

難民等認定手続案内  
Guide to Refugee Recognition  
Procedures  
【第 6 版】  
[Sixth Edition]

2024 年 12 月  
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出入国在留管理庁  
Immigration Services Agency of Japan

## はじめに Introduction

難民認定手続案内（第 1 版）は、我が国の難民の地位に関する条約等への加入に伴い、難民認定手続を整備するため、1981 年に一部改正された出入国管理及び難民認定法を基に編集したものです。

The Guide to Refugee Recognition Procedures (First Edition) was compiled based on the Immigration Control and Refugee Recognition Act, which was partially amended in 1981. The aim was to enhance Japan's refugee recognition procedures in response to the country's ratification of the Convention Relating to the Status of Refugees, etc.

その後、2004 年 6 月 2 日に公布された、仮滞在許可制度及び難民審査参与員制度の創設を内容とする「出入国管理及び難民認定法の一部を改正する法律」の内容を基に、加筆・修正を加えて第 2 版を発行、一時庇護手続について記載した第 3 版を発行、2009 年 7 月 15 日に公布された、新たな在留管理制度の導入を内容とする「出入国管理及び難民認定法の一部を改正する法律」の内容を基に加筆・修正を加えた第 4 版を発行、2016 年 4 月 1 日に施行された、不服申立ての手続を審査請求に一元化することなどを内容とする行政不服審査法の全部改正を受けて第 5 版を発行してまいりました。

Later, the second edition of the guide was issued to make necessary additions and revisions to the first edition in accordance with the Act for Partial Amendment of the Immigration Control and Refugee Recognition Act. That Act was promulgated on June 2, 2004 to include the establishment of a system to permit provisional stay and the creation of a refugee examination counselors system. The guide's third edition included information about the temporary refuge procedures, and the fourth edition featured additions and revisions in accordance with the Act for Partial Amendment of the Immigration Control and Refugee Recognition Act, which was promulgated on July 15, 2009 to introduce a new residency management system. The fifth edition was issued in response to a full-fledged revision of the Administrative Complaint Review Act, which came into force on April 1, 2016 to include the replacement of the refugee appeal procedure by the refugee administrative review procedures.

今般、2018 年 12 月 14 日に公布された、出入国在留管理庁の設置等を内容とする、「出入国管理及び難民認定法及び法務省設置法の一部を改正する法律」及び 2023 年 6 月 16 日に公布された、補完的保護対象者認定制度の創設等を内容とする、「出入国管理及び難民認定法及び日本国との平和条約に基づき日本の国籍を離脱した者等の出入国管理に関する特例法の一部を改正する法律」の内容を基に加筆・修正を加えた第 6 版を発行するものです。

The purpose of issuing this sixth edition is to make necessary additions and revisions to the previous edition. This aligns the guide with two laws: (1) the Act for Partial Amendment of the Immigration Control and Refugee Recognition Act and the Act for Establishment of the Ministry of Justice, which was promulgated on December 14, 2018 to include the establishment of the Immigration Services Agency; and (2) the Act for Partial Amendment of the Immigration Control and Refugee Recognition Act and the Special Act on the Immigration Control of, Inter Alia, Those Who Have Lost Japanese Nationality Pursuant to the Treaty of Peace with Japan, which was promulgated on June 16, 2023 to include the establishment of a system for recognizing eligibility for complementary protection.

2024 年 12 月

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出入国在留管理庁  
Immigration Services Agency of Japan

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## 第1 日本の難民認定制度及び補完的保護対象者認定制度の概要

### Chapter 1. Outline of the Refugee Recognition System and System for Recognizing Eligibility for Complementary Protection in Japan

難民の地位に関する条約（以下「難民条約」という。）及び難民の地位に関する議定書（以下「議定書」という。）が1982年に我が国について発効したことに伴い、難民条約及び議定書の諸規定を国内で実施するため、難民認定制度が整備されました。この制度では、難民である外国人は、難民認定申請を行い、法務大臣から難民であるとの認定を受けることができ、また、難民条約に規定する難民としての保護を受けることができます。

Japan became a signatory to the Convention Relating to the Status of Refugees (Refugee Convention) and Protocol Relating to the Status of Refugees (Protocol) in 1982, and subsequently established a refugee recognition system to put stipulations of the Refugee Convention and Protocol into practice in the country. Under this system, foreign nationals who are refugees are allowed to become recognized as refugees by the Minister of Justice of Japan and receive protection as convention refugees by applying for refugee recognition.

本案内でいう「難民」とは、難民条約第1条又は議定書第1条の規定により定義される難民を意味し、それは、人種、宗教、国籍、特定の社会的集団の構成員であること又は政治的意見を理由として迫害を受けるおそれがあるという十分に理由のある恐怖を有するために国籍国の外にいる者であって、その国籍国の保護を受けることができないか又はそれを望まない者とされています。

The word "refugee," as used in this document, refers to a refugee defined in Article 1 of the Refugee Convention or in Article 1 of the Protocol. More specifically, a refugee is a person who is outside the country of their nationality owing to a well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion and is unable or, owing to such fear, is unwilling to avail themselves of the protection of that country.

難民認定手続とは、外国人がこの難民の地位に該当するかどうかを審査し決定する手続です。

The refugee recognition procedures are procedures through which administrative reviews are carried out to judge whether foreign nationals meet the above definition.

一方で、近年、紛争避難民のように、難民条約上の難民には該当しないものの、難民と同様に保護を必要とする外国人が増加していることを受け、2023年12月1日、補完的保護対象者認定制度が開始されました。この制度では、本邦にある外国人は、難民認定申請又は補完的保護対象者認定申請を行い、法務大臣から補完的保護対象者であるとの認定を受けることができます（難民認定申請をした外国人について、難民の認定をしない処分がされる場合に、当該外国人が補完的保護対象者に該当すると認められるときは、補完的保護対象者として認定されます。）。

On the other hand, in recent years there have been growing numbers of foreign nationals who are not "refugees" under the Refugee Convention but need protection in the same way as "refugees," including persons displaced due to conflict. In response to this, the system for recognizing eligibility for persons under complementary protection commenced on December 1, 2023. Under this system, foreign nationals in Japan are allowed to apply for refugee recognition or for recognition of eligibility for complementary protection to become recognized as eligible for complementary protection by the Minister of Justice of Japan. (If a foreign national who has applied for refugee recognition is not recognized as a refugee but is deemed as eligible for complementary protection, the person will be recognized as a person under complementary protection.)

