

2010

Immigration Control

JAPAN

Immigration Bureau, Ministry of Justice

Introduction

Publication of the “2010 Immigration Control”

This year's report is the 16th issue of the “Immigration Control”, first published in 1959. Although the previous issues of the “Immigration Control”, including the 2003 issue, described the five-year trends of immigration control administration, owing to the accelerated pace of the changes in conditions which affect immigration control, a summary of the one-year trend of immigration control administration has been given since 2004 annually.

In recent years, there have been various issues regarding immigration control administration, including efforts to achieve a tourism-oriented country by encouraging more foreign travelers to visit Japan, promotion of acceptance of foreign workers in professional or technical fields including highly-qualified human resources, response to a population decline and aging society, reduction in the number of illegal or false foreign residents, and strict prevention of entry of terrorists.

Under such circumstances, it is necessary for the immigration control administration to accomplish both “smooth acceptance” of foreign nationals, who will contribute to the development of international exchange and the Japanese economy, and “strict measures” against suspect foreign nationals, such as terrorists and criminals, who may pose a threat to Japan’s safety and security. As the first step, we will try to gain wider understanding of how the immigration control administration is operating and what measures are taken.

The “2010 Immigration Control” shows the trends of immigration control administration during the past five years from 2005 to 2009, and summarizes the recent conditions affecting immigration control administration and measures with a focus on FY 2009.

Part 1, titled “Immigration Control in Recent Years”, describes Foreign Nationals Entering and Residing in Japan (Chapter 1), Deportation Procedures for Foreign Nationals (Chapter 2), Recognition of Refugee Status (Chapter 3), Promotion of Measures against Trafficking in Persons and Proper Protection of Foreigners DV Victims (Chapter 4) and Alien Registration Process (Chapter 5) based on statistics.

Part 2, entitled “Primary Measures Related to Immigration Control Administration in FY 2009”, describes Formulation of the Basic Plan for Immigration Control (4th edition) (Chapter 1), Efforts toward Smooth Introduction of the New System for Residence Management (Chapter 2), Smooth and Strict Implementation

of Immigration Examination (Chapter 3), Efforts toward Promotion of Acceptance of Human Resources in Specialized Fields (Chapter 4), Measures for the Training and Technical Internship Programs (Chapter 5), Proper and Smooth Acceptance of Foreign College Students and Pre-college Students (Chapter 6), Measures against Illegal or False Foreign Residents in Japan (Chapter 7), Proper Operation of Special Permission to stay (Chapter 8), Promotion of Appropriate and Prompt Refugee Protection (Chapter 9), Addressing the Global Community (Chapter 10), and Improvement Public Relations and Administrative Services (Chapter 11).

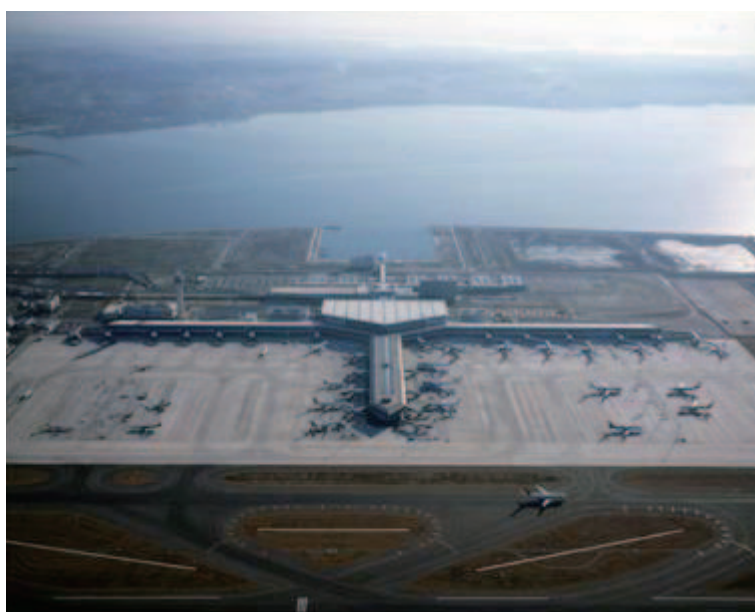


Photo 1 Chubu Central Japan International Airport
(March.2005:Photo Credit, Central Japan International Airport Co.,Ltd.)

Further, the Data Section features major developments concerning immigration control administration in FY 2009.

We hope this report will help you to discover how closely immigration control administration is related to everyday life.

November, 2010

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Points on “2010 Immigration Control”

Organization of “2010 Immigration Control”

- This booklet is organized into immigration control in recent years (Part 1), primary measures (Part 2), and a data section.
- Part 1 overviews the developments during the five years from 2005 until 2009, and describes the situation in 2009.
- Part 2 describes primary measures in FY 2009.

