

## ◆ Part 2 ◆

### Major Policies Related to Immigration Control Administration in FY 2011

## Chapter 1 Efforts by the Immigration Bureau concerning the Great East Japan Earthquake

### Section 1 ◆ Measures concerning the Procedures of Immigration and Residence Associated with Disaster Occurrence

#### ① Extension of Period of Stay Based on the Act on Special Measures concerning Preservation of Rights and Interests of Victims of Specified Disaster

The Immigration Bureau took measures for foreign nationals subject to notification by the Ministry of Justice, based on Article 3, Paragraph (2) of the law regarding special measures for protecting rights and benefits of victims of the disasters (hereinafter called the Act on Special Measures), are all allowed to postpone the expiry date of the period of stay until August 31, 2011 without taking any particular measures.

(Foreign Nationals Subject to the Notification)

The foreign nationals who fall under the following categories:

- (1) The foreign nationals whose period of stay will be terminated by August 30, 2011 due to administrative measures (including landing permission) taken before the occurrence of the Great East Japan Earthquake (hereinafter called the 3.11 Earthquake).
- (2) The foreign nationals “residing in districts in Aomori Prefecture, districts in Iwate Prefecture, districts in Miyagi Prefecture, districts in Fukushima Prefecture, or districts in Ibaraki Prefecture (hereinafter called designated districts)”, or “those residing in the designated districts as registered in their alien registration cards approved in accordance with the provisions of Article 4, Paragraph (1) of the Alien Registration Act”.

Even if foreign nationals are not covered by the Notification, the Immigration Bureau took measures for extension of the expiration date of stay until August 31, to the people who have been affected by the 3.11 Earthquake and have the expiration date of period of stay by August 31, 2011, provided that they shall be covered under Article 3 of the Special Measures Act.

Additionally, the bureau took measures for extension of the relevant expiration date under Article 3, Paragraph (3) of the Special Measures Act, in line with individual cases, if foreign nationals were not able to leave Japan or apply permission due to the 3.11 Earthquake.



Airport immediately after the earthquake

## ② Implementation of Prompt Acceptance of Rescue Teams from Foreign Countries, Regions, and International Organizations

From March 12 to April 24, 2011, rescue teams of approximately 1,100 people from 21 countries and regions including the U.S., Russia, France, and R.O.Korea entered Japan from Narita Airport, Haneda Airport, Misawa Air Base, and Yokota Air Base. For the purpose of landing examination of rescue teams, the Immigration Bureau used simple and prompt methods, including no requirement of landing permission stamp on their passports by issuing temporal landing permission cards prepared by immigration inspectors in advance.

## ③ Implementation of Prompt Embarkation Procedure for Foreign Nationals Who Desire to Leave Japan due to the Earthquake

### (1) Re-entry Permission

After the 3.11 Earthquake, the peak number of applications of re-entry permission to the Tokyo Regional Immigration Bureau (including branches and local offices) in a peak day reached approximately 20,000, which is approximately 12 times as much as in an average day. Under such a high number of applications, immigration inspectors of all examination divisions handled the work in respective offices. Meanwhile, even immigration control officers formed applicants waiting for procedures into lines and guided them. Thus the entire bureau responded to various affairs from early morning to the middle of the night, while promptly handling the application procedure by simplifying description to application forms as much as possible in order to further reduce the processing time.



Around 1km-long row of people waiting for the procedures for re-entry permission after the earthquake

### (2) Embarkation Procedure (including embarkation after re-entry permission)

In Narita Airport, the peak number of the foreign nationals who took the embarkation procedure in a day reached approximately 20,000, which was twice as many as that in the same time last year. Such a movement was thus observed nationwide. Under such circumstances, the Immigration Bureau dispatched the staff members from the head office of the Tokyo Regional Immigration Bureau and the Higashi-Nihon Immigration Center to Narita, Haneda, Niigata Airports for the purpose of conducting embarkation examinations in the airports during the three consecutive holidays from March 19 to March 21. The examination procedure was handled without any confusion.

#### **4 Measures for Smooth Re-entry to Japan of International Students and Training and Technical Interns Who left Japan without Re-entry Permission due to the Earthquake**

If the foreigners, who have left Japan, re-enter Japan without re-entry permission, certificates of eligibility are usually required, but the Immigration Bureau simplified the re-entry permission procedure as an exception for international students, who left Japan shortly after the earthquake without re-entry permission, after consultation with the Ministry of Foreign Affairs, so that such students might obtain visas at Japanese Embassies and Consulates as soon as possible.

The Immigration Bureau also took measures for the foreign trainees and technical interns who left Japan shortly after the earthquake without re-entry permission to obtain visas at Japanese Embassies and Consulates, if they desired to continue the training and technical intern training programs, which they had obtained, after re-entry to Japan, provided that the conditions of the environment to implement relevant training and internship were met, and they were specially permitted to enter Japan provided that the continuity of their activities were recognized in landing examination.

#### **5 Establishment of Immigration Examination Mobile Teams**

Upon the passage of the third supplementary budget for FY2011, an Immigration Examination Mobile Team (consisting of three immigration inspectors) was established at each of eight Regional Immigration Bureaus (Sapporo, Sendai, Tokyo, Nagoya, Osaka, Hiroshima, Takamatsu and Fukuoka), as part of the measures to strengthen the immigration examination system during an emergency situation, for the purpose of promptly and smoothly handling departure of foreign nationals by foreign governments' charter flights and acceptance of rescue teams from foreign countries (upon the passage of the budget for FY2012, the establishment of an additional Mobile Team was accepted for the Tokyo, Nagoya, Osaka and Fukuoka Regional Immigration Bureaus).

Immigration Examination Mobile Teams are equipped with instruments necessary for immigration inspectors to conduct examinations at airports and seaports. Through the establishment of Immigration Examination Mobile Teams, the intention is to develop a system under which the relevant Regional Immigration Bureau dispatches immigration inspectors, who are the members of the Mobile Teams, and has them conduct examinations.

## **Section 2 ◆ Cooperation for Safety Confirmation of Foreign Nationals Who Might Have Affected by the 3.11 Earthquake**

### **1 Providing Reports Concerning Foreign Reports in Affected Regions**

The Immigration Bureau provided information on registered foreign nationals\* in affected regions\*\*, who might have affected by the 3.11 Earthquake, for the purpose of the safety confirmation

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 \*(Note 1) Relevant information on registered foreign nationals included identities (name, date of birth, nationality, gender), alien identification number, address, household, port of entry, entry date, organization (place of employment or training, name of education body, etc.).

\*\* (Note 2) The term "affected region" is referred to as any municipalities subject to the Disaster Relief Act based on "application of the Disaster Relief Act concerning the Great East Earthquake (the 11th Report)" issued by the Ministry of Health, Welfare, and Labor on March 24, 2011.

of foreign nationals who might have affected by the 3.11 earthquake, based on the request of local governments and foreign diplomatic missions in Japan.

As of February 1, 2012, the Immigration Bureau provided information concerning 76,761 registered foreign nationals to three prefectures damaged by the earthquake (Iwate, Miyagi, and Fukushima) and 54 foreign diplomatic missions in Japan. Specifically, relevant information on a total of 32,411 registered foreign nationals was notified each of Iwate, Miyagi, and Fukushima prefectures, while relevant information on a total of 44,350 registered foreign nationals was sent to the 54 diplomatic missions of countries and regions.

If such local governments or foreign diplomatic missions requested to know the information on whether such registered people had left Japan or not, the Immigration Bureau responded on it. As of February 1, 2012, the Immigration Bureau provided information on 6,033 registered foreign nationals to Iwate prefecture and on a total of 8,345 registered foreign nationals to 8 diplomatic missions of countries and regions.

## 2 Response on Embarkation for the Purpose of Safety Confirmation

The Immigration Bureau responded to inquiries for embarkation for Japanese people and registered foreign nationals in the municipalities under the Disaster Relief Act in Aomori, Iwate, Miyagi, Fukushima, and Ibaraki Prefectures, for the safety confirmation of relevant people, if their family, relatives, and other related people requested inquiry.

As of February 1, 2012, the Immigration Bureau responded to 61 cases of inquiries for embarkation concerning a total of 301 people.

## Section 3 ◆ Cooperation for Alien Registration

The Immigration Bureau cooperated with relevant organizations for following alien registration.

At first, the Immigration Bureau notified all municipalities throughout Japan on measures that if foreign nationals had resided in affected areas, and if they requested for relevant municipalities to issue certificates of registered matters of alien registration records at evacuation centers, the municipalities, where such foreign nationals stayed, were permitted to issue provisional cards instead of relevant certificates as soon as possible. Meanwhile, the Immigration Bureau prepared alien registration records for all registered foreign nationals in relevant municipalities based on the data from the Ministry of Justice, for the purpose of support of reproduction of municipal alien registration records by municipalities that lost alien registration records, as well as support of safety confirmation of affected people, and the bureau provided relevant records for relevant municipalities, if they requested them.

For the purpose of support of municipalities which had significant difficulty in usual activities in alien registration due to the damage caused by the disaster, the Immigration Bureau covered a part of tasks concerning alien registration usually conducted by such municipalities for a certain period.\*

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\*(Note) The Immigration Bureau covered a part of tasks concerning alien registration for five municipalities in Iwate, Miyagi, and Fukushima.

In addition, the Immigration Bureau made an effort to notify and promote municipalities not to hesitate to ask and consult with the bureau about wide range of issues, so that such municipalities could consult with the bureau at ease even if no person in charge of alien registration was able to respond to foreign nationals due to the disaster.

Furthermore, up to July 9, 2012, the date on which the alien registration system was abolished upon the enforcement of the Immigration Control Act amended by the Act to Amend the Immigration Control Act, etc., the Immigration Bureau took special measures for foreign nationals who had evacuated apart from their original registered place of residence and were unable to take procedures to change the place of residence to the municipalities where they took refuge, so that they could take various procedures for alien registration via relevant municipalities.

## **Section 4 ◆ Providing Information for Foreign Nationals Affected by the Earthquake**

The Immigration Bureau implemented more positive public relations activities, based on the recognition that it was important to promptly provide necessary information for foreign nationals affected by the 3.11 Earthquake particularly from a standpoint of supporting such victims.

