



2023

Immigration Control and Residency Management

Immigration Services Agency
of Japan



2023

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and
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Introduction

Publication of the 2023 Immigration Control and Residency Management

In a global situation that changes from day to day, the Ministry of Justice's (MOJ) Immigration Services Agency (ISA) smoothly and strictly manages the entry and stay of foreign nationals visiting Japan for diverse reasons from various countries and regions in accordance with the motto "Connect the World and Create the Future," used from October 2022. The ISA also develops the environment for accepting foreign nationals to promote sound international exchange with Japan and maintain the law and order of Japanese society. To this end, we need to apply both state-of-the-art technology and the human eye to ensure compatibility between smooth entry examinations and strict immigration control at an advanced level. In addition, we are also responsible for protecting the safety and interests of the public through the deportation of foreign nationals, who threaten Japan's safety and security, in accordance with the laws and regulations. Furthermore, the ISA has a major role to play in developing refugee recognition procedures and swiftly and reliably protecting those who seek asylum. In addition, since the MOJ is now in charge of planning, drafting and general coordination relating to improving the environment for the acceptance of foreign nationals (Cabinet decision of July 24, 2018), along with efforts aimed at promoting the smooth and proper acceptance of foreign human resources, the Ministry is also responsible for promoting the development of an environment aimed at realizing a harmonious society of coexistence with foreign nationals.

First published in 1959 under the title Immigration Control, the name of this document was changed to Immigration Control and Residency Management in 2019 and has now reached its 29th edition.

This 2023 edition of Immigration Control and Residency Management gives an overview of the ISA's work, summarizing the situation and measures surrounding recent immigration control and residency management administration, with a focus on trends in FY 2022. This includes explaining the revision of the Immigration Control and Refugee Recognition Act and other laws enacted in the 211th ordinary Diet session on June 9, 2023, promotion of acceptance of highly-skilled foreign professionals, and addition of fields of Specified Skilled Worker (ii). It also covers discussion of the status of the Technical Intern Training Program and the Specified Skilled Worker Program, efforts to realize a society of harmonious coexistence with foreign nationals, and promotion of appropriate protection for refugees.

Finally, we hope that through this 2023 Immigration Control and Residency Management immigration control and residency management administration will prove to be beneficial and easy to understand.

November 2023 Hiroshi Kikuchi

Commissioner of the Immigration Services Agency of Japan

November 2023

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Commissioner of the Immigration Services Agency of Japan

Points of the 2023 Immigration Control and Residency Management

Organization of the 2023 Immigration Control and Residency Management

- The 2023 Immigration Control and Residency Management consists of three parts: Immigration Control in Recent Years (Part I), Major Policies Related to Immigration Control Administration (Part II), and Data Section.
- Part I describes the immigration control and residency management operations in recent years based on the statistics over the five-year period from 2018 to 2022.
- Part II describes the major immigration control and residency management policies (implemented during FY 2022 as well as some of the measures for FY 2023).
- Data Section describes a summary of the operations, etc. of the Immigration Services Agency (ISA).

Part I

Immigration Control and Residency Management in Recent Years

• Number of Foreign Nationals Entering Japan

In 2022, the number of foreign nationals entering Japan (including those who re-entered Japan) was 4,198,045, an increase of 3,844,926 (1,088.8%) compared to the previous year, and the number of foreign nationals who newly entered Japan, excluding those who re-entered, was 3,423,531, an increase of 3,271,805 (2,156.4%) compared to the previous year.

• Number of Foreign Residents

- The number of foreign residents combining the number of mid to long-term residents with the number of special permanent residents was 3,075,213 as of the end of 2022.
- In addition, the percentage of foreign residents to the total population of Japan was 2.46%, an increase of 0.26 points compared to the number at the end of the previous year.

• Technical Intern Training Program and Specified Skilled Worker System

- As of the end of 2022, the number of mid to long-term residents with the status of residence of "Technical Intern Training (i)" was 164,993, an increase of 140,777 (581.3%) compared to the end of the previous year.
- As of the end of 2022, the number of mid to long-term residents with the status of residence of "Technical Intern Training (ii)" was 84,386, a decrease of 120,438 (58.8%) compared to the end of the previous year.
- As of the end of 2022, the number of mid to long-term residents with the status of residence of "Technical Intern Training (iii)" was 75,561, an increase of 28,478 (60.5%) compared to the end of the previous year.
- As of the end of 2022, the number of mid to long-term residents with the status of residence of "Specified Skilled Worker(i)" was 130,915, an increase of 81,249 (163.6%) compared to the end of the previous year. The number has shown a significant upward trend since the status was newly established on April 1, 2019.

- As of the end of 2022, the number of residents with the status of residence of “Specified Skilled Worker(ii)” was eight, an increase of eight compared to the end of the previous year.

● Number of Foreign Nationals Overstaying Their Authorized Period of Stay

As of January 1, 2023, the number of foreign nationals overstaying their authorized period of stay was 70,491, an increase of 3,732 (5.6%) compared to January 1 of the previous year.

● Status of Refugee Recognition Operations

- In 2022, the number of applicants for refugee status in Japan was 3,772, an increase of 1,359 (56.3%) compared to 2021.
- In 2022, the number of applicants whose application for refugee status was processed was 7,237, an increase of 1,087 (17.7%) compared to 2021. Of these applicants, 187 were recognized as refugees, 5,418 were not recognized as refugees, and 1,632 withdrew their applications or took other action.

Part II

Major Policies Related to Immigration Control and Residency Management Administration

● Amendment Act to resolve the issues of deportation evasion and long-term detention

At the 211th session of the Diet on June 9, 2023, Amendment Act of the Immigration Control and Refugee Recognition Act was passed.

Under the current Immigration Control Act, even if a deportation order is issued to a foreign national whose deportation is administratively determined, deportation can be unlimitably suspended by applying for recognition of refugee status regardless of the reason or number or times of application. Therefore, it is difficult to promptly and securely deport such evaders who refuse to depart from Japan, and such deportation evasion issue becomes the main cause of long-term detention.

