

## Basic Plan for Immigration Control (5th Edition)

Ministry of Justice  
Japan

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# I Formulating the Basic Plan for Immigration Control (5th Edition)

The Basic Plan for Immigration Control is a plan formulated by the Minister of Justice, which serves as the basis for the measures on the control of the entry and residence of foreign nationals, in accordance with Article 61-10 of the Immigration Control and Refugee Recognition Act (hereinafter referred to as “Immigration Control Act”), and this edition will be its fifth.

Looking back at the situation at the time of 2010 when the previous Basic Plan for Immigration Control (4th Edition) was formulated, as well as facing an era of a fully-fledged population decline, the economy has since been sluggish due to such impacts as the Global Financial Crisis leading to a need to more proactively accept those foreign nationals who contribute to the vitalization of the Japanese economy. In addition, although there has been a downward trend in the number of illegal residents in Japan owing to such factors as the implementation of stringent measures against illegal residents, further measures were still required to handle the considerable number of illegal residents staying in Japan, and moreover, there were also calls for more to be done through proper operation of the system to realize a society where Japanese people can coexist harmoniously together with the foreign nationals prior to enforcement of the new residency management system.

Thus far, the measures on immigration control administration, including the measures listed in the Fourth Basic Plan for Immigration Control, have been steadily implemented. For example, a points-based system for highly-skilled professionals was introduced in May 2012 to facilitate the acceptance of so-called highly-skilled foreign nationals as human resources who contribute to the vitalization of the Japanese economy and society, and further, a new residency management system was enforced from July of the same year through which the information necessary to manage the residency of foreign nationals came to be centrally managed by the Ministry of Justice, and a mechanism was created where owing to information links with the municipal governments, the municipal governments are able to promptly keep track of the information required to provide administrative services to foreign residents, and moreover, owing to countermeasures being stringently implemented against illegal residents, it has become possible to further reduce the number of illegal residents.

Meanwhile, new challenges are likely to come up over the next five years. The number of foreign tourists visiting Japan reached 10 million in 2013, and exceeded 13 million in 2014, and a further increase in the number of foreign tourists visiting Japan is expected in the future owing to the various initiatives being conducted by the entire government with the aim of early realization of an era of 20 million foreign tourists visiting Japan heading towards 2020 which is when the Tokyo Olympic and Paralympic Games will be held.

In addition, in order to further accelerate the reconstruction projects needed after the Great East Japan Earthquake and to respond to the demands for construction related to the 2020 Tokyo Olympic and Paralympic Games, foreign nationals are being accepted as a temporary emergency measure, and it is expected that the debate on the acceptance of foreign nationals will intensify even more in the future. In addition, the number of foreign nationals illegally staying beyond their authorized period of stay, which had been seeing a downward trend, started to see an increase in 2015 in line with the significant increase in the number of foreign nationals entering Japan, and moreover, it is believed that

the immigration control administration will be faced with new challenges, which differ from those seen in the past five years requiring measures to deal with the problem of imposter residents who are becoming increasingly more evident and the applications for refugee recognition which attempt to abuse the system.

The immigration control administration is responsible for carrying out appropriate and smooth acceptance of foreign nationals and preventing the entry and residence of terrorists and criminals, etc., in view of its mission to vitalize the Japanese economy and society and to contribute to healthy development, and while these duties form the basis, immigration control administration is also required to constantly keep up with new challenges arising due to changes in the economy and society.

The immigration control administration needs to respond quickly and flexibly even to these new challenges in the future.

Under such circumstances, in December 2014, a report entitled “The Future Direction of Japan’s Immigration Control Administration” was submitted by the 6th Immigration Policy Discussion Panel, a private advisory panel for the Minister of Justice, which outlined recommendations on immigration control administration in general.

This plan envisages a period of about the next five years based on the contents of the report, and as well as describing past circumstances affecting the entry and residence of foreign nationals, is intended to clarify the major challenges and future basic policy of immigration control administration.





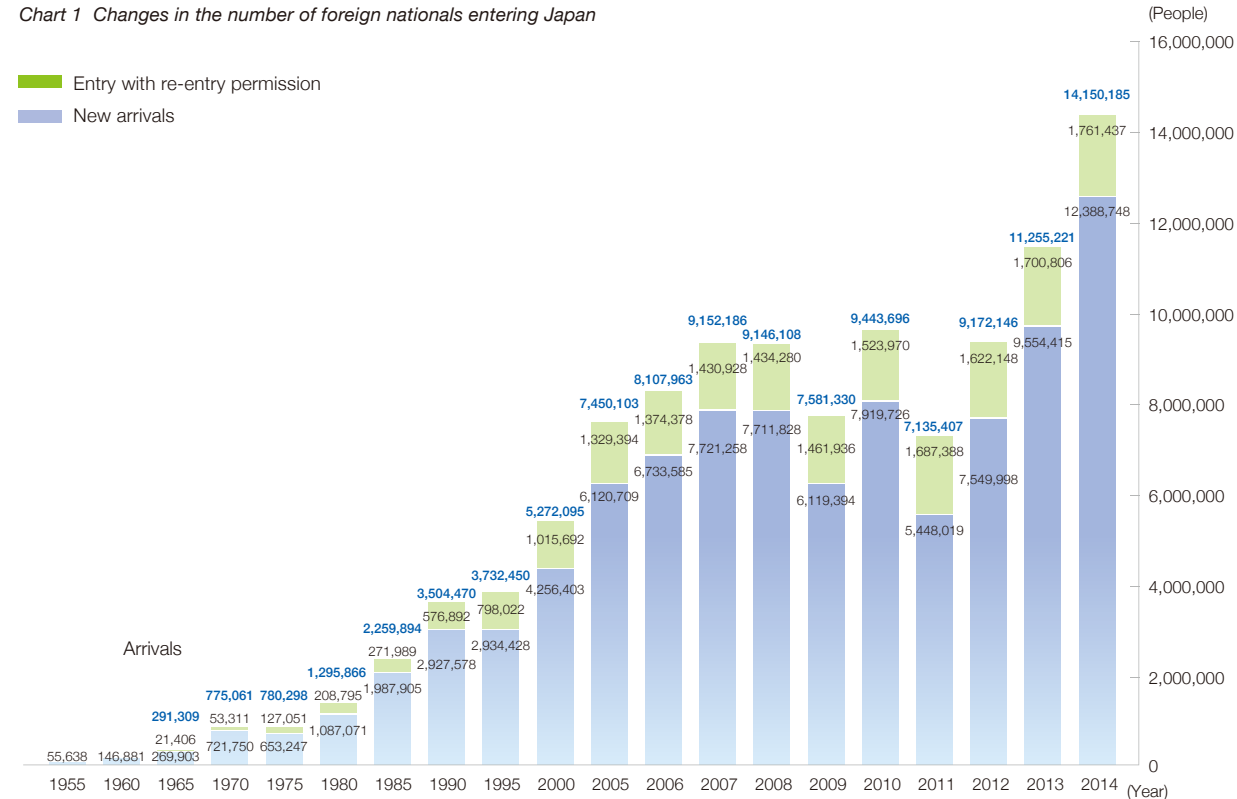
## 1 The Situation of Foreign Nationals Entering and Residing Legitimately in Japan

### (1) The Overall Situation

The number of foreign nationals entering Japan (including persons re-entering), amounted merely to an approximate 18,000 in 1950, which is when the statistics on immigration control were first collected, passed the one million mark in 1978 and maintained a growth trend, but temporarily dropped owing to the impact of the Great East Japan Earthquake in March 2011, recovered in 2012, exceeded 10 million for the first time in 2013, and increased even further reaching approximately 14 million people in 2014 (Chart 1).

Looking at the breakdown of the number of foreign nationals newly entering calculated by subtracting the number of foreign nationals re-entering from the number of foreign nationals entering, every year the foreign nationals who hold the status of residence of "Temporary Visitor" such as tourists and business persons account for more than 90% of the total, and furthermore, by region, the number of foreign nationals newly entering from Asia accounted for around 80.2% of the total number (2014).

