifting of martial law in 1987 and the official termination of the Period of National Mobilisation for Suppression of the Communist Rebellion in May 1991, Taiwan officially refers to three phases in its relations with the mainland: 'Since 1949, the two sides have experienced military conflict (1949-1978) followed by peaceful confrontation (1979-1987). In November 1987, a phase of private-sector exchanges was initiated.'¹⁷

It is these private-sector exchanges which are of special importance regarding irregular migration from the mainland to Taiwan. There are unofficial institutions which conduct negotiations on behalf of the government.¹⁸ But apart from these institutions, what brought people on both sides of the Taiwan Straits together, was above all private visits

dates of repatriation of 6,799 cases. Here it seems to be even more obvious, that these 6,799 cases should be repatriations during the early stage of the development of this phenomenon.

For the numbers presented, compare: Bian Ziguang (Bien, Fred T. K.) and others, *Liang an toudu wenti zhi yanjiu* (Research on the Problem of Illegal Migration Across the Straits), *Shuishang jingcha congshu (yi)* (Maritime Police Series No. 1), Zhongyang jingguan Xuexiao (Central Police College), Taoyuan 1994, p. 22; Neizheng bu jingzheng shu ru chu jing guanli ju (Ministry of the Interior, National Police Administration, Exit and Entry Service Bureau), *Name List of Illegal Immigrants from the Mainland Area, 01.09.1990-01.05.1995* (in short form: Entry & Exit Service Bureau 1995).

Additionally, there were between 15 and 1,740 cases per year of mainland Chinese overstaying their visas between 1988 and 1994. See: Lin Zhenzhi, Entry & Exit Service Bureau, The National Police Administration, Personal Conversation, Taipei 4.5.1995.

¹⁶ Tsai Sheng-Dang, Mainland Affairs Council (MAC), The Executive Yuan, Personal Conversation, Taipei 6.12.1994; Lin Zhenzhi, Entry & Exit Service Bureau, The National Police Administration, Personal Conversation, Taipei 12.12.1994.

¹⁷ Government Information Office, *The Republic of China Yearbook 1994 (ROC Yearbook)*, Taipei 1994, p.147.

¹⁸ On the ROC side this is the Straits Exchange Foundation (SEF), on the side of the PRC it is the Association for Relations Across the Taiwan Straits (ARATS).

to the mainland. They were generally allowed by the Taiwan authorities since November 1, 1987. Subsequently, they increased in scope, and the Taiwan government permitted indirect trade and investment by Taiwan firms in the PRC.

Therefore, by the end of 1988, about 450,000 persons from Taiwan were officially permitted to pay what was called visits to relatives on the mainland.¹⁹ Postal and telephone connections between the PRC and the ROC via Hong Kong²⁰ exist since June 1989 and also contributed to the large-scale expansion of the contacts between Taiwan inhabitants of whom more than 70% have ancestors originating from Fujian²¹, and their countrymen in the PRC. As early as 1992, about 3.5 million Taiwanese were said to have visited the mainland.²² The official government Mainland Affairs Council (MAC) in Taiwan even gives an estimated figure of 4.2 million visits²³, whereas the Entry & Exit Service Bureau - with reference to an extremely high unknown number of cases in the period from November 1, 1987 to November 30, 1994 - only records 1.3 million persons who had applied to them for a permit required for a visit to the PRC²⁴. Since even official authorities doubt the reliability of their own statistics, commentators are stating that the government has long since lost any control over non-governmental relations between Taiwan and the PRC²⁵.

This is a rather realistic analysis, confirmed by figures available on the mainland economic activities of Taiwanese. It is estimated that, between 1987 and 1992, at least 4 billion US\$ were invested by Taiwanese in the PRC²⁶, so that Taiwan became the second largest investor in China after Hong Kong²⁷. These figures are, however, official estimates only. Japanese estimates, which also include all non-approved unofficial investments, speak of a total investment sum of 15 billion US\$ by the end of 1992²⁸. 60% of those investments, which mainly consist of small- and medium-sized enterprises with less than 20 employees²⁹, are concentrated in Fujian province. There, the SEZ of Xiamen³⁰ alone enjoys a share of 70%. Calculating Taiwan's share of foreign investments in Fujian alone, these increased from 4.5% to 60% between 1987 and 1989.³¹

¹⁹ *Far Eastern Economic Review (FEER)*, 8.12.1992, pp. 23-24.

²⁰ 'China trade curb sought by Taiwan', in: *Financial Times (FT)*, 22.3.1991.

²¹ Elliot, John, 'Natural Magnet for Taiwan', in: *FT*, 24.4.1991, p. V.

²² *FEER*, op. cit., 8.12.1992, pp. 23-24.

²³ Huang Kun-hui, *Yi nian lai dalu gongzuo yu liang an guanxi de qiantao yu zhanwang* (Outlook and Review of Bi-coastal Relations and Work on Mainland Affairs over the Last Year), Taipei, Mainland Affairs Council, 29.12.1992, p. 8.

²⁴ Ru chu jing guanli ju ziliao chuli zhongxin (Data Processing Centre of Entry & Exit Service Bureau), *Guoren qianwang dalu ru chu jing shenqing anjian tongjibiao* (Statistical Table on Cases of [ROC] Nationals applying for Entry and Exit), internal document, Taipei 7.12.1994.

²⁵ Trampedach, Tim, *China auf dem Weg zur Wiedervereinigung? Die Politik der Guomindang auf Taiwan gegenüber der Volksrepublik China seit 1987*, Hamburg 1992, pp.46ff.

²⁶ Cholewa, Gabi, *Taiwanische Investitionen auf dem Festland seit 1987*, unpublished M.A. thesis, Berlin 1993; *FEER*, op. cit., 17.9.1992, p. 23; *China Economic News (CEN)*, 25.3.1991, p. 4.