The Amendment Act intends to resolve the issues of deportation evasion and long-term detention arising from the current Act and securely protect individuals who need protection such as displaced persons from conflict similar to Convention refugee. Therefore, it provides with a system for exceptional provisions on the effect of suspension on deportation, removal order with penalty, the alternative to detention, a Sponsorship, recognizing eligibility for complementary protection, and application of special permission to stay in Japan. The Amendment Act resolves the issues under the current Act comprehensively, and prepares the foundation to realize a society of harmonious coexistence where Japanese and foreign nationals trust and respect each other.

The amendment of the provisions on deportation procedures is the first amendment since 1951 in which the Act was enacted as the Immigration Control Order.

● Response to COVID-19

- Countermeasures at the port of entry

The ISA has taken appropriate countermeasures at ports of entry, such as refusing entry to Japan to foreign nationals who have stayed in the regions where there is a high number of COVID-19 cases (“Regions Subject to Denial of Landing”). This is done by treating them as foreign nationals who fall under Article 5, paragraph (1), item (xiv) of the Immigration

Control Act, except when there are special circumstances. Following the easing of the countermeasures, the designation of all the Regions Subject to Denial of Landing were cancelled on September 4, 2022.

- Procedures for residence

The ISA took measures such as allowing foreign nationals whose circumstances were making it difficult to return to their home countries due to the COVID-19 pandemic to change their status of residence to “Designated Activities,” which allowed them to work. Related measures included allowing foreign nationals whose status of residence did not enable them to work to engage in activities other than those permitted under their status of residence, so that they could maintain their livelihood in Japan.

The ISA permitted the status of residence “Designated Activities,” which allowed foreign nationals to work in specific industrial fields under certain conditions, in order to enable the continued employment in Japan of technical intern trainees who could no longer continue their technical intern trainings, international students whose preliminary offer of employment was cancelled, former technical intern trainees who had completed their technical intern trainings but could not return to their home countries, and other foreign nationals in similar circumstances.

In light of the status of COVID-19 infections in Japan and overseas, and the increasing number of foreigners leaving Japan, the ISA has reviewed these measures as of May 31, 2022 and are encouraging them to return to their home countries.

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

- In April 2023, the Japan System for Special Highly-Skilled Professionals (J-Skip) started. This system provides foreign nationals whose academic background or professional career and promised annual salary are at or above a certain level with more extensive preferential treatment than the points-based system for highly-skilled professionals.
- In April 2023, the Japan System for Future Creation Individual Visa (J-Find) also started. This system grants foreign nationals graduating from outstanding overseas universities, etc. the period of stay for up to two years if they search for employment or prepare to start a business in Japan.

- **Addition of Industrial Fields to “Specified Skilled Worker (ii)”**

“Specified Skilled Worker (ii),” a status requiring proficiency in skills, had been previously limited to only two industrial fields. To address labor shortages in other fields, this status was extended to 11 fields (Cabinet decision of June 9, 2023).

- **Review of the Technical Intern Training Program and the Specified Skilled Worker System**

The Advisory Panel of Experts on the Ideal Form of Technical Intern Training Program and Specified Skilled Worker System was established to review the implementation of the program and system, identify their issues, discuss the ways to properly accept foreign human resources, and state opinions for the Ministerial Council. Since December 2022, the Advisory Panel has met regularly to discuss these issues.

- **Efforts to Realize a Society of Harmonious Coexistence with Foreign Nationals**

- The meeting of the Ministerial Conference on Acceptance and Coexistence of Foreign Nationals held on June 9, 2023 approved the Roadmap for the Realization of a Society of Harmonious Coexistence with Foreign Nationals (FY 2023 partly changed) (the “Roadmap”) and the Comprehensive Measures for Acceptance and Coexistence of Foreign Nationals (FY 2023 revised) (the “Comprehensive Measures”).
- The Roadmap shows three visions for a society of harmonious coexistence with foreign nationals, medium- to long-term issues to be addressed to realize these visions (four key points), and specific measures.
- 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 indicate the measures that should be implemented in a single fiscal year in the Roadmap and the measures that are not included in the Roadmap itself because they are not necessarily measures that should be implemented over the medium- to long-term, but should be addressed by the government to realize a society of harmonious coexistence with foreign nationals.

● Efforts to Further Reduce the Number of Illegal Foreign Residents

- When a detainee is issued with a deportation order, but there are no prospects for a deportation owing to circumstances preventing the deportation such as the fact that a detainee suffering from a disease or the institution of litigation, the ISA actively utilizes provisional release, and makes efforts to ensure the implementation of more suitable deportation procedures.
- The ISA is working to further improve the treatment of detainees, such as by strengthening the medical system, based on the opinions of the “Immigration Detention Facilities Visiting Committee” and the improvement measures listed in the “Investigation Report on the Death of a Detainee at the Nagoya Regional Immigration Services Bureau.”
- The problem of deportation evasion and long-term detention has become an urgent issue to be resolved as soon as possible in immigration control and residency management administration. As such, the results of deliberations in the “Expert Committee on Detention and Deportation” established under the 7th Immigration Policy Discussions Panel were summarized as the report “Proposals to Solve the Issues of Deportation Evasion and Long-Term Detention” and submitted to the Minister of Justice.

● Promotion of Appropriate Refugee Protection

- In recent years, there have been a considerable number of applications abusing or misusing the system, which are thought to be aimed at getting to work in Japan. As a result of the rapid increase in the number of applicants for refugee recognition in Japan caused by this, the processing period for the refugee recognition procedures has been prolonged, leading to problems in promptly protecting refugees.
- Therefore, with regard to the many refugee recognition applications abusing or misusing the refugee recognition system from legal residents, from January 15, 2018, the operation of the system was further revised mainly to (1) set a sorting period after the application is received, and the sorting results are reflected in the measures on the status of residence, (2)

give further consideration to applicants whose applicability as a refugee is deemed to be high under the Refugee Convention, and (3) respond more strictly than before to applications abusing or misusing the system.