Chart 1 Changes in the number of foreign nationals entering Japan

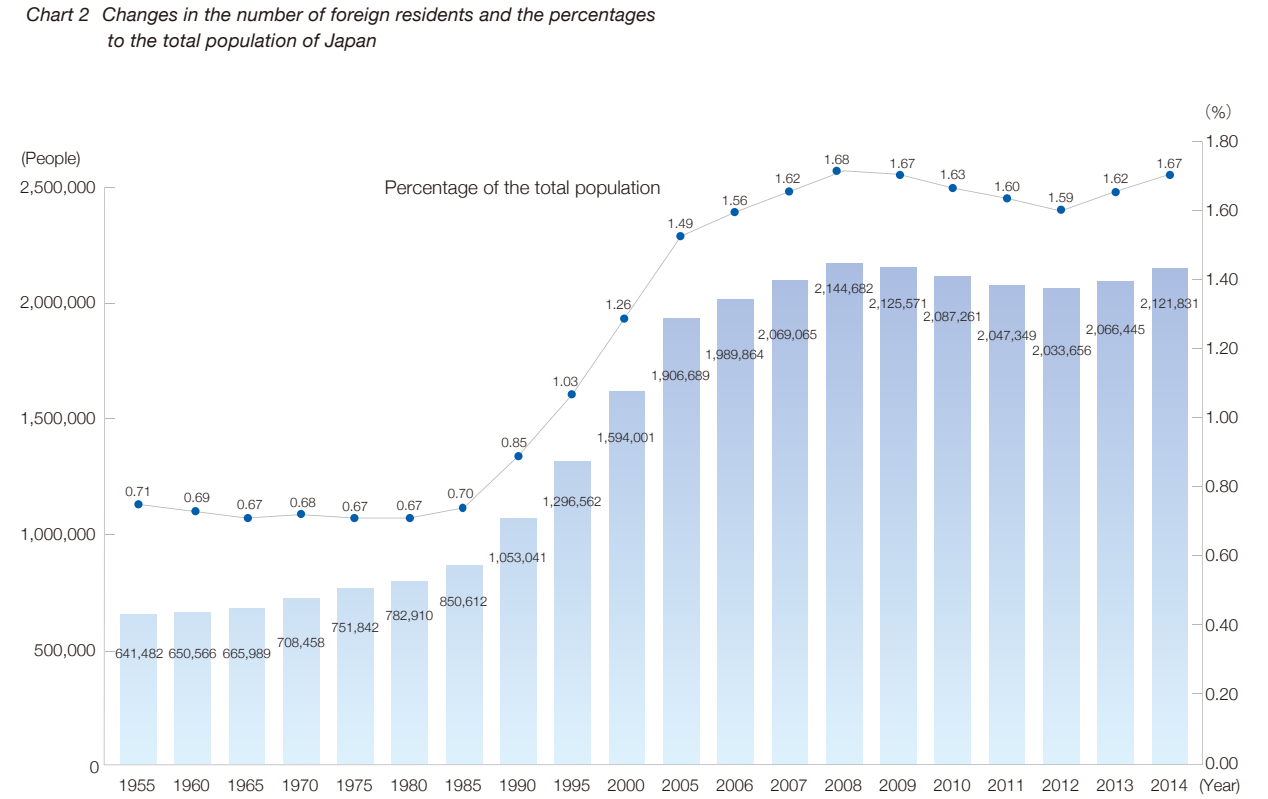


(\*) There are no separate categories for arrivals for 1955 and 1960.

Next, taking a look at the number of foreign nationals residing in Japan, the number of foreign residents fluctuated between the upper 500,000s to the mid-600,000s for two decades just after World War II, and special permanent residents composed mainly of Korean nationals accounted for nearly 90% of such number. Recently although the number of special permanent residents has seen a decline, the number of foreign nationals coming to Japan for a variety of purposes and settling down for a mid to long-term period has been increasing, and while a temporary decline was seen due to the impacts of the Global Financial Crisis and the Great East Japan Earthquake, the number of foreign residents as of the end of 2014 was approximately 2.12 million with the percentage standing at 1.67% of the total population of Japan (Chart 2).

By nationality and region, China accounts for about 30% of the total, followed by Korea, the Philippines and Brazil.

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



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

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

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

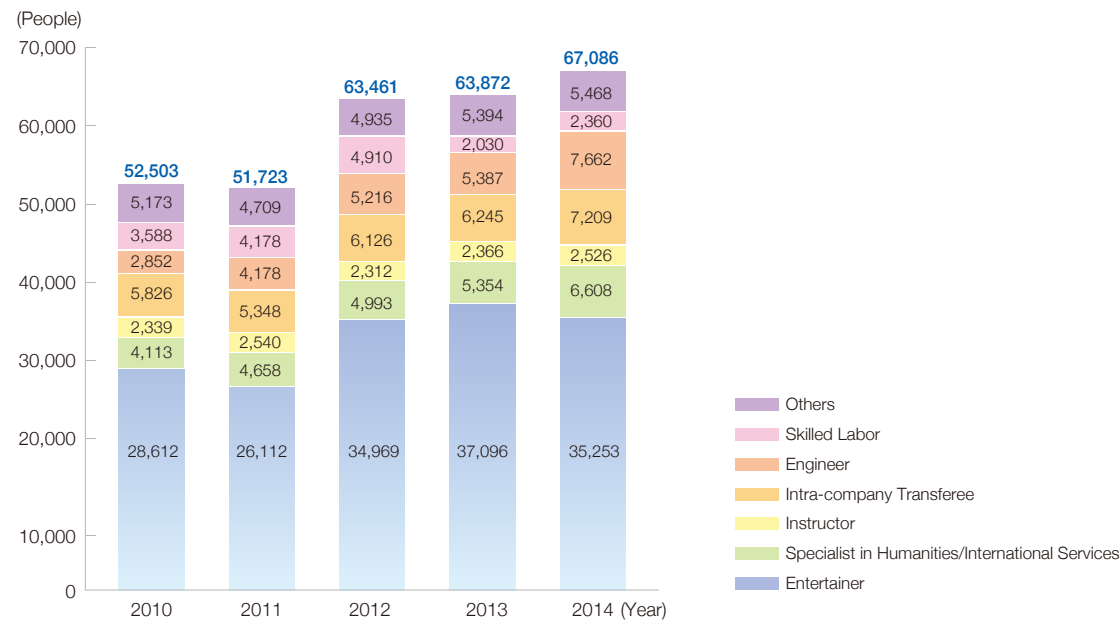


## (2) Foreign Nationals with the Purpose of Work

Taking a look at the situation of foreign nationals newly entering with a status of residence which has the purpose of work (excluding the statuses of “Diplomat”, “Official” and “Technical Intern Training”; the same shall apply hereinafter), the number of foreign nationals saw a downward trend from 2006, started to increase in 2012 seeing an increase of 22.7% compared to the previous year. This is thought to be owing to the fact that the number of foreign nationals coming to Japan for the purpose of work started to increase in line with the recovery in the number of foreign nationals newly entering Japan following the decline after the Great East Japan Earthquake.

Next, looking at the situation of the number by status of residence, the number of foreign nationals newly entering with the status of residence of “Entertainer” which accounts for more than half of the total number, started to increase in 2012. Meanwhile, the number of foreign nationals newly entering for the purpose of work except for those with the status of residence of “Entertainer” reached a record high of approximately 32,000 in 2014 (Chart 3).