²⁷ 'Numbers game. Cash flows into China are hyped - but still huge', in: *FEER*, 24.-31.12.1992, p. 72.

²⁸ Hong Kong Trade Development Centre, *Market Profile Taiwan*, p. 1.

²⁹ 'Asian success encounters growing pains', in: *FT*, 7.10.1992, p. 6.

³⁰ 'Number of Taiwan Ventures up to 105% in 1990', in: *CEN*, 25.3.1991, p. 4.

³¹ Cholewa, op. cit., p. 44.

Investment activities of small- and medium-sized Taiwanese enterprises in labour-intensive production sectors of Fujian cannot be controlled by the Taiwan government any longer.³² They have gained in importance so much that the NT\$ in Xiamen has de facto become a commonly accepted second currency.³³ Some authors think that the economic boom in Fujian depended on Taiwanese commitment there. Thus the SEZ of Xiamen, which came into existence in 1980, could only reach an economic level of development equal to that of the other SEZ in 1987/88.³⁴ On the background of economic development in Taiwan and the labour shortage described at the outset, the large-scale activities of Taiwan investors in the PRC are not surprising. More than enough cheap labour is available in mainland China. As wage costs there are 75-90% less, 7-10 mainland workers can be paid on the wage of just one in Taiwan.³⁵ Whereas the average monthly wage of an industrial worker in the SEZ of Xiamen amounts to 350 Yuan (=1650 NT\$), the legal minimum wage of a Taiwanese worker is 12,365 NT\$.³⁶

The Taiwan government supports such relocation of labour-intensive productions with a low technological standard into the PRC, hoping that profits will be invested in the high-tech industries of Taiwan. That was why about 4,000 such investment projects in the PRC were permitted from summer 1991 to autumn 1992.³⁷ In 1994, this figure was officially corrected for the period up to the end of 1992, with the new total amounting to more than 10,000 at that period of time.³⁸ On the other hand, fears have been expressed that these investments would not spur reinvestment in Taiwan, and that the strong Taiwanese commitment would lead to dependence on and possible blackmail by the PRC. This is why the government's attitude is sometimes described as follows: One foot on the accelerator pedal, one foot on the brake pedal.³⁹

In view of such developments, the UN's statement that the function of the SEZs can be compared to a shop window for looking into the PRC and out to Taiwan, is true for the SEZ of Xiamen.⁴⁰ Shop windows do, however, arouse desires. It is doubtful, whether these wishes can be fulfilled for those looking out. Whereas several million visitors came from Taiwan to the PRC, less than 77,000 persons from the PRC were granted entry permits by the Taiwan authorities between November 1988 and November 1994.⁴¹ Although, as of July 1991, the group of persons entitled to entry also included

³² 'The Bottom Line. Taiwan Capital, Factories Pour into China', in: *FEER*, 17.9.1992, p.23.

³³ Nieh Yu-Hsi, 'Die Wirtschaftsverflechtung zwischen Hongkong, Taiwan und dem chinesischen Festland', in: *Ca*, July 1992, p. 476.

³⁴ Hiemenz, Ullrich; Li Bo, 'Zur gesamtwirtschaftlichen Effizienz ausländischer Direktinvestitionen in den Küstenregionen der VR China', in: *Die Weltwirtschaft*, Halbjahresschrift des Instituts für Weltwirtschaft Kiel, Heft 2 1988, p. 116; Bolz, Klaus, *Freihandels- und Sonderwirtschaftszonen in Osteuropa und in der VR China*, Hamburg 1990, p. 163.

³⁵ 'Mainland finds favour', in: *FT*, 9.10.1992, p. 27.

³⁶ Bfai - Bundesstelle für Außenhandelsinformationen, *Wirtschaftsdaten aktuell. Taiwan*, Köln, 10.1992, p. 2.

³⁷ Cholewa, op. cit., p. 14.

³⁸ *ROC Yearbook*, op. cit., p. 149.

³⁹ Zhang Qin, 'Taishang fu dalu touzi de jingji xiaoguo yu zhengzhi jianyi' (Economic Results and Political Suggestions of Taiwan Businessmen Investing on the Mainland), in: *Jingji Qianzhan* (Economic Outlook), No. 23 of 1991 p. 18.

⁴⁰ United Nations (Ed.), *Development Papers No. 7. China's Experience in Economic Development and Reforms*, Bangkok 1989, pp. 119-120.

⁴¹ Ru Chu Jing Guanli Ju Ziliao Chuli Zhongxin (Data Processing Centre of the Entry & Exit Service Bureau), *Dalu diqu renmin jinru Taiwan diqu shenqing anjian tongjibiao* (Statistical Table on Cases of People from the Mainland Area Applying for Entry into the Taiwan Area), internal document, Taipei 7.12.1994.

low-ranking CPC-members,⁴² Taiwan's method of handling such permits is still a very restrictive one.⁴³ The number of visitors from the PRC, therefore, is not very likely to increase greatly in the near future.

