

# **Basic Plan for Immigration Control and Residency Management**

**April 2019  
Ministry of Justice**

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## **I Formulating the Basic Plan for Immigration Control and Residency Management**

The Basic Plan for Immigration Control and Residency Management is a plan formulated by the Minister of Justice, which serves as the basis for the measures on the management of the entry and residence of foreign nationals in accordance with Article 61-10 of the Immigration Control and Refugee Recognition Act (Cabinet Order No. 319 of 1951; hereinafter referred to as “Immigration Control Act”).

In December 2018, the Act for Partial Amendment of the Immigration Control and Refugee Recognition Act and the Act for Establishment of the Ministry of Justice (Act No. 102 of 2018; hereinafter referred to as the “Act for Amendment of the Immigration Control Act, Etc.”) was enacted, and based on this Act, as well as immigration control, it is clearly stated that the Ministry of Justice is responsible for ensuring equitable management of the “residence of foreign nationals”, and the name of the plan, which is the basis for the measures pertaining to this duty has been duly renamed from the “Basic Plan for Immigration Control” to the “Basic Plan for Immigration Control and Residency Management”.

Looking back at the situation at the time of 2015 when the previous Basic Plan for Immigration Control (Fifth Edition) was formulated, as well as facing a rapid population decline, Japan’s economy had been sluggish for a prolonged period due to such impacts as prolonged deflation and slow growth caused by the global financial crisis leading to the need to more proactively accept those foreign nationals who contribute to revitalization of the Japanese economy in order to maintain and develop the vitality of Japan’s economy and society. In addition, in response to the frequent occurrence of terrorist attacks in various parts of the world, there have been calls to strengthen the immigration control structure, improve the ability to collect and analyze information to be used in the, Countermeasures at the Port of Entry and to utilize advanced technology.

Under such circumstances, the Ministry of Justice has been steadily implementing

various measures in line with the basic policies set forth in the Basic Plan for Immigration Control Plan (Fifth Edition). One key example is the new status of residence of “Nursing Care” which was established in November 2016 as a measure to accept foreign nationals in the field of nursing care, enabling foreign nationals, who have graduated from a training facility for certified care workers and who have acquired the qualification of care worker, to work in Japan, and the operation of this program started in September 2017. In addition, as a measure to further promote the acceptance of highly-skilled foreign professionals, a “Japanese Green Card for Highly-Skilled Foreign Professionals” was introduced in April of the same year, and additionally, the residence period required to acquire permission for permanent residence for highly-skilled foreign professionals was significantly shortened. Furthermore, as measures to optimize the technical intern training program, in November of the same year, the Act on Proper Technical Intern Training and Protection of Technical Intern Trainees (Act No. 89 of 2016; hereinafter referred to as “Technical Intern Training Act”) was enacted, and a new framework to protect the technical intern trainees was developed through the establishment of the Organization for Technical Intern Training (hereinafter referred to as “OTIT”), the introduction of a system for accreditation of the technical intern training plans, and the establishment of provisions on prohibition and penalties pertaining to human rights violations against technical intern trainees.

One measure to realize a tourism-oriented country in order to facilitate the immigration examinations at the airports and seaports were the introduction of “Bio Carts” in October 2016, which enable “Biometric information” (fingerprints and facial photographs) to be acquired ahead of time utilizing the time spent waiting in line for a landing examination. Furthermore, from October 2017, automated gates using facial recognition technology, commonly known as “facial recognition automated gates” were introduced in stages, and the departure and return procedures for Japanese travelers have,

for the most part, been automated.

On the other hand, in terms of the situation concerning immigration control and residency management, there have also been some major changes that were not necessarily envisaged at the time of the formulation of the Basic Plan for Immigration Control (Fifth Edition). Specifically, amid the background of the worsening of labor shortages throughout the country, the status of residence of “Specified Skilled Worker (i)” and “Specified Skilled Worker (ii)” were newly established in December 2018 through the Act for the Amendment of the Immigration Control Act, Etc. in order to accept work-ready foreign workers, who have certain expertise and skills, in the fields where there is a labor shortage, and operation of this program started on April 1, 2019.

In addition, the Ministry of Justice, together with the Cabinet Secretariat, came to assume responsibility for the planning, drafting and general coordination necessary to integrate the measures of the respective administrative agencies in relation to preparing an environment for acceptance of foreign nationals based on the “Basic Policy on Operations to Prepare an Environment for Acceptance of Foreign Nationals” approved by the Cabinet in July 2018, and as well as the management of the immigration and residence of foreign nationals, the Immigration Services Agency, established in April 2019, came to fulfill the role of general coordination of improvement of the environment for the acceptance of foreign nationals.

Amid such a situation, the Immigration Control and Residency management administration will undoubtedly face various challenges in the coming years. The number of foreign visitors to Japan exceeded 30 million in 2018. The Japanese government has also set a target of 40 million visitors in 2020 when the Tokyo Olympic and Paralympic Games are to be held, and 60 million visitors in 2030, and has been implementing comprehensive efforts for the realization of a tourism-oriented country, and therefore, the number of foreign tourists visiting Japan is expected to increase in the

future. In addition, in order to realize a society in which Japanese nationals and foreign nationals are able to live together in safety, it is necessary to securely block the entry of terrorists, foreign nationals who intend to engage in illegal labor and other illegal, acts. So we have to take measures to achieve smoother and stricter immigration examinations at a higher level

Turning to the situation of acts of violation of the Immigration Control Act in Japan, influenced by such factors as the significant increase in the number of foreign nationals entering Japan, the number of foreign nationals staying illegally beyond their authorized period of stay, which had previously seen a steady decline, started to increase from 2015, and moreover, the present situation requires measures to handle such issues as the problem of imposter residents who exploit the use of forged residence cards.

In addition, with regard to operation of the status of residence system, the newly introduced system of specified skilled workers must be operated appropriately in cooperation with the relevant ministries and agencies so that the program can be effectively utilized as a measure to counter labor shortages.

Moreover, with regard to the preparation of an environment for the acceptance of foreign nationals, in order to be able to smoothly include a larger number of foreign nationals in our communities and to realize a society in which Japanese nationals and foreign nationals show respect for each other, a Cabinet decision was passed in July 2018 based on which the Ministry of Justice, together with the Cabinet Secretariat, took on the function of general organization. Then, in December 2018, the “Comprehensive Measures for Acceptance and Coexistence of Foreign nationals” (hereinafter referred to as “Comprehensive Measures”) were compiled at the “Ministerial Conference on Acceptance and Coexistence of Foreign nationals”, and going forward, it will be necessary to respond to the expectations for reliable implementation of the related measures.

The basic mission of the immigration control and residency management administration is to implement proper and smooth acceptance of foreign nationals while also preventing the entry and residence of terrorists, criminals and other high-risk persons, thereby contributing to the revitalization and healthy development of the Japanese economy and society. Moreover, efforts to realize a society of harmonious coexistence with foreign nationals and promoting the improvement of an integrated environment of acceptance with the cooperation of the relevant administrative agencies are also seen to be important functions of the immigration control and residency management administration. This new immigration control and residency management administration is required to respond appropriately and promptly to the new issues arising through economic and social changes.

This plan describes the circumstances affecting the immigration and residence of foreign nationals, and also clarifies the main issues and future basic policies of the immigration control and residency management administration. In the formulation of the plan, opinions were given by the members of the 7th Immigration Policy Discussion Panel, which is a private consultative group of the Minister of Justice.

In addition, in light of the fact that pursuant to the provisions of paragraph (2) of Article 18 of the Supplementary Provisions of the Act for Amendment of the Immigration Control Act, Etc., the program relating to the status of residence of “Specified Skilled Worker” is to be reviewed after two years have passed since the enforcement of the Act, the period assumed by this plan is about two years, and the next Basic Plan for Immigration Control and Residency management is to be formulated based on the situation surrounding immigration control and residency management administration at such time.

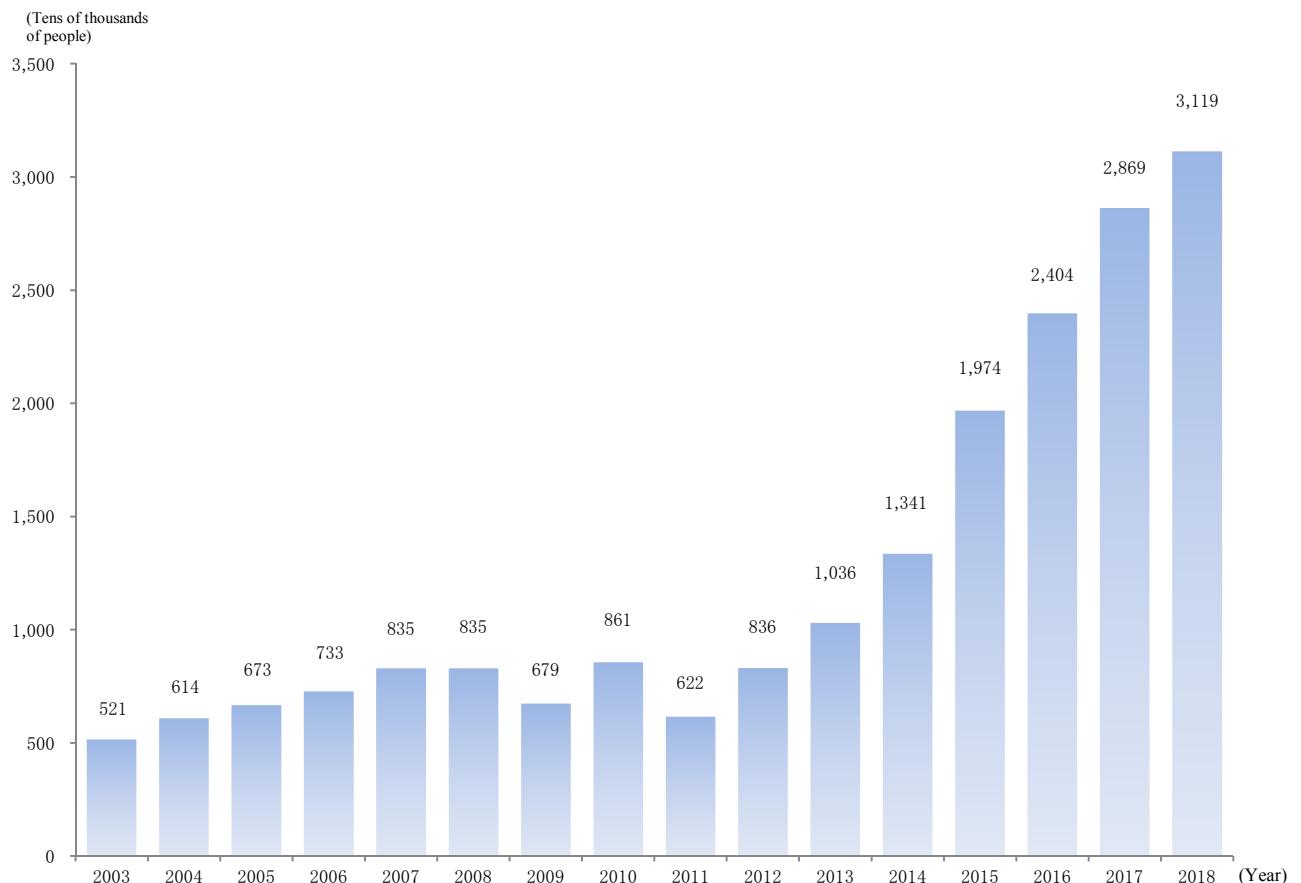
## **II The Circumstances Affecting the Entry and Residence of Foreign Nationals**

### **1 The Situation of Foreign Residents Entering and Residing Legitimately in Japan**

#### **(1) The Overall Situation**

Due to the government's efforts to realize a tourism-oriented country, the number of foreign visitors coming to Japan for sightseeing or other purposes has continued to see a substantial increase. According to a statement by the Japan National Tourism Organization (JNTO), the number of foreign visitors to Japan topped 30 million for the first time in 2018, reaching a record high of approximately 31.19 million (an increase of 8.7% from the previous year) (Chart 1). By region, there were a large number of foreign visitors coming from Asia, in particular with 22 million people from East Asia and more than 3.3 million people from Southeast Asia.

Chart 1 Changes in the number of foreign travelers visiting Japan



(\*1) The figures up to 2017 are finalized figures and the figure in 2018 is a provisional figure.

(\*2) The “number of foreign travelers visiting Japan” published by the Tourism Agency is the “number of foreign nationals entering Japan” published by the Ministry of Justice excluding the number of foreign nationals entering Japan with the status of residence of “Permanent Resident”, “Spouse or Child of Japanese National”, “Spouse or Child of Permanent Resident” and “Long-Term Resident” as well as the number of foreign nationals entering Japan with the status of residence of “Special Permanent Resident”, and adding the number of foreign nationals with landing permission for cruise ship tourists, permission for landing at a port of call and permission for landing in transit.

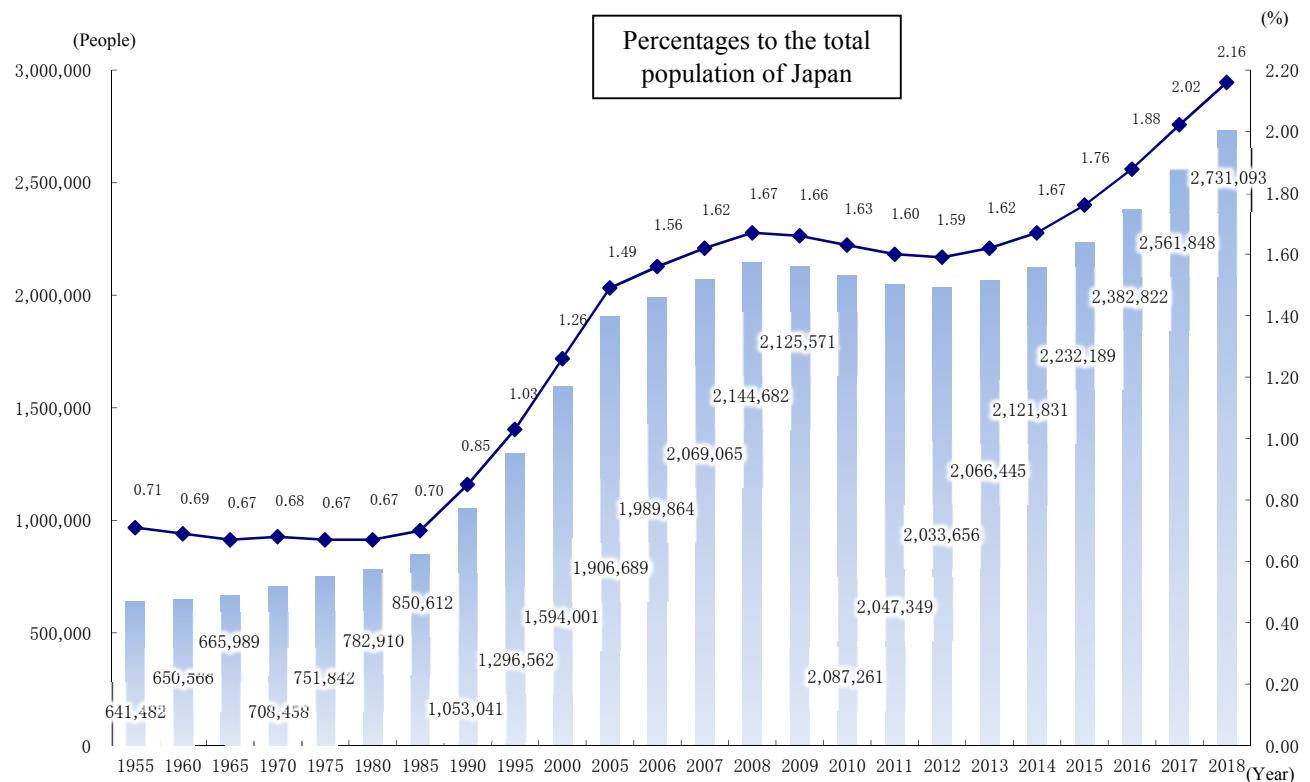
(Source) Number of foreign visitors of the Japan National Tourism Organization (JNTO)

Next, taking a look at the number of foreign nationals residing in Japan, the number of foreign residents fluctuated between the upper 500,000s to the mid-600,000s from just after the end of World War II to the late 1950s, with special permanent residents composed mainly of North and South Korean nationals accounting for nearly 90% of such number. Recently although the number of special permanent residents has seen a decline, the number of foreign nationals coming to Japan for a variety of purposes and settling down for a mid to long-term period has been increasing, and while a temporary decline was seen due to the impacts of the

global financial crisis and the Great East Japan Earthquake, the number of foreign residents as of the end of 2018 was approximately 2.73 million with the percentage standing at 1.6% of the total population of Japan (Chart 2).

By nationality and region, China accounted for about 28% of the total with approximately 765,000, followed by South Korea, Vietnam, the Philippines and Brazil.

Chart 2 Changes in the number of foreign residents and the percentages to the total population of Japan



(\*1) These numbers are based on the statistics as at the end of December each year.

(\*2) The numbers until 1985 represent the number of alien registrations, the numbers between 1990 and 2011 represent the sum of the number of foreign nationals with alien registration who stayed in Japan with a status of residence eligible for mid to long-term residents and the number of special permanent residents, and the numbers from 2012 onwards represent the number of foreign residents adding together mid to long-term residents and special permanent residents.

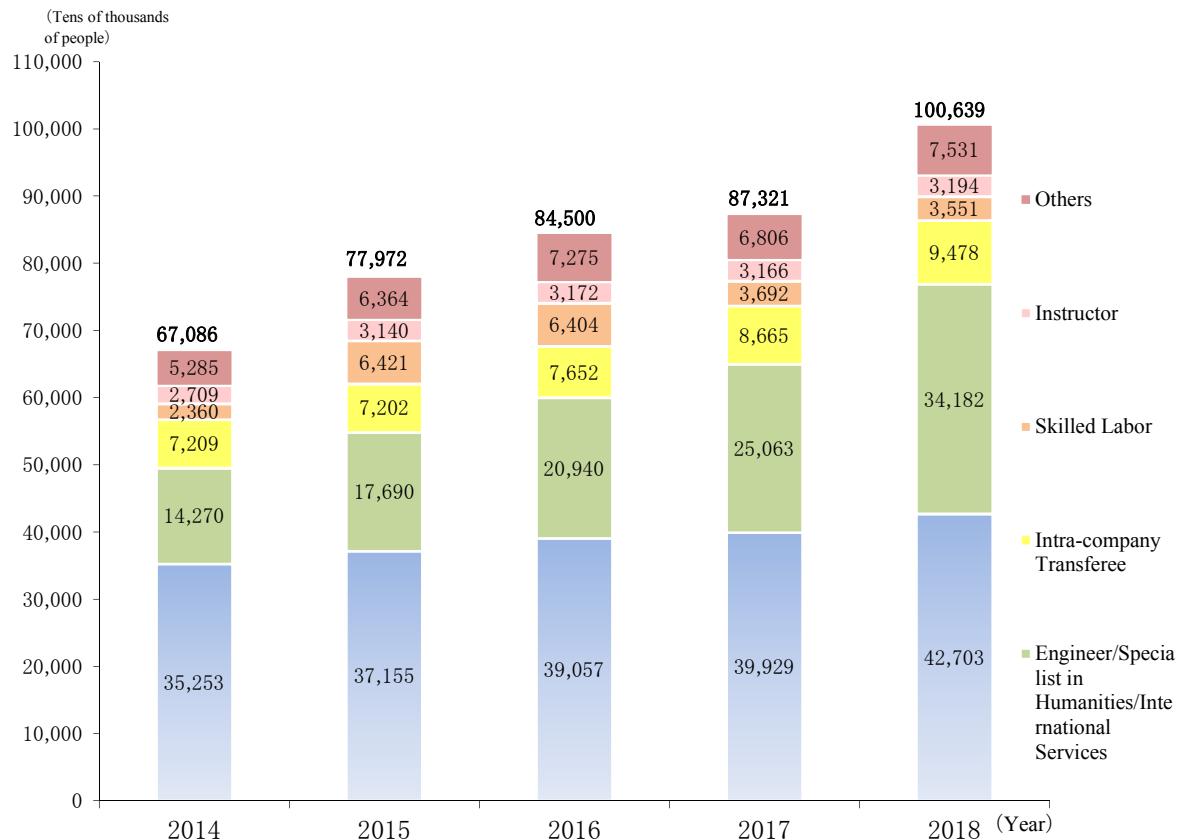
(\*3) The “percentage of the total population of Japan” is calculated based on the population as of October 1 every year taken from the “Population Estimates” and the “Population Census” of the Statistics Bureau of the Ministry of Internal Affairs and Communications.