本案内でいう「補完的保護対象者」とは、難民条約上の難民以外の者であって、難民条約上の要件のうち、「迫害を受けるおそれがある理由が、人種、宗教、国籍、特定の社会的集団の構成員であること又は政治的意見であること」以外の要件を満たす者とされています。

The term "person under complementary protection," as used in this document, refers to a person who is not a refugee under the Refugee Convention but meets all requirements other than being at risk of "persecution for reasons of race, religion, nationality, membership of a particular social group or political opinion."

なお、本案内において、難民と補完的保護対象者を合わせて「難民等」といい、難民認定手続と補完的保護対象者認定手続を合わせて「難民等認定手続」といいます。

In this document, refugees and persons under complementary protection are collectively referred to as "refugees, etc." and the refugee recognition procedures and procedures for recognizing eligibility for persons under complementary protection as "refugee and complementary protection recognition procedures."

## 第2 難民の認定又は補完的保護対象者の認定を受けた外国人が 享受できる利益

### Chapter 2. Benefits Available to Foreign Nationals Recognized as Refugees or Persons Under Complementary Protection

難民の認定又は補完的保護対象者の認定を受けた外国人は、次のような利益を受けることができます。

The benefits described below are available to foreign nationals recognized as refugees or persons under complementary protection.

#### 1 永住許可要件の一部緩和

#### 1 Partial relaxation of requirements for permanent residence

日本に在留する外国人が永住許可を受けるためには、

In order to receive permission for permanent residence, a foreign national residing in Japan must meet the following requirements:

##### ① 素行が善良であること

The applicant's behavior and conduct must be good.

##### ② 独立の生計を営むに足る資産又は技能を有すること

The applicant must have sufficient assets or skills to make an independent living.

の2つの要件を満たし、かつ、その者の永住が日本国の利益に合すると認められなければならないとされています。

Besides the above two, another requirement is that the permanent residence of the foreign national must be deemed to be in accordance with the interests of Japan.

しかし、難民の認定又は補完的保護対象者の認定を受けて在留する外国人は、このうち②の要件を満たさない場合であっても、法務大臣の裁量により永住許可を受けることができます。

However, foreign nationals residing in Japan as refugees or persons under complementary protection may be granted permission for permanent residence at the discretion of the Minister of Justice even when they do not meet the aforementioned requirement ②.

#### 2 難民旅行証明書の交付（難民の認定を受けた外国人に限ります。）

#### 2 Issuance of refugee travel documents (limited to foreign nationals recognized as refugees)

難民の認定を受けた外国人が外国に旅行しようとするときは、難民旅行証明書の交付を受けることができます。難民旅行証明書を所持する外国人は、その証明書に記載されている有効期間内であれば、原則として何度でも日本から出国し、日本に再入国することができます（申請手続等については、本案内第5を参照。）。

To travel abroad, a foreign national recognized as a refugee may be issued a refugee travel document. Refugee travel document holders are allowed to leave and re-enter Japan as many times as they want, in principle, as



long as their documents are valid. (For how to apply for a refugee travel document and other relevant information, see Chapter 5 of this document.)

なお、補完的保護対象者の認定を受けた外国人が外国に旅行しようとするときは、難民旅行証明書の交付は受けられないものの、再入国許可書の交付を受けることができます。

To travel abroad, a foreign national recognized as a person under complementary protection may be issued re-entry permission, but a refugee travel document cannot be issued.

## 第3 難民等認定手続

### Chapter 3. Refugee Recognition Procedures

#### 1 申請手続

#### 1 Application procedures

##### (1) 申請期間

##### (1) Application period

難民等認定申請の期間について制限する規定はありません。

There is no stipulated period within which applications must be made for refugee and complementary protection recognition procedures.

##### (2) 申請窓口

##### (2) Application desks

難民等認定申請は、申請者の住居地（住居地がないときは宿泊先等の所在地。以下「住居地等」といいます。）を管轄する地方出入国在留管理局、支局及び出張所で行うことができます。

An applicant may apply for recognition of refugee status or recognition of eligibility for complementary protection at a Regional Immigration Services Bureau, District Immigration Services Office, or Branch Office with jurisdiction over their place of residence (or place of stay if there is no place of residence, hereinafter referred to as "place of residence, etc.").

申請は、申請者本人が自ら出頭して行ってください。ただし、申請者が16歳未満である場合や病気その他の理由により自ら出頭できない場合は、父母、配偶者、子又は親族がその者に代わって申請を行うことができます。

To submit an application, the applicant must show up in person. However, the applicant's parent, spouse, child, or other relative may submit an application for them when the applicant is younger than 16 years or cannot show up themselves due to sickness or other reasons.

地方出入国在留管理局・支局における窓口については、本案内の最終ページを参照してください。

For information about application desks at Regional Immigration Services Bureaus and District Immigration Services Offices, see the last pages of this document.

##### (3) 申請に必要な書類

##### (3) Documents required for application

申請には、次の書類が必要です。なお、怪我や身体の障害などの特段の事情があるため難民・補完的保護対象者認定申請書の記載ができない外国人は、申請書に代えて申請書に記載すべき事項を入国審査官又は難民調査官に陳述してもよいことになっています。

The documents shown below need to be submitted for application. Foreign nationals who cannot complete the "Application for recognition of refugee status/eligibility for complementary protection" form by themselves due to unavoidable circumstances, such as injury or physical disorder, may verbally report the

information that the application form require to an immigration inspector or refugee inquirer in place of submitting a written application.

① 提出書類

Documents to submit

- ア 難民・補完的保護対象者認定申請書（入管庁のホームページに掲載されているほか、窓口でも配布しています。） 1 通

"Application for recognition of refugee status/eligibility for complementary protection" (available on the official website of the Immigration Services Agency and provided through application desks) 1 document

※過去に難民等の認定をしない処分を受けたことがある外国人は再申請用の申請書を提出する必要がありますので、御留意ください。

\* Note that foreign nationals who have received a disposition denying recognition as refugees, etc. in the past are required to submit the reapplication form if making a new application.

- イ 申請者が難民又は補完的保護対象者であることを証明する資料（難民又は補完的保護対象者であることを主張する陳述書を含む。） 1 通

Proof that the applicant is a refugee or person under complementary protection (including a written statement claiming that the applicant is a refugee or person under complementary protection)

1 document

- ウ 写真（以下の要件を満たし、裏面に氏名が記載されているもの。） 1 葉

Photo (that must meet the requirements described below and have the applicant's full name on the back) 1 photo

（ただし、在留資格未取得外国人については、2 葉）

(Two photos need to be submitted when the applicant is a foreign national without a status of residence)

【要件】

[Requirements]

- (ア) 申請者本人のみが撮影されたものであること

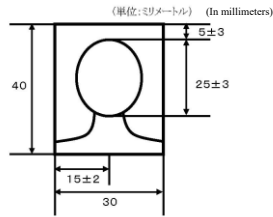
The photo must not contain any persons or objects other than the applicant.

