

IMMIGRATION CONTROL 2014



Immigration Bureau, Ministry of Justice, JAPAN

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Immigration Control

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Immigration Bureau, Ministry of Justice

Introduction

Publication of the 2014 Immigration Control Report



Kansai International Airport

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The immigration report entitled “Immigration Control”, first published in 1959, has now reached its 20th edition. Prior to the 2003 report, “Immigration Control” was a publication which only summarized the trends in immigration control administration over a five-year period. However, given the accelerated pace of changes in the conditions affecting Japan’s immigration control policies, immigration control administration has had to incorporate various new measures so as to be able to respond properly. In line with the rapid changes, starting in 2004, the “Immigration Control” report has been published annually mainly summarizing the trends in immigration control administration over a twelve-month period.

The 2014 Immigration Control Report gives a brief description of the operations of the Immigration Bureau and, while looking back over the changes in the operations which took place over the past five years from 2009 to 2013, gives a summary focusing mainly on the actions taken in FY 2013 such as the efforts toward the achievement of a tourism-oriented country intended to attract more foreign tourists to Japan, the review of the points-based system offering preferential immigration treatment to highly-skilled foreign professionals in December 2013, the reduction in the number of illegal and imposter foreign residents, and the measures taken for stringent prevention of the entry of possible terrorists at the port of entry.

Part I, entitled “What is Immigration Control Administration? Equitable Control over the Entry into and Departure from Japan of All Persons,” briefly explains the role of the Immigration Bureau (Chapter 1) and gives an outline of Japan’s immigration control system (Chapter 2).

Part II, entitled “Immigration Control in Recent Years,” introduces, based on statistical data, such topics as foreign nationals entering and departing from Japan (Chapter 1), foreign nationals residing in Japan (Chapter 2), implementation of technical intern training programs (Chapter 3), Japanese nationals departing from and returning to Japan (Chapter 4), deportation procedures for foreign nationals (Chapter 5), recognition of refugee status (Chapter 6), and promotion of measures against trafficking in persons and proper protection of foreign victims of domestic violence (Chapter 7).

Part III, entitled “Major Policies Related to Immigration Control Administration in FY 2013,” gives an outline of the amendment of the Immigration Control and Refugee Recognition Act (Chapter 1), smooth and strict implementation of immigration examinations at the port of entry (Chapter 2), review of the points-based system offering preferential immigration treatment to highly-skilled foreign professionals (Chapter 3), measures against illegal or imposter foreign residents in Japan (Chapter 4), promotion of appropriate and prompt refugee protection (Chapter 5), responses to international society and international situations (Chapter 6), improvement of public relations activities and public services (Chapter 7), policy for the achievement of a symbiotic society together with foreign nationals (Chapter 8), and discussions on future immigration control administration (Chapter 9).

Furthermore, the data section features the major developments relating to immigration control administration and related statistics since April 1, 2013.

Finally, we hope through this report that immigration control administration will prove to be beneficial and easy to understand.

12, 2014

Hiroshi Inoue

Director-General of the Immigration Bureau, Ministry of Justice of Japan

Points of the 2014 Immigration Control Report

■ Organization of the 2014 Immigration Control Report

- This report consists of three parts: An Outline of Immigration Control Administration (Part I), Immigration Control in Recent Years (Part II), and Major Policies in FY 2013 (Part III), as well as a Data Section.
- Part I summarizes the operations of the Immigration Bureau.
- Part II describes the immigration operations conducted during 2013 based on statistics over the five-year period from 2009 to 2013.
- Part III describes the major immigration control policies implemented during FY 2013 (as well as some of the measures for FY 2014).

■ Part I What Is Immigration Control Administration? Equitable Control over the Entry into and Departure from Japan of All Persons

- The role of the Immigration Bureau
- Japan's immigration control system

■ Part II Immigration Control in Recent Years

- Number of foreign nationals entering Japan in 2013

The number of foreign nationals who entered Japan in 2013 (including those who re-entered Japan with a re-entry permit) was 11,255,221, and the number of foreign nationals newly entering Japan, excluding those who had re-entered, was 9,554,415, which marked a substantial increase of 2,083,075 (22.7%) and 2,004,417 (26.5%), respectively. This substantial increase in the number of foreign nationals entering Japan in 2013 is thought to have been partly caused by the fact that travelling to Japan is cheaper than before owing to the weaker yen, and that the measures taken by the government towards realizing a tourism-oriented country such as the measure to deregulate visas for ASEAN countries has prompted an increase in tourists

- Number of foreign residents as of the end of 2013

The number of foreign residents combining the number of mid to long-term residents with the number of special permanent residents was 2,066,445 as of the end of 2013, increased by 1.6% compared to the end of 2012.