## **(2) Foreign Nationals with the Purpose of Work**

Taking a look at the situation of foreign nationals newly entering with a status of residence with the purpose of work (excluding the statuses of “Diplomat”, “Official” and “Technical Intern Training”; the same shall apply hereinafter), the number of foreign nationals newly entering Japan in 2018 was approximately 101,000.

Next, looking at the situation by status of residence, the number of foreign nationals newly entering with the status of residence of “Entertainer” was approximately 43,000, and made up the largest proportion of the statuses of residence for the purpose of work in professional and technical fields. Meanwhile, the number of foreign nationals newly entering for the purpose of work except for those with the status of residence of “Entertainer” reached a record high of approximately 58,000 in 2018 (Chart 3).

Chart 3 The number of foreign nationals newly entering Japan by status of residence for work  
(excluding “Diplomat”, “Official” and “Technical Intern Training”)



(\*)1) Excluding the statuses of residence of "Diplomat", "Official" and "Technical Intern Training" in Table I -1 and I -2 of the Appended Table to the "Immigration Control Act"

(\*)2) In accordance with the Amendment Act, from April 1, 2015, the statuses of residence of "Engineer" and "Specialist in Humanities/International Services" were combined into "Engineer/Specialist in Humanities/International Services".

(\*)3) The number for "Engineer/Specialist in Humanities/International Services" in 2014 was the combined total of "Engineer" and "Specialist in Humanities/International Services"

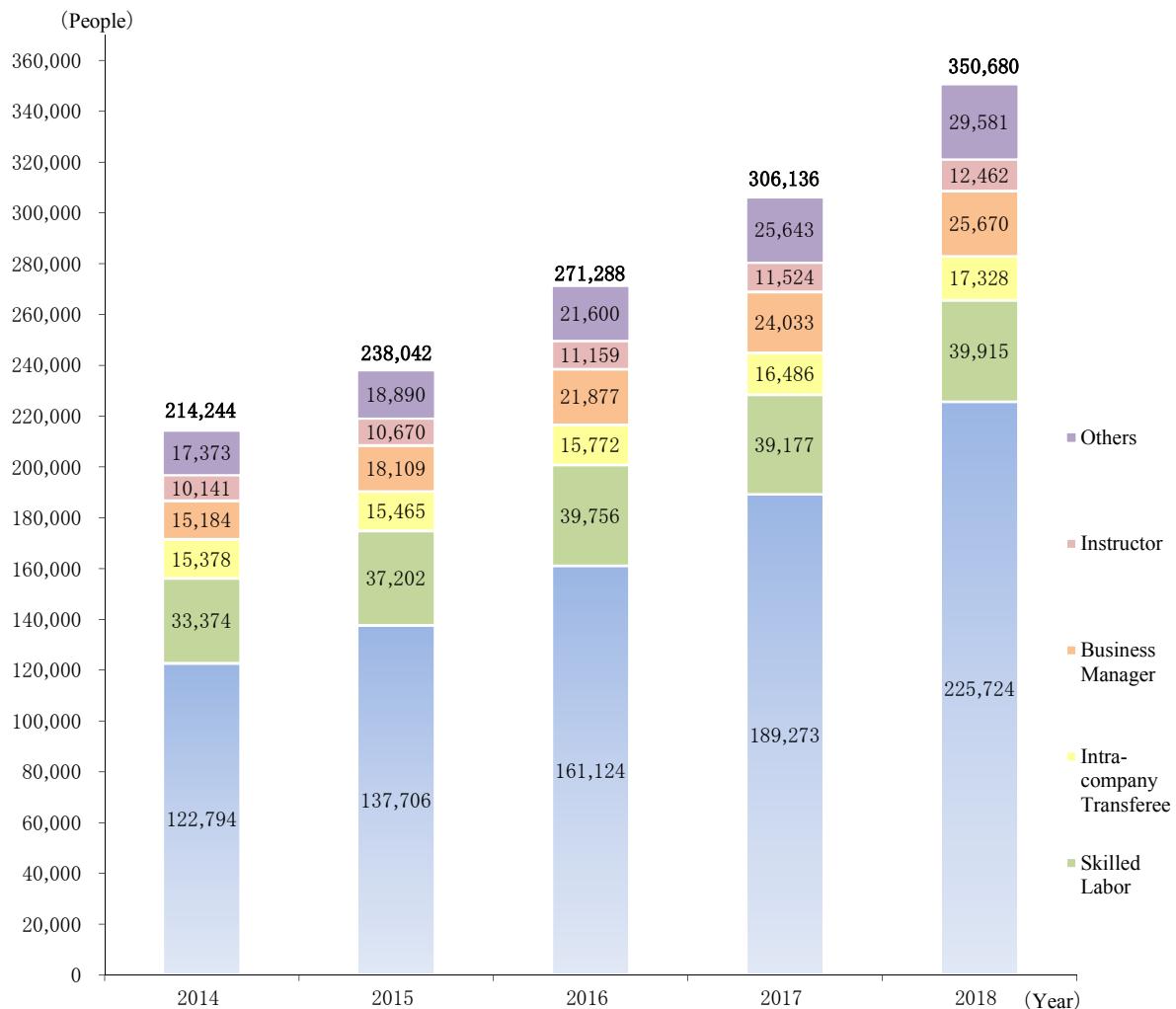
Next, the number of mid to long-term residents with a status of residence for work was approximately 351,000 in 2018. Of these statuses, that of the statuses of residence of "Engineer/Specialist in Humanities/International Services<sup>1</sup>" and "Intra-company Transferee" was approximately 138,000 at the end of 2014 but

<sup>1</sup> In accordance with the Amendment Act, from April 1, 2015, the statuses of residence of "Engineer" and "Specialist in Humanities/International Services" were combined into "Engineer/Specialist in Humanities/International Services."

increased to approximately 243,000 at the end of 2018. These statuses of residence accounted for about two-thirds of the total number (Chart 4).

In addition, with regard to applications for a change in the status of residence applied by foreign students in order for them to be able to work in companies or some other organizations in Japan, the number of applications for which permission was granted reached a new record high of 22,419 in 2017 (an increase of 2,984 compared to the previous year).

Chart 4 Number of mid to long-term residents by status of residence for work (excluding "Diplomat", "Official" and "Technical Intern Training")



(\*1) Excluding the statuses of residence of "Diplomat", "Official" and "Technical Intern Training" in Table I -1 and I -2 of the Appended Table to the "Immigration Control Act"

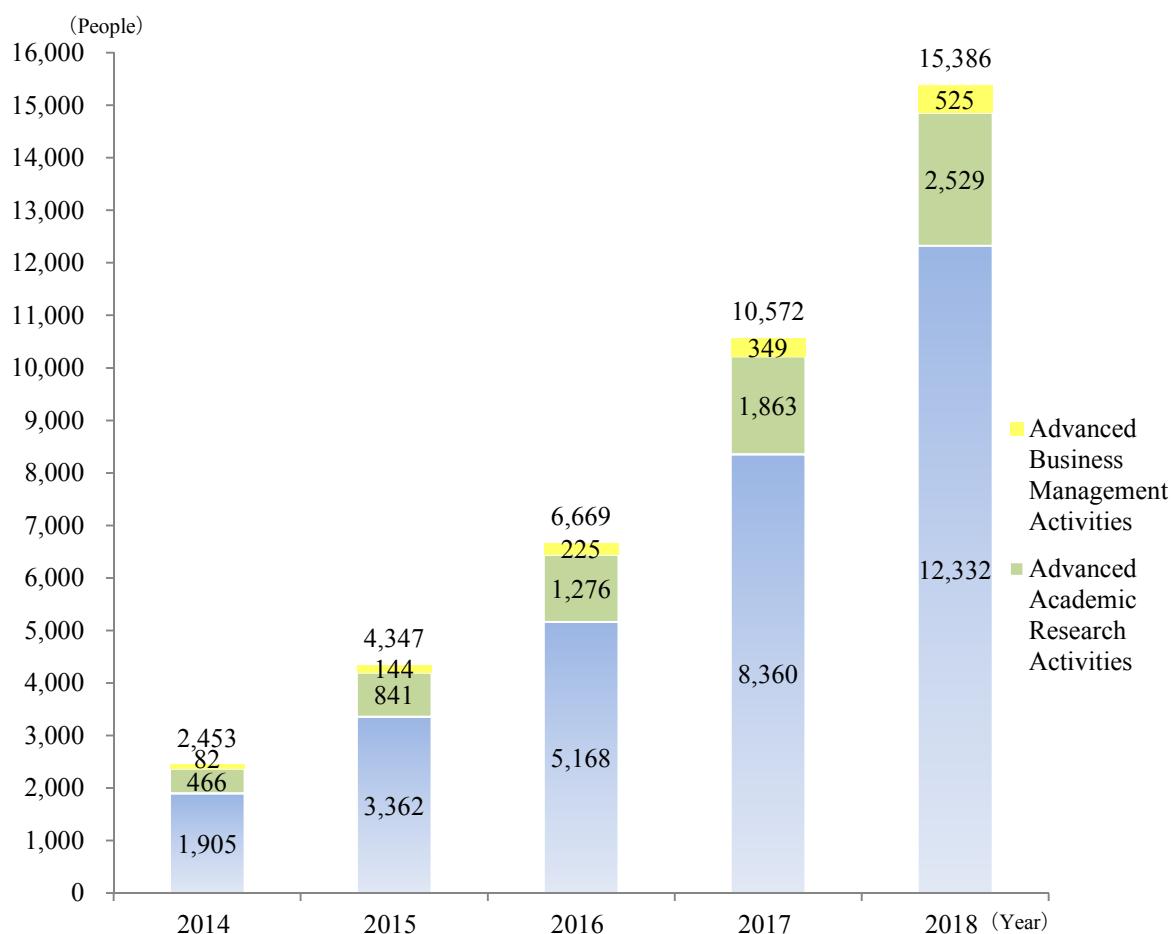
(\*2) In accordance with the Amendment Act, from April 1, 2015, the status of residence of "Investor/Business Manager" was changed to "Business Manager" and the statuses of residence of "Engineer" and "Specialist in Humanities/International Services" were combined into "Engineer/Specialist in Humanities/International Services".

Regarding the points-based system for highly-skilled foreign professionals introduced on May 7, 2012 for the purpose of facilitating the acceptance of highly-skilled foreign professionals, the contents of the activities of highly-skilled professionals are divided into three categories: "advanced academic research activities", "advanced specialized/technical activities" and "advanced business management activities", and according to the characteristics of each category, points are awarded for each item, such as "academic background," "business career

background” and “promised annual salary”, and if the total number of points reaches a certain number of points (70 points), such foreign national becomes eligible for preferential immigration treatment.

The “Growth Strategy 2018” (Cabinet decision of December 15, 2018) sets out a goal of recognition of 20,000 highly-skilled foreign professionals by the end of 2022, and approximately 15,000 had been recognized by the end of 2018. Looking at a breakdown, foreign nationals who were recognized for “advanced specialized/technical activities” comprised approximately 80% of the total (Chart 5).

Chart 5 Number of foreign nationals recognized through the points-based system for highly-skilled professionals

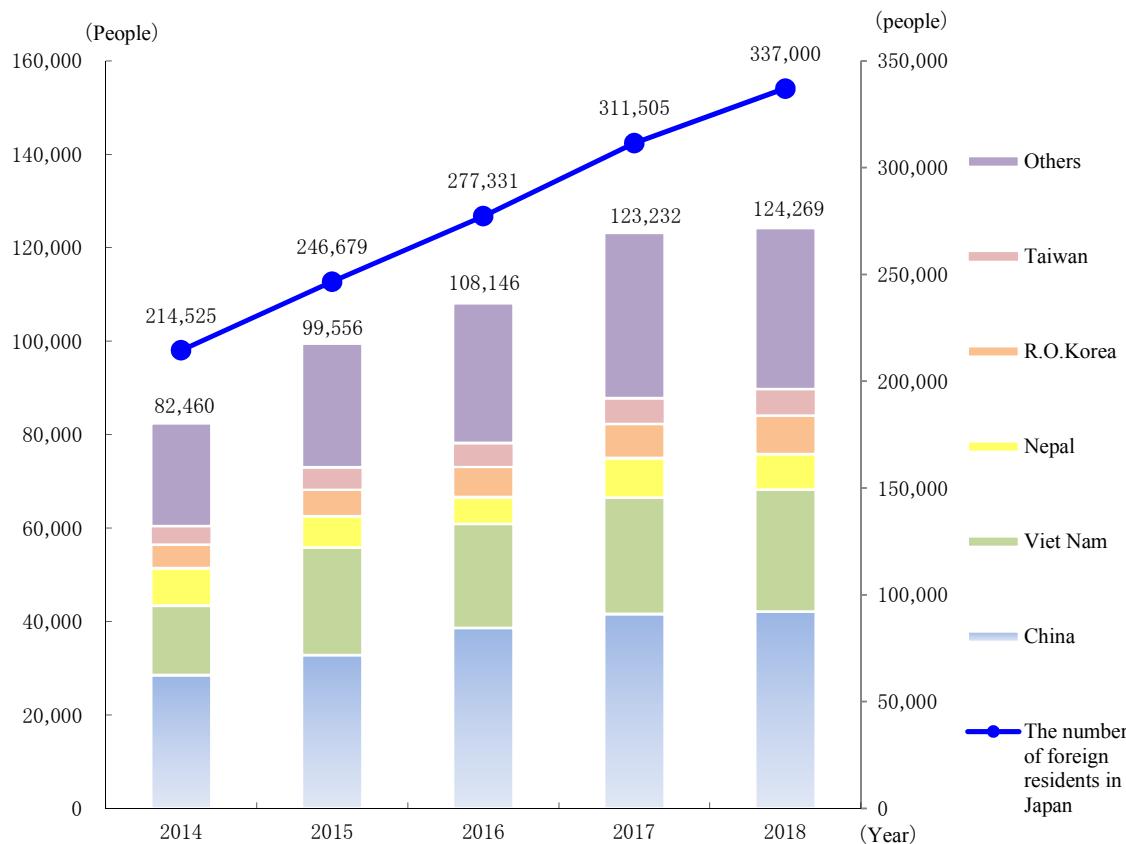


### **(3) Foreign Nationals with the Purpose of Study**

Recently, with Japan promoting measures to proactively accept foreign students, the number of foreign nationals newly entering with the status of residence of “Student” has been steadily increasing. The number of foreign nationals newly entering in 2018 was approximately 124,000, and in particular, the number of foreign students from Vietnam has greatly increased in recent years with the number of Vietnamese students entering Japan reaching 14,098 in 2013, second only to China.

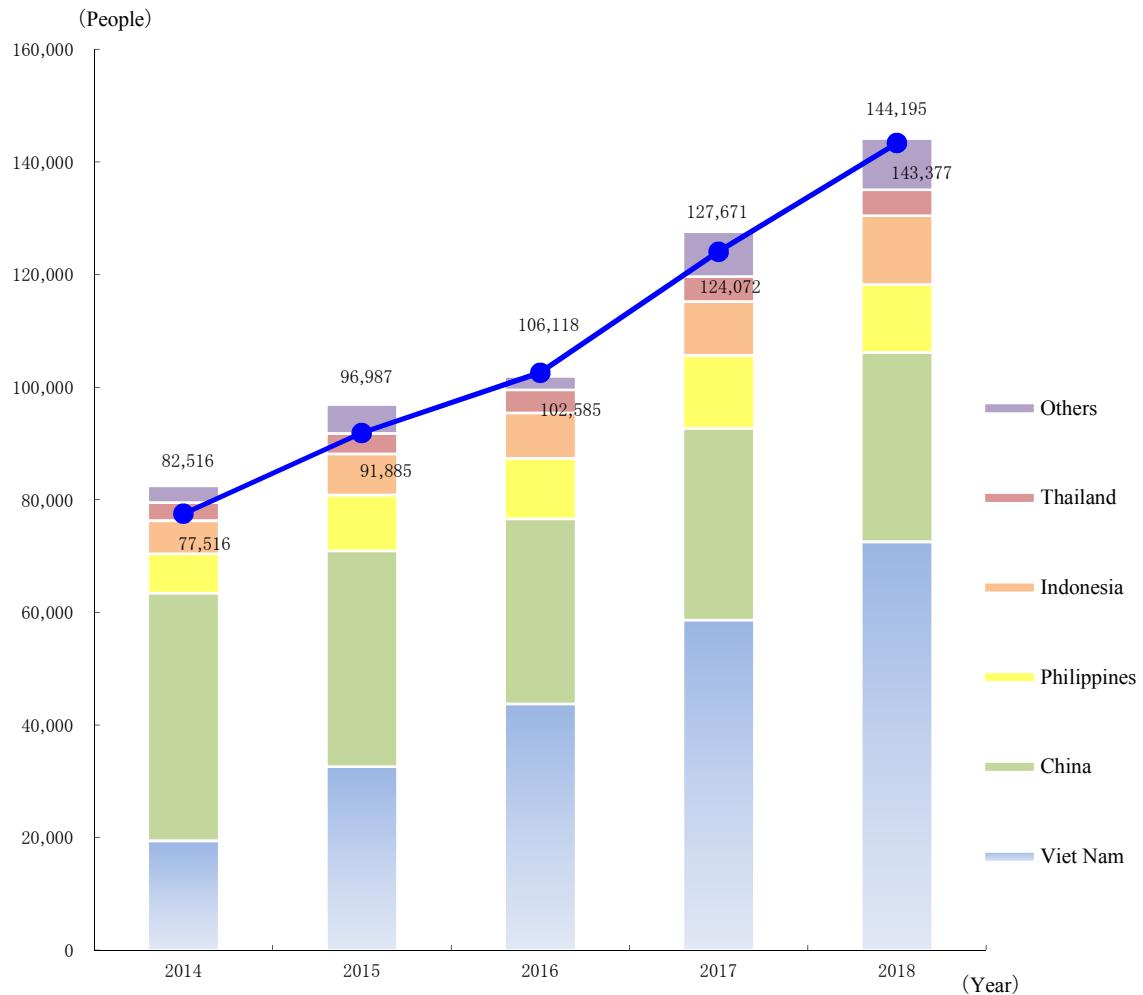
In addition, looking at the number of foreign residents with the status of residence of “Student”, this number has been increasing since 2013, and reached 337,000 at the end of 2018. Looking by nationality and region, the numbers of foreign residents were 132,411 (39.3%) from China, 81,009 (24.0%) from Vietnam, 28,987 (8.6%) from Nepal and 17,056 (5.1%) from South Korea (Chart 6).

Chart 6 Changes in the number of foreign nationals newly entering and foreign residents with the status of residence of “Student” by nationality/region



Next, the number of foreign nationals newly entering Japan with the status of residence of “Technical Intern Training (i)” has been steadily increasing and reached approximately 144,000 in 2018. In addition, the number of foreign residents has also been increasing and reached approximately 143,000 at the end of 2018 (Chart 7). In terms of nationality and region, in recent years, Vietnam has been on the rise, and from 2016 onwards, the number of foreign nationals newly entering Japan and the number of foreign residents from Vietnam with the status of residence of “Technical Intern Training (i)” have both become the largest.

