

IMMIGRATION CONTROL

2018



Immigration Bureau, Ministry of Justice, JAPAN

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Immigration Control

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Introduction

Publication of the 2018 Immigration Control

In this age of globalization, the Immigration Bureau, Ministry of Justice plays a vital role in both promoting sound international exchange by enabling foreign nationals visiting Japan for diverse reasons from various countries and regions to smoothly enter and stay in Japan and differentiating between which foreign nationals should and which foreign nationals should not be permitted to enter and stay in Japan so as to maintain the law and order of Japanese society. To this end, it is necessary to make sure that we implement sophisticated immigration examinations through the use of state-of-the-art technology, etc. and ensure compatibility between smooth entry examinations and strict immigration control at a more advanced level. In addition, we are also responsible for protecting the safety and interests of Japanese nationals through the deportation of unwelcome foreign nationals, who threaten Japan's safety and security, in accordance with the laws and regulations. Furthermore, another key role of the Immigration Bureau is to develop the refugee recognition procedures, and to promptly and appropriately protect those seeking asylum.

The "Immigration Control", first published in 1959, has now reached its 24rd edition. It was a publication which only summarized the trends in immigration control administration over a five-year period until 2003. However, given the accelerated pace of changes in the conditions affecting Japan's immigration control policies, immigration control administration has had to incorporate various new measures to respond it properly. In line with the rapid changes, the "Immigration Control" has annually been published primarily summarizing the trends of immigration control administration over a twelve-month period since 2004.

The 2018 Immigration Control gives a brief introduction of the operations of the Immigration Bureau and, while looking at policy and operation changes which took place over the past five years from 2013 to 2017, gives a summary of the recent circumstances and policies of immigration control administration, focusing primarily on the actions taken in FY 2017, such as implementation of a new technical intern training program, acceptance of foreign human resources, efforts toward a tourism-oriented country, and measures taken for stringent prevention against the entry of unwelcome foreign nationals such as terrorists.

Finally, we hope that through this 2018 Immigration Control immigration control administration will prove to be beneficial and easy to understand.

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Points of the 2018 Immigration Control

■ Organization of the 2018 Immigration Control

- The 2018 Immigration Control consists of three parts: Immigration Control in Recent Years (Part I), Major Policies Related to Immigration Control Administration (Part II), and Data Section.
- Part I describes the immigration operations conducted during 2017 based on the statistics over the five-year period from 2013 to 2017.
- Part II describes the major immigration control policies (implemented during FY 2017 as well as some of the measures for FY 2018).
- Data Section describes a summary of the operations, etc. of the Immigration Bureau.

■ Part I Immigration Control in Recent Years

○ Number of Foreign Nationals Entering Japan

The number of foreign nationals who entered Japan in 2017 (including those who re-entered Japan) was 27,428,782, and the number of foreign nationals who newly entered Japan, excluding those who re-entered, was 25,092,020 (an increase of 19.0% over the previous year).

○ Number of Foreign Residents

The number of foreign residents combining the number of mid to long-term residents with the number of special permanent residents was 2,561,848 as of the end of 2017.

In addition, the percentage of foreign residents to the total population of Japan was 2.02%, an increase of 0.14 points compared to the number at the end of 2016.

○ Number of Foreign Nationals Overstaying Their Authorized Period of Stay

The number of foreign nationals illegally overstaying their authorized period of stay as of January 1, 2018 was 66,498, and as of January 1 each year, it has increased for four consecutive years.

■ Part II Major Policies Related to Immigration Control Administration

○ Promotion of the Acceptance of Highly-Skilled Foreign Professionals

- Measures are being taken to give preferential treatment in terms of immigration control through the “points-based system for highly-skilled professionals” implemented from May 2012 to foreign nationals who have advanced capabilities and qualities and are expected to contribute to the economic growth etc. of Japan.
- The “Japan Revitalization Strategy 2016” (approved by the Cabinet decision of June 2, 2016) proposed the establishment of the world’s fastest “Japanese Green Card for Highly-Skilled Foreign Professionals” greatly reducing the current five-year period of stay required for the application for permanent residence for highly-skilled foreign professionals as one of the “considering immigration and residence control systems that further attract highly skilled foreign professionals”, and the requirements were also reviewed and further promotion of publicity for the system conducted from the perspective of making the points-based system for highly-skilled professionals more accessible.
- Based on the above, the residence period required in the applications for permanent residence of highly-skilled foreign professionals was reduced from the previous five years to three years (to one year for those human resources with specially outstanding abilities (where the total number of points is 80 points or more)), and additional point categories were added, and these measures have been implemented since April 2017.