Part 1 Immigration Control in Recent Years

- Number of foreign nationals entering Japan in 2009

The number of foreign nationals entering Japan (including those who re-entered Japan) in 2009 was about 7.58 million, down by about 1.56 million (about 17.1%) from the previous year, and the number of new foreign nationals excluding those who re-entered was about 6.12 million, down by about 1.59 million (about 20.6%).
- Number of alien registrations as of the end of the year 2009

The number of alien registrations as of the end of 2009 was 2,186,121, down by 1.4% compared to the end of 2008, when the number hit a record high. However, it increased by 40.5% compared to the end of 1999 and continued to be on the rise in the long term.

The percentage of registered foreign nationals in the total population of Japan is 1.71%, down by 0.03% compared to the end of 2008.
- Number of overstayers

The number of overstayers as of January 1, 2010 was 91,778, falling below 100,000 for the first time in 21 years, by virtue of comprehensive measures against illegal residents such as strict immigration examination and detection of foreign nationals violating the Immigration Control and Refugee Recognition Act (the “Immigration Control Act”) in close coordination with relevant organizations. This represents a constant decrease from 298,646 in May 1, 1993, when the number stood at a record high.

Part 2 Primary Measures Related to Immigration Control Administration in FY 2009

- Formulation of the Basic Plan for Immigration Control (4th edition)
 - Toward the implementation of proper and smooth immigration control administration, the Minister of Justice shall formulate the Basic Plan for Immigration Control, which aims to clarify the situation of foreign nationals who enter and reside in Japan, and stipulates the guidelines for management of immigration and residence of foreign nationals and other necessary matters on related measures.
 - The fourth edition of the Basic Plan for Immigration Control was formulated on March 30, 2010. Its aim is to present fundamental concepts for immigration control administration measures both at home and abroad, and to provide proper responses under the changing circumstances affecting immigration control. The said measures include facilitation of acceptance of foreign nationals who will revitalize our society, promotion of measures against illegal foreign residents toward realization of a safe and secure society, smooth introduction of the new system for residence management and expansion of immigration control administration based on the system, and efforts to promote appropriate and prompt refugee protection.
- Efforts for smooth introduction of the new system of residence management
 - The Law for Partial Amendment to the Immigration Control and Refugee Recognition Act and the Special Act on the Immigration Control of, Inter Alia, Those Who Have Lost Japanese Nationality Pursuant to the Treaty of Peace with Japan, was approved and enacted at the 171st Diet Session on July 8, 2009, and was promulgated on July 15 in the same year (Law No. 79 of 2009). In accordance with the law, the Alien Registration Act forming the basis of the alien registration system was abolished and all residence management functions were governed integrally by the Immigration Control and Refugee Recognition Act, which led to the introduction of the “new system of residence management” that enabled the Minister of Justice to continuously keep information necessary for residence management of foreign nationals residing in Japan with proper status of residence for a medium to long term.
 - Concurrently, the Law for Partial Amendment to the Basic Residents' Registration Act was approved, enacted and promulgated (Law No. 77 of 2009). In accordance with the law, foreign nationals residing in Japan with proper status of residence for a medium to long term became subject to the Basic Residents' Registration Act, and each municipality started to register foreign residents in the basic resident register.
 - In order to ensure a smooth transition to the new system of residence management, etc., the Immigration Bureau is working with related government ministries and agencies to examine how to develop a computer system and how to conduct joint operations with municipal governments.
- Smooth and strict implementation of immigration examination, etc.
 - At present, Japanese government efforts are being made to make Japan a tourism-oriented country, and smooth and strict implementation

of immigration examination is being promoted by introducing secondary immigration examination, and installation or addition of automatic gates.