Concretely, for the purpose of responding to consultations on various procedures including re-entry permission, the Immigration Bureau established inquiry counters exclusively used for affairs concerning the 3.11 Earthquake at all regional immigration bureaus in Japan. The bureau also established telephone consultation services with exclusive lines, responding to inquiries on the phone at weekends as well.

The Immigration Bureau also established a website titled “Immigration Bureau Great East Japan Earthquake Special Homepage” and posted information on measures of support for affected people in multiple languages (Japanese, English, Chinese, Korean, Spanish, Portuguese), including extension of period of stay for foreign nationals living in affected areas and inquiries on embarkation of foreign nationals who had resided in affected areas and information on various types of support for foreign embassies in Japan and local governments.

Furthermore, in cooperation with the International Organization for Migration(IOM), the Immigration Bureau provided necessary information. For example, the staff members of the Immigration Bureau went to the affected areas with the IOM staff and provided information, by distributing leaflets concerning measures of support for affected people taken by the bureau.

## Chapter 2 Introduction of the Points-based Preferential Treatment for Highly Skilled Foreign Professionals in immigration procedure

### Section 1 ◆ Background of its introduction

The “Basic Plan for Immigration Control (4th edition)” advocates smooth acceptance of foreign nationals in order to revitalize the country’s economy and society, and requires study on the introduction of the points-based preferential immigration treatment system for highly skilled foreign nationals as a means to facilitate the acceptance of human resources that contributes to the country’s economic growth and otherwise meets the needs of society.

The “New Growth Strategy” (decided by the Cabinet on June 18, 2010) indicates that the intention to foster global human resources and expand the acceptance of highly-skilled professionals, thereby doubling the number of highly-skilled foreign nationals residing in Japan. Furthermore, the “Policy on Regulatory/Systemic Reforms” (decided by the Cabinet on June 18, 2010) incorporated the introduction of the points-based system for facilitating the acceptance of highly-skilled foreign professionals as one of the matters to be coped with for regulatory reforms. The “Strategy for Rebirth of Japan” (decided by the Cabinet in December 24, 2011) also states that the conclusion on the preferential immigration treatment system utilizing the points-based system should be reached among related ministries and agencies within 2011 and should be publicly notified swiftly based on the conclusion.

In response to these cabinet decisions on economic policy and growth strategy, the Ministry of Economy, Trade and Industry, the Ministry of Health, Labor and Welfare, and other related ministries and agencies had discussed and studied on the points-based preferential treatment in immigration procedure for promoting the acceptance of foreign nationals with advanced abilities and qualities who are expected to contribute the country’s to economic growth and the creation of new demand and employment under the current framework for accepting foreign workers. After the deliberations the results regarding the details of the system were publicized on December 28, 2011. After going through procedures for public comments regarding the draft of Public Notices of the Ministry of Justice that establishes the points-based system, the Public Notice of the Ministry of Justice was enacted on March 30, 2012 and put into effect on May 7, 2012.

### Section 2 ◆ Outline of the System

In order to promote the acceptance of foreign nationals with advanced abilities and qualities (highly skilled professionals) who are expected to contribute to the country’s economic growth and the creation of new demand and employment under the current framework for accepting foreign workers, a points-based system has been adopted. The preferential treatment provides three categories of activities, namely, “advanced academic research activities”, “advanced professional and technical activities” and “advanced administrative and management activities”, all of which are

subdivided into point items based on the characters of these activities, such as “academic background”, “business career” and “annual income”. When a foreign national satisfies a criterion by gaining a predetermined number of the total collected points of the items, he/she is authorized as a “highly-skilled foreign professional (HSFP)” and granted the status of residence as “designated activities”, which allows him/her to stay in Japan for a longer period, by which he/she becomes eligible to enjoy preferential treatment in immigration procedure.

Foreign nationals who are recognized as HSFP may receive the following preferential treatment in immigration procedure.

### **(1) Permission for multiple purposes of residence activities**

Conventionally, foreign nationals are not allowed to conduct activities beyond the scope permitted under their status of residence. However HSFP may conduct multiple purposes of activities covering multiple statuses of residence.

### **(2) Grants of five-year period of stay**

Normally, the period of stay is decided by status and is determined in accordance with each person’s residence status and content of activities. However, the maximum period of residence permissible under the Immigration Act is granted to qualified foreign professionals regardless of the period of stay they actually intended.

### **(3) Relaxation of requirements for grant of the permission for permanent residence in line with the history of staying in Japan**

In order to obtain the permission for permanent residence, foreign nationals need to have stayed in Japan at least 10 years, in principle. However those who have continuously conducted activities as HSFP for four and half years are eligible to apply the permission for permanent residence.

### **(4) Preferential processing of immigration and residence procedures**

For highly-skilled professionals, preliminary immigration procedures and residence procedures will be preferentially processed within 10 business days and within 5 business days, respectively, after application are accepted by immigration authority.

### **(5) Work permission for the spouse**

When foreign nationals staying in Japan with the status of residence as “Spouse” intend to engage in activities falling under such categories as “Instructor”, “Engineer” and “Specialist in Humanities/ International Services”, they usually need to satisfy certain requirements, such as academic background and business career, and further obtain the relevant status of residence. However, spouse of an HSFP may be allowed to engage in these activities with their status of residence as the spouse of an HSFP, without satisfying the requirements of academic background and/or business career.



## (6) Permission for bringing parents under certain conditions

In usual cases, foreign nationals who stay in Japan for employment are not allowed to bring their parents into the country as foreign residents. However parents of HSFPs or their spouses are allowed to enter and stay in Japan for the purpose of assisting HSFP by giving care for children aged three or younger of the HSFP or their spouses\*.

## (7) Permission for bringing domestic workers under certain conditions

Normally, only some of the foreign nationals who stay in Japan with the status of residence “Investor/Business Manager” or “Legal/Accounting Services” are allowed to bring domestic workers. However, under the system, HSFP are allowed to bring domestic workers they had hired at their home countries or to hire domestic workers from outside Japan on the grounds that they have children aged 13 or younger\*\*,

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\*(Note) When an HSFP intends to bring their parents, they need to satisfy certain conditions, separately from the point evaluation process, such as that the promised annual income that they receive from the organization they belong to is 10 million yen or more. In addition, the parents must live together with the HSFP.

\*\* (Note) When an HSFP intends to bring domestic workers, they need to satisfy certain conditions, separately from the point evaluation process, such as that the promised annual income that they receive from the organization they belong to is 15 million yen or more. In addition in the case of bringing exactly the same domestic workers they had hired at their home countries, they had employed the domestic workers at least one year at their home countries.

## Chapter 3 Efforts for Smooth Introduction of the New Residency Management System

### Section 1 ◆ Outline of the System

#### 1 New Residency Management System

In accordance with the Act to Amend the Immigration Control Act, etc. which was enacted in July 2009, the Alien Registration Act forming the basis of the alien registration system was abolished. By the amendment of the Immigration Control Act all residency management functions were about to be governed by the Immigration Control Act, which led to the introduction of a “new residency management system”. The system was supported to enable the Minister of Justice to continuously keep information necessary for residence management of foreign nationals residing in Japan with proper status of residence for a mid to long term.

#### (1) Process and Background of Introduction

In recent years, with the progress of globalization in Japan and the rapid increase in the number of foreign nationals who newly entered the country or applied for alien registration, foreign nationals called “newcomers” have increased and their nationalities have diversified. There are an increasing number of newcomers who have not established a stable basis for living in Japan. Not a little of them fail to submit the correct application for alien registration, frequently transfer without submitting any application, or leave the country without indicating their intention to re-enter after obtaining a re-entry permit and returning to their own country.

Due to structural changes in the numbers of foreign nationals and changes in their way of living in Japan, it has been more difficult for immigration to accurately grasp the actual residence under the dualistic information collection system based on the Immigration Control Act and the Alien Registration Act. This situation has also caused problems in ensuring immigration control administration and proper public services for foreign nationals.

Consequently, based on the proposals, from the Immigration Policy Discussion Panel, which is one of the private consulting groups of the Minister of Justice, it was concluded that the residence management system, including the alien registration system, should be drastically streamlined. Then, the “Draft Law for Partial Amendment to the Immigration Control and Refugee Recognition Act and the Special Act on the Immigration Control of, Inter Alia, those who have Lost Japanese Nationality Pursuant to the Treaty of Peace with Japan”, incorporating the establishment of a new residency management system, was submitted to the 171st Diet session. The draft law was approved, enacted and promulgated after partial amendments were made in the process of Diet deliberations.

#### (2) Measures to be introduced under the New Residency Management System

The new residency management system is expected to facilitate the following processes for

foreign nationals residing in Japan for a mid to long term: (i) issuance of a residence card after obtaining a permit, such as landing permission, permission for extension of period of stay, and permission for changes of status of residence; (ii) report of changes by foreign nationals to the Minister of Justice during the period of their stay; and (iii) provision of information about foreign nationals to the Minister of Justice from organizations, to which they belong such as a school at which they study. This will enable the Minister of Justice to precisely and continuously keep information related to the residence conditions of foreign nationals. Information about the situation of foreign nationals residing in Japan for a mid to long term will be precisely kept under the system and will be reflected in the Basic Resident Registration for Foreign Nationals in municipalities, which will be newly established in accordance with the Act for Partial Amendment of the Residential Basic Book Act. As a result, foreign residents will be able to receive better public services.

Along with the introduction of the system to keep precise information necessary for residency management, provisions to enhance convenience, including extension of the maximum period of stay and review of the re-entry permit system, will be established. The detailed provisions are as shown below (enforced on July 9, 2012).