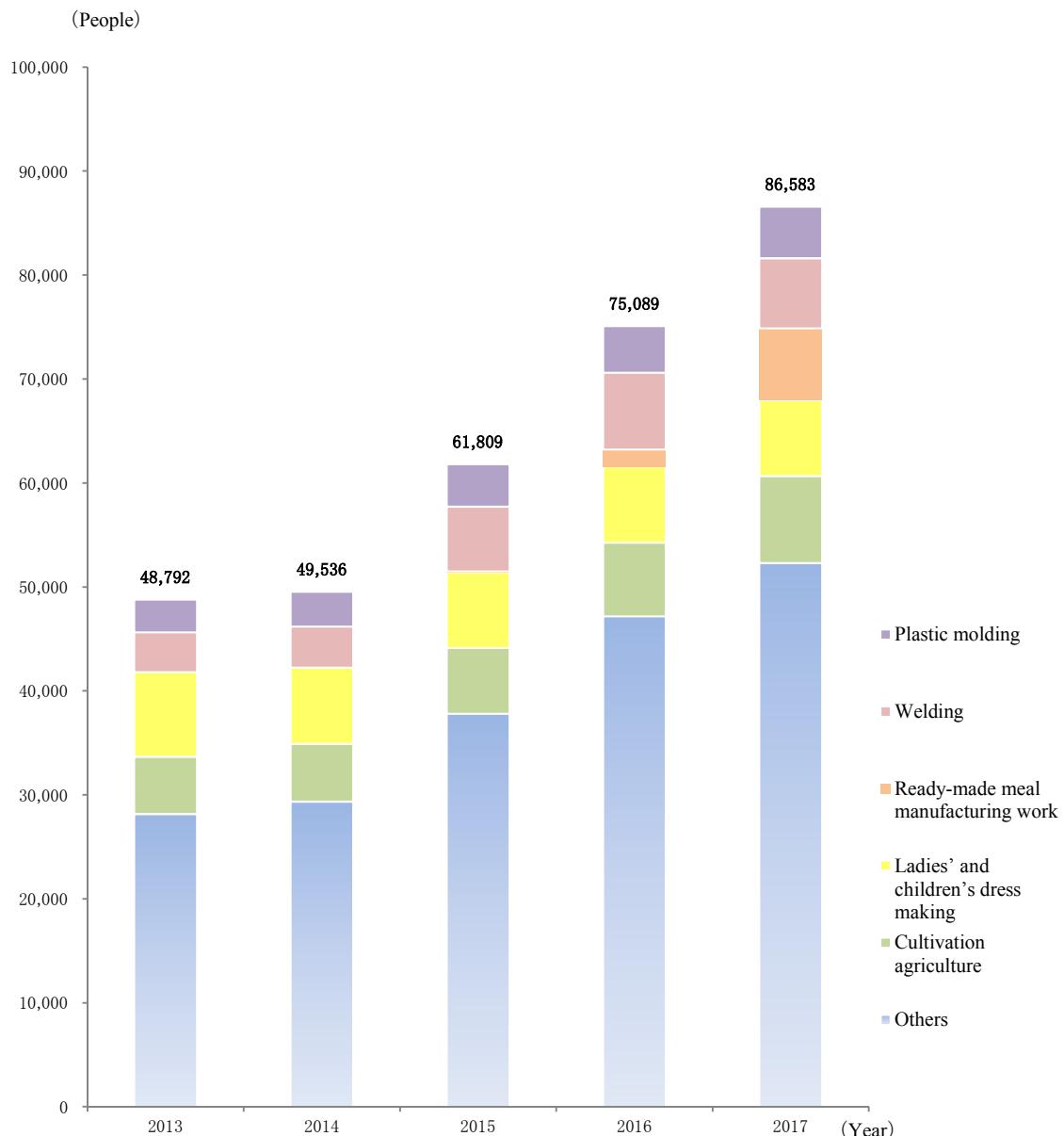
Chart 7 Changes in the number of foreign nationals newly entering and foreign residents with the status of residence of “Technical Intern Training (i)” by nationality/region



Next, taking a look at the foreign nationals who have changed their status of residence to that of “Technical Intern Training (ii)” by job category, in recent years, there have been many technical intern trainees working in “Cultivation agriculture”, “Ladies’ and children’s dress making” and “Welding” jobs. In addition, since “Ready-made meal manufacturing work” was added to the job category eligible for “Technical Intern Training (ii)” in April 2015, there have been a large number of technical intern trainees of this job category (Chart 8).

At the end of 2018, the number of foreign residents with the status of residence of “Technical Intern Training (ii)” was approximately 178,000.

Chart 8 Changes in the number of foreign nationals transitioning to “Technical Intern Training (ii)” and “Technical Intern Training (iii)” by job type



(\*) The statuses of residence of “Technical Intern Training (iii)(a) and (b)” were newly established from November 1, 2017, but there were no foreign nationals who received permission to change their status of residence to “Technical Intern Training (iii) “ in 2017.

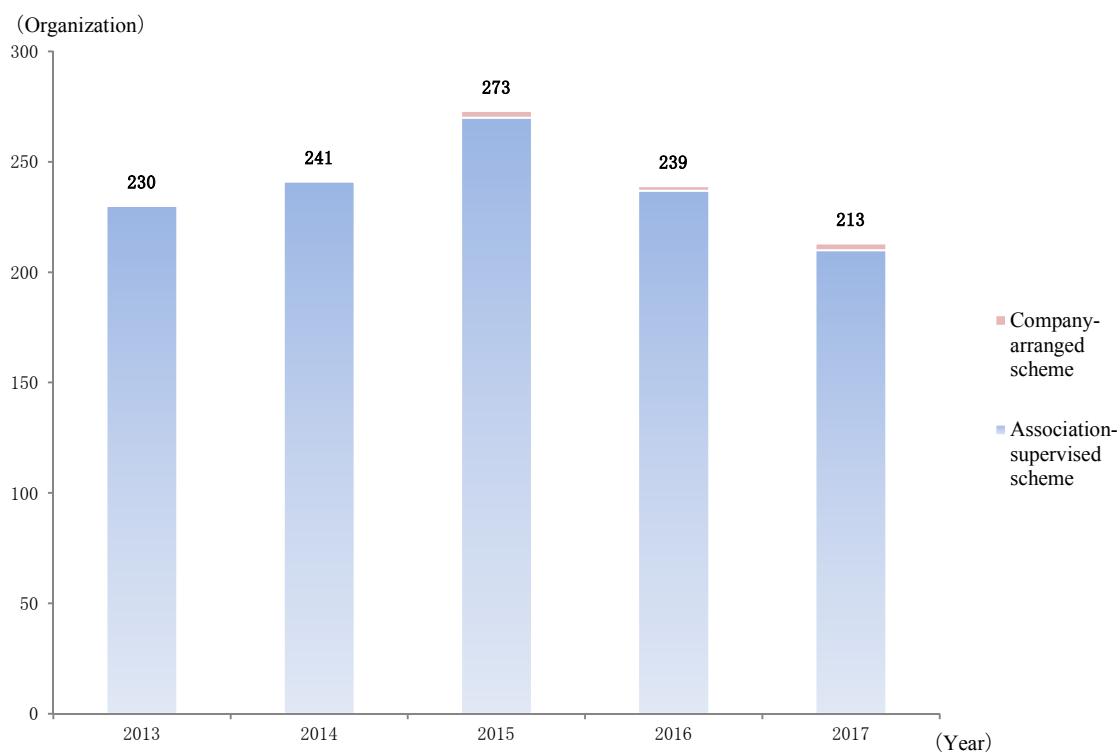
The number of foreign nationals newly entering Japan in 2018 with the status of residence of “Technical Intern Training (iii)” was 5,712, and the number of foreign residents was 7,398 at the end of 2018.

Next, the number of cases of license granted to a supervising organization based on the Technical Intern Training Act reached 2,422 as of the end of 2018, and of these, the number of cases of permission pertaining to general supervision business for which foreign nationals with the status of residence of “Technical Intern Training (iii)” newly added under the Act could be accepted, accounted for about 44% of the total. In addition, at the same time, the number of cases of accreditation of technical intern training plans was 383,240, of which supervising-organization type technical intern training plans accounted for about 97% of the total.

As a countermeasure to improper cases, under the Technical Intern Training Act if there is a violation of the licensing or accreditation criteria or a violation of laws and regulations etc. by the supervising organization or implementing organization the license of the supervising organization may be revoked, the accreditation of the technical intern training plan may be revoked or other measures may be taken depending on the significance and mode of the violation, and as of the end of 2018, there was one revocation of the license of the supervising organization and 15 revocations of the technical intern training plan (four companies). Prior to the enforcement of the Technical Intern Training Act, if an organization had engaged in misconduct, such organization would have been suspended for five years, three years or one year from accepting technical intern trainees based on the provisions of the Ordinance of the Ministry of Justice . The number of organizations that committed such misconduct saw an increasing trend until 2015 but fell to 239 in 2016 and 213 in 2017.

In addition, most of the organizations that had committed misconduct were of the supervising-organization type (Chart 9).

Chart 9 Changes in the number of organizations that have committed misconduct



#### (4) Foreign Nationals Entering or Residing on the Basis of Their Status or Position

Taking a look at the situation of foreign nationals entering or residing in Japan based on their status or position, an examination of the status of residence of “Spouse or Child of Japanese National” reveals that the numbers of foreign nationals newly entering Japan and foreign residents have remained largely unchanged. On the other hand, the numbers of foreign nationals newly entering and foreign residents with the status of residence of “Long-Term Resident” have been increasing (Charts 10, 11).

Chart 10 Changes in the number of foreign nationals newly entering and foreign residents with the status of residence of “Spouse or Child of Japanese National” by nationality/region

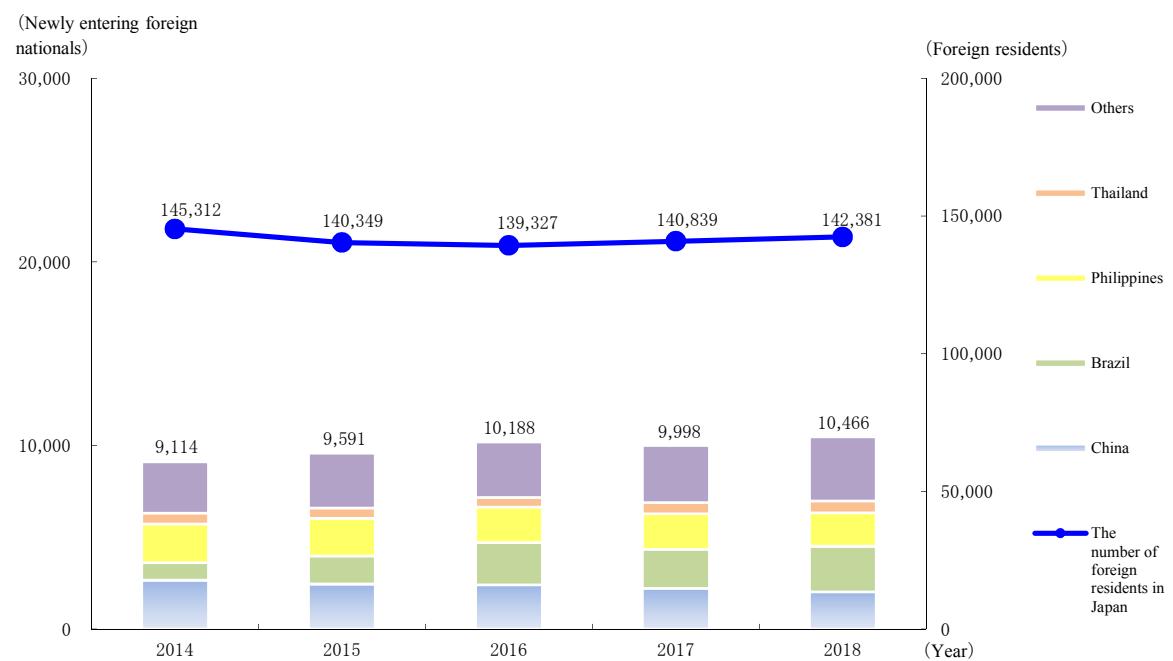
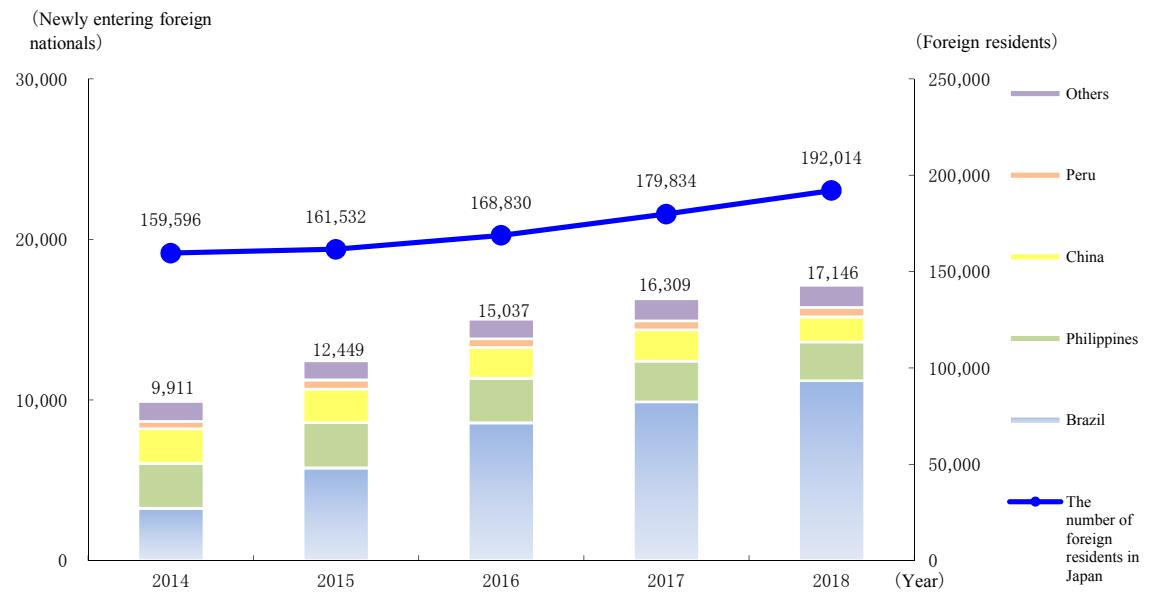
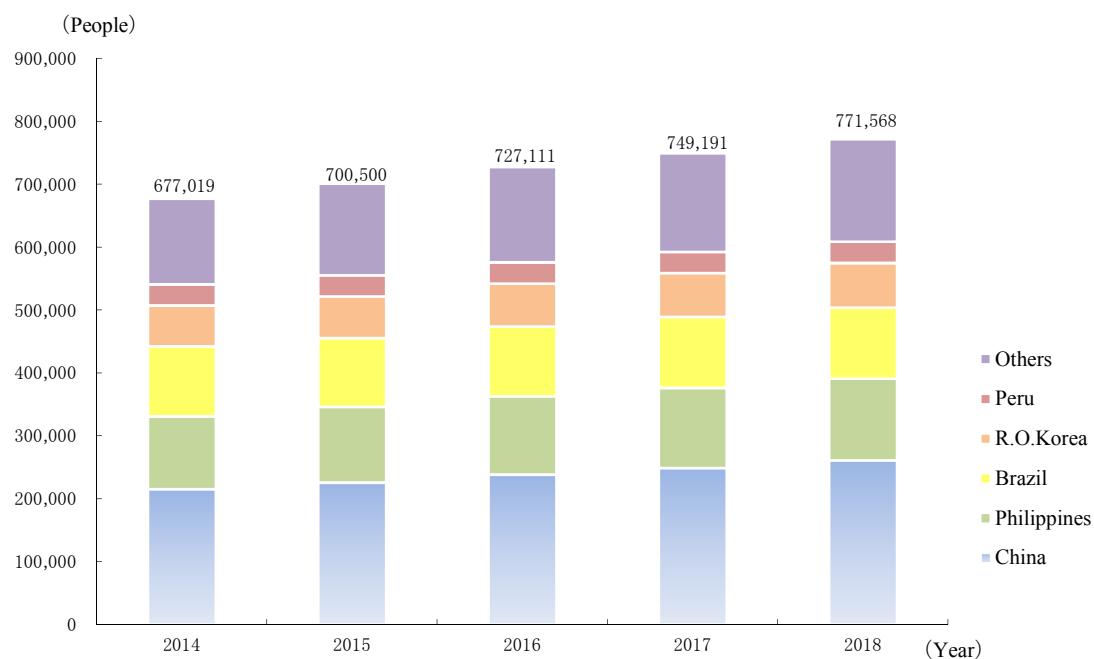


Chart 11 Changes in the number of foreign nationals newly entering and foreign residents with the status of residence of “Long-Term Resident” by nationality/region



If a foreign national who meets certain requirements such as having resided in Japan for a certain number of years, wishes to acquire permission for permanent residence, such person may reside in Japan with the status of residence of “Permanent Resident” upon receiving permission for permanent residence; and the number of foreign nationals with the status of residence of “Permanent Resident” has been increasing consistently, reaching a record high of approximately 772,000 foreign nationals as of the end of 2018 with this number accounting for 28.3% of the total number of foreign nationals residing in Japan (Chart 12).

Chart 12 Changes in the number of foreign residents with the status of residence of “Permanent Resident” by nationality/region



## 2 The Situation of Foreign Nationals Entering or Residing Illegally in Japan

### (1) Landing Examinations Utilizing Personal Identification Information

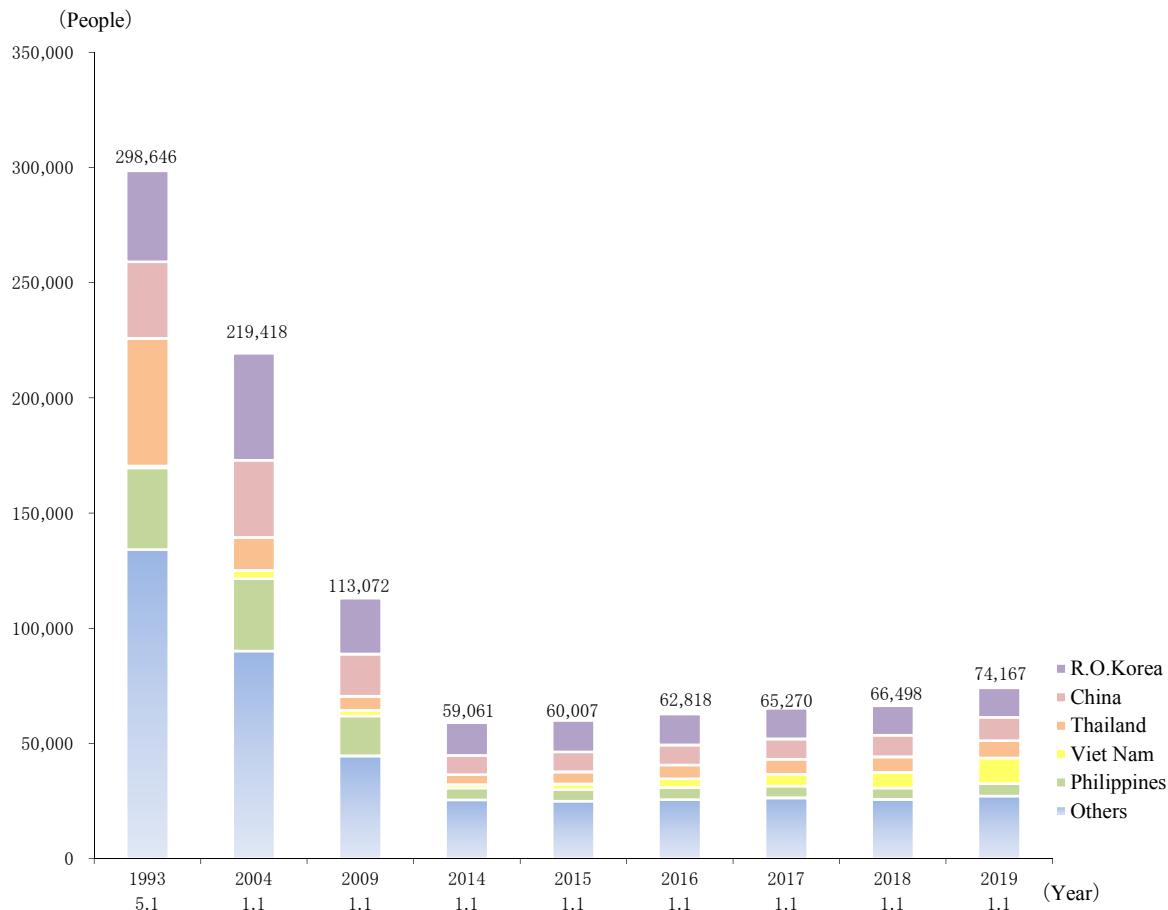
As a preventive measure against terrorism and countermeasure against illegal residents, landing examinations utilizing personal identification information were

introduced in November 2007 making it mandatory for all foreign nationals (excluding special permanent residents and some others) to provide their fingerprints and facial images at the time of their application for landing. Through the introduction of this system, the number of foreign nationals who were prevented from landing was a cumulative total of 9,894 from November 2007 to the end of December 2018.

## **(2) Illegal Foreign Residents**

The number of foreign nationals staying illegally beyond their authorized period of stay declined after reaching a peak of approximately 300,000 on May 1, 1993, and in particular, as a result of the comprehensive measures against illegal residents implemented since 2004 based on the “Plan to Reduce the Number of Illegal Residents by Half within Five Years”, the number of illegal residents was reduced to approximately 113,000 as of January 1, 2009, and declined to about 59,000 as of January 1, 2014, but after that, the number continued to increase slightly for five consecutive years and was about 74,000 people as of January 1, 2019. Taking a look at these figures by nationality and region, South Korea stood at 12,766 accounting for 17.2% of the total followed by Vietnam at 11,131 (15.0%), China at 10,119 (13.6%), and Thailand at 7,480 (10.1%) (Chart 13).