Volume of Migration

The situation for illegal entries is completely different, however. As previously mentioned, their number has already exceeded a total of 30,000 cases. This is in sharp contrast to the low number of legal visits. Official authorities in Taiwan stress that the year 1987 marks the beginning of illegal migration from the PRC. On closer looking, however, they do admit that illegal migrants may have tried before to get to Taiwan via the sea. The Ministry of Defence, which in former times was the competent authority dealing with the problem, did not consider it desirable to inform the public. Even today, where such competence is held by civil authorities, no detailed information on that period of time can be obtained as organisational structures have been changed and formerly competent departments no longer exist.⁴⁴ There is every indication, however, to believe that above all the inhabitants of the coastal region of Fujian became aware of the possibility of migration to Taiwan in the mid-eighties. It is very likely that they were supported by offshore fishermen from Taiwan, who seem to have been the first building up intensive contacts with their mainland colleagues in smuggling and other illegal activities. There were rumours never completely refuted concerning the common practice of Taiwanese fishermen not to go fishing themselves any more, but to call at harbours along the Fujian coast, to buy up their mainland colleagues' catches there and sell it on Taiwan afterwards. It was not the fact of existing 'contacts with the enemy' that caused excitement among the population of Taiwan in 1986/87, but rather the fear that fish offered for sale would not be fresh enough.

It can be taken for granted, however, that 1987 was the first year in which relevant figures on illegal migration became available, marking the outset of a mass phenomenon. According to official sources, since 1987 the number of migrants increased from year to year to reach an annual level of about 5,000 to 6,000 people by the year 1993. This general tendency is confirmed by the figures in table 3, which were drawn up on the basis of different sources.⁴⁵

⁴² Chiu Hungdah, *Recent Developments of Intra-Chinese (Taiwan-Mainland) Relations*, paper presented at the Annual Corporate Affiliates Meeting, Asia/Pacific Research Center, Stanford University, 10.-11.3.1994, p. 7.

⁴³ Ye Xinxing, 'Dalu touzi de misi' (The Lottery of Investing on the Mainland), in: *Jingji Qianzhan* (Economic Outlook), No. 23 of 1991, p. 11.

⁴⁴ Bian Ziguang (Bien, Fred T.K.), Chairman, and Liu Wenzhang, Lecturer, Maritime Police Department, Central Police College, Personal Conversation, Taoyuan 06.12.1994; Xu Huiyou (Hsu Hwei-you), Deputy Secretary General, Straits Exchange Foundation, Personal Conversation, Taipei 20.12.1994.

⁴⁵ Compare the sources given for Table 3.

Table 3: Apprehensions of Illegal Immigrants from Mainland China by Year

Year	Source 1	Source 2	Source 3
1987		762	
1988		2,260	
1989	1,722	3,384	
1990	5,626	5,626	
1991	3,981	3,998	
1992		5,446	3,956
1993		5,944	6,280
1994			2,542
1995			*349

* January-April only

Source 1: Zhang Wenhao, *Taihai liang an chuli dalu touduke yunzuo quxiang zhi yanjiu - jian lun Zhongguo jingji zhenghe wenti* (Research on the Operational Orientation of Solving the Problem of Illegal Migrants from the Mainland on Both Sides of the Taiwan Straits - also Discussing the Chinese Economic Integration), unpublished M.A. thesis, Central Police College, Taoyuan June 1992, pp. 2/23-2/25

Source 2: Liu Wenzhang and Zhou Wensheng, 'Dalu renmin toudu lai Tai wenti zhi yanjiu' (Research on the Problem of People from the Mainland Illegally Migrating to Taiwan), in: Zhongyang jingguan xuexiao shuishang jingcha xi (Central Police College Maritime Police Department) (Ed.), *Shuishang jingcha xueshu yantaohui lunwenji* (Maritime Police symposium collection of papers), internal publication, Central Police College, Taoyuan June 1994, p. 181

Source 3: Neizhengbu jingzhengshu ru chu jing guanli ju (The Ministry of the Interior, National Police Administration, Entry and Exit Service Bureau), *Dalu diqu renmin feifa rujing mingce* (Name List of Illegal Immigrants from the Mainland Area), 01.09.1990-01.05.1995 (in short form: Entry & Exit Service Bureau 1995); own tabulations

Interestingly enough, direct political pressure does not seem to be a relevant factor for irregular migration from the mainland. Even during the period following the suppression of the Democracy Movement on the mainland in early June 1989, no significant increase or decrease in the number of apprehended migrants can be noticed. The decreasing number of apprehensions in 1991 may be due to the talks between the PRC and Taiwan on this issue in April that year. In Fujian, they resulted in several meetings of local party secretaries and mayors discussing the situation. Countermeasures against smuggling and illegal emigration by sea were initiated by the PRC authorities in May 1991.⁴⁶

It is impossible to test the efficiency of these moves as the data provided by the Taiwan authorities, at least those for the first half of 1992, are not very reliable. On the other hand, data from additional sources suggest that the numbers of apprehensions increased continuously until 1993.⁴⁷ According to the main data base of this study, the

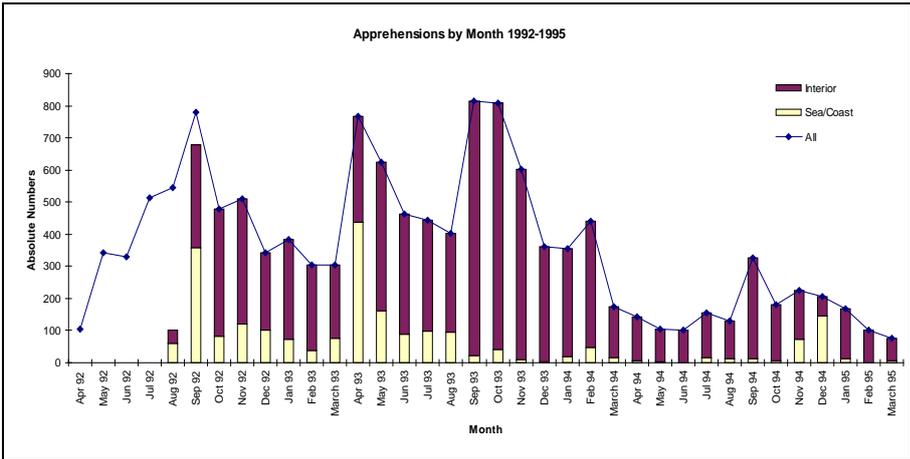
⁴⁶ Zhang Wenhao, *Taihai liang an chuli dalu touduke yunzuo quxiang zhi yanjiu - jian lun Zhongguo jingji zhenghe wenti* (Research on the Operational Orientation of Solving the Problem of Illegal Migrants from the Mainland on Both Sides of the Taiwan Straits - also Discussing the Chinese Economic Integration), unpublished M.A. thesis, Central Police College, Taoyuan June 1992, pp. 2/23-2/24.

