

# ◆ Part III ◆

Major Policies Related to Immigration Control  
Administration in FY 2012

# Chapter 1. Introduction of a New Residency Management System

## Section 1 ◆ Outline of the System

In accordance with the Act to Amend the Immigration Control Act and Other Related Acts, which was enacted in July 2009, the Alien Registration Act forming the basis of the alien registration system was abolished. Through the amendment of the Immigration Control Act, all residency management functions were to be governed by the Immigration Control Act, which led to the introduction of a “new residency management system”. The system was established in order to enable the Minister of Justice to accurately and continuously keep necessary information for the residence management of mid to long-term residents.

The new residency management system was inaugurated on July 9, 2012. The process and background of introduction, and the summary of measures introduced under this system are as described below.

### ① Process and Background of Introduction

In recent years, with the progress of globalization in Japan and the rapid increase in the number of foreign nationals who newly entered or applied for alien registration, foreign nationals, so-called newcomers, have increased and their nationalities have become more diverse. However, there are an increasing number of newcomers who have not established a stable basis for living in Japan. Many of them have failed to submit the correct application for alien registration, frequently transfer without submitting any application, or have returned to their own countries with re-entry permission but without indicating their intention to re-enter.

Due to structural changes in the numbers of foreign nationals and changes in their way of living in Japan, it became more difficult for the immigration administration to accurately ascertain the actual residence of the foreign nationals under the dual information collection system of the Immigration Control Act and the Alien Registration Act. This situation has also caused problems in ensuring immigration control administration and proper public services for foreign nationals.

Consequently, based on the proposals from the Immigration Policy Discussion Panel, which is one of the private advisory groups of the Minister of Justice, it was concluded that the residence management system, including the alien registration system, should be radically streamlined. Subsequently, the “Bill 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”, which incorporated the establishment of a new residency management system, was submitted to the 171st Diet session in 2009. The bill was approved, enacted and promulgated after partial amendments were made in the process of the Diet deliberations.

### ② Measures to Be Introduced under the New Residency Management System

The new residency management system is expected to facilitate: (i) the issuance of a residence card after obtaining such permission as landing permission, permission for extension of the period of stay, and permission for changes to the status of residence; (ii) reports of changes by foreign nationals to the Minister of Justice during the period of their stay; and (iii) the provision of information on foreign nationals to the Minister of Justice from the organizations of affiliation such as the school at which they study.

This will enable the Minister of Justice to accurately and continuously keep information related to the residence conditions of foreign nationals. Information on the situation of the foreign nationals residing in Japan for a mid to long term kept accurately under the system will be reflected in the Residential Basic Books for Foreign Nationals newly established in accordance with the Act for Partial Amendment of the Residential Basic Book Act kept by the municipal governments; and as a result, foreign residents will be able to receive better public services.

Along with the introduction of a system to keep accurate information necessary for residency management, measures to enhance convenience, including extension of the maximum period of stay and a review of the re-entry permit system, have been taken. The detailed measures are as shown below.

### **(1) Measures to Establish a System Enabling the Minister of Justice to Accurately and Continually Collect and Maintain Necessary Information**

- A. The Minister of Justice shall issue a residence card to mid to long-term residents certifying their name, nationality/region and other basic matters for identification, such as the status of residence, period of stay.
- B. Mid to long-term residents shall notify the Minister of Justice of the place where they have decided to reside after landing via the head of the municipality where they live, within a prescribed period of time. (The place of residence will be stated on their residence card.)
- C. Mid to long-term residents shall notify the Minister of Justice of any change in not only the matters contained in their residence card (a change in the place of residence will be reported via the municipal head), but also the organization to which they belong and their personal status or position, according to their status of residence.
- D. The Minister of Justice shall be allowed to obtain information about mid to long-term residents from the organizations to which they belong.
- E. The Minister of Justice shall be allowed to inquire into the notified matters, if necessary, in order to keep the information on mid to long-term residents updated.
- F. Notification of a false place of residence and failure to continue to engage in the activities corresponding to the status of residence while residing in Japan for six months or more without a justifiable reason were added to the grounds for revocation of status of residence.
- G. With regard to the forgery of residence cards, penal provisions and grounds for deportation were established. Penalties related to illegal employment were revised.

### **(2) Measures for Increased Convenience for Foreign Nationals with a Legal Status Lawfully Residing in Japan**

- A. The maximum period of stay was extended from three years to five years.
- B. The valid period of the re-entry permission was extended. In principle, foreign nationals who have valid passports and residence cards who will re-enter Japan within one year from their departure need not apply for re-entry permission (introduction of a “system for special re-entry permission”).

### ③ Measures for Special Permanent Residents

Along with the introduction of the new residency management system, the special permanent resident system was reviewed.

As there have been no particular problems with the special permanent resident system, the system was improved from the viewpoint of enhancing convenience for the special permanent residents, but essentially retained the status quo, as follows. The improved system was enforced on July 9, 2012 as was the new residency management system.

- A. The Minister of Justice shall grant a special permanent resident certificate that certifies legal status as a special permanent resident.
- B. The maximum period of validity of a re-entry permission has been extended. In principle, special permanent residents who have valid passports and special permanent resident certificates and re-enter Japan within two years from their departure date need not apply for a re-entry permit (introduction of the “system for special re-entry permission”).

#### Article: Basic Resident Registration System for Foreign Residents

In the wake of the introduction of the new residency management system, the Alien Registration Act was abolished and, at the same time, the Act for Partial Revision of the Residential Basic Book Act (Act No.81 of 1967; hereinafter referred to as the “Residential Basic Book Act”) (Act No.77 of 2009) came into force. As a result, foreign residents are now governed by the Residential Basic Book Act and their residence records are issued by the municipality with jurisdiction over their place of residence as is the case with Japanese nationals.

Under the amended Residential Basic Book Act, for example, a copy of the residence record containing all members of the household can be issued with respect to a household composed of different nationalities (e.g., a non-Japanese husband and Japanese wife) which was previously identified under two separate systems (the Alien Registration Act and the Residential Basic Book Act).

The points of the residential basic book relating to a foreign resident are as follows:

#### **(1) Foreign nationals who are eligible will be issued with residence records**

Residence records will be issued for foreign nationals falling under any of the following who have addresses in the relevant municipalities.

- (i) Mid to long-term residents
- (ii) Special permanent residents
- (iii) Foreign nationals permitted temporary refugee or provisional stay
- (iv) Persons who are to stay in Japan owing to birth (\*1) or persons who have renounced their Japanese nationality (\*2)

#### **(2) Matters Contained in Residence Records for Foreign Residents**

Resident records for foreign residents include a description of not only the basic matters for identification, such as the name and address, as with Japanese nationals, but also matters concerning national health insurance and the national pension as insured persons, and matters specific to foreign residents, such as the nationality/region, status of resi-

dence, and period of stay.

### (3) Notification under the Residential Basic Book Act

Foreign residents who change their address shall submit notifications on moving in/out in accordance with the Residential Basic Book Act, as is the case with Japanese nationals.

Although the provisions of the Immigration Control Act or the Special Act on Immigration Control stipulate that mid to long-term residents or special permanent residents should submit notifications of their place of residence to the Minister of Justice, they are considered to have done so if they submit a notification on moving in/out in accordance with the Residential Basic Book Act, with their residence card or special permanent resident certificate, to the head of their municipality.

### (4) Notice from the Minister of Justice

When a foreign resident submits a notification of a change of name, date of birth, gender, or nationality/region, to a regional immigration bureau, or obtains permission such as a change of the status of residence, and extension of period of stay, the description in his or her residential record needs to be modified according to the changes. Therefore, the Minister of Justice shall notify such changes to the municipality with jurisdiction over the foreign national, and the municipality shall modify the description in the residential record based on the notification. This process aims to ensure the accuracy of the residential records as well as alleviate the obligation of notification of the foreign residents.