Residence card

#### A. Measures for Establishing a System that Enables the Minister of Justice to Keep Necessary Information Continuously

- (A) The Minister of Justice shall grant a residence card certifying basic matters for identification, status of residence, period of stay, etc., to foreign nationals residing in Japan with the status of residence under the Immigration Control Act as mid to long-term residents (hereinafter referred to as “mid to long-term residents”). Mid to long term residents are defined as the foreign nationals in Japan except those who fall under any of the following: (i) those whose period of stay for three months or less has been approved; (ii) those whose status of residence as “Temporary Visitor” has been approved; (iii) those whose status of residence as “Diplomat” or “Official” has been approved; or (iv) those who are stipulated as equivalent to the above foreign nationals by the Ordinance of the Ministry of Justice.
- (B) Mid to long-term residents shall report the Minister of Justice of the addresses of the main residence in Japan where they decide to reside after landing via the head of the municipality where they live, within a certain period of time (The place of residence will be included on their residence cards).
- (C) Mid to long-term residents shall report the Minister of Justice of any change in not only the matters contained in their residence cards (change of place of residence will be informed through the municipal head), but also the organizations to which they belong and their personal

status or position, according to their status of residence.

- (D) The Minister of Justice shall be allowed to obtain information about mid to long-term residents from the organizations to which they belong.
- (E) The Minister of Justice shall be allowed to investigate to confirm matters notified, if necessary, in order to keep the information updated about mid to long-term residents.
- (F) Registration of a false place of residence and failure to continue to engage in activities as a spouse while residing in Japan for six months or more in spite of residing under the status of residence as a spouse without rational reason, shall be added to the causes for revocation of status of residence.
- (G) With regard to forgery of residence cards, penal provisions and grounds for deportation shall be established. Penalty related to illegal employment shall be revised.

#### **B. Measures for Improving Convenience of Foreign Nationals with Lawful Status Legally Residing in Japan**

- (A) The maximum period of stay shall be extended from three years to five years.
- (B) The validity period of re-entry permits shall be extended. In principle, foreign nationals who have valid passports and residence cards and who re-enter Japan within one year from their departure shall not need to apply for re-entry permits.

### **(3) Measures for Special Permanent Residents**

Along with the introduction of the new residency management system, the special permanent resident system was reviewed.

As there has been no particular problem with the special permanent resident system, the system was overhauled to enhance convenience, practically maintaining the status quo, as follows (the overhauled system was enforced on July 9, 2012, as was the new residency management system):

- A. The Minister of Justice shall grant a special permanent resident certificate that certifies legal status as a special permanent resident.
- B. Special permanent residents shall be allowed to extend the valid period of re-entry. In principle, special permanent residents who have valid passports and special permanent resident certificates and who re-enter Japan within two years from their departure shall not need to apply for re-entry permits.

### **2 Basic Resident Registration System for Foreign Residents**

Under the new residency management system, the Alien Registration Act was abolished, while

foreign residents became subject to the Residential Basic Book Act and other related regulations. The date when the amended Residential Basic Book Act was enforced was the same as the date when the amended Immigration Control Act and relevant regulations were put into effect.

### **(1) Issuance of Resident Records for Foreign Nationals**

Resident records will be issued for foreign nationals with proper status of residence for mid to long-term residents and special permanent residents designated by the Special Act on Immigration Control, provided that both categories of foreign nationals shall continuously reside in the addresses in the relevant municipalities.

### **(2) Matters Contained in Resident Records for Foreign Residents**

Resident records for foreign residents include the description of not only basic matters for identification, including name and address, as with Japanese nationals, but also matters concerning national health insurance and national pension as insured persons, and matters specific to foreign residents, such as nationality/region, status of residence, and period of stay.

### **(3) Notifications Regarding Foreign Residents**

Foreign residents who change their address shall submit notifications on moving in/out in accordance with the Residential Basic Book Act, as with Japanese nationals. Although the provisions of the amended Immigration Control Act stipulate that foreign nationals should submit notifications of their address to the Minister of Justice, they shall be considered to have submitted their residence card or special permanent resident certificate to the heads of their municipalities.

### **(4) Notice from the Minister of Justice**

When a foreign resident submits a notification of change of name, etc., to a regional immigration bureau, or obtains permission for change of status of residence, extension of period of stay, etc., the description in his/her resident record needs to be modified according to the changes. Therefore, the Ministry of Justice shall notify such changes to the municipality exercising jurisdiction over the place of the foreign resident's address, and the municipality shall modify the description in the resident record based on the notification. This process aims to alleviate the notification burden on foreign residents and ensure the accuracy of records.

## **Section 2 ◆ Progress in Efforts toward Introduction of The System**

### **1 Smooth Transition to the New Residency Management System**

#### **(1) Enactment of Cabinet Orders and Ministerial Ordinances**

The Act to Amend the Immigration Control Act, etc., amended the Immigration Control Act and Special Act on Immigration Control, and duties to be undertaken by municipalities, which had not been specified, came to be clearly specified. Concretely, such duties include those concerning notifications that mid to long-term residents and special permanent residents are to make to

the Minister of Justice via the municipal head of the municipality where they are living, and those for reporting matters contained in resident records for foreign residents to the Minister of Justice.

Therefore, for the purpose of developing provisions concerning details of these duties and methods for processing them, related Cabinet Orders and Ministerial Ordinances were amended or enacted and were promulgated on December 26, 2011.

#### **A. Cabinet Orders and Ministerial Ordinances concerning the introduction of the new residency management system**

The Act to Amend the Immigration Control Act, etc. abolished the Alien Registration Act and introduced the new residency management system, under which the Minister of Justice continuously obtains information necessary for proper residence management, targeting foreign nationals who reside in Japan for mid to long terms.

Accompanying this, related Cabinet Orders were developed to specify affairs to be undertaken by municipal heads under the new system, and at the same time, the Cabinet Order for the development and transitional measures was enacted for the purpose of establishing necessary transitional measures. Furthermore, the Ordinance for Enforcement of the Immigration Control and Refugee Recognition Act and other Ministerial Ordinances related to the Ministry of Justice were developed and the Ministerial Ordinance for the development and transitional measures was enacted for the purpose of establishing necessary transitional measures.

##### **(A) Cabinet Order on the Development of Related Cabinet Orders and Transitional Measures**

- a. The Cabinet Order to Stipulate Regions Set forth in Article 2, Item (V), Sub-item(b). of the Immigration Control and Refugee Recognition Act was made into the Order for Enforcement of the Immigration Control and Refugee Recognition Act and the clerical duties to be undertaken by municipalities were specified as follows: (i) when the municipal head has received a notification of residence from a mid to long-term resident, he/she shall transmit certain matters in relation to the notification to the Minister of Justice by a certain method; (ii) when the municipal head has recorded matters in a resident record for a foreign resident, he/she shall report certain matters in relation to the record to the Minister of Justice by a certain method.
- b. The Cabinet Order on Ranks of Immigration Control Officers, the Cabinet Order on Fees Relating to the Immigration Control and Refugee Recognition Act, and the Cabinet Order to Stipulate Departments of the Ministry of Justice Set Forth in Article 61-8, Paragraph (1) of the Immigration Control and Refugee Recognition Act were abolished and matters specified by these Cabinet Orders were newly specified by the Order for Enforcement of the Immigration Control and Refugee Recognition Act.
- c. The Order for Enforcement of the Alien Registration Act was abolished.

##### **(B) Ministerial Ordinances on the Development of Related Cabinet Orders and Transitional Measures**

The Ministerial Ordinance for Enforcement of the Immigration Control and Refugee

Recognition Act were amended for the purpose of developing provisions concerning the procedures for various notification and application systems that are to be introduced under the new residency management system. Transitional measures to be applied at the time of introducing the new system were also established.

#### **B. Cabinet Orders and Ministerial Ordinances concerning the review of the system for special permanent residents**

Under the Act to Amend the Immigration Control Act, etc., the system for special permanent residents was decided to be reviewed. In response, the Cabinet Order for Enforcement of the Special Act on the Immigration Control was newly enacted for the purpose of specifying clerical duties to be undertaken by municipal heads under the new system. Furthermore, the provisions of the Ministerial Ordinance for Enforcement of the Special Act on the Immigration Control were developed.

##### **(A) Cabinet Order for Enforcement of the Special Act on the Immigration Control**

The Order for Enforcement of the Special Act on the Immigration Control was newly enacted and duties to be undertaken by municipal heads were specified, such as that when the municipal head has received a notification of residence from a special permanent resident, he/she shall transmit certain matters in relation to said notification to the Minister of Justice by a certain method.

##### **(B) Ministerial Ordinance for Enforcement of the Special Act on the Immigration Control**

Provisions concerning the procedures for various notification and application systems that are to be newly introduced were developed. Transitional measures to be applied at the time of introducing the new system were also established.

## **(2) Public Relations Activities**

Toward the smooth introduction of the new residency management system, which started on July 9, 2012, the Immigration Bureau prepared and distributed leaflets and posters, opened a special website, and uploaded introduction videos to the Japanese government's Internet TV site. Furthermore, the Immigration Bureau held briefing sessions for embassies in Tokyo, municipalities, airline companies, and other related organizations so as to widely spread the information on the new system.

The leaflets, website, and videos mentioned above are partially available in multiple languages (in English, Chinese, Korean, Spanish, and Portuguese). Efforts have thus been made for multilingualization to make as many foreign nations as possible know the new system.



Briefing session on the new residency management system



Briefing session for embassies in Tokyo

## ② Smooth Transition to the Basic Resident Registration System for Foreign Residents

### (1) Cooperation with the Ministry of Internal Affairs and Communications, and Provision of Information to Them

Since FY2009, the Immigration Bureau has sent staff including the Director of the Registration Division to meetings of the “Study Group on Transition to the Basic Resident Registration System for Foreign Residents” ([http://www.soumu.go.jp/main\\_sosiki/kenkyu/daityo\\_ikou/index.html](http://www.soumu.go.jp/main_sosiki/kenkyu/daityo_ikou/index.html)) organized by the Ministry of Internal Affairs and Communications (MIC) to discuss various practical issues on the law looking toward its enforcement. In FY 2011, the Immigration Bureau reviewed issues concerning duties undertaken by municipalities, such as whether it is possible to integrally manage procedural guidance to allow foreign residents to simultaneously make the notifications required under the Residential Basic Book Act and the Immigration Control Act when they change their address in Japan. The Immigration Bureau also provides relevant information through its website and other means to municipalities. In addition, the bureau has prepared for the transition to the new system in cooperation with the MIC and governments by, for example, providing information on the transition to the new system at training and briefing sessions local governments’ staffs.

