

## Part II

# Major Policies Related to Immigration Control and Residency Management Administration

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## Chapter 1

# The System of “Specified Skilled Worker”

The statuses of residence of “Specified Skilled Worker (i)” and “Specified Skilled Worker (ii)” were established following the promulgation of Act for Partial Amendment of the Immigration Control and Refugee Recognition Act and the Act for Establishment of the Ministry of Justice on December 8, 2018, in the 197th Diet, and operation started on April 1, 2019.

Below is an overview of the “Specified Skilled Worker” system.

## Section 1 Outline of The System

The system of specified skilled workers is a system that was established for the acceptance of work-ready foreign nationals who have a certain degree of expertise and skills in the industrial fields where it is still difficult to secure human resources even if efforts have been made to improve productivity and secure domestic human resources in order to cope with the worsening labor shortages being experienced by small to medium-size business enterprises.

## Section 2 Operation Policy of the “Specified Skilled Worker” System

### 1 The government’s basic policy

Based on the “Basic Policy for Economic and Fiscal Management and Reform 2018” (Cabinet decision of June 15, 2018), the government’s basic policy was established pursuant to Article 2-3, paragraph (1) of the Amended Immigration Control Act, which entered into force on April 1, 2019 in order to ensure proper operation of the system pertaining to the status of residence of “Specified Skilled Worker”.

As well as matters relating to the significance of the system pertaining to the status of residence of “Specified Skilled Worker”, the government’s basic policy stipulates the basic matters relating to the industrial fields where labor shortages need to be supplemented by foreign nationals since it is difficult to secure human resources (hereinafter referred to as “designated industrial field”), the basic matters relating to human resources required in a designated industrial field, basic matters relating to coordination of the clerical affairs of the relevant administrative agencies concerning operation of the system pertaining to the status of residence of “Specified Skilled Worker”, and other important matters related to operation of the system related to the status of residence of “Specified Skilled Worker” ([Reference 75](#)).

Reference 75

Outline of the Basic Policy on Operation of the System Related to the Status of Residence of “Specified Skilled Worker”

Basic Policy on Operation of the System of the Status of Residence of “Specified Skilled Worker” Established to Ensure Proper Operation of the System of the Status of Residence of “Specified Skilled Worker” (Article 2-3 of the newly amended Immigration Control and Refugee Recognition Act)

1. Matters concerning the significance of the system

To build a framework for the acceptance of work-ready foreign nationals, who possess certain expertise and skills in industrial fields where it is difficult to secure human resources even after efforts to improve productivity and secure domestic human resources have been made so as to respond to the serious shortage in labor of small and medium-sized enterprises and other businesses.

2. Matters concerning the industrial fields where labor shortage needs to be supplemented by foreign workers

➢ Fields where specified skilled workers will be accepted

Industrial fields where foreign workers are needed to supplement the labor shortage, which is still difficult to secure human resources even after efforts have been made to improve productivity and secure domestic human resources (hereinafter referred to as “specified industrial fields”).

➢ Consideration to regions facing labor shortage

Efforts to take necessary measures will be made so as not to have an excessive concentration of specified skilled workers in metropolitan areas or other particular areas

➢ Expected number of acceptance

The number of specified skilled workers to be accepted over the next five years will be stated in the operation policy of each field

4. Basic matters concerning adjustment of the administrative affairs of the relevant administrative organizations

➢ Measures taken in Japan: Malicious intermediary organizations (brokers), etc. will be eliminated completely through enhancing collaboration between the Ministry of Justice, the Ministry of Health, Labor and Welfare and other related organizations.

➢ Measures taken outside Japan: In order to prevent the intervention by malicious intermediary organizations such as those that collect deposits, intergovernmental documents such as bilateral arrangements will be made as well as necessary measures will be taken.

➢ Responses to changes in the situation of labor shortages

The head of the administrative organizations which are in charge of the specified industrial fields will continuously monitor the situation of labor shortage in the fields. When a change was observed in the situation, the relevant administrative organizations of the system and those which are in charge of the specified industrial fields will discuss future policies of acceptance. If necessary, revision of operation policy of each specified industrial field, suspension of the issuance of certificate of eligibility or deletion of fields from the ministerial ordinance stipulating the specified industrial fields will be discussed at the relevant ministerial meetings.

The expected number of foreign workers to be accepted over the next five years will be considered as the upper limit of acceptance under this system, unless there is a major change in the economic situation.

➢ Responses in the event of public security problems

The relevant administrative organizations of the system and those which are in charge of the specified industrial fields will make efforts to cooperate by sharing and monitoring the related information, and to take necessary measures so as to ensure such problems as foreign workers got missing and other public security problems will not occur through the acceptance of specified skilled workers.

3. Matters concerning necessary human resources

\* Confirmed through the exams or other methods specified by the ministries in charge of each field

Specified Skilled Worker (i)

Specified Skilled Worker (ii)

Skill level

Japanese proficiency level

Skills that require considerable knowledge or experience \*

The workers should be basically able to deal with daily conversation to a certain extent, which is enough to survive daily life, as well as to have Japanese language proficiency required for their work \*

Proficient skills \*

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Period of stay

Upper limit of a total of 5 years

Extension of the period of stay is possible

Permitted

Accompanying family members

In principle, not permitted

5. Important matters concerning operation of the system

➢ Supports for “Specified Skilled Worker (i)”

Orientation of daily life, support to learn daily Japanese language, consultations and complaints handling for foreign workers, promotion of exchanges between foreign workers and Japanese are included in the supports.

When foreign workers use Hello Work(public employment agency) to change their jobs,it will make efforts to understand the work conditions foreign workers desire, their skill level, and Japanese language proficiency level, and provide proper services for employment counseling and job placement.

➢ Employment type: Full-time and, in principle, direct hire. Under special circumstances, specified skilled workers may, as an exception, be dispatched by staffing services agencies, but this will be clearly stated in the operation policy of each field.

➢ Review of the Basic Policy: The system will be reviewed 2 years after enforcement of the amended Act, and modified if necessary.

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## 2 Field-Specific Operation Policy

The field-specific operational policy is a policy on the operation of the system related to the status of residence of “Specified Skilled Worker” in a designated industrial field. In accordance with the government’s basic policy, it is specified by the Minister of Justice together with the head of the administrative agency with jurisdiction over the field, the National Public Safety Commission, the Minister of Foreign Affairs and the Minister of Health, Labour and Welfare in order to ensure proper operation of the system pertaining to the status of residence of “Specified Skilled Worker” in the designated industrial fields.

In response to the enactment and promulgation of the Amended Act, the government’s basic policy and the field-specific operational policies for each of the 14 designated industrial fields were approved on December 25, 2018 by the Ministerial Conference on Acceptance and Coexistence of Foreign Human Resources.

The field-specific operational policies stipulated the matters related to the situation of the shortage of human resources in the designated industrial fields as well as matters relating to the criteria for the human resources required in the designated industrial fields and other important matters related to operation of the system pertaining to the status of residence of “Specified Skilled Worker” ([Reference 76](#)).

## Reference 76 Field-Specific Operation Policy (14 fields)

	Field	Labor shortage	Human resource criteria		Other important matters	
		Prospective no. of foreign nationals to be accepted (maximum no. over 5 years)	Skills test	Japanese language exam	Type of work	Employment form
M H L W	Care worker	60,000	Nursing care skills evaluation test (provisional) [Newly established]etc.	Japanese-Language Proficiency Test (provisional), etc.(In addition to the above) Nursing care Japanese language evaluation test (provisional), etc.	As well as physical care (such as bathing, meals, assistance for excretion, etc., adjusted to the mental and physical state of the user), supplemental support services (recreation, assistance with functional exercise, etc.) (Note) Home visit services are excluded [1 test category]	Direct
	Building cleaning management	37,000	Building cleaning field specified skills (i) evaluation test [Newly established]	Japanese-Language Proficiency Test (provisional) etc.	Interior building cleaning [1 test category]	Direct
M E T I	Machine parts & tooling industries	21,500	Manufacturing field specified skills (i) evaluation test (provisional) [Newly established]	Japanese-Language Proficiency Test (provisional) etc.	- Casting - Forging - Die casting - Machining - Metal press - Metal press - Metal press - Finishing - Factory sheet metal work - Electroplating - Aluminium anodizing - Finishing [13 test categories]	Direct
	Industrial Machinery industries	5,250	Manufacturing field specified skills (i) evaluation test (provisional) [Newly established]	Japanese-Language Proficiency Test (provisional) etc.	- Casting - Forging - Die casting - Machining - Painting - Iron Work - Factory - Electroplating - Finishing - Electric equipment assembling - Metal press - Welding - Print wiring board manufacturing - Plastic molding [18 test categories]	Direct
	Electric, electronics and information industries	4,700	Manufacturing field specified skills (i) evaluation test (provisional) [Newly established]	Japanese-Language Proficiency Test (provisional) etc.	- Machining - Metal press - Factory sheet metal work - Electroplating - Finishing - Machine maintenance - Electronic equipment assembling - Plastic molding - Painting - Welding - Industrial packaging [13 test categories]	Direct
M L I T	Construction industry	40,000	Construction field specified skills (i) evaluation test (provisional) [Newly established]etc.	Japanese-Language Proficiency Test (provisional) etc.	- Framework construction - Plastering - Concrete pumping - Tunnel and propulsion - Construction machinery and construction - Earthwork - Roofing - Telecommunications - Reinforcement construction - Reinforcing bar joints - Interior finishing/ Material mounting [11 test categories]	Direct
	Shipbuilding & ship machinery industry	13,000	Shipbuilding/ship machinery field specified skills (i) evaluation test (provisional) [Newly established]etc.	Japanese-Language Proficiency Test (provisional) etc.	- Welding - Painting - Iron Work - Finishing - Machining - Electrical equipment [6 test categories]	Direct
	Automobile repair & maintenance	7,000	Automobile repair and maintenance field specified skills evaluation test (provisional) [Newly established]etc.	Japanese-Language Proficiency Test (provisional) etc.	Automobile daily checks and maintenance, periodical checks and maintenance, disassembly repair [1 test category]	Direct
	Aviation industry	2,200	Aviation field specified skills evaluation test (airport ground handling or aircraft maintenance) (provisional) [Newly established]	Japanese-Language Proficiency Test (provisional) etc.	- Airport ground handling (handling of an aircraft on the ground, handling of baggage / cargo, etc.) - Aircraft maintenance (maintenance work, etc. for an aircraft, equipment, etc.) [2 test categories]	Direct
	Accommodation industry	22,000	Accommodation industry skills proficiency test (provisional) [Newly established]	Japanese-Language Proficiency Test (provisional) etc.	Providing accommodation services such as working at the front desk, planning / public relations, hospitality and restaurant services [1 test category]	Direct
M A F F	Agriculture	36,500	Agriculture skills proficiency test (cultivation agriculture or livestock agriculture) (provisional) [Newly established]	Japanese-Language Proficiency Test (provisional) etc.	- Cultivation agriculture (cultivation management, harvesting and shipping / sorting of agricultural products, etc.) - Livestock agriculture (management of rising, harvesting and shipping / sorting of livestock products, etc.) [2 test categories]	Direct Dispatch
	Fishery & aquaculture	9,000	Fishing industry skills proficiency test (fishery or aquaculture industry) (provisional) [Newly established]	Japanese-Language Proficiency Test (provisional) etc.	- Fishery (Production and repair of fishing gear, aquatic animals and plant exploration, operation of fishing gear and fishing machinery, aquatic animal and plant harvesting, treatment and storage of Fishery products, securing of safety and health, etc.) - Aquaculture industry (Production, repair and management of aquacultural materials, cultivation and management of aquatic animal and plant farming, harvesting and processing, securing of safety and health, etc.) [2 test categories]	Direct Dispatch
	Manufacture of food and beverages	34,000	Food and beverage manufacturing industry skills proficiency test (provisional) [Newly established]	Japanese-Language Proficiency Test (provisional) etc.	General food and beverage manufacturing (manufacture and processing of food and beverages (excluding alcoholic beverages), health and safety) [1 test category]	Direct
	Food service industry	53,000	Restaurant industry skills proficiency test (provisional) [Newly established]	Japanese-Language Proficiency Test (provisional) etc.	General restaurant work (food preparation, customer service, restaurant management) [1 test category]	Direct

	Field	Other important matters
		Conditions specially imposed on the acceting organization
M H L W	Care worker	<ul style="list-style-type: none"> <li>•Participate in the council organized by the MHLW, and provide necessary cooperation</li> <li>•Provide necessary cooperation for the surveys or guidance conducted by the MHLW</li> <li>•Set the number of specified skilled workers to be accepted per facility</li> </ul>
	Building cleaning management	<ul style="list-style-type: none"> <li>•Participate in the council organized by the MHLW, and provide necessary cooperation</li> <li>•Provide necessary cooperation for the surveys or guidance conducted by the MHLW</li> <li>•Be registered as a “Building Cleaning Business” or “Building Environment Sanitation Comprehensive Management Business”</li> </ul>
M E T I	Machine parts & tooling industries	<ul style="list-style-type: none"> <li>•Participate in the council organized by METI, and provide necessary cooperation</li> <li>•Provide necessary cooperation for the surveys or guidance conducted by METI</li> </ul>
	Industrial Machinery industries	<ul style="list-style-type: none"> <li>•Participate in the council organized by METI, and provide necessary cooperation</li> <li>•Provide necessary cooperation for the surveys or guidance conducted by METI</li> </ul>
	Electric, electronics and information industries	<ul style="list-style-type: none"> <li>•Participate in the council organized by METI, and provide necessary cooperation</li> <li>•Provide necessary cooperation for the surveys or guidance conducted by METI</li> </ul>
M L I T	Construction industry	<ul style="list-style-type: none"> <li>• Be a member of a construction business group for the acceptance of foreign nationals</li> <li>• Provide necessary cooperation for the surveys or guidance conducted by MLIT</li> <li>• Be licensed under the Construction Business Act</li> <li>• Have signed a contract to pay stable remuneration equal to or higher than a Japanese person would receive for the same work, and to give pay raises in accordance with the level of skill mastery</li> <li>• Explain important matters concerning employment contracts by giving a written document in the mother tongue of the foreign worker</li> <li>• Set the number of foreign workers per accepting construction company</li> <li>• Receive accreditation from MLIT concerning the “plan for acceptance of specified skilled workers in construction” stating the remuneration to be paid and other important matters</li> <li>• Receive confirmation from MLIT and other related ministries and agencies that it is properly implementing the “plan for acceptance of specified skilled workers in construction”</li> <li>• Register the specified skilled workers in the construction job advancement system</li> </ul>
	Shipbuilding & ship machinery industry	<ul style="list-style-type: none"> <li>•Participate in the council organized by MLIT, and provide necessary cooperation</li> <li>•Provide necessary cooperation for the surveys or guidance conducted by MLIT</li> <li>•When entrusting implementation of the support plans to a registered support organization, the implementation must be entrusted to a registered support organization that meets the above conditions</li> </ul>
	Automobile repair & maintenance	<ul style="list-style-type: none"> <li>•Participate in the council organized by MLIT, and provide necessary cooperation</li> <li>•Provide necessary cooperation for the surveys or guidance conducted by MLIT</li> <li>•It must be a business operator which has received approval to engage in business on airport premises or other permission based on the Airport Management Regulations or be an approved organization relating to aircraft maintenance etc. based on the Civil Aeronautics Act</li> <li>•When entrusting implementation of the support plans to a registered support organization, the implementation must be entrusted to a registered support organization that meets the above conditions</li> <li>•Being a business site certified under the Road Transport Vehicle Act</li> </ul>
	Aviation industry	<ul style="list-style-type: none"> <li>•Participate in the council organized by MLIT, and provide necessary cooperation</li> <li>•Provide necessary cooperation for the surveys or guidance conducted by MLIT</li> <li>•When entrusting implementation of the support plans to a registered support organization, the implementation must be entrusted to a registered support organization that meets the above conditions</li> <li>• It must be a business operator which has received approval to engage in business on airport premises or other permission based on the Airport Management Regulations or be an approved organization relating to aircraft maintenance etc. based on the Civil Aeronautics Act</li> </ul>
	Accommodation industry	<ul style="list-style-type: none"> <li>•Participate in the council organized by MLIT, and provide necessary cooperation</li> <li>•Provide necessary cooperation for the surveys or guidance conducted by MLIT</li> <li>•When entrusting implementation of the support plans to a registered support organization, the implementation must be entrusted to a registered support organization that meets the above conditions</li> <li>•Be a person who obtained a licence for “Inn and Hotel Operation”</li> <li>•Does not fall under accommodation facilities related to adult entertainment business</li> <li>•Does not let employees serve customers in a way that related to adult entertainment business</li> </ul>
M A F F	Agriculture	<ul style="list-style-type: none"> <li>•Participate in the council organized by MAFF, and provide necessary cooperation</li> <li>•Provide necessary cooperation for the surveys or guidance conducted by MAFF</li> <li>•When entrusting implementation of the support plans to a registered support organization, the implementation must be entrusted to a registered support organization that provides the necessary cooperation to the council</li> <li>•It must be an agriculture management entity with experience of employing workers for a specified period or more</li> </ul>
	Fishery & aquaculture	<ul style="list-style-type: none"> <li>•Participate in the council organized by MAFF, and provide necessary cooperation</li> <li>•Provide necessary cooperation for the surveys or guidance conducted by MAFF</li> <li>•Take prepared measures at the council organized by MAFF</li> <li>•When entrusting implementation of the support plans to a registered support organization, such entrustment must be restricted to registered support organizations that conform to the field-specific criteria</li> </ul>
	Manufacture of food and beverages	<ul style="list-style-type: none"> <li>•Participate in the council organized by MAFF, and provide necessary cooperation</li> <li>•Provide necessary cooperation for the surveys or guidance conducted by MAFF</li> </ul>
	Food service industry	<ul style="list-style-type: none"> <li>•Participate in the council organized by MAFF, and provide necessary cooperation</li> <li>•Provide necessary cooperation for the surveys or guidance conducted by MAFF</li> <li>•Does not let employees work at facility related to adult entertainment business</li> <li>•Does not let employees serve customers in a way that related to adult entertainment business</li> </ul>

### 3 Memorandum of Cooperation

In accordance with the government’s basic policy, efforts are being made to enter into Memorandums of Cooperation such as for construction of an information sharing framework between the Japanese government and the governments of sending countries for Specified Skilled Workers, in order to eliminate malicious intermediary organizations (brokers) such as those collecting a deposit from foreign nationals who wish to work in Japan or their families.

## Section 3

## Situation of Operation of The “Specified Skilled Worker” System

### 1 Situation of Acceptance of Foreign Nationals with the Status of Residence of Specified Skilled Worker

According to the preliminary figures as of August 31, 2020, the number of foreign nationals with the status of residence of Specified Skilled Worker was 7,538. As for the top five fields, the manufacture of food and beverages accounted for the largest number at 2,674, followed by agriculture at 1,130, food service industry at 794, the industrial machinery industry at 668 and machine parts and tooling industries at 621.