(\*1) “Persons who are to stay in Japan owing to birth” refers to a person with no Japanese nationality who was born in Japan and is able to reside in Japan pursuant to Article 22-2, paragraph (1) of the Immigration Control Act.

(\*2) “Persons who have renounced their Japanese nationality” refers to a person who has domestically renounced their Japanese nationality and is able to reside in Japan pursuant to Article 22-2, paragraph (1) of the Immigration Control Act.

## Section 2 ◆ Efforts to Secure the Accuracy of Information on Foreign Residents

### ① Various Notifications

- (1) Under the new residency management system, a mid to long-term resident shall notify the Minister of Justice of any change in his or her information on identification and place of residence recorded as matters necessary for residency management when he or she obtained permission such as landing permission within a prescribed period of time of the date of such change. (Refer to Part I, Chapter 2, Section 4, subsection 2 above.)
- (2) A mid to long-term resident shall notify the Minister of Justice of any change in the organization to which he or she belongs within a prescribed period of time of the date of such change. (Refer to Part I, Chapter 2, Section 4, subsection 3 above.) The Minister of Justice also has the authority to receive information on a mid to long-term resident from the organization to which the foreign national belongs. Thus, the system enables the Minister of Justice to more accurately understand the state of residency of mid to long-term residents in Japan through the verification and analysis of the data received from both the mid to long-term residents and organizations to which they belong.

The above-mentioned “notifications on the organizations” from mid to long-term residents and “notifications from the organizations” shall be submitted by means of filing them at the regional immigration offices or sending them by post to the Residency Management Information Department of

Tokyo Regional Immigration Bureau. In addition, the “Immigration Bureau’s e-Notification System” was launched on June 24, 2013. Under that system, notifications can be submitted via the Internet from the home or office 24 hours a day, 7 days a week, without the need to visit the regional immigration offices counter.

## ② Inquiry into the Facts

When the Minister of Justice finds it necessary to inquire into the facts with respect to any information notified by any mid to long-term resident or any information provided by the organization to which such foreign national belongs, the Minister of Justice may have immigration officials conduct fact-finding investigations. More specifically, the competent immigration inspectors and/or immigration control officers can require the applicable mid to long-term resident and other persons concerned to appear, ask questions or request documents, and make inquiries of public officers or of public or private organizations and request the submission of reports on necessary facts, regarding his or her notification of the place of residence, notification of a change of an item on the residence card other than the place of residence, notification concerning the organization where he or she is engaging in activities, and notification concerning the mid to long-term resident by the organization of affiliation (Article 19-19 of the Immigration Control Act).

The inquiry into the facts set forth in Article 19-19 of the Immigration Control Act is conducted, limited to an inquiry into the facts relating to the submitted notification, in order that the Minister of Justice may keep accurate information necessary for residency management with proper consideration being given to the protection of personal information.

## Section 3 ◆ Public Relations Activities

In order to enable the smooth introduction of the new residency management system, the Immigration Bureau prepared and distributed leaflets and posters, made a special website, and uploaded introduction videos to the Japanese government’s Internet TV site. Furthermore, the Immigration Bureau held briefing sessions for embassies in Tokyo, municipalities, airline companies and other related organizations so as to widely spread the information on the new system.

The leaflets, website and videos mentioned above are partially available in multiple languages (in English, Chinese, Korean, Spanish and Portuguese). The leaflets giving guidance to the new residency system are available and distributed in 26 languages including Japanese, and are introduced on websites. Efforts have thus been made to translate them into as many languages as possible in order to inform as many foreign nationals as possible of the new system.

## Chapter 2. Implementation of Points-Based Preferential Immigration Treatment for Highly-Skilled Foreign Professionals

### Section 1 ◆ Background to Implementation

The report prepared in May 2009 by the “Panel for Promotion of Acceptance of Highly-Skilled Foreign Professionals” convened by the Chief Cabinet Secretary in July 2008, entitled “For Full-Scale Deployment of the Policy on Acceptance of Highly-Skilled Foreign Professionals” referred to the “creation of preferential treatment for highly-skilled foreign professionals.” After that, in January 2010, the fifth meeting of the Immigration Policy Discussion Panel submitted to the Minister of Justice a report entitled “Future Ideal Course of Immigration Control Administration”, in which they recommended that “introduction of points-based preferential treatment suggested by the Panel for Promotion of Acceptance of Highly-Skilled Foreign Professionals should be concretely discussed at the earliest possible date”.

Based on this, the “Fourth Basic Plan for Immigration Control” prepared in March 2010 advocated the acceptance of foreign nationals to revitalize the country’s economy and society, and required study of the introduction of the points-based preferential immigration treatment system.

The Immigration Bureau held discussions with the Ministry of Economy, Trade and Industry, the Ministry of Health, Labour and Welfare, and other related ministries and agencies on points-based preferential treatment in the immigration procedures in order to promote the acceptance of foreign nationals with advanced abilities and qualifications who are expected to contribute to Japan’s economic growth and the creation of new demand and employment under the current framework for accepting foreign workers, and publicized the results of their discussions on December 28, 2011. After going through the procedures for public comments for draft public notices of the Ministry of Justice to establish the points-based system, the Public Notice of the Ministry of Justice was enacted on March 30, 2012 and came into force on May 7, 2012.

### Section 2 ◆ Outline of the System

In order to promote the acceptance of foreign nationals with advanced abilities and qualities (highly skilled professionals), the points-based preferential treatment for highly skilled professionals provides three categories of activities, namely, “advanced academic research activities”, “advanced specialized/technical activities” and “advanced business and management activities”, with points being awarded according to the characteristics of the particular category for such items as “academic background”, “professional career” and “annual salary”. When a foreign national satisfies the criteria by acquiring a prescribed total of points, he or she will be recognized as a “highly-skilled foreign professional” and granted the status of residence of “Designated Activities”.

Foreign nationals who are recognized as highly-skilled professionals may receive the following preferential treatment in immigration procedures.

## (1) Permission for multiple purposes of activities

Normally, foreign nationals are not allowed to conduct activities beyond the scope permitted under their status of residence. However, highly-skilled professionals may engage in multiple activities covering multiple statuses of residence.

## (2) Grant of the “five years” period of stay

Normally, the period of stay is decided by the status of residence and is determined in accordance with each person’s status of residence and the contents of the activities. However, the maximum period of stay permissible under the Immigration Act is granted to highly-skilled foreign professionals regardless of the period they actually intend to stay.

## (3) Easing of the requirements for permanent residence in line with the number of years of residence history in Japan

In order to obtain permission for permanent residence, foreign nationals need to have stayed in Japan for at least 10 years, in principle. However those who have continuously conducted activities as highly-skilled professionals for five years are eligible to apply for permission for permanent residence.

## (4) Preferential processing of immigration and residence procedures

For highly-skilled professionals, pre-entry examination procedures and status of residence examination procedures will be preferentially processed within 10 business days and within 5 business days, respectively, after the application has been received by immigration authorities.

## (5) Work permission for the spouse of the highly-skilled foreign professional

When foreign nationals staying in Japan with the status of residence of “Spouse” intend to engage in activities falling under such categories as “Instructor”, “Engineer” and “Specialist in Humanities/ International Services”, they usually need to satisfy certain requirements, such as academic background and professional career, and further obtain the relevant status of residence. However, the spouse of highly-skilled professionals may be allowed to engage in these activities with their status of residence as the spouse of a highly-skilled professional, without satisfying the requirements of academic background and/or professional career.

## (6) Permission for the parent(s) to accompany the highly-skilled foreign professional to Japan under certain conditions

In principle, foreign nationals who stay in Japan for employment are not allowed to bring their parents into the country as foreign residents, However parents of highly-skilled professionals or their spouses are allowed to enter and stay in Japan for the purpose of assisting highly-skilled professionals such as looking after the children of the highly-skilled professionals or their spouses aged three or younger (\*1).