Chart 13 Changes in the number of foreign nationals staying illegally beyond their authorized period of stay by nationality/region

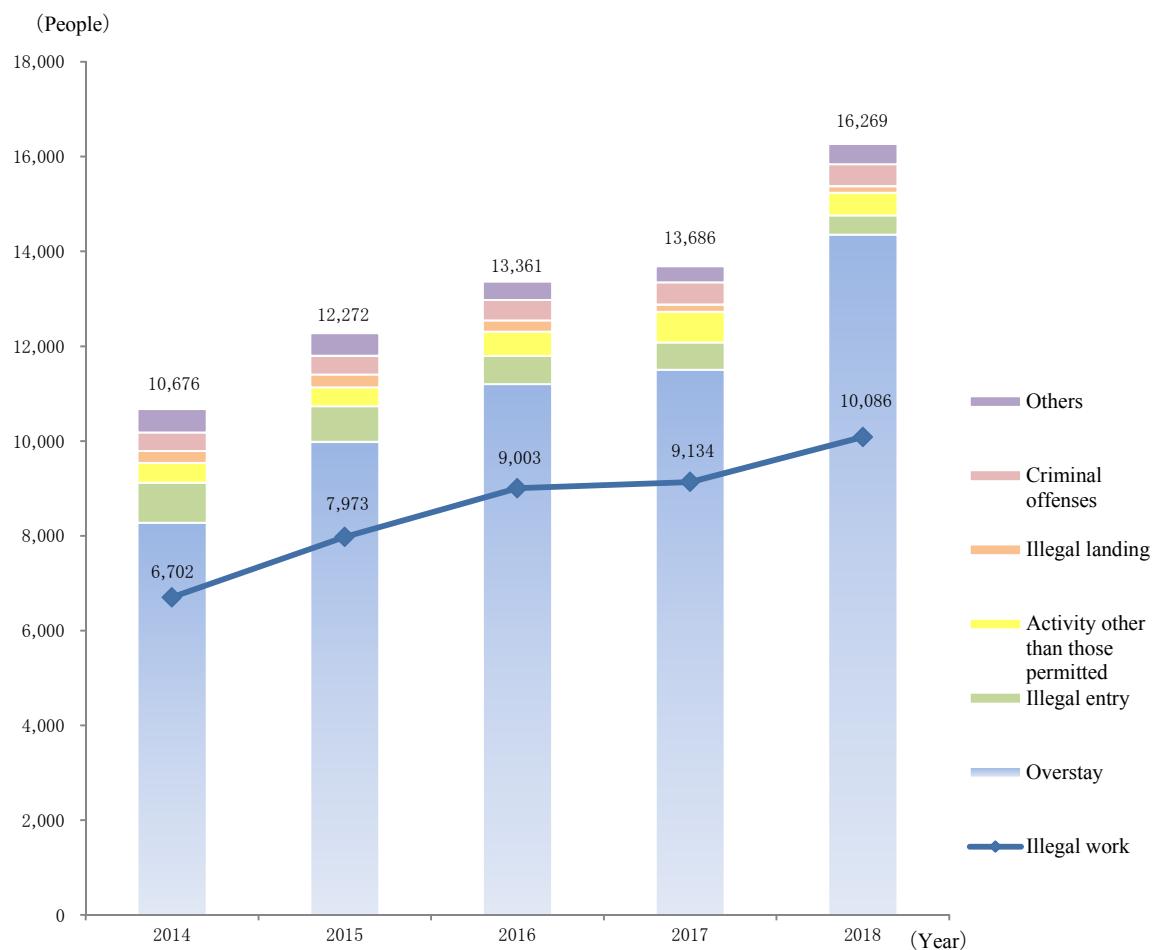


In addition, looking at the statuses of residence immediately prior to staying illegally beyond the authorized period of stay, “Temporary Visitor” comprised the largest number at 47,399 foreign nationals (63.9%).

Next, the number of violators of the Immigration Control Act against whom deportation procedures were carried out by the regional immigration and residence offices was approximately 16,000 in 2018 which was an increase of 18.9% from the previous year. Taking a look at this figure by nationality (place of origin), the largest number came from Vietnam with 4,395 accounting for 27.0% of the total, followed by China, Thailand, the Philippines, and Indonesia, with the total for these five countries making up 81.3% of the total. In addition, taking a look at the

grounds for the deportation procedures, the number of foreign nationals illegally staying beyond their authorized period of stay was 14,353 in 2018 making up 88.2% of the total and the number of foreign nationals illegally entering was 409 making up 2.5% of the total (Chart 14).

Chart 14 Changes in the number of cases of violation of the Immigration Control Act by grounds for deportation

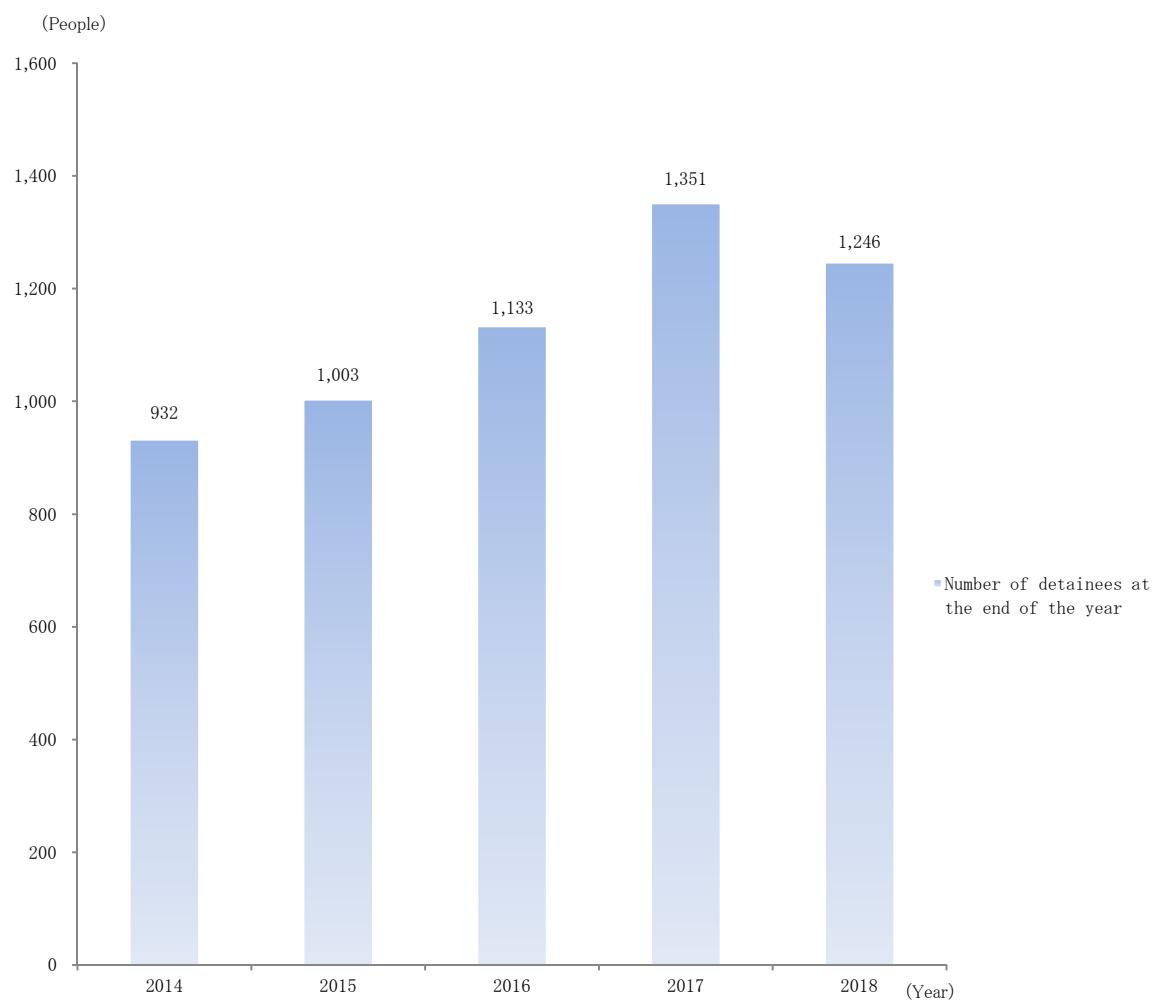


Moreover, out of the foreign nationals against whom the deportation procedures were carried out in 2018, the number of persons determined to have been working illegally was approximately 10,000 persons comprising 62.0% of the total number

of violators of the Immigration Control Act and therefore most of the illegal residents were working illegally. Looking at the percentages of the work locations by prefecture, Ibaraki prefecture ranked as number one accounting for 19.6% of the total followed by Chiba prefecture at 16.5% and Tokyo at 14.2%.

The number of foreign nationals who were detained in regional immigration offices (currently regional immigration and residence offices) nationwide at the end of 2018 was 1,246, a decline of 7.8% compared to the previous year (Chart 15).

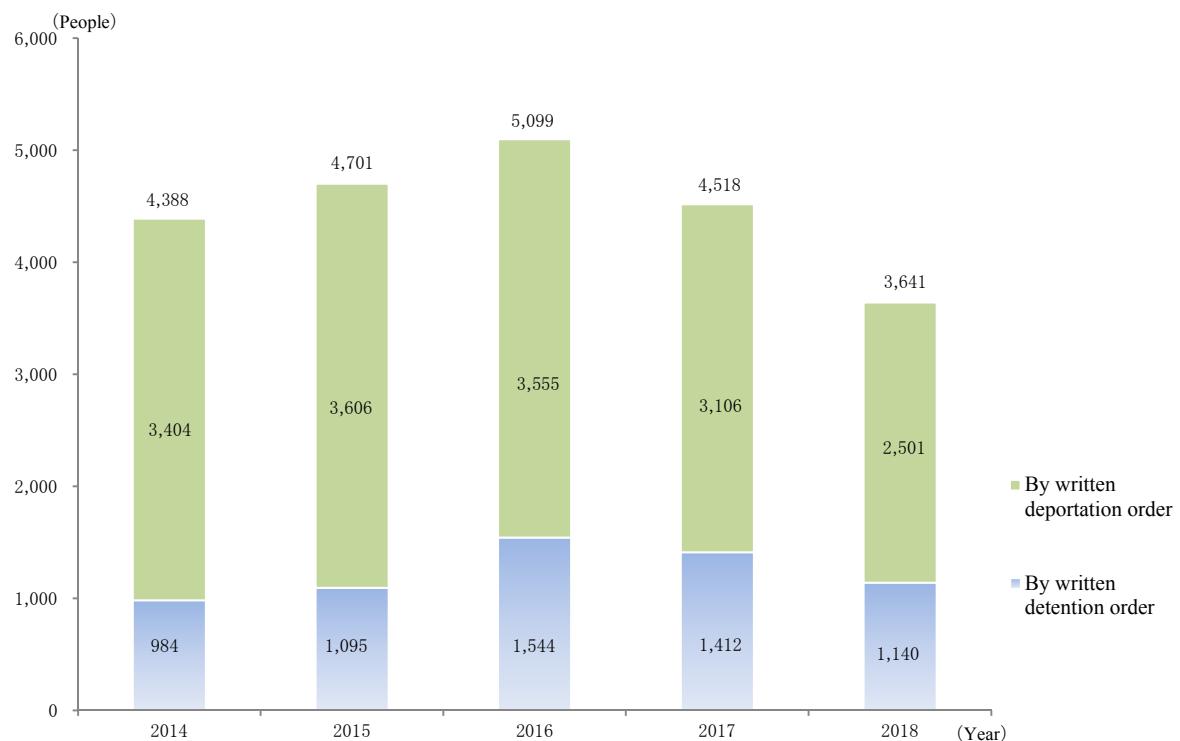
Chart 15 Changes in the number of detained foreign nationals (as of the end of each year)



In principle, the deportation procedures are carried out by detaining the foreign national, but if the detention becomes prolonged for various reasons, permission for provisional release may be granted upon which the foreign national will be released from detention if, after comprehensively considering individual circumstances such as the physical and mental condition of the detainee, it is deemed that humanitarian consideration is necessary.

The number of foreign nationals permitted provisional release has been on the decline in recent years, reaching 3,641 as of the end of 2018. Of these, the number of those who had been issued with a deportation order was 2,501 as of the end of 2018, a decline of 605 (19.5%) from the end of 2017 but is still a relatively high figure (Chart 16).

Chart 16 Changes in the number of persons permitted provisional release

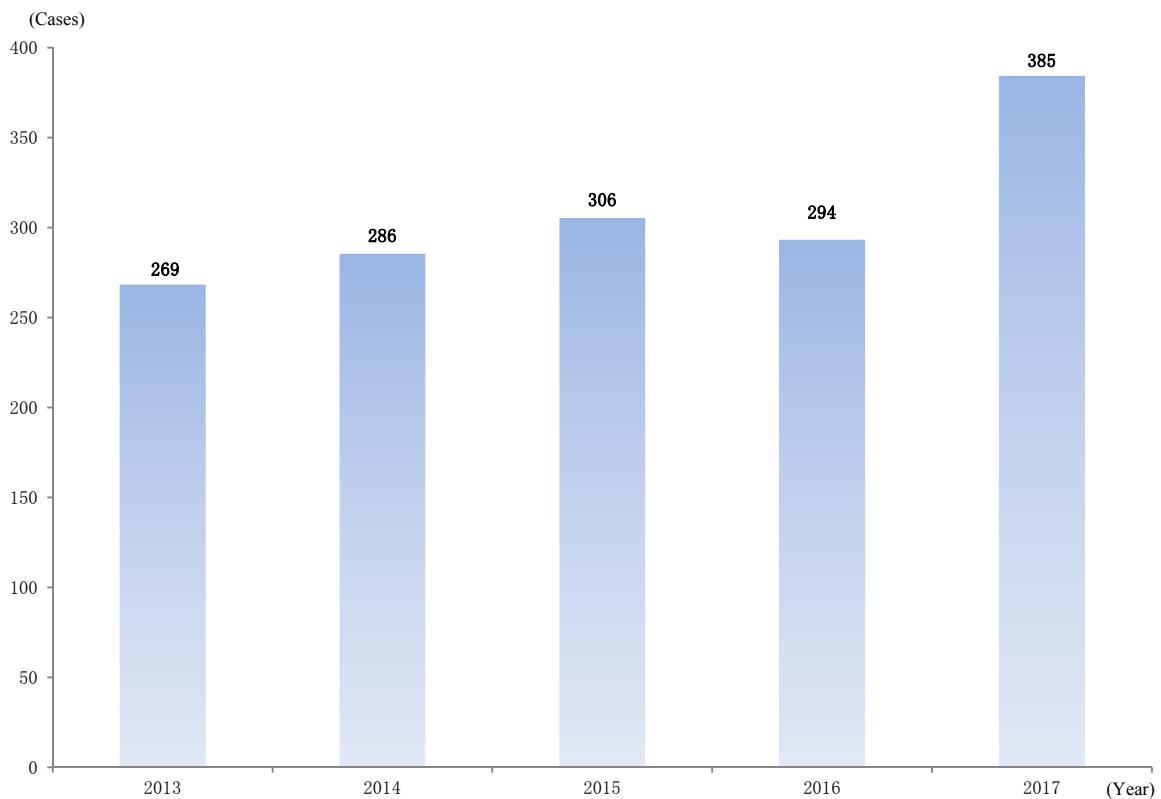


### **(3) Revocation of the Statuses of Residence of Imposter Residents, etc.**

Among the foreign nationals residing in Japan, there are a number of imposter residents, in other words, foreign nationals who have obtained landing permission or other permission by falsifying their status or activities such as through fake marriages, fake study or falsifying their status or the purpose of their activities, and have been working illegally without performing the activities corresponding to their status of residence; and therefore in order to deal strictly with such persons, a system for the revocation of statuses of residence was established through an amendment of the Immigration Control Act in 2004.

The number of cases of status of residence revocations was 385 in 2017 (Chart 17).

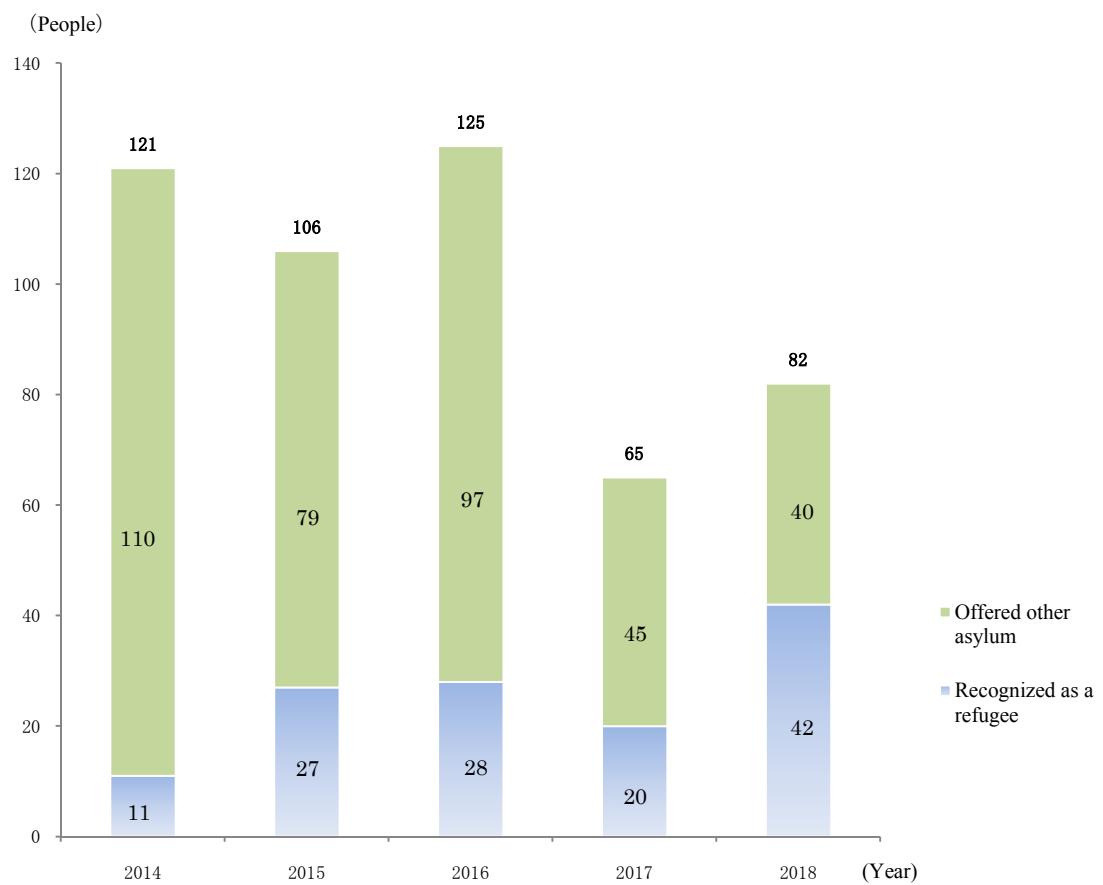
Chart 17 Changes in the number of cases of status of residence revocations



### 3 The Situation of Applications for Recognition of Refugee Status

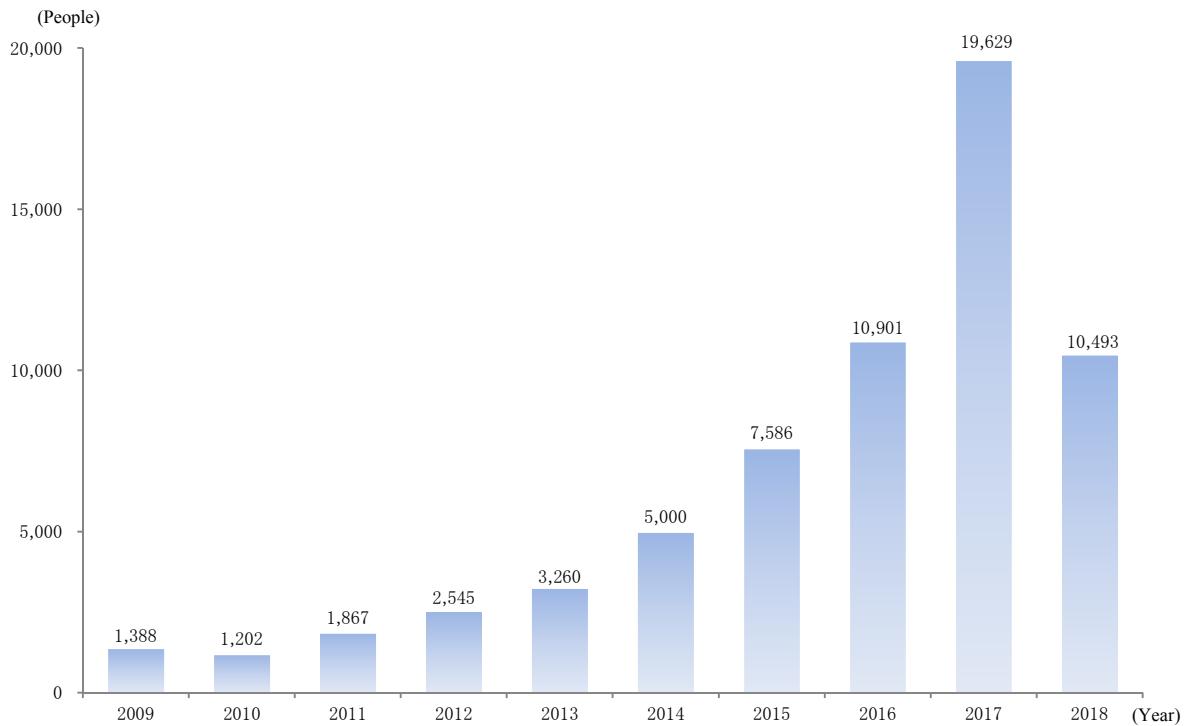
The number of foreign nationals (number of asylum seekers) to whom Japan substantively offered asylum in 2018 was 82. This number combines the 42 foreign nationals recognized as refugees under the Convention relating to the Status of Refugees (hereinafter referred to as “1951 Refugee Convention”) and 40 people who were offered other forms of asylum. The “other forms of asylum” refers to foreign nationals who were not recognized as a refugee, but to whom residence in Japan was specially permitted based on humanitarian consideration taking into account individual circumstances such as difficulty in returning home owing to the situation in their home country, or when there are special circumstances warranting residence in Japan (Chart 18).