### (2) Measures to Ensure Accurate Registration

In preparation for implementation of the Basic Resident Registration System for foreign residents, provisional resident records shall be made for foreign nationals who have been registered in registration cards and who are anticipated to fall under foreign residents residing in the relevant municipalities on the reference date before implementation, and such provisional resident records shall be used as authoritative resident records on the implementation date. Because these provisional resident records are prepared based on information including matters contained in registration cards, it is important to enhance the accuracy of the registration cards under the foreign registration system in order to ensure a smooth transition. Therefore, the Immigration Bureau has taken a series of measures since FY2007.



In FY2011, the Immigration Bureau provided thorough guidance on the procedures for foreign registration at municipalities, targeting foreign nationals who have been permitted the extension of the period of stay, so as to ensure accurate registration. Furthermore, from the perspective of supporting the preparation of provisional resident records, the Immigration Bureau provided all data maintained by the Ministry of Justice (name, date of birth, gender, nationality, residence, etc.) to municipalities so that they could crosscheck their data, and thereby eliminated inconsistencies between data on both sides and tried to further enhance the accuracy of foreign registration.

## Chapter 4 Smooth and Strict Implementation of Immigration Examination at the port of entry

It is necessary to promote smooth immigration examination at the port of entry for the great majority of unproblematic foreign nationals who come to Japan, while ensuring strict immigration examination for any foreign national who have illegal intent. In order to increase the number of foreign nationals visiting Japan as a part of efforts to achieve a tourism-oriented country, it is very important to prevent terrorists who are disguised as tourists from entering the country at the border. It is also necessary to satisfy two seemingly contradictory objectives: smooth but strict implementation of immigration examination in an appropriate manner.

The Immigration Bureau is making efforts to implement flexible examination on a case-by-case basis to achieve such objectives.

### Section 1 ◆ Efforts for Promoting a Tourism-Oriented Country

#### 1 Efforts to Reduce the Waiting Time for Examination

Japan is now making government-wide efforts for promoting a tourism-oriented country, and needs to enhance international exchange that will contribute to realization of a tourism-oriented country through smooth immigration examination at the port of entry.

The Immigration Bureau has already been making efforts to ensure smooth landing examination procedures at each airport and seaport, and now is promoting the secondary examination system introduced in FY 2005. The Bureau also set up an examination support team in the Chitose-Tomakomai Branch Office and the Haneda Airport Branch Office (at that time) in FY 2006, and in the Fukuoka Regional Immigration Bureau in FY 2009, for the purpose of providing more efficient examination support to local ports, etc.

In addition, the bureau arranges immigration booth concierges to guide foreign passengers to a vacant immigration inspection booth as well as confirm ED cards, instruct how to fulfill the cards, and assist them proceeding the in biometrics registration, in order to prevent operations from being stagnated and confused around immigration examination counters and to achieve smoother immigration examination procedures by utilizing the limited capacity of each counter as efficiently as possible.

#### 2 Automated Gates

Smooth and strict examinations have been further assisted by installation of automated gates, which allow Japanese nationals who have registered themselves as a user of automated gates, or foreign nationals who meet certain requirements such as having been issued with a re-entry permit, to go through immigration procedures without undergoing immigration examination at an ordinary immigration booth in person. Specifically, new automated gates were installed at Narita Airport in November 2007. In September 2009, new gates were installed at Chubu Airport and Kansai Airport.

Additional gates were installed at Haneda Airport in October 2010.

User registration of automated gates was started at the Tokyo Regional Immigration Bureau and the Narita Airport District Immigration Office in November 2007, followed by the Nagoya Regional Immigration Bureau, the Chubu Airport District Immigration Office, the Osaka Regional Immigration Bureau and the Kansai Airport District Immigration Office in September 2009, the Haneda Airport District Immigration Office of the Tokyo Regional Immigration Bureau in October 2010, and the Takamatsu Regional Immigration Bureau in March 2011.

Moreover, in order to promote user registration at automated gates and to facilitate smooth immigration examination, the Immigration Bureau has improved services by introducing a “mobile on-site user registration” where immigration staff visit companies and provide registration services.



Automated Gates

## Section 2 ◆ Establishment of the Discussion Meeting on Immigration Control Administration in the Era of Accepting 25 Million Foreign Visitors

### 1 Background of the Establishment

The “New Growth Strategy”, which was decided by the Cabinet on June 18, 2010, advocates promoting a tourism-oriented country which should be a core measure for Japan’s future economic growth, by revitalizing economies and increasing employment opportunities in local communities that suffer sharp decreasing and aging population. Based on this idea, the strategy sets a goal to increase the number of foreign visitors to 25 million by the beginning of the year 2020 and to 30 million people in the future.

The Great East Japan Earthquake that occurred in March 2011 brought serious consequences to tourist sites nationwide, but the government continues its commitment to promoting measures for the realization of a tourism-oriented country, which, in particular, has come to be expected to play a central role in helping reconstruction of local economies after the earthquake.

In response, in order to discuss new examination methods to ensure smooth and strict immigration examination even in the era of accepting 25 million foreign visitors, the need arose to collect opinions widely from intellectuals in various fields from the viewpoints of the government and the people and based on professional knowledge. Under such circumstances, the Discussion Meeting on Immigration Control Administration in the Era of 25 Million Foreign Visitors (hereinafter referred to as “Discussion Meeting”) was established as a private panel of the Minister of Justice on October 14, 2011.

Upon the establishment of the Discussion Meeting, the Minister of Justice requested that the di-

rection on the streamlining of immigration examination procedures should be proposed by the end of FY2011 and concrete measures based on the direction should be presented at the beginning of FY2013.

## 2 Discussions after the Establishment

Six sessions of the Discussion Meeting were held after its establishment in October 2011 to March 2012. At these sessions, an on-site observation was held at the Haneda Airport District Immigration Office of the Tokyo Regional Immigration Bureau to grasp the present situation of immigration examination, and hearings were conducted for five organizations closely related to a tourism-oriented country. Through these sessions, the members discussed such issues as roles that immigration control administration should play in realizing a tourism-oriented country.



Discussions at the Discussion Meeting

The details of these discussions were compiled as an interim report for FY2011 by the Discussion Meeting and submitted to the Minister of Justice on March 26, 2012.

## 3 Details of the Interim Report

As the basic concept on the streamlining of immigration examination procedures, the Interim Report states that simplifying the procedures, such as omitting part of them, is not preferable as a means for the streamlining, which aims to realize proper immigration examination even under circumstances where a large number of foreign nationals visit Japan in the future. Instead, the report points out that introducing machinery and automating the procedures, in place of the current examination by immigration inspectors, would be the most realistic means, and also suggests the expansion of users of automated gates. Furthermore, it is recommended that demonstration trials should be conducted to discuss concrete means for automation including the use of biometric information (see the Topic below).



The Interim Report being submitted to the Minister of Justice

In line with these proposals, the Ministry of Justice plans to conduct demonstration trials at airports and study the possibility of application of various types of biometric information in FY2012.

## Topic

[ Outline of the Results of the Discussions on Immigration Control Administration in the Era of 25 Million Foreign Visitors (Interim Report) ]

The Interim Report compiled in FY2011 mainly proposes the following:

### 1. Basic concept

In order to realize proper immigration examination even under circumstances where a large number of foreign nationals visit Japan in the future, simplifying the procedures, such as omitting part of them, is not preferable as a means for the streamlining, but introducing machinery and automating the procedures, in place of the current examination by immigration inspectors, would be the most realistic means. The expansion of users of automated gates should be promoted in the future.

### 2. Direction for the automation of immigration examination procedures

#### (1) For Japanese nationals

##### A. Expansion of the use of automated gates without requiring user registration

To conduct demonstration trials by introducing the facial recognition system using facial photographs recorded on IC passports at automated gates

##### B. Promotion of the use of already installed automated gates

To conduct demonstration trials by increasing automated gates, which are now installed one gate per one immigration examination area, and verifying the effects thereof

##### C. Study on the possibility of using various types of biometric information

To make further efforts for enhancing the current technology to use fingerprints, and also work on study on the possibility of using other types of biometric information, such as the irises and the veins, for automated gates

#### (2) For foreign residents

##### A. Expansion of the use of automated gates without requiring user registration

In addition to the means mentioned in (1)A. above, to conduct study on an automated gate using fingerprints recorded on foreign IC passports

##### B. Consideration of the method to submit ED cards

To consider the method to make it unnecessary to submit ED cards such as through obtaining information on ED cards in advance

#### (3) For foreign nationals newly visiting Japan

##### A. Consideration of a mechanism for the Immigration Bureau to identify those eligible for automated immigration examination procedures

To build a mechanism to identify foreign nationals eligible for automated procedures, and consider means to automate immigration examination procedures for such people

## B. Others

To consider the streamlining of immigration examination procedures for passengers of cruise ships

## Section 3 ◆ Strengthened Countermeasures at the Port of Entry

In order to protect the lives and to keep the high standard of the public safety, it is extremely important to unfailingly prevent terrorists and other foreign nationals who have illegal intent, who are likely to disguise as ordinary tourists. Since the terrorist attacks on the United States in 2001, the Immigration Bureau has been continuously implementing strict immigration examination at the port of entry in order to prevent and forego such terrorists as they attempt to enter the country.

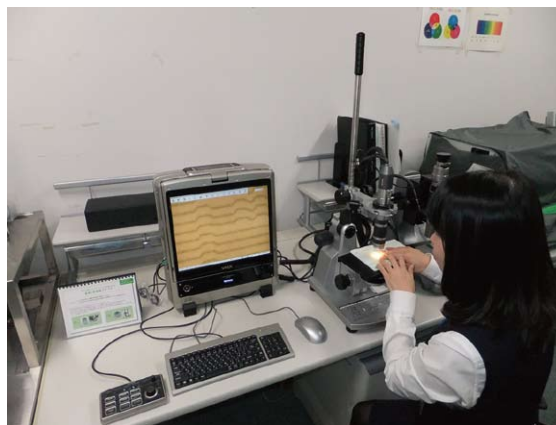
### 1 Implementation of Immigration Examination through the Use of Biometric Information

Since November 20, 2007, foreign nationals who intend to enter Japan have been required to repeat their biometric information (fingerprints and a facial photograph). This enables us to accurately and promptly confirm that an applicant for landing permission is identical to the passport holder, and to check the applicant against the blacklist maintained by the Immigration Bureau. In addition, it has become possible to detect, without fail, those who have previously been displaced and again try to enter the country illegally using forged or altered passports or others' passports by checking them against data on fingerprints and facial photographs of those displaced in the past, which is maintained by the Immigration Bureau. During the period from the commencement of the immigration examination using personal biometric information to the end of May 2012, the total number of people who were issued with a deportation order or were displaced reached around 3,400.