## (7) Permission for domestic workers to accompany the highly-skilled foreign professional to Japan under certain conditions

Normally, only some of the foreign nationals who stay in Japan with the status of residence “Investor/ Business Manager” or “Legal/Accounting Services” are allowed to bring domestic workers. However, under the highly-skilled professionals system, they will be allowed to bring domestic workers whom they had hired in their home countries or to newly hire domestic workers from outside Japan on condition that they have children aged 13 or younger (\*2)

---

(\*1) When highly-skilled professionals intend to bring their parents, they need to satisfy certain conditions, separately from the point evaluation process, such as that the promised annual salary that they receive from the organization they belong to must be 10 million yen or more. In addition, the parents must live together with the highly-skilled professionals.

(\*2) When highly-skilled professionals intend to hire domestic worker, they need to satisfy certain conditions, separately from the point evaluation process, such as that the promised annual salary that they receive from the organization they belong to must be 15 million yen or more. In cases of bringing over domestic workers whom they had hired in their home country, they must have employed the same domestic worker for at least one year in their home country.



### Section 3 ◆ Status of Implementation

In total, 434 individuals have been recognized as highly-skilled professionals in the eleven months after the start of the preferential treatment on May 7, 2012 up until April 6, 2013.

### Section 4 ◆ Consideration for Review

Initially the Ministry of Justice was supposed to analyze the status of implementation of the points-based preferential treatment for highly-skilled professionals within one year after the start of the system and, based on the results of such analysis, hold discussions with the related ministries and agencies, and representatives from the business and labor sectors in order to review the system, but in response to the discussions of the government on ensuring further economic growth, the “Sub-panel for Discussion on the System for the Acceptance of Foreign Workers” was established in April 2013 under the “Immigration Policy Discussion Panel”, which is one of the private advisory groups of the Minister of Justice, in order to hold collective discussions with the related ministries and agencies and representatives from the business and labor sectors on the manner in which the system should be reviewed. In May 2013 the Immigration Policy Discussion Panel submitted to the Minister of Justice a report entitled “Results of the Discussions for Review of Points-Based Preferential Treatment for Highly-Skilled Professionals in Immigration Procedures”.

Also, in the “Japan Revitalization Strategy” (decided by the Cabinet on June 14, 2013), the preferential treatment for highly-skilled professionals was reviewed and it was decided that a new system would be started within the end of the year.

Based on these developments, the Immigration Bureau has been working with the related ministries and agencies to review the system.

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

It is necessary to promote smooth immigration examinations at the port of entry for the great majority of unproblematic foreign nationals who come to Japan, while ensuring strict immigration examination for any foreign national who has an illegal intent. In order to increase the number of foreign nationals visiting Japan as part of efforts to achieve a tourism-oriented country, it is very important to prevent terrorists who are disguised as tourists from entering the country at the border. It is also necessary to satisfy two seemingly contradictory objectives: smooth but strict implementation of immigration examinations in an appropriate manner.

The Immigration Bureau is making efforts to implement flexible examinations on a case-by-case basis in order to achieve such objectives.

### Section 1 ◆ Efforts to Promote a Tourism-Oriented Country

#### ① Efforts to Reduce the Waiting Time for Examination

Japan is now making government-wide efforts for the promotion of a tourism-oriented country, and the Immigration Bureau is required to enhance international exchanges that will contribute to the realization of a tourism-oriented country through smooth immigration examinations at the port of entry and departure.

The Immigration Bureau has already been making efforts to ensure smooth entry (landing) examination procedures at each airport and seaport, and is now promoting the secondary examination system introduced in FY 2005. The Bureau also set up an examination support team at the Chitose-Tomakomai Branch Office and the Haneda Airport Branch Office (at that time) in FY 2006, and at the Fukuoka Regional Immigration Bureau in FY 2009, for the purpose of providing more efficient examination support to local ports, etc.

In addition, the bureau arranges immigration booth concierges to guide foreign passengers to a vacant immigration inspection booth, check the ED cards, give instructions to the foreign national on how to fill in the cards, and assist them in the steps required for the biometrics devices (\*), in order to prevent stagnation and confusion in the vicinity of the entry (landing) examination counters and to achieve smoother examination procedures by utilizing the limited capacity of each counter as efficiently as possible.

Measures to ensure the functional operation of the examination booths for Japanese nationals and those for foreign nationals in order to promote prompter and smoother immigration procedures were finalized in the “Action Program toward Making Japan a Tourism-Oriented Country” (approved by the Ministerial Council on the Promotion of Japan as a Tourism-Oriented Country on June 11, 2013), and the Immigration Bureau is continuing its ongoing efforts and will consider what measures to take to further reduce the waiting time for examination.

---

(\*) Device to collect biometric information (fingerprints and facial photographs) from foreign visitors aged 16 or older, except for certain individuals, under the Immigration Control Act.

## ② Automated Gates

Smooth and strict examinations have been further assisted by the installation of automated gates, which allow Japanese nationals who have registered themselves as users of the automated gates and foreign nationals who meet certain requirements (such as not being a foreign national residing in Japan with the status of residence of “Temporary Visitor”) who have registered themselves as a user of automated gates to go through immigration procedures without undergoing an immigration examination at an ordinary immigration booth in person. Specifically, new automated gates were installed at Narita Airport in November 2007. In September 2009, new gates were installed at Chubu Airport and Kansai Airport. Additional gates were installed at Haneda Airport in October 2010.

In August and September 2012, 24 automated gates were installed at Narita Airport and Haneda Airport on a trial basis, as part of the “Survey and Study for Improvement of the Processing Capacity of the Biometrics System”, and tests of the face recognition technology were conducted. Even after the completion of those experiments, the Immigration Bureau continued its original trial utilizing the functions of the normal automated gates in order to collect long-term trial data.

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

Moreover, in order to promote user registration at the automated gates and to facilitate smooth immigration examinations, the Immigration Bureau has improved services by introducing “mobile on-site user registration” where immigration staff visit companies and provide registration services.

As the use of automated gates for prompter immigration procedures at airports is encouraged in the “Action Program toward Making Japan a Tourism-Oriented Country” in Section 1 above, the Immigration Bureau is considering measures to encourage the use of such automated gates through public relations in collaboration with the related ministries and agencies.



**Automated Gates**

## ③ Response to Cruise Ship Passengers

In recent years, the number of cruise ships calling at ports in Japan have increased and they are getting much larger in size. In response to requests from the municipalities hosting the cruise ships at their ports, for prompt processing of post-arrival procedures to enable passengers to fully enjoy sightseeing and other activities within the limited time the ship stays at the port, the Immigration Bureau has been conducting prompt examinations onboard ship, while securing strict examinations, since June 2012. These efforts include preparation for onboard examinations for large-sized cruise ships, adoption of a new method of examination utilizing arrival permits at the port of call, utilization of examination devices for which the systems have been modified, and the dispatch of help personnel for examinations across Japan.

Reflecting efforts to promote prompter and smoother immigration examinations for cruise ship passengers in the “Action Program toward Making Japan a Tourism-Oriented Country” in Section 1 above and the “Japan Revitalization Strategy” in Chapter 2, Section 4, the Immigration Bureau is considering

new measures to further ensure prompt and smoother entry (landing) examinations.

#### ④ Infrastructure Improvement for Terminals Exclusively Used for LCCs

In response to the government's policy of ensuring a tourism-oriented country, there has been an increasing momentum to invite low-cost carriers (LCCs) taking place across Japan. In FY 2012, the required infrastructures were improved at Kansai Airport to open a terminal exclusively for LCCs (made available from October 28, 2012).