Chart 18 Changes in the number of cases of asylum provided



The number of applications for recognition of refugee status had been increasing rapidly by about 50% year-on-year since 2010 reaching a record high of 19,629 in 2017, an increase of 80.1% over the previous year. However, as described later (see III 7 (1) C), as a result of countermeasures against applications that attempt to abuse or misuse the refugee recognition system, the number of applicants in 2018 was 10,493, a significant decline of 46.5% from the previous year (Chart 19).

Chart 19 Changes in the number of applications for refugee recognition



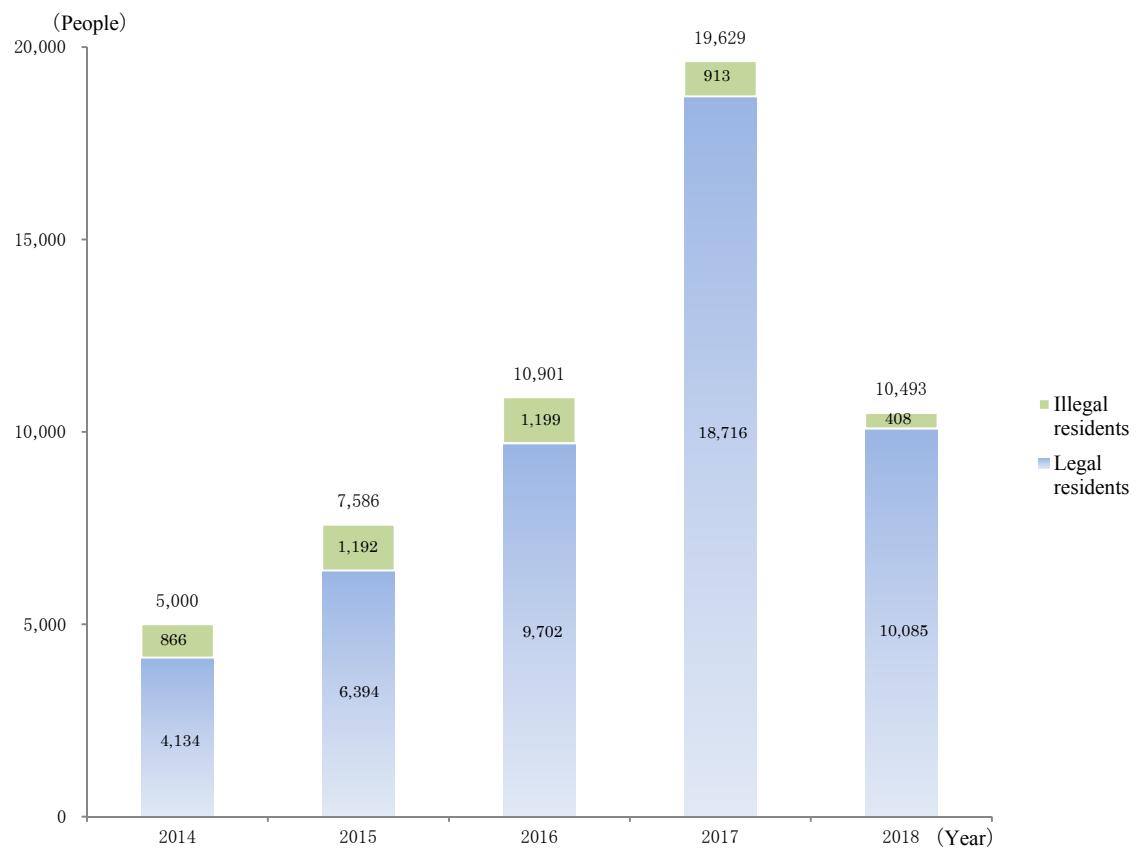
Looking at applicants in 2018 according to nationality and region, one feature was that applicants from specific countries in the Asian region stood out: 1,713 from Nepal, 1,551 from Sri Lanka, 961 from Cambodia, 860 from the Philippines and 720 from Pakistan (the five countries made up about 55% of the total).

Moreover, the situation of residence at the time of the applicant filing the application was 10,085 legal residents (accounting for 96% of the total number of applicants) and 408 illegal residents (accounting for 4%), with the majority made up of legal residents (Chart 20). Taking a look at the statuses of residence of the legal residents, “Temporary Visitor” at 6,105 made up the largest number followed by “Technical Intern Training” at 1,339, “Designated Activities” (period permitted to prepare for departure) at 1,084 and “Student” at 851.

On the other hand, by country and region of illegal residents, the largest number came from Turkey, accounting for about 14% of illegal residents, followed by Sri Lanka and Iran.

In addition, 749 foreign nationals who made up approximately 7% of the total number of applicants had previously filed an application for refugee recognition, and the applicant who had filed the largest number of applications had filed five applications in total.

Chart 20 Situation of residence at the time of the application filed by the refugee recognition applicant



### **III Major Challenges of the Immigration Control and Residency Management Administration and Future Policies**

Japan's economy has been continuing its moderate recovery after bottoming in November 2012. In 2018, the jobs-to-applicants ratio was 1.61 times, the highest level since 1973, and the unemployment rate dropped to 2.4% to a level not seen since 1992, and while the employment situation is improving, there is a growing sense among companies of a labor shortage. Amid such a situation, in Japan, the birthrate is declining rapidly and the population aging.

In addition, the number of foreign nationals visiting Japan has increased rapidly in recent years, and the number of foreign tourists from other Asian countries has grown significantly, especially against the backdrop of economic growth in the region. Moreover, the number of foreign tourists visiting Japan is expected to continue increasing with the Tokyo Olympic and Paralympic Games to be held in 2020.

Meanwhile, conflicts and terrorism are still occurring in various parts of the world and in some cases Japanese people have fallen victim, and therefore, it is also necessary for Japan to constantly prepare for such threats as terrorism.

Under these circumstances, in order for Japan to be able to achieve steady economic growth, the Japanese government, while absorbing the growth of other Asian countries, has been working on raising productivity through such measures as deregulation, investment in fields where growth is expected, effective utilization of human resources and promotion of innovation. In addition, since one of Japan's appeals is its safety, robust efforts are being made to tackle both domestic and foreign threats, in the aim of having Japan become the world's safest country.

In this kind of situation, with the increase in the number of foreign nationals entering and residing in Japan, the importance of immigration control and residency

management administration is increasing, and while responding appropriately and promptly to changes in domestic and foreign situations, there is a need to contribute to the revitalization of Japan's economy and society and to ensure a safe and secure life for people through coordination with government-wide efforts.

Therefore, in this plan, the basic policies of the measures of the immigration control and residency management administration are set out as follows.

- Proactive acceptance of foreign nationals who vitalizing the Japanese economy and society.
- Promote international contribution to developing countries, etc., and promote optimization of the technical intern training program from the perspective of protection of the technical intern trainees.
- Prepare an environment for the realization of a society of harmonious coexistence with foreign nationals who have been accepted by Japan.
- Contributing to the realization of a tourism-oriented country through the implementation of fast and smooth immigration procedures for foreign nationals visiting Japan
- Reinforcement of strict and proper immigration examinations and residency management and countermeasures against illegal residents ,etc. in order to realize a safe and secure society.
- Promotion of appropriate and prompt asylum for refugees in light of Japan's standing as a member of the international community with regard to the issue of refugees

The above six points form the basic policies, and the necessary measures will continuously be developed while also ensuring sufficient consideration is paid to the human rights of foreign nationals throughout all of the measures.

The specific policies of the measures are as given below.

## **1 Smooth Acceptance of Foreign Nationals Vitalizing the Japanese Economy and Society**

### **(1) Past Main Measures**

#### **A. Acceptance of Human Resources Contributing to Economic Growth**

Foreign nationals in professional and technical fields are essential human resources in order to maintain and further develop the vitality of the Japanese economy and society.

As one of the measures to proactively accept such human resources, the operation of a points-based system for highly-skilled professionals commenced in May 2012, and based on the Act for Amendment of the Immigration Control Act, Etc., the statuses of residence of “Highly Skilled Professional (i)” and “Highly-Skilled Professional (ii)” were newly established in June 2014 with regard to highly-skilled foreign professionals who were previously granted the status of residence of “Designated Activities” (enforced from April 1, 2015).

Furthermore, the acceptance of highly-skilled foreign professionals is being promoted such as in April 2017, the world’s fastest “Japanese Green Card for Highly-Skilled Foreign Professionals” was established, which will greatly shorten the period of stay required for permanent residence for highly-skilled foreign professionals from the previous five years, and new items for calculation were added to the points-based system for highly-skilled foreign professionals.

As a result of these efforts, by the end of December 2018, the total number of highly-skilled foreign professionals who had been recognized was 15,386, and the total number of cases of permission for permanent residence granted

through the “Japanese Version Green Card for Highly-Skilled Foreign Professionals” was 815 by June of the same year.

Subsequently, with regard to the acceptance of highly-skilled foreign professionals, measures are being implemented to promote the acceptance of highly-skilled foreign professionals in the National Strategic Special Zone Program such as through newly establishing a “Project for Promotion of the Acceptance of Highly-Skilled Foreign Professionals”, special additional points for foreign nationals working for enterprises, etc. supported by relevant local governments which have been granted subsidies (March 2019), and the expansion of the number of universities eligible for special additional points in order to promote foreign nationals who have graduated from universities or other educational institutions in Japan to be able to work and settle in Japan as highly-skilled foreign professionals in a wide range of areas including rural areas (March 2019).

In addition, with regard to the acceptance of foreign nationals in the field of nursing care, the status of residence of “Nursing Care” was newly established for foreign nationals who have graduated from a Japanese institution of higher education designated as a certified care worker training facility, and who have acquired the qualification of certified care worker, enabling them to work as a certified care worker based on a contract with a nursing care facility or other such facility in Japan, and the operation of this new status of residence started in September 2017. The number of foreign residents with this status of residence was 185 as of the end of December 2018.

## **B. Acceptance of Foreign Workers as a Measure against Serious Labor Shortages**

As an urgent and timely measure to accelerate reconstruction work due to the Great East Japan Earthquake and to meet construction demands related to the 2020 Tokyo Olympic and Paralympic Games, from April 2015, foreign construction workers have been accepted in the construction field and foreign shipbuilding workers have been accepted in the shipbuilding field where there is a large two-way flow of human resources to and from the two fields (in November 2017, the system was partially revised such as with the acceptance period being extended for a maximum period until the end of the year 2022).

Subsequently, against the backdrop of worsening labor shortages throughout the country, the Prime Minister gave instructions at the Council on Economic and Fiscal Policy in February 2018 regarding the system of acceptance of foreign nationals in professional and technical fields, to proceed immediately with specific examination of system revision focusing on the fields that are truly necessary, and in June of the same year, the “Basic Policies for Economic and Fiscal Policy Management and Structural Reform 2018” (approved by the Cabinet on June 15, 2018) indicated the direction of the new system for acceptance of foreign workers aimed at resolving the labor shortages.

The aim of the new system for acceptance of foreign workers is to accept work-ready foreign workers, who possess certain expertise and skills in industrial fields where foreign workers are needed to supplement the labor shortage, which is still difficult to secure human resources even after efforts have been made to improve productivity and secure domestic human resources. As a measure to realize this system, the statuses of residence of “Specified Skilled Worker (i)” and “Specified Skilled Worker (ii)” were newly established through the Act for Amendment of the Immigration Control

Act, Etc. enacted in December of the same year, and operation of these statuses of residence commenced in 14 fields from April 2019.

### **C. Promotion of the Appropriate Acceptance of Foreign Students**

#### **(i) Employment Support for Foreign Students**

The Ministry of Justice has taken such measures as permitting foreign students to stay in Japan during the job-hunting period after graduation as employment support for foreign students after their graduation. In November 2018, a dedicated consultation services counter for employment support for foreign students was set up at the Regional Immigration Services Bureau.

#### **(ii) Optimization of Japanese Language Education Institutions**

The Japanese language education institutions pertaining to the status of residence of “Student” were used to be designated through a Ministry of Justice public notice taking into consideration the examinations conducted by a private sector organization, but due to the need to change to a legally clearer system, in July 2016, the Regulation for Enforcement of the Immigration Control and Refugee Recognition Act (Ministry of Justice Order No. 54 of 1981) and the Ministerial Order to Provide for Criteria Pursuant to Article 7, paragraph (1), item (ii) of the Immigration Control and Refugee Recognition Act (Ministry of Justice Order No. 16 of 1990) were amended, and a system was brought in where the Minister of Justice listens to the opinions of the Minister of Education, Culture, Sports, Science and Technology and then issues a public notice designating the Japanese language education institutions, and operations based on the new Public Notice for Japanese Language Education Institutions commenced in August 2017.

## **D. Further Acceptance of Fourth-Generation Foreign Nationals of Japanese Descent**

With regard to fourth-generation foreign nationals of Japanese descent, only unmarried minors, who are natural children supported by third-generation foreign national of Japanese descent residing in Japan with the status of residence of “Long-Term Resident”, were permitted to enter or reside in Japan, but with the aim of accepting young fourth-generation foreign nationals of Japanese descent, and having them develop a deeper understanding and interest in Japan through activities acquiring Japanese culture, and moreover, cultivating them as human resources who will serve as a bridge to strengthen the connections between Japan and the Japanese societies abroad, from July 2018, such fourth-generation foreign nationals of Japanese descent will be accepted under the status of residence of “Designated Activities”.

## **E. Special Acceptance through the National Strategic Special Zones**

The National Strategic Special Zone System aims to comprehensively and intensively promote measures such as regulatory reform in the national strategic special zones designated by the national government, with successive special measures being taken under the same system with regard to the acceptance of foreign nationals as well. Specifically, in accordance with the “Act on Partial Amendment of the Act on the National Strategic Zones and the Act on the Structural Reform Zones (Act No. 56 of 2015)”, which came into effect in September 2015, the “Project to Promote Foreign Business Establishment Activities” so as to strengthen international competitiveness in the industries and to form a base for international economic activities, and the “Project for Acceptance of Foreign Nationals for Domestic Work Support” to respond to women’s empowerment and domestic support needs were introduced, and in

addition, pursuant to the “Act for Partial Amendment of the National Strategic Zones and the Act on the Structural Reform Zones (Act No. 71 of 2017)” enforced in September 2017, the “Project for Acceptance of Foreign Nationals to Support Agriculture”<sup>2</sup> in order to realize “strong agriculture” and to strengthen the international competitiveness of agriculture and the “Project to Promote Activities for Foreign National Overseas Demand Development Support” to meet the needs related to “Cool Japan Inbound” foreign nationals, etc. were introduced.

## (2) Current Issues

“Foreign nationals in professional and technical fields are to be proactively accepted as they contribute to the revitalization of our economy and society”. This is the current basic policy of the government on the acceptance of foreign nationals. Japan is now entering an era of a fully-fledged declining birthrate and aging population, with an overall population decline, and the population in 2040 is estimated to see a decline of more than 16 million people when compared to the population in 2015 (“Population Projection for Japan” of the National Institute of Population and Social Security Research, estimate 2017). Under such circumstances, foreign nationals in professional and technical fields, in particular, are essential and indispensable human resources to maintain and further develop the vitality of the Japanese economy and society, and it is necessary to proactively continue accepting them into Japan.

In particular, with regard to the acceptance of foreign nationals with the status of residence of “Specified Skilled Worker”, which is also a measure to supplement labor shortages, it is necessary to ensure an appropriate work

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<sup>2</sup> A policy was indicated at the National Strategic Special Zones Working Group established on February 25, 2019 that the “Project for Acceptance of Foreign Nationals to Support Agriculture in the National Strategic Special Zones” would be transferred in stages to the program pertaining to the status of residence of “Special Skilled Worker”.

environment which includes the wage levels and to implement appropriate support. In addition, it is necessary to prevent the intervention of unscrupulous intermediary business operators in the sending countries, such as those that collect deposits from the foreign nationals or their family members, or which set a penalty fee in contracts with the foreign nationals or their family members.

When it comes to operation of the status of residence of “Specified Skilled Worker”, it is necessary to take into consideration the situation in areas where there is a shortage of human resources, and to take various measures to ensure that foreign nationals are not excessively concentrated and working in a large metropolitan area, etc.

In addition, foreign students in Japan not only acquire advanced expertise and Japanese language skills through the education they receive at the educational institutions in Japan, but they are also valuable resources, who will interact with Japanese students and local residents in various ways during their time of study in Japan, but one survey shows that less than 40% of foreign students who graduated from or completed university (undergraduate or graduate school) in fiscal 2017 found a job in Japan (2017 Questionnaire on Student Career Paths by the Japan Student Services Organization), and therefore, it is necessary to support foreign students more appropriately so that they will be able to play an active role in the region after they have completed their study abroad in Japan.

On the other hand, in terms of the Japanese language education institutions, certain problems exist such as the fact that there is no mechanism in place to be able to continuously check and evaluate compliance with the Public Notice Criteria a public notice has been issued, and there are some malicious intermediary agencies which collect unreasonably high fees to arrange study

abroad. Moreover, it has been confirmed that there are some foreign students who have been working greatly in excess of the number of hours permitted in the permission to engage in an activity other than that permitted under the status of residence previously granted due to the fact that foreign students sometimes do not have the funds necessary to pay for their expenses, had a large amount of debt when they entered the country, or entered Japan solely intending on working and therefore, it is necessary to work on selecting foreign nationals who truly intend to come to Japan to learn Japanese and to secure an appropriate learning environment for them.

### **(3) Countermeasures (Future Policies)**

#### **A. Promotion of the Acceptance of Foreign Nationals in Professional and Technical Fields Contributing to Revitalization of the Economy and Society**

There is a need to proactively accept foreign nationals in professional and technical fields, who contribute to the revitalization of Japan's economy and society, and continuous efforts will be made to facilitate smooth acceptance by clarifying the operations and reducing the burden of the procedures involved in determining the status of residence .

In addition, when foreign nationals in professional and technical fields are required afresh owing to changes in Japan's economy and society, examination the statuses of residence and landing permission criteria from a broad perspective will be taken, taking into consideration of the impact on the labor market, industry, and people's lives in Japan.

Moreover, in such case, efforts will be made to design a system that is easy to understand and use for relevant overseas organizations, accepting organizations, and the foreign nationals concerned.

## **B. Promotion of the Acceptance of Highly-Skilled Foreign Professionals**

Highly-skilled Foreign Professionals are human resources who are expected to lead to innovations in Japanese industries. As a result, since there are also expectations for Japan's economic growth, new demand and the creation of jobs, measures will be taken to promote the acceptance of highly-skilled foreign professionals in cooperation with the relevant administrative agencies.

Moreover, in order to ensure more widespread use of this system, proactive efforts will be made to work on effective public relations.

## **C. Proper and Smooth Operation of the System for the Acceptance of Specified Skilled Workers**

The acceptance of foreign nationals through the newly established status of residence of "Specified Skilled Worker" is a necessary measure to deal with the labor shortages in this era of a fully-fledged declining birthrate, aging population and overall declining population as well as to maintain and develop the vigor of Japan's economy and society, and as a result, there is a need to realize proper and smooth operation of the system in cooperation with the relevant administrative agencies.