- As a result of these efforts, the number of applicants for refugee recognition, which had increased rapidly in recent years, has instead decreased significantly since 2018. Meanwhile, the number of applicants recognized as refugees has increased compared to before making the above revision. A certain degree of effectiveness has been achieved with efforts to curb applications which attempt to abuse or misuse the system, and to ensure prompt protection of refugees are recognized. Since there are still a considerable number of applications abusing or misusing the system, the ISA will conduct considerations from the aspects of both the legal system and operation, aiming at a fundamental solution to the problem.
- For Japan's refugee recognition system, the ISA needs to address the recent surge in the number of applicants for refugee status and diversified reasons for applications and improve the system's transparency.
- Therefore, in close cooperation with relevant organizations such as UNHCR (the office of the United Nations High Commissioner for Refugees), the ISA is working to further optimize operation of the refugee recognition system based on three pillars: (1) clarifying normative elements on the eligibility for refugee status, (2) improvement the capacity of refugee inquirers, and (3) enhancement of country of origin information. In July 2021, a Memorandum of Cooperation (MOC) was exchanged with UNHCR to accelerate these efforts.

For (1), the ISA published the guide, in which mainly clarify the necessary considerations for decisions on eligibility for refugee status, on March 24, 2023. The guide, which based on Japan's past refugee recognition practices and referring to relevant documents issued by the UNHCR, are expected to enhance the transparency and credibility of the refugee recognition process. For (2), the ISA has trained refugee inquirers and other officials in cooperation with the UNHCR and other organizations. The ISA also shares the key considerations for fact-finding in the refugee recognition process with refugee inquirers and conducts follow-up assessments of their understanding to ensure accurate fact-finding. For (3), the ISA actively exchanges country of origin information with the authorities of countries accepting a number of refugees to have more country of origin information.

● Responses to International Society and International Situations

- The ISA held working-level meetings with immigration authorities from South Korea and participated in exchanges of opinions organized by the Japan-Taiwan Exchange Association and the Taiwan-Japan Relations Association to share information and exchange opinions.
- The 2nd Tokyo Immigration Forum, organized by the Ministry of Justice and the ISA, took place from December 12 to 14, 2022, with the participation of representatives from immigration authorities of 18 countries and regions. At the meeting, participants shared information and frankly and actively exchanged opinions on various issues, such as their challenges and initiatives related to the rise in human activity following the COVID-19 pandemic, as well as the challenges and efforts of their countries and regions toward realizing a society of harmonious coexistence with foreign nationals. Participants agreed to hold the next forum in Tokyo in FY 2023.

2023 Immigration Control and Residency Management Report

Introduction — Publication of the 2023 Immigration Control and Residency Management
Points of the 2023 Immigration Control and Residency Management
Contents
Abbreviations

Part I Immigration Control and Residency Management in Recent Years

Chapter 1 Foreign Nationals Entering and Departing from Japan —————2

Section 1 Changes in the Number of Foreign Nationals Entering and Departing from Japan —————2

1 Foreign Nationals Entering Japan —————2

(1) Number of Foreign Nationals Entering —————2

(2) Number of Foreign Nationals Entering Japan by Nationality/Region —————4

(3) Number of Foreign Nationals Entering Japan by Gender and Age —————5

(4) Number of Foreign Nationals Entering Japan by Purpose of Entry
(Status of Residence) —————5

A. “Temporary Visitor” —————7

B. Foreign Nationals Entering Japan for the Purpose of Employment in Professional or
Technical Fields —————9

(a) “Highly-Skilled Professional” —————10

(b) “Engineer/Specialist in Humanities/International Services” and “Intra-company
Transferee” —————10

(c) “Entertainer” —————10

(d) “Skilled Labor” —————10

(e) “Specified Skilled Worker (i)” and “Specified Skilled Worker (ii)” —————10

C. “Technical Intern Training (i)” —————10

D. “Student” —————11

E. Foreign Nationals Entering Japan with a Status of Residence for Resident Activities
Based on Personal Status or Position —————12

2 Special Landing —————14

3 Foreign Nationals Leaving Japan —————14

Section 2 Judgement for Landing —————15

1 Receipt and Processing of Hearings for Landing, and Filing of Objections —————15

2 Foreign Nationals Denied Permission for Landing —————17

3 Special Permission for Landing —————19

Section 3 Pre-entry Examination —————19

1 Advance Consultation for Visa Issuance —————19

2	Certificate of Eligibility	19
---	----------------------------	----

Chapter 2 Japanese Nationals Departing from and Returning to Japan 20

Section 1	Number of Japanese Nationals Departing from Japan	20
1	Total Number of Japanese Nationals Departing from Japan	20
2	Number of Japanese Nationals Departing from Japan by Gender and Age	20
Section 2	Number of Japanese Nationals Returning to Japan	21

Chapter 3 Foreign Nationals Residing in Japan 22

Section 1	Number of Foreign Residents in Japan	22
1	Number of Foreign Residents in Japan	22
2	Number of Foreign Residents by Nationality/Region	23
3	Number of Foreign Residents by Purpose (Status of Residence)	24
(1)	“Permanent Resident” and “Special Permanent Resident”	24
(2)	Foreign Nationals Residing in Japan for the Purpose of Employment in Professional or Technical Fields	26
A.	“Highly-Skilled Professional”	28
B.	“Engineer/Specialist in Humanities/International Services” and “Intra-company Transferee”	28
C.	“Skilled Labor”	28
D.	“Specified Skilled Worker”	28
(3)	“Technical Intern Training”	28
(4)	“Student”	29
(5)	Foreign Nationals Residing in Japan with a Status of Residence for Resident Activities Based on Personal Status or Position	29
Section 2	Examination of Statuses of Residence	29
1	Permission for Change in the Status of Residence	30
(1)	Permission to Change Status of Residence from “Student” to Status for Employment Purposes	30
(2)	Permission to Change Status of Residence to “Technical Intern Training (ii)” and “Technical Intern Training (iii)”	32
(3)	Permission to Change Status of Residence to “Specified Skilled Worker (i)” and “Specified Skilled Worker (ii)”	34
2	Permission for Extension of the Period of Stay	35
3	Permission for Permanent Residence	35
4	Permission for Acquisition of a Status of Residence	36
5	Re-entry Permission	36
6	Permission to Engage in an Activity Other Than Those Permitted by the Status of Residence Previously Granted	36
Section 3	Implementation Status of Procedures to Revoke Statuses of Residence	36
1	Outline of the System	36
2	Implementation Status of Procedures	38

Section 4	Number of Issuance of Residence Cards and Special Permanent Resident Certificates	39
1	Residence Cards	39
2	Special Permanent Resident Certificates	40