#### ⑤ Immigration Control Policy in an Era of Acceptance of 25 Million Foreign Visitors

Based on the results of 18-month discussions on the future ideal form of immigration control administration in an era of acceptance of 25 million foreign visitors at the "Discussion Meeting on Immigration Control Administration in the Era of Accepting 25 Million Foreign Visitors", held on May 20, 2013, the "Immigration Policy Discussion Panel" which is one of the private advisory groups of the Minister of Justice, submitted to the Minister of Justice a report on the "Results of Discussions on the Future Ideal Form of Immigration Control Administration in an Era of Acceptance of 25 Million Foreign Visitors". That report addressed, among other topics, measures to rationalize the immigration examinations of new foreign nationals visiting Japan (such as the automated gate examinations for trusted travelers), measures to rationalize the procedure for the departure and return of Japanese nationals through the installation of numerous automated gates at a single examination site, and measures to rationalize the immigration examinations of foreign residents.

Based on this report, the Immigration Bureau is considering measures to rationalize the entry (landing) examinations and the departure procedures of foreign nationals as well as the procedures for the departure and return of Japanese nationals.

### Section 2 ◆ Strengthened Countermeasures at the Port of Entry

In order to protect the lives of the people and to maintain the high standard of public safety, it is extremely important to unfailingly prevent terrorists and other foreign nationals with an illegal intent, who are likely to disguise themselves as ordinary tourists. Since the terrorist attacks on the United States in 2001, the Immigration Bureau has been continuously implementing strict entry (landing) examinations at the ports so as to prevent and detain such terrorists as they attempt to enter the country.

#### ① Implementation of Immigration Examinations through the Use of Biometric Information

Since November 20, 2007, foreign nationals who intend to enter Japan have been required to submit their biometric information (fingerprints and a facial photograph). This enables us to accurately and promptly confirm that the applicant for the verification for landing is the same as the passport holder, and to check the applicant against the blacklist maintained by the Immigration Bureau. In addition, it has become possible to stringently detect those who have previously been deported and again try to enter the country illegally using forged passports or the passports of other people by checking their data against the data on fingerprints and facial photographs of those who departed under a departure order or who were deported in the past retained by the Immigration Bureau. During the period from the

commencement of the entry (landing) examination using personal biometric information to the end of March 2012, the total number of people who were issued with a deportation order or were ordered to depart at a port reached around 3,800.

On the other hand, there have been many cases of foreign nationals who attempt to enter Japan illegally using fake fingerprints created by causing direct injury to their fingers or by having plastic surgery, or using forged or illegally obtained passports, in order to avoid detection of their departure under a departure order or deportation in the past. If such a case of a foreign national using fake fingerprints occurs, the Immigration Bureau is not only responsible for implementing the deportation procedures, but is obligated to put them into the criminal procedures which have stricter punishments. Therefore, the Immigration Bureau files a report or accusation of illegal entry with the investigative authorities, and strives to detect fake fingerprints by upgrading the examination devices



**Immigration Examination through the Use of Personal Identification Information**



**Countermeasures against the counterfeiting or alteration of documents**

## ② Use of ICPO's Database on Lost and Stolen Passports

The "Action Plan for the Prevention of the Terrorism" (approved by the Headquarters for the Promotion of Measures against Transnational Organized Crime (TOC), Other Related Issues and International Terrorism on December 10, 2004) stipulated that a system to use ICPO's Database on Lost and Stolen Passports in the process of the entry (landing) examinations should be introduced and operated as "Immediate Preventive to Combat Terrorism". To that end, it was decided that examination procedures using said database should be put into effect in August 2009.

The Immigration Bureau seeks to detect illegal entry cases by terrorists and those contemplating illegal conduct through the misuse of lost or stolen passports, by utilizing the abovementioned database.

## ③ Immigration Examination through the Use of APIS

The Immigration Bureau is working to track international terrorists, etc., and collect information related to them in close cooperation with the relevant agencies to prevent them from entering Japan and committing terrorist acts. In the process of entry (landing) examinations, the Immigration Bureau is trying to detect terrorists, etc., by unfailingly checking foreign nationals against a blacklist based on such information.

Since February 1, 2007, all vessels and aircraft calling at a port in Japan have been required to submit, in advance, a list of crew members and passengers which contains their personal identification data. Since February 21, 2010, it has become possible to receive advance passenger information about aircraft calling at an airport through the Air-NACCS (Nippon Automated Cargo and Port Consolidated System) operated by the Nippon Automated Cargo And Port Consolidated System, Inc., and a new air cargo advance passenger information system (APIS) was launched.

## Article: Activities of the Mobile Teams

As a result of the introduction of immigration examinations utilizing biometrics information in November 2007, there is the fear that those who were deported from Japan would attempt to illegally enter Japan using vessels in order to avoid entry examination, and further that the number of such illegal entrants would increase.

There is no denying that terrorists may be included in such illegal entrants. In order to deal rigorously with such situations, the Regional Immigration Bureaus in Tokyo, Osaka and Fukuoka set up mobile teams consisting of immigration control officers (Kita-Nihon Mobile Team, Tokyo Wangan/Chiba Mobile Team, Tokyo Wangan/Yokohama Mobile Team, Kobe Mobile Team, and Nishi-Nihon Mobile Team) to strengthen countermeasures at the ports of entry. These mobile teams gather, analyze and share information on illegal foreign nationals entering and departing from Japan and conduct various joint drills, while reinforcing their cooperation with the related ministries and agencies. These mobile teams conduct patrols at the seaports and coastal areas under their jurisdictions and search onboard ships in port, as well as conducting investigations and detection of suspects, related suspects and brokers in connection with illegal immigration issues.



Scene from a joint drill by a related organization



Detection on a smuggling boat

## Article: Patrol Activities in the Transit Areas

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

There is the concern that there are some groups which facilitate terrorists disguised as tourists or victims of trafficking in persons enter a third country.

Accordingly, in combination with strict landing examinations utilizing biometric information, officers in charge of patrol in the transit areas of Narita Airport and other major airports with transit areas monitor and detect suspicious individuals. (We have been reinforcing our efforts through organizational patrols by immigration control officers since 2006.)



Scene from patrol activity

## Article: At the front line of immigration control administration (voice of document examination office staff)(Saki Hirata, Document Examination Office, Narita Airport District Immigration Office, Tokyo Regional Immigration Bureau)

The document examination office where I work is located at Narita Airport where about 90,000 travelers come and go every day. Many of you may consider forged passports as an event of an unfamiliar and distant world. However, there is no end to the number of persons who attempt to illegally enter Japan using forged passports among the regular travelers. Those who rely on such illegal means cannot enter Japan by going through the normal procedures, and may have become involved in a crime. The reason for the existence of the document examination office is to prevent such persons from entering Japan.

I think that the document examination office takes on a behind-the-scenes role in supporting entry examinations in the Immigration Bureau. However, the techniques required to “examine passports”, that is, to identify forged passports are important to prevent illegal entry. The work of examination requires attention and concentration so as to ensure that we do not overlook any small evidence, and this is mentally exhausting. I sometimes get exhausted.



However, the sense of achievement we feel when we actually examine passports and uncover a forged passport is irreplaceable. That is the driving force in my work.

Do you know how you can prove that your passport is genuine? In fact, many measures are taken to show that your passport is genuine. They are called measures to prevent forgery, as they are also the means to prevent forgery. Each country has its national pride at stake and therefore strives to develop and improve its passports to protect them from counterfeiting. We, investigators, must constantly acquire new knowledge on forgery prevention measures. We also need to gather and analyze information on forged passports from around the world, and consider measures to ensure the prevention of forgery. Those operations seem simply to be arduous. However, I believe that it is such dedicated and steady efforts that help maintain Japan's security. As an immigration officer, I wish to continually contribute to the realization of a society in which people living in Japan can live safely.