According to the preliminary figures as of August 31, 2020, there were 6,349 cases of issuance of Certificates of Eligibility pertaining to Specified Skilled Worker, 5,922 cases of permission granted for change of status of residence, and 5,034 cases of registration to registration support organizations.

The number of foreign nationals eligible to become Specified Skilled Workers is expected to increase consistently going forward.

### 2 Situation of Implementation of Specified Skilled Worker Exams

The Immigration Services Agency, in cooperation with the relevant ministries and agencies, has promoted the implementation of exams in Japan and abroad. Due to these efforts, as of August 31, 2020, exams in 13 fields (nursing care, building cleaning management, machine parts and tooling industries, industrial machinery industry, electric, electronics and information industries, shipbuilding and ship machinery industry, automobile repair and maintenance, aviation industry, accommodation industry, agriculture, fishery and aquaculture, manufacture of food and beverages, food service industry) have been implemented in six foreign countries (the Philippines, Cambodia, Indonesia, Nepal, Mongolia, Myanmar), and exams in nine fields (nursing care, building cleaning management, construction industry, shipbuilding and ship machinery industry, aviation industry, accommodation industry, agriculture, manufacture of food and beverages, food service industry) have been implemented in Japan.

The number of foreign nationals who have passed the proficiency test has increased favorably, totaling 16,307 as of August 31, 2020.

On the other hand, many exams scheduled to be held in Japan and abroad were cancelled from March through May, 2020 due to the impact of the COVID-19 pandemic. As of August 31, 2020, exams in seven fields (nursing care, building cleaning management, construction, accommodation industry, agriculture, manufacture of food and beverages, food service industry) are scheduled to be held in Japan, and exams in five fields (nursing care, automobile



maintenance, agriculture, manufacture of food and beverages, food service industry) are scheduled to be held abroad, indicating that exams pertaining to Specified Skilled Workers are starting to be resumed. Going forward, we intend to promote the smooth acceptance of Specified Skilled Workers through, for example, holding exams in Japan and abroad, engaging in negotiations toward improving sending procedures, and promoting matching support in consideration of the realities in each field, though this will depend on the situation of COVID-19.

### 3 Status of Memorandum of Cooperation

As of August 31, 2020, Memorandums of Cooperation have been entered into with twelve countries; the Philippines, Cambodia, Nepal, Myanmar, Mongolia, Sri Lanka, Indonesia, Viet Nam, Bangladesh, Uzbekistan, Pakistan, and Thailand.

In accordance with these Memorandums of Cooperation, we share information and exchange opinions with the respective governments as necessary, and strive to address any issues that are considered to require action in order to achieve the appropriate operation of the Specified Skilled Worker system.

## Section 4 Efforts for the Smooth Operation of the Specified Skilled Worker System

### 1 Revision of the Field-Specific Operation Policy

The Field-Specific Operation Policy was partially revised (Cabinet decision of February 28, 2020), including addition of the seven work categories of “Scaffolding”, “Carpentry”, “Plumbing”, “Building Sheet Metal Work”, “Heat-Retention and Cool-Retention”, “Spray Urethane Heat Insulation”, and “Offshore Civil Engineering” to the construction field.

### 2 Revision of the Field-Specific Operation Manual

The Field-Specific Operation Manual was revised regarding the nursing care field (May 10, 2019). Under the new provisions, EPA certified care worker candidates who have appropriately engaged in work and training for four years are deemed to have attained the skill level and Japanese language proficiency level required for switching to a “Specified Skilled Worker (i)”, and are thus exempt from taking exams.

The Field-Specific Operation Manual was revised regarding persons who have completed technical intern training (ii) with favorable results (November 29, 2019). Under the new provisions, such persons are, as a rule, considered to not require certification of their Japanese language proficiency level by exams or any other evaluation method, regardless of the occupation type or work type of the technical intern training they completed.

### 3 Revision of the Examination Policy

The “Policy regarding Exams for Specified Skilled Workers” (February 2019, Immigration Services Agency of Japan, Ministry of Justice) (hereinafter referred to as the “Exam Policy”)

was adopted for exams pertaining to the status of residence of “Specified Skilled Worker”. In accordance to this policy, exams are held by the ministry, agency, or organization responsible for each field.

The Comprehensive Measures for Acceptance and Coexistence of Foreign Nationals was revised on December 20, 2019. The scope of persons eligible to take the exams was revised, in response to the decision in the Comprehensive Measures to extend the scope in order to promote the seamless and appropriate acceptance of foreign nationals as Specified Skilled Workers.

Previously, those eligible to take the exams in Japan were limited to “mid to long-term residents and persons who have lived in Japan as a mid to long-term resident in the past”, for example. Eligibility to take the domestic exams was revised to include “persons with a status of residence”, thereby granting all persons with a status of residence the eligibility to take the exams. The exam policy was revised on January 30, 2020, taking effect on April 1.



## Chapter 2

# Efforts for Acceptance and Coexistence of Foreign Nationals

## Section 1

## Comprehensive Measures for Acceptance and Coexistence of Foreign nationals

### 1 Background

The “Basic Policy for Economic and Fiscal Management and Reform 2018” (Cabinet decision of June 15, 2018) stipulated the establishment of a new status of residence in order to expand the acceptance of foreign human resources with a certain degree of expertise and skills, and at the same time, the Ministry of Justice came to serve as the command center with general coordination functions in order to develop the environment for acceptance of foreign nationals, and strengthen cooperation with the related ministries and agencies and local governments.

Based on this, it was decided at the Cabinet meeting held on July 24, 2018 that the Ministry of Justice would be authorized to carry out the general coordination functions to develop the environment for acceptance of foreign nationals, and moreover, the “Ministerial Conference on Acceptance and Coexistence of Foreign nationals” was established in order to conduct a government-wide comprehensive study with regard to the acceptance of new foreign nationals and preparation of the environment for acceptance with the close collaboration of the relevant administrative agencies.

Then on December 25, 2018, the “Comprehensive Measures for Acceptance and Coexistence of Foreign nationals” (hereinafter referred to as “Comprehensive Measures”) were adopted at the Third “Ministerial Conference on Acceptance and Coexistence of Foreign nationals”.

On June 18, 2019, the “Enhancement of Comprehensive Measures” (hereinafter referred to as the “Enhancement Measures”) was compiled in order to enhance the Comprehensive Measures, focusing especially on the urgent issues involving development of the environment for acceptance of foreign nationals. The Comprehensive Measures were revised on December 20, 2019, in line with the direction of the Enhancement Measures, under which the government has worked together to steadily promote the relevant measures.

Furthermore, on July 14, 2020, in consideration of the situation of implementation of related measures, the Comprehensive Measures were revised from the perspective of further enhancing and encouraging the environment for acceptance of foreign nationals (FY 2020 revised).

### 2 Outline

The Comprehensive Measures indicate the direction to be aimed for in relation to the acceptance and harmonious coexistence of foreign nationals, in order to achieve the purpose of contributing to the realization of a society where Japanese nationals and foreign nationals are able to live safely and comfortably together through the proper acceptance of foreign nationals

and to realize a society of harmonious coexistence.

The Comprehensive Measures (FY 2020 revised) include 191 measures (Reference 77). The main measures to enhance are as follows.

- To promote job matching support connecting foreign workers seeking employment to companies, with the aim of promoting the acceptance of foreign nationals.
- Extension of support to local governments through subsidies for preparations for an environment for acceptance of foreign nationals for creating a resident-friendly local community.
- Implementation of effective and efficient support by the Foreign Residents Support Center opened on July 6, 2020, in collaboration with the relevant organizations.
- Further enhancement of Japanese language education for “foreign nationals as residents”.
- Arrangement of a new qualification that certifies the qualities/skills of Japanese language teachers.
- To ensure school opportunities for foreign children and students appropriately.

## Reference 77 Comprehensive Measures for Acceptance and Coexistence of Foreign nationals (FY2020 revised) Outline

( July 14 , 2020 )  
Ministerial Conference on Acceptance and Coexistence of Foreign nationals

The number of foreign nationals residing in Japan as of the end of 2019 was 2.93 million, while the number of foreign nationals working in Japan as of the end of October 2019 was 1.66 million, both of which were at record highs. In addition, the government started to accept the Specified Skilled Workers in April 2019.  
In December 2019, the government revised its "Comprehensive Measures for Acceptance and Coexistence of Foreign nationals" to steadily put the relevant measures into practice.  
--Formulated the "Comprehensive Measures for Acceptance and Coexistence of Foreign nationals" (FY2020 revised) from the standpoint of continuing to accept foreign nationals smoothly and properly and further enhancing the environment to accept them, while taking appropriate actions for the ongoing novel coronavirus infection (191 Policies). The government will get together and continue to steadily implement the relevant measures and strive to enhance the Comprehensive Measures.

### 1. Listening to opinions and awareness-raising activities, etc. to realize a society of harmonious coexistence with foreign nationals

- (1) Building a framework to listen to opinions of Japanese and foreign nationals
- Continuously listen to opinions from a broad range of stakeholders at the Meeting to Listen to "Voices of Our people" (establishment of "opinion boxes" which accept opinions as to the coexistence policies in multiple languages, and continuous exchange of opinions with local governments), and to appropriately reflect opinions obtained in planning and formulating coexistence measures
- (2) Implementation of awareness-raising and other activities
- To implement human rights awareness-raising activities to realize an "inclusive society" where all people support mutually and value each other's human rights

### 2. Efforts aimed at promoting appropriate and smooth acceptance of foreign nationals

- (1) Matching support for specified skilled workers and other measures
- To promote job matching support connecting foreign workers seeking employment to companies (steady implementation of employment maintenance support measures for technical intern trainees who have been dismissed, etc. and are having difficulties with continuing their training due to the impact of the novel coronavirus disease (COVID-19), consideration and implementation of matching support methods based on the working situations specific to each field)
  - Active support for voluntary, proactive and leading efforts by the local governments through Subsidy Program for Promotion of Regional Revitalization (collection of reference cases, horizontal deployment, etc.)
- (2) Smooth implementation for skill exams and Japanese language tests of the Specified Skilled Worker, and dissemination and smooth utilization of the Specified Skilled Worker System, etc.
- To expand opportunities to take the skill exams on the Specified Skilled Worker (expanding opportunities to take exams in Japan and abroad)
  - Consider adding specified industry fields that accept specified skills, and encourage discussions about details of industrial fields falling under Specified Skilled Worker (ii) in each field and implementation of skill exams
  - To implement dissemination and public relations on the Specified Skilled Worker System in Japan and abroad
  - To implement a new Japanese language test with a focus on measurement of communication ability in the field of nursing
  - Support for fostering skilled human resources and business people in developing countries through Japan's ODA
- (3) Elimination of malicious intermediary organizations (brokers)
- Strengthened cooperation with the relevant agencies in developing countries through technical cooperation as part of ODA
- (4) Expansion of Japanese language educational base abroad
- To reinforce the Japanese language educational infrastructure through the Japan Foundation, and encourage efforts to communicate the attractiveness of Japanese culture and society
  - Japan International Cooperation Agency (JICA) to prepare curricula and tests for encouraging acquisition of Japanese language proficiencies toward promotion of utilization of the "Program for Further Acceptance of Fourth-generation Japanese"

### 3. Support for foreign nationals as residents

- (1) Creation of livable local communities
- Provision of administrative and living information in multilingual languages and plain Japanese, and development counseling systems
  - To review the coverage of the subsidies for preparations for an environment for acceptance of foreign nationals based on requests from local governments
  - To provide interpreter support at local government office counters and business seminars for employment and retention of foreign nationals in the Foreign Residents Support Center
  - To create guideline for utilization of "plain Japanese", and provide training and publicity for officials of local governments and other organizations
  - To create guidelines for introduction of multilingual translation systems for local governments
  - To encourage provision and dissemination of administrative and living information in multiple languages and in plain Japanese
  - To ensure communication of necessary matters that require attention, among others, through the Daily Life Support Portal for Foreign Nationals and the Organization for Technical Intern Training for the purpose of preventing the spread of novel coronavirus infection
- > Promotion and support measures for multicultural coexistence in local communities
- To consider measures to promote fostering of human resources who will coordinate comprehensive support for foreign residents
  - Cooperation between local governments and JICA for positive hiring of human resources with a wealth of international experience
- (2) Improvement of the environment on life services
- Enhancement of information dissemination and support at the time of a disaster
  - To promote utilization of the multilingual dictionary for disaster management and weather information in applications, etc. of private business operators
  - Enhancement of traffic safety measures, responses to accidents and incidents, consumer problems, legal problems, and human rights issues
  - To revise the websites regarding the Japanese police systems and activities, and enhance information provided in foreign languages
- > Development of an environment and support for securing housing
- To prepare "Guide for foreigners looking to rent" that is available to foreigners looking for an apartment
- > Improve user-friendly financial and telecommunication services
- To prepare an environment to facilitate the opening of accounts by foreign nationals at banks and other financial institutions (publication and horizontal deployment of best practices at financial institutions, appropriate management of bank accounts through keeping track of the period of stay by financial institutions)
- (3) Enhancement of Japanese language education (realization of smooth communication)
- To enhance Japanese language education for "foreign nationals as residents" (preparation of a comprehensive system to reinforce the Japanese language education environment in the region, promotion of preparation of a basic plan by each local government under the Act on Promotion of Japanese Language Education, etc.)
  - Strengthened support for opening Japanese language classes in regional areas where no Japanese language classes are located
  - To develop a program for the certified public Japanese language teacher (tentative name) as the new qualifications to prove the qualities and abilities of Japanese language teachers
  - Conducting surveys on points of effective communication with foreign staff and methodologies of learning those points
  - Considering how programs relating to the Japanese language education institutions that have qualifications necessary for maintenance and improvement of the Japanese language education levels should be developed, and take necessary measures based on the results of such consideration
- (4) Measures for foreign national children
- Positively publicize programs to provide free early childhood education and care services and High School Tuition Support Fund System and university learning
  - To conduct practical studies into ideal Japanese language guidance in areas with a high concentration of foreigners and areas with a low concentration of foreigners
  - To promote utilization of digital textbooks for learners, and conduct research including development of training programs based on characteristics of early childhood
  - Making efforts aimed at establishment of special capacities for public senior high school entrance exams in all prefectures, and build curricula for Japanese language guidance and subject lessons at senior high schools
  - To ensure school opportunities for foreign children and students appropriately (encourage integrated management and identification of school attendance of foreign children using registers of school-age children through formulation of guidelines for matters to be taken by local governments)
- (5) Supporting employment for international students, etc.
- To encourage dissemination and utilization of "Handbook for the Employment of International Students and Empowerment after Hiring"
  - To prepare learning programs for small or medium-sized businesses, and guidance curricula for SME's supporting organizations to enhance performance of highly-skilled foreign professionals after joining companies
  - To reinforce collaboration through conclusion of a cooperation agreement between universities and prefectural labor bureaus (Hello Work)
- (6) Ensuring an appropriate work environment
- To reinforce dissemination of information on labor conditions and other support measures in "plain Japanese"
  - To reinforce Hello Work-based consultation systems for foreign workers who are affected by the novel coronavirus infection
- (7) Promotion of enrollment in social insurance, etc.
- To make it possible for medical and other institutions to conduct personal identification and verification of insurance qualifications by using Individual Number Cards
  - To increase the maximum number of years for lump-sum withdrawal payments of the public pension system from 3 years to 5 years

### 4. Construction of a new residency management system

- (1) Implementation of smooth and expedited procedures for the status of residence
- To further expand the coverage of online applications for status of residence procedures
  - To consider the integration of the residence cards and the Individual Number Cards
  - To simplify documents to be submitted upon applications for the "Specified Skills" status of residence
  - Consider issuance of certificates of eligibility in the form of electromagnetic records
- (2) Strengthening residency management network
- To implement proper examination of residence by strengthening countermeasures against forgeries of the Japanese-Language Proficiency Test (JLPT) and other certificates
- (3) Accurate management of international students enrolment
- To implement stricter examinations of status of residence, such as not to allow universities and other educational institutions with improper management of the enrolment of international students to accept international students, and create the same standards to Japanese language education institutions
- (4) Further optimization of Technical Intern Training Program
- Strengthening information cooperation between the Immigration Services Agency and the Organization for Technical Intern Training, and reform the operational systems of the Organization for Technical Intern Training
  - To implement positive public relations activities for technical trainees for the purpose of preventing disappearance by reason of significant guarantee money and other fees
- (5) Strengthening of measures against illegal foreign residents
- Distribution of applications to check forged and altered residence cards free of charge

\*Underlined portions show changes from December 2019 Comprehensive Measures (revised).

## Section 2

# Major Efforts in Which the Immigration Services Agency is Involved

### 1 One-stop consulting counter

Financial assistance through the “subsidies for preparations for an environment for the acceptance of foreign nationals” (referred to below as “subsidies”) is provided for the measures for preparation and expansion of the one-stop consulting counters through which the local governments provide information and advices so that when a foreign national has some questions or concerns about various matters related to life such as the residence procedures, employment, medical care, welfare, childbirth, child care or child education, he or she will be able to receive appropriate information or will be able to quickly reach a place that offers advices and consultations. The subsidies were granted to 146 local governments in FY 2019, and to 189 local governments in FY 2020 as of September 1, 2020. It is expected that the one-stop consulting counters that have received a subsidy will provide appropriate information to the persons seeking advices through consultations offered in numerous languages and through coordination with the relevant organizations.

The maximum grant amount of subsidy operating expenses was doubled for cases in which special arrangements were made for the purpose of providing information related to COVID-19 from March 10, 2020 to March 31, 2021.



Scene of a one-stop consultation service counter

## 2 Cooperation with local governments, etc. through Accepting Environmental Coordinators

In April 2019, “Accepting Environmental Coordinators” were assigned to the Regional Immigration Services Bureaus, and officers of the Regional Immigration Services Bureaus are sent to some one-stop consulting counters based on a request from the local government, while information and trainings are provided to the officers of the local governments engaging in consultation services.

It will lead to the promotion of multicultural coexistence policies in each region that collaboration and cooperation with local governments, enhancing and strengthening information gathering in regional areas and so on by improving the system for Accepting Environmental Coordinators. In addition, useful information, such as good practices obtained through efforts by Accepting Environmental Coordinators is given to the local governments.

## 3 Guidebook on Living and Working

The Immigration Services Agency has prepared a cross-government “Guidebook on Living and Working” in 14 languages<sup>(\*)</sup> for the basic information (residence procedures, labor-related laws and regulations, social insurance, crime prevention, traffic safety, etc.) necessary for safe and secure living and working on the “A Daily Life Support Portal for Foreign Nationals” on the Ministry of Justice website.



Guidebook on Living and Working  
(Japanese and Vietnamese version)

(\*) Japanese (Including Plain Japanese), English, Chinese, Korean, Spanish, Portuguese, Vietnamese, Nepali, Thai, Indonesian, Myanmarere, Khmer (Cambodian), Filipino, Mongolian.



## 4 Plain Japanese Guidelines for Supporting Foreign Residents

Expert meetings on the “Plain Japanese Guidelines for Supporting Foreign Residents” have been held since February 2020, and the “Plain Japanese Guidelines for Supporting Foreign Residents” were established in August 2020 in order to promote the use of plain Japanese by the national government, local governments, and other entities.