Chapter 4 Implementation Status of the Technical Intern Training Program and the Specified Skilled Worker System —41

Section 1	Implementation of the Technical Intern Training Program	41
1	Outline	41
2	Applications and processing of license of supervising organizations	42
(1)	Applications for license of supervising organizations	42
(2)	Number of licenses granted to supervising organizations	42
3	Applications and processing of accreditation of technical intern training plans	42
(1)	Applications for accreditation of technical intern training plans	42
(2)	Number of cases of accreditation of the technical intern training plans	43
4	Responses to Cases of Inappropriate Acceptance	43
5	Protection of Technical Intern Trainees	44
Section 2	Implementation Status of the Specified Skilled Worker System	45
1	Outline	45
2	Acceptance of Specified Skilled Workers	45
3	Registration Status of Registered Support Organizations	45
4	Implementation Status of Specified Skilled Worker Exams	46

Chapter 5 Deportation Procedures for Foreign Nationals —47

Section 1	Foreign Nationals Overstaying Their Authorized Period of Stay	47
1	Number of Foreign Nationals Overstaying Their Authorized Period of Stay by Nationality/Region	47
2	Number of Foreign Nationals Overstaying Their Authorized Period of Stay by Status of Residence	49
Section 2	Cases of Violation of the Immigration Control Act Necessitating the Implementation of Deportation Procedures or Departure Orders	50
1	Outline	50
2	Number of Cases of Violation of the Immigration Control Act by Grounds for Deportation	51
(1)	Illegal Entry	51
(2)	Illegal Landing	53
(3)	Illegal remaining	53
(4)	Activity Other Than Those Permitted by the Status of Residence Previously Granted	54
3	Illegal Foreign Workers	54

(1) Summary	54
(2) Number of Illegal Foreign Workers by Nationality/Region	55
(3) Number of Illegal Foreign Workers by Gender	56
(4) Number of Illegal Foreign Workers by Type of Work	56
(5) Number of Illegal Foreign Workers by Place of Work	57
4 Outline of Decisions on Violations	58
(1) Receipt and Processing of Cases of Violation	58
(2) Issuance of a Written Deportation Order	60
(3) Provisional Release	61
(4) Special Permission to Stay in Japan	62
5 Outline of Deportation of Foreign Nationals	62
(1) Deportation at the Expense of Foreign National (Voluntary Departure)	64
(2) Deportation at the Expense of the Government of Japan	65
(3) Deportation at the Expense of and on the Responsibility of Carriers	65
6 Departure Orders	66
(1) Investigation into Violations	66
(2) Examination	66
A . Receipt and Processing of Cases	66
B . Issuance of a Written Departure Order	66
(3) Confirmation of Departure	67
7 Overview of Immigration Control and Residency Management Lawsuits	67

Chapter 6 Recognition of Refugee Status 69

Section 1 Applications and Processing for Recognition of Refugee Status	69
1 Application for Recognition of Refugee Status	69
2 Processing of Applications for Recognition of Refugee Status	70
3 Implementation of the System for Permission for Provisional Stay	71
Section 2 Request for an Administrative Review (Appeal)	71
1 Number of Request for an Administrative Review	71
2 Processing of the Appeal	72
Section 3 Application and Processing of Landing Permission for Temporary	72

Chapter 7 Measures Against Trafficking in Persons and Protection of Foreign Victims of Domestic Violence 73

Section 1 Measures Against Trafficking in Persons	73
1 Measures Against Trafficking in Persons	73
2 Protection of Victims of Trafficking in Persons	74
3 Foreign Nationals Deported for Committing Trafficking in Persons	75
Section 2 Protection of Foreign Domestic Violence Victims	75
1 Outline	75
2 Number of Recognized Foreign Domestic Violence Victims	76

Part II Major Policies Related to Immigration Control and Residency Management Administration

Chapter 1 Amendment Act of the Immigration Control Act to Resolve the issues of Deportation Evasion and Long-Term Detention Issues —80

1	Course of passing the Act	80
2	Issues in the Current Act	81
3	Outline of the Amendment Act	81
(1)	Basic Concepts	81
(2)	Securing the Protection of individuals Who Need Protection	81
(3)	Resolution of the Deportation Evasion Issue	82
(4)	Resolution of Issues related to Detention	82
(5)	Other Policies	83
(6)	Modification by the House of Representatives	83

Chapter 2 Response to Evacuees from Ukraine —84

Section 1 Acceptance of Evacuees from Ukraine —84

Section 2 Support for Evacuees from Ukraine —84

1	Expansion of Consultation Services and Placement of Support Staff for Accepting Evacuees from Ukraine at Immigration Services Agency (ISA) Offices	84
2	Prompt Changes to the Status of Residence to Receive Administrative Services, etc.	85
3	Issuance of Certificates of Evacuees from Ukraine	85
4	Establishment of Ukrainian Evacuees Support Website	85
5	Providing Information to Evacuees from Ukraine and local governments	86
6	Support for Evacuees without a Guarantor	86

Chapter 3 Smooth and Strict Implementation of Immigration Examination at the Port of Entry —87

Section 1 Measures to Deal with COVID-19 —87

1	Countermeasures at the Border	87
2	Applications for Residence	88
	Topics: COVID-19 countermeasures at immigration facilities	89

Section 2 Efforts to Promote a Tourism-Oriented Country —90

1	Bio Carts	90
2	Automated Gates	91
(1)	Promotion of Use of the Automated Gates	91
(2)	Trusted Traveler Program	91
3	Facial Recognition Automated Gates	92
(1)	Introduction of Facial Recognition Automated Gates in the Departure and Return Procedures for Japanese Nationals	92

(2) Expanded Use of the Automated Gates in the Departure Procedures for Foreign Nationals	93
4 Digitalization of Disembarkation Cards (ED cards)	93
5 Pre-clearance Trial	93
6 Response to Cruise Ship Passengers	94
7 Revision of the Method of Measuring the Time Spent Waiting in Line for an Examination, and Announcement of the Waiting Times for the Examination	95
Section 3 Strengthened Countermeasures at the Port of Entry	96
1 Immigration Examinations Utilizing Information	96
(1) Implementation of Immigration Examinations Utilizing Biometric Information	96
(2) Immigration Examinations Utilizing API and PNR	97
2 Reinforcement of Information Collection and Analysis	98