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

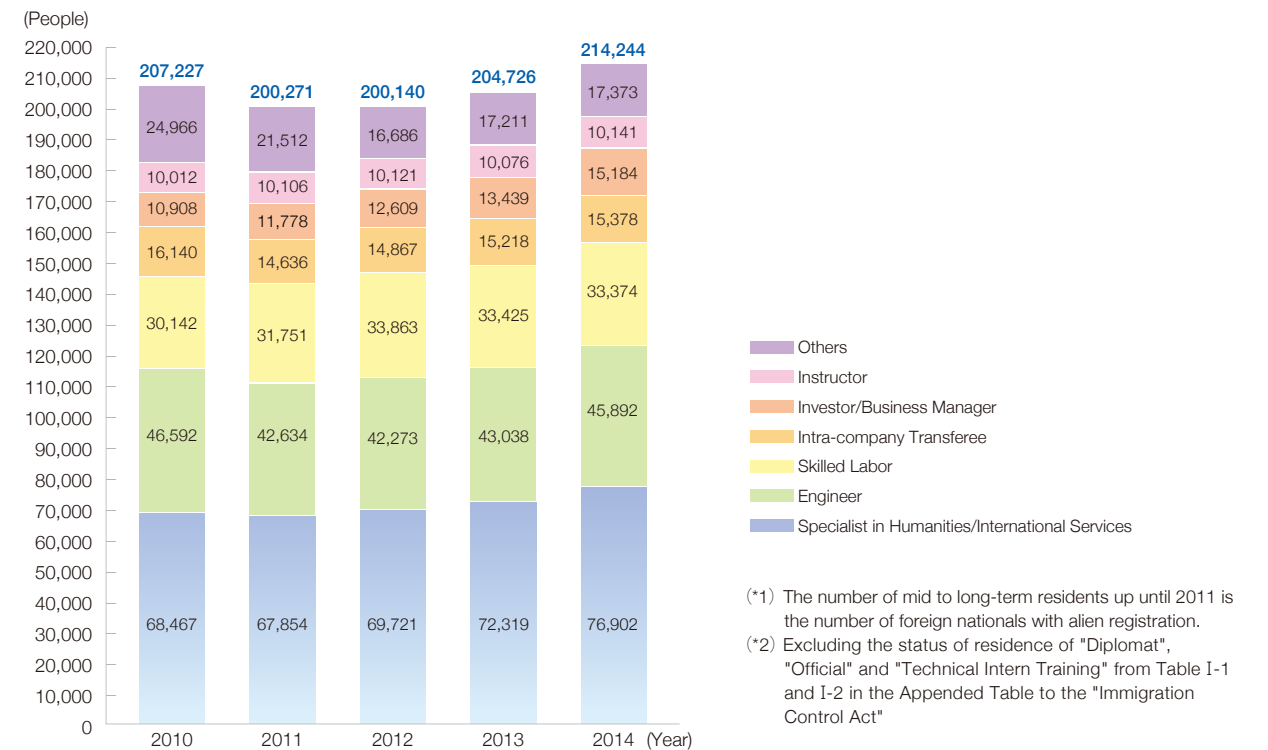


(\*) Excluding the status of residence of "Diplomat", "Official" and "Technical Intern Training" from Table I-1 and I-2 in the Appended Table to the "Immigration Control Act"

Next, taking a look at the number of mid to long-term residents by status of residence for work, a downward trend was seen from 2009, but this started to increase in 2013. Of these statuses, looking at the statuses of residence<sup>1</sup> of “Engineer”, “Specialist in Humanities/International Services” and “Intra-company Transferee” which correspond to foreign employees working in a company, etc., following a decline to approximately 125,000 in 2011, the number started to increase and, in 2014, reached approximately 138,000. These statuses of residence account for about two-thirds of the total number (Chart 4).

In addition, with regard to applications for a change in the status of residence filed by foreign students in order for them to be able to work in companies, etc., in Japan, the number of applications for which permission was granted was 12,958 in 2014 (an increase of 1,311 compared to the previous year). The number of applications for which permission had been granted in 2009 was 9,584 and therefore it can be said that we are seeing an upward trend.

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



(\*1) The number of mid to long-term residents up until 2011 is the number of foreign nationals with alien registration.  
 (\*2) Excluding the status of residence of "Diplomat", "Official" and "Technical Intern Training" from Table I-1 and I-2 in the Appended Table to the "Immigration Control Act"

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

A system was introduced on May 7, 2012 giving preferential immigration treatment utilizing a points-based system for highly-skilled foreign nationals for the purpose of facilitating the acceptance of highly-skilled foreign nationals.

This system divides the contents of the activities of the highly-skilled foreign nationals into three categories: “advanced academic research activities”, “advanced specialized/technical activities” and “advanced business management activities”, and according to the characteristics of each category, points are awarded for each item, such as “academic background,” “professional career” and “annual salary”, and if the total number of points reaches a certain number of points (70 points), such foreign national becomes eligible for preferential immigration treatment, thereby aiming to facilitate the acceptance of highly-skilled foreign nationals into Japan.

In December 2013, a review was undertaken in order to relax requirements for recognition as a highly-skilled professional and to further the incentives for preferential treatment, and as a result, the number of foreign nationals recognized as highly-skilled professionals has seen an upward trend. Looking at a breakdown, foreign nationals who were recognized for “advanced specialized/technical activities” comprised approximately 80% of the total (Chart 5).

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



(\*) The number of foreign nationals recognized since May 7, 2012

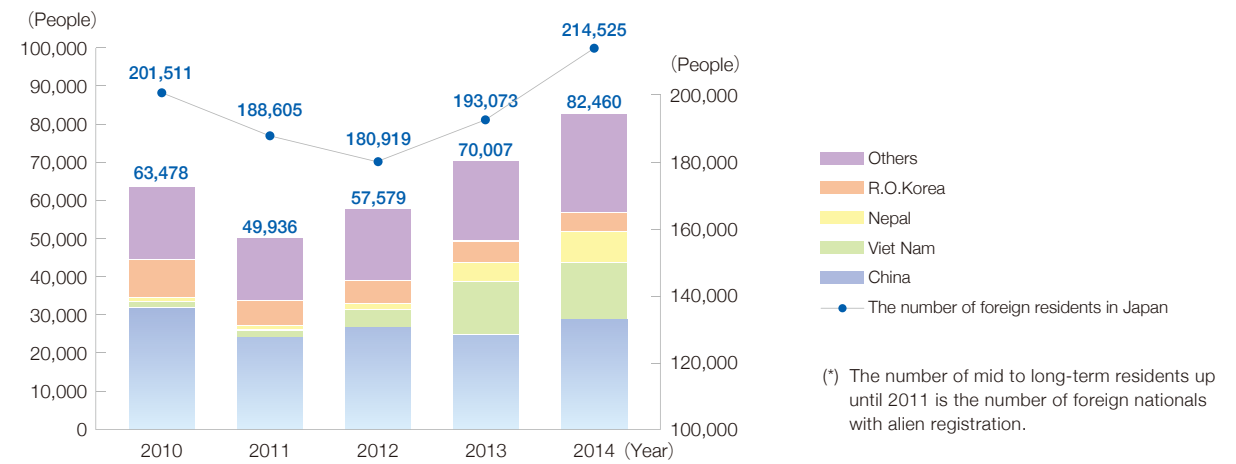
### ( 3 ) Foreign Nationals with the Purpose of Study

Recently, with Japan’s promoting measures to proactively accept foreign students, the number of foreign nationals newly entering with the status of residence of “Student” has been steadily increasing. The number of foreign nationals newly entering in 2014 was 82,460 and this surpassed the level which reached before the Great East Japan Earthquake occurred. In particular, the number of foreign students from Asian countries such as Vietnam and Nepal has greatly increased in recent years, and with regard to Vietnam, the number of entrants to Japan reached 14,098 in 2013, second only to China. The reasons for this are thought to be the effect of Vietnam’s economic growth and the increasing number of job seekers wishing to work for a Japanese company in line with the advancement and expansion of Japanese companies into Vietnam.

In addition, looking at the number of residents, the number was 201,511 in 2010 when this

number had topped 200,000 for the first time, following which a decline was seen owing to the Great East Japan Earthquake and other factors, but this started to increase again in 2013. In terms of nationality and region, the numbers of residents were 105,557 (49.2%), from China, 32,804 (15.3%) from Vietnam, 15,765 (7.3%) from Korea and 15,697 (7.3%) from Nepal in 2014 (Chart 6).

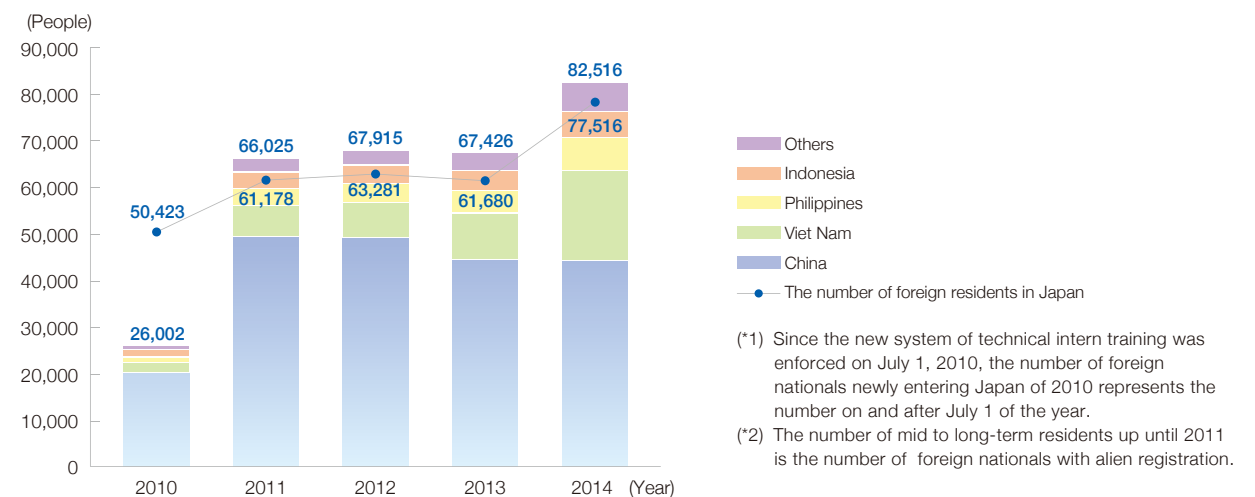
Chart 6 Changes in the number of foreign nationals newly entering and foreign residents with the status of residence of “Student” by nationality/region



(\*) The number of mid to long-term residents up until 2011 is the number of foreign nationals with alien registration.