⁴⁷ Liu Wenzhang; Zhou Wensheng, 'Dalu renmin toudu lai Tai wenti zhi yanjiu' (Research on the Problem of People from the Mainland Illegally Migrating to Taiwan), Zhongyang jingguan xuexiao shuishang jingcha xi (Central Police College Maritime Police Department) (ed.), in: *Shuishang jingcha xueshu yantaohui lunwenji* (Maritime police symposium collection of papers), internal publication, Central Police College, Taoyuan, June 1994, p. 181.

number of apprehended migrants did not decrease until 1994, when a sharp decrease occurred as compared with the previous year. There are several reasons which may have caused the decrease in the number of apprehensions in 1994. Certain improvements on the mainland may have played a role, but, at the same time, the deterioration of economic conditions on Taiwan may have also provided less opportunities for illegal mainland migrants. Furthermore, tightened control on both sides of the Taiwan Straits may also have contributed to the situation. The picture stays murky as a decrease in the number of apprehensions does not automatically mean a decrease in the actual number of irregular migrants.

Almost all the irregular migrants from the PRC leave from Fujian. They use different methods and make use of different types of vessels.⁴⁸ According to estimates by the competent authorities in Taiwan, the obvious seasonal differences in the number of apprehensions revealed in chart 1 reflect real differences in the volume of migration. Changing weather conditions in the Taiwan Straits are cited as the main reason.⁴⁹ The analysis of data⁵⁰, however, does not confirm a direct connection between apprehension numbers and the monsoon seasons. Rather the so-called Spring Security Exercises against crime, which are held yearly from December to February by the security authorities on Taiwan, seem to be a relevant factor.⁵¹

Chart 1: Monthly Apprehensions of Illegal Immigrants from Mainland China by Regions



Source: Entry & Exit Service Bureau 1995; own tabulations

Migrant Characteristics

Whereas the official authorities of Taiwan speak of an equal sex ratio in the numbers of illegal migrants from other states, exactly the opposite situation prevails for irregular migrants from the mainland. 95.3% of all PRC citizens apprehended in Taiwan are male,

⁴⁸ Bian Ziguang (Bien, Fred T.K.), Chairman, and Liu Wenzhang, Lecturer, Maritime Police Department, Central Police College, Personal Conversation, Taoyuan 06.12.1994.

⁴⁹ Ibid.

⁵⁰ The following explanations are based on the complete official records of approximately 19,500 migrants which were provided to the author by the Entry & Exit Service Bureau for the purpose of conducting this study. These data cover the period of April 1992 through March 1995. Compare: Entry & Exit Service Bureau 1995, op. cit.

⁵¹ Tsai Sheng-Dang, op. cit.

so that there is only one woman among 20 male migrants.⁵² Therefore, in the following the dominating group of male migrants will be treated only. These irregular male migrants hail from altogether 23 out of 30 administrative units of the PRC at the provincial level⁵³. According to their household registration, 98.1% of them have been residents of Fujian province.⁵⁴ Other provinces seem to be completely irrelevant (compare table 4). Although there are no data on the ethnic composition of the migrants, ethnic homogeneity seems to be very likely, as all places of origin are clearly dominated by Han-Chinese.⁵⁵

Table 4: **Top Three Provinces of Origin of Male Illegal Immigrants from Mainland** China

Province	Frequency	Percent	Cum Percent
Fujian	18,183	98.1	98.1
Guangdong	167	0.9	99.0
Zhejiang	72	0.4	99.4
N = 18,531			

Source: Entry & Exit Service Bureau 1995; own tabulations

Table 5: **Top Five Prefectures of Origin of Male Illegal Immigrants from Mainland** China

Prefecture	Frequency	Percent	Cum Percent
Fuzhou FJ	15,406	83.3	83.3
Quanzhou FJ	1,652	8.9	92.2
Putian FJ	800	4.3	96.5
Ningde FJ	199	1.1	97.6
Wenzhou ZJ	51	0.3	97.9
N = 18,505			

Source: Entry & Exit Service Bureau 1995; own tabulations

The selective regional concentration of migrants at the provincial macro level is reproduced at the meso and micro level. Although the list contains 76 prefectures of origin⁵⁶, more than 83% of the migrants come from Fuzhou prefecture. The prefectures

⁵² Entry & Exit Service Bureau, op. cit., own tabulations.

⁵³ The term 'province' is used in this paper interchangeably for all administrative entities on provincial level without further differentiation.

⁵⁴ Entry & Exit Service Bureau, op. cit., own tabulations.

⁵⁵ Xu Zu'an (Hsu, Patrick), Deputy Secretary General, Red Cross Society of the Republic of China, Personal Conversation, Taipei 12.12.1994.

⁵⁶ This study follows the administrative divisions as defined in: Zhonghua Renmin Gongheguo Minzhengbu (Ministry of Civil Administration), *Zhonghua Renmin Gongheguo xingzheng quhua jiance 1994* (1994 Concise Booklet of Administrative Divisions of the Peoples' Republic of China), 1. Ed., Beijing 1994. The information of this booklet is based on the official administrative divisions on county and higher levels approved by the State Council in late 1993. Municipalities under the direct governance of the provincial government are counted as belonging to the particular prefecture in which they are geographically located.

ranking second to fourth, namely Quanzhou, Putian and Ningde, only have migrant percentages of 8.9, 4.3 and 1.1% respectively (compare table 5).