These guidelines are available on the Ministry of Justice’s Daily Life Support Portal Site for Foreign Nationals. Efforts will be made to promote the use of plain Japanese, such as providing relevant information to local governments and the relevant ministries and agencies, and holding workshops for local government staff members.

## 5 Support at the Foreign Residents Support Center (FRESC)

Following the decision in “the Basic Policy on Operations for the Development of an Environment for Acceptance of Foreign Nationals (Cabinet decision of July 24, 2018)” to strengthen cooperation between the relevant ministries and agencies, cooperate with local governments, and develop an environment for the acceptance of foreign nationals in an effective and efficient manner, the Foreign Residents Support Center was opened on July 6, 2020, near JR Yotsuya Station in Shinjuku-ku. At the Foreign Residents Support Center, four ministries, agencies and eight organizations such as the Tokyo Regional Immigration Services Bureau, Japan Legal Support Center (Houterasu), Human Rights Department of Tokyo Legal Affairs Bureau collaborate to provide consulting services to foreign nationals. The center serves as a venue for workshops for local government staff members, and also provides information. In addition, Public Employment Security Office holds briefings, workshops, and other events for foreign students in the center, aiming to promote the employment of foreign nationals.

By establishing a hub for supporting foreign residents, the development of an environment for the acceptance of foreign nationals will be promoted in a much more comprehensive and effective manner.



The consulting counter at the Foreign Residents Support Center

**Article****At the Front Line of Immigration Control Administration  
(Voice of an Accepting Environmental Coordinator)  
(Business and Employment and Permanent Residence Inspection  
Department, the Yokohama District Immigration Office, the Tokyo  
Regional Immigration Services Bureau: Shimomura Miwa)**

Do you know what Accepting Environmental Coordinators are? Accepting Environmental Coordinators are immigration inspectors who were assigned to the Immigration Services Bureau and District Offices of each region on April 1, 2019, following the decision to make it the responsibility of the Ministry of Justice to carry out planning, designing, and general coordination relating to the development of an environment for the acceptance of foreign nationals (Cabinet decision of July 24, 2018). Accepting Environmental Coordinators gather the opinions of local governments and other relevant organizations regarding the development of an environment for the acceptance of foreign nationals, and are mainly responsible for providing consultation to local governments regarding inquiries about the establishment and operation of consultation counters for foreign residents, providing information, and holding workshops, among other tasks.

My first task as the Accepting Environmental Coordinator assigned to the Yokohama District Immigration Office was to share information with nearly all the municipal offices and supporting organizations of foreign nationals that are located in Kanagawa Prefecture about the government's efforts for developing an environment for the acceptance of foreign nationals. Many of the municipal offices and organizations were surprised to learn that the Immigration Services Agency had launched efforts to create an inclusive society, welcomed these efforts, and showed their understanding and support.

I actively participated in forums and study meetings on multicultural inclusion held in the prefecture. Every time I attended such events, I realized more and more that providing support to foreign residents not only leads to a safe and secure life, but also contributes to encouraging appropriate resident activities, which is a different perspective than the conventional idea of "residency management". I developed a strong awareness of the need to engage in my work from a new and different perspective, and was inspired by this.

I have been involved in the residency management of foreign nationals for many years, but my experience as an Accepting Environmental Coordinator has helped to raise my awareness.

With an increasingly aging population and the "2040 Problem"—where 1.5 working



an Accepting Environmental Coordinator

people will need to support one elderly person — coming down the road, foreign nationals living in Japan, regardless of their nationality, are vital members of society. Each member working at the Immigration Services Agency will engage in his or her duties with this kind of mindset, and thereby contribute to achieving impartial immigration control and residency management and creating an inclusive society.



## Chapter 3

# Acceptance of Foreign Nationals and Immigration Control and Residency Management Administration

## Section 1

## Promotion of the Acceptance of Highly-Skilled Foreign Professionals

### 1 Outline of Points-Based Preferential Treatment for Highly-Skilled Foreign Professionals

Japan introduced preferential immigration control and residency management treatment based on the points-based system for highly-skilled foreign professionals (hereinafter referred to as “points-based system for highly-skilled professionals”) in May 2012, and has since been promoting the acceptance of highly-skilled foreign professionals. The points-based system for highly-skilled professionals aims at foreign nationals who have advanced capabilities and qualities and are expected to contribute to Japan’s economic growth and divides the contents of the activities of the highly-skilled foreign professionals into the three categories of “advanced academic research activities”, “advanced specialized/technical activities” and “advanced business management activities”. According to the characteristic features of each category, points are awarded for each item such as “academic background”, “professional career” and “annual salary”, and if the total number reaches 70 points, such a foreign national is recognized as a “highly-skilled foreign professional” and becomes eligible for preferential immigration control and residency management treatment.

Following the introduction of the system, a recommendation was made by the 6th Immigration Policy Discussions Panel to the Minister of Justice to revise the points-based system for highly-skilled professionals in May 2013. In the “Japan Revitalization Strategy” approved by the Cabinet on June 14 of the same year, a goal was set out to revise the system and to start the new system within the same year. Based on these, the Immigration Bureau (at that time) amended the Ministry of Justice public notice on December 17 of the same year with the aim of revising the criteria for recognition pertaining to highly-skilled foreign professionals and revising the preferential treatment.

In order to further promote the acceptance of foreign human resources who possess a high degree of professional competence, the statuses of residence of “Highly-Skilled Professional (i)” and “Highly-Skilled Professional (ii)” were newly established by an amendment of the Immigration Control Act in 2014 for highly-skilled foreign professionals who had previously been granted the status of residence of “Designated Activities”.

### 2 “Highly-Skilled Professional (i)” and “Highly-Skilled Professional (ii)”

The new statuses of residence of “Highly-Skilled Professional (i)” and “Highly-Skilled Professional (ii)” established by the 2014 Amendment Act are both limited to foreign nationals who meet the criteria prescribed in the Ordinance of the Ministry of Justice, and in response, the Ordinance to Provide for the Criteria in the Right-Hand Column Corresponding to “Highly-Skilled Professionals as Specified in the Appended Table I (2) of the Immigration Control and

Refugee Recognition Act” (Ministerial Ordinance No. 37 of 2014) was enacted and the criteria were set. With regard to “Highly-Skilled Professional (i)”, the criteria for the points-based system for highly-skilled professionals followed those previously the status of residence of “Designated Activities”. And the total number of points set for each of the categories of “academic background”, “professional career” and “annual salary” needs to reach 70 points or more. In addition, with regard to “Highly-Skilled Professional (ii)”, the total number of points needs to be 70 points or more as with “Highly-Skilled Professional (i)”, and moreover, foreign nationals are required to reside in Japan for three years or more with the status of residence of “Highly-Skilled Professional (i)”, to engage in the activities for the status, to demonstrate good behavior and to be deemed to suit Japan’s interests.

### (1) Preferential Treatment for “Highly-Skilled Professional (i)”

- A. Grant of period of stay for five years
- B. Permission to engage in activities covering multiple statuses of residence
- C. Permission for the spouse of the highly-skilled foreign professional to work<sup>(\*1)</sup>
- D. Permission for the parent(s) to accompany the highly-skilled foreign professional to Japan under certain conditions<sup>(\*2)</sup>
- E. Relaxation of requirements for permanent residence
- F. Permission for a domestic worker to accompany the highly-skilled foreign professional to Japan under certain conditions<sup>(\*3)</sup>
- G. Preferential processing of entry and residence procedures

### (2) Preferential Treatment for “Highly-Skilled Professional (ii)”

- A. Engaging in almost all of the statuses of residence based on employment, in conjunction with the activities is permitted.
- B. An indefinite period of stay is granted.
- C. The preferential treatment of the abovementioned from C to F of (1) is provided.

Although the status of residence of “Highly-Skilled Professional (ii)” has no restrictions on the period of stay and cannot be granted at the time of landing similar to the status of residence of “Permanent Resident”, it differs from the status of residence of “Permanent Resident”, which has no restrictions on activities, because the status of residence of “Highly-Skilled Professional (ii)” requires engaging in activities as a highly-skilled foreign professional. As a result, if a foreign national with the status of residence of “Highly-Skilled Professional (ii)” does not engage in the activities as a highly-skilled foreign professional for an ongoing period of six months or more, this may become grounds for revocation of the status of residence, and there are certain requirements which are not imposed on the status of residence of “Permanent Resident” such as the requirement to notice the organization of affiliation (workplace, etc.) to the Minister of Justice. On the other hand, foreign nationals with the status of residence of “Highly-Skilled Professional (ii)” are given preferential immigration control and residency management

(\*1) In cases of activities coming under the statuses of residence of “Instructor”, “Engineer/Specialist in Humanities/International Services” etc. it is possible to work with the status of residence of a spouse of a highly-skilled foreign professionals even without meeting certain criteria relating to academic background or professional career.

(\*2) In cases where there is a child under seven years old or where the highly-skilled foreign professionals or his spouse is pregnant.

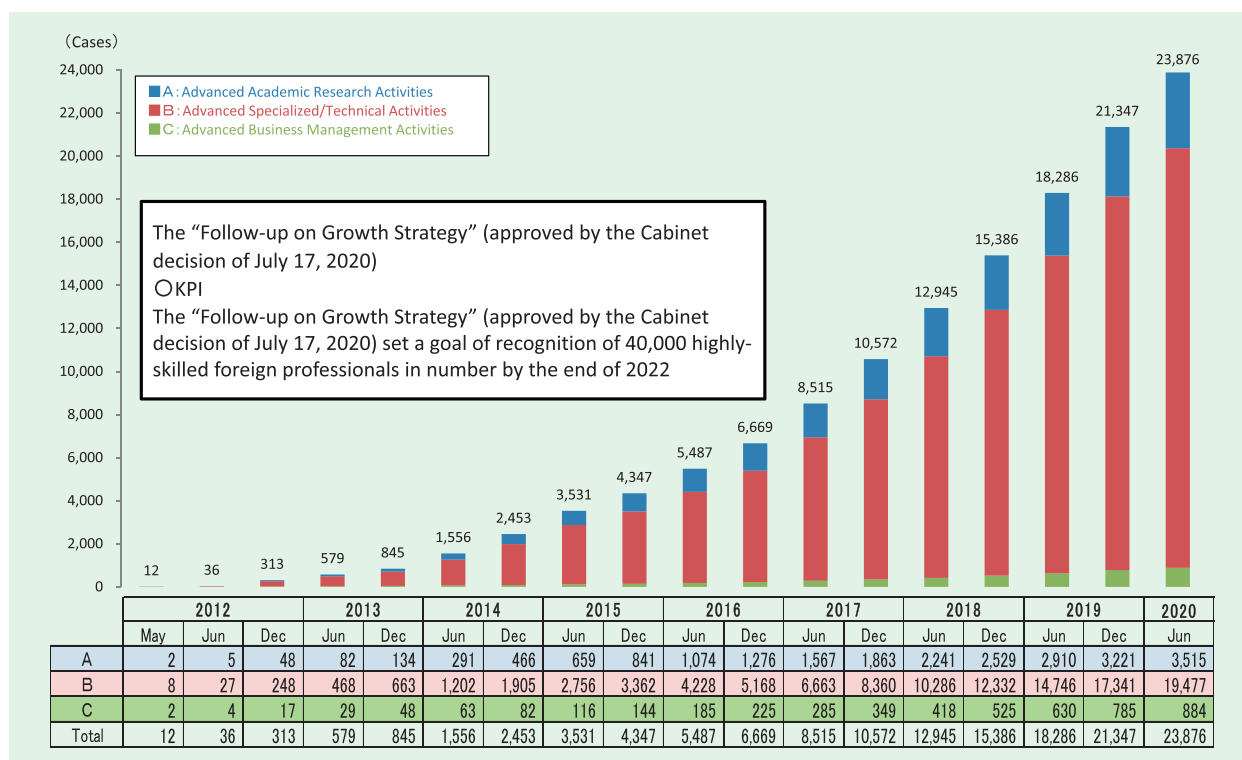
(\*3) In cases where there is a child under 13 years old or where spouse is unable to engage in the day-to-day household chores owing to an illness or other reasons.

treatment which is not accorded to “Permanent Resident” such as allowing parents or a domestic worker to accompany the highly-skilled foreign professional.

### 3 Situation of Acceptance

After the start of the system in May 2012, the cumulative number of cases of recognition up until the end of 2013 was a low number of 845, but the number of new cases of recognition has significantly increased following the policy reform made in December of the same year, from the inception of the system to June 30, 2020, 23,876 foreign nationals have been recognized as high-skilled professionals. The “Follow-up on the Growth Strategy” approved by the Cabinet on July 17, 2020, set the goal to achieve 40,000 cases of recognition by the end of 2022 (Reference 78).

**Reference 78** Changes in the number of cases of recognition (cumulative) through the points-based system for high-skilled professionals



### 4 Situation of operations following review of the period of stay required for the applications for permanent residence

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 foreign professionals more accessible.

Based on this, 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 professionals with particularly high skills (where the total number of points is 80 points or more)), additional points categories were added, and the operations for these commenced in April 2017, the number of cases of permission for permanent residence through the operations granted up until end of March 2020 was 4,179 cases.

## Section 2

## Acceptance of Foreign Nationals in the National Strategic Special Zones

### 1 Entrepreneurs

The “Project for Facilitation of Acceptance of Foreign Entrepreneurs in National Strategic Special Zones” was stipulated 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. 56 of 2015) as a special measure in order to strengthen the international competitiveness of industries and to form an international economic activities hub in such zones by promoting the acceptance of foreign entrepreneurs in national strategic special zones.

In this project, the Council on National Strategic Special Zones specifies the project in the special zone plan, and once the plan has been approved by the Prime Minister, the local government pertaining to national strategic special zone examines the feasibility of the business start-up plan for foreign nationals who intend to enter Japan with the status of residence of “Business Manager”, and if it confirms that the requirements pertaining to the stability and sustainability of the business have been fulfilled, the entry is permitted on condition that the requirements pertaining to the status of residence of “Business Manager” which are normally required at the time of landing examination are to be met within six months of landing, and the activities to start up a business in national strategic special zone are specially permitted.

In March 2020, guidelines for a change of the status of residence and an extension of the period of stay pertaining to the Project for Facilitation of Acceptance of Foreign Entrepreneurs in National Strategic Special Zones were created, and it was decided that foreign nationals residing in Japan with the status of residence of “Student” will be allowed to change their status of residence to “Business Manager” in cases where the foreign national plans to engage in the activities to start up a business utilizing the project and where certain requirements are met. Under these guidelines, foreign nationals engaging in the activities to start up a business utilizing the project who apply for the extension of their period of stay to continue the activities will be granted the extension of up to one year even if they use a co-working space, shared office, or a similar facility as their business office, since the facility will be considered their business office if certain requirements are met.

As of July 2020, operations for the project have commenced in the Tokyo Area National Strategic Special Zone (project implementation area: all of Tokyo metropolitan area and all of Kanagawa prefecture), the Fukuoka-Kitakyushu National Strategic Special Zone (all of Fukuoka city and all of Kitakyushu city), the Niigata National Strategic Special Zone (all of Niigata city), the Hiroshima prefecture-Imabari National Strategic Special Zone (all of Hiroshima Prefecture and all of Imabari city), the Sendai National Strategic Special Zone (all of Sendai city) and the Aichi Prefecture National Strategic Special Zone (all of Aichi Prefecture).

## 2 Foreigners Conducting Housekeeping Services

The “Project to Accept Foreigners Conducting Housekeeping Services in National Strategic Special Zones” that the activities of domestic workers in national strategic special zones are deemed to come under the public notice on the status of residence of “Designated Activities” was stipulated as a special measure 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. 56 of 2015).

This project is a special measure where the Council on National Strategic Special Zones establishes the project as a special zone plan, and the special zone plan is approved by the Prime Minister, domestic workers (foreigner conducting housekeeping services) who have entered into an employment contract with a specified organization are able to engage in the activities of conducting housekeeping services (cooking, washing, cleaning and shopping) in the household using the domestic services, under a framework where a third party management council composed of the local government of the zone implementing the project and the relevant ministries (Cabinet Office, Ministry of Justice, Ministry of Health, Labour and Welfare, and Ministry of Economy, Trade and Industry) is involved in ensuring appropriate acceptance (confirmation that the specified organizations are complying with the criteria, implementation of audits, etc.).

The period in which foreign nationals were permitted to conduct housekeeping services under the project used to be three years in total. However, in March 2020, the period was extended to five years in total, following a change in the guidelines based on the Act on National Strategic Special Zones (Act No.107 of 2013).

As of July 2020, operations for the project have commenced in the Tokyo Area National Strategic Special Zone (project implementation area: all of Tokyo metropolitan area and all of Kanagawa prefecture and all of Chiba city), the Kansai Area National Strategic Special Zone (all of Osaka city, all of Toyonaka city, all of Ikeda city, all of Minoh city, all of Moriguchi city, all of Hirakata city, all of Neyagawa city, all of Kadoma city and all of Hyogo prefecture) and the Aichi Prefecture National Strategic Special Zone (all of Aichi prefecture).

## 3 Foreigners Conducting Agricultural Works

In order to realize “strong agriculture” through promoting the production of various kinds of crops in the production areas and expanding the scale of the business by utilizing foreign workers in the field of agriculture, the “Project to Accept Foreigners Conducting Agricultural Works in National Strategic Special Zones” that the activities of agricultural support workers in national strategic special zones are deemed to come under the public notice on the status of residence of “Designated Activities” was stipulated as a special measure 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) (effective from September 22, 2017).

This project is a special measure where the Council on National Strategic Special Zones establishes the project as a special zone plan, and the special zone plan is approved by the Prime Minister, foreign agricultural support workers who have entered into an employment contract with a specified organization are able to engage in agricultural support works (production, manufacturing, processing, etc.) in the agricultural management body, etc., which is the agency that has entered into a worker dispatch contract with a specified organization,

under a framework where an appropriate acceptance management council composed of the local government of the zone implementing the project and the relevant ministries (Cabinet Office, Ministry of Justice, Ministry of Health, Labour and Welfare, and Ministry of Agriculture, Forestry and Fisheries) is involved in ensuring appropriate acceptance (confirmation that the specified organizations are complying with the criteria, implementation of audits/patrol guidance, etc.).

As of July 2020, operations for the project have commenced in the Kansai Area National Strategic Special Zone (project implementation area: all of Kyoto), the Niigata National Strategic Special Zone (all of Niigata city), the Aichi Prefecture National Strategic Special Zone (all of Aichi prefecture), and the Okinawa National Strategic Special Zone (all of Okinawa prefecture).

## 4 Foreigners Supporting Overseas Demand Development

In order to flexibly respond to the needs for acceptance of foreign nationals who have expertise related to “cool Japan and inbound responses” and to maximize use of the specialized knowledge and skills acquired by foreign nationals in companies and other enterprises, the “Project to Promote Activities Supporting Foreigners Overseas Demand Development in National Strategic Special Zones” was stipulated as a special measure 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) (effective from September 22, 2017).