- (イ) 写真の寸法

Photo size

縁を除いた部分の寸法が、下記の寸法を満たしたものであること（顔の寸法は、頭頂部（髪を含む。）からあご先まで）

The size (excluding frame) must meet the requirements below. (The face area is from the top of the head, including hair, to the chin.)



- (ウ) 無帽で正面を向いたものであること(宗教上又は医療上の理由により本要件を満たす写真を提出することができない特段の事情がある場合、当該事情に係る陳述書(任意様式)を提出してください。)

No head coverings (hat, etc.), and frontal view (Applicants who cannot submit a photo that meets this requirement for unavoidable circumstances such as religious or medical reasons are required to submit a written statement explaining the special circumstances in a format of their choice.)

- (エ) 背景(影を含む。)がないものであること

Against a plain background (without shadows)

- (オ) 鮮明であること(写真の焦点が合っているもの、しみ、汚れ、穴等がなく、顔写真に影がないもの、衣服や頭髮等により目、鼻、口等が隠れていないもの、背景がないもの等。出入国在留管理庁ホームページに掲載している申請用写真の見本・事例集を参照してください。)

The photo must be sharp (for example, in the sense that it is in focus and has no stains, smears, holes, etc.; the face is not shadowed; the eyes, nose, mouth, and other features are not covered by clothing, hair, or other objects; and the person is against a plain background. For more information, see the application photo samples and examples provided on the official website of the Immigration Services Agency).

- (カ) 提出の日前6か月以内に撮影されたものであること(入院中のため写真を撮影することができないなど、6か月以内に撮影した写真を提出できないことについてやむを得ない理由がある場合には、可能な限り新しい写真を提出してください。)

The photo submitted must have been taken within the last six months. (Applicants who cannot submit any photo that has been taken within the last six months for unavoidable reasons, such as being unable to take photos because of hospitalization, may submit an older photo. When this is the case, submit a photo that is as new as possible.)

- エ 旅券又は在留資格証明書を提示できない者にあつては、その理由を記載した書類 1通  
A written statement explaining reasons for the inability to present their passport or Certificate of Status of Residence if the applicant cannot do so 1 document

## ② 提示書類

Documents to present

- ア 中長期在留者にあつては、旅券及び在留カード

The applicant's passport and residence card if the applicant is a medium- to long-term resident

イ 特別永住者にあつては、旅券及び特別永住者証明書

The applicant's passport and special permanent resident certificate if the applicant is a special permanent resident

ウ 中長期在留者及び特別永住者以外の者にあつては、旅券又は在留資格証明書

The applicant's passport or Certificate of Status of Residence if the applicant is neither a medium-to long-term resident nor a special permanent resident

(監理措置中の者にあつては、監理措置決定通知書)

(The applicant's notice of Sponsorship decision if the applicant is subject to a Sponsorship)

(仮放免中の者にあつては、仮放免許可書)

(The applicant's permission for provisional release if the applicant is under provisional release)

エ 仮上陸の許可、船舶観光上陸の許可、乗員上陸の許可、緊急上陸の許可、遭難による上陸の許可又は一時庇護のための上陸の許可を受けている者にあつては、当該許可書

The applicant's provisional landing permit, Landing Permission for Cruise Ship Tourists, Landing Permission for Crew Members, Permission for Emergency Landing, Landing Permission Due to Distress, or Landing Permission for Temporary Refuge if the applicant has been issued any of them

(4) 難民又は補完的保護対象者であることの立証

(4) Evidence of eligibility for refugee status or complementary protection

難民等の認定は、申請者から提出された資料や申請者の供述等に基づいて行われます。したがって、申請者は、難民等であることについて自ら立証することが求められます。なお、資料（陳述書を含む。）が外国語で作成されているときは、その資料の訳文を添付してください。

Recognition of refugee status or recognition of eligibility for complementary protection are carried out based on documents submitted by applicants, statements made by applicants, and so on. This means that applicants are required to prove that they are eligible for refugee status or complementary protection for themselves. When their documents (including written statements) have been created in other languages, Japanese translations must accompany them.

申請者の提出した資料のみでは十分な立証が得られない場合には、難民調査官が公務所等に照会するなどして、申請者の申し立てる事実の有無について調査し、難民等の認定が適正に行われるように努めます。

If the documents submitted by an applicant are not adequate to prove their eligibility, a refugee inquirer will investigate the facts claimed by the applicant, such as by making inquiries to public offices, etc., to ensure that recognitions of refugee status or recognition of eligibility for complementary protection are appropriately conducted.

2 仮滞在の許可

2 Permission for provisional stay

不法滞在者等の在留資格未取得外国人から難民等認定申請があったときは、その者の法的地位の安定を図るため、当該外国人が本邦に上陸した日（本邦にある間に難民等となる事由が生じた者にあつては、その事実を知った日）から 6 か月以内に難民等認定申請を行ったものであること、迫害

を受けるおそれのあった領域から直接本邦に入ったものであることなどの一定の要件を満たす場合には、仮に本邦に滞在することを許可し、その間は退去強制手続が停止されます。

When a foreign national without a status of residence, such as a person who has illegally stayed beyond the authorized period of stay, applies for recognition of refugee status or eligibility for complementary protection, in order to stabilize their legal status, the person may be permitted to provisionally stay in Japan if the person meets certain requirements. These requirements include the applicant having filed an application for recognition of refugee status or recognition of eligibility for complementary protection within six months of landing in Japan (or of the date on which the fact that grounds for being a refugee, etc. had arisen during the person's stay in Japan became known to the person) and having fled directly into Japan from a territory where the person was at risk of persecution. The deportation procedures will be suspended during their period of provisional stay.

なお、仮滞在許可の判断は、難民等認定申請者から提出のあった難民・補完的保護対象者認定申請書等の書類により行いますので、別途、仮滞在許可のための申請は必要ありません。

Decisions on permission for provisional stay are made based on documents submitted by applicants, such as the "Application for recognition of refugee status/eligibility for complementary protection" form. As such, there is no need to separately submit an application for permission for provisional stay.

(1) 仮滞在許可による滞在

(1) Stay with a provisional stay permit

仮滞在許可を受けると一時的に退去強制手続が停止され、仮滞在期間の経過等により当該許可が終了するまでの間は、適法に本邦に滞在することができます。

When a foreign national is granted permission for provisional stay, their deportation procedures will be suspended and the person will be allowed to legally stay in Japan until their period of provisional stay ends due to the passage of time or for other reasons.

