

**Transforming the Exclusionary Migration Regime?
New Economic Migration Policy in Taiwan**

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Taiwan's policymakers claim to be ready to make a bold move in reforming the immigration policy towards constructing an immigrant-friendly society. This is the policy goal stated in the *New Economic Immigration Act* (the NEI Act), a bill submitted by the Tsai administration to legislators in 2018. Although not yet passed, this proposed NEI Act, placed as top priority bill to be debated, is significant for it is more inclusive than current policy, most significantly offering permanent residence to qualified mid-level technicians including a portion of guest workers upgraded to mid-skilled. This paper seeks to answer to what extent the proposed NEI Act signifies transformative changes of Taiwan's exclusionary migration regime, long based on ethno-homogeneity ideology without much regards for the rights of foreign workers.

For this article, I study policy discourses of key policymaking apparatus involved, by analyzing government policy papers, commissioned reports, position statements, and related mass media coverage. The arguments and findings are as follows. First, the proposed NEI Act is not designed to gradually replace the current guest workers policy. The total number of guest workers will not shrink, for once foreign workers are elevated to become mid-level technicians, the employers could use the quota to recruit new guest workers. Moreover, the proposed policy of opening immigration channel to mid-level technicians contains many contradictions in a way that the employers have very limited incentives to utilize the new scheme. Currently, guest workers are recruited to work at minimum wage with work permit renewable up to 12 years. They cannot change employers unless encountering illegal treatments in work. According to the proposed NEI Act, for employers to apply on behalf of the candidate workers to become permanent residents, they have to pay foreign workers twice as much as guest workers for them to be considered mid-skilled. When these workers acquire permanent residence, they are free to choose employers and change jobs.

Second, the proposed NEI Act does not help to reduce class prejudice, instead, it continues to legitimize the persistent class bias against foreign blue-collar workers. For example, when promoting the NEI Act, to win public support, officials issue statements repeatedly highlighting that the NEI Act does not intend to turn foreign blue-collar workers into immigrants. This mind set is, in fact, contradictory to the policy goal for the proposed NEI Act, that is, to fill the demographic gap caused by low fertility rate. To meet such a goal, the country needs to bring in some tens of thousands of new immigrants. However, recruiting highly-skilled and mid-skilled foreigners fall way short of achieving this demographic goal. Despite the government has declared

the country is experiencing “national security” crisis due to the shrinking labor supply, classism, besides ethno-homogeneity ideology, is the most serious barrier for Taiwan to produce a truly transformative change in immigration policy in order to bring in sizable newcomers.

Third, the definition of immigration policy needs to be broadened to include those non-immigration policies with the potential of inducing specific kinds of migration. As Czaika and De Haas (2013) argues that states often establish non-migration policy to target certain population as potential migrants. In light of this, *New Southbound Policy* (hereafter NSP) deserves analysis for it contains education and development policy that could serve as the pipeline of bringing foreign human resources intended by the proposed NEI Act. NSP is a policy cluster with which the Tsai administration seeks to utilize Taiwan’s soft power of economic, educational, and cultural resources in enhance its presence in Indo-Pacific. After analyzing relevant policy that could affect the volume and origin of potential new migrants, I found that NSP’s migration-inducing component also carries classism against foreign blue-collar workers. First, NSP policymakers declare the new goal that set NSP apart from previous southbound policies is to weave Taiwan into a “people-centered” regional community. Although all guest workers in Taiwan come from SNP targeted region, one cannot find any role guest workers are expected to play in the process of “people-centered” community building. In addition, only students are included in “New Southbound Talent Development Program” designed to encourage migration from NSP targeted region. Moreover, while people from Vietnam, Indonesia, Burma, and Thailand, etc. could enjoy visa exemption for short term visit, this is not applicable to former guest workers who used to work in Taiwan.

In summary, despite some bold steps taken in the proposed NEI Act, the broader framework guiding immigration policy still plagued with characteristics typical of exclusionary migration regime. As Ruhs (2013) points out, although every national policymaker calculates benefits and cost when making labor migration policy, liberal states have to be attentive to the civil and human rights of individuals. In recent decade, several liberal states such as Germany and Switzerland, have moved from countries of zero immigration policy towards the rights-based migration regime, when opening their immigration channels to enhance global competitiveness. While the institutional frameworks in liberal states prevent policymakers from making policy choices to admit foreigners solely to further host country’s interest, lacking such rights-based legal norms, non-liberal states such as Taiwan could continue to base their immigration policy firmly on ethno-homogeneity ideology and classism.