All other prefectures recorded as places of origin each contributed only for 0.3% or less of the apprehended migrants. Figure 1 displays the geographic location of the ten most important prefectures of origin.⁵⁷ The same pattern emerges on the micro level: Although the migrants originate from more than 200 counties of different provinces, the ten most important ones are again situated in the coastal region of Fujian. The three most important ones, namely Pingtan, Changle and Fuqing, contribute more than 3/4 of all male migrants apprehended in Taiwan over the period covered by this study. Two thirds of them come from the county of Pingtan. This county, mainly an island with approximately 300,000 inhabitants, sent more than 8% of its total male population⁵⁸ as irregular migrants to Taiwan. It is also remarkable that Xiamen region, where most economic activities of Taiwan take place, does not play a decisive role as a place of origin (compare table 6 and figure 2).⁵⁹

Table 6: Top Ten Counties of Origin of Male Illegal Immigrants from Mainland China

County	Frequency	Percent	Cum Percent
Pingtán FJ	12,502	67.6	67.6
Changle	1,124	6.1	73.6
Fuqing FJ	706	3.8	77.4
Putian FJ	671	3.6	81.1
Huí'an FJ	560	3.0	84.1
Fuzhou FJ	525	2.8	86.9
Lianjiang FJ	423	2.3	89.2
Quanzhou FJ	359	1.9	91.2
Shishi FJ	304	1.6	92.8
Nán'an FJ	208	1.1	93.9
N = 18,505			

Source: Entry & Exit service Bureau 1995; own tabulations

Summing up, it can be stated that the great majority of male migrants from the PRC to Taiwan consist of rural inhabitants of the coastal region opposite to Taiwan. Obviously, small geographic distances as well as small distances in terms of ethnic, cultural, and dialect differences are some of the major factors. Mainland cities or regions with special economic growth are of absolutely minor importance as places of origin.

⁵⁷ Entry & Exit Service Bureau, op. cit., own tabulations.

⁵⁸ Individual migrants apprehended in Taiwan more than once were not considered for this calculation.

⁵⁹ Entry & Exit Service Bureau, op. cit., own tabulations.

Data concerning the age of migrants are available for about 67% of all cases recorded. Upon apprehension, the youngest migrant was almost five years old, the oldest almost 79. The average age was just under 29 years. The age groups between 19 to 39 years, commonly categorised as 'primary working age', outnumber the rest. 23.3% of the migrants are 25 to 29 years old, 22.9% belong to the age group 20 - 24 years and 17.2% are between 30 and 34 years old.⁶⁰ If we compare these results with the age pyramid of Fujian province for 1990,⁶¹ a strong age selection of the migrants shows up (see table 7).

Table 7: **Male Illegal Immigrants from Mainland China and Male Fujian Population by Age Groups (%)**

Age Group	Male Immigrants	Fujian Males 1990
under 15	0.4	31.8
15-19	11.6	10.9
20-24	22.6	10.6
25-29	23.3	8.8
30-34	17.2	7.6
35-39	13.0	6.9
40-44	8.0	5.0
45-49	2.6	3.9
50-54	0.8	3.9
55-59	0.2	3.5
60 and over	0.2	7.1
N =	12,458	15,434,048

Sources:

Male Migrants: Entry & Exit Service Bureau 1995; own tabulations
 Fujian Males: Fujian sheng tongji ju (Statistical Bureau of Fujian Province) (Ed.), *Fujian tongji nianjian 1992* (Statistical Yearbook of Fujian 1992), 1. Ed., 1992 (in short form: Fujian Statistical Yearbook 1992), p. 47; own tabulations

Looking at educational levels, we should mention first that the data available account only for about 40% of the migrants. The Taiwan authorities obviously neglected to collect data with regard to educational levels and occupational categories, which are of no importance for examining the identities of detainees.⁶² Where available, the data on their school education correspond to a great extent to the educational level of the male population of Fujian as the most important place of origin. While only 0.4% of migrants as compared to 3.9% of the male population of Fujian have a college education, the percentages regarding primary and secondary school education are slightly higher among migrants. 59.5% attended primary and 26.6% attended junior high schools. The percentage of migrants with senior high school education, i.e. 5.1% as compared with 8.1% of the whole population, is significantly lower.⁶³

⁶⁰ Ibid., own tabulations.

⁶¹ Fujian Sheng Tongji Ju (Statistical Bureau of Fujian Province) (Ed.), *Fujian tongji nianjian 1992* (Statistical Yearbook of Fujian 1992), 1. Ed., 1992, p. 47; own tabulations.

⁶² Only the places of household registration (including the full addresses) of the apprehended migrants were recorded by the Taiwan authorities in order to clarify the identities of the detainees in co-operation with the mainland Chinese organs as a basic requirement for their repatriation. Compare: Lin Zhenzhi, op. cit.; Xu Zu'an 1994, op. cit.

⁶³ For the data on the irregular migrants, compare: Entry & Exit Service Bureau, op. cit., own tabulations. For numbers on Fujian province, see: Fujian Sheng Tongji Ju, op. cit., p. 45.