(2) 仮滞在許可書

(2) Provisional stay permit

法務大臣が仮滞在の許可をした外国人には、仮滞在許可書が交付されます。

A foreign national will be issued a provisional stay permit when the person is granted permission for provisional stay by the Minister of Justice.

許可を受けている間は、この許可書を常に携帯する必要があります。

Foreign nationals who have been granted permission for provisional stay must carry their provisional stay permits at all times.

(3) 仮滞在期間及び同期間の延長

(3) Length and extension of the period of provisional stay

仮滞在期間は、原則として 6 月です。

In principle, the period of provisional stay is six months.

仮滞在期間の更新申請は、許可期限の 10 日前から、申請者の住居地等を管轄する地方出入国在留管理局、支局及び出張所で受け付けています。また、申請書は、入管庁のホームページに

掲載されているほか、各地方出入国在留管理局、支局及び出張所の窓口で配布しています。

An applicant may apply for an extension of their period of provisional stay at a Regional Immigration Services Bureau, District Immigration Services Office, or Branch Office with jurisdiction over their place of residence, etc. from 10 days prior to the expiration of the present permission. The application form is not only available on the official website of the Immigration Services Agency but also provided through application desks at individual Regional Immigration Services Bureaus, District Immigration Services Offices, and Branch Offices.

地方出入国在留管理局・支局における窓口については、本案内の最終ページを参照してください。

For information about application desks at Regional Immigration Services Bureaus and District Immigration Services Offices, see the last pages of this document.

(4) 仮滞在許可の条件

(4) Conditions for permission for provisional stay

仮滞在許可を受けた者は、住居や行動範囲が制限されるほか、難民調査官から出頭の要請があった場合には、指定された日時、場所に出頭して、難民等認定手続へ協力する義務が課されるなど、種々の条件が付されます。

Various conditions will be imposed on those granted permission for provisional stay, such as restrictions on the domicile and scope of activity, and an obligation to show up at a designated time and place to cooperate in refugee and complementary protection recognition procedures when demanded by a refugee inquirer to do so.

(5) 報酬を受ける活動の許可

(5) Permission to engage in activities with remuneration

仮滞在の許可を受けた者が生計を維持するために必要な範囲で行う報酬を受ける活動について、相当と認められるときには許可される場合があります。

Foreign nationals who have been permitted to provisionally stay in Japan may be allowed to perform activities to obtain remuneration to the extent necessary to make a living if granting such permission is considered reasonable.

① 申請期間

Application period

仮滞在許可を受けた日から当該許可の満了日までの間

Between the date of issuance of permission for provisional stay and the expiration date of the permission

② 申請窓口

Application desks

申請者の住居地等を管轄する地方出入国在留管理局、支局及び出張所で行うことができます。

An applicant may apply for permission at a Regional Immigration Services Bureau, District Immigration Services Office, or Branch Office with jurisdiction over their place of residence, etc.

③ 申請に必要な書類

Documents required for application

- ア 報酬を受ける活動許可申請書（入管庁のホームページに掲載されているほか、窓口でも配布しています。） 1 通  
Application for permission to engage in activities with remuneration (available on the official website of the Immigration Services Agency and provided through application desks) 1 document
- イ 労働基準法第 15 条第 1 項及び同法施行規則第 5 条に基づき、労働者に交付される労働条件を明示する文書  
A document that clearly states the working conditions, which the employer shall indicate to the worker pursuant to the provisions of Article 15, paragraph (1) of the Labor Standards Act and Article 5 of the Ordinance for Enforcement of the Labor Standards Act
- ウ 就業予定機関について、本邦内に本店又は事業所等があることを疎明する資料（パンフレット、登記事項証明書など）  
A document that provides prima facie evidence that the prospective employer owns its main store, office, etc. in Japan (for example a pamphlet or certificate of registered information)
- エ 就業予定機関の直近 3 ヶ月分の給与所得・退職所得等の所得税徴収高計算書の写し  
A copy of the prospective employer's statement of collected income tax on employment, retirement, or other income from the last three months
- オ 申請者の収入又は資産を疎明する資料  
A document that provides prima facie evidence of the applicant's income or assets
- カ 同居者等の収入又は資産を疎明する資料（申請者と生計を一にする同居者等がいる場合）  
A document that provides prima facie evidence of the income or assets of a cohabitant or other member of the same household (when the applicant has someone in the same household)
- キ 住居の賃貸借契約書の写し（賃貸借契約を締結している場合）  
A copy of a housing rental agreement (if the applicant has signed one)
- ク 各種団体や個人からの金銭援助を受けていること及び援助の内容を疎明する資料（各種団体や個人からの金銭援助を受けている場合）  
A document that provides prima facie evidence that the applicant is financially assisted by organizations and/or individuals, and of the contents of the financial assistance (if the applicant is financially assisted)
- ケ 写真（写真の規格については、前記 1(3)の写真の要件を参照してください。）  
A photo (that must meet the requirements described in 1 (3) above)



④ 報酬を受ける活動の状況に関する届出

Report concerning status of activities with remuneration

報酬を受ける活動の許可を受けた者は、報酬を受ける活動の許可を受けた日又は直近の届出の日から6月を超えない範囲で、住居地等を管轄する地方出入国在留管理局、支局及び出張所に出頭し、「報酬を受ける活動の状況に関する届出書」（入管庁ホームページに掲載されているほか、窓口でも配布しています。）を提出しなければなりません。

A foreign national who has been permitted to engage in activities with remuneration is required to show up at a Regional Immigration Services Bureau, District Immigration Services Office, or Branch Office with jurisdiction over their place of residence, etc. to submit a "Report concerning Status of Activities with Remuneration" (available on the official website of the Immigration Services Agency and provided through application desks) within six months of the issuance of permission to carry out activities with remuneration or the more recent date of reporting.

(6) 仮滞在の許可の取消し

(6) Revocation of permission for provisional stay

仮滞在の許可を受けた者がその付された条件に違反した場合、許可なく報酬を受ける活動を行った場合、不正に難民等認定を受ける目的で偽変造された資料を提出した場合、虚偽の陳述をした場合等には仮滞在の許可が取り消されることがあります。

If a foreign resident granted permission for provisional stay violates any of the associated conditions, engages in any activity to receive remuneration without permission, submits any document that has been forged or altered to illegally obtain recognition of refugee status or recognition of eligibility for complementary protection, makes any false statement, etc., the person's permission for provisional stay may be revoked.