## Chapter 4. Measures against Illegal or Imposter Foreign Residents in Japan

### Section 1 ◆ Implementation of Measures against Illegal Foreign Residents

#### ① Past Efforts to Reduce the Number of Illegal Foreign Residents

Based on the "Five-Year to Reduce the Number of Illegal Foreign Residents by Half" launched in 2004, each regional immigration bureau has actively promoted various measures, including strict implementation of landing/residence examinations, proactive public relations activities regarding illegal employment, strengthened detection by detection officer units, etc., wider application of custody transfer in accordance with Article 65 of the Immigration Control Act, and the encouragement of the appearances of illegal foreign residents under the departure order system. As a result, the number of illegal foreign residents, which was about 250,000 at the start of the plan, decreased to about 130,000 as of January 2009, and its goal was almost accomplished.

Based on the "Action Plan 2008 for the Realization of a Society Resistant to Crime" aiming to "create a society that generates no illegal foreign residents under the new residency management system", the Immigration Bureau has continued efforts to further reduce the number of overstayers, which decreased to approximately 62,000 as of January 1, 2013.

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

The Immigration Bureau recognizes that the number of illegal foreign residents in Japan has steadily decreased due to past efforts. However, it is estimated that there are still approximately 62,000 foreign nationals staying beyond their authorized period of stay in hiding somewhere in the country, so the Immigration Bureau is making the following efforts to further reduce the number of illegal foreign residents.

##### (1) Strengthened Detection

The Immigration Bureau has established "special detection officer units" that are to engage full-time in detecting offenders in violation of the Immigration Act in the Tokyo Regional Immigration Bureau (six units), Nagoya Regional Immigration Bureau (two units), Osaka Regional Immigration Bureau (two units) and Yokohama District Immigration Office (one unit), which are located in large city areas where there are many offenders. In addition, the Immigration Bureau has improved the ability to detect illegal foreign residents, and is promoting joint detection by strengthening cooperation with the local police authorities.

It has become obvious that illegal foreign residents tend to exist in smaller groups and have spread out in wider areas, and the number of those who are detected at a single site has been on the decline over the years. Given this, the Immigration Bureau seeks to gather and analyze various pieces of information on foreign nationals staying beyond their authorized period of stay, and makes efforts to promote effective and efficient detection by rebuilding the composition of the immigration control officers.

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

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

Unlike the deportation procedures, the departure order system is a system under which foreign nationals illegally staying beyond their authorized period of stay who satisfy certain requirements, such as having appeared at the immigration office voluntarily to swiftly leave Japan, are allowed to depart from Japan in accordance with simplified procedures without detention (see Part I, Chapter 2, Section 5, subsection 5). During 2012, a total of 2,587 foreign nationals left Japan under this system.

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

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

## Section 2 ◆ Implementation of Measures against Imposter Foreign Residents

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

The term “imposter foreign resident” refers to foreign nationals who falsify their status of residence and their purpose of stay in the form of fake marriages, fake study, fake employment, etc., and illegally receive permission to stay by forging or illegally altering documents or using fraudulent documents; and engage in illegal work pretending to be a bona fide legal resident as they are staying in the country with a legitimate status of residence. The implementation of countermeasures against illegal foreign residents together with countermeasures against foreign nationals staying beyond their authorized period of stay forms one of the principal tasks in immigration control administration. Since “imposter foreign residents” appear superficially to be “legal residents”, it is difficult to accurately identify their actual situations, and there are concerns that this number will increase as a means of planning entry and residence in Japan.

The existence of imposter foreign residents abusing the status of residence system cannot be overlooked, and moreover, has the potential to destabilize the foundation of Japan’s immigration control administration, and therefore, the Immigration Bureau is striving to strengthen its countermeasures. The Immigration Bureau makes efforts to strictly respond to foreign nationals falling under the grounds of

(\*1) In order to ensure further improvement of the transparency and equity of the special permission to stay, the Immigration Bureau formulated and published the “Guidelines on Special Permission to Stay in Japan”. These guidelines articulate what elements are considered positive elements and what are considered negative elements in determining whether special permission to stay should be granted or not, and present what points are considered in determining whether special permission to stay should be granted or not.

(\*2) Examples of public relations activities:

- (1) During the "Campaign for Measures against Illegal Foreign Workers" held every June, public relations for the prevention of illegal employment are conducted.
- (2) A page for “Procedures for Voluntary Appearance at the Immigration Office” was created on the websites of the Ministry of Justice and the Immigration Bureau in order to give clear explanations of the benefits of a voluntary appearance at an immigration office, and the procedures after the appearance, both to those who wish to return to their home countries and those who wish to continue staying in Japan.

deportation, by revoking their status of residence and then enforcing the deportation procedures against them.

## **② Crackdowns on Imposter Foreign Residents, etc.**

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

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

For this reason, as well as continuously and accurately collecting and investigating information submitted by the foreign nationals and their organizations, the Immigration Bureau utilizes and reinforces the analysis of information received from the general public on foreign nationals staying beyond their authorized period of stay, information received through information exchange with the police and other ministries and agencies, and information provided by the Ministry of Health, Labour and Welfare on notifications of the employment of foreign nationals in order to be able to effectively find and expose imposter foreign residents, and to strictly deal with them.

### **(2) Strengthened Detection of Foreign Nationals Engaged in Unauthorized Activities/Strict Handling of Foreign Nationals Falling under the Grounds for Revocation of the Status of Residence**

When a foreign national residing in Japan with a status of residence that has restrictions on the activities which may be engaged in, is found to be engaged solely in work which does not fall under the scope of activities of the status of residence previously granted at the time of entry, he or she becomes subject to the grounds for deportation. The Immigration Bureau is engaged in proactively exposing such foreign nationals.

In addition, the Immigration Bureau has been making efforts to reinforce crackdowns through such means as having immigration control officers and immigration inspectors cooperate to conduct investigations into the actual situation of foreign nationals and if a foreign national is found to fall under the grounds for revocation of the status of residence, his or her status of residence will be revoked and he or she will become subject to the deportation procedures.

## **③ Strict Treatment of Brokers Aiding Foreign Nationals in Illegal Residence and Imposter Residence**

Article 24 of the Immigration Control Act provides that anyone coming under any of the following grounds for deportation will be deported: a person who has prepared or otherwise provided forged or false documents for the purpose of having another foreign national illegally acquire permission; a person who has had another foreign national engage in illegal work; a person who possesses forged residence cards for the purpose of using them; and a person who has forged or otherwise provided residence cards. In close cooperation with the police and other related authorities, the Immigration Bureau takes stringent actions by proactively detecting brokers and other offenders involved in aiding foreign nationals illegally staying beyond their authorized period of stay and imposter foreign residents pursuant to the provisions of this Article and other provisions.

## Section 3 ◆ Efforts for Further Appropriate Treatment

### ① Efforts for Further Appropriate Treatment of Detainees

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

With regard to foreign nationals detained in a detention center to whom a deportation order has been issued but who cannot be deported for an extended period of time, the Director of the Detention Center or the Director of the Regional Immigration Bureau periodically checks and reviews the necessity and reasons for provisional release, and, through flexible application of the provisional release system, endeavors to ensure that foreign nationals are not detained for a long period of time.

Furthermore, while taking into consideration the circumstances of individual facilities, the number of hours of open treatment has been extended and opportunities for detained foreign nationals to engage in outdoor activities or to take a bath have been increased to the greatest extent permissible in terms of security. In addition, with the cooperation of the JFBA, periodical medical checks by visiting psychiatrists commenced in June 2011 at the Higashi-Nihon Immigration Center and in February 2012 at the Nishi-Nihon Immigration Center. The Immigration Bureau has therefore been making efforts to accord proper treatment to the detainees with due consideration being given to their human rights.

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

The Immigration Detention Facilities Visiting Committee was established for the purpose of securing transparency in security treatment and of improving the management of the immigration detention facilities. Currently there are two committees, one in the Tokyo Regional Immigration Bureau, and another in the Osaka Regional Immigration Bureau. Each committee takes charge of immigration centers and departure waiting facilities in 22 locations (as at the end of June 2013) spread across Japan. Each committee inspects the facilities, meets with and interviews detainees, checks the opinions and proposals posted by detainees in the proposal boxes, and holds meetings. Based on this information, the committee expresses an opinion to the Director of the Immigration Detention Center or the Director of the Regional Immigration Bureau (hereinafter referred to collectively as “directors”).