The rate of illiteracy or semi-illiteracy among the migrants is 8.4%. This is less than the respective figure for the male population of Fujian over 15 years of age (10.6%) (compare table 8).⁶⁴

Table 8: **Educational Levels of Male Illegal Immigrants from Mainland China in Males (%) Comparison to Fujian**

Level	Male Immigrants	Fujian Males 1990*
Illiterate, Semi-illiterate	8.4	**10.6
Primary School	59.5	56.0
Junior High School	26.6	24.9
High School	5.1	8.1
College and above	0.4	3.9
N =	7,165	15,824,800

* Including persons currently attending educational institutions

** Percentage of male population aged 15 and above

Sources:

Male Migrants: Entry & Exit Service Bureau 1995; own tabulations

Fujian Males: Fujian Statistical Yearbook 1992, p. 45; own tabulations

A general impression is that social strata with higher education seem to enjoy sufficient alternatives on the mainland and elsewhere, whereas Taiwan itself seems to offer these groups persons far less adequate choices.

Unfortunately, data on pre-migration occupations are not very detailed, so that further analysis or comparison with other materials is not possible. The categorisation of the Taiwan authorities is a very general one. Furthermore, the aforementioned information on school education also applies here: The apprehending organs neglected collecting such information over a long period of time, so that the data available cover only slightly more than 50% of the cases.

It is interesting that about 39% of migrants on whom information is available can be generally categorised as workers. They form by far the biggest of the occupational categories recorded, whereas the percentage of peasants is only 12.7%. In view of the large peasant share of the total population in the PRC this is a surprisingly low figure. However, there is, no doubt that among those 20% of migrants who stated they were non-working, there is a significant number of persons who can be categorised as under-employed or unemployed rural population from peasant families. The percentage of fishermen, which is at least 19% of the total apprehended persons, might simply find its explanation in that the coastal region of Fujian is the main region of origin. It can be assumed from this high percentage that the fishing industry is obviously facing a crisis there.⁶⁵ A direct comparison with the whole population of Fujian seems to be impossible due to different categorisation. With regard to general categorisation, fishery, forestry and agriculture normally fall into one category. As to the figures for 1991, this general

⁶⁴ Fujian Sheng Tongji Ju, op. cit., p. 45.

⁶⁵ For the percentages given here, compare: Entry & Exit Service Bureau, op. cit., own tabulations.

category covers 65.5% of the male working population in Fujian, whereas less than one third of the migrants consists of peasants and fishermen. 18.8% production and transport workers in Fujian compares with more than twice as many workers among the migrants in Taiwan (see table 9).⁶⁶

Table 9: Male Illegal Migrants from Mainland China in Comparison to Fujian Males by Occupational Categories (%)

Occupational Category	Male Immigrants	Fujian Males 1990*
Non-Working	20.1	
Fishermen, Peasants, Foresters	*31.8	65.5
Fishermen	19.1	
Peasants	12.7	
Workers	39.3	**18.8
Merchants	2.1	4.2
Teaching Personnel	0.1	
Religious Personnel	1.3	
Others	5.4	11.5
N =	8.024	14,955,085

* Only peasants and fishermen were recorded.

** Classified as production and transportation workers.

Sources

Male Migrants: Entry & Exit Service Bureau 1995; own tabulations

Fujian Males: Fujian Statistical Yearbook 1992, p. 44; own tabulations

It is obviously not just speculation, therefore, to conclude that in Taiwan there is a specific demand for labour with skills other than those of peasants. Such conclusion also coincides with the initial statements of this paper on labour shortage in some of the economic sectors of Taiwan. Thus, there is every indication that the irregular PRC migrants apprehended in Taiwan are classical migrant workers. Their movement has nothing to do with plans for communist infiltration, as is often suspected by the security authorities of Taiwan.⁶⁷

Two other facts also indicate that they are simple migrant workers performing manual work in industrial production on Taiwan. The places of apprehension of about 50% of migrants can be learned from information regarding the location of the apprehending authority. According to this information, nearly all migrants were apprehended in the interior of Taiwan. This comes as no surprise. Moreover, most apprehensions took place in suburban regions of large urban conglomerates, which are also locations for industrial production. The most important among them is the Greater Taipei area, no doubt, the largest congested economic centre of the island. Areas of mainly rural or agrarian character play only a minor role among the places of apprehensions.⁶⁸ Another

⁶⁶ Fujian Sheng Tongji Ju, op. cit., p. 47; own tabulations.

⁶⁷ For these contrary views, compare: Lin Zhenzhi, op. cit.; Hsu Pei-Tzu, Secretary General, The Chinese Association for Human Rights, Personal Conversation, Taipei 1.12.1994.

⁶⁸ Entry & Exit Service Bureau, own tabulations.

factor indicating that the above conclusion is correct is the result of a 1993 random poll among 265 apprehended migrants, according to which almost 45% of them had been arrested during working hours at factories⁶⁹.

The information discussed so far provides a sufficiently clear idea of the basic characteristics of irregular male migrants coming from the mainland to Taiwan. Let us now deal with the basic problems faced by the Taiwan authorities in handling the irregular migration from the PRC.

Specific Problems

From the Taiwan point of view, several basic problems arise as far as classifying and handling illegal Chinese migrants from the mainland is concerned. The first of these problems is the fact that Taiwan considers the whole of China to form one single state, that is the Republic of China including Taiwan and the mainland. Due to this constitutional principle, illegal migrants from the mainland cannot be treated in the same way as those from other states. What is making the problem even more complicated is that the co-operation of the PRC government is required for handling the problem. The second basic problem is closely connected with the recognition issue. Of course, an officially recognised border line, the crossing of which constitutes prohibited entry, does not exist. Since the fifties, an imaginary line in the middle of the Taiwan Straits has been considered the border between the two territories. This *de facto* border line came into existence as a result of a US warning: The USA would take military action to protect Taiwan if PRC armed forces crossed that demarcation line. From the legal point of view, the line is of no consequence, so that crossing it is not considered illegal entry on the part of Taiwan.⁷⁰

Only after the adoption and promulgation of the Statute Governing the Relations Between the People of the Taiwan Area and the Mainland Area on September 18, 1992⁷¹ did a provision come into existence which defines illegal border crossing if somebody from the PRC is nearing the coastal region of the area controlled by Taiwan. According to that provision, any violation of the Restricted Waters of Taiwan, corresponding to the 24-mile zone in international law, constitutes an illegal entry. In general practice, however, only entry into the 12-mile zone, called the Prohibited Waters⁷², is considered illegal entry and is prosecuted accordingly by the security organs.⁷³ As to Jinmen and Mazu, there is no 24- or 12-mile zone because of the very short distance from the mainland. Restricted or Prohibited Waters are fixed at distances

⁶⁹ Bian Ziguang a. o., op. cit., p.48.