3 難民認定証明書等の交付

3 Issuance of a certificate of refugee status and a certificate of complementary protection

法務大臣が難民であると認定した外国人には、難民認定証明書が交付され、補完的保護対象者であると認定した外国人には、補完的保護対象者認定証明書が交付されます。

When foreign nationals have been recognized as refugees or eligible for complementary protection, the Minister of Justice will issue a certificate of refugee status or a certificate of for complementary protection to the foreign nationals concerned.

難民認定申請を行った者が難民として認定されなかった場合でも、補完的保護対象者として認定された場合には、補完的保護対象者認定証明書が交付されます。

Even when a foreign national has applied for recognition of refugee status but has not been recognized as a refugee, the person may be issued a certificate of complementary protection by becoming recognized as eligible for complementary protection.

難民等としての各種の保護措置を受ける際に、難民等であることの証明を求められた場合には、これらの証明書を提示してください。

When a refugee or person under complementary protection is required to present evidence to receive different

types of safeguards as a refugee or person under complementary protection, the above certificate needs to be presented.

4 在留資格に係る許可

4 Permission concerning status of residence

難民等として認定された外国人が在留資格未取得外国人であるときは、一定の退去強制事由に該当せず、かつ、一定の刑罰法令違反により懲役等に処されたことがないときなど、一定の要件を満たした場合には、定住者の在留資格が一律に付与されます。

The status of residence of "Long-Term Resident" will be granted to all foreign nationals without a status of residence who have been recognized as refugees or persons under complementary protection if they meet a certain set of requirements, including that they do not fall under the category of an alien subject to deportation and that they have not been sentenced to imprisonment due to criminal offenses.

これにより、3月を超える在留期間となった外国人には在留カードが交付されます。

If the period of stay of a foreign national exceeds three months as the result, a residence card will be issued to the person.

## 第 4 審査請求

### Chapter 4. Request for an Administrative Review

#### 1 審査請求手続

#### 1 Procedure for requesting an administrative review

##### (1) 審査請求人

##### (1) Requestor for an administrative review

難民等認定申請をしたものの認定されなかった外国人や難民等の認定を取り消された外国人は、法務大臣に対し、審査請求をすることができます。

Foreign nationals who have been unsuccessful in their application for refugee or other recognition or whose recognition as refugees or persons under complementary protection has been revoked may request an administrative review to the Minister of Justice.

##### (2) 審査請求ができる期間

##### (2) Period for requesting an administrative review

審査請求期間は、難民等の認定をしない旨の通知又は難民等の認定を取り消した旨の通知を受けた日から 7 日以内となっています。ただし、天災その他やむを得ない理由があるときは、7 日経過後であっても審査請求をすることができます。

A request for an administrative review needs to be made within seven days following the date on which the applicant is informed that their recognition as a refugee or person under complementary protection has been refused or revoked. In the case of a natural disaster or other compelling reason, however, a request for an administrative review may be made even after seven days.

##### (3) 審査請求の窓口

##### (3) Administrative review application desks

審査請求は、難民等認定申請の場合と同様、審査請求人の住居地等を管轄する地方出入国在留管理局、支局及び出張所で行うことができます。

As with applications for refugee and other recognition procedures, an applicant may make a request for an administrative review at a Regional Immigration Services Bureau, District Immigration Services Office, or Branch Office with jurisdiction over their place of residence, etc.

なお、代理人による審査請求が認められるほか、必要書類を郵送して審査請求をすることもできます。地方出入国在留管理局・支局における審査請求窓口については、本案内の最終ページを参照してください。

A request for an administrative review may be made not only by a proxy but also by mail (through sending required documents by mail). For information about administrative review application desks at Regional Immigration Services Bureaus and District Immigration Services Offices, see the last pages of this document.

(4) 審査請求に必要な書類

(4) Documents required for requesting an administrative review

次の書類を提出してください。

Submit the following documents:

- |   |            |
|---|------------|
| ① 審査請求書（窓口へ備え付けてあります。）  | 1 通        |
| Request for an administrative review (provided through application desks)   | 1 document |
| ② 審査請求の理由を立証する資料（陳述書でも差し支えありません。）   | 1 通        |
| Written evidence of the reasons for requesting an administrative review (Written statements are also acceptable.) | 1 document |

2 難民審査参与員

2 Refugee examination counselors

難民審査参与員は、人格が高潔であって、審査請求に関し公正な判断をすることができ、かつ、法律又は国際情勢に関する学識経験を有する者のうちから任命されています。また、難民審査参与員を「審理員」とみなして行政不服審査法が適用され、難民審査参与員は審理を主宰し法務大臣に意見を述べることでなっています。なお、法務大臣は、審査請求の裁決に当たっては、難民審査参与員の意見を聴かなければならないこととされています。

Refugee examination counselors are appointed from among persons of reputable character who are capable of making fair judgments in administrative reviews and have an academic background in law or international affairs. The Administrative Complaint Review Act is applied by regarding refugee examination counselors as "review officers," and they carry out administrative review procedures and submit written opinions to the Minister of Justice. Furthermore, the Minister of Justice must hear the opinions of refugee examination counselors when making a determination on a request for an administrative review.

3 法務大臣の裁決

3 Decision by the Minister of Justice

法務大臣が、審査請求には理由がある旨の裁決をし、難民又は補完的保護対象者と認定された外国人には、それぞれ難民認定証明書又は補完的保護対象者認定証明書が交付されます。

If the Minister of Justice decides that the appeal is found to have reasonable grounds and the applicant becomes recognized as a refugee or person under complementary protection, the person will be issued a certificate of refugee status or eligibility for complementary protection.

難民等として認められた外国人が在留資格未取得外国人であるときは、一定の退去強制事由に該当せず、かつ、一定の刑罰法令違反により懲役等に処されたことがないときなど、一定の要件を満たした場合には、定住者の在留資格が付与されます。

The status of residence of "Long-Term Resident" will be granted to foreign nationals without a status of residence who have been recognized as refugees or persons under complementary protection if they meet a certain set of requirements, including that they do not fall under the category of an alien subject to deportation and that they have not been sentenced to imprisonment due to certain criminal offenses.

これにより、3月を超える在留期間となった外国人には在留カードが交付されます。

If the period of stay of a foreign national exceeds three months as the result, a residence card will be issued to the person.

## 第 5 難民旅行証明書 Chapter 5. Refugee Travel Document

難民の認定を受けて在留している外国人が日本から出国しようとするときは、法務大臣から難民旅行証明書の交付を受けることができます。

A foreign national residing in Japan as a refugee may have a refugee travel document issued by the Minister of Justice to leave the country.