Chapter 4 Acceptance of Foreign Nationals and Immigration Control and Residency Management Administration

Section 1 Promotion of the Acceptance of Highly-Skilled Foreign Professionals	99
1 Outline of Points-Based Preferential Treatment for Highly-Skilled Foreign Professionals	99
(1) Preferential Treatment for “Highly-Skilled Professional (i)”	100
(2) Preferential Treatment for “Highly-Skilled Professional (ii)”	100
2 Japan System for Special Highly-Skilled Professional (J-Skip)	100
3 Japan System for Future Creation Individual Visa (J-Find)	101
4 Situation of Acceptance	101
Section 2 Acceptance of Foreign Nationals in the National Strategic Special Zones	102
1 Entrepreneurs	102
2 Foreign Beauticians	103
Section 3 Other Measures	103
1 Further Acceptance of Fourth-Generation Foreign Nationals of Japanese Descent	103
2 Online Residence Procedures	104
3 Online Notifications Regarding Specified Skilled Workers	104
4 Promotion of the Acceptance of Foreign Entrepreneurs	105
5 Promotion of the Appropriate Acceptance of Foreign Students	105
(1) Employment Support for Foreign Students	105
(2) Optimization of the Japanese-Language Institutes	106
(3) Enactment of the Act on the Accrediting of Japanese-Language Institutes to Ensure Appropriate and Reliable Implementation of Japanese-Language Education	106

Chapter 5 Technical Intern Training Program and System of Specified Skilled Worker

Section 1 New Initiatives for Implementing Proper Technical Intern Training	
--	--

and Protecting Technical Intern Trainees	107
1 Measures to Reduce Cases of Disappearance of Technical Intern Trainees	107
2 Memorandum of Cooperation (MOC)	108
3 Other Initiatives	109
Section 2 Situation of Operation of The “Specified Skilled Worker” System	109
1 Operation Policy of the Specified Skilled Worker System	109
(1) The Government’s Basic Policy	109
(2) Field-Specific Operation Policy	111
(3) Memorandum of Cooperation	113
(4) Status of Memorandum of Cooperation	113
2 Efforts for the Smooth Operation of the Specified Skilled Worker System	113
(1) Revision of the Government’s Basic Policy	113
(2) Revision of the Field-Specific Operation Policy	113
(3) Revision of the Field-Specific Operation Manual	114
(4) Specified Skilled Worker System Promotion Projects	114
Section 3 Review of the Ideal Form of Technical Intern Training Program and Specified Skilled Worker System	115
1 Background	115
2 Outline	117
Chapter 6 Efforts for Realization of a Society of Harmonious Coexistence with Foreign Nationals	119
Section 1 Roadmap for the Realization of a Society of Harmonious Coexistence with Foreign Nationals	119
1 Background	119
2 Outline	120
Section 2 Comprehensive Measures for Acceptance and Coexistence of Foreign Nationals	122
1 Background	122
2 Outline	123
Section 3 Major Efforts in Which the ISA is Involved	125
1 Support for the Establishment and Operation of a One-stop Consulting Counters Through Subsidies for Preparations for an Environment for the Acceptance of Foreign Nationals	125
2 Cooperation with local governments, etc. through Accepting Environmental Coordinators	125
3 Support at the Foreign Residents Support Center (FRESC)	126
4 Support at the Immigration Information Center	127
5 Committee on the Roles of Professionals Who Coordinate Comprehensive Support	128
6 Providing Information through “A Daily Life Support Portal for Foreign Nationals”	129
7 Providing information to foreign residents through the “Guidebook on Living and Working,” etc.	130

8	Use of Plain Japanese for Foreign Residents Support	131
	Topics: Efforts for promoting the use of My Number Card by foreign residents	132
	Topics: Plain Japanese	133
	Topics: Let people know about FRESC at a local event!	
	—We love Yotsuya Festival—	134
	Topics: Training for local government staff on measures for foreign nationals	135

Chapter 7 Measures against Illegal and Imposter Foreign Residents, etc. 136

Section 1	Implementation of Measures against Illegal Foreign Residents	136
1	Efforts to Reduce the Number of Illegal Foreign Residents	136
2	Strengthened Detection	136
3	Preparation of an Environment Facilitating Voluntary Appearance	136
Section 2	Implementation of Measures against Imposter Foreign Residents	137
1	Countermeasures against Imposter Foreign Residents, etc.	137
2	Crackdown on Imposter Foreign Residents, etc.	138
	(1) Reinforcement of the Collection and Analysis of Information	138
	(2) Handling Through Reinforced Exposure and Proactive Application of Law	138
3	Strict Handling of Brokers Involved in Aiding Illegal Residence and Imposter Residence	138
4	Countermeasures against the Forging of Residence Cards, etc.	139
Section 3	Efforts for Further Appropriate Treatment	139
1	Efforts for Further Appropriate Treatment of Detainees	139
2	Activities and Duties of the Immigration Detention Facilities Visiting Committee	140
3	Medical Treatment of Detainees	140
Section 4	Promotion of the Deportation of Deportees	141
1	Implementation of Safe and Reliable Deportation of Deportation Evaders	141
2	Implementation of Mass Deportation Using Chartered Flights	141
3	Promotion of the Use of IOM Assisted Voluntary Return and Reintegration Programs	142

Chapter 8 Promotion of Appropriate and Prompt Refugee Protection 143

Section 1	Efforts to Appropriately Protect Refugees	143
Section 2	Revision of the Refugee Recognition System	143
1	Revision of the Operation of the Refugee Recognition System	143
	(1) Outline	143
	(2) Proper Operation of the System	143
2	Revision of the System by Amendment of the Regulation for Enforcement of the Immigration Control Act	144
3	Further Revision of the Operations to Optimize the Refugee Recognition System	145
	(1) Background	145