The project enables a foreign national to enter Japan with the status of residence of “Engineer/Specialist in Humanities/International Services” or “Skilled Worker” in cases where: the intended activities supporting foreigners overseas demand development is applicable to the status of residence of “Engineer/Specialist in Humanities/International Services” or “Skilled Worker”; it is recognized that a level of knowledge and skills equivalent to the academic history and practical experience required under the current landing permission criteria can be substituted by domestic or foreign qualifications or examinations, awards received, or the like; the Council on National Strategic Special Zones specifies the project in the special zone plan, and the plan has been approved by the Prime Minister; and the foreign national meets the landing examination criteria for foreign nationals pertaining to activities supporting foreigners overseas demand development, the criteria being provided as a special government ordinance of the Landing Criteria Ministerial Ordinance and being considered criteria provided pursuant to the Landing Criteria Ministerial Ordinance.

## 5 Special Additions Pertaining to the Points-based System for Highly-skilled Professionals

In order to promote the acceptance of highly-skilled foreign nationals and thereby enhance industrial international competitiveness and develop a hub for international economic activity, the “Project to Promote the Acceptance of Highly-skilled Foreign Nationals in National Strategic Special Zones” was adopted as a special measure (taking effect on March 15, 2019), in response to the Order to Partially Revise the Order on Measures Related to the Special Provisions of Ministry of Justice Related Ministerial Ordinances Pertaining to Projects Regulated by Government Ordinances, etc. Specified in Article 26 of the Act on National Strategic Special Zones (Cabinet Office, Ministerial Ordinance No. 1, 2019).

This project enables foreign nationals working at public or private organizations in Japan



which receive support through subsidies and the like from local governments located within the project implementation area to gain an additional 10 points when applying for the status of residence of “Highly-Skilled Professional”.

As of July 2020, the project has been implemented in the Tokyo Area National Strategic Special Zone (project implementation area: all of the Tokyo metropolitan area) and the Hiroshima prefecture-Imabari National Strategic Special Zone (project implementation area: all of Hiroshima Prefecture).

## 6 Graduates, etc. of Japanese Language Education Institutions

In order to encourage foreign students who have graduated from foreign university or graduate school to seek employment at Japanese companies and thereby enhance industrial international competitiveness and develop a hub for international economic activity, the Project for Supporting Job Hunting Activities of Foreign Students Graduated from Overseas Universities in National Strategic Special Zones was launched in February 2020 as a special measure.

This project enables a foreign student who satisfies certain requirements and who has graduated from a Japanese language education institution that has obtained confirmation from a local government located within the project implementation area to apply for a special grant of the status of residence of “Designated Activities” for up to one year after graduation in order to continue job hunting activities, in cases where the Council on National Strategic Special Zones specifies the project in the special zone plan and the plan has been approved by the Prime Minister.

As of July 2020, the project has been implemented in the Fukuoka-Kitakyushu National Strategic Special Zone (project implementation area: all of Kitakyushu City).

## Section 3 Other Measures

### 1 Time-Limited Emergency Measures in the Fields of Construction and Shipbuilding

In order to deal with the further acceleration of the reconstruction projects and temporarily increased demand for construction owing to the 2020 Tokyo Olympic and Paralympic Games, a decision was made by the Ministerial Committee on the Employment of Foreign Workers in the Construction Field (April 4, 2014) to permit as an emergency measure for a limited time, foreign nationals who have completed their technical intern training in the construction field to engage in construction work in Japan with the status of residence of “Designated Activities” under a special supervision framework, in principle, for a maximum period of two years (three years in the case of a person who has returned to their home country for a period of one year or more following the completion of their technical intern training), on condition that utmost efforts have been made to secure domestic human resources in Japan.

In response, the “Public Notice on Projects for Acceptance of Foreign Construction Workers” (Public Notice of the Ministry of Land, Infrastructure, Transport and Tourism. Hereinafter referred to as “Construction notification”), which provides for the specific contents of the measures, was announced in August 2014, with the administrative work of certifying trustworthy supervising organizations, etc. commencing in January 2015, and those foreign

construction workers who are eligible under these measures being accepted from April of the same year.

In addition, with regard to the shipping industry, which tends to see a large two-way flow of human resources to and from the construction industry, the “Japan Revitalization Strategy (Revised in 2014)” (approved by a Cabinet decision on June 24, 2014) stated that time-limited emergency measures similar to those of the construction industry should be taken, and therefore, the “Public Notice on Projects for Acceptance of Foreign Shipbuilding Workers” (Public Notice of the Ministry of Land, Infrastructure, Transport and Tourism. Hereinafter referred to as “Shipbuilding notification”), which provides for the specific contents of the measures was announced in December 2014, with the administrative work of certifying trustworthy supervising organizations, etc. commencing in January 2015, and those foreign shipbuilding workers who are eligible under these measures being accepted from April of the same year.

In October 2017, in response to the “Future Investment Strategy 2017” (Cabinet decision of June 9, 2017) stating to the effect that, “With regard to the construction field, in light of the purpose of the program which is to take all possible measures to ensure the success of the 2020 Tokyo Olympic and Paralympic Games, review the operations to further enhance the construction system, and review the operations as well in the shipbuilding field”, as well as the enforcement of Technical Intern Training Act on November 1, 2017, making the acceptance of technical intern trainees (iii) possible, the construction notice and shipbuilding notice were revised, and the acceptance period based on these acceptance projects was extended to the end of FY 2022 (to the end of FY 2020 for new applicants), and in principle, a period of return to the home country is required for one month or more after the completion of “technical intern training (ii)” and before the start of the designated activities, and of one year or more after the completion of “technical intern training (iii)” and before the start of the designated activities (one month or more in cases of having gone back to the home country for one year or more after the completion of technical intern training (ii) and before the start of technical intern training (iii)), and the employment period, in principle, is for a maximum of two years (in cases of returning to the home country for one year or more after completion of technical intern training (ii), or in cases of completing technical intern training (iii), a maximum of three years). The Construction notification and Shipbuilding notification were revised in September 2019, making it permissible for the period of temporary return to the home country (one month or more and less than one year) to be “within one year after the start of the designated activities” after completion of the Technical Intern Training (ii) or Technical Intern Training (iii), in addition to the previous timing of “before the start of the designated activities”.

## 2 Promotion of the acceptance of foreign nationals to Cool Japan

### (1) Work from a fashion design educational institution

In order to promote the acceptance of foreign nationals to Cool Japan, it was decided that from March 2018, foreign students, who have graduated from a specialized course of a fashion design educational institution which is permitted to accept foreign students where it is deemed possible for the foreign student to acquire specialized knowledge and skills would be eligible for permission to change of status of residence for the purpose of finding employment with a Japanese company or other enterprise.



## (2) Acceptance of Foreign Licensed Cooks · Confectionery Hygiene Masters

Since February 2014, the Ministry of Agriculture, Forestry and Fisheries, in cooperation with the Immigration Services Agency, has implemented the “Program to Train Foreign Nationals in Japanese Cuisine. Under the program, foreign students who have graduated from a licensed cook training facility and obtained a cook license are allowed to engage in activities relating to cooking Japanese cuisine for up to five years with the status of residence of “Designated Activities”. In November 2019, the name of the project was changed to the “Program for Training Foreign Nationals in Japanese Food Culture”, foreign students who have majored in confectionary production and completed a specialized program at a special training school were made eligible to the project, and restaurants including those serving non-Japanese cuisine, confectionary stores including bakeries, and hotels and Japanese inns, among other facilities, were added to the list of accepting organizations, which led to the extension of the project to non-Japanese cuisine cooking and confectionary production and the further promotion of acceptance of foreign nationals to Cool Japan.

## 3 Further acceptance of fourth-generation foreign nationals of Japanese descent

With regard to fourth-generation foreign nationals of Japanese descent, only unmarried minors who are natural children supported by a third-generation foreign national of Japanese descent residing in Japan with the status of residence of “Long-Term Resident” were permitted to enter or reside in Japan, but following the deliberations at the National Diet, in February 2017, Prime Minister Abe asked Minister of Justice Kaneda to consider further acceptance of fourth-generation foreign nationals of Japanese descent. In response, a system was established for the purpose of promoting understanding of and interest in Japan through the acceptance of young fourth-generation foreign nationals of Japanese descent and activities to have them learn about Japanese culture, and thereby, to develop human resources acting as a bridge to strengthen the connections between Japan and Japanese societies abroad, that became effective from July 2018.

Under this system, basically the same entry requirements as for the working holiday system are required, but as a unique requirement of this system, a certain level of Japanese language proficiency is required at the time of entry into Japan or at the time of renewing the period of stay, as well as the guarantee of a “supporter to accept the fourth-generation foreign national of Japanese descent” to provide support pertaining to the entry and residence of the fourth-generation foreign national of Japanese descent being required. Fourth-generation foreign nationals of Japanese descent who are accepted under this system are able to engage in activities to understand Japanese culture, including the Japanese language, for a total of a maximum of five years, and to engage in activities to receive remuneration within the necessary limit to supplement necessary funds in order to engage in the activities (except for activities to engage in amusement-business work).

## 4 Online residence procedures

The “Future Investment Strategy 2018” decided by the Cabinet in June 2018 set out that in order to facilitate and expedite the status of residence procedures, online applications for the status of residence would commence from FY 2018, which would allow organizations of affiliation that properly employ foreign nationals and submit notifications on the situation of

employment of foreign nationals to carry out the procedures on behalf of the foreign national.

Based on the above, a staff member of the organization of affiliation which meets certain requirements and an attorney or certified administrative procedures legal specialist who has been appointed by the organization of affiliation is able to submit an application online for permission for extension of period of stay, and an application for re-entry permission and application for permission to engage in an activity other than that permitted under the status of residence previously granted to be submitted at the same time as the application for extension of period of stay based on a request from the applicant (the acceptance of requests for use commenced in March 2019, and the acceptance of applications commenced in July of the same year).

In March 2020, the system was extended to include the following procedures: application for issuance of certificate of status of residence, application for permission to change status of residence, application for permission to obtain status of residence, and application for issuance of certificate of authorization of employment.

## 5 Promotion of the acceptance of foreign entrepreneurs

The “Growth Strategy 2018” decided by the Cabinet in June 2018 outlined a program to support entrepreneurial activities to commence in 2018 such as measures to further expand the acceptance of entrepreneurs, and implementation of management and support measures by checking the situation of implementation of entrepreneurial activities and building a consultation system.

In response to this, as a system permitting entry and residence for the purpose of entrepreneurial activities for up to one year under the proper management and support of the national and local governments, the “Public Notice Relating to the Project to Promote Foreign National Entrepreneurial Activities”, which is a public notice of the Ministry of Economy, Trade and Industry, stipulated the procedures for local governments to promote foreign national entrepreneurship activities and specific contents such as the scope of the foreign national entrepreneurs who are eligible for acceptance, and based on this, amendments were made to the public notice of the Ministry of Justice, which were promulgated and enforced on December 28, 2018.

In accordance with the revised public notice of the Ministry of Justice, foreign residents who receive support for entrepreneurship from local governments in accordance with the public notice of the Ministry of Economy, Trade and Industry will be allowed to enter and reside in Japan with the status of residence of “Designated Activities” for a period not exceeding one year in terms of the immigration and residence management procedures.

## 6 Promotion of the appropriate acceptance of Foreign Students

### (1) Employment Support for Foreign Students

According to the “Japan Revitalization Strategy 2016” approved by the Cabinet in June 2016, the aim is to increase the share of foreign students who find employment within Japan from the current 30% to 50%, and in addition, to expand the range of fields in which foreign students are able to find employment has been decided in the “Comprehensive Measures” decided at the relevant ministerial meeting in December 2018.

Therefore, in order to promote the settlement of excellent foreign human resources and

expand opportunities for employment in Japan for the foreign students who are expected to contribute to revitalize the Japanese economy and society, the public notice on the status of residence of “Designated Activities” was amended, promulgated and enforced on May 30, 2019.

Accordingly, foreign students who have graduated from a Japanese university or graduate school are permitted to work in a wide range when they engage in the work that anticipated to make use of the knowledge and applied skills that they acquired at a Japanese university or graduate school, and Japanese language skills under certain conditions such as requiring a high level of Japanese language skill such as the Japanese Language Proficiency Test N1 level, being a full-time employee, and receiving remuneration equivalent to or more than that a Japanese national would receive for the same work.

## (2) Optimization of the Japanese Language Education Institutions

Since Japanese language education institutions that accept foreign students need to be optimized as education institutions which steadily provide an appropriate learning environment, the public notice criteria for the Japanese language education institutions were partially amended, introducing stricter criteria such as for the attendance rate of all students or for the proportion of foreign nationals staying illegally beyond their authorized period of stay to all of the students, etc. pertaining to deletion from the public notice, as well as making it obligation to report the results of periodic self-inspections in terms of conformity with the public notice criteria and the results of the exams pertaining to Japanese language proficiency. These amendments entered into force on September 1, 2019.

## (3) New Measures on the Rigorous Implementation of Foreign Student Enrollment Management

Since it is a concern that numerous occurrences of cases of missing foreign students caused by irresponsible acceptance of foreign nationals seeking to work in Japan and insufficient enrollment management have led to illegal residence, illegal work, and the like, there is a need to implement measures on the rigorous implementation of foreign student enrollment management.

On June 11, 2019, the Immigration Services Agency and the Ministry of Education, Culture, Sports, Science and Technology jointly drew up a policy to address the situation, which stated that in cases where the Ministry of Education, Culture, Sports, Science and Technology conducts an investigation on the situation of enrollment management and provides guidance for improvement, depending on the situation surrounding the occurrence of missing foreign students, but no improvements are made, the ministry will notify the Immigration Services Agency that the university in question is a university conducting inappropriate enrollment management, and then the Immigration Services Agency will take stringent measures in status of residence examinations, such as the suspension of granting of the status of residence of “Student” to foreign students until improvements are considered to have been made, or will jointly disclose the university name, among other information, with the Ministry of Education, Culture, Sports, Science and Technology.

## 7 Revision of the “Guidelines for Permission for Permanent Residence”

Pursuant to the Act to Amend the Immigration Control Act and Related Laws, which was enacted at the 197th Diet (extraordinary session), the status of residence of “Specific Skilled

Worker” was newly established on April 1, 2019, and the “Guidelines for Permission for Permanent Residence” were revised on May 31, 2019 with the aim of clearly stating the handling of the status of residence and clarifying the contents of the guidelines.

Specifically, of the 10 years or more of the period of stay in Japan stipulated as a requirement for residence, “Technical Intern Training” and “Specified Skilled Worker (i)” are clearly stated not to be included in the statuses of residence which are recognized as having a period of stay of five years or more based on the work qualification or residence qualification, and with regard to public duties, proper fulfillment of the payment of taxes, public pension contribution and public health insurance contribution as well as notification in accordance with the Immigration Control and Refugee Recognition Act are clearly stated.

## 8 Revision of the Landing Criteria Ministerial Ordinance on “Nursing Care”

Under the previous Landing Criteria Ministerial Ordinance pertaining to the status of residence of “Nursing Care”, the status of residence of “Nursing Care” could only be granted to persons who had graduated from a care worker training facility and obtained a qualification as a Certified Care Worker. However, in response to the New Economic Policy Package approved by the Cabinet on December 8, 2017, in which the government stated that, “Under the Asia Health and Human Well-Being Initiative, the government will implement measures to permit status of residence (long-term care) to foreign workers who have practical experience in Japan for longer than three years through technical intern training in the long-term care field or as activity other than that permitted under the status of residence while studying in Japan, took the practical training, and pass the State Examination for Certified Care Workers, and develop the Japanese language learning environment overseas, and through these measures the government develop the environment in Japan and overseas toward accepting foreign workers in the long-term care field”, the Landing Criteria Ministerial Ordinance on the status of residence of “Nursing Care” was revised so that not only persons who have graduated from a care worker training facility but also those who have obtained a qualification as a Certified Care Worker through gaining practical experience, among other ways, could be granted the status of residence of “Nursing Care”, and the revision took effect on April 1, 2020.

## Chapter 4

# The Status of Operation of the Technical Intern Training Program

Technical Intern Training Act was established at the 192nd session of the Diet on November 18, 2016, promulgated on the 28th of the same month, and entered into force on November 1, 2017.

The status of operation of the technical intern training program pursuant to the enforcement of the Technical Intern Training Act is as follows.

## Section 1 Status of Expansion of the Program

### 1 Extension of the technical intern training period for excellent supervising organizations and implementing organizations

Under the technical intern training program, technical intern trainees are able to proceed to technical intern training (iii), the third stage of training (two years), following on from technical intern training (i) and technical intern training (ii) provided they will engage in technical intern training under an excellent supervising organization and implementing organization, and ever since the start of this program, the program is being utilized in such manner as having former technical intern trainees first return to their home country after completion of technical intern training (ii) and then newly enter Japan once again as a technical intern trainee (iii) (see Reference 4).

### 2 Expansion of the job categories

Under the program, a number of skills-transfer job categories such as the category of nursing care (nursing care work) have been added when needed (82 job categories, 148 selective works as of October 1, 2020). In addition, airport ground handling (aircraft ground support work) was added to the skills-transfer job categories / selective work as an enterprise-specific job category utilizing internal testing in the individual-enterprise-type technical intern training in July, 2017.

## Section 2 New Initiatives for Proper Technical Intern Training and Protection of the Technical Intern Trainees

### 1 Business councils

The minister with jurisdiction over the business may form a business council consisting of the related organizations for each industry for the purpose of connecting to optimization of the technical intern training in the relevant business field through sharing information on problematic cases and reviewing the voluntary standards. Therefore the Ministry of Agriculture, Forestry and Fisheries established and convened the Fisheries Technical Intern

Training Business Council on December 13, 2017 and the Agricultural Training Intern Training Business Council on June 5, 2018, and the Ministry of Land, Infrastructure, Transport and Tourism established and convened the Automobile Maintenance Business Council for the Foreign National Technical Intern Training Program on February 19 of the same year, the Business Council on Construction Field Technical Intern Training on March 26 of the same year, and the Ministry of Economy, Trade and Industry established and convened the Textile Industry Technical Intern Training Business Council on March 23 of the same year, and since then, the various councils have been meeting from time to time to share information and create voluntary guidelines for optimization of the technical intern training in each business field.

## 2 Regional councils

The issues and concerns of the technical intern training program differ depending on the region where technical intern trainees are being accepted, and the organizations of the national government and prefectural governments, and the Organization for Technical Intern Training collaborate with each other and hold regional councils divided into eight blocks (Hokkaido, Tohoku, Kanto, Chubu, Kansai, Chugoku, Shikoku, and Kyushu) in order to promote information-sharing at a regional level of the measures aimed at securing proper technical intern training, and during June and July, 2018, the regional council was established and held at least once a month in each block where information-sharing and discussions on efforts towards the securing of proper technical intern training were conducted in each region. During June and September, 2020, the 2nd regional council was held in each block and information-sharing was conducted in each region.