### 1 申請窓口

#### 1 Application desks

難民旅行証明書の交付申請の窓口は、難民認定申請の窓口（第 3 の 1 の（2）参照。）と同じです。申請は本人出頭が原則ですが、申請者が 16 歳未満の場合や病気その他の理由により自ら出頭することができない場合は、父母、配偶者、子又は親族がその者に代わって申請を行うことができます。この場合において、代理申請者は、旅券、在留カード等、出生証明書、住民票の写し等代理資格を疎明する資料を提示してください。

Applications for issuance of a refugee travel document may be made at the same application desks as for refugee recognition (See Chapter 3. 1 (2)). In principle, applicants need to show up in person. If they cannot show up in person for reasons such as being under the age of 16 or illness, however, their parents, spouses, children, or relatives may submit applications for them. When this is the case, these proxy applicants will be required to provide prima facie evidence of their eligibility as proxies, such as their passport, residence card, birth certificate, or a copy of their certificate of residence.

### 2 申請に必要な書類

#### 2 Documents required for application

##### (1) 提出書類

##### (1) Documents to submit

- ア 難民旅行証明書交付申請書（入管庁ホームページに掲載されているほか、窓口でも配布しています。） 1 通

"Application for refugee travel document" (available on the official website of the Immigration Services Agency and provided through application desks) 1 document

- イ 写真（提出の日前 6 か月以内に撮影された 4.5 cm × 3.5 cm の無帽、正面上半身のもので、裏面に氏名及び生年月日が記載されているもの。） 2 葉

Photos (4.5 cm × 3.5 cm bare-head (no hat, etc.), frontal-view photos from the waist up that must have been taken within the last six months and have the applicant's full name and date of birth on the back) 2 photos

- ウ 難民旅行証明書（既に交付を受けている場合）

The applicant's refugee travel document (if the applicant has already been issued one)

エ 難民旅行証明書の交付を受けている者が同証明書を提出できない場合にあっては、その理由を記載した書類 1 通

A written statement explaining reasons for the inability to submit their refugee travel document if the applicant has been issued one but cannot submit it 1 document

オ 旅券又は在留資格証明書を提示できない者にあっては、その理由を記載した書類 1 通

A written statement explaining reasons for the inability to present their passport or Certificate of Status of Residence if the applicant cannot do so 1 document

(2) 提示書類

(2) Documents to present

ア 難民認定証明書

Certificate of refugee status

イ 中長期在留者にあっては、旅券（日本国政府の発行した難民旅行証明書を除く。）及び在留カード

The applicant's passport (that is not a refugee travel document issued by the Japanese government) and residence card if the applicant is a medium- to long-term resident

ウ 特別永住者にあっては、旅券及び特別永住者証明書

The applicant's passport and special permanent resident certificate if the applicant is a special permanent resident

エ 中長期在留者及び特別永住者以外の者にあっては、旅券又は在留資格証明書

The applicant's passport or Certificate of Status of Residence if the applicant is neither a medium- to long-term resident nor a special permanent resident

(注) 代理申請の場合であっても、申請者本人の在留カードや旅券などの提示が必要になります。代理人が在留カードや旅券などを預かっている間、代理人はこれらの写しを作成し、適宜、代理人の氏名及び代理人による手続中である旨を記載の上、申請者にこれらの写しを携帯させるようにしてください。

(Note) Even when an application is made by proxy, the proxy must present the applicant's own residence card, passport, etc. The proxy needs to make duplicates of the residence card, passport, etc., and write on the duplicates the proxy's full name and an explanation stating that the procedure is being carried out by proxy. The applicant must hold the duplicates while the proxy keeps the original documents.

3 難民旅行証明書の有効期間

3 Validity period of a refugee travel document

難民旅行証明書の有効期間は、難民旅行証明書の発行の日から 5 年です。有効期間中は、原則として何度でも日本から出国し、日本に再入国することができます。ただし、日本での在留期間の残りが 5 年未満の場合等で、難民旅行証明書の有効期間とは別に「日本に入国できる期限」が定められているときは、その期限までに日本に再入国しなければなりません。日本に再入国できる期限は、

難民旅行証明書の 3 ページに記載されていますので、必ずこれを確認し、難民旅行証明書の有効期間と混同することのないように注意してください。

A refugee travel document will be valid for five years following the issuance of the document. Refugee travel document holders are allowed to leave and re-enter Japan as many times as they want, in principle, as long as their documents are valid. However, if there is a time limit by which the holder must re-enter Japan separately from the expiration date of the refugee travel document, such as when the person's remaining period of permitted stay in Japan is shorter than five years, it is necessary to re-enter Japan by the time limit, which is stated on Page 3 of the refugee travel document. The holder of a refugee travel document must make sure to check the time limit and be careful not to confuse it with the expiration date of the refugee travel document.

#### 4 手数料

#### 4 Fee

難民旅行証明書の交付を受ける際には、所要の額を納付しなければなりません。また、外国で難民旅行証明書の有効期間の延長手続を行う場合にも、所要の手数料をその国の通貨で納付しなければなりません。

To have a refugee travel document issued, applicants must pay a required fee. If the procedure to extend the validity period of a refugee travel document is performed overseas, applicants will also be required to pay the required fee in the local country's currency.



## 第 6 一時庇護のための上陸許可 Chapter 6. Landing Permission for Temporary Refuge

一時庇護のための上陸許可は、船舶等に乗っている外国人が難民条約に規定する理由その他これに準ずる理由により、難民に該当する可能性がある場合、又は船舶等に乗っている外国人が補完的保護対象者に該当する可能性がある場合であって、その外国人を一時的に上陸させることが相当であると思料するときに、入国審査官が許可するもので、これは、「国が取り急ぎ保護する（領土的庇護）」ための緊急措置として与えられるものです。

Landing permission for temporary refuge will be granted by an immigration inspector if a foreign national aboard a vessel or aircraft is likely to be recognized as a refugee for reasons prescribed in the Refugee Convention or other reasons equivalent thereto or as a person under complementary protection, and it is deemed appropriate for permission for temporary landing to be granted to such foreign national. This is an emergency measure taken to provide emergency state protection (territorial asylum).