(2) Outline	145
4 Situation after Revision of the Operations of the Refugee Recognition System	146
Section 3 Further Optimization of the Refugee Recognition System	
Operation	147
1 Clarifying Normative Elements on the Eligibility for Refugee Status	147
2 Improving the Capability of Refugee Inquirers	147
3 Enriching the Content of Country of Origin Information	148
Section 4 Acceptance of Refugees Through Resettlement	148
1 Resettlement	148
2 Acceptance in FY 2020 and Thereafter	148
Section 5 Promotion of Collaboration with NGOs	150
Section 6 Acceptance Status of Syrian International Students	151
Section 7 Status of Protection of Myanmar, Afghans, and Syrians in	
Light of the Condition at Their Home Countries	151
1 Status of Protection of Myanmar	151
2 Status of Protection of Afghans	152
3 Status of Protection of Syrians	152

Chapter 9 Responses to International Society and International Situations 153

Section 1 Treaties and International Conventions	153
1 Support for Bilateral and Multilateral Frameworks	153
2 Reports and Examinations in Accordance with Human Rights Treaties	153
Section 2 International Conferences / International Exchange	154
1 The 2nd Tokyo Immigration Forum	154
2 Responses to International Conferences	155
3 International Exchange	155

Chapter 10 Public Relations Activities 156

Section 1 Promotion of Public Relations Activities	156
Section 2 Information Dissemination	157
1 ISA Website	157
2 ISA Social Media, etc.	157
(1) ISA X (Formerly Twitter), Facebook	157
(2) ISA Email Distribution Service	157
Topics: Public relations activities through various events	160

Chapter 11 Organizations and systems 162

Section 1 Organizations	162
1 Outline of the Immigration Control and Residency Management Offices	162
2 Review of the Organizational Structure of the Immigration Control and Residency Management Offices	167
Section 2 Staff	170

1	ISA Staff	170
2	Staff Increase	171
3	Training	173

Chapter 12

Budget, etc.

175

Section 1	Budget	175
Section 2	Facilities	176

Data Section Outline of Japan's Immigration Control and Residency Management System —178

Section 1 Purpose and Legal Basis	178
Section 2 Immigration Procedures for All Persons	179
1 Procedures for the Entry and Departure of Foreign Nationals	179
2 Procedures for Entry (Landing) Examinations of Foreign Nationals	179
(1) Entry (Landing) Examination	180
(2) Hearing	180
(3) Filing of an Objection	181
3 Pre-entry Examination	182
(1) Advance Consultation for Issuance of Visas	182
(2) Certificate of Eligibility	183
4 Special Landing Permission	185
(1) Permission for Landing at a Port of Call	185
(2) Landing Permission for Cruise Ship Tourists	185
(3) Permission for Landing in Transit	185
(4) Landing Permission for Crew Members	185
(5) Permission for Emergency Landing	186
(6) Landing Permission Due to Distress	186
5 Procedures for the Departure and Return of Japanese Nationals	186
Section 3 Examination of the Status of Residence of Foreign Nationals	186
1 Status of Residence System	186
2 Examination of the Status of Residence	192
(1) Permission for Change of Status of Residence	192
(2) Permission for Extension of the Period of Stay	193
(3) Permission for Permanent Residence	193
(4) Permission for Acquisition of a Status of Residence	193
(5) Re-entry Permission	194
(6) Permission to Engage in an Activity other than those Permitted by the Status of Residence Previously Granted	194
Section 4 Residency Management System of Mid to Long-Term Residents, etc.	195
1 Residency Management System of Mid to Long-Term Residents	195
(1) Residence Card	195
(2) Notifications and Applications Relating to Residence Cards	196
A. Notification of the Place of Residence	196
(a) Notification of the Place of Residence After Newly Landing in Japan	196
(b) Notification of the Place of Residence After a Change in the Status of Residence and Other Related Matters	196
(c) Notification of a Change of Place of Residence	196
B. Notification of a Change of an Item on the Residence Card	197
C. Application to Extend the Valid Period of the Residence Card	197

D . Application for Reissuance of a Residence Card Due to Loss or Other Causes	—197
E . Application for Reissuance of a Residence Card Due to Damage or Soiling, etc.	—197
(3) ISA’s Seiji Search System	—198
(4) Notification Concerning the Organization of Affiliation or Concerning the Spouse	—198
A . Notification from a Mid to Long-Term Resident Concerning the Organization of Affiliation	—198
(a) Notification Concerning the Organization Where the Foreign National is Engaging in Activities (public or private organizations in Japan at which the activities corresponding to the status of residence are carried out)	—198
(b) Notification Concerning the Contracting Organization (public or private organizations in Japan which are the other party to the contract)	—199
(c) Notification Concerning the Spouse of the Foreign National	—199
B . Notification Concerning Mid to Long-Term Residents to be Given by the Organization of Affiliation	—199
C . Notifications to be submitted by the organization of affiliation of specified skilled workers (public or private organizations in Japan that accept foreign nationals residing with the status of residence of “Specified Skilled Worker (i)” or “Specified Skilled Worker (ii)”)	—200
(a) Irregular notifications	—200
(b) Regular notifications	—201
D . Notifications to be submitted by the registered support organization (a person who has registered as a person to perform all of the work of implementation of the support plans for foreign nationals with the status of residence of “Specified Skilled Worker (i)” having been entrusted through a contract)	—201
(a) Irregular notifications	—201
(b) Regular notifications	—201
(5) Immigration Services Agency’s Electronic Notification System	—201
(6) Inquiry into the Facts	—202
2 The System of Special Permanent Residents	—203
(1) Special Permanent Resident Certificate	—203
(2) Notifications and Applications Relating to Special Permanent Resident Certificates	—204
A . Notifications of the Place of Residence	—204
B . Notification of a Change of an Item on the Special Permanent Resident Certificate Other Than the Place of Residence	—204
C . Application to Extend the Valid Period of the Special Permanent Resident Certificate	—204
D . Application for Reissuance of a Special Permanent Resident Certificate Due to Loss or Other Causes	—205
E . Application for Reissuance of a Special Permanent Resident Certificate Due to Damage or Soiling, etc.	—205
3 Information Linkage Between the ISA and the Municipalities	—205
Section 5 Deportation Procedures for Foreign Nationals	—207
1 Investigation into Violations by an Immigration Control Officer	—209
2 Examination of Violations by an Immigration Inspector/Hearing by a Special Inquiry Officer	—209
3 Determinations by the Minister of Justice	—209