- In order to protect people's lives and safety, it is very important to unfailingly prevent the entry of terrorists disguised as tourists at the border. Therefore, strict immigration examination continues to be implemented through the use of personal identification information, the ICPO's Database on Lost and Stolen Passports, the Advance Passenger Information System (APIS), etc.
- Promotion of acceptance of human resources in specialized fields
- On March 31, 2009, the ministerial ordinance on the criteria for a status of residence of "research" was revised to review the criteria for landing permission granted to foreign nationals who intend to engage in activities with a "research" in an office located in Japan as an intra-company transferee. The revised ordinance became effective on July 1, 2009.
 - The formats of various application forms for immigration and residence were altered in July 2009, and since then, organizations to which applicants belong are now obliged to fill in an application form partially. Consequently, foreign nationals who work for a company of over a certain size, such as a listed company, are required to submit only an application form since September of the same year, in order to drastically simplify the documents to be submitted. Additionally, it was decided that application for a certificate of resident eligibility should be processed quickly within about ten days from the date of receipt of application.
- Measures on training and technical internship programs
- For the purpose of strengthening protection for trainees and technical interns, the review of training and internship programs has promoted in accordance with the revised Immigration Control Act promulgated on July 15, 2009, and new training and internship programs were initiated on July 1, 2010. Thus, efforts to ensure the proper programs have been promoted.
 - Under the provisions of the ministerial ordinance of the Ministry of Justice, the Immigration Bureau may identify a "misconduct" with regard to organizations that have acted inappropriately regarding training and technical internship and suspend such organizations from accepting trainees and technical interns for three years. 360 organizations were recognized to engage in "misconduct" during the year 2009.
- Proper and smooth acceptance of foreign college students and pre-college students
- In July 2008, the gist of the "300,000 Foreign Students Plan" was developed by concerned ministries headed by the Ministry of Education, Culture, Sports, Science and Technology. In January 2009, the Discussion Meeting on Immigration Control Policy, which was a private consultative group for the Minister of Justice, summarized the "Proposal on Acceptance of College Students and Pre-college Students". Based on the above concept and proposal, it was decided that foreign students graduating from a college, etc., shall be allowed to engage in job-search activities for one year at the longest from April 2009. In July 2010, two types of status of residence, "College Student" and "Pre-college Student", were integrated in accordance with the revised Immigration Control Act.
- Implementation of measures against illegal and false residents
- There has been a steady decrease in the number of overstayers, which seems to be the outcome of the past efforts. However, it is estimated that there are still over 110,000 potential illegal residents, and efforts to further decrease the number of illegal residents have been promoted by strengthening detection, reinforcing collection and analysis of information on illegal residents, and promoting voluntary appearance.
 - False residents means "foreign nationals who disguise themselves as legal residents by falsifying their status of residence and purpose of stay by means of fake marriage, fake students, etc., and work illegally in Japan". Because they actually appear to be "legal residents", precise data on their actual number has not been obtained. The existence of false residents abusing the residence status system cannot be overlooked, and may shake the foundation of the immigration control administration. Therefore, the Immigration Bureau is striving to strengthen the detection of those who engage in activities other than those permitted, and reinforce collection and analysis of information.
- Efforts toward proper treatment of detainees
- In immigration detention centers etc., proper treatment of trainees has been ensured with sufficient attention given to human rights by giving them as much freedom as possible. In July 2010, the "Immigration Detention Facilities Visiting Committee" was established with the aim of ensuring further transparency in security treatment, and improving and enhancing operations of immigration detention centers, etc.
- Proper operation of special permission to stay
- Various measures, including formulation and announcement of the "Guidelines Relating to Special Permission to stay" and publication of the "Cases where Special Permission to Stay was granted and the Cases where Special Permission to Stay was denied", have been taken to enhance the transparency and predictability of the special permission to stay. In July 2009, the said guidelines were revised for the purpose of showing how to judge whether special permission to stay should be granted or not. Since then, continuous efforts for proper operation have been made.

- Acceptance of refugees through resettlement to a third country
 - Based on the “Concerning the Implementation of Pilot Case relating to the Acceptance of Refugees by Resettlement to a Third Country” (approved by the Cabinet on December 16, 2008), and the “Detailed Measures for Implementing Pilot Case relating to the Acceptance of Refugees by Resettlement to a Third Country” (Decision by the Liaison and Coordination Conference for Countermeasures for Refugees on December 19, 2008), a program to accept Myanmar refugees staying in the Mera Camp in Thailand and to offer support for resettlement as pilot case will be launched from FY 2010. The Immigration Bureau focused on reviews and preparations of the program in cooperation with concerned administrative agencies in FY 2009.

- Addressing the global community
 - The Immigration Bureau has actively participated in negotiations for concluding the Economic Partnership Agreement (EPA) with various countries.
 - The Bureau attended international conferences, including G8 meetings and the Asia-Europe Meeting (ASEM), to develop cooperative ties and share information through discussion and exchange of opinions with other countries.
 - The Bureau invited responsible officials of immigration control administration authorities of Southeast Asian countries, including Pacific-Rim countries and regions to the Seminar on Immigration Control to be held in December 2009 and exchanged views on “the developments over the past year in the immigration control administration of each participating country (region)”, “the current situation of trafficking in persons and countermeasures of each country”, and “the current situation of irregular and illegal entry and departure and countermeasure”. The seminar contributed to effective planning and implementation of immigration control policies in each participating country.

- Improvement of administrative services
 - The Immigration Bureau has made efforts to accelerate procedures, and improve administrative services by taking measures such as establishment of priority lanes for elderly persons, persons with disability, pregnant women or other needy persons.
 - The bureau is tackling the Comfortable Administrative Services Campaign for the purpose of realizing a friendly and caring administration. Regional immigration bureaus have also made continuous efforts to improve the attitude of staff toward administrative services, and improve their reception manner by holding seminars to cultivate a humanitarian approach, and upgrading the environment of the reception counter or using ingenuity in providing various kinds of guide services friendly to users.
 - In cooperation with local authorities, etc., in the regions where many foreign long-term residents live, a one-stop information center, which offers services including administrative procedures for immigration and residence, counseling on daily life, and provision of information, was established and operated in Hamamatsu City, Shizuoka Prefecture in April 2009, in Saitama City, Saitama Prefecture in August 2009, and in Shinjuku Ward, Metropolis of Tokyo, in November 2009.

2010 Immigration Control

Introduction Publication of the "2010 Immigration Control" Points on "2010 Immigration Control"

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