On the other hand, there have been many cases of illegal foreigners who try to enter the country illegally with fake fingerprints by damaging them directly or going through a plastic surgery, or with forged or illegally obtained passports, in order to avoid detection of their displacement in the past. If such fake fingerprint cases occur, the Immigration Bureau should not only adopt procedures for displacement immigration procedure, but also cause them to be subject to strict punishment in criminal procedure. Therefore, the Immigration Bureau makes a report and accusation of illegal entry to investigative authorities, and is striving to detect fake fingerprints by upgrading devices



Immigration Examination through the Use of Personal Identification Information



Countermeasures against forging or alteration of documents

## 2 Use of the ICPO's Database on Lost and Stolen Passports

The "Action Plan for the Prevention of the Terrorism" (decided by the Headquarters for the Promotion of Measures against Transnational Organized Crime (TOC), Other Related Issues and International Terrorism on December 10, 2004) stipulated that a system to use the ICPO's Database on Lost and Stolen Passports in the process of immigration examination should be introduced and operated as "Preventive Measures to be Taken Immediately to Fight Terrorism". To that end, it was decided that examination procedures using the said database were put into effect in August 2009.

## 3 Immigration Examination through the Use of APIS

The Immigration Bureau is working to track international terrorists, etc., and collect information related to them in close cooperation with relevant organizations to prevent them from entering Japan and committing terrorist acts. In the process of landing examination, the Immigration Bureau is trying to detect terrorists, etc., by unflinchingly checking foreign nationals against the blacklist based on such information.

Since February 1, 2007, all vessels and aircrafts calling at a port in Japan have been required to submit, in advance, a list of passengers containing their personal identification data. Since February 21, 2010, it became possible to receive advance passenger information about aircraft calling at an airport through the Air-NACCS (Nippon Automated Cargo and Port Consolidated System) operated by the Nippon Automated Cargo And Port Consolidated System, Inc., and a new air cargo advance passenger information system was launched.

## Chapter 5 The Implementation of the New Technical Intern Training Programs

### Section 1 ◆ Outline of the System

Training and intern training programs are intended to develop human resources who are responsible for economic development of their countries of origin through the transfer of technology and skills of Japan to technical interns etc. However, recently, an increasing number of accepting organizations that understand incorrectly regarding the objectives of the programs treat the trainees and interns improperly and pay them unfairly low wages. In addition, it has been pointed out that some accepting organizations do not provide adequate guidance and supervision for their affiliated organizations, and there are brokers who obtain illegally unfair profits from intermediary services for trainees.

In order to address the current situation, the new technical intern training programs were launched in July 2010. As a result, intern training are required to involve activities to acquire skills under the contract of employment, in principle, so that interns can be protected in accordance with the relevant Labor Standards Act and other labor-related laws and regulations, including the Minimum Wage Act. In the case of acceptance under the supervision of organizations, accepting organizations had previously supervised technical internships only in the first year. After the revision, such organizations are required to implement technical intern training in the second year or later under their responsibility and supervision.

The new programs require accepting organizations to receive lectures on information necessary for legal protection of technical interns, which will be given by an expert. In order to reinforce the instruction, supervision and support system of supervising organizations, it also stipulates the requirements of supervising organizations as follows: (i) the staff of supervising organizations shall visit the facility where programs are conducted at least once in a month to confirm the situation of technical intern training programs and give directions; (ii) board members of supervising organizations shall conduct an audit at least once in every three months, and report the results to the relevant regional immigration bureau; (iii) supervising organizations shall provide counseling staff who give advice to technical interns.

### Section 2 ◆ Response to Cases of Inappropriate Acceptance

Under the provisions including the ordinance of the Ministry of Justice, the Immigration Bureau may make a finding of “misconduct” with regard to organizations that have acted inappropriately regarding training and technical intern training programs. The Immigration Bureau suspends such organizations from accepting trainees and technical interns for one, three or five years depending on types of misconduct, as the ministerial ordinance stipulates. The number of organizations that were recognized to engage in “misconduct” during the year 2011 was 184.

According to the type of receiving arrangement, there were two organizations (1.1%) accepting



trainees under the company-arranged scheme and 182 organizations (98.9%) accepting trainees under the association-supervised scheme.

According to the type of receiving organization, there were 14 organizations (7.7%) as primary receiving organizations (entities like cooperative associations), and 168 organizations (92.3%) as secondary receiving organizations (entities like membership companies). (Table 49)

Table 49 Changes in the number of organizations subject to a finding of misconduct by type of receiving arrangement

Type of receiving arrangement		Year	2007	2008	2009	2010	2011
Company-arranged scheme			9	7	2	3	2
Association-supervised scheme	Supervising organization (Primary receiving organization)		36	29	34	17	14
	Program conducting organization (Secondary receiving organization)		404	416	324	143	168
Total			449	452	360	163	184

Three major categories of misconduct in descending order are “abuse of human rights”, “violation against labor-related law/regulations” and “inconsistencies with training and technical intern training programs”, such as the failure to pay wages to trainees and technical interns. These three categories account for 80.2% of all misconduct. (Table 50)

Table 50 Number of findings of misconduct by category (2011)

(Cases)

Category		"Company-arranged scheme (2 Organizations)"			Association-supervised scheme						"Total (184 Organiza- tions)"
					"Supervising Organization (14 Organizations) "			"Program conducting Organization (168 Organizations)"			
Guideline	Ministerial Ordinance	Guideline	Ministerial Ordinanc- es	sub total	Guideline	Ministerial Ordinanc- es	sub total	Guideline	Ministerial Ordinanc- es	sub total	
Dual contract	Dual contract	0	0	0	1	0	1	1	0	1	2
Variance compared with Trainee and Technical Intern Training Plan	Variance compared with Trainee and Technical Intern Training Plan	0	1	1	4	2	6	5	12	17	24
Name lending	Name lending	0	0	0	0	1	1	4	5	9	10
Document foregoin/ preparation and use of fraudulent document	Document foregoin/ preparation and use of fraudulent document	0	0	0	4	4	8	2	3	5	13
Work in excess of statutory working hours	Work in excess of statutory working hours	0	0	0	0	0	0	6	9	15	15
Malicious acts related to human rights infringement	Violence • threat • confinement	0	0	1	2	0	3	7	0	89	93
	Confiscation of Passport/Alien registration certificate		0			0					
	Nonpayment		1			1			82		
	Human rights infringement		0			0			0		
Failure to report serious cases, etc.	Failure to report impossibility of continuation regarding the program conduction	0	0	0	1	0	1	0	0	0	1
	Delinquency of supervising, organizing scheme for advising		0			0			0		
	Frequency of missing		0			0			0		
Employment of illegal foreign workers	Employment of illegal foreign workers	0	0	0	0	0	0	1	3	4	4
Violation of labor-related regulations	Violation of labor-related regulations	0	0	0	1	0	1	53	28	81	82
Recurrence of similar inappropriate acts	Recurrence of similar inappropriate acts	0	0	0	0	0	0	0	0	0	0
	Confiscation of deposit		0	0		0	0		0	0	0
	Engagement of working activity during course study period		0	0		1	1		1	1	2
	Arrangement with profit purpose		0	0		0	0		0	0	0
	Delinquency of daily report		0	0		0	0		2	2	2
	Delinquency of report regarding leaving trainee		0	0		0	0		0	0	0
<b>Total</b>		<b>0</b>	<b>2</b>	<b>2</b>	<b>13</b>	<b>9</b>	<b>22</b>	<b>79</b>	<b>145</b>	<b>224</b>	<b>248</b>

(Note 1) If one accepting organization is recognized as one having committed "misconduct" covered by more than one category, it is classified in plural categories covering it, and therefore, the total number of accepting organizations is not identical to the total number of recognized cases in each category.

(Note 2) For 2011, Immigration Bureau decided organizations' inappropriate acts as 'misconduct' before and after the new system was introduced. Therefore, in and before June 2012, the number of illegal actions is counted in accordance with the categories specified in the Guidelines Concerning Entry and Residence Management of Technical Intern Trainees (revised in 2007). In and after July 2012, the numbers of illegal actions is counted in accordance with ministerial ordinances concerning landing criteria.

### Section 3 ◆ Situation after the Introduction of the New Technical Intern Training Programs

The number of newly entering foreign nationals with the status of residence of “Trainee” was 80,480 in 2009. In 2010, when the new system was introduced, the number of newly entering foreign nationals with the statuses of residence of “Trainee” and “Technical Intern Training (1)” was 77,727, and the number increased to 82,104 in 2011. It seems that the declining trend triggered by the Lehman Shock in 2008 had stopped, but due to the Great East Japan Earthquake and the subsequent accident at Fukushima Daiichi Nuclear Power Plant in March 2011, not a few technical interns were forced to suspend their training and return to their home countries.

In order to verify the effects and influences of the new technical intern training program, more time is required as it is necessary to ascertain influences caused by other factors.

However, as mentioned in the previous section, there still are a considerable number of organizations committing misconduct with respect to training and technical intern training. In light of this, the Immigration Bureau will continue to grasp the situation after the introduction of the new system with the aim of contributing to better operation of the system.

## Chapter 6 More Appropriate and Smoother Admission of International Students

### Section 1 ◆ More Appropriate and Smoother Implementation of Immigration and Residence Examination of International Students

Admission of international students in post-secondary education is meaningful in many aspects, such as strengthening of international goodwill, deepening of mutual understanding and friendship by creation of a human network, international contributions through human resource development, creation of an international campus environment in universities, and acceptance of human resources who will play a part in economic activities in Japan. The “New Growth Strategy” (decided by the Cabinet in June 18, 2010) also set a “plan to accept 300,000 foreign talented students into Japan”, and the whole government is making an effort to realize the goal.