⁷⁰ Ibid., p. 15.

⁷¹ Ibid., p. 12. The full text of the law is published in: Xingzheng Yuan Dalu Weiyuanhui (Mainland Affairs Council, Executive Yuan), in: *Dalu gongzuo fagui huibian* (Collection of Laws and Regulations for the Mainland Work), 2. rev. ed., Taipei 1993, pp.27-48.

⁷² The English translation of the two respective terms 'xianzhi haiyu' and 'jinzhi haiyu' used in Taiwan government publications is 'Restrictive Waters' and 'Prohibitive Waters'. In this study the author preferred the correct English translation 'Restricted Waters' and 'Prohibited Waters'.

⁷³ Bian Ziguang, op. cit., p. 15; 'Queli liang an haishang zhixu you lai zhouyan lifa' (Extensive Legislation Needed for Firmly Establishing a Bi-coastal Maritime Order), in: *Zhongguo Shibao* (The China Times), 28.8.1992.

of 6,000 and 4,000 m each. Where such distances do not exist either, an imaginary centre line adapted to the actual situation will be decisive.⁷⁴

The Statute Governing the Relations Between the People of the Taiwan Area and the Mainland Area regulates the entry of mainland Chinese insofar, as it is based upon the theory of a single Chinese state and a single citizenship in two separate territories under different administrative rule.⁷⁵ Although it took the Taiwan government several years to permit mutual visits and adopt respective laws, such unilateral action was rather easy. What was far more complicated was co-operation in handling illegal migrants of the other side, as this is influenced strongly by the policies of the two parties.

Repatriation Versus Labour Import

Although substantial numbers of illegal mainland migrants in Taiwan have been apprehended since 1987, it was not until September 12, 1990 that a *modus operandi* could be adopted within the framework of the so-called Jinmen Agreement, which was signed by the Red Cross societies of the two sides.⁷⁶ Since then the exchange of personal data, the examination of the migrants' identities and their deportation have been carried out by the Red Cross societies of Taiwan and the PRC, with the participation of SEF and ARATS later on. In the negotiations which have been conducted by the latter institutions on behalf of their governments since 1993, the issue of repatriating illegal migrants has always been a topic on the agenda. According to the knowledge of the author, no formal agreement has been reached so far.⁷⁷ Therefore, there are still unsettled problems existing between the PRC and Taiwan, especially with regard to the method of repatriation. Furthermore, Taiwan is facing problems arising from restricted accommodation capacities for illegal Chinese mainland migrants. This includes provision of funds for detention facilities of people to be deported as well as for deportation itself. In general, however, the procedure is working⁷⁸, so that it seems appropriate to refrain dealing further with the issue here.

It is understandable that the security organs of Taiwan do not provide much information about countermeasures against irregular migration. With reference to the statistical data on apprehension cited above, we conclude that the more migration becomes established, the less successful any measures preventing entry seem. It is conceivable but not very likely that searching operations inland help to strengthen coastal security. There is, however, no concrete evidence for such an assumption. On the contrary,

⁷⁴ Mainland Affairs Council (MAC), Executive Yuan, *The Republic of China's Standpoint on Mainland Fishing Boat's Intrusion into the ROC's Restrictive and Prohibitive Waters and Its Principles in Dealing with The Matter*, Taipei 29.7.1994, p. 2.

⁷⁵ Tsai Sheng-Dang, op. cit.; Xu Huiyou, op. cit.. There are divergent definitions of the 'Taiwan Area' in the National Security Law of 1987 and the Statute Governing the Relations... . For an intensive discussion on the legal implications of this fact regarding the definition and the punishment of illegal entry, compare: Bian Ziguang a. o., op. cit., pp. 13-14.

⁷⁶ Chiu Hungdah, op. cit. , p. 7; 'Mainland-ROC Repatriation Accord Reached', in: *FCJ*, Vol. VII, No. 73, 24.9.1990, p. 1.

⁷⁷ On the chronology of these talks, compare: Chiu Hungdah, op. cit., pp. 14-37. Two of the reasons frequently mentioned for the failure to sign an agreement on the matter are: 1. The PRC wants to send her own officials to check the identities of the detainees directly in Taiwan. 2. The PRC wants to send ships directly to the main island of Taiwan for the purpose of repatriating the migrants, thus creating 'direct transportation links' to which Taiwan is strictly opposed. Compare i.a.: Bian a. o., op. cit., p.22.