The percentage of foreign residents to the total population of Japan was 1.62%, increased by 0.03 point compared to the number at the end of 2012.

- Number of foreign nationals illegally staying beyond their authorized period of stay

The number of foreign nationals illegally staying beyond their authorized period of stay as of January 1, 2014 was 59,061. This marks a consistent decline from the 298,646 recorded on May 1, 1993 when the number reached the highest record ever.

■ Part III Major Policies Relating to Immigration Control

Administration in FY 2013

○ Outline of the Amendment of the Immigration Control and Refugee Recognition Act

The Act for Partial Amendment of the Immigration Control and Refugee Recognition Act was passed and enacted at the 186th session of the Diet on June 11, 2014, and promulgated on June 18, 2014 (Act No.74 of 2014).

An outline is as given below.

- Establishment of a new status of residence for highly-skilled foreign professionals in order to further promote the acceptance of foreign nationals possessing advanced and specialized skills.
- Establishment of a new special landing permission (landing permission for cruise ship tourists) in order to facilitate the entry procedures relating to foreign passengers of cruise ships as well as expansion of the scope of foreign nationals eligible for special re-entry permission.
- Expansion of the scope of persons eligible to use the automated gates in order to facilitate the immigration procedures for certain temporary visitors, omission of the seal of verification for landing for such foreign nationals and establishment of a system of Trusted Traveler Program Cards as a means to prove landing permission in place of the seal of verification for landing.
- Reorganization of the statuses of residence through revision of the statuses of residence of “Investor/Business Manager” and “Student” and consolidation of the statuses of residence of “Engineer” and “Specialist in Humanities/ International Services”.
- Establishment of a provision enabling requests to be made to the airline companies for the provision of passenger name records (PNR) in order to be able to implement more effective entry examinations.
- Reorganization of the provision on the investigative authority of immigration officers through the establishment of a provision on investigations relating to re-entry permission and a provision on inquiries relating to execution of written deportation orders.

○ Smooth and strict implementation of immigration examinations at the port of entry

- The Ministerial Council on the Promotion of Japan as a Tourism-Oriented Country comprising all of the members of the Cabinet was established on March 26, 2013. Following which, the Action Program for the Realization of Japan as a Tourism-Oriented Country was compiled on June 11, 2013 at the second meeting of the Ministerial Council on the Promotion of Japan as a Tourism-Oriented Country, and a target was set to increase the number of foreign visitors to Japan to 10 million within 2013, with a higher goal aiming for 20 million. Moreover, the target of 10 million foreign visitors coming to Japan was achieved on December 20, 2013 (released by the Japan National Tourism Organization).
- Government-wide efforts are currently underway in Japan toward achieving a tourism-oriented country, and for its part, in order to further promote smoother immigration examinations, the Immigration Bureau has introduced secondary immigration examinations, installed or increased the number of automated gates and streamlined the immigration examinations for cruise ship passengers. Moreover, a bill for partial amendment of the Immigration Control and Refugee Recognition Act, which included the establishment of a system for a new type of special landing permission allowing the foreign passengers of cruise ships specified by the Minister of Justice to land through the use of simplified procedures, was submitted to the 186th Ordinary Session of the Diet, and was enacted in June 2014.
- In order to protect people's lives and public safety, it is of vital importance to unfailingly prevent the entry into the country of terrorists disguising themselves as tourists. Therefore, the Immigration Bureau continues to implement strict immigration examinations at the ports of entry through the utilization of such measures as biometrics data, ICPO's data on lost and stolen passports and the Advance Passenger Information System (APIS).

○ Review of Points-Based Preferential Immigration Treatment for Highly-Skilled Foreign Professionals

- The points-based preferential immigration treatment for highly-skilled foreign professionals classifies the activities of the highly-skilled foreign nationals into the three categories of “advanced academic research activities”, “advanced specialized/technical activities” and “advanced business management activities” with a certain number of points being awarded for such items as “academic background” and “professional background” and “annual salary” according to the characteristics of each category. Foreign nationals whose total number of points exceed a certain number of points are recognized as “highly-skilled professionals” and are granted the status of residence of “Designated Activities”, thereby according them preferential immigration treatment.
- An amended Ministry of Justice public notice on revision of the requirements for recognition and the measures for preferential treatment for highly-skilled foreign professionals was enacted on December 17, 2013 (and entered into force on December 24, 2013).
- A bill for partial amendment of the Immigration Control and Refugee Recognition Act, which included the establishment of the status of residence of “Highly Skilled Professional (i)” for highly-skilled foreign professionals, and the further establishment of the status of residence of “Highly Skilled Professional (ii)”, which allows foreign nationals who have resided in Japan for a certain period with the status of residence of “Highly Skilled Professional (i)” to reside in Japan with no restrictions being imposed on the period of stay, was submitted to the 186th Ordinary Session of the Diet, and was enacted in June 2014.