For the purpose of realizing the plan, immigration control authorities continue efforts to ensure proper residence management in cooperation with educational institutions, and to promote more appropriate and smoother admission of international students in post-secondary education. Specifically, with respect to applications made by educational institutions that do not give rise to overstayers or illegal workers by proper enrollment control, the documents to be submitted should be drastically simplified. On the other hand, with respect to applications made by educational institutions that give rise to large numbers of overstayers or illegal workers, strict examination needs to be carried out as in the past.

### Section 2 ◆ Promotion of Admission of the International Students in Post-Secondary Educational Programs/Institutions through Employment Assistance for Graduates of Vocational/Technical Schools

When international students who graduated from vocational/technical schools in Japan and hold the title of “Senmonshi” get job offers in Japan, they are able to change their status of residence from “Student” to the statuses of residence which allows to work such as “Engineer”, “Specialist in Humanities/International Services”. However, on the other hand, prior to the amendment of related Ministerial Ordinance, if the international students holding “Senmonshi” once returned to their home countries, the status of residence such as “Engineer”, “Specialist in Humanities / International Services” were not granted to them however they desire to work in Japan. This was because the landing permission criteria (Ministerial Ordinance) required them to have the educational qualification equivalent to college graduates.

As a part of “Economic measures in three stages toward the realization of the New Growth Strategy (decided by the Cabinet on September 10, 2010)”, this problem was decided to be reconsidered to draw a conclusion by the end of FY 2010 as to whether the international students, who graduated

from vocational/technical schools in Japan and returned to their home countries, should be permitted to apply for this treatment is based on the standpoint that the national government helps international students with “senmonshi” get employed right after they finish school. The government also expects more acceptance of international students could be promoted through measures including this kind of support.

As a result, taking into consideration the fact that there are a number of graduates of vocational/technical schools who have desired to get jobs in Japan but could not get any job offer, the landing permission criteria (Ministerial Ordinance) involved in the statuses of residence of “Instructor”, “Engineer”, “Specialist in Humanities/International Services” and “Designated Activities” related to designated information processing activities were amended so that international students with the title of “Senmonshi” are able to meet the requirements of educational qualifications set forth in the criteria, for the purpose of further supporting employment of international students in post-secondary education.

## Chapter 7 Measures against Illegal or False Foreign Residents in Japan

### Section 1 ◆ Implementation of Measures against Illegal Foreign Residents

#### 1 Past Efforts to Reduce the Number of Illegal Foreign Residents

Based on the “Five-Year Plan for Curbing the Number of Illegal Foreign Residents by Half” launched in 2004, each regional immigration bureau has actively promoted various measures, including strict implementation of landing/residence examination, proactive public relations activities regarding illegal employment, strengthened detection by detection officer units, etc., wider application of custody transfer in accordance with Article 65 of the Immigration Control Act, and encouragement of appearance of illegal foreign residents under the departure order system. As a result, the number of illegal foreign residents, which was about 250,000 at the start of the plan, decreased to about 130,000 as of January 2009, and its goal was almost accomplished.

Based on the “Action Plan 2008 for the Realization of a Society Resistant to Crime” aiming to “create a society that generates no illegal foreign residents under the new residency management system”, the Immigration Bureau has continued efforts to further reduce the number of overstayers, which decreased to approximately 67,000 as of January 1, 2012.

#### 2 Efforts to Further Reduce the Number of Illegal Foreign Residents

The Immigration Bureau recognizes that the number of illegal foreign residents in Japan has steadily decreased due to past efforts. However, it is estimated that there are still approximately 67,000 overstayers in hiding somewhere in the country, so the bureau is making the following efforts to further reduce the number of illegal foreign residents.

##### (1) Strengthened Detection

The Immigration Bureau has established “special detection officer units” that are to engage full-time in detecting offenders of the Immigration Act in the Tokyo Regional Immigration Bureau, Nagoya Regional Immigration Bureau (two units), Osaka Regional Immigration Bureau (two units) and Yokohama District Immigration Office (one unit), which are located in large city areas with many offenders. In addition, the Immigration Bureau has improved the ability to detect illegal foreign residents, and is promoting joint detection by strengthening cooperation with the local police authorities.

However, it has become obvious that illegal foreign residents tend to exist in smaller groups separately in wider areas, and the number of those who are detected at one site has been decreasing over the time. Therefore, the bureau is working to promote efficient detection by making more effective use of information regarding on illegal foreign residents.

##### (2) Improvement of Environment for Voluntary Appearance

With the aim of encouraging illegal foreign residents hiding in various parts of the country to

appear at the immigration office voluntarily, the Immigration Bureau is taking the following measures: (i) introduction of the departure order system; (ii) revision of the guidelines on special permission to stay in Japan and publication of such cases; and (iii) conducting more of public relations activities to encourage voluntary appearance at the immigration office.

The departure order system is a system under which illegal overstayers satisfying certain requirements, such as those who appear at the immigration office voluntarily to swiftly leave Japan, are allowed to leave Japan in accordance with simplified procedures without detention, as an exception to the preparatory detention policy. Approximately 4,500 people were allowed to leave the country under this system in 2011 (see Part 1, Chapter 2, Section 2, 5).

On the other hand, “Guidelines on Special Permission to Stay in Japan” which were decided and announced in 2006 were revised in July 2009 in order to increase the transparency of their operation. The revised guidelines show that if illegal foreign residents appear at the immigration office voluntarily, this is considered as a positive factor in the judgment for adjustment of their legal status.

The Immigration Bureau is also taking measures to further publicize the system and the revised guidelines on special permission to stay in Japan by conducting active public relations activities regarding the departure order system, improving environment for voluntary appearance, and aiming to encourage illegal foreign residents to voluntarily appear at the immigration office\*.

## Section 2 ◆ Implementation of Measures against False Foreign Residents

### ① Countermeasures against False Foreign Residents, etc.

The term “false foreign resident” is referred to as foreign nationals who falsify their status of residence and purpose of stay by forging or illegally alternating documents or abusing fraudulent documents in the form of fake marriages, fake schooling, fake employment, etc., and disguise themselves as if they are staying in the country with legitimate statuses of residence. Countermeasures have become an quite important in immigration control administration, as well as measures against illegal foreign residents. Although they practically appear to be “legal foreign residents” and precise data on their actual number has not been obtained, there is concern over an increase of false foreign residents who choose to falsify themselves as a means to orchestrate entry and stay in Japan.

The existence of false foreign residents abusing the status of foreign residence system cannot be overlooked, and may undermine the foundation of immigration control administration in the country. Therefore, the Immigration Bureau is striving to strengthen countermeasures. The Immigration Bureau makes efforts to strictly respond to foreign nationals falling under the category of grounds of deportation, by revoking his or her status of residence and then making them undergo the deportation procedures.

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 \*(Note) Examples of public relations activities:

- (1) During the “Campaign for Measures against Illegal Foreign Workers” held every June, public relations for prevention of illegal employment are conducted.
- (2) A page for “Procedures for Voluntary Appearance at Immigration Office” was created on the websites of the Ministry of Justice and the Immigration Bureau in order to give clear explanations about the benefits of appearance at an immigration office voluntarily, and the procedures after appearance, both to those who wish to return to their home countries and those who wish to continue staying in Japan.

## **2 Crackdown on False Foreign Residents, etc.**

### **(1) Reinforcement of Collection and Analysis of Information**

In order to promote measures against false foreign residents, it is very important to carry out more effective law enforcement at work place such as detections based on well analyzed information.

For that purpose, by making use of information obtained through information exchange with relevant organizations, such as the local police authorities, and information about reports on employment of foreign workers provided by the Ministry of Health, Labor and Welfare, in addition to a lot of information on illegal foreign residents sent from the public as stated above, the Immigration Bureau is working to find and detect disguised residents, and deal with them strictly.

### **(2) Strengthened Detection of Those Engaged in Activities Other than Those Permitted/Strict Response to Those Falling under the Category of Revocation of the Statuses of Residence of False Foreign Residents**

When it is found that those who reside in Japan with a status of residence that has a limit to activities, engage solely in work which does not fall under the scope of permitted status of residence granted at the time of entry, they shall be considered to be engaged in activities other than those permitted and are subject to deportation. Therefore, detection of such people has been actively promoted.

The Immigration Bureau makes efforts to strengthen the law enforcement. For example, immigration control officers and immigration inspectors cooperate to conduct investigations to clear up the actual situation. If a foreign national is found to fall under the category of revocation of the status of residence, his or her status of residence will be revoked and then he or she will undergo the deportation procedures.

## **3 Addition of Grounds for Deportation to Correctly Deal with the Furtherance of Illegal Work etc.**

The following grounds were newly added for the purpose of dealing with the furtherance of illegal work in accordance with the revised Immigration Control Act promulgated in July 2009 and enforced on July 1, 2010.

- A. Inducement and accessoryship of behavior including forging or alteration of documents for the purpose of illegal permissions of other foreign nationals
- B. Furtherance of illegal work\*
- C. Imprisonment or severer punishment due to engagement in activities other than those permitted by the status of residence granted to the foreign national

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\*(Note) The term "furtherance of illegal work" means the following behaviors:

- (A) the behavior to encourage foreign nationals to work illegally in terms of business activities,
- (B) the behavior to have foreign nationals under control in order to make them work illegally,
- (C) the behavior as a business to mediate the behavior to encourage foreign nationals to work illegally or the behavior to have foreign nationals under control in order to make them work illegally.



## Section 3 ◆ Efforts toward Proper Treatment

### ① Efforts toward More Proper Treatment of Detainees

Based on the agreement reached with the Japan Federation of Bar Associations (JFBA) in September 2010, the Immigration Bureau has jointly made efforts to have discussions on measures to realize better treatment of detained foreign nationals and provide them with legal consultation with attorneys, providing telephone consultation and periodical consultation with dispatched counselors sponsored by bar associations. The bureau will continue discussions with JFBA into the future for further cooperations.

With regard to the detained foreign nationals to whom deportation orders have been issued but who are detained for a significantly long term, directors of detention centers or director-generals of regional immigration bureaus verify and review the necessity and reason of provisional release periodically, thereby trying to prevent foreign nationals from being detained for a long term through flexible application of the provisional release system.