Scene of a regional council

## 3 Memorandum of Cooperation (MOC)

Memorandum of Cooperation with the government of the sending country have been entered into with 14 countries (Viet Nam, Cambodia, India, the Philippines, Laos, Mongolia, Bangladesh, Sri Lanka, Myanmar, Bhutan, Uzbekistan, Pakistan, Thailand and Indonesia) at the end of 2019 with the aim of securing proper sending organizations. In addition, the Ministry of Justice, based on the same agreements has been striving to give out thorough information on the purpose of the programme of technical intern training and to foster understanding, and has made requests for the securing of proper sending organizations by holding opinion exchanges with the government of the sending countries and has also been attending seminars on



explanations on the programme in the partner country together with the Ministry of Health, Labour and Welfare, the Ministry of Foreign Affairs and the Organization, and the Organization for Technical Intern Training.



Scene of opinion exchange based on a bilateral agreement

#### 4

### Protection of the technical intern trainees

In order to protect the technical intern trainees, the Ministry of Justice, along with the Ministry of Health, Labor and Welfare which has joint jurisdiction over the technical intern training program, give instructions on the protection measures for technical intern trainees to be implemented by the Organization for Technical Intern Training. The Organization for Technical Intern Training now has a reporting and consultation desk (telephone, emails and correspondence) in Chinese, Vietnamese, Indonesian, Tagalog, English, Thai, khmer (Cambodian) and Myanmar, which are the principal mother tongues of the technical intern trainees, and as well as providing counseling and support for the technical intern trainees, they strive to protect the technical intern trainees by accepting reports from the technical intern trainees pursuant to Article 49, paragraph' (1) of the Technical Intern Training Act.

In addition, in cases where it has become difficult to continue with the technical intern training at the training site due to the business problems of the accepting enterprise or various

circumstances such as acts of violation of human rights, but where the technical intern trainee wishes to continue with the technical intern training, it is possible for the technical intern trainee to change the training site, and in relation to this, the Organization for Technical Intern Training provides various kinds of support such as giving advice and counseling in response to consultations from the technical intern trainees, introducing training sites to which the trainee will be able to transfer through the establishment of a website to provide support to change the training site for supervising organizations, and also providing temporary housing facilities for those technical intern trainees for whom it has become difficult to stay in the housing facilities secured by the supervising organization, etc.

## 5 Establishment of the “Project Team on Operation of the Technical Intern Training Program”

On November 16, 2018, under the direction of the Minister of Justice, a “Project Team on Operation of the Technical Intern Training Program”, chaired by Parliamentary Vice-Minister of Justice was established and it verified the state of enforcement of the Act on Technical Intern Training, and conducted a review of improvement measures for operation of the program.

Specifically, on-site investigations of the organizations implementing the technical intern training of technical intern trainees who had disappeared, investigations of cases of death, examination of the interview sheet including a review of the interview sheets pertaining to missing technical intern trainees, a verification of the operational status of the new program and a review of the improvement measures for operation of the program were conducted, and on March 29, 2019, a report on the result of these investigations and examinations was published.

Of the measures for improving operations shown in the report, the main ones are as outlined below.

### ○ Strengthening of initial responses to cases of disappearance and death

The Organization for Technical Intern Training or Regional Immigration Services Bureaus will promptly conduct on-site inspections after an incident occurs, and strengthen the initial response such as confirming and preserving evidence on the wages etc. of the technical intern trainees.

### ○ Review of the format of the interview sheets

The format of the interview sheets for technical intern trainees who have disappeared will be improved, sufficient interview items set, and a specialized immigration inspector will conduct the interview.

### ○ Amendment of the relevant ministerial ordinances

Based on the Ordinance of the Ministry of Justice for the system of specified skilled workers, even in the technical intern training program, the ministerial ordinances are to be amended aimed at introducing such measures as suspending the acceptance of new technical intern trainees for a certain period when the implementing organization has been causing disappearances and measures to require remuneration payments to be made in a way where the actual payment can be confirmed such as wire transfer to a bank account.

## 6 Measures to Reduce Cases of Disappearance of Technical Intern Trainees

Ministerial ordinances were amended in line with the measures for improvement compiled



by the “Project Team on Operation of the Technical Intern Training Program”, and measures such as suspending the acceptance of new technical intern trainees for a certain period when supervising organizations, etc. have been responsible for causing disappearances, and requiring remuneration payments to be made to technical intern trainees by wire transfer to a bank account, for example, were introduced in April 2020.

In addition to the above, in November 2019, measures to further enhance the measures for improvement were compiled in order to reduce cases of disappearance of technical intern trainees. Below is an overview of the main measures.

- Suspension of acceptance of new technical intern trainees by sending organizations, supervising organizations, and implementing organizations who have caused disappearances, in consideration of factors such as the degree of responsibility.

On the basis of disappearance rates and investigation results, measures such as the following will be taken: issuance of orders for suspension of projects involving the acceptance of new technical intern trainees, revocation of permission granted to supervising organizations, revocation of certification of training, and withholding of authorization for plans pertaining to the acceptance of new technical intern trainees.

- Criminal charging and disclosure of companies that hired technical intern trainees who disappeared.

Through the uncovering of illegal foreign workers, etc., companies that hired technical intern trainees who disappeared will be subject to criminal charges, and the factual content of the charges will be disclosed.

- Provision of information to supervising organizations and the like.

On December 24, 2019, a notice regarding the tightening of measures was sent directly to supervising organizations and group supervising-type implementing organizations, along with a request to inform technical intern trainees of the consulting counter. In addition, information was provided to technical intern trainees regarding the consulting counter at the Organization for Technical Intern Training.

## Chapter 5

# Smooth and Strict Implementation of Immigration Examination at the Port of Entry

In order to contribute to the realization of a tourism-oriented country, it is important on the one hand to strive to implement smooth landing examinations for the majority of foreign nationals, who come to Japan without causing any problems, but in order to realize a society where Japanese nationals and foreign nationals can live together harmoniously, it is also necessary to implement strict landing examinations and reliably prevent the entry of foreign nationals whose objective is terrorism, illegal work or other illegal activities.

The number of foreign visitors to Japan in 2019 reached approximately 31.88 million, which was a record high number. However, the number of foreign visitors to Japan significantly decreased due to the impact of COVID-19. The Immigration Services Agency has been working to reconcile the seemingly conflicting goals of smooth and strict examinations through the implementation of examinations with a focus on important points.

## Section 1

## Efforts to Promote a Tourism-Oriented Country

### 1 Introduction of Bio Carts

In order to simplify procedures at landing examination booths and enable foreign visitors to enter Japan more speedily, devices for obtaining personal identification information (fingerprints and a facial photograph) beforehand by utilizing the landing examination waiting time, commonly known as “Bio Carts”, were introduced at Kansai Airport, Takamatsu Airport, and Naha Airport, places where these devices were expected to lead to significant reduction in examination waiting time, in October 2016. Subsequently, the devices were introduced at 14 airports, including Narita Airport, from April 2017 to May 2018, at Haneda Airport in December 2019 and at Hakata Port and Hitakatsu Port in January 2020, for further promoting smooth examinations.

As in the previous year, the “Tourism Vision Realization Program 2019” (Action Program for Realization of Tourism Vision 2019) (adopted in the Ministerial Council on the Promotion of Japan as a Tourism-Oriented Country of June 2019) stated the goal reducing the immigration examination waiting time at airports within 20 minutes, and Bio Carts are being utilized as a way to reduce examination waiting time.



Use of Bio Carts

## 2 Automated Gates

### (1) Promotion of Use of the Automated Gates

Japanese nationals and foreign nationals satisfying certain requirements (in possession of re-entry permission, etc.), who have registered in advance as users of the automated gates, are able to undergo the immigration procedures using the automated gates and do not have to undergo the usual examination by an immigration inspector at an immigration examination booth, and in this way, smooth and strict examinations are being further promoted. Following the installation of the automated gates at Narita Airport in November 2007, automated gates were installed at Chubu Airport and Kansai Airport in September 2009 and were additionally installed at Haneda Airport in October 2010. As of the end of FY 2019, 70 automated gates had been installed throughout the country.

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

Moreover, in order to promote user registration of the automated gates in 2013, as well as increasing the number of devices for user registration and posting information in airport facilities and in-flight magazines through the cooperation of the airport operating companies and airline companies, the Immigration Services Agency has been working to improve its administrative services with regard to those wishing to register for use of the automated gates through such means as sending immigration officers to the prefectural passport offices in order to enable mobile on-the-spot user registration.



Automated Gates



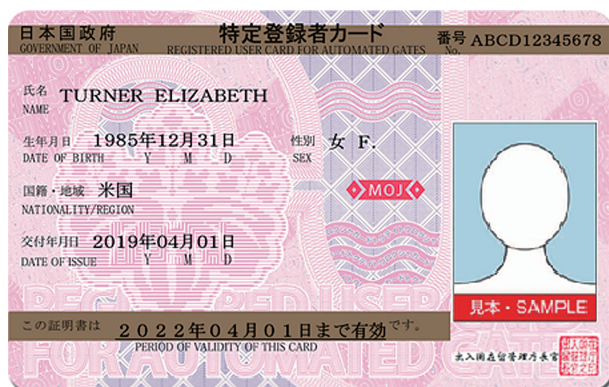
On-site registration using a mobile device to register as a user of the automated gates

## (2) Trusted Traveler Program

The Trusted Traveler Program (TTP) commenced its operations on November 1, 2016 expanding the scope of eligible users of the automated gates into certain foreign nationals intending to engage in activities under the status of residence of “Temporary Visitor”, who have visited Japan certain times in the past and have registered as a low risk traveler in terms of immigration control such as business persons working for a listed company in and outside Japan. Those who are registered in this program are exempted from receiving a seal of verification for landing, and issued a “Registered User Card” as a proof of landing permission in lieu of the seal of verification for landing.

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 commenced the operations that US citizens who have applied for TTP will not be required to meet some of the requirements on the premise that they are already enrolled in the U.S. Global Entry Program (GEP).

On March 16, 2020, the existing registration requirements for business persons were relaxed, and the scope of applicants for registrations of this program was extended to tourists who satisfy certain requirements and family members of TTP registrants (spouse and unmarried minors).



Front of Registered User Card



Back of Registered User Card

### (3) Introduction of Facial Recognition Automated Gates in the Departure and Return Procedures for Japanese Nationals

As further expediting of the immigration examinations is required in order to promote Japan as a tourism-oriented country and in anticipation of the Tokyo Olympic and Paralympic Games in 2021, the Immigration Services Agency intends to further expedite the examination procedures, while maintaining strictness of the examination, by streamlining the departure and return for Japanese nationals through the use of facial recognition technology and assigning more immigration inspectors to the examination of foreign nationals.

The Immigration Services Agency conducted a trial test of examinations utilizing facial recognition technology in 2014, and the evaluation of the “Committee for Evaluation of Facial Recognition Technology in the Immigration Examinations” composed of outside experts was that from the perspective of technology “there is sufficient possibility of utilizing facial recognition technology in the departure and return examinations of Japanese nationals”. After necessary reviews facial recognition automated gates were developed in the two years of FY 2016 and FY 2017, and advance operations of the facial recognition automated gates in the return confirmation procedures for Japanese nationals commenced at Haneda Airport on October 18, 2017. In addition, from FY 2018 to FY 2019, the facial recognition automated gates were introduced in the landing and departure examination areas of New Chitose Airport, Narita Airport, Haneda Airport, Chubu Airport, Kansai Airport and Fukuoka Airport, and are being operated in the departure and return procedures for Japanese nationals.





Using the facial recognition automated gates

#### (4) Expanded Use of the Automated Gates in the Departure Procedures for Foreign Nationals

The “Tourism Vision Realization Program, 2016” (Tourism Vision Realization Action Program 2016) (decision of the Ministerial Council on the Promotion of Japan as a Tourism-Oriented Country of May 2016) outlined a plan to expand the use of the automated gates in the departure procedures for foreign nationals in order to reduce the time required for the departure procedures at airports in Japan. Based on this, surveys were conducted related to expanding use of the automated gates in the departure procedures for foreign nationals in FY 2016, and a study was also conducted on the scope of foreign nationals who should be eligible to use the automated gates in the departure procedures, necessary matters for system renovation, and methods of arranging the automated gates in the departure examination areas. Based on the results of the surveys and study, a decision was made that the facial recognition automated gates that have been used in the departure and return procedures for Japanese nationals would be used in the departure procedures for foreign nationals who had entered Japan for such purposes as sightseeing, and on July 24, 2019, its operation commenced in Haneda Airport, followed by the other five airports listed in (3).

### 3 Response to Cruise Ship Passengers

In recent years, there have been a remarkable increase in the number and size of cruise ships calling at ports in Japan, and since requests have been received from the local governments inviting cruise ships for accelerated procedures after the arrival so that passengers can fully enjoy sightseeing within the limited time they have at the port of call, the Immigration Services Agency has been striving to implement smooth examinations through such means as implementing an examination method using permission for landing at a port of call, the use of examination equipment with the upgraded system, and support from other examination staffs from all over the country.

Also, from January 1, 2015, operation of the system of landing permission for cruise ship tourists that allows foreign passengers on cruise ships designated by the Commissioner of the Immigration Services Agency to undergo simplified procedures commenced and guidance for

cruise ship companies has been strengthened, and in addition, strict yet smooth examinations are being conducted through implementing on-board examinations on cruise ships on the open seas with the consent of the country of registration. In 2016, the number of applications for landing permission for cruise ship tourists was approximately 1.94 million. In 2017, the number was approximately 2.45 million and trending upward, but has since trended downward at approximately 2.34 million in 2018 and approximately 2.03 million in 2019.



Cruise ship examinations

#### 4 Other Measures to Reduce the Waiting Time for Examinations

Measures are being implemented to reduce the waiting time for landing examinations such as simplifying a disembarkation card for foreign nationals (omission of some of previously required details), which is submitted by the foreign nationals to an immigration inspector at the time of landing examination (enforced from April 1, 2016), and increasing the number of booths through the installment of a newly-arranged examination booth in which two immigration inspectors are located front and back to conduct a landing examination respectively at the same time.



Newly-arranged examination booth



## 5 Revision of the method of measuring the time spent waiting in line for an examination, and announcement of the waiting times for the examination

The time spent waiting in line for an immigration examination is measured at each airport (by terminal and examination areas), by distributing a survey form to the last foreign tourist in the immigration waiting queue every 30 minutes, and when this person reaches the immigration examination booth, the survey form is collected and the time measured. Through these measurements, the longest time spent waiting in line for an examination in that day was set as the longest examination waiting time at the airport, and then the average time per month was calculated, but in the past, there were no proactive or regular announcements of the maximum amount of time spent waiting for an immigration examination.

However, considering the fact that the amount of time spent waiting in line for an immigration examination is a matter of great concern for foreign travelers visiting Japan as it affects the time they spend in Japan, a decision was made to revise the method of measurement from January 2017 so as to utilize the electronic data held by the Immigration Services Agency. As a result, it became possible to measure the “rate of achievement of the goal of an immigration examination waiting time of 20 minutes” and the “longest immigration examination waiting time / time of occurrence” for each airport (terminal and examination areas), and this data is now compiled on a monthly basis and published once a month on the Ministry of Justice website.

([http://www.moj.go.jp/isa/publications/materials/nyuukokukanri07\\_00117.html](http://www.moj.go.jp/isa/publications/materials/nyuukokukanri07_00117.html))

## Section 2

## Strengthened Countermeasures at the Port of Entry

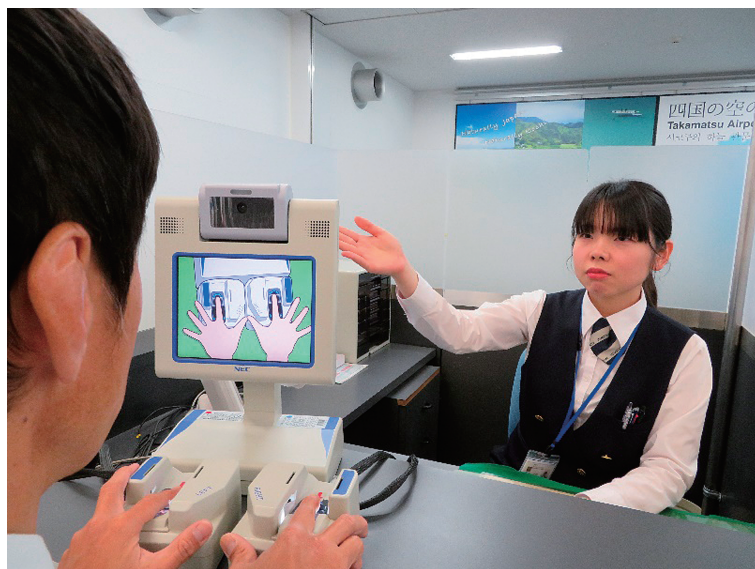
### 1 Immigration Examinations Utilizing Information

#### (1) Implementation of Immigration Examinations Utilizing Biometric Information

Since November 2007, foreign nationals who intend to enter Japan have been required to submit their Biometric information (fingerprints and a facial photograph). This enables the Immigration Services Agency to accurately and promptly confirm that the applicant for the verification for landing is the same as the passport holder, and to check the applicant against the blacklist maintained by the Immigration Services Agency. In addition, it has become possible to stringently detect those who have previously been deported and again try to enter Japan illegally using a forged passport or another person's passport by checking their information against the data on fingerprints and facial photographs of those who were deported in the past retained by the Immigration Services Agency. In addition, since October 2016, in order to rigorously detect terrorists etc. at the time of the landing examination, we have been cross-checking the facial photographs provided by foreign nationals at the time of the landing examination against the facial images of terrorists and other suspect persons. The total number of foreign nationals ordered to depart through a departure order and deported through a deportation order based on the utilization of Biometric information was 11,308 from the start of utilization of this information in the immigration examinations by the end of December, 2019.

On the other hand, there have been an increasing number of cases where in order to avoid their past history of deportation being discovered, foreign nationals have attempted to disguise their fingerprints by scarring their fingers or undergoing surgery and have illegally entered

Japan using a forged or altered passport obtained through such means. In order to respond more appropriately to cases of disguised fingerprints, we have been striving to uncover these disguised fingerprints by modifying the fingerprint acquisition devices, and in addition to executing the deportation procedures, the Immigration Services Agency has been strictly enforcing criminal dispositions through accusations and notifications to the police and other law enforcement agencies.



**Immigration examination through the use of Biometric information**

## **(2) Utilizing of ICPO's Database of Stolen and Lost Travel Documents**

The introduction and operation of a system to enable the utilization of ICPO's database of stolen and lost travel documents at the time of the landing examinations as a measure to prevent terrorism was decided in the "Action Plan for the Prevention of Terrorism" (decision of the Headquarters for the Promotion of Measures against Transnational Organized Crime and Other Relative Issues and International Terrorism on December 10, 2004), and examinations have been conducted since August 2009 utilizing ICPO's stolen and lost travel documents database search system.

The Immigration Services Agency strives to detect and prevent cases of illegal entry by terrorists and individuals who plan to commit illegal acts in Japan using lost or stolen passports by utilizing the database, and moreover, through passport forensics using high-performance forged and altered document forensics equipment deployed at the major airports and seaports throughout the country.