- Acceptance of Foreign Nationals in National Strategic Special Zones
 - Special measures on the “Project to Accept Foreigners Conducting Agricultural Works in National Strategic Special Zones” and the “Project to Promote Activities Supporting Foreigners Overseas Demand Development in National Strategic Special Zones” were established in the “Act for Partial Amendment of the Act on National Strategic Special Zones and the Act on Special Zones for Structural Reform” (Act No. 71 of 2017) enacted at the 193rd session of the National Diet (effective from September 22, 2017).
- Smooth and Strict Implementation of Immigration Examinations at the Port of Entry
 - Government-wide efforts are currently underway in Japan toward achieving a tourism-oriented country, and the Immigration Bureau has been further promoting smoother immigration examinations at airports and seaports by measures such as installing and increasing the number of automated gates and streamlining the immigration examinations for cruise ship passengers through operation of the system of landing permission for cruise ship tourists, etc.
 - In October 2016, devices to acquire Biometric information (fingerprints and a facial photograph) making best use of the time spent waiting in line for a landing examination were introduced at Kansai, Takamatsu and Naha airports, since these are the airports where it was thought the reduction in waiting times would be particularly effective, and from April 2017, they were introduced at 12 other airports including Narita Airport, and from May 2018, they were brought in at Kitakyushu Airport and Oita Airport to promote smoother examinations.
 - The Trusted Traveler Program(TTP), which was introduced through an amendment of the Immigration Control Act in 2014, expands the scope of foreign nationals eligible to use the automated gates through to include foreign nationals with the status of residence of “Temporary Visitor” who are certified and registered to be a “trusted traveler” under certain criteria, and began operations on November 1, 2016.

In addition, in order to contribute to expediting the immigration examinations between Japan and the United States, the immigration authorities of Japan and the United States discussed specific operations of TTP, and agreed that US citizens who, on the premise of being enrolled in the U.S. Global Entry Program (GEP), have applied for TTP, will not be required to meet some of the requirements.
 - In order to expedite the immigration procedures by enhancing the entry and departure examinations for foreign nationals through streamlining and facilitating the departure and return procedures for Japanese nationals using facial recognition technology, facial recognition automated gates were developed in the two years of FY 2016 and FY 2017 based on the results of the research survey to prepare optimal facial recognition technology conducted in FY 2016, and advance operations of facial recognition automated gates in procedures for Japanese nationals have been commenced at Haneda Airport in October 18, 2017. In addition, during FY 2018, the facial recognition automated gates were successively launched at the landing and departure examination areas of Narita Airport, Haneda Airport, Chubu Airport, Kansai Airport and Fukuoka Airport, and are being operated in the departure and return procedures for Japanese nationals.
 - The Immigration Bureau will continue to implement strict immigration examinations utilizing Biometric information, ICPO’s database of stolen and lost travel documents and APIS as well as other information to reliably prevent the entry of terrorists and other suspected persons posing as tourists, etc.at the border.
 - The “Center of Collection and Analysis of Intelligence” established in the Immigration Bureau of the Ministry of Justice in October 2015 has been promoting information sharing with the related organizations in Japan and other countries, utilizing the information and conducting advanced analysis, and through the regional immigration offices at the airports and other places utilizing the results of the analysis, stricter border measures are being implemented.
- Implementation of a new technical intern training program
 - In order to promote implementation of proper technical intern training and protection of the technical intern trainees, the Act on Proper Technical Intern Training and Protection of Technical Intern Trainees (Act No. 89

of 2016; hereinafter referred) under the joint jurisdiction of the Ministry of Justice and the Ministry of Health, Labor and Welfare was enforced on November 1, 2017.