Furthermore, while taking into consideration the circumstances of individual facilities, the number of hours for open treatment is extended or opportunities for detained foreign nationals to engage in outdoor activities or take a bath are increased to the extent allowable in terms of security. In addition, with the cooperation of JFBA, periodical medical checks by visiting psychiatrists were commenced in June 2011 at the Higashi-Nihon Immigration Center and in February 2012 at the Nishi-Nihon Immigration Center. The Immigration Bureau has thus been making efforts for proper treatment of detainee with consideration to their human rights.

### ② Activities, etc., of the Immigration Detention Facilities Visiting Committee

There are 23 immigration detention centers and departure standby facilities, which should be inspected by the Immigration Detention Facilities Visiting Committee. Duties to inspect such facilities and interview detainees are shared by each committee established in the Tokyo Regional Immigration Bureau and the Osaka Regional Immigration Bureau. Based on the results, each committee submits an opinion on the operations of those facilities to directors of detention centers or director-generals of regional immigration bureaus (hereinafter referred to as “directors, etc.”), and the directors, etc., promptly undertake reviews of the opinions submitted by each committee and take appropriate action on them, starting with those which can be dealt with immediately.

Committee members are selected from personnel who have an excellent personality and deep insight and who show enthusiasm for improving the operations of immigration detention centers, etc., and are appointed as part-time staff by the Minister of Justice. Specifically, ten or less members are appointed for each committee from intellectuals in diverse fields, including academic experts, legal experts, medical experts, NGO workers, staffs of international organization, and representatives of local communities.

## Chapter 8 Appropriate Operation of Special Permission to stay in Japan

Under the Immigration Control Act, the Minister of Justice is authorized to grant special permission to stay to an offender against the law, and the Ministers' decision shall be made on case by case basis by comprehensively judging it from various factors, including the reason for stay, family conditions, behavior, current situation both at home and abroad, need for humanitarian considerations, and impact on other illegal foreign residents.

The Immigration Bureau is taking various measures, including formulation and announcement of the "Guidelines on Special Permission to Stay in Japan" and announcement of the "Cases where Special Permission to stay was granted and Cases where Special Permission to Stay in Japan was denied", to enhance the transparency and predictability of special permission to stay.

### Section 1 ◆ Application of Special Permission Based on the "Guidelines on Special Permission to Stay in Japan"

Whether or not to grant special permission to stay shall be decided by the Minister of Justice based on comprehensive consideration of various factors with regard to each case, not limited to the subjective or personal circumstances of an offender against the law, and general criteria shall not be fit for such permission. However, in order to further enhance the transparency and fairness of the special permission to stay, the "Guidelines on Special Permission to Stay in Japan", has been decided and announced.

These "Guidelines on Special Permission to Stay in Japan" provides more details concerning matters to be considered as positive factors or negative factors in judging whether to grant special permission to stay or not. They also present the concept for judgment. Therefore, judgment on whether to grant special permission to stay or not is to be made by comprehensively considering various circumstances based on the assessment of each of these factors and the need to take them into account.

Although only the Japanese Edition of the guidelines had been published until May 2010, the guidelines were translated in the multiple languages of English, Chinese, Korean, Portuguese, Spanish, and Tagalog. These information are also posted on the official websites.

### Section 2 ◆ Enhancement of the "Cases where Special Permission to Stay in Japan was Granted and Cases where Special Permission to Stay in Japan was Denied"

The Immigration Bureau has made public, examples of those who are granted special permission to stay and those who are not granted on the website of the Ministry of Justice since August 2004.

For the purpose of enhancing the transparency and fairness of the special permission to stay, the Immigration Bureau classified and organized such examples for better understanding and published them in a table. In addition, the bureau also published new examples in the same form in April, 2012.

## Chapter 9 Promotion of Appropriate and Prompt Refugee Protection

### Section 1 ◆ The Establishment and Publication of Targets for the Handling Period of Refugee Recognition Examinations

In July 2010, based on prolonged periods of refugee examination, the Immigration Bureau set six months as the standard period to process one refugee application and decided to process all applications within the period by the end of March 2011 in principle. In addition, the Immigration Bureau decided to announce the average processing (examination) period for refugee applications on a website of the Ministry of Justice on a quarterly basis.

The average period required for the processing (examination) before establishment of the objectives, between January and June 2010, was approximately 13 months, but in FY2011, the average for each quarter had remained within six months. It could be said that the Bureau's goal was almost achieved.

The Immigration Bureau will continuously promote more proper and prompt refugee examination by collecting and organizing basic materials concerning information on the pending refugees' countries of origin and improving systems to improve expertise of staff members, and maintaining the standard period of six months.

### Section 2 ◆ Publication of Refugees' Countries of Origins

After the Japan Federation of Bar Associations (JFBA) proposed to enrich materials by establishing a data center concerning information on refugees' countries of origins so that applicants can browse and use them, the Immigration Bureau has posted information concerning refugees' countries of origins and international affairs since November 2010 on websites of the Ministry of Justice (In particular, reports of the United Kingdom Home Office and the United States Department of State are translated in Japanese and introduced on the websites.)

### Section 3 ◆ Efforts for Enhancing Abilities of Personnel Engaged in Duties for Refugee Recognition

For the purpose of fostering refugee inquirers with advanced knowledge and inquiring abilities, the Immigration Bureau has endeavored to improve training their staffs with the cooperation of the Office of the United Nations High Commissioner for Refugees (UNHCR). In addition to conventional staff training for refugee inquirers that the bureau has long provided, practical three-day case study training by UNHCR was newly introduced in FY2010. In FY2011, one bureau official was sent to UNHCR Malaysia office for two weeks to participate UNHCR internship program.

## Section 4 ◆ Acceptance of Refugees through Resettlement to a Third Country

Resettlement to a third country is intended to transfer and resettle refugees who have evacuated from their countries of origins are temporarily taking shelter in a refugee camp in a neighboring country etc., to another country which agrees to accept such refugees from the countries where they were originally taken under protection. Resettlement to a third country is deemed to be one of the permanent solutions for refugee problems, as well as “voluntary repatriation” and “resettlement to the first countries of asylum”.

The UNHCR encourages each country to accept refugees based on resettlement to a third country from the standpoint of proper sharing of burdens in relation to refugee problems in the international community.

Up Until now, Japan has also taken measures to support resettlement of those recognized as Indochinese refugees and other refugees. To cope with various problems relating to refugees in the Asian region, the government reached a Cabinet Approval on the introduction of the third country resettlement system (“Concerning the Implementation of Pilot Cases relating to the Acceptance of Refugees by Resettlement to a Third Country”) on December 16, 2008.

In accordance with the Cabinet Approval and the “Detailed Measures for Implementing Pilot Cases relating to the Acceptance of Refugees by Resettlement to a Third Country” (Decision by the Liaison and Coordination council for Refugee issues on December 19, 2008), relevant ministries and agencies were to accept approximately 30 refugees from Myanmar, who were staying in the Maela Camp in Thailand, on an annual basis as a pilot case since FY2010 and support their resettlement in mutual cooperation. In the future, the pilot case will be reviewed from a variety of angles. Based on the review, such administrative authorities will further consider their future acceptance systems. In FY 2010, five families (27 people) came to Japan as the first group, and in FY2011, four families (18 people) followed.

At the Liaison and Coordination council for Refugee issues on March 29, 2011, decisions were made on the extension of the pilot cases for two more years, expansion of the camps (adding the Nupo Camp and the Umpiem Camp), enhancement of the support for resettlement, and the holding of the Advisory Council.

The Immigration Bureau mainly took charge of screening procedures for refugees to be accepted, and dispatched the officials to Thailand to conduct interview them in February 2012. The bureau will continue to make further efforts for smooth acceptance of refugees by resettlement to third countries in cooperation with related organizations.

## Section 5 ◆ Promotion of the Collaboration with NGOs

With regard to refugee-related administration, it is necessary to find out specific points to be improved through consultations with people who promote refugee protection from the standpoints of the private citizens and lawyers, and to work for the realization of better measures in collaboration and cooperation with citizens’ groups.

In February 10, 2012, the Immigration Bureau concluded an agreement and exchanged a memorandum with the Forum for Refugees Japan, which is a network of NGOs and groups to support refugees, and JFBA on mutual cooperation, such as conducting consultation to find refugee-related administrative matters that the Immigration Bureau is responsible for and need improving, including procedures for recognizing refugee status, as well as exchanging information on the provision of housing, through assistance of refugee support groups, for refugees who are undergoing the process of recognition of refugee status.

Based on this memorandum, the Immigration Bureau will deliberate concrete means for collaboration and implement them.

## Chapter 10 Addressing the Global Community and Global Circumstances

### Section 1 ◆ Treaties and International Conventions

#### 1 Negotiations on Treaties

##### (1) Addressing “Basic Policy on Comprehensive Economic Partnerships”

Under the “Basic Policy on Comprehensive Economic Partnerships” decided by the Cabinet on November 9, 2010, the Government of Japan will consider measures to address the issues relating to the movement of natural persons from abroad, such as nurses and certified careworkers, on the basis of its efforts to promote the “employment and human resources strategies” described in its “New Growth Strategy”, and it will do so with careful attention to future domestic demographic trends, the possible effect of such movement on employment in Japan, requests from other countries, as well as securing Japan’s economic growth and social stabilization.

Based on the “Basic Policy on Comprehensive Economic Partnerships”, a group to study “the movement of natural persons” was established under the Minister of State for National Policy. The Immigration Bureau participated in the group from the aspect of immigration control. As a result of the study the Cabinet decided on the extension of period of stay for Indonesian and Filipino candidates for nurse and certified careworkers based on the Economic Partnership Agreement (EPA) on March 11, 2011\*. Furthermore, the group decided the “Basic Policy for the Acceptance of Candidates for Nurses and Certified Careworkers based on the Economic Partnership Agreement (EPA)” on June 20, 2011\*\*.