### 1 申請

#### 1 Application

##### (1) 対象者

##### (1) Eligibility

船舶又は航空機に乗っている外国人

A foreign national aboard a vessel or aircraft

##### (2) 申請方法

##### (2) Method

到着した空海港に所在する出入国在留管理官署において、申請者本人が自ら申請してください。ただし、申請者が 16 歳未満である場合や病気その他の理由により自ら申請できない場合は、申請者に同行する父母、配偶者、子又は親族その他の同行者等が代わって申請を行うことができます。

Applicants need to apply by themselves to the Regional Immigration Services Bureaus located in their airports or ports of arrival. If they cannot apply for the permission by themselves for reasons such as being under the age of 16 or illness, however, their parents, spouses, children, or relatives accompanying them may submit applications for them.

2 申請に必要な書類

2 Documents required for application

(1) 提出書類

(1) Documents to submit

- ア 外国人入国記録（通常 E/D カードと呼ばれています。航空機内で配布される場合もありますが、空港の場合であれば、航空会社のカウンターや入国審査ブースで入手することができます。） 1 通

Disembarkation card (ED card, which is provided at airline counters and immigration booths at airports and may be distributed on flights) 1 document

- イ 申告書（身分事項や申請の理由等を記載するもので、空海港に所在する出入国在留管理官署で配布しています。） 1 通

Declaration form (for entering identification information, reasons for application, etc., provided at immigration control and residency management offices found in airports and ports) 1 document

- ウ 写真（所持している場合） 2 葉

Photos (if carried) 2 photos

- エ 庇護を求める理由があることを証明する資料（所持している場合） 1 通

Written evidence of the reasons for seeking protection (if carried) 1 document

(2) 提示書類

(2) Documents to present

- ア 旅券等の渡航文書（所持している場合）

Passport or other travel document (if carried)

- イ 身分を証明する文書（所持している場合）

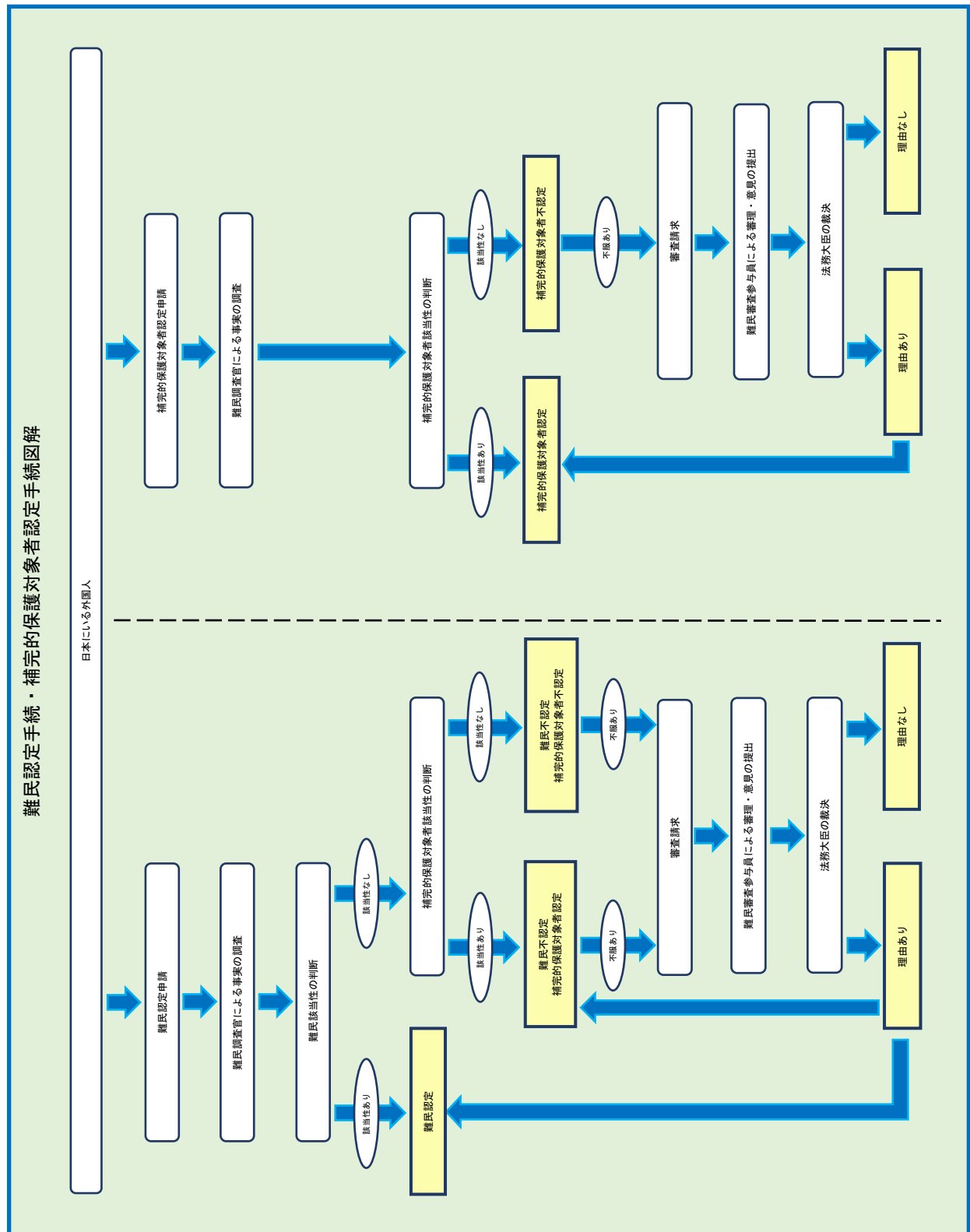
Identification document (if carried)