- Based on this Act, supervising organizations are required to obtain a license from the competent minister, and the implementing organizations implementing the technical intern training are required to obtain accreditation for the technical intern training plan prepared for each technical intern trainee, and moreover, the implementing organization is also required to give notification.
 - Provisions on prohibition and on penalties were established for acts of violation of the human rights of technical interns, and a reporting system was established for technical intern trainees.
 - The Organization for Technical Intern Training, which is an authorized juridical person of the Minister of Justice and the Minister of Health, Labor and Welfare established under the same Act, is responsible for surveys relating to the licensing of the supervising organizations, accreditation of the technical intern training plans, acceptance of the notifications of the implementing organizations, on-site inspections of the implementing organizations and supervising organizations, and other administrative affairs of the national government, and the provision of advice and other assistance in response to consultations from the technical intern trainees, in its position as the organization responsible for managing and operation the program.
 - Implementing organizations and supervising organizations that are deemed to be excellent are permitted to accept those with the newly established status of residence of “Technical Intern Trainee (iii)”, and moreover, the maximum period of the technical intern training has been extended from three years to five years, and the quota of technical intern trainees who may be accepted in accordance with the number of full-time staff of the implementing organization has been doubled.
 - A framework has been established to carry out efforts and information sharing etc. specific to the particular issues in the industry or in the region through the business councils organized by the minister who has jurisdiction over such industry, or the regional councils run by the relevant government agencies, or others.
 - Bilateral agreements are being prepared in turn with the government of each dispatching country with the primary aim of securing proper dispatching organizations, and as of the end of October 2018, they have been prepared with 10 countries.
- Measures Against Illegal and Imposter Foreign residents in Japan, etc.
- The number of foreign nationals overstaying their authorized period of stay had been steadily decreasing since 1993 owing to past measures that had been taken, but this trend saw an increase in 2015 for the first time in 22 years, and since it is estimated that there were about 66,000 foreign nationals overstaying their authorized period of stay in Japan as of January 1, 2018, which was an increase for fourth years running. Therefore, efforts are being made to reduce the increasing number of illegal foreign residents through strengthened crackdowns, reinforced collection and analysis of information on illegal foreign residents, and the promotion of voluntary appearances.
 - “Imposter residents” are foreign nationals residing in Japan having illegally received entry or residence permission as though they came under one of the statuses of residence having disguised their identity or activities such as by using forged or altered documents or false documents under the cover of a fake marriage, fake studies or fake employment, etc., or they may not necessarily have concealed the purpose of their activities from the onset but are currently engaged in illegal work which is far removed from their actual status of residence. Therefore, the Immigration Bureau is striving to strengthen the detection of imposter foreign residents and to reinforce the collection and analysis of information. In addition, in January 2017, the Act for Partial Amendment of the Immigration Control and Refugee Recognition Act, incorporating measures such as penalties for persons who received permission for landing etc. through fraud or other illegal means and expansion of the grounds for revocation of the status of residence, entered into effect.
 - Based on an agreement with the Japan Federation of Bar Associations (JFBA) concluded in September 2010, the Immigration Bureau and the JFBA have arranged for legal consultations, etc. be provided by attorneys to the

detainees.

- When a detainee is issued with a deportation order, but there are no prospects for a deportation owing to circumstances preventing the deportation such as the fact that a detainee suffering from a disease or the institution of litigation, the Immigration Bureau actively utilizes provisional release, and makes efforts to ensure the implementation of more suitable deportation procedures.
- In response to the opinions given by the “Immigration Detention Facilities Visiting Committee”, the Immigration Bureau has continued to strive for greater transparency in security treatment and has endeavored to improve and enhance the operation of the immigration detention centers, etc.

○ Promotion of Appropriate and Prompt Refugee Protection

- Based on the gist of the proposals included in the report submitted in December 2014 by the private advisory committees of the Minister of Justice, the “Sixth Immigration Control Policy Conference” and the “Expert Meeting on the Refugee Recognition System”, a report was compiled in September 2015 entitled “Summary of the Review of Operation of the Refugee Recognition System”, and as part of the revision of the refugee recognition system to promote prompt and reliable asylum of genuine refugees, the Immigration Bureau has been promoting efforts to curb the number of applications attempting to abuse or misuse the system of refugee recognition, but the current situation is one where there is still an increasing number of applications which attempt to abuse or misuse the system, and this hinders the provision of prompt protection for genuine refugees.

Therefore, with regard to the large number of applications, which attempt to abuse or misuse the system, received from regular residents, a review was conducted of the operations of the system, the contents of which were largely that, from January 15, 2018: (1) a categorization sorting period would be set for first-time applications, and the results of the categorization would be reflected in the status of residence, (2) further consideration would be given to those requiring asylum, and (3) strict responses would be used in handling applicants attempting to abuse or misuse the system, thereby further optimizing the system of refugee recognition.

- The Ministerial Ordinance for Partial Amendment of the Ordinance for Enforcement of the Immigration Control and Refugee Recognition was promulgated on May 1, 2017, through which the authority pertaining to the recognition of refugees which was previously only permitted to the Minister of Justice was delegated to the authority of the Directors of the Regional Immigration Bureau, and a new application form when re-applying for refugee recognition was created, thereby streamlining the process for processing the cases (effective from June 1, 2017).
- As a pilot case for the acceptance of refugees through the third country settlement program, acceptance and settlement support for Myanmar refugees staying in refugee camps in Thailand commenced from FY 2010, and later, Myanmar refugees staying temporarily in Malaysia became eligible for acceptance pursuant to the contents of “Implementation of acceptance of refugees through third country settlement” (Cabinet decision of January 24, 2014) and “Specific measures relating to the acceptance of refugees through third country resettlement” (decision of the Liaison and Coordination Council for Refugee Issues of January 24, 2014), and in FY 2017, 29 family members from eight families came to Japan.

○ Responses to International Society and International Situations

- The number of nurse and certified care worker candidates accepted up until FY 2017 pursuant to an EPA was 2,116 from Indonesia, 1,943 from the Philippines, and 673 from Viet Nam.
- The Immigration Bureau has been striving to strengthen cooperative relations with other countries and regions such as by actively exchanging views with the immigration authorities of other countries at different levels and accepting visits from related organizations.

2018 Immigration Control Report

Introduction - Publication of the 2018 Immigration Control

Points of the 2018 Immigration Control

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