Next, looking at the situation of foreign nationals relating to the status of residence of “Technical Intern Training (i)”, the number of foreign nationals newly entering Japan had fluctuated at around 67,000 between 2011 and 2013, but increased to 82,516 in 2014. In addition, the number of foreign residents had remained in about the 60,000s from 2011 to 2013, but had increased to 77,516 in 2014 (Chart 7).

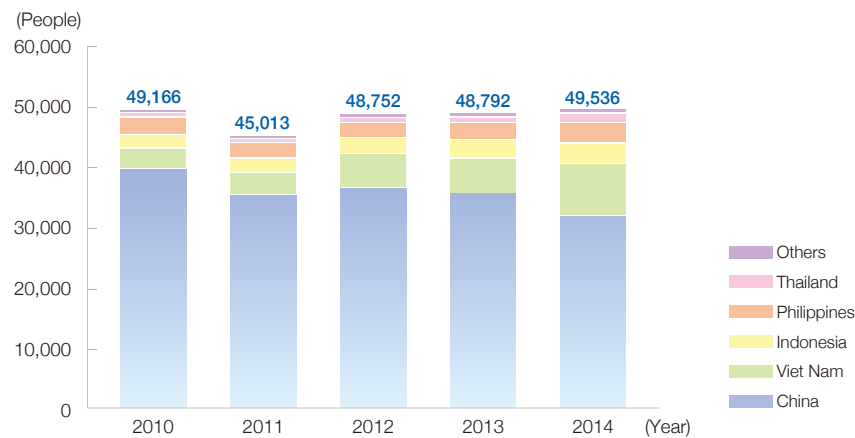
Chart 7 Changes in the number of foreign nationals newly entering and foreign residents with the status of residence of “Technical Intern Training (i)” by nationality/region



(\*1) Since the new system of technical intern training was enforced on July 1, 2010, the number of foreign nationals newly entering Japan of 2010 represents the number on and after July 1 of the year.  
 (\*2) The number of mid to long-term residents up until 2011 is the number of foreign nationals with alien registration.

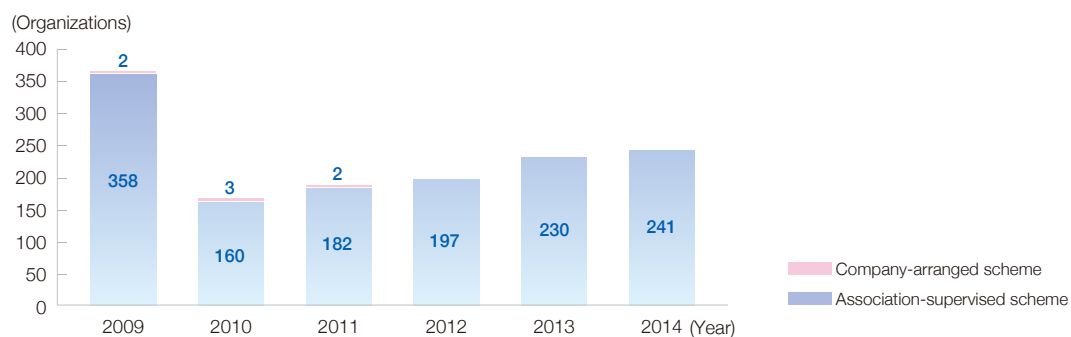
Moreover, taking a look at the situation of transition from “Technical Intern Training (i)” to “Technical Intern Training (ii)” (the situation of transition from “Trainee” to “Designated Activities (Technical Intern Training)” up until July 1, 2010 under the old system), the number had been declining since 2009, but started to increase in 2012. By nationality, China accounts for about 70% of the total number (Chart 8).

Chart 8 Changes in the number of foreign nationals transitioning to “Technical Intern Training (ii)” by nationality/region



It should be noted that there have been some cases where the original intent of the system of technical intern training was not properly understood and improper acceptance was being conducted such as treating the technical intern trainees like low-paid workers, but in such cases, the Immigration Bureau has been taking such measures as suspending the organization, which committed the misconduct, from accepting technical intern trainees for a period of one year, three years or five years pursuant to the provisions of an ordinance of the Ministry of Justice. The number of organizations which had engaged in such kinds of misconduct was reduced in 2010, but subsequently has started once again to experience an upward trend. The organizations which had engaged in misconduct, for the most part, came under “Association supervised scheme” (Chart 9).

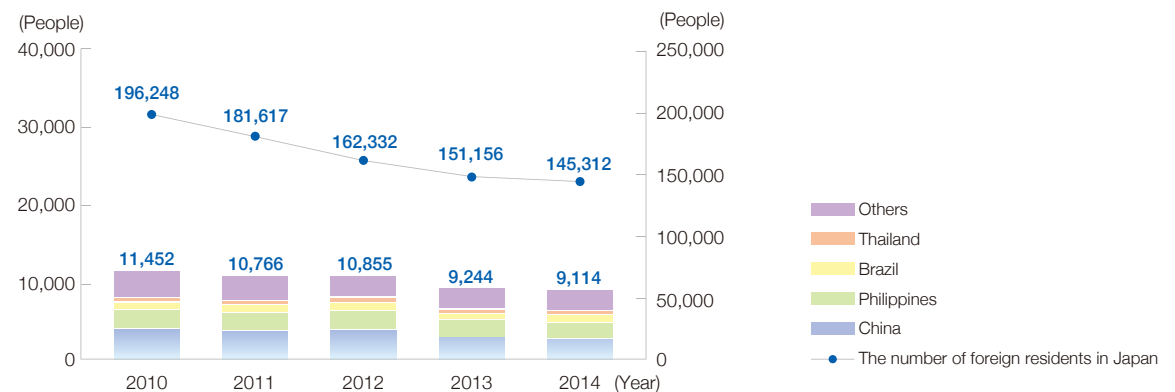
Chart 9 Changes in the number of institutions which engaged in misconduct



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

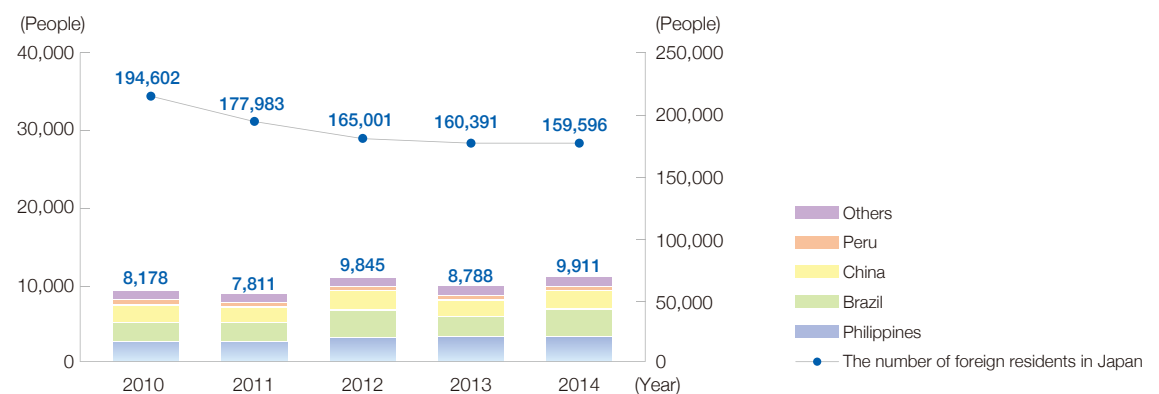
Taking a look at the situation of foreign nationals entering or residing based on their status or position, an examination of the statuses of residence of “Spouse or Child of Japanese National” or “Long-Term Resident” (Charts 10, 11) reveals that the numbers of the foreign nationals newly entering Japan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

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



(\*) The number of mid to long-term residents up until 2011 is the number of foreign nationals with alien registration.