Therefore, in cooperation with the relevant administrative agencies, efforts will be made to accurately and continuously grasp the situation of labor shortages in the accepting fields, the situation of concentration in specific areas, the situation of regions where there is a particularly serious shortage of human resources, the situation of residence of foreign nationals who have been accepted under the status of residence of "Specified Skilled Worker" (hereinafter referred to as "Specified Skilled Worker") and other conditions, and to consider necessary measures from multiple angles.

Furthermore, it is essential in terms of ensuring appropriate operation of the

system that the situation of acceptance by the accepting organizations and the situation of support by the registered support organizations are continuously kept track of, and that necessary measures are taken against improper organizations, and in this regard, efforts will be made to collect and analyze information pertaining to notifications and the contents of various reports, and surveys will also be conducted and guidance given by the immigration inspectors and others. In particular, with regard to whether the work environment, including the amount of wages paid to the Specified Skilled Worker, is appropriate, if it is deemed from objective data that there is a problem, appropriate measures will be taken in cooperation with the relevant administrative agencies.

At the same time, in order to exclude the unscrupulous intermediary business operators in the sending countries, further bilateral agreements will be prepared and close cooperative relationships will be maintained with the governments of the sending countries.

Meanwhile, a “support mechanism” was introduced as a system for immigration control and residency management with regard to foreign nationals entering and residing in Japan with the status of residence of “Specified Skilled Worker (i)”. Establishing such a mechanism as a system in Japanese society and further developing it will contribute not only to protection of the foreign nationals themselves but also to the development of safety in society. In the examinations relating to the acceptance of specified skilled workers, the status of fulfillment of the obligations under the social security system and tax obligations of the accepting organization will be checked out, and accepting organizations which have been delinquent in their obligations for a certain period will not be permitted to accept specified skilled workers. Furthermore, if

a specified skilled worker has not paid a certain amount of national health insurance premiums or national pension premiums, or has been delinquent with income tax payments or other obligations to a certain extent for reasons attributable to the foreign national, such foreign national may be denied permission to change the status of residence or permission to extend the period of stay. Moreover, efforts will be made to promote participation in the social insurance scheme and the performance of tax obligations through information linkage with the relevant organizations. Furthermore, consideration will also be given to implementing similar measures for foreign nationals with other statuses of residence.

Moreover, in accordance with paragraph (2) of Article 18 of the Supplementary Provisions of the Act for Amendment of the Immigration Control Act, Etc., a review is to be conducted of the system when two years have passed from the enactment of the Act (such as of the involvement of the local governments, the method of assessing the skills of the specified skilled workers, the correlation with the technical intern training system, etc.) and necessary measures are to be taken, and preparations are underway to ensure that it is possible to accurately grasp the state of operation of the system and to carry out an adequate review.

#### **D. Promotion of Entrepreneurship in Japan**

From the perspective of strengthening Japan's international competitiveness and forming a base for international economic activities, there is a need to proactively accept foreign entrepreneurs. Regarding the acceptance of foreign entrepreneurs, as mentioned above, in September 2015, the "Project for Facilitation of Acceptance of Foreign Entrepreneurs" was established in order to grant exceptional permission for entry into Japan in cases where the local

government had reviewed the plans for entrepreneurship, and had confirmed that the requirements for business stability and continuity in the National Strategic Zone System had been met, making it sufficient for the landing requirements for the status of residence of “Business Manager” to be satisfied within six months of landing in Japan. Subsequently, with the aim of further expanding the acceptance of foreign entrepreneurs, from December 2018, if the Minister of Economy, Trade and Industry approves the plan relating to the Project to Promote Foreign Business Establishment Activities formulated by the local government and if a foreign national prepares to start up a business based on the plan, measures will be taken to grant a period of stay of up to one year under the status of residence of “Designated Activities”, and efforts will be made to smoothly operate the system in order to continue promoting the acceptance of foreign entrepreneurs.

## **E. Promotion of the Appropriate Acceptance of Foreign Students**

### **(i) Employment Support for Foreign Students**

The acceptance of foreign students leads to increasing the number of foreign nationals who understand and develop close ties with Japan, and also contributes to strengthening international mutual understanding and friendships as well as to the advancement of Japanese companies into overseas markets and the promotion of trade. Moreover, if foreign students find employment in a Japanese company after graduation, this also leads to cultivating seeds of highly-skilled foreign professionals who will be responsible in the future for Japan’s economic development.

For these reasons, we will continue to proactively accept foreign students. One measure that is being taken for such purpose is to expand the range of work that they can engage in, so that foreign students who have

graduated from university or a graduate school in Japan and have advanced Japanese language skills will be able to be active in a wider range of fields.

In addition, with regard as well to foreign students who have graduated from vocational schools in the “Cool Japan” field or other fields, measures will be taken to broaden the range of jobs where foreign students will be able to find employment in order to cultivate human resources, who will be responsible in the future for transmitting information on Japanese life and culture and who will be in charge of overseas development.

## **(ii) Optimization of the Japanese Language Education Institutions**

As mentioned above, with regard to foreign students, there have been certain problems such as cases of foreign nationals who came to Japan intending to work right solely and the existence of Japanese language education institutions that inadequately manage the enrollment of foreign students, and therefore, in order to deal appropriately with these problems, it is necessary for Japanese language education institutions which admit foreign students to ensure optimization as an education institution, such as continuously ensuring an appropriate learning environment.

From this standpoint, stricter criteria are to be adopted such as standards for the attendance rate of all students and the percentage of foreign students staying illegally beyond their authorized period of stay in relation to the criteria for deletion as set out in the Public Notice Criteria, and making it mandatory for the Japanese language education institutions to conduct regular inspections and submit reports relating to compliance with the Public Notice Criteria.

As mentioned above, since there are malicious intermediary agencies, which collect unreasonably high fees for study abroad, and foreign students

find themselves with a large amount of debt at the time of entry and have to work after entering Japan, information exchange will be conducted with foreign governments to eliminate domestic and foreign malicious intermediary agencies and others, and to promote proper management.

In addition, from the viewpoint of securing the quality of Japanese language education, measures will be taken to obligate the writing of reports on the results of Japanese language proficiency tests to be submitted to Regional Immigration and Service Bureaus, and publicizing.

Moreover, measures are being implemented such as reviewing the assessment criteria pertaining to appropriateness of the Japanese language education institutions and reviewing the documents to be submitted pertaining to the application for the certificate of eligibility.

## **2 Call for National Debate on the Acceptance of Foreign Nationals in Light of the Declining Birthrate and Aging Population**

A population decline is in progress. According to the demographic statistics of the Ministry of Health, Labour and Welfare, the difference between the number of births in 2017 (946,065 people) and the number of deaths (1,340,397 people), in other words the natural increase or decrease showed a decline of 394,332 people, which was a decline for the 11th consecutive year.

In addition, according to the projection for median births and median deaths of “Population Projection for Japan” (The National Institute of Population and Social Security Research” (2017 estimate)), the aging population (65 years of age or over) in 2015 was 33,870,000 (26.6% of the total population; same in the brackets below) but is expected to increase to 37,820,000 (32.8%) by 2035. Meanwhile, the working-age population (15-64 years of age) entered into a declining phase after reaching 87,260,000 people in 1995 and decreased to 77,280,000 people (60.8%) in

2015. If this trend continues, a further decline to 64,940,000 (56.4%) is expected in 2035. Moreover, the child population (0 to 14 years of age) is also decreasing, and while the child population in 2015 was 15,950,000 people (12.5%), , the child population in 2035 is projected to be reduced to 12,460,000 people(10.8%).

In response to this era of a population decline, it is necessary to work effectively and vigorously on measures in a wide range of fields, such as improvement of productivity and utilization of potential labor forces such as women, young people and elderly people, and the acceptance of foreign nationals will also be examined on the premise that such efforts will be made.

In areas where new needs for human resources arise, as described above, it is necessary to consider the acceptance of foreign nationals taking into account the impacts on industries, etc. in fields which may be deemed to be professional or technical.

With regard to the acceptance of foreign nationals in fields which are not deemed to be professional or technical, naturally, it is necessary to monitor the needs and to verify the economic effects brought about through acceptance, but a consideration is also required from wide-ranging perspectives such as the social costs of education, welfare, etc., the overall impact on employment such as working conditions, the situation of efforts to secure Japanese workers, the impacts on the industrial structure through acceptance, an appropriate mechanism in the event of acceptance, preparation of the environment associated with acceptance, and security, and this consideration needs to be conducted based on a national consensus.

In any case, regarding the acceptance of foreign nationals in the future, as well as ascertaining the systems and situations of foreign countries and listening carefully to the views of the people, there is a need for the government as a whole to

conduct a wide range of examinations based on the situation of operation of the status of residence of “Specified Skilled Worker” established for the purpose of coping with the labor shortages, and for the Ministry of Justice to carry out immigration control and residency management administration, and to respond appropriately, from the standpoint of being responsible for general coordination relating to the maintenance of an environment for the acceptance of foreign nationals.

### **3 Efforts toward Optimization of the Program of Technical Intern Training**

#### **(1) Past Main Measures**

The program of technical intern training is a program which aims to make an international contribution by transferring skills, etc. to the developing countries and other areas. This program had been revised a number of times such as through guaranteeing legal protection for the workers from the time of their entering Japan pursuant to an amendment of the Immigration Control Act in 2009, but there had still existed some supervising organizations and implementing organizations which had conducted improper acceptance, and therefore it was hard to say that the system had been operated thoroughly in line with the original intent of the system. On the other hand, requests for expansion of the technical intern training program such as expansion of the target job types and extension of the training period had also been received.

Therefore, the Ministry of Justice and the Ministry of Health, Labour and Welfare gave consideration to revising the program based on recommendations from persons with relevant knowledge and experience and related organizations, and as a result, the Technical Intern Training Act was enacted in November 2016 and took effect in November 2017.

In terms of the new technical intern training program, a system of licenses for

the supervising organizations, a system of notification by the implementing organization and a system of accreditation of the technical intern training plans were introduced, and in addition, on-site inspections of the supervising organizations and organizations implementing the technical intern training to be conducted by the organization OTIT, which was newly created pursuant to this Act, and provisions on prohibitions and penalties for acts of human rights abuse against technical intern trainees were established, and optimization of the system was implemented. Further, as measures to protect the technical intern trainees, support services such as consultations by OTIT in the trainee's native language and support for the trainee to change their training site are being provided.

Moreover, preparations and discussions on bilateral agreements with the governments of the sending countries are currently underway, mainly for the purpose of excluding inappropriate sending organizations such as those that collect deposits, and as of the end of March 2019, bilateral agreements have been entered into with 13 countries.

In addition, supervising organizations and implementing organizations which are deemed to be excellent are permitted to accept foreign nationals with the status of residence of "Technical Intern Training (iii)" in order to allow the trainees to master certain skills etc., and plans are being made to expand the program such as extending the period of acceptance up to a maximum period of five years.

## **(2) Current Issues**

As mentioned above, although efforts are being made to optimize the technical intern training program through enforcement of the Technical Intern Training Act, there are still some problems with the technical intern training program, and in particular, in recent years, the number of trainees who have disappeared from

implementing organizations has seen a consistent increase with the exception of 2016. There are various causes for the disappearance of trainees such as, for example, cases where the sending organization in the home country has collected an unreasonably high fee causing the trainee to disappear and seek another workplace due to the need to repay the debt. Under the new technical intern training program, although efforts are being made to exclude sending organizations that collect unreasonably high fees through means of a bilateral agreement with the sending countries, it has been pointed out that, in actuality, there are still a number of unscrupulous intermediary organizations which continue to intervene in the process.

Moreover, there are some implementing organizations, which commit violations of labor-related laws and regulations such as forcing the trainees to work long hours or not paying the trainees wages, or which have the trainees engage in work different from that described in the original technical intern training plan, or otherwise commit misconduct such as forcing the trainee to return to the home country, and it is thought that these points also cause the disappearance of the trainees, and therefore, there is a need to further optimize the system, including taking quicker and stricter corrective measures against implementing organizations that commit such misconduct.

### **(3) Countermeasures (Future Policies)**

Measures, including the measures given below, will be accurately implemented for protection of the technical intern trainees and management and supervision of the supervising organizations and implementing organizations based on the provisions of the Technical Intern Training Act, and further optimization of the technical intern training program will be implemented.

#### **A. Promotion of the Preparation and Operation of Bilateral Agreements**

As mentioned above, efforts are being made to optimize the sending organizations by entering into a bilateral agreement with the governments of the sending countries. The conclusion of bilateral agreements will be further accelerated through diplomatic negotiations, and based on the agreement with the respective country, efforts will be made to exclude inappropriate sending organizations by such means as sending notifications to the sending country, and in addition, when a report is received of an act such as misconduct pertaining to an implementing organization in Japan, necessary actions will be promptly taken. Moreover, with regard to sending countries where efforts to exclude inappropriate sending organizations have been insufficient, measures will be taken to make the agreements effective through strict examination of the applications for accreditation of the technical intern training plans for technical intern trainees from such sending countries.

## **B. Reinforcement of Support and Protection for Technical Intern Trainees**

The support mechanism for technical intern trainees, such as consultations in the native language of the trainees and housing support which are provided by OTIT will be further publicized, and its use expanded, and moreover, efforts to prevent disappearances and also to rectify misconduct first starting with the consultation will be enhanced. In addition, if it is difficult to continue with implementation of the technical intern training due to a cause which is not attributable to the fault of the technical intern trainee, the supervising organization or implementing organization is required to support the transfer of the technical intern trainee, but if it is unable to secure a transfer site, OTIT will promptly provide support such as providing information on a new supervising organization.

Furthermore, harmonious coexistence with the technical intern trainees will

be promoted through links and collaboration with various approaches based on the comprehensive measures, such as a centralized consultation services counter that provides information and consultations about administrative matters and general living in Japan in multiple languages, and a stance of improving problems, such as disappearances, will be taken based on the philosophy of promotion of harmonious coexistence.

#### **C. Reinforcement of the Conditions of the Implementation of Examinations and On-site Inspections in Cooperation with the Relevant Agencies**

Initial responses will be strengthened at the time of the receipt of a notification to the effect that an incident has occurred making it difficult to continue with the technical intern training such as the disappearance of a technical intern trainee, and investigations will be carried out into the cause and related documents collected and preserved through the implementation of immediate on-site inspections or other means, and if misconduct is found, strict responses will be taken.

In addition, information exchange will be strengthened with the other related organizations such as OTIT and the Ministry of Health, Labour and Welfare, and cooperation strengthened with other sources, and after quickly and broadly evaluating information on implementing organizations, supervising organizations, and unscrupulous intermediary business operators, strict examinations and on-site inspections will be thoroughly implemented, and efforts will be made to exclude improper accepting organizations through strict operations such as revocation of the license of the supervising organization and revocation of accreditation of the technical intern training plan, with diverse and multi-layered measures being taken that include responses based on laws and regulations other than the Technical Intern

Training Act.

## **4 Efforts for Acceptance of Foreign Nationals and Harmonious Coexistence**

### **(1) Past Main Measures**

#### **A. Measures for the Realization of a Society of Harmonious Coexistence with Foreign Nationals**

The number of foreign nationals staying in Japan has increased in recent years, and the number of foreign residents as of the end of December 2018 reached a record high of approximately 2.73 million and is expected to increase even more in the future.

In order to realize a society of harmonious coexistence with foreign nationals, the Japanese government will be fundamentally reviewing the “Comprehensive Measures Relating to ‘Foreign Nationals as Residents’” which were compiled at the Inter-ministerial Liaison Committee on the Problems Faced by Foreign Workers in December 2006. As stated above, in December 2018, the Ministerial Conference on Acceptance and Coexistence of Foreign nationals adopted the comprehensive measures.

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 will indicate the direction to be taken in relation to the acceptance and harmonious coexistence of foreign nationals.

The comprehensive measures included 126 measures incorporated by the government as a whole, and bolstered funding amounting to approximately 21.1 billion yen as a related budget (supplementary budget for FY2018 and budget for FY2019) that has been allocated in total (as well as the subsidies for

promoting local revitalization, the Japan Student Services Organization operating expenses subsidies (related to employment support for foreign students), human resource development support subsidies (related to stable employment support in the area), and the related budgets for such measures as countermeasures against illegal foreign residents), and many of the measures are designed to reduce the financial burden on the local governments which are the main implementers of the measures.

In relation to these measures, the Ministry of Justice is responsible for general organization to ensure the steady promotion of the related measures, as well as to securely implement the measures for which it itself is responsible.

The comprehensive measures include (i) listening to opinions and awareness-raising activities etc. to realize a society of harmonious coexistence with foreign nationals; (ii) support for foreign nationals as residents, (iii) efforts aimed at promoting appropriate and smooth acceptance of foreign nationals, and (iv) construct a new residency management system, and the following measures are included chiefly as measures concerning (ii).

i Provide multilingual information on administrative procedures and living, and develop a structure of counseling

- Establish a support system for local governments pertaining to one-stop services providing multilingual information and advice on administrative procedures and living (about 100 locations nationwide, supported in 11 languages)
- Prepare and disseminate a new “Guidebook on Living and Working” (supported in 11 languages) for safe and secure living and working in Japan
- Construct a platform for a multilingual system and promote use of the

multilingual interpretation system

- Multilingualize support at Consumer Affairs Centers, JLSC (Japan Legal Support Center), human rights bodies (supported in 8 languages), and consultation services by the needy

- Promote responses envisaging the use of social networking services (SNS) for the provision of information on administrative matters and general living in Japan.

ii Promote and support measures for multicultural coexistence in local communities

- Support pioneering measures of the local governments by using subsidies for promoting local revitalization in order to promote the activities of foreign nationals in the regions and to realize harmonious societies of coexistence through measures such as setting up an organization that provides support for the acceptance and co-existence of foreign nationals

iii Develop an environment to provide medical care, health and welfare services

- Improve the system to allow foreign patients to receive medical care in all of the areas of residence with peace of mind through promoting use of telephone interpreters and multilingual translation systems, developing manuals, and establishing regional countermeasures council, etc.

- Assign medical interpreters to local core medical institutions, support multilingualization of hospital information maps

- Acceptance of requests for consultations from foreign national families raising children and the provision of information on childcare support

iv Enhance information dissemination and support at the time of a disaster

- Promote dissemination of disaster and weather information in 11 languages through Japan Meteorological Agency(JMA) website and the push-enabled

information alert application, which disseminates public protection information of National Early Warning System(J-ALERT), improve information transmission making it easier for foreign nationals to understand (map information, warning sounds, etc.)

v Prepare an environment and support for securing housing

- Disseminate practical service manuals for landlords and rental agencies, rented housing standard contracts in foreign languages, etc. (supported in 8 languages)
- Promote registration, provision of housing information, and housing support on rental housing that are intended for the promotion of smooth move-in for persons requiring housing support, including foreign nationals

vi Improve user-friendly financial and telecommunication services

- Improve the environment (including support from the accepting company), promote multilingual services related to opening of a savings or deposit account by foreign nationals at financial institutions
- Promote multilingual services at the time of entering into contract for mobile phones

vii Enhance Japanese language education and education of foreign children and pupils

- Develop Japanese language education based on a standard Japanese language curriculum for daily lives on a nationwide scale
- Steadily improve the Fixed Number of Teachers Required for Japanese Language Teaching based on the provisions of Act on Standards of the number of educational personnel in Compulsory Education Schools, and support the assignment of support staff

- Improve the support system for foreign children and pupils by the local governments (utilization of ICT, cooperation with diverse entities)
- Support Career education for senior high school students and others in collaboration with regional companies and NPOs, and ensure learning opportunities
- Enhance websites about Japanese language education contents related to the Japanese language learning of foreign nationals visiting Japan

viii Ensure an appropriate work environment

- Expand advice structure and promote multilingualization at the “Foreign Workers Consultation Corner (Advisor for Foreign Workers) ” and “Telephone Consultation Service for Foreign Workers ”
- Multilingualize and provide information and advice based on the situation of foreign residents by region
- Expansion of training programs for long-term residents, who are settled in Japan, to study the Japanese language, etc., and implementation of vocational training corresponding to the level of Japanese language skills

ix Promote enrollment in social insurance, etc.

- Promote enrollment in social insurance through the provision of information from the Ministry of Justice to the Ministry of Health, Labour and Welfare, etc.
- Improve the tax payment environment such as support for reliable performance of the tax obligation

**B. Accurate Operation of the Residency Management System and Reinforcement of the Residency Management Base**

Under the residency management system introduced in July 2012, the Minister of Justice is responsible for centrally keeping track of the necessary

information to manage the residence of foreign nationals staying in Japan for a mid to long-term period (hereinafter referred to as “mid to long-term resident”), and moreover, using the Basic Resident Registration pertaining to foreign residents introduced at the same time, an information linkage system between the Ministry of Justice and the municipal governments using the Local Government Wide Area Network (LGWAN) was established, making it possible for basic information on foreign nationals to be promptly provided to the municipal governments necessary for them in providing the services.