○ Measures against illegal and imposter foreign residents in Japan

- There has been a steady decline in the number of foreign nationals illegally staying beyond their authorized period of stay. This decline appears to be the result of past measures which have been taken over the years. However, it is estimated that there are still some 59,000 illegal foreign residents (as of January 1, 2014) in Japan, and therefore efforts to further reduce the number of foreign nationals illegally staying beyond their authorized period of stay are being promoted through strengthened detection, reinforced collection and analysis of information on illegal foreign residents, and the promotion of voluntary appearances.
- “Imposter residents” refers to foreign nationals who illegally work or reside in Japan having falsified their identity or the purpose of their activities by means of a fake marriage or by pretending to be a student or through the use of counterfeit or altered documents or fraudulent documents and, having received permission for residence, pretend to be lawful residents. The presence of imposter residents in Japan who illegally use a status of residence cannot be overlooked, and therefore, the Immigration Bureau is striving to strengthen the detection of imposter foreign residents and to reinforce the collection and analysis of information.
- Based on an agreement concluded between the Immigration Bureau and the Japan Federation of Bar Associations (JFBA) in September 2010, the Immigration Bureau and the JFBA are to discuss methods of improving the situation of problems related to detention in immigration control. In addition, the Immigration Bureau and the JFBA have arranged for legal consultations, etc. to be provided by attorneys to the detainees.
- With regard to detainees who have been detained for a considerable period of time following the issuance of a written deportation order, the Immigration Bureau will continue to check and examine the necessity for and suitability of provisional release for such detainees at regular intervals, and will flexibly utilize provisional release while taking individual situations into account so as to implement further appropriate deportation procedures.
- In July 2010, the Immigration Bureau established the Immigration Detention Facilities Visiting Committee consisting of experts from outside the Immigration Bureau, and the Immigration Bureau will continue to make efforts to ensure further transparency in security measures, and to improve and enhance the operations of the immigration detention centers, etc., while taking the Committee’s views into consideration.

○ Promotion of appropriate and prompt refugee protection

- In order to quickly stabilize the legal status of foreign nationals who are to be recognized as refugees, the Immigration Bureau set six months as the standard processing time for the examination of refugee applications, and the average processing and examination times for each quarter of FY 2013 were kept to less than six months.
- A program to accept and support the resettlement of Myanmarese refugees who were staying in a refugee camp in Thailand was launched in FY 2010 as a pilot project for the acceptance of refugees desiring resettlement. The first group consisting of 27 refugees from five families came to Japan in FY 2010, 18 refugees from four families came to Japan in FY 2011, and 18 refugees from four families came to Japan in FY 2013 (Although 16 refugees from three families were to enter Japan in FY2012, each of them declined the offer of acceptance prior to entry into Japan.).
- Based on the results of the Advisory Council on Resettlement held under the auspices of the Liaison and Coordination Council for Refugee Issues from March 2012 to December 2013, Japan's future policy on resettlement was approved by the Cabinet on January 24, 2014, and in accordance with the contents of this Cabinet Agreement and the "Specific Measures for the Admission of Refugees through Resettlement" (decision of the Liaison and Coordination Council for Refugee Issues of January 24, 2014), Myanmarese refugees who are staying temporarily in Malaysia are to be eligible for acceptance from FY 2015 onwards.

○ Responses to international society and international situations

- The Immigration Bureau has actively participated in negotiations to conclude an Economic Partnership Agreement (EPA) with various countries.
- Based on an EPA, nurse and care worker candidates have been accepted from Indonesia since FY 2008 and from the Philippines since FY 2009, and the number of foreign nationals accepted up until FY 2013 was 1,048 from Indonesia and 821 from the Philippines. In addition, nurse and care worker candidates have been accepted from Vietnam since FY 2014.
- The Immigration Bureau attended international conferences, including G8 meetings and the Asia-Europe Meeting (ASEM) to develop cooperative ties and to share information through discussions and exchanges of opinions with other countries.

2014 Immigration Control Report

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Points of the 2014 Immigration Control Report

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