## **(3) Immigration Examinations Utilizing API and PNR**

From February 2007, the Immigration Services Agency has made it mandatory for the captain of all vessels and aircraft entering Japan to submit advance passenger information (API), and from February 2010, the advance passenger information system (APIS) is being operated making it possible for the API, etc. of aircraft arriving at the airports to be received electronically via the Nippon Automated Cargo and Port Consolidated System (NACCS) operated by Nippon Automated Cargo and Port Consolidated System, Inc. From June 2017, the reporting time of the information, which, in principle, used to be set at "90 minutes before

arrival” was revised to, in principle, “30 minutes from the time of departing the area outside of Japan”, making it possible to detect the arrival of suspect persons much sooner and to realize stricter and more prompt immigration examinations. Furthermore, the APIS started operation in July 2020 for the API of vessels entering the ports, leading to the realization of stricter and more prompt immigration examinations.

In addition, as the number of foreign nationals entering Japan has increased significantly, in order to stringently prevent the entry of suspect persons through immigration control at the border, the airline companies have been requested since January 2015 to provide passenger name records (PNR), and from January 2016, we have commenced electronic receipt of PNRs via NACCS and have been using them in the immigration examinations.

## 2 Reinforcement of Information Collection and Analysis

In recent years, terrorist attacks were committed in various parts of the world, including Asia and Africa, and there have been an increasing number of people who have experienced hostilities in the conflict areas, and since the Tokyo Olympic and Paralympic Games are due to take place in 2021, the Immigration Services Agency is required to take even stricter border measures.

Meanwhile, due to various measures being implemented to promote Japan as a tourism-oriented country and the continuing trend of the increasing number of foreign visitors coming to Japan, it is necessary to achieve the intricate balance of strict immigration control, including measures to prevent terrorism, and also smooth entry examinations to realize Japan as a tourism-oriented country.

Therefore, in October 2015, as the core organization for information gathering and analysis in immigration control, the Center of Collection and Analysis of Intelligence (Current Director for Intelligence Analysis) was established in the Immigration Services Agency, and this Center promotes information sharing with domestic and overseas related organizations, collects information on international terrorists and other information, implements an advanced analysis of the information together with other information held by the authorities including API and PNRs, and uses the results at the Regional Immigration Services Offices of the airports and other places, thereby, implementing smooth and strict countermeasures at the border.

## 3 Patrol Activities at Airports and Seaports

In fact, there have been some cases of illegal entry into a third country misusing the transit areas (special areas made available in international airports, consisting of areas through which those who enter the country by airplane move until they reach the landing examination site, and places where those who are making airplane connections can stay before they go onboard) in Japanese major airports.

Accordingly, the immigration control officers monitor and detect suspicious individuals by reinforced organizational patrols, in the transit areas of Narita Airport and other major airports.

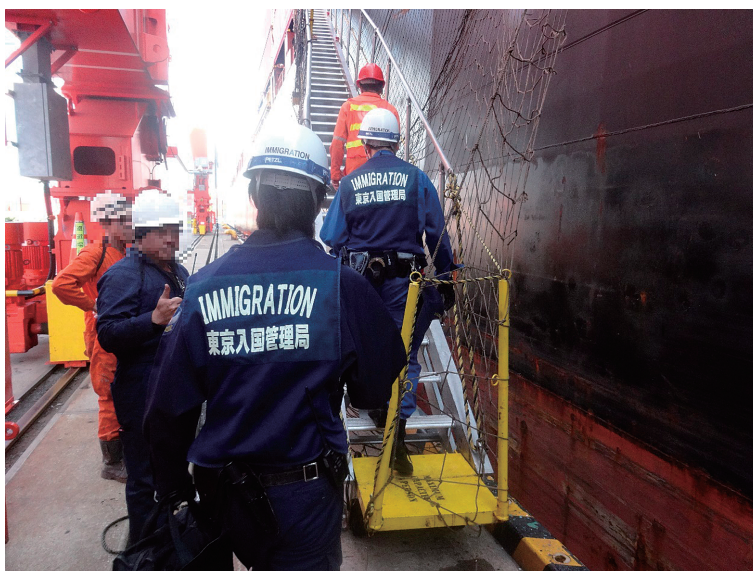
In addition, there is a concern that illegal entry cases using vessels to smuggle those who have been deported from Japan in order to avoid landing examination utilizing Biometric information, would increase.

Owing to the possibility that terrorists or other related persons, etc. may be hidden among

the foreign nationals who have illegally entered Japan, in order to deal appropriately with these cases, mobile teams composed of immigration control officers (mobile teams for Kita-Nihon (northern Japan), Tokyo Bay Chiba, Tokyo Bay Yokohama, Naka-Nihon (central Japan), Kobe and Nishi-Nihon (West Japan)) have been assigned to the regional immigration services bureaus in Tokyo, Nagoya, Osaka and Fukuoka, and the border measures have been strengthened. These mobile teams gather, analyze and share information on illegal foreign nationals entering and departing from Japan and conduct various joint drills, while reinforcing their cooperation with the related ministries and agencies. These mobile teams conduct patrols at the seaports and coastal areas under their jurisdictions and search onboard ships in port, as well as conducting investigations and detection of suspects, related suspects and brokers in connection with illegal immigration issues.



Patrol activity



Detection on a smuggling boat

#### 4 Measures to Deal with COVID-19

Regarding COVID-19 that has spread globally since December 2019, border measures need to be enhanced in order to prevent infected persons from entering Japan and the virus from spreading in Japan.



Based on the multiple Cabinet approvals and announcements by the Novel Coronavirus Response Headquarters since January 31, 2020, the Immigration Services Agency has implemented stringent border measures such as refusing, landing of foreign nationals who have stayed in the regions where numerous cases of COVID-19 have been confirmed within 14 days before landing or who have boarded passenger ships in which cases of COVID-19 may have occurred, pursuant to Article 5, paragraph (1), item (xiv) of the Immigration Control and Refugee Recognition Act unless in exceptional circumstances for the time being.

The Immigration Services Agency has cooperated in quarantine procedures since before the pandemic by encouraging travelers arriving in Japan to go back to the quarantine procedures if such travelers claim that they do not feel well at the immigration examination booth regardless of nationality. In addition to this cooperation, the Immigration Services Agency has enhanced its cooperative relationship with quarantine stations to develop a system in which the Quarantine Information Office, Ministry of Health, Labour, and Welfare, and the Immigration Services Agency double-check whether travelers have traveled to regions from which entry is denied and works in close cooperation with the relevant organizations in order to ensure border control.

Moreover, the Immigration Services Agency installs acrylic plates and other equipment to prevent droplet infection in the examination spaces, etc., and provides disinfectant near devices used to obtain personal identification information (including Bio Carts and automated gates) and guides travelers to disinfect their hands after using the devices. In addition, staff members are required to wear personal protective equipment such as face masks, gloves and goggles at all times and taught how to wear and remove personal protective equipment and instructed to take measure for installing disposal boxes for used personal protective equipment in an effort to prevent infection.



Countermeasures against COVID-19



**Chapter 6**

# Measures against Illegal and Imposter Foreign Residents, etc.

**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 to Halve the Number of Illegal Foreign Residents” launched in 2004, each Regional Immigration Bureau (at that time) has actively promoted various measures, including strict implementation of landing/residence examinations, proactive public relations activities regarding illegal employment, strengthened detection by the Special Detection Officer Units (see subsection 2 (1) below), etc. wider application of custody transfer in accordance with Article 65 of the Immigration Control Act and the encouragement of the appearances of illegal foreign residents under the departure order system. As a result, the number of illegal foreign residents, which was approximately 250,000 at the start of the plan, decreased to approximately 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”, as the Immigration Bureau (at that time) has continued efforts to further reduce the number of foreign nationals illegally staying, consequently the number of foreign nationals overstaying their authorized period of stay was decreased to approximately 59,000 as of January 1, 2014.

However, after the number of foreign nationals overstaying their authorized period of stay increased for the first time in 22 years to reach approximately 60,000 as of the time of January 1, 2015, the number as of January 1 each year increased consecutively for six years, and as of January 1, 2020, there are approximately 83,000 such foreign nationals in Japan.

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

As a result of the above efforts, the number of illegal foreign residents has seen a steady decline, but due to the rapid increase in the number of foreign nationals entering Japan through the various measures being taken by the government aimed at making Japan a tourism-oriented country, there is the possibility that the number of foreign nationals overstaying their authorized stay will further increase in the future, and therefore efforts will be made to maintain a corresponding structure to crack down on these illegal foreign residents, and moreover, to strengthen the following measures and further reduce the number of illegal foreign residents.

**(1) Strengthened Detection**

The Immigration Services Agency has established the “Special Detection Officer Units” that are to engage full-time in detecting offenders in violation of the Immigration Act and locate the

unit in large city areas where there are many illegal foreign residents, by which the Regional Immigration Services Bureau has reinforced the ability to detect illegal foreign residents, has strengthened cooperation with the local police authorities and has promoted joint detection.

In addition, since it has come to our attention that illegal foreign residents tend to be concentrated in smaller groups and are scattered throughout the country, these days the Immigration Services Agency is making efforts to improve collection and analysis of various kinds of information pertaining to illegal foreign residents and to promote efficient and effective exposure through assembling immigration control officers who engage in detection tailored to the target of the detection.

## (2) Preparation of an Environment Facilitating Voluntary Appearance

The Immigration Services Agency has introduced the departure order system as a measure to encourage illegal foreign residents existing in various parts of the country to voluntarily appear at the immigration office, and also took other measures, including a revision of the “Guidelines on Special Permission to Stay in Japan”<sup>(\*1)</sup> and publication of such cases, as well as public relations activities to encourage voluntary appearance at an immigration office.

The departure order system is a system where, unlike with the deportation procedures, foreign nationals staying illegally beyond their authorized period of stay, who meet certain criteria such as appearing in person to make a declaration in order to depart from Japan, are able to depart through simple procedures without being detained (see Part 1, Section 5, Subsection 5 below). 8,702 foreign nationals were issued with a departure order based on this system in 2019.

Meanwhile, the “Guidelines on Special Permission to Stay in Japan”, which was approved and announced in 2006 was revised in July 2009 in order to increase the transparency of the operations. The revised guideline shows that if an illegal foreign resident voluntarily appears at the immigration office, this is considered a positive factor in the judgment on adjustment of their legal status.

The Immigration Services Agency is also taking measures to further publicize the departure order system and the revised guideline on special permission to stay in Japan by conducting active public relations activities, improving the environment for voluntary appearances and aiming to encourage illegal foreign residents to voluntarily appear at the immigration office<sup>(\*2)</sup>.

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(\*1) In order to ensure further improvement of the transparency and equity of the special permission to stay, the Immigration Services Agency formulated and published the “Guidelines on Special Permission to Stay in Japan”. The guideline articulates what elements are considered positive elements and what are considered negative elements in determining whether special permission to stay should be granted or not and presents what points are considered in determining whether special permission to stay should be granted or not ([http://www.moj.go.jp/nyuukokukanri/kouhou/nyukan\\_nyukan85.html](http://www.moj.go.jp/nyuukokukanri/kouhou/nyukan_nyukan85.html)).

(\*2) Examples of public relations activities:

- (i) During the “Campaign for Measures against Illegal Foreign Workers” held in June, every year public relations for the prevention of illegal employment are conducted.
- (ii) A page for “Procedures for Voluntary Appearance at the Immigration Office” was created on the websites of the Ministry of Justice and the Immigration Services Agency in order to give clear explanations of the benefits of a voluntary appearance at the immigration office and the procedures after the appearance both to those wishing to return to their home country and to those wishing to continue staying in Japan ([http://www.moj.go.jp/nyuukokukanri/kouhou/nyukan\\_nyukan87.html](http://www.moj.go.jp/nyuukokukanri/kouhou/nyukan_nyukan87.html)).

## Section 2 Implementation of Measures against Imposter Foreign Residents

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

“Imposter residents” are foreign nationals residing in Japan having illegally received entry or landing 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, and therefore, taking measures against imposter residents is also an important task in terms of immigration control and residency management administration along with measures against illegal residents. “Imposter residents” appear on the surface to be legal residents, which makes it difficult to accurately ascertain their situation, but their increase in number is a cause for concern since they substantively orchestrate illegal entry and residence in Japan.

Since the existence of imposter residents abusing the system of status of residence is related to the foundation of immigration control and residency management in Japan, it cannot be overlooked, and therefore the Immigration Services Agency has been striving to respond strictly to clarify the realities of these kinds of cases through detailed investigations and has been enforcing deportation procedures against persons coming under the grounds for deportation and enforcing the procedures for revocation of the status of residence of persons coming under the grounds for revocation of the status of residence.

In addition, in recent years, there has been a significant number of cases where foreign nationals use forged or altered residence cards or abuse the refugee recognition system. Since these methods are becoming more malicious and sophisticated, the Immigration Services Agency closely collaborate with the police and other related organizations, and in malicious cases, the Immigration Services Agency proactively seeks criminal punishment and deal strictly with such persons, and also strives to work on measures to uncover the situation of these cases.

### 2 Crackdown on Imposter Foreign Residents, etc.

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

In order to promote measures against imposter foreign residents, it is very important to carry out further effective crackdowns by uncovering such residents based on the collection and analysis of information.

For this reason, the Immigration Services Agency accurately grasps the residence status and work status of foreign nationals by conducting advanced analysis of various kinds of information such as a wide range of information provided by the public, information provided by the organizations to which foreign nationals belong, information on the employment status of foreign nationals provided by the Ministry of Health, Labour and Welfare and information shared from the relevant organizations. Regional Immigration Services Bureau utilize the analysis results to effectively uncover and crack down on imposter foreign residents and deal strictly with such persons.

## (2) Handling Through Reinforced Exposure and Proactive Application of Law

In order to work on proactive exposure of imposter residents, when as a result of an investigation, a foreign national who resides in Japan with a status of residence which has restrictions on the contents of the activities is discovered engaging solely in a work activity which is not permitted with his/her status of residence previously granted, deportation procedures will be executed against such a foreign national as a violator engaging in an unauthorized activity.

In addition, even if a foreign national does not fall under the grounds for deportation, the Immigration Services Agency has been making efforts to reinforce crackdowns through such means as having immigration control officers and immigration inspectors coordinate to uncover the actual situation of the foreign national, and if a foreign national is found to fall under the grounds for revocation of the status of residence, the procedure for revocation of the status of residence will be instituted.

### 3 Strict Handling of Brokers Involved in Aiding Illegal Residence and Imposter Residence

Article 24 of the Immigration Control Act provides that anyone coming under any of the following grounds for deportation will be deported: a person who has prepared or otherwise provided forged or false documents for the purpose of having another foreign national illegally acquire permission; a person who has had another foreign national engage in illegal work; a person who possesses forged residence cards for the purpose of using them; and a person who has forged or otherwise provided residence cards. In close cooperation with the police and other agencies, the Immigration Services Agency proactively exposes brokers and other offenders involved in aiding foreign nationals overstaying their authorized period of stay and imposter foreign residents pursuant to the provisions of this Article, and moreover, takes stringent actions against those unlawful employers who are involved in the crime of aiding with illegal employment.

### 4 Countermeasures against the Forging of Residence Cards

Under the new residency management system launched in July 2012, mid to long-term residents are issued with residence cards, and special permanent residents are issued with special permanent resident certificates. Since these serve as certificates, and it is necessary to protect their social credibility, various forgery prevention measures are provided on the faces of them. However, forgery techniques have become more elaborate and the cases have occurred where forged residence cards were created by illegally taking advantage of inquiries on expiration information in recent year; therefore it is urgent to enhance countermeasures against forgery.

An IC chip data reading application providing a function for reading the content of the IC chip such as residence cards by smartphone or the like and confirming that the information has not been forged or altered is scheduled to be introduced and made available free of charge on the website of the Immigration Services Agency in December 2020.

**Article****At the Front Line of Immigration Control Administration  
(Voice of an immigration control officer in charge of investigation)  
(Second Investigation Department, the Tokyo Regional Immigration  
Services Bureau: Oyama Misa)**

The Second Investigation Department, in the Tokyo Regional Immigration Services Bureau, engages in investigating and uncovering cases of violation that are involved with illicit organization such as foreign brokers, and I am mainly responsible for investigating and uncovering cases of human trafficking.

Human trafficking is a criminal act that is involved with a perpetrator controlling and exploiting a victim in order to profit. Past cases of human trafficking dealt with by the Tokyo Regional Immigration Services Bureau include those in which the perpetrators confiscated the victims' passports to prevent them from running away, forced them to take on unreasonable debt, made them engage in work or prostitution, and exploited the profits. Human trafficking is a serious violation of human rights and need to be dealt with swiftly and appropriately from a humanitarian perspective. For this reason, working hours often become irregular depending on the case; however I try to maintain a work-life balance by utilizing the flex-time system and taking paid holidays in a planned manner.

What I always intend to do in investigations is to grasp the circumstances of the victims accurately and prepare an environment where they can make statements calmly. As the victims in the cases of human trafficking are mostly female, I try to listen to what they say while being attentive to their feelings as a fellow woman. We are also concerned that the victim can be relieved and comfortable by making a female interpreter who is familiar with the victim's mother tongue attended in the interviews.

I sometimes find investigations difficult because they are involved with interviewing foreign nationals having various cultures and different values; however, I suppose investigating not only the cases of human trafficking but also the cases of missing technical intern trainees and the cases involving imposter foreign residents such as fake marriages will enable us to gain

further insights into an aspect of globalization.

Japan currently accepts many foreign nationals and aims to create a society in which Japanese people and foreign nationals can live in harmony. However, we also need to pay attention to the activities of foreign brokers and imposter foreign residents, who may create a hotbed of crime. I suppose it is the mission for an immigration control officer to crack down on such activities and support globalization in Japan. I am going to keep on doing my



an immigration control officer in charge of investigation



best to contribute to the maintenance of Japanese security and the proper implementation of immigration control and residency management administration.

## Section 3 Efforts for Further Appropriate Treatment

### 1 Efforts for Further Appropriate Treatment of Detainees

Based on an agreement reached with the Japan Federation of Bar Associations (JFBA) in September 2010, the Immigration Services Agency started discussions with the JFBA on better measures about treatment of foreign nationals held in the detention centers, and will continue to hold such discussions in the future. To date, the Immigration Services Agency has already implemented measures together with the JFBA such as having attorneys provide legal consultations to detainees, while some members of JFBA have been providing regular consultations over the phone or in person to detainees in the detention centers.

In addition, when a foreign national has been issued a deportation order, but there is no prospect for deportation owing to such circumstances preventing the deportation that the detainee suffers from a disease, that it is difficult for such person to acquire a passport or that the case is pending in court. In these situations, the Immigration Services Agency, as far as possible, proactively grants provisional release to ensure that such foreign nationals are not detained for a long period of time.

Furthermore, in order to realize more proper treatment to the detainees with due consideration being given to their human rights, while taking into consideration the circumstances of individual facilities, the hours of open treatment, outdoor activities and taking a bath have been extended to the greatest extent permissible in terms of security and, periodical medical checks by visiting psychiatrists commenced in June 2011 at the Higashi-Nihon Immigration Center and in September 2018 at the Tokyo Regional Immigration Services Bureau.