Over the course of one year from July 2011 to June 2012, 15 inspections and 75 interviews took place in the facilities throughout Japan, and 136 opinions were given to the Directors. On receiving the opinions from the committees, the Directors promptly consider them, and endeavor to take measures where possible.

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

In addition, a summary of the opinions given by the committees and the measures taken by the Di-

rectors based on those opinions are published each year pursuant to the provisions of the Immigration Control Act.

### Article: At the front line of immigration control administration (voice of an immigration control officer in the Detention Department)(Takahide Yamada, Detention Department, Nagoya Regional Immigration Bureau (※ at the time of writing))

I work as an immigration security officer for a facility that detains foreign nationals subject to the deportation procedures. Foreign nationals who are deemed to be unwelcome and foreign nationals who are suspected of having unwelcome motives in Japan are detained in this facility. These foreign nationals have different nationalities, and their race, ethnicity, religion, creed and custom are highly diversified. Some wish to return to their home country, while others wish to stay in Japan. They live together in the same facility under individually different circumstances and each have their own worries. Therefore, it would be difficult for them to live together peacefully if there weren't any rules since this would lead easily to arguments with other detainees as well as possible conflicts with us, the immigration bureau staff.



From my perspective as an immigration security officer for the detention facility, I believe that it is best to safely resolve such conflict by urging the detainees to try to understand each other and by ensuring that there is no ill feeling left between them. For that, discussion is necessary, and we need to create an atmosphere in which they feel comfortable talking. So the first thing I do is always greet the detainees.

There are various reasons as to why I start with a greeting. One reason is that I feel that detainees who greet me in turn are more likely to try and understand what the other person is saying and the other person's point of view, and they are also less likely to cause trouble. This is one method for me to identify which detainee's movements I need to watch more closely.

A greeting is also an opportunity for me to say something to the detainees, and has the advantage of being something that can be done quite naturally. Through greeting a detainee, I am able to start a conversation where I may be able to hear about something that gives me a clue as to the detainee's state of mind, or I may be able to alleviate that person's stress by giving advice and offer some kind of relief, from which develops a relationship of trust between us. This can help prevent a conflict from occurring or a problem from getting complicated.

I believe that a simple greeting has magical powers that can remove mental barriers, and is a tool that security officers should utilize effectively, and therefore, I hope to continue using greetings in the future in order to contribute to a good treatment environment and the maintenance of order in the detention facility.

## Chapter 5. Promotion of Prompt and Appropriate Refugee Protection

### Section 1 ◆ Promotion of Prompt and Appropriate Processing of Applications

In July 2010, in order to stabilize as quickly as possible the legal status of those foreign nationals who ought to be recognized as refugees, the Immigration Bureau set six months as the standard time for the processing of one refugee application and aimed to achieve by the end of March 2011 the processing of all applications, in principle, within this timeframe. In addition, the Immigration Bureau made the decision to announce on a quarterly basis the average processing (examination) time for refugee applications on the Ministry of Justice website.

The average time required for the processing (examination) of an application was within six months for every quarter of FY 2012.

In addition, following a proposal received from the Japan Federation of Bar Associations (JFBA) to establish a data center for information on the countries of origin of the refugees and to provide better materials to enable applicants to be able to browse and use them, the Immigration Bureau has been posting information concerning the countries of origin of the refugees and international affairs (specifically, Japanese translations of reports of the United Kingdom Home Office and the United States Department of State) on the Ministry of Justice website since November 2010, and endeavors to collect and prepare basic materials for information on the countries of origin.

Moreover, in order to develop refugee inquirers with advanced knowledge and investigative abilities, the Immigration Bureau has been making efforts to improve officer training with the cooperation of the Office of the United Nations High Commissioner for Refugees (UNHCR). In addition to the conventional officer training for refugee inquirers that has long been provided, practical three-day case study training by the UNHCR was introduced from FY 2010 and the short-term dispatch of officers to the regional offices of the UNHCR has been continuously implemented since FY 2011. In FY 2012, the Immigration Bureau sent its officials to the UNHCR headquarters in Geneva and the International Institute of Humanitarian Law in Sanremo, Italy for training.

### Section 2 ◆ Acceptance of Refugees through Resettlement to a Third Country

Resettlement to a third country is intended to transfer and resettle refugees, who have been evacuated from their countries of origins and who are temporarily taking shelter in a refugee camp in a neighboring country or some other place, to another country which agrees to accept such refugees from the countries where they were originally offered protection. Resettlement to a third country is deemed to be one of the permanent solutions for refugee problems, as well as “voluntary repatriation” and “resettlement in the first countries of asylum”.

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

In the past Japan took measures to support the resettlement of those recognized as Indochinese refugees and other refugees, but in order to deal with the various problems relating to refugees in the Asian region,

Cabinet approval was given to the introduction of a system of third country resettlement (“Implementation of a Pilot Case for the Acceptance of Refugees through Resettlement to a third country”) on December 16, 2008.

The Cabinet approval and the “Specific Measures for Implementation of a Pilot Case for the Acceptance of Refugees through Resettlement to a third country” (decision of the Liaison and Coordination Council for Refugee Issues on December 19, 2008) prescribed that the relevant ministries and agencies would accept approximately 30 Myanmarese refugees every year from Maela Camp in Thailand, as a pilot case starting from FY 2010 and would support their resettlement through inter-ministry and agency cooperation. It was also stated that the pilot case would, in the future, be reviewed from various angles, and that based on the review, further consideration would be given to a future system of acceptance. In FY 2010, the first group of five families: 27 people in total came to Japan, and in FY 2011, four families: 18 people in total followed. (Although it was decided that 16 refugees from three families would enter Japan in FY 2012, each of them declined prior to entering Japan.)

At the meeting of the Liaison and Coordination Council for Refugee Issues held on March 29, 2012, the following decisions were made: the extension of the pilot case for a further two years; expansion of the applicable camp sites (the addition of Nupo Camp and Umpiem Camp): enhancement of support for resettlement, and the convening of an Advisory Council. At the meeting of the Council held on March 8, 2013, the following decisions were made: expansion of the concept of “family” as a unit for acceptance, and further expansion of applicable camp sites (the addition of Merau-Meramaruan Camp and Mae La Oon Camp).

The Immigration Bureau is mainly in charge of the screening procedures for the refugees who are to be accepted, and dispatches immigration officers to the local camps in order to conduct interviews and surveys. In the future, the Immigration Bureau will make further efforts for the smooth acceptance of refugees through resettlement to a third country in cooperation with the related organizations.

### **Section 3 ◆ Promotion of Collaboration with NGOs**

With regard to refugee-related administration, it is necessary to identify specific points which need to be improved through discussions with individuals involved in the promotion of refugee protection incorporating the standpoint of the private sector and legal experts, and to work to achieve better measures in collaboration with and cooperation from citizens’ groups.

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

Currently, based on this memorandum, the Immigration Bureau is considering a future ideal direction for specific cooperation.

## Chapter 6. International Society and Responses to International Situations

### Section 1 ◆ Treaties and International Conventions

#### ① Extension of the Period of Stay of Indonesian/Filipino Nurse/Care Worker Candidates under the Economic Partnership Agreement

With respect to the extension of the period of stay of Indonesian/Filipino nurse and care worker candidates under the Economic Partnership Agreement, approval was granted through a Cabinet decision on March 11, 2011 for the period of stay of foreign nurse and care worker candidates who had entered Japan in FY 2008 or 2009 to be extended for an additional year in light of diplomatic considerations, taking into account the fact that the candidates had entered Japan before proper additional learning support to be provided by the accepting organizations after the commencement of work by the candidates had been started on a full-scale basis.