⁷⁸ Xu Huiyou, op. cit.; Xu Zu'an, op. cit.

during talks the author had with representatives of Taiwan security organs, complaints were always raised about the lack of funds and personnel for such tasks.⁷⁹

Structural labour shortage in Taiwan can be considered as one of the basic reasons for irregular migration from the PRC. This must be taken into consideration, when we study the handling of persons found guilty of employing illegal migrant workers, irrespective of whether these are foreigners or Chinese: They can expect fines of up to US\$ 12,000 or be sentenced to imprisonment of up to three years.⁸⁰ There seem to be, however, not many convictions - if any - on the basis of that law. To get down to the root of the problem, a law was promulgated in 1992 after a two-year period of preparation. This law regulates both the aforementioned penalty and the general legalisation of foreign labour imports. The Employment Service Act permits the recruitment of foreigners, in accord with the Council of Labour Affairs which regulates provisions on employment sectors, numbers and countries of origin.⁸¹ Visas are granted for taking up a certain job over a period of two years, extension for another year is possible. Labour has been recruited in the Philippines, in Indonesia, Thailand⁸² and a little later in Malaysia as well.⁸³ The PRC, however, was excluded, even though the Statute Governing the Relations Between the People of the Taiwan Area and the Mainland Area contains an article generally providing for such a possibility. Detailed regulations on this question are, however, subject to further laws,⁸⁴ which up to now do not exist.

Taiwan's answer to its labour shortage problem is, therefore, the same as Singapore's and Japan's.⁸⁵ Such an approach, however, is obviously not the solution for the problem of migrant workers and especially those from the PRC. So '...the question of whether or not workers from the People's Republic of China should be permitted to work under this or any other legislation remains subject to sharp and bitter debate'.⁸⁶

There is continued strong pressure on the part of the economy to employ 'countrymen' '...in a society that has a high degree of ethnic and social uniformity...'⁸⁷. This is easier (and cheaper) than the employment of foreigners with different languages, cultures and nationalities. Even government authorities often seem to have ambivalent attitudes concerning the employment of migrants from the PRC.

This statement can be illustrated by referring to the fishing industry of Taiwan, which is facing extreme labour shortage as well. Taiwanese fishing would actually have collapsed already without the employment of mainland Chinese, who are hired with the knowledge of the authorities and the Taiwanese public. The exception to the general ban of employing mainland workers is the Taiwan pelagic fishing industry, where

⁷⁹ Bian Ziguang and Liu Wenzhang, op. cit.

⁸⁰ Selya, op. cit., p. 798.

⁸¹ *FCJ*, 1.11.1990; *FCJ*, 21.4.1992.

⁸² *FCJ*, 1.11.1990.

⁸³ *FCJ*, 21.4.1992.

⁸⁴ §§ 11-15 of: Taiwan diqu yu dalu diqu renmin guanxi tiaoli (Statute Governing the Relations Between the People of the Taiwan Area and the Mainland Area) as published in: MAC, op. cit., pp.29-30.

⁸⁵ Selya, op. cit., p. 799.

⁸⁶ Selya, op. cit., p. 798.

⁸⁷ Selya, op. cit., p. 800.

mainland fishermen are permitted as long as they stay out of the so-called Restricted and Prohibited Waters.⁸⁸ The offshore fishing industry is handled differently: After several futile attempts at stopping the common but prohibited employment of mainland migrant workers and expelling them,⁸⁹ the authorities simply tolerate them. The only restriction which seems to be enforced is that the persons concerned are generally not permitted to disembark in Taiwan. In principle, they are also not allowed to enter the Prohibited Waters.⁹⁰ Only in emergency cases they are permitted to proceed to typhoon shelters under police supervision.⁹¹

Considering this example, the statements made at the outset of this essay and what is known from the Japanese case,⁹² two crucial and politically sensitive questions arise: Is it not imaginable that a substantial number of Taiwanese small-scale industrial enterprises could expect even bigger and safer profits from the illegal employment of, let us say, distant relatives from Fujian than from relocating their whole production to the mainland? And is it not just as well conceivable that even certain government circles in Taiwan prefer silent toleration of a certain number of Chinese mainland migrant workers in such labour-intensive sectors as the low-tech, small-scale manufacturing industry and the building industry, to further relocation of domestic enterprises to the PRC? Relocation can be argued to increase dependence and the possibility of political blackmail. It creates the problem of securing access to production enterprises situated on territory of a potential enemy. Employing migrant workers on Taiwan avoids this situation and still leaves the authorities with the option of expulsion should such a need arise in the future.

⁸⁸ To ameliorate the labour shortage in the Taiwan fishing industry, the Taiwan government permitted the hiring of mainland labourers exclusively for pelagic fishing by 22 February 1992. It is an open secret, however, that - according to PRC statistics - Fujian alone exported a total of 7,900 fishermen to Taiwan in 1993, with a very high percentage also working without valid permits in Taiwan's offshore fishing industry. Compare i.a.: Mainland Affairs Council, *The Illegal Boarding Boats and the Employment of Mainland Fishermen*, Taipei 29.7.1994, pp.1-2.

⁸⁹ Those attempts to repatriate these particular migrants failed, because many of them did not leave the PRC illegally, but had official permission for working outside the territory of the mainland. The PRC authorities did not, therefore, accept them for repatriation. Compare: Xu Zu'an 1994, op. cit.; Bian Ziguang and Liu Wenzhang 1994, op. cit.

⁹⁰ It was estimated that nevertheless there are approximately 800 mainland migrants housed in several boarding boats outside Suao on the east coast of Taiwan only. Compare: Mainland Affairs Council, *A Factual Account of the Suao Harbor Typhoon Disaster and How the ROC Government has Handled the Matter*, Taipei 29.7.1994, p. 1.

⁹¹ Ibid., p. 1-2; Tsai Sheng-Dang, op. cit.

⁹² Herbert, Wolfgang, *Die asiatische Gefahr. Ausländerkriminalität als Argument in der Diskussion um ausländische 'illegale' ArbeitsmigrantInnen*, Beiträge zur Japanologie, Band 30, Institut für Japanologie der Universität Wien, 1993, pp.35-38; 47-53.