### 2 Activities and Duties of the Immigration Detention Facilities Visiting Committee

The Immigration Detention Facilities Visiting Committee was established for the purpose of securing transparency in security treatment and of improving the management of the immigration detention facilities. Currently there are two committees; one is in the Tokyo Regional Immigration Services Bureau, and the other is in the Osaka Regional Immigration Services Bureau. Each committee takes charge of immigration centers and departure waiting facilities in 24 locations (as at the end of March 2020) spread across Japan according to its districts. Each committee inspects the facilities, meets with and interviews detainees, checks the opinions and proposals posted by detainees in the proposal boxes, and holds meetings. Based on the result of these activities, the committee expresses an opinion to the Director of the Immigration Detention Center or the Director of the Regional Immigration Services Bureau (hereinafter referred to collectively as “Directors”).

Over the course of a year from April 2019 to March 2020, a total of 17 inspections and 143

interviews took place in the facilities throughout Japan, and 64 opinions were given to the directors of the facilities. On receiving the opinions from the committee, the directors promptly review them and endeavor to take measures where possible.

Committee members, who are selected from people who have a reputable character, possess deep insight and are committed to improving the operations of the immigration detention centers, are appointed as part-time officers by the Minister of Justice. A maximum of no more than ten members may be appointed for each committee from experts from diverse fields, such as academic experts, legal experts, medical experts, NGO workers, the staff of international organizations and representatives of the local community.

In addition, a summary of the opinions given by the committees and the measures taken by the Directors based on those opinions are published each year pursuant to the provisions of the Immigration Control Act.

## Section 4

## Promotion of the Deportation of Deportees

### 1 Implementation of Safe and Reliable Deportation of Deportation Evaders

Recently, there has been the problem of an increasing number of foreign nationals who have been issued with a deportation order but who attempt to evade deportation (deportation evaders) because of aspiration to work in Japan or other reasons.

The Immigration Services Agency tries to convince these deportation evaders to return to their country of their own volition, but if they still attempt to evade deportation, they will ultimately be deported on a regular flight accompanied by escort officers based on the provisions of law, or mass deportation may be implemented using chartered flights for the purpose of safer and more secure deportation.

In addition, some foreign nationals who attempt to evade deportation are often anxious about their lives after return, and with regard to foreign nationals who are deemed to require humanitarian considerations, programs are implemented for voluntary return and reintegration support with the cooperation of the Japan office of the International Organization for Migration (IOM).

### 2 Implementation of Mass Deportation Using Chartered Flights

Although we endeavor to repeatedly convince deportation evaders to return to their country of their own volition, if they still attempt to evade deportation, they will ultimately be deported on a regular flight accompanied by escort officers based on the provisions of law.

However, deportation using a regular flight can cause a disturbance, for example, deportees might start shouting in the cabin, and there are cases where the deportation cannot be implemented owing to the decision of the captain to deny boarding, or alternatively, even if detainees are able to board the aircraft, there might be the situation that tremendous burden is imposed on the private airlines by the detainee bothering other ordinary passengers.

For this reason, since 2013, we have been implementing the mass deportation using chartered flights, which allows for safe and reliable deportation without boarding being refused by the captain of the aircraft, and by the end of FY 2019, a total of 339 foreign nationals were

deported over a total of eight flights (five destinations).

### 3 Promotion of the Use of IOM Repatriation Programs

On the other hand, there are some foreign nationals whose deportation has been decided who attempt to evade deportation despite wanting to return to their home country because of fears about life after return.

Of these persons, with regard to foreign nationals who are deemed to require humanitarian considerations, programs for voluntary return and reintegration support have been implemented since FY 2013 with the cooperation of the IOM Japan office. This program aims to dispel the anxiety deportees feel about returning home and to encourage the voluntary return of the deportees through the provision of reintegration support after return such as job placement and medical support.

So far, a number of families and individuals have returned home such as Asia, Africa and South America through this program and are receiving living, employment and enrollment support after returning home from the respective local IOM office.

The Immigration Services Agency intends to continue with implementation of these programs with the cooperation of the IOM and to facilitate the voluntary return of deportees and reintegration in their home country.

**Article****At the Front Line of Immigration Control Administration  
(Voice of an immigration control officer in Enforcement Department)  
(Enforcement Department, the Fukuoka Regional Immigration  
Services Bureau: Matsukuma Takahiro)**

I belong to the Enforcement Department in the Fukuoka Regional Immigration Services Bureau and I am mainly involved in the treatment-related duties such as detainee treatment and detention facility security and enforcement-related duties involving the deportation of foreign nationals who have been issued with a deportation order. Although the large-scale Regional Immigration Services Bureaus such as those in Tokyo, Osaka and Nagoya have separated the division that are dedicated to treatment-related duties and enforcement-related duties respectively, small-scale bureaus like ours need to conduct operations by a limited number of staff members. Therefore, staff members engage in multiple types of duties, including treatment-related duties such as admission and discharge procedures and being present at visitation, and enforcement-related duties such as preparing air tickets for deportation and escorting detainees being deported.

As I sometimes engage in other duties such as a crackdown on foreign nationals suspected of falling under the grounds for deportation and the patrolling of ports and other areas, I need to be able to flexibly respond to each situation as an immigration control officer. For this reason, I need to keep on learning new knowledge, which is not easy; however the whole staff members in the Enforcement Department work together to conduct operations seamlessly, and I suppose a distinctive advantage of a small-scale bureau is that staff members can feel the strength of cooperation and solidarity among them.

One of the unique duties in our bureau is monitoring activities in the sea area surrounding the Senkaku Islands. The illegally landing case was occurred by 14 Chinese activists on one of the islands in August 2012. With the cooperation of the Japan Coast Guard, police and other organizations, we engage in monitoring activities together with immigration control officers from the Naha District Immigration Office. Since Chinese public vessels have been repeatedly

invading Japanese territorial waters, the situation in the sea area surrounding the Senkaku Islands is unpredictable. I have taken part in monitoring activities three times and am aware of playing my role as an immigration control officer to maintain public security and order.

Going forward, I will strive to achieve appropriate immigration control and residency management administration in cooperation with other immigration control officers and the relevant organizations as a member involved in immigration control administration.



an immigration control officer in Enforcement Department

## Section 5

# Discussion and Review in the Expert Committee on Detention and Deportation

In order to achieve appropriate immigration control and residency management administration, foreign nationals who have been issued with a deportation order need to be promptly deported. However, a considerable number of persons who have been ordered to leave the country stubbornly evade deportation due to various reasons.

The increase of deportation evaders not only goes against the purpose of the deportation system which is to deport foreign nationals unfavorable to Japan but also becomes a major cause of the prolonged detention of those to be deported.

For this reason, it was considered that there is a need to thoroughly review measures and detention methods to prevent these problems. The Expert Committee on Detention and Deportation was formed under the 7th Immigration Policy Discussions Panel, which is the private advisory council of the Minister of Justice in October 2019, in which specific measures including legislation were discussed and reviewed.

Therefore, the review results were compiled in the form of the “Proposal to Solve the Issues of Deportation Evasion and Long-term Detention,” and the report was submitted to the Minister of Justice in July 14, 2020.

The Immigration Services Agency will promptly consider the details of the report and make efforts to implement concrete measures accordingly.



The Meeting of the Expert Committee on Detention and Deportation (Online)



## Chapter 7

# Promotion of Appropriate and Prompt Refugee Protection

## Section 1

## Revision of the Operation of the Refugee Recognition System, etc.

### 1 Revision of the Operation of the Refugee Recognition System

#### (1) Outline

With regard to the refugee recognition system, the time required for the examination of the cases is becoming more prolonged, and problems have been occurring which hinder the provision of prompt protection to genuine refugees owing to the proliferation of applications for recognition of refugee status in recent years and applications which attempt to abuse/misuse the system for the purpose of employment or residence in Japan. Moreover, problems have also arisen concerning the difficulty of clarifying the decisions on whether or not an applicant is a refugee.

Therefore, based on the purport of the recommendations in the reports submitted in December 2014 by the “6th Immigration Policy Discussions Panel”, which is the private advisory council of the Minister of Justice, and the “Expert Committee on the Refugee Recognition System”, a study was conducted on reviewing the operation of the refugee recognition system, which was published in the form of the “Summary of the Revision of the Operation of the Refugee Recognition System” on September 15, 2015.

#### (2) Proper Operation of the System

The contents of the review were (i) clarifying the persons eligible for protection, the decisions on recognition and the procedures, (ii) strengthening the system and infrastructure pertaining to refugee recognition administration, (iii) appropriate handling of applications attempting to abuse or misuse the refugee recognition system and the measures implemented so far are as given below.

##### (i) Clarifying the persons eligible for protection, the decisions on recognition and the procedures

The points of the decisions in cases where the applicant was recognized as a refugee and cases where the applicant was not recognized as a refugee have always been clearly shown in press releases pertaining to the number of refugees recognized, but from 2016, cases where applicants were granted permission to stay for humanitarian consideration are also being published and the same measures are being taken.

In addition, since March 2017, a trial has been taken to allow having interviews with a doctor, a counselor, or a lawyer, etc. for minors unaccompanied by their parents, individuals with severe physical disabilities, individuals with mental disabilities or individuals with serious illnesses.

##### (ii) Strengthening the system and infrastructure pertaining to refugee recognition administration

Since 2015, as well as implementing refugee recognition administrative staff training for management-level officers with the cooperation of the UNHCR, the Immigration Services

Agency has been working on the development and capacity-building of refugee inquirers through enhancing the content of the regular training relating to information on the countries of origin of the applicants for refugee recognition and practical training using case studies.

In addition, in May 2017, the position of officers to engage in the collection and analysis of country of origin information (COI officer) was created, and later, a structure, consisting of multiple officers in charge, was formed while the collecting and sharing of the COI and other information was strengthened with the cooperation of the UNHCR.

(iii) Appropriate handling of applications attempting to abuse or misuse the refugee recognition system

Since September 2015, applications that attempt to abuse or misuse the refugee recognition system, such as cases claiming a situation that clearly does not come under the 1951 Refugee Convention which is for the purpose of prompt and reliable protection of genuine refugees, are pre-sorted before they reach the stage of a full-scale investigation and while ensuring that an opportunity is given to the applicant to make a sufficient case such as the setting of a hearing into the circumstances by a refugee inquirer, with prompt processing, the measures are being taken so as not to permit employment to repeat applicants who re-submit applications which attempt to abuse or misuse the system (hereinafter referred to as “restrictions on employment”) or so as not to permit stay (hereinafter referred to as “restrictions on stay”).

Moreover, with regard to the sorting of applications, from the perspective of case processing optimization, a verification was conducted by an expert panel for verification of the situation of revisions for operation of the refugee recognition system (hereinafter referred to as “expert panel”) composed of outside experts.

## **2 Revision of the System by Amendment of the Regulation for Enforcement of the Immigration Control Act**

In June 2017, due to the enforcement of a ministerial order to amend part of the Regulation for Enforcement of the Immigration Control Act, the authority to recognize refugees, which was previously only permitted to the Minister of Justice, was delegated to the Director of the Regional Immigration Bureau (at that time). In addition, through the establishment of a new refugee recognition application form for repeat applications, efforts are being made to make efficient decisions regarding the sorting of cases and restrictions on employment and stay, and to streamline the processing of the cases.

## **3 Further Revision of the Operations to Optimize the Refugee Recognition System**

### **(1) Background**

As described above, since September 2015, applications that attempt to abuse or misuse the system of refugee recognition are processed promptly, and restrictions on employment or restrictions on stay depending on the content of the application, are imposed on those applicants who repeatedly submit refugee recognition applications for such purposes as working in Japan. These measures are intended for repeat applicants who re-submit applications for recognition of refugee status, and although these measures have had a certain degree of effect in curbing the re-submission of applications, the number of first-time applicants who attempt to abuse or misuse the system is still increasing rapidly, and the number of refugee recognition applicants,

which was 5,000 in 2014, reached a record high of 19,629 in 2017, about four times the number, and this situation is interfering with the provision of prompt protection for genuine refugees.

Therefore, in order to improve such situation, as described in (2), a further revision of the operations of the refugee recognition system including operation related to the status of residence of “Designated Activities” for those who applied while staying as a regular resident in Japan (hereinafter referred to as “further revision of the operations”) was carried out, and has been in force since January 2018.

## (2) Outline

The contents of the further revision of the operations are as follows.

### (i) Setting of a pre-sorting period

Measures have been taken to set a time limit for pre-sorting the contents of the cases following receipt of a first-time application (time limit not exceeding two months), and based on the results of pre-sorting the contents, to promptly take measures on the status of residence (permission to stay, restrictions on stay, work permission, restrictions on employment).

### (ii) Further consideration for applicants whose applicability as a refugee is deemed to be high

Applicants whose applicability as a refugee under the Refugee Convention is deemed to be high or applicants who are considered highly likely to need humanitarian consideration due to the situation in their home country, were previously granted the status of residence of “Designated Activities” (six months) permitting work after the passing of six months from the time of submission of the application for recognition of refugee status, but through a further revision of the system, these applicants will be quickly granted the status of residence of “Designated Activities” (six months) permitting work after the sorting of the application, thereby promoting quicker protection.

### (iii) Further strict responses to abuse or misuse of applications

#### A. First-time applications

- (A) Restrictions on stay will be imposed on applicants claiming circumstances that clearly do not correspond to the requests of the Refugee Convention’s grounds for persecution.
- (B) Even in cases where restrictions on stay are not imposed, applicants who applied for recognition of refugee status after abandoning to engage in the activities falling under the original status of residence, such as technical intern trainees who have absconded or international students who have left their educational institution, or applicants who filed an application for recognition of refugee status during the departure preparing period will have restrictions imposed on their work. In addition, the period of stay in this case will be reduced from the previous six months to three months.

#### B. Re-submission of applications

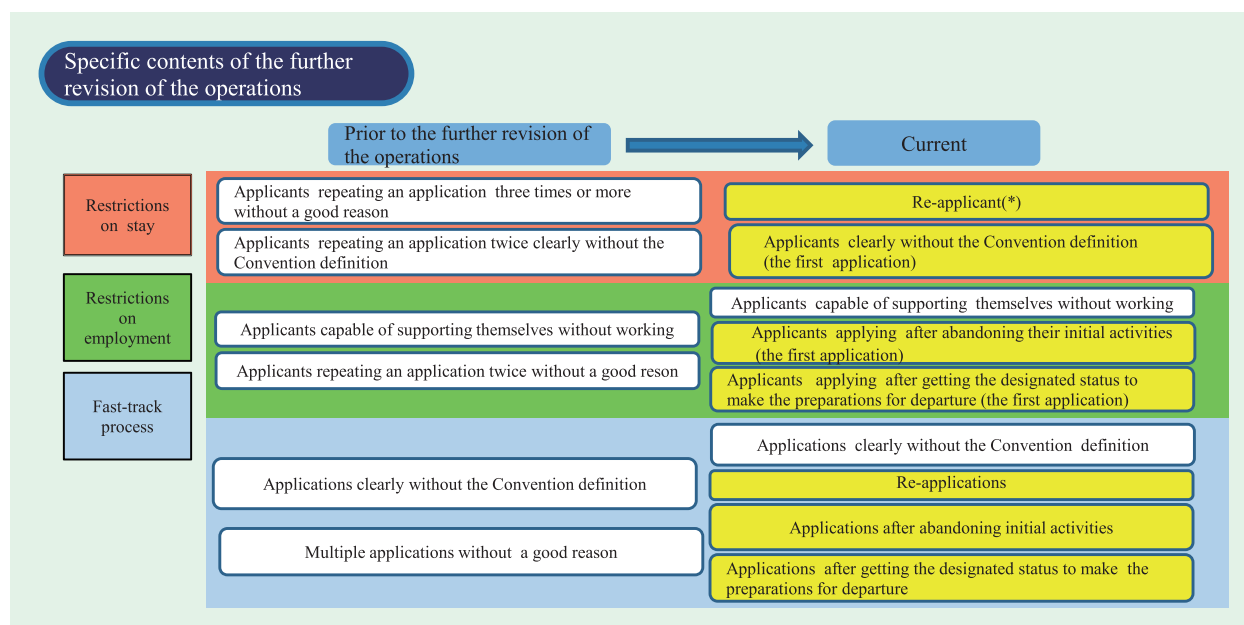
In principle, restrictions will be placed on stay in Japan.

However, even with repeat applicants, applicants whose applicability as a refugee under the Refugee Convention is deemed to be high, or applicants who are considered highly likely to need humanitarian consideration due to the the situation in their home country will be given the protection in the abovementioned (ii).

#### C. Fast-track process

Cases of applicants for recognition of refugee status who come under the abovementioned A and B will be promptly examined, and processed as quickly as possible ([Reference 79](#)).

### Reference 79 Summary of further revision of the operations of the refugee recognition system



(\*) Excludes applicants whose applicability as a refugee under the Refugee Convention is deemed to be high, or applicants who are considered likely to require humanitarian consideration due to the situation in their home country.

## 4 Situation after Revision of the Operations of the Refugee Recognition System

As a result of these efforts, the number of applicants for refugee recognition mainly from neighboring countries in Asia such as the Philippines and Viet Nam, which had been increasing rapidly in recent years, after decreasing significantly in 2018, continued to decrease slightly in 2019 to 10,375 (an approximately 47% decrease compared with 2017). Meanwhile, the number of applicants recognized as refugees has increased (20 in 2017, 42 in 2018, and 44 in 2019), and there has been a certain degree of effect in meeting the objective in that applications that attempt to abuse or misuse the system have been curbed and genuine refugees are being offered prompt protection.

However, since there are still a number of applications that attempt to abuse or misuse the system, a consideration will be conducted from the aspects of both the legal system and operations with regard to measures to further curb applications that attempt to abuse or misuse the system while taking into account the effects of previous efforts towards fundamental resolution of the problem.

## Section 2 Acceptance of Refugees Through Resettlement

### 1 Acceptance in FY 2019 or before

Resettlement is intended to transfer and resettle refugees, who have been evacuated from their countries of origins and who are temporarily taking shelter in a refugee camp in a neighboring country or another place, to another country which agrees to accept such refugees from the countries where they were originally offered protection. Resettlement is deemed to

be one of the permanent solutions of refugee problems, as well as “voluntary repatriation” and “resettlement in the first countries of asylum”.

The UNHCR encourages each country to accept refugees through the resettlement program from the standpoint of having the international community properly share its duties in relation to refugee problems.

In the past, Japan took measures to support the resettlement of Indochinese refugees and those recognized as refugees, but in order to deal with the various problems relating to refugees in the Asian region, in December 2008, the Cabinet approval was given to the introduction of a system of resettlement<sup>(\*1)</sup>. The Cabinet approval<sup>(\*2)</sup> prescribed that the relevant ministries and agencies would accept approximately 30 Myanmarse refugees every year from refugee camps in Thailand, as a pilot project starting from FY 2010 and would support their resettlement through interministry and agency cooperation. It was also stated that the pilot project would, in the future, be reviewed from various angles, and that based on the review, further consideration would be given to a future system of acceptance.