However, it was the Indonesian nurse and care worker candidates, who entered Japan in FY 2012, and the Filipino nurse and care worker candidates, who entered Japan in FY 2013, who were the first candidates to be given the chance to participate in the current six-month Japanese language training program before coming to Japan (\*) while those who had entered Japan before then did not have any training.

For this reason, it was decided by the Cabinet on February 26, 2013 that the period of stay of foreign nurse and care worker candidates, who had entered Japan between FY 2010 and 2012 and who had not participated in a six-month Japanese language training program before coming to Japan, would be extended for an additional year in addition to the period of stay originally permitted under the EPA, provided that they satisfied certain conditions, such as acquiring a prescribed minimum score in the FY 2012 national nursing exam, in order to enable the candidates to continue their work and training in Japan and to be allowed, as an exception, to have just one more chance to retake the national exam.

#### ② Major Actions for Negotiations for the Conclusion of EPAs with other Countries

The Economic Partnership Agreements (EPAs) are agreements which aim to promote liberalization and facilitation of trade between signatory nations, as well as the coordination of policies, relaxation of regulations, and cooperation in various economic areas, including tariffs, trade in services, investment, intellectual property, and personal exchanges. The Immigration Bureau has been actively involved in negotiations for the conclusion of EPAs with various countries: Singapore (effective date: November 2002), Mexico (April 2005), Malaysia (July 2006), Chile (September 2007), Thailand (November 2007), Indonesia (July 2008), the Philippines (December 2008), Switzerland (September 2009), Viet Nam (October 2009), India (August 2011), and Peru (March 2012); and has been responsible for the part in the negotiations in relation to the “movement of natural persons”.

As of April 2013, the Immigration Bureau has mainly been involved in negotiations for the conclusion of EPAs, with Mongolia, Canada, Colombia and the EU.

---

(\*) Japanese language training prior to coming to Japan is to be provided under the EPA in Indonesia and the Philippines before acceptance of the Indonesian and Filipino nurse and care workers candidates. This training has been provided since 2011.



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

Japan is a signatory to various treaties, including the International Covenant on Economic, Social and Cultural Rights (ICESCR), the International Covenant on Civil and Political Rights (ICCPR), the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), the Convention on the Rights of the Child (CRC), the International Convention on the Elimination of All Forms of Racial Discrimination (CERD), and the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT). With regard to government reports on the status of the implementation of those treaties, the Immigration Bureau is involved in the drafting of reports, review of the government reports, and follow-up thereof from the perspective of immigration control administration.

## Section 2 ◆ International Conferences

### ① G8 Rome/Lyon Group Migration Experts Sub-Group Meeting

The Migration Experts Sub-Group Meeting, one of the sub groups of the G8 Rome/Lyon Group, which is a working experts' group to discuss measures against international terrorism and transnational organized crime at the G8 level, is discussing measures that the G8 members should take cooperatively in the area of illegal immigration and the forgery or alteration of documents.

In 2012, two meetings were held in the US, and officials from the Immigration Bureau attended the meetings to exchange information and opinions with their counterparts in other countries.

### ② Asia-Europe Meeting (ASEM) Conference of the Directors-General of Immigration and Management of Migratory Flows

The ASEM Conference of the Directors-General of Immigration and Management of Migratory Flows has been held every year since 2002 as a forum for immigration officials from the Asian and European countries to gather and discuss issues such as illegal entry and stay. It provides participants with opportunities to exchange opinions and information which are useful when considering measures against issues such as illegal immigration, and therefore, the Immigration Bureau endeavors to send its officials to participate in the meeting to exchange opinions and information. The 11th meeting was held in Cyprus in 2012 and discussed policies related to the migration of highly-skilled persons.

### ③ Other International Conventions

In addition to the international meetings mentioned above, the Immigration Bureau sends officials to attend discussion meetings on bilateral economic partnerships, counter-terrorism measures and consular services etc., with the aim of clearly explaining Japan's position and actively building cooperative relations with other countries. The Immigration Bureau also sends officials to participate in meetings intended for information sharing and opinion exchange, such as the International Air Transport Association (IATA)/Control Authorities Working Group (CAWG).

## Article: The international migration of people -EPAs and immigration control administration

An EPA is an agreement that aims to promote liberalization and facilitation of trade between signatory nations, as well as the coordination of policies, relaxation of regulations, and cooperation in various economic areas, including tariffs, trade in services, investment, intellectual property, and personal exchanges. The conclusion of an EPA has economic, political and diplomatic benefits such as the potential to vitalize the economies of the signatory nations and to strengthen their political relationship; and therefore, as of April 2013, Japan has concluded EPAs with thirteen countries/regions, which have already come into force.

The Immigration Bureau has been involved in Japan's EPA negotiations mainly with regard to the chapter prescribing the rules on the movement of natural persons, and has attended meetings to discuss, check or negotiate draft provisions of the EPAs; and moreover, has also taken measures such as the amendment of domestic regulations, as required.

Some of the EPAs which Japan has entered into commit Japan to accept foreign nationals in new sectors, and the EPAs with Indonesia and the Philippines stipulate the acceptance of workers striving to obtain the national qualifications of nurses or care workers. This framework enables foreign nationals, as a special exception, to work or train in hospitals or care facilities in sectors where foreign nationals are not usually permitted to work (such as in the field of nursing support and care), provided that they satisfy certain requirements (such as having a nursing qualification in their home country), and approximately 1,600 candidates from the two countries had entered Japan at the time of FY 2012.

Similarly, Japan and Viet Nam agreed on the commencement of negotiations with respect to the acceptance of nurse and care worker candidates under an EPA (enforced in October 2009), and as a result of subsequent negotiations, Japan agreed to the acceptance of candidates through the exchange of diplomatic notes in April 2012, with the first group of Vietnamese nurse and care worker candidates scheduled to enter Japan in 2014.

## Chapter 7. Improvement of Public Relations Activities and Public Services

### Section 1 ◆ Promotion of Public Relations Activities

Recognizing that public relations and enlightenment activities both in Japan and abroad play a major role in the smooth implementation of immigration control administration, the Immigration Bureau has been further promoting more active public relations activities than ever before.

The main public relations activities include releasing statistics concerning immigration control administration such as the number of those entering or departing from Japan, the number of foreign residents and the number of foreign nationals staying beyond their authorized period of stay, and posting and disseminating such information through the Ministry of Justice website. In addition, the Immigration Bureau publishes such information as data on the number of cases of special permission to stay in Japan and the standard processing time of the examinations of recognition of refugee status, in order to allow for a wide variety of people to be able to understand immigration control administration.

Especially in FY 2011 and FY 2012, the Immigration Bureau actively engaged in public relations activities to promote smooth transition of the new residency management system. (See Chapter 1, Section 3.)

Moreover, for the purpose of preventing illegal work through the appropriate employment of foreign nationals, the Immigration Bureau holds an “Illegal Work Prevention Campaign” as part of the larger campaign for “Foreign Labor Problems Awareness Month” conducted by the government every June, so that the general public, companies hiring foreign nationals, and relevant organizations and governments in other countries will be able to better understand the issues and offer cooperation to the Immigration Bureau. In 2012, the Immigration Bureau conducted enlightenment activities for the prevention of illegal employment by distributing leaflets in cooperation with the relevant ministries and local authorities etc.



Leaflet for the New Residency Management System



Scene from the Illegal Work Prevention Campaign

## Section 2 ◆ Improvement of Public Services

### ① Facilitating the Landing Examination Procedures

The Immigration Bureau has made efforts to facilitate the entry (landing) examinations at airports and seaports, but foreign nationals who visit Japan through airports have expressed dissatisfaction with the length of time they have to wait in line for the entry (landing) examinations. In response to these complaints, measures have been taken at the immigration counters at the major airports to resolve this problem, by assigning some of the immigration inspectors in charge of the departure and return procedures for Japanese nationals to the examination of foreign nationals, and transferring immigration inspectors between immigration counters depending on the degree of congestion. In addition, the expected waiting time for examination of foreign nationals is indicated and priority lanes for the elderly, the disabled and pregnant women have been established. Thus, the Immigration Bureau has made additional efforts to facilitate procedures and improve the quality of services.