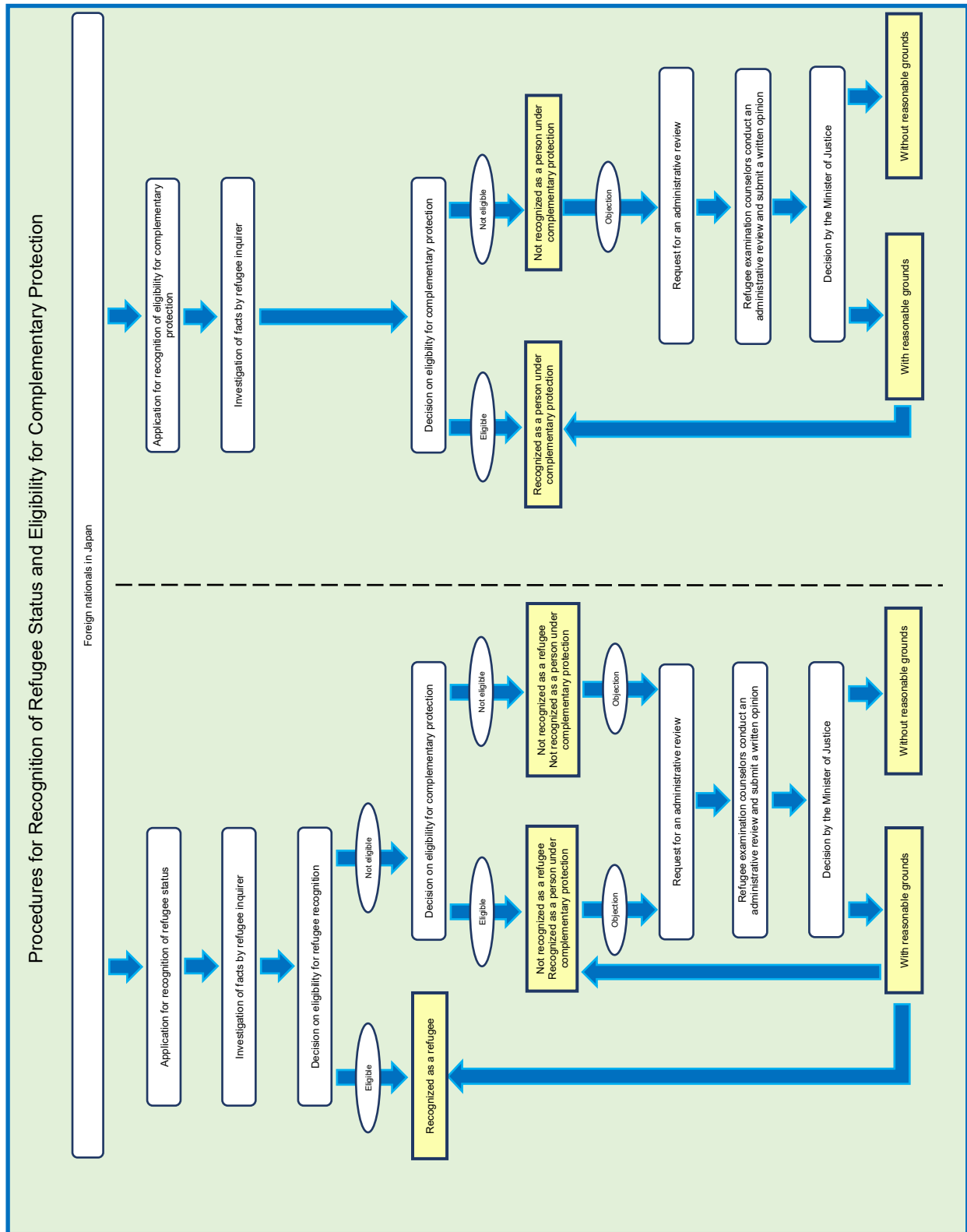
3 一時庇護許可書の交付

3 Issuance of certificate of permission for temporary refuge

審査の結果、一時庇護のための上陸が許可された場合は、一時庇護許可書が交付されます。同許可書には、上陸期間、住居及び行動範囲等の上陸のための条件が記載されます。

If landing permission for temporary refuge is granted as the result of examination, a certificate of permission for temporary refuge will be issued. Conditions for landing, such as the period of landing and restrictions on the domicile and scope of activity, will be stated on the certificate.





(難民認定申請及び補完的保護対象者認定申請の窓口)

(Application desks for recognition of refugee status and eligibility for complementary protection)

札幌出入国在留管理局 Sapporo Regional Immigration Services Bureau		審査部門 Inspection Department
仙台出入国在留管理局 Sendai Regional Immigration Services Bureau		審査第一部門 Inspection Department 1
東京出入国在留管理局 Tokyo Regional Immigration Services Bureau		難民調査第一部門 Refugee Inquiry Department 1
	成田空港支局 Narita Airport District Immigration Services Office	審査管理部門 Inspection Coordination Department
	羽田空港支局 Haneda Airport District Immigration Services Office	審査管理部門 Inspection Coordination Department
	横浜支局 Yokohama District Immigration Services Office	就労・永住審査部門 Department of Employment and Permanent Residency Application Screening
名古屋出入国在留管理局 Nagoya Regional Immigration Services Bureau		難民調査部門 Refugee Inquiry Department
	中部空港支局 Chubu Airport District Immigration Services Office	審査管理部門 Inspection Coordination Department
大阪出入国在留管理局 Osaka Regional Immigration Services Bureau		永住審査部門 Department of Permanent Residency Application Screening
	関西空港支局 Kansai Airport District Immigration Services Office	審査管理部門 Inspection Coordination Department
	神戸支局 Kobe District Immigration Services Office	審査部門 Inspection Department
広島出入国在留管理局 Hiroshima Regional Immigration Services Bureau		就労・永住審査部門 Department of Employment and Permanent Residency Application Screening
高松出入国在留管理局 Takamatsu Regional Immigration Services Bureau		審査部門 Inspection Department
福岡出入国在留管理局 Fukuoka Regional Immigration Services Bureau		審査管理部門 Inspection Coordination Department
	那覇支局 Naha District Immigration Services Office	審査部門 Inspection Department

(審査請求の窓口)

(Application desks for administrative reviews)

札幌出入国在留管理局 Sapporo Regional Immigration Services Bureau		審査部門 Inspection Department
仙台出入国在留管理局 Sendai Regional Immigration Services Bureau		審査第二部門 Inspection Department 2
東京出入国在留管理局 Tokyo Regional Immigration Services Bureau		難民審判部門 Refugee Adjudication Department
	成田空港支局 Narita Airport District Immigration Services Office	第二審判部門 Adjudication Department 2
	羽田空港支局 Haneda Airport District Immigration Services Office	審判部門 Adjudication Department
	横浜支局 Yokohama District Immigration Services Office	審判部門 Adjudication Department
名古屋出入国在留管理局 Nagoya Regional Immigration Services Bureau		難民審判部門 Refugee Adjudication Department
	中部空港支局 Chubu Airport District Immigration Services Office	審査管理部門 Inspection Coordination Department
大阪出入国在留管理局 Osaka Regional Immigration Services Bureau		審判部門 Adjudication Department
	関西空港支局 Kansai Airport District Immigration Services Office	審判部門 Adjudication Department
	神戸支局 Kobe District Immigration Services Office	審査部門 Inspection Department
広島出入国在留管理局 Hiroshima Regional Immigration Services Bureau		審判部門 Adjudication Department
高松出入国在留管理局 Takamatsu Regional Immigration Services Bureau		審査部門 Inspection Department
福岡出入国在留管理局 Fukuoka Regional Immigration Services Bureau		審判部門 Adjudication Department
	那覇支局 Naha District Immigration Services Office	審査部門 Inspection Department