Based on the contents of the report (January 2014) compiled by the Advisory Council on Resettlement held under the auspices of the Liaison and Coordination Council for Refugee Issues<sup>(\*3)</sup>, the future policy was approved by the Cabinet<sup>(\*4)</sup> in January 2014 and in accordance with the contents of this Cabinet approval<sup>(\*5)</sup>, the acceptance of resettlement refugees came to be fully implemented from 2015 to accept Myanmarse refugees temporarily staying in Malaysia.

The Immigration Services Agency is mainly in charge of the selection process for resettlement refugees to be accepted, and dispatches staff to conduct local interviews. From FY 2010 to FY 2014, Myanmarse refugees comprising 18 families composed of 86 family members were accepted from Thailand (in FY 2012 all of the families who had decided to come to Japan declined before coming to Japan). In FY 2015, Myanmarse refugees comprising six families composed of 19 family members, in FY 2016 seven families composed of 18 family members, in FY 2017 eight families composed of 29 family members, in FY 2018 five families composed of 22 family members and in FY 2019 six families composed of 20 family members were accepted from Malaysia totaling 50 families composed of 194 family members over the ten years from FY 2010 to FY 2019.

## 2 Acceptance in FY 2020 and thereafter

Then in October 2018, in order to continue accepting resettlement refugees, a study group consisting of the relevant ministries and agencies and experts was established to examine the necessity of expanding the scope of acceptance and the scope when expanding acceptance<sup>(\*6)</sup>,

(\*1) Cabinet approval on December 16, 2008: “Implementation of a Pilot Project for the Admission of Refugees through Resettlement”.

(\*2) Abovementioned Cabinet approval and “Specific Measures for Implementation of a Pilot Project for the Admission of Refugees through Resettlement” decision of the Liaison and Coordination Council for Refugee Issues on December 19, 2008.

(\*3) Established in the Cabinet to ensure the close cooperation of the relevant administrative agencies and to consider necessary measures for the government regarding various issues concerning refugees. The chair is the Deputy Chief Cabinet Secretary. The Deputy Commissioner of the Immigration Services Agency is a member.

(\*4) Cabinet approval on January 24, 2014: “Implementation of the Admission of Refugee through Resettlement”

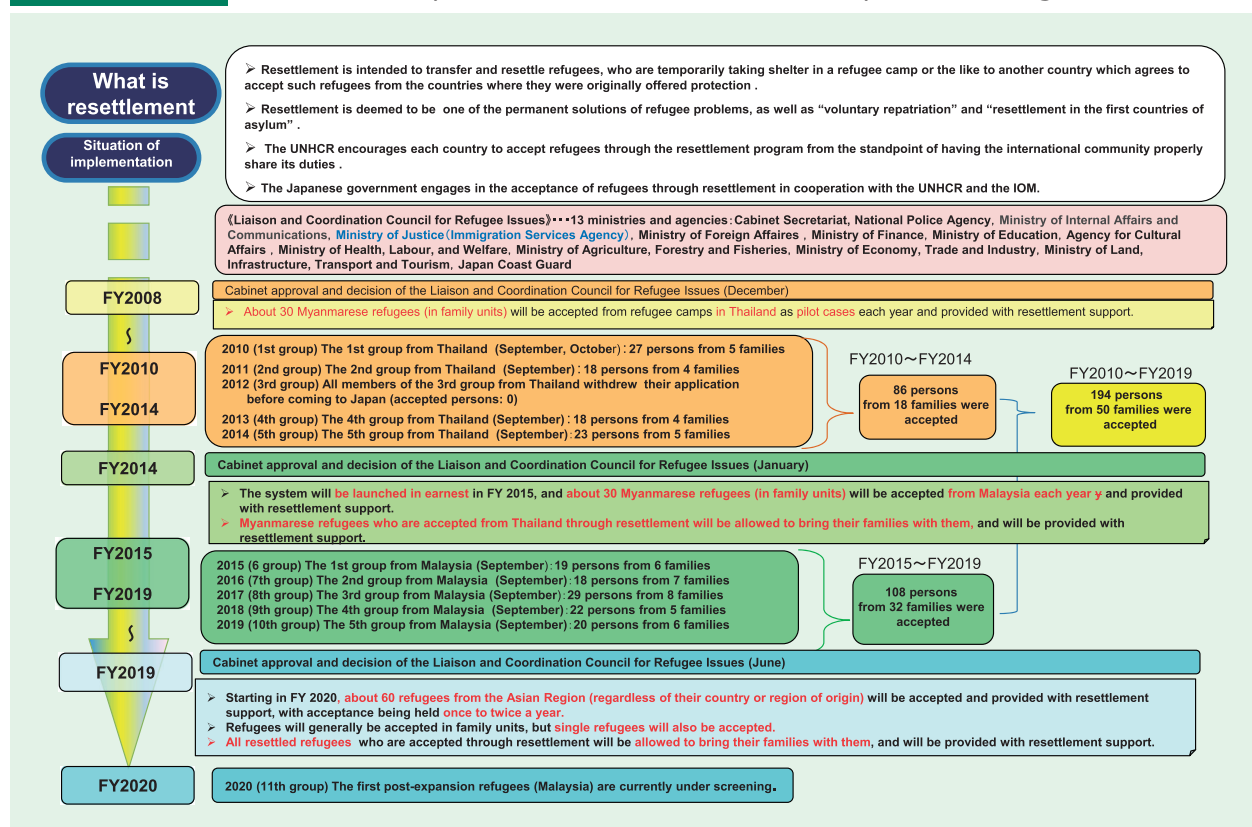
(\*5) Abovementioned Cabinet approval and “Specific Measures for Implementation of the Admission of the Refugee through Resettlement” decision of the Liaison and Coordination Council for Refugee Issues on January 24, 2014.

(\*6) “Study Group on Expansion of the Project for the Acceptance of Refugees through Resettlement” decided by the Liaison and Coordination Council for Refugee Issues on October 22, 2018.



and based on the results of the review by the study group, Cabinet approval<sup>(\*)1</sup> was given on June 28, 2019 that partially amended the Cabinet approval of January 2014. Due to this change<sup>(\*)2</sup>, it was decided that from FY 2020 onwards the scope of acceptance through resettlement would be expanded to include refugees (regardless of their country or region of origin) temporarily staying in Asia, single refugees would be accepted in addition to refugees in family units, the maximum number of accepted refugees would be increased to about 60 per year (with acceptance being increased from once to twice a year), and refugees accepted through resettlement would be able to bring their relatives with them as family members. In consideration of the government's policy, the Immigration Services Agency will continue to appropriately fulfill its role and strive to accept these refugees in a seamless manner, while working together with the relevant ministries and agencies.

## Reference 80 Situation of implementation and cases of acceptance through resettlement



## Section 3 Promotion of Collaboration with NGOs

With regard to refugee-related administration, it is necessary to identify specific points which need to be improved through discussions with individuals involved in the promotion of refugee protection incorporating the standpoint of the private sector and legal experts and to work to

(\*)1 "Partial amendment to 'Implementation of the Acceptance of Refugees through Resettlement'" decided by the Cabinet on June 28, 2019.

(\*)2 In response to the partial amendment of the abovementioned Cabinet approval, partial amendment of the "Specific Measures Relating to the Acceptance of Refugees through Resettlement" decided as abovementioned by the Liaison and Coordination Council for Refugee Issues on June 28, 2019.

achieve better measures in collaboration with and cooperation from citizens' groups.

Therefore, on February 10, 2012, the Immigration Bureau (at that time) concluded a three-party agreement and exchanged a memorandum on cooperation with the Forum for Refugees Japan, which is a network of NGOs and groups supporting refugees and the JFBA, agreeing to hold discussions to identify the refugee-related administrative matters that the Immigration Bureau is responsible for and that need improving, including procedures for recognizing refugee status, and to exchange information on the provision of housing, with the assistance of refugee support groups, for refugees awaiting the results of their application for recognition of refugee status.

In accordance with the three-party discussions based on this memorandum, during the period of April 2012 and March 2014, the Immigration Bureau implemented a "pilot project", which the Immigration Bureau requested the Forum for Refugees Japan to secure a residence for foreign nationals claiming asylum at Narita Airport for whom it is difficult to secure a residence, and Landing Permission for Temporary Refuge or Permission for Provisional Stay was granted to foreign nationals who were accepted by the Forum.

Subsequently, following discussions by the three parties, the same measures under this project are currently being taken at Narita Airport, Haneda Airport, Chubu Airport and Kansai Airport. Since March 2017, foreign nationals from these airport branches have been sent to Higashi-Nihon Immigration Center, Tokyo Regional Immigration Services Bureau, Nagoya Regional Immigration Services Bureau, or Osaka Regional Immigration Services Bureau, and when one of the immigration Services offices to which the person was sent makes a decision on permission for provisional stay or permission for provisional release, the measures apply to such cases as well, and the measures have been applied to 38 foreign nationals (including those eligible for the pilot project and those to whom similar measures were applied before the project's launching) as of 2019.

## Chapter 8

# Responses to International Society and International Situations

## Section 1 Treaties and International Conventions

### 1 Major Actions for Negotiations for the Conclusion of EPAs with Other Countries

The Economic Partnership Agreements (EPAs) are agreements which aim to promote liberalization and facilitation of trade between signatory nations, as well as the 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 Services Agency has been actively involved in negotiations for the conclusion of EPAs with various countries: Singapore (effective date: November 2002), Mexico (April 2005), Malaysia (July 2006), Chile (September 2007), Thailand (November 2007), Indonesia (July 2008), Brunei (July 2008), the Philippines (December 2008), Switzerland (September 2009), Viet Nam (October 2009), India (August 2011), Peru (March 2012), Australia (January 2015), Mongolia (June 2016), TPP (December 2018) and EU (February 2019) ; and has been responsible for the part in the negotiations in relation to the “movement of natural persons”.

As of April 1, 2020, the Immigration Services Agency has primarily been involved in negotiations for the conclusion of Regional Comprehensive Economic Partnership (RCEP) and EPAs with UK and other countries.

### 2 Acceptance of Nurse and Certified Care Worker Candidates Based on EPAs

From the point of view of strengthening bilateral cooperation in economic activities, Japan commenced the acceptance of nurse and certified care worker candidates, who aim to acquire Japanese national nursing qualifications or national certified care worker qualifications, from Indonesia in FY 2008, the Philippines in FY 2009 and Viet Nam in FY 2014. The number of foreign nationals accepted as nurse and certified care worker candidates based on EPAs up until FY 2019 was 2,783 from Indonesia, 2,592 from the Philippines, and 1,109 from Viet Nam.

### 3 Reports and Examinations in Accordance with Human Rights Treaties

Japan is a signatory 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), the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT), the Convention on the Rights of Persons with Disabilities (CRPD) and the International Convention for the Protection of All Persons from Enforced Disappearance (ICPAPED). With regard to government reports on the status of the implementation of those treaties, the Immigration

Services Agency is involved in the drafting of reports, review of the government reports and follow-up thereof from the perspective of immigration control and residency management administration.

## Section 2 International Conferences/ International Exchange

### 1 Responding to International Conferences

The Migration Experts Sub-Group (MESG) Meeting, one of the sub groups of the G7 Rome-Lyon Group, which is a working experts' group to discuss measures against international terrorism and transnational organized crime is discussing measures that the G7 members should take cooperatively in the area of illegal immigration and forgery or alteration of documents.

MESG meeting was held in France in October 2019, and officials from the Immigration Services Agency attended the meetings to exchange information and opinions with the counterparts of other countries.

In addition to the international meetings mentioned above, the Immigration Services Agency sends delegates to the Government Delegation on Anti-Human Trafficking Measures to exchange information on recent efforts to counter trafficking in persons, as well as to the Consular Consultation etc. to express Japan's position actively and build cooperative relationships with other countries. The Immigration Services Agency also sends officials to participate in multinational meetings, such as the International Air Transport Association (IATA) / Control Authorities Working multinational Group (CAWG) for the purpose of information sharing and exchanging opinions.

### 2 International Exchange

The Immigration Services Agency 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.

The Immigration and Residency Management Meeting is held mutually with the Korean immigration authority, and the Immigration Services Agency attends the immigration control meetings with Taiwan organized by the Japan-Taiwan Exchange Association and the Taiwan-Japan Relations Association and shares information and exchanges opinions on mutual efforts. In addition, a memorandum of cooperation was signed with the Australian immigration authority in August 2016 and a letter of intent was signed with the Indonesian immigration authority in October 2019, pertaining to the establishment of a framework to strengthen cooperative relations between the authorities of both countries, so that in the future, two authorities will be sharing information relating to border control and facilitation of the immigration procedures, and strengthening cooperation to develop the professional capacity of the authorities of both countries.

In addition, in FY 2019, the relevant organizations of R.O. Korea, Singapore and Sweden visited the Immigration Services Agency and Regional Immigration Services Bureaus to exchange opinions and see the facilities.

**Chapter 9**

# Improvement of Public Relations Activities and Public Services

## Section 1 Promotion of Public Relations Activities

Recognizing that public relations and enlightenment activities both in Japan and abroad play a major role in the smooth implementation of immigration control and residency management administration, the Immigration Services Agency has been further promoting more active public relations activities than ever before. The main promotion of public relations activities are provision of information including the circumstances concerning immigration control and residency management administration, new systems and changes of procedures.

In terms of immigration control and residency management administration, statistics concerning immigration control and residency management administration such as the number of those entering or departing from Japan, the number of foreign residents, the number of foreign nationals overstaying and the number of applications for refugee recognition their authorized period of stay are released on the website of the Ministry of Justice. In addition, we also disclose information on cases of special permission to stay in Japan, examination of statuses of residence, the average processing time for refugee recognition examinations, the immigration examination waiting times at Japanese airports and endeavor to widely spread understanding of the current situation of immigration control administration.

In addition, we proactively publicize the immigration control and residency management systems and procedural guidelines, and give out information such as guidance on using the facial recognition gates, and guidance on the systems corresponding to changes in the amended Immigration Control Act and amendments of the Technical Intern Training Act by posting information on the websites of the Ministry of Justice and the Immigration Control and Residency Management, and also distribute posters and leaflets.

In addition, for the purpose of preventing illegal work through the appropriate employment of foreign nationals, the Immigration Services Agency holds an “Illegal Work Prevention Campaign” as part of the larger campaign for “Foreign Labor Problems Awareness Month” conducted by the government every June, so that the general public, companies hiring foreign nationals and relevant organizations will be able to better understand the issues and offer cooperation to the Immigration Services Agency.





Promotion of the automated gates



Illegal Work Prevention Campaign



Organization of the Immigration Services Agency and a video clip about the agency's activities



Video clip about efforts relating to acceptance and coexistence of foreign nationals



Public relations activities at airport

## Section 2 Improvement of Public Services

### 1 Information Services for Foreign Nationals

There is a large number of foreign nationals who are unfamiliar with the procedures relating to entry and residence as well as Japanese laws and social systems due to differences between Japan and their countries in lifestyle, manners, customs and language, etc. For the purpose of providing consultation and information services to such foreign nationals, the immigration information centers offer advice on the various procedures related to entry, the statuses of residence and the application forms.

These information centers were established in the Sendai Regional Immigration Services Bureau, Tokyo Regional Immigration Services Bureau and its Yokohama District Immigration Services Office, the Nagoya Regional Immigration Services Bureau, Osaka Regional Immigration Services Bureau and its Kobe District Immigration Services Office, the Hiroshima Regional Immigration Services Bureau and Fukuoka Regional Immigration Services Bureau, and they are consulting in various languages such as English, Korean, Chinese and Spanish. Counseling staff members have been assigned to the Sapporo Regional Immigration Services Bureau, Takamatsu Regional Immigration Services Bureau and Naha District Immigration Services Office of Fukuoka Regional Immigration Services Bureau to provide the same services as the above information centers.



Immigration Information Center

### 2 Immigration Services Agency Website

The Immigration Services Agency set up a website (<http://www.moj.go.jp/isa/index.html>) in March 2002 to provide Q&A such as on immigration and residence procedures, the location of the regional immigration services offices, contact addresses and opening hours of the information desks, and in January 2016, the website was redesigned newly implementing in-site search functions and font size change functions and improving usability and accessibility by expanding the site for smartphones, in order to strengthen the information transmission

capabilities both inside and outside the country.

In addition, in order to improve the provision of information to foreign nationals, we have been providing translations in English, Chinese, Korean, Portuguese and Spanish since FY 2005 and have also been striving to enhance convenience for foreign nationals by continuously improving the contents.



QR code of Immigration Services Agency  
Official Twitter

### 3 Immigration Services Agency Official SNS

#### (1) Immigration Services Agency Official Twitter

In order for the Immigration Services Agency to be able to further enhance its public relations activities, Twitter accounts have been acquired for the Immigration Services Agency and each of the regional immigration services offices, which have been in operation since March 2016.

The official Twitter account of the Immigration Services Agency is usually used to send out information on updates to the website and information about new systems, and the official Twitter account of the Regional Immigration Services Offices is used to send out real-time information on waiting times so that visitors coming to the residence examination desks will have an idea of the waiting time, and also to give information out on various events and campaigns to be held at the airports and other places.

#### (2) Immigration Services Agency Official Facebook page

In addition to the Twitter account, the Immigration Services Agency has launched a Facebook page in July 2020 to further actively engage in public relations activities.

The Immigration Services Agency Official Facebook page is mainly used for providing information about support for foreign residents. As with the Twitter account, it is also used for providing information about various measures, such as information about new systems and urgent matters.



## List of Immigration Services Agency Official Twitter accounts

Operating entity	Account
Immigration Services Agency	MOJ_IMMI
Sapporo Regional Immigration Services Bureau	IMMI_SAPPORO
Sendai Regional Immigration Services Bureau	IMMI_SENDAI
Tokyo Regional Immigration Services Bureau	IMMI_TOKYO
Narita Airport District Immigration Services Office, Tokyo Regional Immigration Services Bureau	IMMI_NARITA
Haneda Airport District Immigration Services Office, Tokyo Regional Immigration Services Bureau	IMMI_HANEDA
Yokohama District Immigration Services Office, Tokyo Regional Immigration Services Bureau	IMMI_YOKOHAMA
Nagoya Regional Immigration Services Bureau	IMMI_NAGOYA
Chubu Airport District Immigration Services Office, Nagoya Regional Immigration Services Bureau	IMMI_CHUBU
Osaka Regional Immigration Services Bureau	IMMI_OSAKA
Kansai Airport District Immigration Services Office, Osaka Regional Immigration Services Bureau	IMMI_KANSAI
Kobe District Immigration Services Office, Osaka Regional Immigration Services Bureau	IMMI_KOBE
Hiroshima Regional Immigration Services Bureau	IMMI_HIROSHIMA
Takamatsu Regional Immigration Services Bureau	IMMI_TAKAMATSU
Fukuoka Regional Immigration Services Bureau	IMMI_FUKUOKA
Naha District Immigration Services Office, Fukuoka Regional Immigration Services Bureau	IMMI_NAHA
Higashi-Nihon Immigration Center	IMMI_HIGASHI
Omura Immigration Center	IMMI_OMURA

## ○ Immigration Services Agency Official Facebook account

Operating entity	Account
Immigration Services Agency	ImmigrationServicesAgency. MOJ



Immigration Services Agency Official Twitter



Immigration Services Agency Official Facebook