4	Grant or Denial of Permission for Residence	209
(1)	Denial of Permission for Residence (Deportation)	209
(2)	Special Cases of Determinations by the Minister of Justice (Special Permission to Stay in Japan)	210
5	Departure Order System	210
Section 6 Refugee Recognition Procedures		211
1	Accession of the Refugee Convention	211
2	Refugee Recognition Procedures	211
(1)	Definitions	211
(2)	Permission for Provisional Stay	211
(3)	Inquiry into the Facts	211
(4)	Recognition of Refugee Status by the Minister of Justice and Effects of Refugee Status	212
3	Request for an Administrative Review	212
(1)	Request for an Administrative Review	212
(2)	Refugee Examination Counselors System	212
4	Landing Permission for Temporary Refuge	215
Appendix Major Developments since April 1, 2009		216
Index		232

Reference

Reference 1	Changes in the number of foreign nationals entering Japan —————	3
Reference 2	Changes in the number of foreign nationals entering Japan by major nationality/region —————	4
Reference 3	Number of foreign nationals entering Japan by gender and age (2022) ———	5
Reference 4	Changes in the number of foreign nationals newly entering Japan by status of residence —————	6
Reference 5	Changes in the number of foreign nationals newly entering with the status of residence of “Temporary Visitor” by purpose of entry —————	8
Reference 6	Changes in the number of foreign nationals newly entering by status of residence for employment in professional or technical fields —————	9
Reference 7	Changes in the number of foreign nationals newly entering with the status of residence of “Technical Intern Training (i)” by major nationality/region ———	11
Reference 8	Changes in the number of foreign nationals newly entering with the status of residence of “Student” by major nationality/region —————	12
Reference 9	Changes in the number of foreign nationals newly entering by status of residence for activities based on personal status or position —————	13
Reference 10	Changes in the number of cases of special landing permission —————	14
Reference 11	Changes in the number of foreign nationals simply leaving Japan by period of stay —————	14
Reference 12	Changes in the number of new cases of hearings for landing by conditions for landing —————	16
Reference 13	Changes in the processing of the hearings for landing —————	16
Reference 14	Changes in the number of foreign nationals who were denied landing by major nationality/region —————	18
Reference 15	Changes in the number of objections filed and decisions by the Minister of Justice —————	19
Reference 16	Changes in the number of cases of pre-entry examination —————	19
Reference 17	Changes in the number of Japanese nationals departing from Japan —————	20
Reference 18	Number of Japanese nationals departing from Japan by gender and age (2022) —————	21
Reference 19	Changes in the number of Japanese nationals returning to Japan by period of stay —————	21
Reference 20	Changes in the number of foreign residents, and changes in the number of foreign residents as a percentage of the total population of Japan —————	22
Reference 21	Changes in the number of foreign residents by major nationality/region ———	23
Reference 22	Changes in the number of foreign residents by status —————	25
Reference 23	Changes in the number of mid to long-term residents by status of residence for employment in professional or technical fields —————	27
Reference 24	Changes in the number of permission examined in status of residence examinations —————	29
Reference 25	Changes in the number of cases of permission for change of the status of residence from student, etc. to a status for employment by status of	

	residence —————	31
Reference 26	Changes in the number of cases of permission for change of the status of residence from student, etc. to a status for employment by nationality/region —————	31
Reference 27	Changes in the number of trainees who changed to “Technical Intern Training (ii)” by nationality/region —————	33
Reference 28	Changes in the number of trainees who changed to “Technical Intern Training (iii)” by nationality/region —————	33
Reference 29	Number of accreditations of the technical intern training plan for “Technical Intern Training (ii)” by job categories —————	34
Reference 30	Number of accreditations of the technical intern training plan for “Technical Intern Training (iii)” by job categories —————	34
Reference 31	Changes in the number of people who changed to “Specified Skilled Worker (i)” by nationality/region —————	35
Reference 32	Changes in the number of people who changed to “Specified Skilled Worker (ii)” by nationality/region —————	35
Reference 33	Changes in the number of cases of permission for permanent residence by nationality/region —————	36
Reference 34	Flowchart of the procedures to revoke a status of residence —————	37
Reference 35	Changes in the number of revocation of status of residence by status of residence —————	38
Reference 36	The number of revocation of status of residence by nationality/region (2022) —————	38
Reference 37	The number of revocation of status of residence by grounds for revocation (2022) —————	39
Reference 38	Number of issuances of residence cards (2022) —————	39
Reference 39	Number of issuances of special permanent resident certificates (2022) —————	40
Reference 40	Changes in the number of new applications and grant of license of supervising organization —————	42
Reference 41	Changes in the number of applications and accreditations of the technical intern training plan —————	43
Reference 42	Changes in the number of on-site inspections conducted —————	44
Reference 43	Changes in the number of administrative dispositions, etc. —————	44
Reference 44	Changes in the number of technical intern trainees disappearing by nationality/region —————	44
Reference 45	Changes in the estimated number of foreign nationals overstaying the authorized period of stay by nationality/region —————	48
Reference 46	Changes in the estimated number of foreign nationals overstaying the authorized period of stay by major nationality/region —————	48
Reference 47	Changes in the estimated number of foreign nationals overstaying the authorized period of stay by status of residence —————	49
Reference 48	Changes in the number of cases of violation of the Immigration Control Act by grounds for deportation —————	50
Reference 49	Changes in the number of cases of violation of the Immigration Control Act by nationality/region —————	51
Reference 50	Changes in the number of cases of illegal entry by nationality/region —————	52