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



(\*) The number of mid to long-term residents up until 2011 is the number of foreign nationals with alien registration.

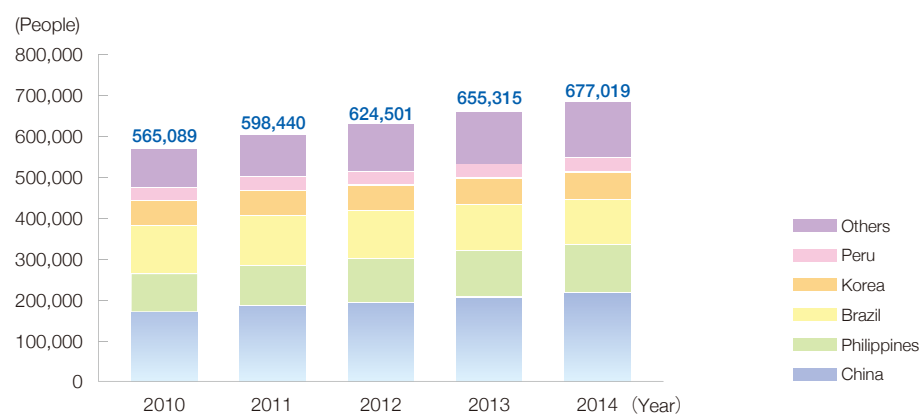


On the other hand, if a foreign national who meets certain requirements such as having lived in Japan for a certain number of years, wishes to acquire permanent residence, it is possible for such person to reside in Japan with the status of residence of “Permanent Resident”, upon receiving permission for permanent residence; and the number of foreign nationals with the status of residence of “Permanent Resident” has been increasing consistently, reaching a record high of 677,019 foreign nationals as of the end of 2014, and this number accounts for 31.9% of the total number of foreign nationals residing in Japan.

The number of foreign nationals who received permission for permanent residence in 2013 was 45,179, and a breakdown of the statuses of residence prior to receiving permission for permanent residence shows that foreign nationals who possessed one of the statuses of residence of “Spouse or Child of Japanese National”, “Spouse or Child of Permanent Resident” or “Long-Term Resident” made up approximately 73% of the total number, while foreign nationals who were authorized for work accounted for approximately 17%.

Since it is expected that foreign nationals with such statuses of residence as “Spouse or Child of Japanese National” or “Long-Term Resident” will continue to settle in Japan, and owing to the fact that both the number of foreign nationals newly entering and foreign nationals currently residing authorized for work are seeing an upward trend, there is the possibility that there will be an increasing number of cases in the future where foreign nationals change from a status of residence for work to permission for permanent residence, and it is expected that the number of foreign nationals who wish to reside in Japan with the status of residence of “Permanent Resident” will continue to increase (Chart 12).

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



(\*) The number of mid to long-term residents up until 2011 is the number of foreign nationals with alien registration.

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

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

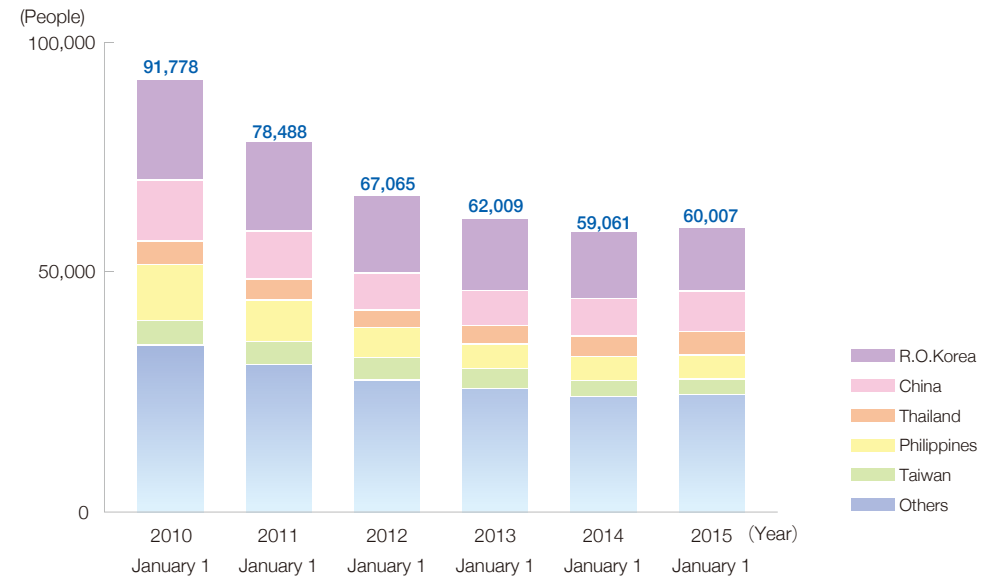
As a preventive measure against terrorism and illegal residents, landing examinations utilizing personal identification information were introduced in November 2007 making it mandatory for all foreign nationals (excluding special permanent residents, etc.) to provide their fingerprints and facial images at the time of the application for landing. Through the introduction of this system, the number of foreign nationals who were prevented from landing was a cumulative total of 5,219 from November 2007 to the end of December 2014.

However, there have also been some cases where foreign nationals have attempted to bypass the landing examination which utilizes personal identification information by disguising their fingerprints such as by deliberately injuring their own fingerprints in an attempt to avoid having their past record of deportation discovered, and therefore we have had to handle these cases through such means as introducing a program to determine surgically altered fingerprints.

### (2) Illegal Foreign Residents

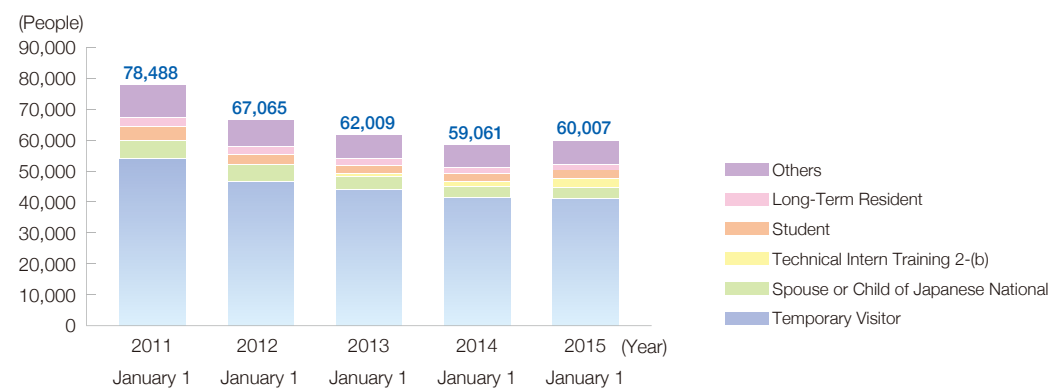
The number of foreign nationals staying illegally beyond their authorized period of stay has been decreasing after reaching a peak of 300,000 at the time of May 1, 1993, and in particular, as a result of the comprehensive measures against illegal residents being implemented since 2004 based on the “Plan to Reduce the Number of Illegal Residents by Half within Five Years”, the number of illegal residents was reduced to approximately 92,000 as of January 1, 2010, and as of the time of January 1, 2015 has dropped to approximately 60,000. Taking a look at these figures by nationality and region, Korea stood at 13,634 accounting for 22.7% of the total followed by China at 8,647 (14.4%) and Thailand at 5,277 (8.8%) (Chart 13).