The residency management system is the base for a society of harmonious coexistence with foreign nationals, and the Ministry of Justice has been working on its proper operation.

## **(2) Current Issues**

As mentioned above, it is thought that the number of foreign residents will increase with the expansion of the acceptance of foreign nationals. Under such circumstances, a system has been developed to enable the Ministry of Justice to promote measures for the twin pillars of immigration control and residency management administration and the promotion of a society of harmonious coexistence with foreign nationals, in order to improve the environment of acceptance for foreign nationals, who work, learn and live in Japan, and in this regard, the Ministry of Justice is required to properly keep track of the status of implementation of the comprehensive measures and to promote the steady implementation of the related measures while properly performing its function of general organization.

In addition, regarding the comprehensive measures, there is a need for the government as a whole to continuously review and further enhance them based on the status of implementation of each respective measure, the

opinions of Japanese and foreign nationals, and changes in the domestic and foreign situations.

Next, with regard to managing the residence of the foreign nationals, it is necessary to strengthen the functions of information collection and analysis in the Ministry of Justice from the perspective of appropriate promotion of the comprehensive measures.

Moreover, from the perspective of improving the efficiency of administration and ensuring greater convenience for the foreign nationals and accepting organizations, consideration will be given to the use of online procedures based on the “Digital Government Execution Plan” decided at the e-Government Ministerial Conference held in January 2018.

### **(3) Countermeasures (Future Policies)**

#### **A. Measures for the Realization of a Society of Harmonious Coexistence with Foreign Nationals**

Steady implementation of the related measures will be promoted and accurate monitoring of the situation of implementation and follow-ups with the cooperation of the relevant administrative agencies, local governments, and private sector to ensure that all foreign nationals who are residing legally in Japan as members of society are accepted without feeling isolated, and to develop an environment where foreign nationals will be able to enjoy the same public services and live without undue anxiety just as Japanese nationals do. In particular, in view of the fact that the comprehensive measures include many related measures that will be mainly implemented by the local governments, measures will be proactively implemented with the cooperation of the local governments such as listening to opinions and providing information related to the development of an environment for the acceptance of foreign nationals

through having the Accepting Environmental Coordinators, in the Regional Immigration Services Bureaus act as contact points.

In addition, efforts will be made to ascertain information on the state of implementation of each related measure, the opinions of Japanese and foreign nationals and domestic and foreign situations that may affect the implementation of the related measures, etc., in order to contribute to government-wide examination of the state of the comprehensive measures, and to share the information with the relevant administrative agencies.

Furthermore, information will be proactively disseminated on the comprehensive measures and their status of implementation, and efforts will be made to gain broad understanding from the citizens and foreign nationals. At that time, in order to realize a society of harmonious coexistence, it should be acknowledged that it is important that not only should the Japanese nationals on the receiving side strive to understand the principle of harmonious coexistence, but also the foreign nationals on the received side should also endeavor to understand the principle of harmonious coexistence, and to strive to understand Japanese culture and customs.

## **B. Accurate Operation of the Residency Management System and Strengthening of the Residency Management Base**

The current residency management system is essential in providing the residents' services smoothly in the municipality through information linkage with the Basic Resident Registration system, and continuous proper operation should be ensured since it also has great value from the perspective of realizing a harmonious society of coexistence with foreign nationals.

Since it is assumed that in the future, the acceptance of foreign workers will be expanded and the scope and mode of their activities in Japan will

become broader and more diverse, it is necessary to grasp information accurately and reliably on the residential situation and employment situation of foreign nationals, as well as information relating to the organizations of affiliation, and to carry out accurate residency management based on such information. Therefore, we will strengthen the capability to collect and analyze information, in terms of system and human resource development.

In addition, in order to carry out accurate residency management, we will promote measures to ensure appropriate information collaboration with the relevant administrative agencies such as by more accurately comparing information held by the Ministry of Health, Labour and Welfare with that of the Ministry of Justice, with receiving the notification on the foreign national's employment status containing residence card numbers.

Moreover, the government is promoting e-Government to streamline administrative matters, improve efficiency, increase transparency and to provide greater convenience for the users through the application of information and communication technology in the administrative field and reviewing operations. As well as online notifications relating to the situation of residence of foreign nationals, from March 2019, the Ministry of Justice started the online residence application procedures, and a system to ensure greater convenience for users is being developed.

## **5 Efforts to Realize a Tourism-Oriented Country**

### **(1) Past Main Measures**

#### **A. Introduction of Bio Carts**

The waiting time for an immigration examination at the airport or seaport is one of the main contributors of stress for foreign tourists visiting Japan, and as a government policy for the realization of a tourism-oriented country, the aim has

been to keep the waiting time for an immigration examination at the airport within 20 minutes.

Therefore, as a measure to reduce the time spent waiting in line for an immigration examination, devices so-called “Bio Carts” were introduced in October 2016 which enable personal identification information (fingerprints and facial photograph) to be acquired ahead of time, utilizing the time spent waiting in line in front of the immigration examination booths where the immigration inspectors are, at Kansai, Takamatsu and Naha airports where it was thought that the Bio Carts would be particularly effective in reducing the waiting time. Later, they were brought in at 12 airports such as Narita Airport in April 2017, and at Kitakyushu and Oita airports in May 2018, in an effort to improve the waiting time for an immigration examination.

## **B. Introduction of Automated Gates Using Facial Recognition Technology**

Since further speeding up the immigration examinations is required in order to promote Japan as a tourism-oriented country and also due to the Tokyo Olympic and Paralympic Games to be held in 2020, automated gates which use facial recognition technology, commonly known as “facial recognition automated gates” were introduced in order to streamline the departure and return procedures for Japanese nationals by making the best use of facial recognition technology and to enhance the examinations for foreign nationals.

The operation of the facial recognition automated gates first started in the return procedures for Japanese nationals at Haneda Airport in October 2017, and were fully introduced in 2018 at the landing and departure examination booths at Narita, Haneda, Chubu Centrair, Kansai and Fukuoka airports, and have been operating in both the departure and return procedures for Japanese

nationals.

### **C. Introduction of the Trusted Traveler Program (TTP)**

In the past, the foreign nationals who were permitted to use the automated gates were only those who had re-entry permission, but the Trusted Traveler Program (TTP) was introduced in November 2016 whereby foreign nationals, who intend to enter Japan with the status of residence of “Temporary Visitor”, have entered Japan certain times in the past, and who are considered to be low risk in terms of immigration control and residency management, such as working for listed companies in or outside Japan, became able to use the automated gates.

In addition, in order to expedite the immigration examinations between Japan and the United States, Americans who are already enrolled in the US Global Entry Program (GEP) are exempt from having to conform to some of the requirements in the TTP application.

### **(2) Current Issues**

Tourism is one of the most important areas for Japan in which to achieve economic growth. It is thought that through capturing global tourism demand, including the rapidly growing Asian countries, regional revitalization will be realized and employment opportunities will increase, and that conveying Japan’s appeal to visitors coming to Japan will serve to promote mutual understanding and also help establish Japan’s firm position as a member of the international community.

In March 2016, the “Tourism Vision Conception Conference Supporting Tomorrow’s Japan” chaired by the Prime Minister set a new target goal of 40 million people visiting Japan by 2020 and 60 million people by 2030. Subsequently, about 28.7 million foreign tourists visited Japan in 2017, and this

number reached about 31.19 million in 2018, surpassing 30 million for the first time.

From now on, while carrying out smooth immigration examination procedures to handle the surge in foreign tourists visiting Japan, there is a need to also upgrade the operations by proactively using the latest technology, and to realize both stricter immigration control and smoother entry examinations at an advanced level in order to thoroughly implement countermeasures at the port of entry such as prevention of terrorism.

### **(3) Countermeasures (Future Policies)**

#### **A. Promotion of the Deployment of Bio Carts**

The “Tourism Vision Realization Program 2018” (2018 Action Program for Realizing the Tourism Vision), decided at the Ministerial Conference for the Promotion of a Tourism-Oriented Country in June 2018, called for a review of the need for expansion of the use of Bio Carts at the airports, We will promote the deployment depending not only for the airports but also the seaports depending on the situation of the waiting times for an examination and the number of foreign nationals entering the country.

#### **B. Promotion of the Deployment of Facial Recognition Automated Gates**

Based on the abovementioned “Tourism Vision Realization Program 2018”, the facial recognition automated gates, which have already been operating in the departure and return procedures for Japanese nationals, are to be used in the departure procedures for foreign nationals entering Japan for the purpose of sightseeing or other similar purposes, but there is still a need to promote greater efficiency in the immigration examination process and to promote the deployment of the facial recognition automated gates as needed based on the situation of congestion at the examination booths.

## **C. Responses to the 2020 Tokyo Olympic and Paralympic Games**

When hosting large-scale events in Japan such as the 2019 Summit on Financial Markets and the World Economy (G20), the Rugby World Cup 2019, and the 2020 Tokyo Olympic and Paralympic Games, a large number of related persons and tourists are expected to come to Japan, and therefore, smooth and swift immigration procedures need to be implemented through effective use of such devices as Bio Carts and facial recognition automated gates and through arranging the staff flexibly.

In addition, we will make efforts to collect and analyze information by the cooperation with the relevant domestic and overseas organizations and share necessary information with the examination booths reliably and promptly, and moreover, will take Countermeasures at the Port of Entry such as strict counter-terrorism through closer cooperation with the relevant administrative agencies in the field.

## **D. Facilitation of the Immigration Examination Procedures Pertaining to Foreign Visitors Passengers on Cruise Ships**

In recent years, the number of cruise ships entering the seaports of Japan and foreign passengers has increased rapidly, due to activities to attract sightseeing cruise ships for the purpose of regional revitalization. In addition, in the “Tourism Vision Supporting Tomorrow’s Japan” formulated at the “Tourism Vision Conception Conference Supporting Tomorrow’s Japan” in March 2016, the goal of “5 million cruise ship tourists by 2020” was set, and it is expected that the upward trend will continue due to government-wide efforts.

Under these circumstances, the Ministry of Justice is working on expediting the entry examination procedures for cruise ship passengers

through operation of the system of landing permission for cruise ship tourists introduced in January 2015, and in the future, measures will be taken for smooth operation of the system, and further measures for facilitation will be considered such as onboard examinations inside foreign nationality vessels on the open sea for cruise ship passengers who are expected to increase.

#### **E. Other Efforts Approaches Contributing to the Realization of a Tourism-Oriented Country**

Further consideration will be given to expansion of the examinations of applicable foreign nationals through use of the automated gates, digitization of the entry and departure cards and certificates of eligibility, and the use of a mechanism to prevent travel through advance screening in the country of departure, which were all points included in the “2018 Tourism Vision Realization Program” towards the realization of a tourism-oriented country.

In addition, with regard to pre-clearance whereby passengers visiting Japan by aircraft are checked in advance at the departure, its necessity will be examined based on the effects of various measures such as the Bio Carts.

Furthermore, based on the “Comprehensive Measures to Ensure Appropriate Medical Care for Foreign Visitors Coming to Japan” compiled in June 2018 by the “Working Group on Ensuring Appropriate Medical Care for Foreign Visitors Coming to Japan” established under the Headquarters for Strategic Promotion of Health and Medical Care headed by the Prime Minister, the Ministry of Justice has been working on measures to promote enrollment in travel insurance programs at the time of entry, and in cooperation with the relevant administrative agencies, including the Ministry of Health, Labor and Welfare, will take further measures such as stricter immigration control for foreign nationals who have a past history of

non-payment of medical expenses.

## **6 Promotion of Countermeasures at the Port of Entry toward the Realization of a Safe and Secure Society and Countermeasures, etc. against Illegal Residents**

### **(1) Past Main Measures**

It is necessary to reliably prevent the entry at the border of terrorists and other foreign nationals who intend to stay illegally in Japan in order to protect the security of Japan and public safety, and such foreign nationals have to be quickly and reliably excluded from Japan. This is also an important mission for the immigration control and residency management administration.

With regard to illegal residents, measures are being taken at the border including implementation of strict landing examinations that utilize personal identification information (fingerprints and facial photographs), enforcement of proactive crackdowns in collaboration with the police, utilization of the departure order system, and the formulation of guidelines pertaining to special permission to stay, while measures are also being taken to publicize these actions.

As a result, since the number of foreign nationals staying illegally beyond their authorized period of stay at the time of January 2014 declined by about 80% compared with the approximately 300,000 people in 1993 and the situation was getting much better, but the number began to increase again at the time of January 2015 and since then, it has been increasing for five consecutive years, clearly indicating that there is no room for complacency.

In October 2015, the Ministry of Justice established the Immigration Control Intelligence Center as a core organization for the collection and analysis of information in immigration control, and strengthened its information collection and information analysis functions, and moreover, since it became possible from January 2016 to receive the passenger name records (PNRs) from the airlines

electronically, it has become possible to conduct advanced analysis using the information held by the Ministry of Justice along with other information, and these results are being used in the border measures by the regional immigration control and residency management offices at the port of entry.

In addition, from October 2016, in order to reliably detect terrorists and other suspicious persons at the time of the entry examination, the facial photographs provided by foreign nationals at the time of the landing application are crosschecked with the facial images of terrorists and other suspicious persons provided by the relevant organizations.

Next, with regard to the measures against imposter residents in Japan, the information in the notification on the foreign national's employment status provided by the Ministry of Health, Labor and Welfare is being used by the Immigration Control Intelligence Center to detect illegal residents and imposter residents, and is also being used to support the crackdowns and other actions of the immigration control and residency management offices.

Moreover, in recent years, based on the fact that the existence of imposter residents, who continue to stay in Japan without engaging in the activities permitted for their status of residence, is becoming problematic, the grounds for revocation of the status of residence were expanded, and operations commenced in January 2017 in accordance with the Amended Immigration Control Act of November 2016. As a result, whereas it was only possible to revoke the status of residence when the foreign national had not engaged in the activities based on the status of residence for at least three months, it is now possible to revoke the status of residence when the foreign national is not engaging in the activities based on the status of residence and where the foreign national is staying in Japan while engaging in other activities or while intending to engage in other activities (except

where there is a justifiable reason otherwise).

## (2) Current Issues

In December 2017, the “Guidelines for Promotion of Terrorism Countermeasures in Anticipation of the 2020 Tokyo Olympic and Paralympic Games” were compiled at the “Headquarters for Countering International Organized Crime and International Terrorism” headed by the Chief Cabinet Secretary, which stated that the government was to unite and strongly promote measures against terrorism. The Ministry of Justice also needs to take thorough countermeasures against terrorism in anticipation of the hosting of large-scale events in Japan.

In addition, unlike foreign nationals who are staying beyond their authorized period of stay whose violations are relatively easy to identify, with imposter residents, it is difficult to prove inconsistency between the status of residence and the actual situation of activities, and therefore, it is necessary to strive to clarify the actual situation of these kinds of cases through careful investigation, and to continue strengthening the measures against these foreign nationals, such as through utilizing the procedure for revocation of the status of residence.

Moreover, since it is thought that an imposter resident impersonates a legal resident by using a forged residence card and working, it is necessary to strengthen measures against the making of forged residence cards.

Furthermore, there are a number of foreign nationals who, despite having been issued with a written deportation order, refuse to comply with deportation for various reasons, and due to an increase in the number of people who are detained for a prolonged amount of time, treatment for the detainees is becoming more and more difficult and managing the health conditions of the detainees is becoming increasingly more problematic with problems arising between the detainees

themselves or detainees rebelling against the officers performing their duties, and therefore, there is a need to make further efforts for the early deportation of such foreign nationals, and to appropriately respond to the various problems concerning long-term detention.

### **(3) Countermeasures (Future Policies)**

#### **A. Implementation of Strict Immigration Examinations and Other Countermeasures at the Port of Entry for the Purpose of Preventing the Entry of Terrorists and Other Suspect Persons**

##### **(i) Promotion of Effective Operation of Landing Examinations That Utilize Personal Identification Information**

The number of foreign nationals whose landing was prevented in the entry examinations using personal identification information (fingerprints and facial photographs), which have been implemented since November 2007, was 9,894 between the start of operation of the system and the end of December 2018. In addition, the operation of the system seems to have had a considerable effect as a measure against foreign nationals staying illegally beyond their authorized period of stay as it is thought that some people abandoning the idea of entering Japan upon the introduction of this system.

In addition, as mentioned above, in October 2016, crosschecking of the facial images of terrorists and other suspicious persons with the facial photographs of foreign travelers submitted at the time of the landing application started, and personal identification information is being used more effectively in the entry examinations.

In the future, more effective operation of the system, including efforts to obtain personal identification information of foreign nationals who pose a danger to Japan, such as terrorists, will be promoted in cooperation with the

relevant organizations, and while implementing smooth entry procedures utilizing the most advanced technology, measures will be taken to prevent the entry of terrorists and other suspicious persons at the border through even stricter entry examinations.

**(ii) Reinforcement of Countermeasures at the Port of Entry Utilizing Information in Cooperation with the Relevant Organizations**

Information collaboration will be strengthened with the relevant domestic and overseas organizations, and the collection of useful information for immigration control and residency management will be further promoted.

In addition, the Ministry of Justice is taking measures to identify persons who pose a security risk, through analyzing PNRs and other information provided by the airline companies , and preventing their entry, and will continue to strengthen use of such information and to conduct smooth and prompt entry examinations for foreign nationals who do not pose a problem.

Furthermore, by using INTERPOL's Stolen/Lost Travel Document database, measures will be taken to securely prevent entry at the border of terrorists and other high security risk individuals who attempt to use lost or stolen passports.

**(iii) Reinforcement of Measures against Foreign Nationals Attempting to Illegally Enter Japan through the Use of Patrols**

Since Japan has long coastlines, it is important not only to conduct examinations at the time of landing, but also to prevent illegal entry by vessels. At present, there are mobile teams composed of immigration control officers assigned to some of the Regional Immigration Services

Bureaus, and these teams conduct border control to detect stowaways by such means as patrolling the seaports and coastal areas, and further efforts will be made to proactively use these mobile teams and to work to maintain security in Japan while strengthening cooperation with the relevant organizations such as the Japan Coast Guard, the police, and the customs.

In addition, immigration control officers board the patrol vessels of the Japan Coast Guard to prevent illegal landing on the Senkaku Islands, and ongoing activities will be conducted to protect Japan's regional sovereignty in cooperation with the relevant organizations.

Moreover, at the major airports such as Narita Airport, patrol activities will be conducted as usual in the transit areas ensuring suspicious persons are monitored and crackdowns implemented.

## **B. Promotion of Countermeasures against Foreign Nationals Illegally Residing or Posing as Legitimate Residents in Japan**

### **(i) Implementation of Proactive Detection**

Although the number of illegal residents has declined substantially, there are still approximately 70,000 foreign nationals staying illegally in Japan, and there are concerns that in the process of aiming for the target number of 40 million foreign tourists visiting Japan by 2020, there will be large numbers of foreign nationals staying behind in Japan beyond their authorized period of stay, and therefore, in response to such eventualities, it is necessary to maintain the appropriate systems, utilize the various types of information held by the Ministry of Justice and to continue strongly implementing effective crackdowns through closely working with the relevant organizations.

In order to secure various measures for the realization of a tourism-oriented country, efforts will be made to continue accurately identifying the origin of the illegal residents from various types of information, and to implement effective crackdowns.

## **(ii) Reinforcement of Countermeasures against Imposter Residents**

With the creation of the new status of residence of “Specified Skilled Worker” and the expected further increase in the number of foreign residents, the existence of imposter residents is an issue that cannot be ignored when conducting proper immigration control and residency management. Therefore, countermeasures are urgently required.

Since imposter residents appear to be legal residents, there is a problem that information provided by the general public is limited and it takes a considerable amount of effort to find out the actual situation. Therefore, we will more effectively aggregate and analyze information, that is not only ascertained by the Ministry of Justice through submitted applications and notifications, but also provided by the relevant organizations, such as the information in the notifications on the foreign national’s employment status provided by the Ministry of Health, Labour and Welfare, to accomplish accurate immigration management.

In addition, while proactively using the authority of the immigration inspectors and immigration control officers for fact-finding to continuously keep track of accurate information on mid to long-term residents, measures against imposter residents will be strongly promoted such as swiftly executing the deportation procedures or procedures for revocation of the status of residence when a person is found against whom these procedures should be taken.