##### (2) Major Actions for Negotiations on Conclusion of EPAs with other Countries

An Economic Partnership Agreement (EPA) aims to promote liberalization and facilitation of trade between signatory nations, as well as coordination of policies, relaxation of regulations, and cooperation in various economic areas, including tariffs, trade in services, investment, intellectual property, and personal exchanges. The Immigration Bureau has been actively involved in negotiations on conclusion of each EPA with various countries: Singapore (effective date: November 2002 (the effective date is stated similarly hereinafter)), Mexico (April 2005), Malaysia (July 2006), Chile (September 2007), Thailand (November 2007), Indonesia (July 2008), the Philippines (December 2008), Switzerland (September 2009), Viet Nam (October 2009), India (August 2011), and Peru

\*(Note) Based on Economic Partnership Agreements with Indonesia and the Philippines, the Indonesian and Filipino candidates for nurses and certified careworkers entering and residing in Japan shall return to their home countries, if they cannot obtain relevant national licenses during their periods of stay in accordance with the Agreements. The number of people who obtained relevant licenses, however, was very limited. The relevant candidates for nurses and certified careworkers, who entered Japan in FY 2008 and 2009 before 2010 when the Government’s support measures were launched in earnest, were decided to be covered by permission of extension of period of stay for an additional year so that they could have one more chance to take the relevant examination.

\*\* (Note) Decisions were made on making efforts for improving Japanese language proficiency of candidates for nurses and certified careworkers based on EPAs and on offering of support for their another challenge.

(March 2012) etc. In these negotiations, the Immigration Bureau has offered explanations of the immigration control system in relation to the “movement of natural persons” etc.

As of April 2012, the Immigration Bureau has been mainly involved in negotiations on conclusion of the EPA with Australia.

### **(3) Reports and Examinations in Accordance with Human Rights Treaties/Covenants**

Japan is a signatory nation to various treaties, including the International Covenant on Economic, Social and Cultural Rights (ICESCR), the International Covenant on Civil and Political Rights (ICCPR), the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), the Convention on the Rights of the Child (CRC), the International Convention on the Elimination of All Forms of Racial Discrimination (CERD), and the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT). With regard to government reports on the status of implementation of those treaties, the Immigration Bureau is involved in the drafting of reports, review of governmental reports, and follow-up thereof from the perspective of immigration control administration.

## **2 International Conventions**

### **(1) G8 Rome/Lyon Group Migration Experts Sub-Group Meeting**

The Migration Experts Sub-Group Meeting, one of the sub groups of the G8 Rome/Lyon Group, which is a working experts’ group to discuss measures against international terrorism and transnational organized crime at the G8 level, is discussing measures that the G8 members can take cooperatively in the area of illegal immigration and the forging or alteration of documents.

In 2011, two meetings were held in France. Officials from the Immigration Bureau attended the second meeting to exchange information and opinions with their counterparts in other countries.

### **(2) Asia-Europe Meeting (ASEM) Conference of Director-Generals of Immigration**

This meeting has been held every year since 2002 as a place where immigration officials from Asian and European countries can gather and discuss issues such as illegal entry and stay. It provides participants with opportunities to exchange and collect opinions and information that are useful in considering measures against issues such as illegal immigration. For this reason, the Immigration Bureau sends its officials to participate in opinion and information exchange of opinions and information. In 2011, the tenth meeting was held in Ulan Bator (Mongolia) to discuss policies toward legal and illegal immigrants.

### **(3) Other International Conventions**

In addition to the international meetings mentioned above, the Immigration Bureau sends officials to attend consultation meetings on bilateral economic partnership agreement, counter-terrorism measures and on consular services etc., with the aim of actively explaining Japan’s position and building cooperative relations with other countries. The bureau also sends officials to



participate in meetings intended for information sharing and exchange of opinions, such as the International Air Transport Association (IATA)/Control Authorities Working Group (CAWG).

## Section 2 ◆ Acceptance of Thai Employees of Japanese-affiliated Companies that Suffered Flood Damage

In October 2011, large-scale flooding occurred in Thailand and Japanese-affiliated companies in the affected areas suffered significant damage with their plants being submerged and unable to continue operation.

In response, the Japanese government decided to accept part of the Thai employees who had been working at Japanese-affiliated companies that were forced to suspend their operations due to flood damage into Japan and permit their work as temporal emergency measures, on the condition that the relevant Japanese parent companies of those Japanese-affiliated companies secure measures to surely have such employees return homeland, and that these employees will strictly observe Japanese laws and regulations relating to taxes, social security, and labor issues.

The government took these exceptional measures as part of its emergency response in light of the fact that the flood damage that occurred in Thailand has caused serious influences not only on the Japanese economy but also on the overall economic activities of the ASEAN countries.

# Chapter 11 Improvement of Public Relations Activities and Public Services

## Section 1 ◆ Promotion of Public Relations Activities

Recognizing that public relations and enlightenment activities inside and outside the country play a great role in the smooth implementation of immigration control administration, the Immigration Bureau has promoted more active public relations activities than ever before.

Main public relations activities include conducting press releases of statistics concerning immigration control administration such as the numbers of those entering or leaving Japan and of overstayers and posting and disseminating such information through websites of the Ministry of Justice. In addition, the Immigration Bureau publishes information including cases of special permission to stay in Japan and the standard processing period of examination, so that a wide variety of people can understand immigration control administration. In particular, the bureau conducted public relations activities proactively for the smooth introduction of the new residency management system that started on July 9, 2012 (see Chapter 3, Section 2, 1 (2)).

Moreover, for the purpose of preventing illegal work through appropriate employment of foreign nationals, the Immigration Bureau holds the “Illegal Work Prevention Campaign” as part of the campaign for “Foreign Labor Problem Awareness Month” conducted by the government every June, so that the general public, companies hiring foreign nationals, relevant organizations and governments in other countries can correctly understand these issues and cooperate with the bureau. In 2011, the bureau conducted enlightenment activities for prevention of illegal employment by distributing leaflets in cooperation with relevant ministries and local authorities etc.



Poster for introducing the new residency management system



Scene from the Illegal Work Prevention Campaign



Request for employers' associations to take countermeasures against illegal foreign workers by the National Police Agency, the Ministry of Justice, and the Ministry of Health, Labour, and Welfare

## Section 2 ◆ Improvement of public services

### ① Facilitating the Landing Examination Procedures

The Immigration Bureau has made efforts to facilitate the landing examinations at airports and seaports, but foreign nationals who visit Japan through airports have pointed out that they have to wait in line for a long time for the landing examination. In response to this complaint, measures have been taken at the immigration counters at major airports to resolve this problem, by assigning some immigration inspectors in charge of examining Japanese nationals to the examination of foreign nationals, and transferring immigration inspectors between immigration counters depending on the degree of congestion. In addition, the expected waiting time for examination of foreign nationals is indicated and priority lanes for the elderly, the disabled and pregnant women have been established. Thus, the Immigration Bureau has made additional efforts to facilitate procedures and improve the quality of services.

In addition, the Immigration Bureau has made efforts for smoother immigration procedures by shortening the waiting time for examination, while sometimes asking airlines for cooperation in view of the actual situation of each airport. Specifically, the bureau does not adopt an approach which lets arriving passengers to stand in lines in front of respective booths but a fork line approach which allows arriving passengers to stand in a single line and to proceed one by one to the next available booth, increases the number of immigration inspectors when the airport becomes congested, allocates booth concierges, broadcasts a guidance video explaining how to provide personal identification information, and displays an information board that illustrates how to fill in an ED card.



Indication of waiting time for examination



Priority lanes

### ② Information Services for Foreign Nationals

The Immigration Bureau has been promoting the “Comfortable Administrative Services Campaign” for the purpose of realizing a friendly and caring administration, but there is a demand from some applicants for reduction of waiting time for application and provision of detailed and clear guidance on various procedures.

To meet such a demand, regional immigration bureaus have continuously made efforts to improve staff attitudes towards administrative services and their reception manners by holding seminars on

reception attitudes, and strived to improve the environment of the reception counters or various information services.

Furthermore, there are quite a few foreign nationals who are unfamiliar with procedures relating to the entry and residence procedures as well as Japanese laws and social systems due to their differences in life-style, manners, customs, and languages. For the purpose of providing consultation services and information to such foreign nationals, immigration information centers have been established. These centers provide information on various procedures related to entry, residence and alien registration and how to fill out application forms on the entry and residence of nationals.

These information centers were established in the Tokyo Regional Immigration Bureau and its Yokohama District Immigration Office, the Nagoya Regional Immigration Bureau, the Osaka Regional Immigration Bureau and its Kobe District Immigration Office, the Hiroshima Regional Immigration Bureau, the Fukuoka Regional Immigration Bureau, and the Sendai Regional Immigration Bureau. They provide consultations on procedures for the entry and residence of foreign nationals in various languages, such as English, Korean, Chinese and Spanish. At the Sapporo Regional Immigration Bureau, the Takamatsu Regional Immigration Bureau, and the Naha District Immigration Office of the Fukuoka Regional Immigration Bureau, counseling staff members have been allocated to provide the same service as the above information centers.

In addition to the above, in cooperation with local authorities where many foreign long-term residents cluster to live, one-stop consultation centers, which provide consultations and information on administrative procedures for the entry and residence as well as on daily life, and were set up and have been operated in Hamamatsu City, Shizuoka Prefecture since April 2009, in Saitama City, Saitama Prefecture since August 2009, and in Shinjuku Ward, Tokyo since November 2009. These centers have been accepted favorably by users, saying “It was convenient that I could use my mother tongue”, and “Staff was very polite and kind. I could receive nice Japanese-style services”.



The Immigration Information Center  
(Osaka Regional Immigration Bureau)

### 3 Immigration Bureau Website

In March 2002, the Immigration Bureau established its own website separately from the website of the Ministry of Justice. Through this site (<http://www.immi-moj.go.jp>), the Immigration Bureau introduces questions and answers on the entry and residence procedures as well as the addresses, contacts and opening hours of the immigration offices for the convenience of applicants. In February 2004, the Immigration Bureau started receiving information about foreign nationals who may be staying illegally by e-mail.

Moreover, to improve information services for foreign nationals, the Immigration Bureau opened a website in English at the end of FY 2005, and multi-lingual websites in Chinese, Korean and Portuguese at the end of FY 2006 to make its website more convenient for foreign nationals.