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



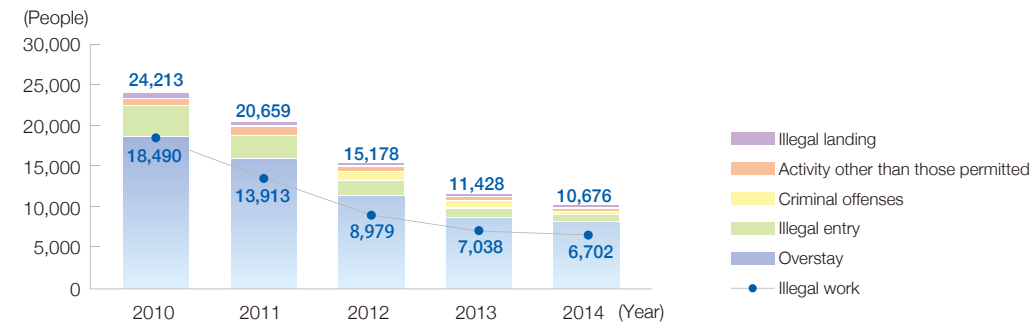
In addition, looking at the statuses of residence immediately prior to staying illegally beyond the authorized period of stay, “Temporary Visitor” comprised the largest number at 41,090 foreign nationals (68.5%) (Chart 14).

Chart 14 Changes in the number of foreign nationals staying illegally beyond the authorized period of stay (by previous status of residence)



Next, the number of violators of the Immigration Control Act against whom deportation procedures were carried out by the Immigration Bureau declined to 10,676 in 2014, down by 6.6% when compared to the previous year. Taking a look at this figure by nationality (place of origin), the largest number came from China with 3,975 foreign nationals accounting for 37.2% of the total followed by the Philippines, Vietnam, the Republic of Korea and Thailand, and the total for these five countries made up 76.5% of the total. In addition, taking a look at the grounds for the deportation procedures, the number of foreign nationals illegally staying beyond their authorized period of stay was 8,274 in 2014 making up 77.5% of the total and the number of foreign nationals illegally entering was 844 making up 7.9% of the total (Chart 15).

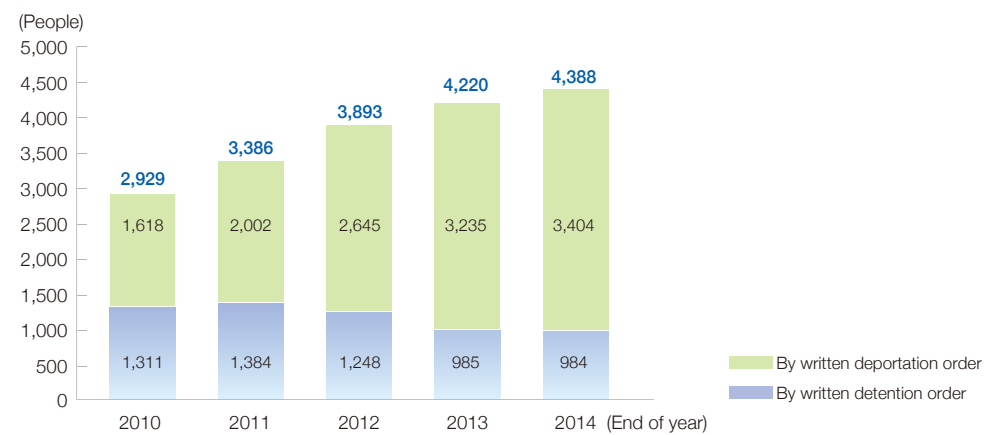
Chart 15 Changes in the number of cases of violation of the Immigration Control Act by grounds for deportation



Moreover, out of the foreign nationals against whom the deportation procedures were carried out in 2014, the number of persons determined to have been working illegally was 6,702 persons comprising 62.8% of the total number of violators of the Immigration Control Act and therefore most of the illegal residents were working illegally. Looking at the percentages of the work locations by prefecture, Tokyo ranked as number one accounting for 17.5% of the total followed by Ibaraki prefecture at 15.6% and Chiba prefecture at 14.2%.

The deportation procedures are, in principle, carried out taking the foreign national into custody, but in cases where the detention becomes prolonged for various reasons and a determination is made that humanitarian consideration is required taking into overall account the individual circumstances of the detainee such as the detainee's physical and mental state, permission for provisional release will be granted releasing the detainee temporarily from detention. The number of foreign nationals granted provisional release has been increasing of rate, and stood at 4,388 at the end of 2014. Of these, the number of foreign nationals who were issued with a deportation order was 3,404 at the end of 2014, an increase of 169 persons (5.2%) from the end of 2013 (Chart 16).

Chart 16 Changes in the number of persons granted permission for provisional release

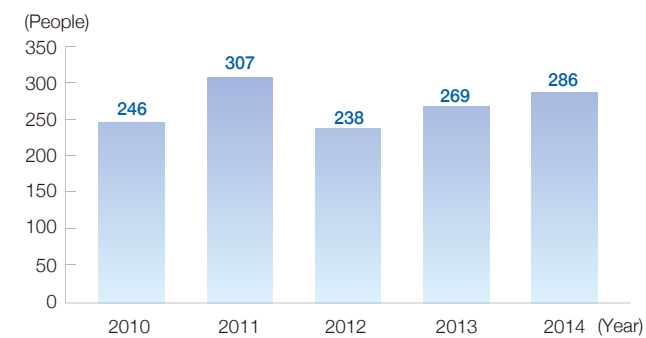


### (3) Revocation of the Statuses of Residence of Imposter Residents, etc.

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

Looking at the situation of status of residence revocations, the number was 46 in 2005 but this increased to 307 in 2011, and although there was a slight decline afterwards, the number in 2014 was 286 (Chart 17).

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





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

The number of foreign nationals (asylum number) to whom Japan substantively offered asylum in 2014 was 121. This number combines the 11 foreign nationals recognized as refugees under the Convention relating to the Status of Refugees (hereinafter referred to as “Refugee Convention”) and 110 people offered other asylum. The “other asylum” refers to foreign nationals who were not recognized as a refugee, but to whom residence in Japan is specially permitted in the form of humanitarian consideration taking into account individual circumstances such as difficulty in returning home owing to the situation of their home country, or when there are special circumstances warranting residence in Japan (Chart 18).

The number of foreign nationals applying for recognition of refugee status has been increasing considerably in recent years, and while there were only 384 applicants in 2005, since 2011 a new record keeps being set with the number reaching 5,000 in 2014, an increase of 53% compared with the previous year. The nationalities of the applicants were Nepal (1,293 applicants), Turkey (845 applicants), Sri Lanka (485 applicants), Myanmar (434 applicants) and Vietnam (294 applicants) with a leaning towards specific countries mostly in the Asian region (with these five countries accounting for approximately 67% of the total).

The situation of residence at the time of the applicant filing the application was 4,134 legal residents (accounting for 83% of the total number of applicants) and 866 illegal residents (accounting for 17%), and in particular, applications from legal residents have seen a rapid increase (Chart 19). Taking a look at the statuses of residence of the legal residents, “Temporary Visitor” at 1,813 made up the largest number followed by “Student” at 699, “Designated Activities” (refugee recognition applications) at 628 and “Trainee/Technical Intern Training” at 418. Of the illegal residents, there were 684 foreign nationals who filed an application after being issued with a detention order or a deportation order.

In addition, 1,019 foreign nationals who make up approximately 20% of the total number of applicants had filed an application for refugee recognition in the past, and of this number, 696 applicants were legal residents and 323 applicants were illegal residents.