In addition, the Immigration Bureau has made efforts for smoother entry (landing) examination procedures by shortening the waiting time, while sometimes asking airlines for cooperation in view of the real-time situation of each airport. Specifically, immigration adopts a fork line approach which allows arriving passengers to stand in a single line and to proceed one by one to the next available booth instead of having arriving passengers form a line for each inspection booth, increases the number of immigration inspectors when the airport becomes congested, stations immigration booth concierges, broadcasts a guidance video explaining the procedures for the provision of personal identification information, and displays an information board that illustrates the items to be entered in the embarkation and disembarkation card.



Indication of waiting time for examination



Priority lanes

### ② Information Services for Foreign Nationals

The Immigration Bureau has been promoting the “Comfortable Administrative Services Campaign” for the purpose of realizing a friendly and caring administration, but even so some applicants have asked for a reduction in the waiting time for examination and provision of more detailed and clearer guidance on the various procedures.

To meet such a demand, the regional immigration bureaus have been making continuous efforts to improve staff attitudes towards the provision of administrative services and their demeanor by holding seminars on demeanor and attitudes, and have been striving to improve the environment of the reception

counters and the various information services.

Furthermore, there are a large number of foreign nationals who are unfamiliar with the procedures relating to entry and residence as well as Japanese laws and social systems due to differences in lifestyle, manners, customs and language. For the purpose of providing consultation services and information to such foreign nationals, immigration information centers have been established. These centers provide information on the various procedures related to entry, the statuses of residence and the items to be entered in the application forms on entry and statuses of residence.

These information centers were established in the Sendai Regional Immigration Bureau, Tokyo Regional Immigration Bureau and its Yokohama District Immigration Office, the Nagoya Regional Immigration Bureau, Osaka Regional Immigration Bureau and its Kobe District Immigration Office, the Hiroshima Regional Immigration Bureau and Fukuoka Regional Immigration Bureau. They provide consultations on procedures for the entry and residence of foreign nationals in various languages, such as English, Korean, Chinese and Spanish. Counseling staff members have been assigned to the Sapporo Regional Immigration Bureau, Takamatsu Regional Immigration Bureau and the Naha District Immigration Office of Fukuoka Regional Immigration Bureau to provide the same services as the above information centers.

In addition to the above, in cooperation with local authorities where many foreign long-term residents are concentrated, one-stop consultation centers, which provide consultations and information on administrative procedures for entry and residence as well as on daily life, were established and have been operating in Hamamatsu City, Shizuoka Prefecture since April 2009, in Saitama City, Saitama Prefecture since August 2009 and in Shinjuku Ward, Tokyo since November 2009.



**Immigration Information Center**

### ③ Immigration Bureau Website

In March 2002, the Immigration Bureau established its own website separately from the website of the Ministry of Justice. Through this site (<http://www.immi-moj.go.jp>), the Immigration Bureau introduces questions and answers on the application procedures for entry and statuses of residence as well as the addresses, contacts and opening hours of the immigration offices for the convenience of applicants. In February 2004, the Immigration Bureau commenced the receipt by email of information on foreign nationals who may be staying illegally in Japan.

Moreover, to improve the information services for foreign nationals, the Immigration Bureau opened a website in English at the end of FY 2005, and multi-lingual websites in Chinese, Korean and Portuguese at the end of FY 2006 to make its website more user-friendly for foreign nationals.

## Chapter 8. Policy for the Achievement of a Symbiotic Society Co-existing with Foreign Nationals

### Section 1 ◆ Participation in the Foreign Crowding House City Meeting

The Foreign Crowding House City Meeting consists of the local governments of cities where a large population of foreign residents, foreign nationals of Japanese ancestry, mainly from South America known as “newcomers”, is concentrated and international exchange associations. The purpose of the council meetings is to exchange information relating to policies and the activities of foreign residents, and to proactively resolve the various associated problems arising in the area. The first meeting of the Council was held in May 2001, and officers from the Immigration Bureau took part in the meeting.

The “Foreign Crowding House City Meeting, Tokyo 2012” was held in November 2012, which was attended by officers of the Immigration Bureau and officers of related ministries and agencies, who reported on the introduction of the new residency system, and exchanged opinions and information with the members of the Council.

### Section 2 ◆ Participation in Government-Wide Efforts (“Symbiotic Society of Co-existence with Foreign Nationals”)

In May 2012, a committee for the achievement of a “symbiotic society of co-existence with foreign nationals” consisting of senior vice ministers from the related ministries and agencies was established in order to conduct a comprehensive review of the various issues related to preparing an environment toward the realization of a symbiotic society of co-existence with foreign nationals living in Japan. This Committee held discussions, through the close cooperation of the related ministries and agencies in order to promote government-wide efforts to adopt relevant policies, in which the Ministry of Justice participated.

After the first meeting on May 24, 2012, a total of five meetings were held, and the following interim proposals were compiled: “significance and necessity related to creating an environment toward the realization of a symbiotic society of co-existence with foreign nationals”, “the promotion of policies in the immediate future for the achievement of a symbiotic society of co-existence with foreign nationals” and “topics to be discussed in the future”.

## Chapter 9. Discussions on Future Immigration Control Administration

### Section 1 ◆ Outline of the Immigration Policy Discussion Panel

The Immigration Policy Discussion Panel, a private advisory group for the Minister of Justice, was established for the purpose of allowing the Minister to hear opinions from experts from various sectors on immigration control administration. Five meetings of the Immigration Policy Discussion Panel were held after the first meeting of the Immigration Policy Discussion Panel held in November 1990. Based on the discussions of the panel, the Ministry of Justice formulated the Basic Plan for Immigration Control which serves as the basis for policies on control over the entry and residence in Japan of foreign nationals, and is scheduled to formulate the fifth Basic Plan for Immigration Control in 2015.

### Section 2 ◆ Sixth Meeting of the Immigration Policy Discussion Panel

The “Sixth Meeting of the Immigration Policy Discussion Panel” was convened on March 7, 2013 for the purpose of hearing opinions from experts with a broad range of perspectives with regard to the topics which were outlined for consideration in the Fourth Basic Plan for Immigration Control. At the time of April 1, 2013, the Immigration Policy Discussion Panel consisted of a total of eighteen members including academic experts and representatives from related organizations (economic and labor organizations), municipal mayors and others.

In April 2013, the “Sub-group for Discussions on the System for Acceptance of Foreign Nationals” was established under the Immigration Policy Discussion Panel. The sub-group held collective discussions to review the points-based system for highly-skilled professionals (see Chapter 2 above). On May 20, 2013, the third meeting of the Immigration Policy Discussion Panel finalized the report entitled “Results of the Discussions to Review the System of Points-Based Preferential Immigration Treatment for Highly-Skilled Professionals”, which was later submitted to the Minister of Justice.

On the same day of May 20, 2013, the third meeting of the Immigration Policy Discussion Panel finalized the report entitled “Results of the Discussions on the Future Direction of Immigration Control Administration in an Era of 25 Million Visitors Visiting Japan”, which was submitted on the same day to the Minister of Justice.

In the future, the Immigration Policy Discussion Panel will discuss the following issues referred to in the Fourth Basic Plan for Immigration Policy: (i) immigration control policies based on the status of operations after the enforcement of the new residency management system; (ii) promotion of the acceptance of foreign nationals in professional and technical fields; (iii) the future direction of policies for the acceptance of foreign nationals in light of a depopulating society; and (iv) promotion of countermeasures against foreign nationals, staying beyond their authorized period of stay, and imposter foreign residents for the realization of a safe and secure society.



**Scene from the Meeting of the Immigration Policy Discussion Panel**