Reference 51	Changes in the number of cases of illegal entry using aircraft by nationality/ region —————	52
Reference 52	Changes in the number of cases of illegal entry by vessel by nationality/ region —————	52
Reference 53	Changes in the number of cases of illegal landing by nationality/region ———	53
Reference 54	Changes in the number of cases of foreign nationals overstaying the authorized period of stay by nationality/region —————	53
Reference 55	Changes in the number of cases of activities other than those permitted under the status of residence previously granted by nationality/region ———	54
Reference 56	Changes in the number of cases of illegal work by nationality/region ———	55
Reference 57	Changes in the number of cases of illegal work by type of work —————	56
Reference 58	Changes in the number of cases of illegal foreign workers by area —————	57
Reference 59	Changes in the number of cases of receipt and findings of violation examinations by immigration inspectors, hearings by special inquiry officers and decisions of the Minister of Justice —————	59
Reference 60	Changes in the number and percentage of requests for a hearing —————	60
Reference 61	Changes in the number of issuance of written deportation orders by grounds for deportation —————	60
Reference 62	Changes in the number of issuance of written deportation orders by nationality/region —————	61
Reference 63	Changes in the number of cases of permission for provisional release ———	61
Reference 64	Changes in the number of cases of special permission to stay in Japan by grounds for deportation —————	62
Reference 65	Changes in the number of cases of special permission to stay in Japan by nationality/region —————	62
Reference 66	Changes in the number of deportees by nationality/region —————	63
Reference 67	Changes in the number of deportees by means of deportation —————	64
Reference 68	Changes in the number of deportees through voluntary departure by nationality/region —————	65
Reference 69	Changes in the number of foreign nationals handed over under a departure order by nationality/region —————	66
Reference 70	Changes in the number of issuances of written departure orders by nationality/region —————	67
Reference 71	Changes in the number of immigration control and residency management lawsuits accepted and concluded (merits cases) (as of the end of 2022) ———	68
Reference 72	Changes in the number of applications for recognition of refugee status ———	69
Reference 73	Changes in the number of foreign nationals protected as refugees, etc. ———	70
Reference 74	Changes in the number of appeals, and determinations of the Minister of Justice —————	71
Reference 75	Changes in the number of applications for Landing Permission for Temporary Refuge —————	72
Reference 76	Processing status of applications for Landing Permission for Temporary Refuge (2022) —————	72
Reference 77	Number of victims of trafficking in persons (2022) —————	74
Reference 78	Changes in the number of victims of trafficking in persons —————	75
Reference 79	Number of recognized foreign domestic violence victims (2022) —————	77

Reference 80	Changes in the number of victims of domestic violence cases recognized by Immigration Services Offices —————	77
Reference 81	Changes in the number of cases of recognition (cumulative) through the points-based system for highly-skilled professionals (as of the end of June 2023) —————	101
Reference 82	Outline of the Basic Policy on Operation of the System of Specified Skilled Worker (Status of Residence) —————	110
Reference 83	Field-Specific Operation Policy (12 fields) —————	112
Reference 84	Interim report (outline) (Advisory Panel of Experts on the Ideal Form of Technical Intern Training Program and Specified Skilled Worker System) —	116
Reference 85	Roadmap for the Realization of a Society of Harmonious Coexistence with Foreign Nationals (FY 2023 partly changed) (Outline) —————	121
Reference 86	Comprehensive Measures for Acceptance and Coexistence of Foreign Nationals (FY 2023 revised) (Outline) —————	124
Reference 87	Roles of Foreign National Support Coordinators (Consulting Support) ———	128
Reference 88	Roles of Foreign National Support Coordinators (Preventive Support) ———	129
Reference 89	Changes in the number of people who return home under the AVRR program of the IOM —————	142
Reference 90	Summary of further revision of the operations of the refugee recognition system —————	146
Reference 91	Situation of implementation and cases of acceptance through resettlement —	149
Reference 92	Acceptance status of Syrian international students —————	151
Reference 93	The ISA organizational chart —————	163
Reference 94	Responsibilities of the ISA —————	164
Reference 95	Reorganization, abolishment or establishment of Branch Offices of the Regional Immigration Services Bureaus (actual result) —————	169
Reference 96	Changes in the number of Immigration Control and Residency Management Office personnel —————	172
Reference 97	Changes in the budget —————	175
Reference 98	Flow of landing examination —————	182
Reference 99	Procedures for advance consultation for issuance of visas and applications for certificates of eligibility —————	184
Reference 100	List of Statuses of Residence (As of April 20, 2023) —————	188
Reference 101	Procedural flow of the residency management system of mid to long-term residents —————	200
Reference 102	Information Linkage between the ISA and the Municipalities —————	206
Reference 103	Flow of deportation procedures and departure order procedures ———	208
Reference 104	Outline of Refugee Recognition Procedures —————	214
Reference 105	Flow of procedures of landing permission for temporary refuge —————	215

Abbreviations

Refugee Convention	Convention Relating to the Status of Refugees
Protocol	Protocol Relating to the Status of Refugees
Japan-U.S. Status of Forces Agreement	Agreement under Article VI of the Treaty of Mutual Cooperation and Security Between Japan and the United States of America, Regarding Facilities and Areas and the Status of United States Armed Forces in Japan
Immigration Control Act	Immigration Control and Refugee Recognition Act
Enforcement Order for the Immigration Control Act	Immigration Control and Refugee Recognition Act Enforcement Order
Regulation for Enforcement of the Immigration Control Act	Regulation for Enforcement of the Immigration Control and Refugee Recognition Act
Ministerial Ordinance on Criteria	Ministerial Order to Provide for Criteria Pursuant to Article 7, Paragraph (1), Item (ii) of the Immigration Control and Refugee Recognition Act
Special Act on Immigration Control	Special Act on the Immigration Control of, inter alia, those who have lost Japanese Nationality pursuant to the Treaty of Peace with Japan
Enforcement Order of the Special Act on Immigration Control	Order for Enforcement of the Special Act on the Immigration Control of, inter alia, those who have lost Japanese Nationality pursuant to the Treaty of Peace with Japan
Regulation for Enforcement of the Special Act on Immigration Control	Regulation for Enforcement of the Special Act on the Immigration Control of, inter alia, those who have lost Japanese Nationality pursuant to the Treaty of Peace with Japan
Technical Intern Training Act	Act on Proper Technical Intern Training and Protection of Technical Intern Trainees
Regulation for Enforcement of the Technical Intern Training Act	Regulation for Enforcement of the Act on Proper Technical Intern Training and Protection of Technical Intern Trainees
API	Advance Passenger Information
APIS	Advance Passenger Inspection System * The Advance Passenger Information System was renamed the Advance Passenger Inspection System in June 2021.
PNR	Passenger Name Record
EPA	Economic Partnership Agreement
IATA and CAWG	International Air Transport Association and Control Authorities Working Group
ICPO	International Criminal Police Organization
IOM	International Organization for Migration
JICA	Japan International Cooperation Agency
UNHCR	Office of the United Nations High Commissioner for Refugees or United Nations High Commissioner for Refugees