Chart 18 Changes in the number of applications for refugee recognition and number of asylums provided

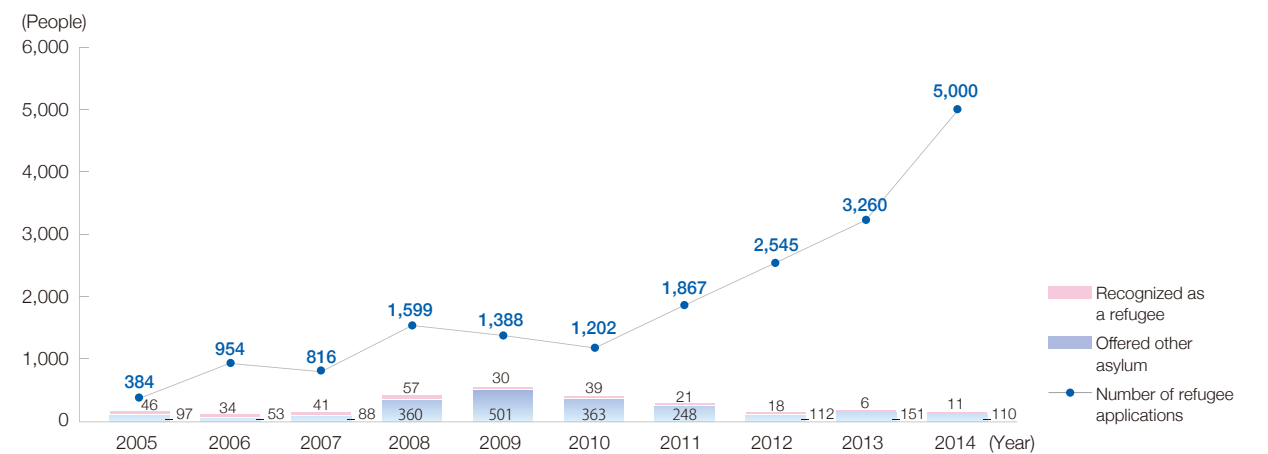
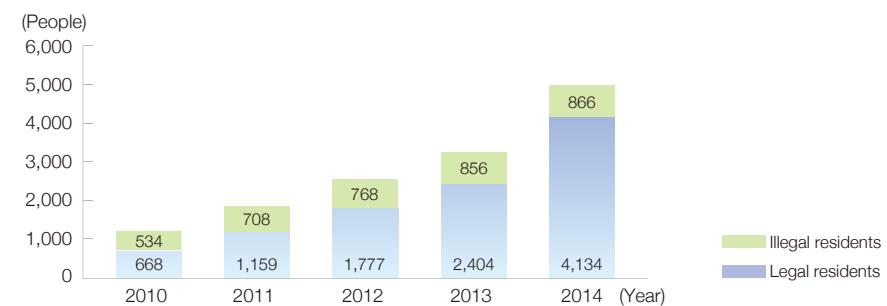


Chart 19 Situation of residence at the time of the application filed by the refugee recognition applicant



Japan's economy has continued to see low growth for over 20 years owing to such factors as prolonged deflation and the Global Financial Crisis, but in recent years has shown signs of picking up. During this time, there has been a rapid progression in the declining birthrate and aging population in Japan, which has led to a reduced working-age population since the mid-1990s as well as a decline in the overall population. On the other hand, there has been a surge in recent years in the number of foreign nationals visiting Japan, particularly, with a huge increase seen in the number of foreign visitors from Asia. There are also expectations that there will be a further increase in the number of foreign nationals visiting Japan in anticipation of the Tokyo Olympic and Paralympic Games to be held in 2020 as well as other events.

On one hand, with respect to the international situation, the Asian countries have seen an exceptionally high level of economic growth over the last 10 years, and are expected to continue to see a high level of economic growth in the immediate future while, on the other hand, conflicts and acts of terrorism continue to occur in many parts of the world, and Japan is constantly faced with new situations and challenges as seen from the cases of Japanese nationals being held captive and murdered in Syria.

Under such circumstances, in order for Japan to be able to completely break free of its closed state and to once again achieve economic growth, the Japanese government has been working on various measures such as structural reform through deregulation, investment in fields expected to see growth, the movement of human resources, and the promotion of innovation while incorporating the growth of the Asian countries. In addition, since one of the biggest attractions of our country is its safety, we have been proactively working on various challenges with the aim of becoming the world's safest country.

In particular, since a large number of foreign visitors will come to Japan because of the 2020 Tokyo Olympic Games and Paralympic Games, the immigration control administration is also expected to proactively realize various measures so as to make a large contribution to the success of the Games through smooth immigration procedures and measures to protect safety. In order to be able to carry out the operations of immigration control administration, we are required to fully understand these situations occurring inside and outside of the country and the efforts being made by the entire government, and to contribute to invigorating the Japanese economy and society and to ensuring safety and security in the lives of the people. In order to achieve this, we are required to respond quickly and appropriately to such changes in the domestic and international situations affecting immigration control administration.

Therefore, the basic policies for the measures in future immigration control administration have been stipulated in this Plan as follows.

- Proactive acceptance of foreign nationals who vitalizing the Japanese economy and society
- Building of a new system of technical intern training from the perspective of promoting international contributions to developing countries, etc.
- Contribution to the realization of a symbiotic society co-existing with foreign nationals who have been accepted into Japan
- Contributing to the realization of a tourism-oriented country through the implementation of fast and smooth immigration procedures for foreign nationals visiting Japan
- Reinforcement of strict but appropriate immigration examinations and countermeasures against illegal residents, etc. in order to realize a safe and secure society
- Promotion of appropriate and prompt asylum for refugees in light of Japan's standing as a member of the international community with regard to the issue of refugees

The above six points form the basic policies of future immigration control administration, and we will continue to develop the necessary measures while paying sufficient consideration to the human rights of foreign nationals throughout all of the measures. The specific policies of the measures are as given below.

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

### (1) Background

“Foreign nationals in professional and technical fields to be proactively accepted owing to the fact that they contribute to the vitalization of Japan’s economy and society.” This is the current basic policy of the government on the acceptance of foreign nationals. Japan is now entering an era of a fully-fledged declining birthrate and aging population, with an overall population decline, and the population in 2030 is estimated to see a decline of more than 10 million people when compared to the population in 2010 (“Population Projection for Japan” of the National Institute of Population and Social Security Research, estimate of January 2012). Under such circumstances, foreign nationals, in particular, in professional and technical fields will be necessary and essential human resources in the future in order to maintain and develop the vitality of the Japanese economy and society, and therefore it is necessary to continue to promote their proactive acceptance.

As one of the measures, a points-based system for highly-skilled professionals was launched in May 2012. This is a measure where, through the calculation of points awarded based on academic background, annual salary and age, etc., foreign nationals with highly-specialized skills are recognized to be “highly-skilled professionals” and are given preferential immigration treatment such as reduction of the time required before being eligible to apply for permanent residence, or domestic worker or parents being allowed to accompany the foreign national owing to the expectation that such foreign nationals will contribute greatly to Japan’s economic growth or to the creation of new demands and employment. The number of foreign nationals being accepted through the points-based system for highly-skilled professional was the extremely low number of 493, approximately one year from the start of the operation of the system. Therefore, the annual salary requirement and other requirements were revised in December 2013, and as a result, the number of users of the system has seen relatively steady growth since then, and had increased to a total of 2,453 at the time of December 2014. Although the acceptance of highly-skilled professionals has been promoted in this way, it is hard to claim that there has been a surge in the number and some criticism has been expressed that this number is insufficient to give a boost to the Japanese economy and society, and therefore, one future challenge is to give a proactive push for increased acceptance of highly-skilled professionals.

### (2) Future Policies

#### (a) Acceptance of Human Resources Contributing to Economic Growth

##### ① Promotion of the Acceptance of Foreign Nationals in Professional and Technical Fields in Response to Changes in the Economy and Society

When human resources in professional and technical fields are required afresh owing to changes in Japan’s economy and society, it is necessary to accurately assess those needs and to respond quickly and appropriately. Immigration control administration needs to be flexibly developed such as by revising the statuses of residence and landing permission criteria so as to promote the acceptance of human resources who contribute to economic growth, while taking into account the impacts on Japan’s labor market, industries and people’s lives and considering a broad range of views so as to proceed with the acceptance of human resources in areas which may be deemed to be professional or technical fields, even with regard to foreign nationals who do not come under the current statuses of residence or landing permission criteria.

As mentioned above, Japan is seeing a rapidly aging population, and there is growing demand for high-quality nursing care. Under such circumstances, foreign certified care worker candidates etc. are being accepted based on an Economic Partnership Agreement (EPA) with Indonesia, the Philippines and Vietnam. It should be noted in the first place that this is an agreement to specially accept foreign nationals through an official framework from the perspective of strengthening bilateral cooperation in economic activities and is not a measures carried out as a response to labor shortages in the nursing care field.

The “Japan Revitalization Strategy (Revised in 2014)” approved by the Cabinet in June 2014 also incorporated the acceptance of foreign nationals in the nursing care field. Therefore, we will be expanding the statuses of residence and permitting work to those foreign students who have graduated from a Japanese university or other institute of higher education and have obtained the national qualification of a certified care worker.

In addition, from the perspective of promoting the acceptance of foreign nationals in professional and technical fields, a consideration will be conducted on whether it is possible to deem a field professional or technical even in cases where a foreign student has graduated from a Japanese university or other institute of higher education and has obtained a national qualification which requires certain expertise, while also taking into account the impact on the employment, etc. of Japanese nationals.