Moreover, with regard to measures against counterfeiting of residence cards, efforts will be strengthened such as publicizing information on methods of judging the authenticity of residence cards.

### **(iii) Reinforcement of Coordination with the Relevant Organizations**

Cooperation with law enforcement agencies such as the police is essential in order to strongly promote measures against illegal residents and imposter residents. We will continue to maintain cooperative relations in the future such as through joint detection of illegal residents and mutual provision of information and through mutually complementing each other's undercover investigations.

In addition, in the event of a criminal act being suspected in the course of an investigation by the Immigration Services Bureau, we will continue to deal strictly with the case by such means as proactively filing an accusation or report with the police and other law enforcement agencies.

Furthermore, there are cases where foreign nationals illegally transfer their bank accounts to others, or these accounts are used for other crimes, and therefore, in cooperation with the relevant organizations such as the Financial Services Agency, efforts will be made to alert the foreign nationals concerned and relevant parties, and consideration will be given to preventive measures from the perspective of preventing crime.

### **(iv) Responses to So-called Deportation Evaders**

For so-called deportation evaders who do not comply with deportation, it is necessary to realize safe and reliable deportation, and therefore, deportation will be carried out through such means as group deportations using charter flights, which have been implemented since

2013, and through the use of security officers, and deportation will be implemented depending on priority based on the circumstances of the deportee.

Furthermore, multilateral measures will be promoted such as the implementation of advance notice on the date of deportation and use of the International Organization for Migration (IOM) repatriation program as ways to promote the voluntary departure of the deportees.

Moreover, with regard to detainees who have not been deported even after a considerable period of time has passed following the issuance of a deportation order, as well as the above measures, consideration will be given to new measures to implement effective deportation,

#### **(v) Implementation of Appropriate Treatment of Detainees and Prompt Deportation**

With regard to the treatment of detainees, we have always been respectful of their human rights, but we are striving to improve their environment. Regarding proper operation of the detention facilities etc., The Immigration Detention Facilities Visiting Committee composed of outside members such as legal experts and medical experts was established in July 2010, and the committee members visit the detention facilities and give their opinions, which have led to ensuring appropriate treatment for detainees. Improvements have been made upon receiving the opinions of the committee such as promptly asking medical staff for instructions or advice about the need to take an individual to an outside hospital when he or she showed signs of a poor health condition, or making all of the facilities non-smoking in an effort to prevent

secondhand smoke, and further efforts will be made to continue working to improve the treatment of detainees based on the opinions of the committee.

Detainees whom a deportation order has been issued should, in principle, be promptly deported from Japan thus ending the need for detention, but when special consideration is necessary in a case from a humanitarian perspective, it is necessary to avoid prolonged detention as much as possible by flexibly utilizing the provisional release system. On the other hand, some foreign nationals, who do not reach the stage of deportation for various reasons, are not fit for provisional release because they are subject to punishment for past criminal acts, and therefore, they have to be detained, and as a result, since they may avoid deportation and their detention may be prolonged, it is necessary to continue stabilizing the mental state of the detainee through observation of behavior of detainees by officers and counseling by experts.

## **C. Reinforcement of the Intelligence-Gathering Functions of Immigration Control and Residency Management**

It is becoming increasingly more important to use information and data in order to carry out proper immigration control and residency management administration. Therefore, the Immigration Control Intelligence Center will continue to take the lead in collecting information from the relevant domestic and overseas organizations, which may be useful for the execution of immigration control and residency management administration, and analyzing such information, and additionally, in order to strengthen the intelligence functions of the entire organization, staff with a high level of skills in using the information will be trained, making it possible to analyze information from

multiple angles.

As a result, it will be possible to improve the efficiency of the immigration control and residency management work in general making it possible to quickly and accurately sort out and identify those persons who pose a problem in terms of immigration control and residency management and to deal with them strictly as well as providing more convenient and prompt procedures for those who do not pose a problem.

Naturally, personal information will be handled strictly in accordance with the laws and regulations.

In addition, as mentioned above, in view of the fact that accurate and reliable understanding of the situation of residence and situation of employment of foreign nationals is becoming even more important in ensuring accurate residency management, information will be collected and efficiently used through strengthened information collaboration with the relevant agencies.

#### **D. Appropriate Operation of Special Permission to Stay**

Special permission to stay in Japan is a decision which is left to the discretion of the Minister of Justice, and an overall decision on whether or not to grant permission is made for each individual case taking into consideration the foreign national's reasons for wanting to stay in Japan, the family situation, the living situation, the foreign national's behavior, situations in and outside Japan, and other various reasons, as well as the need for humanitarian consideration for the foreign national and the impact on other illegal residents.

From the viewpoint of ensuring the transparency and predictability of the special permission to stay in Japan, since 2004, the Ministry of Justice has been publishing "case examples of when special permission to stay was

granted and case examples of when special permission to stay was denied” as needed, and since April 2010, the case examples have been published in the form of a list which makes the contents of each case example easy to understand, and which have been classified and organized by category.

In addition, the “Guidelines on Special Permission to Stay in Japan” was formulated and published by the Immigration services agency in October 2006 in order to ensure the transparency and fairness of the special permission to stay, and was revised in July 2009, and the guideline is now posted on our website translated into six different languages in order to encourage more foreign nationals who may be eligible for special permission to stay to appear.

In the future, efforts will be made to ensure appropriate operation of the system of special permission to stay and to properly transmit information on special permission to stay from the perspective of encouraging the appearance of illegal residents. In addition, consideration will be given to revising the “Guidelines on Special Permission to Stay” where necessary, taking into consideration the various situations inside and outside of Japan.

## **7 Promotion of Appropriate and Prompt Refugees Protection**

### **(1) Past Main Measures**

#### **A. Revisions for Operation of the Refugee Recognition System**

Regarding the system of refugee recognition, the examination period for all of the cases has become longer due to the rapid increase in the number of applications for recognition of refugee status being submitted in recent years as well as the existence of applications that attempt to abuse or misuse the system in order to engage in employment or to settle in Japan, and these problems are posing obstacles to being able to promptly protect genuine refugees. At the same time, another issue is the need for further clarification of the judgment

criteria on whether a person is to be recognized as a refugee.

Therefore, based on the recommendations of the report submitted in December 2014 by the “Sixth Immigration Policy Discussion Panel,” which is a private advisory panel of the Minister of Justice, and the “Expert Committee on the Refugee Recognition System”, a decision was made to review the operation of the refugee recognition system, and this review was published in September 2015 as a “Outline of the Revisions for Operation of the Refugee Recognition System”.

The contents of the revisions were (i) clarification of the persons eligible for protection, the recognition criteria and procedures, (ii) strengthening of the structure and infrastructure pertaining to refugee recognition administration, and (iii) appropriate responses to deal with applications that attempt to abuse or misuse the refugee recognition system, and the main efforts that have been undertaken thus far are as follows.

**(i) Clarification of the Persons Eligible for Protection, the Recognition Criteria and Procedures**

In a press release pertaining to the number of refugees recognized since 2016, examples of cases where the applicants were recognized as refugees, cases where the applicants were not recognized as refugees, and examples of cases where applicants were granted permission to stay for humanitarian consideration were made public, and the points of the decisions were clearly indicated.

Also, from March 2017, the presence of doctors, counselors, lawyers and others were allowed on a trial basis during interviews with minors unaccompanied by guardian, persons with severe physical disabilities, persons with mental disabilities, or persons with severe illnesses in the

refugee recognition procedures.

**(ii) Strengthening of the Structure and Infrastructure Pertaining to the Refugee Recognition Administration**

Since 2015, management-level training for management-level officers is being conducted with the cooperation of the United Nations High Commissioner for Refugees (UNHCR), and with regard to regular training relating to information on the countries of origin of the applicants for recognition of refugee status, and practical training using case examples, efforts are being made to improve the training and capacity of the refugee inquirers and other relevant personnel by enhancing the contents of the training.

In addition, in May 2017, officers were appointed to be in charge of Country of Origin Information (COI), and later, a structure, consisting of multiple officers in charge, was formed while the collecting and sharing of the COI and other information was strengthened with the cooperation of the UNHCR.

**(iii) Appropriate Responses to Deal with Applications That Attempt to Abuse or Misuse the Refugee Recognition System**

Since September 2015, applications that attempt to abuse or misuse the refugee recognition system, such as cases claiming a situation that clearly does not come under the 1951 Refugee Convention which is for the purpose of prompt and reliable protection of genuine refugees, are pre-sorted before they reach the stage of a full-scale investigation. Furthermore, while ensuring that an opportunity is given to the applicant to make a sufficient case such as the setting of a hearing into the circumstances by a refugee inquirer, the applications are handled

promptly and measures are being taken so as not to permit employment to repeat applicants who re-submit applications which attempt to abuse or misuse the system (hereinafter referred to as “restrictions on employment”) or measures which do not permit stay(hereinafter referred to as “restrictions on stay”). Moreover, with regard to the sorting of applications, from the perspective of case processing optimization, a verification was conducted by an expert panel for verification of the situation of revisions for operation of the refugee recognition system (hereinafter referred to as “expert panel”) composed of outside experts.

## **B. Review of the System Based on an Amendment of the Regulation for Enforcement of the Immigration Control Act**

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

## **C. Further Revisions for Operation of the Refugee Recognition System**

Although the aforementioned restrictions on employment and stay implemented from September 2015 have had a certain effect in discouraging repeat applications, applications filed by first-time applicants that attempt to abuse or misuse the refugee recognition system have still been increasing rapidly, and the number of refugee recognition applicants which had been 5,000 in 2014, reached a record high of four times the number of 19,629 in 2017,

which is creating an obstacle to the provision of prompt protection for genuine refugees.

Therefore, a further revision of the operations of the refugee recognition system, including operation of the status of residence of “Designated Activities” of applicants who applied for recognition of refugee status while legally residing in Japan was carried out in order to avoid affecting prompt protection of genuine refugees (hereinafter referred to as “further revisions for operation”), and this has been going on since January 2018.

Specifically, when a legal resident applies for recognition of refugee status, in the case of a first-time applicant, a period (within two months) is set to sort out the case according to its contents, and based on the sorting results, measures are taken with regard to the status of residence. Those who are truly in need of asylum, such as applicants who are likely to be refugees, are able to live a stable life much earlier than before through being allowed to work as soon as it becomes clear that they are such applicants.

On the other hand, with regard to first-time applicants and repeat applicants who have filed applications intending to abuse or misuse the system, such as filing a case that does not fall under the grounds of persecution under the 1951 Refugee Convention, such applicants will be subject to restrictions on stay, and in addition, with regard to applicants who applied for recognition of refugee status after ceasing to engage in the activities coming under their original status of residence, stricter measures will be taken than before, such as being subject to restrictions on employment.

As a result, the number of applicants for recognition of refugee status in 2018 decreased significantly to 10,493, leading to the suppression of applications that attempt to abuse or misuse the system.

## (2) Current Issues

Recognizing the acceptance of refugees to be an important responsibility towards the international community, Japan first established the refugee recognition system and structure in 1982, and offered protection to 750 refugees up to 2018, and from 1978 until the end of 2005, protected more than 10,000 Indochinese refugees and from 2010 to 2018, accepted 174 refugees through resettlement.

With regard to the applications for recognition of refugee status in Japan, which have been increasing rapidly in recent years, due to the abovementioned further revisions for operation, the number of applications for recognition of refugee status in 2018 decreased sharply while the number of cases of recognition of refugee status being granted increased, and therefore it is thought that there has been a certain degree of effect in line with the goal of suppressing the number of applications that attempt to abuse or misuse the system in order to promptly protect genuine refugees.

However, there are still a considerable number of applications which attempt to abuse or misuse the system where the aim of the applicant is to work in Japan or to evade deportation. A bottleneck to resolution to this problem is the current system and its operation, in which any application, regardless of the contents, has to be investigated and examined as per usual and it is possible to re-submit the application as many times as the foreign national wants, and moreover, the current framework is such that the deportation, while their case examination is being processed, is suspended.

Moreover, looking at the situation of asylum being provided in Japan to refugee recognition applicants originating from Afghanistan, Iraq and Syria, which have given rise to many of the refugee recognition applicants in the world, it

seems that this situation is almost the same as in Europe and other countries, but when looking at the situation of asylum being provided in Japan to refugee applicants of all of the nationalities, the number of applicants being granted asylum in Japan is lower than the number in Europe and other countries. Regarding this point, aside from the fact that there are a considerable number of applications in Japan that attempt to abuse or misuse the system while the real intention is to work, there has been criticism that the decisions on recognition of refugee status may be too strict.

In order to respond to these situations, it is necessary to continue promoting optimization of the refugee recognition system and to aim for prompt and reliable protection for those who really are in need of asylum, taking into consideration the status of implementation of further revisions for operation.

### **(3) Countermeasures (Future Policies)**

#### **A. Efforts for Prompt and Reliable Protection for Those who are Truly in Need of Asylum**

In order to promptly and reliably provide asylum to those who are in genuine need, we will continue to clarify those who are eligible for protection, and to clearly distinguish those who are truly in need of asylum from those who are not, and to process the cases properly and promptly in a suitable manner for each case, and in addition, to work to further improve the quality of the examinations.

In relation to clarifying those eligible for protection, the situation of protection in other countries will be used as reference, and protection will be offered to genuine refugees continuously by accurately interpreting the applicability to the “refugee”. In addition, under the current system, foreign nationals who do not come under a refugee under the 1951 Refugee

Convention but still require humanitarian consideration after an individual examination of their cases, are permitted special permission to stay in Japan. Therefore, a consideration should be conducted with regard to clarifying those subjects who should be granted special permission to stay in Japan as an “opportunity to get under shelter” in the immediate future in Japan based on the trends of the international community and in light of the norms of international human rights law, while bearing in mind the adverse effects on Japan’s safety and security owing to the entry and residence of terrorists, criminals and other persons in the guise of asylum seekers.

Regarding further improvements in the quality of the examinations, in order to make more accurate decisions, continuous efforts will be made to enhance the collection, analysis and sharing of basic data on the COI of the applicants and on international affairs by the officer in charge of the COI, as well as the training with the cooperation of the relevant organizations such as the UNHCR. In addition, concerning the trial run of allowing the presence of doctors, counselors, lawyers or other appropriate persons in interviews with the applicants such as minors unaccompanied by guardian as mentioned above, consideration will be given to subsequent operations based on the status of implementation of the trial run.

Furthermore, efforts will be made to work on further strengthening the structure and foundation for refugee recognition administration by sharing knowledge through the exchange of opinions and information with the UNHCR at various levels.

With regard to appropriate and prompt processing of cases, while implementing improvement based on opinions from the expert panel members, continuous efforts will be made to accurately carry out the measures

that have been in place since September 2015 for the sorting of cases and handling of applications which attempt to abuse or misuse the system, and to work on publicizing these measures.

Based on the effects of these measures, in particular, with regard to measures to curb the number of applications which attempt to abuse or misuse the system, as a further measure, a further consideration will be conducted from the aspects of both the legal system and operations such as setting restrictions on the reasons for resubmitting an application and setting certain exceptions to the suspension of deportation as a countermeasure against those untrustworthy illegal residents, etc. who attempt to avoid deportation by resubmitting their application and who currently do not come under the further revisions of operations.

Other than the above, with regard to the recommendations given in the report submitted by the “Sixth Immigration Policy Discussion Panel”, etc. as above mentioned, revision of the structure, system, operation of the system and others will be considered, where necessary, with taking sufficiently into account the intent of recommendations, and also with assessing the international situation.

## **B. Acceptance of Refugees through Resettlement**

Japan started accepting Myanmarese refugees from Thailand’s refugee camp as a pilot case from 2010 based on Cabinet approval. From 2015, this shifted to full-scale implementation of resettlement of refugees through which Myanmarese refugees temporarily staying in Malaysia were accepted by Japan, and it became possible for relatives of Myanmarese refugees who had been accepted by Japan from Thailand to also come to Japan. From 2010 to 2018, Japan accepted 44 families comprising 174 refugees through

resettlement.

In continuing the acceptance of refugees through resettlement, the “Study Panel to Examine Expansion of the Target Programs for the Acceptance of Refugees through Resettlement” consisting of officers from the relevant ministries and experts was established in October 2018 to consider whether or not to expand the targeted refugees of acceptance, and if accepting them, to consider the scope of the targets, and consideration is currently underway as to possible expansion.

The Ministry of Justice proactively participates in the discussions of the study panel and, based on the results of the studies, will continue to promote smooth acceptance with the cooperation of the relevant agencies.

## **8 Others**

### **(1) Development of the Immigration Control and Residency Management Structure**

In order to be able to steadily implement the Basic Plan for Immigration Control and Residence Management, it is crucial to improve the immigration control and residency management system. In recent years, the amount of work related to immigration control and residency management administration has increased dramatically, and the additional work related to the acceptance of new foreign workers has greatly changed the quality and quantity of the duties under the administration’s jurisdiction. In order to fulfill these duties, and to carry out the function of general coordination on development of the environment of acceptance for foreign nationals that the Ministry of Justice will newly assume, the Immigration Services Agency was established on April 1, 2019 as an external organ of the Ministry of Justice.

In addition to having a Commissioner, Deputy Commissioner and two

Associate Commissioners in the Immigration Services Agency, the Immigration Department and the Residency Management and Support Department were established, and the organizational structure was fundamentally strengthened. Moreover, the number of officers was increased by 546 in 2019, and the Immigration Services Agency is now an organization with 5,432 staff members (of which 211 are at the main headquarters).

As the number of foreign tourists visiting Japan and the number of foreign nationals residing in Japan are expected to increase in the future, the Agency will have to be able to maintain the strictness of immigration control while realizing prompt and smooth immigration examinations, and in line with the acceptance of new foreign workers, will also need to ensure proper management of the residence of the foreign nationals and to provide accurate support, and so as to respond appropriately to such situations, the development of the immigration control and residency management system will be systematically promoted.

## **(2) Human Resource Development to Improve the Immigration Control and Residency Management Administration**

In order to properly carry out immigration control and residency management administration, it is necessary not only to train officers to be familiar with the practices of the immigration control and residency management of foreign nationals, but also to be familiar with the administrative fields related to the social life of foreign nationals, and to train human resources who will be able to comprehensively plan and formulate measures to improve the environment for foreign nationals enabling them to live a stable life as members of the community.

Therefore, further exchanges will be promoted with the local governments and the private sector, and consideration will be given to the introduction of a system and education and training programs that will enable the officers to gain a wide

range of knowledge and experiences.

### **(3) Further Promotion of International Cooperation**

International cooperation is essential in immigration control and residency management administration. Information exchanges with foreign immigration and residence authorities and foreign embassies in Japan are crucial in the Countermeasures at the Port of Entry taken by the Ministry of Justice such as measures to prevent the landing of terrorists and the use of counterfeit documents, and to promote the smooth acceptance of technical intern trainees and specified skilled workers while excluding unscrupulous intermediary business operators.

In addition, accurate understanding of the international situation is extremely important for appropriate implementation of refugee recognition administration.

Going forward, international cooperation will be further developed through participation in various international conferences and forums, and information will be proactively exchanged with various international organizations, the immigration and residence authorities of foreign countries, and foreign embassies in Japan.

### **(4) Consideration for Victims of Trafficking in Persons**

Even in the past in cases where victims of trafficking in persons became subject to the deportation procedures through being an illegal resident, the immigration control and residency management administration, taking into consideration the position of that person, and based on the person's wishes, took appropriate measures such as making it possible for the foreign national to legally stay in Japan through being granted special permission to stay.

In the future, measures against trafficking in persons to, maintaining close ties with the relevant organizations through such means as information exchanges with foreign countries, accurately identifying the victim of trafficking in persons,

protecting the victim of trafficking in persons through joint crackdowns with the police and granting permission for a status of residence in light of the abuse the victims have suffered, will be taken proactively.

In addition, violence from spouses is also a serious human rights abuse, and therefore, continuous appropriate measures will be taken from the viewpoint of protecting the victim.

#### **(5) Examination of the Granting of Permission for Permanent Residence**

In recent years, the number of foreign nationals residing in Japan has increased, and accordingly, the number of foreign nationals staying in Japan as permanent residents is also rising. In the deliberations of the Legal Affairs Committee of the House of Councilors pertaining to the Act for Amendment of the Immigration Control Act, Etc. enacted in December 2018, a supplementary resolution was passed that strict examinations should be carried out for applications for permanent residence.

In the future, as the number of foreign nationals residing in Japan continues to increase, consideration will be given to how to move forward with the status of residence of “Permanent Resident” where there are no restrictions on the activities or restrictions on the period of stay with a view to a review after two years based on the supplementary provisions of the Act for Amendment of the Immigration Control Act, Etc.