In addition, we will be continuing to promote acceptance even with regard to the measures for the promotion of acceptance through mutual certification of qualifications, such as the qualifications of a data processing engineer, with other countries, but even in other fields, a consideration is needed on whether it would be possible to take the same kind of measures in light of social needs or if the requirements for the mutual



certification of qualifications were to be met with regard to fields which may be deemed to be professional or technical.

### ② Promotion of the Acceptance of Highly-Skilled Foreign Nationals

The Act for Partial Amendment of the Immigration Control and Refugee Recognition Act enacted in June 2014 (hereinafter referred to as the “2014 Immigration Control Amendment Act”) established the new status of residence of “Highly Skilled Professional” for highly-skilled professionals recognized through a “points-based system for highly-skilled professionals”, and this Act was enforced from April 1, 2015. A further increase in the acceptance of highly-skilled professionals is expected in the future through this amendment Act.

Highly-skilled professionals are human resources who are expected to lead to innovations in Japanese industries. Therefore, it is necessary to promote the further acceptance of highly-skilled professionals since it is expected that they will contribute to Japan’s economic growth, the creation of new demands and employment, but in order to ensure that these highly-skilled professionals are able to settle down in Japanese society and contribute to economic growth, comprehensive acceptance measures need to be promoted through measures covering a wide range of the government’s administrative fields in terms of living, education and welfare. In this regard, one of the policies also of the “Japan Revitalization Strategy (Revised in 2014)” is the implementation of cross-agency efforts aimed at improving the working environment and living environment for highly-skilled professionals.

Naturally, in order to attract a greater number of highly-skilled professionals to use the points-based system for highly-skilled professionals, it is necessary to conduct effective publicity measures and also necessary for the immigration control administration to work proactively on measures.

### ③ Acceptance of Foreign Nationals in Fields in Urgent Need of Human Resources

In order to handle the increased acceleration of reconstruction projects owing to the Great East Japan Earthquake and to optimally deal with the demands for construction owing to the development of facilities related to the 2020 Tokyo Olympic and Paralympic Games, a decision was made by the Ministerial Committee to Consider Emergency Measures for the Use of Foreign Workers in the Construction Field on April 4, 2014 to implement as an emergency time-limited measure, the acceptance of industry-ready foreign nationals in the construction field. In addition, the “Japan Revitalization Strategy (Revised in 2014)” also stated that foreign nationals should be accepted in the shipbuilding field where there is a large two-way flow of human resources to and from the construction field. Foreign nationals are to be accepted within a framework on the premise of the involvement to a certain extent of the ministries and agencies with jurisdiction over the work, and the Ministry of Justice will also be implementing appropriate and smooth acceptance with the cooperation of the relevant ministries and agencies.

It is believed that calls for the employment of foreign nationals will continue to grow, and in the “Japan Revitalization Strategy (Revised in 2014)”, in addition to the abovementioned construction and shipbuilding fields, the acceptance of the employees of overseas subsidiaries in the manufacturing industry was proposed. In this system, the involvement to a certain extent of the ministries and agencies with jurisdiction over the work is a prerequisite.

With regard to the acceptance of foreign nationals who are not being accepted under the current system, a consideration is required from a wide-ranging perspective by the entire government, such as on the situation of efforts to secure Japanese workers through improvements in working conditions, and then on the fields where the acceptance of foreign nationals is still required following such efforts, the specific needs, the impacts on the industrial structure due to such acceptance, and the establishment of an appropriate management system in the event of acceptance.

Moreover, at such time, it is necessary to look at and check the operational status of the framework on the premise of the involvement of the ministries and agencies with jurisdiction over the work such as the acceptance of foreign nationals in the construction field from the perspective of ensuring an appropriate management system.

### (b) Promotion of the Appropriate Acceptance of Foreign Students

The acceptance of foreign students has great significance for the future of our country. Through welcoming more foreign students to our country, it is thought that more foreign nationals will come to understand and have an affinity with Japan, and this will lead to the strengthening of future mutual understanding. Moreover, mutual understanding and friendly relations will be strengthened in the areas of politics, the economy, academia and culture after the students return to their home countries, and this in turn will also lead to promotion of the overseas expansion and trade of Japanese companies. In addition, through foreign students working for Japanese companies after their graduation, there is the possibility that they will develop into human resources who will at some point lead the economic development of Japan and since it is possible that some of the foreign students will potentially possess highly-skilled professional skills, it is thought this will also lead to developing the potential seeds of highly-skilled professionals. For these reasons, the government has set a goal of the “300,000 Foreign Students Plan” and is working on government-wide measures towards realizing the plan.

It is not enough to simply make a mechanism in the promotion of the acceptance of foreign students. Measures are required at each stage from recruitment of students, to their return to home countries and employment. That is, first, it is necessary for the government to work in coordination with the educational institutions to collect those students who wish to study in Japan through proper selection, and then, to prepare their living environment once they come to Japan, to provide support so that they will be able to concentrate on their learning during the time of their studies, and to support the employment by companies in Japan of foreign students who are going to graduate.

The immigration control administration has been working on measures through this series of initiatives, such as permitting foreign students to stay in Japan during their job hunting period after graduation, and has been contributing to promoting the acceptance of foreign students through such measures. In the future, we will continue to apply ourselves to rigorously ensuring proper residency management through coordination with the educational institutions, and since foreign students have the potential to become future highly-skilled professionals, we will continue to take measures for smooth and proper acceptance and employment support for foreign students so that it will be even more smooth for foreign students to enter into companies and others in Japan.

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

A population decline is in progress. According to the demographic statistics of the Ministry of Health, Labour and Welfare, the difference between the number of births in 2013 (1,029,816 people) and the number of deaths (1,268,436 people), in other words the natural increase or decrease showed a decline of 238,620 people, which was a decline for the seventh consecutive year.

In addition, according to the projection for median births and median deaths of the “Population Projection for Japan” (National Institute of Population and Social Security Research, estimate of January 2012), the aging population (65 years of age or over) in 2010 was 29,480,000 (23% of the total population; same in the brackets below) but is expected to increase to 36,850,000 (31.6%) by 2030. Meanwhile, the working-age population (15-64 years of age) entered into a decreasing phase after reaching 87,260,000 people in 1995 and decreased to 81,730,000 people (63.8%) in 2010. If this trend continues, a further decline to 67,730,000 (58.1%) is expected in 2030. Moreover, the child population (0-14 years) is also decreasing, and while the child population in 2010 was 16,840,000 people (13.1%), the child population in 2030 is projected to be reduced to 12,040,000 people (10.3%).

In response to this era of a population decline, it is of course necessary to work on improving the birthrate, but also to work on effectively and vigorously implementing measures in a wide range of fields such as improving productivity, and utilizing the potential labor force of women, young people and the elderly.

On the premise that such efforts will be made, the time has come to genuinely consider the future course of the acceptance of foreign nationals in light of the changes in Japan’s economy and society.

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

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

In any case, the future acceptance of foreign nationals requires understanding of the systems and circumstances of other countries and proactively listening to the voice of the people as well as the undertaking of considerations by the entire government with the immigration control administration also intending to proactively participate in these considerations.

### 3 Efforts toward the Establishment of a New System of Technical Intern Training

#### ( 1 ) Background

The system of technical intern training is a system which aims to make an international contribution by transferring skills, etc. to the developing countries. This system has been revised a number of times such as through guaranteeing legal protection for the workers from the time of them entering Japan through an amendment of the Immigration Control Act in 2009, but there still exist some supervising organizations and implementing organizations which are conducting improper acceptance and therefore it is difficult to say that the system is being thoroughly operated in line with the original intent of the system. Consequently, one pressing challenge is efforts to optimize the system.

Therefore, it is necessary to pay sufficient consideration to prevent the system of technical intern training from being used as a means for simple labor or low-paid labor and to protect the technical intern trainees so that their human rights are not being violated, and to implement revisions to ensure that the system is being operated in a manner which matches the original intent and purpose of the system.

On the premise of these revisions, a balanced revision of the entire system, including expansion of the system, is required.

#### ( 2 ) Future Policies

##### ( a ) Measures to Optimize the System of Technical Intern Training

As mentioned above, the original purpose of the system of technical intern training is to make an international contribution through the transfer of skills, etc. and has the meaning of having the trainees acquire skills, etc. in Japan and to take such skills back to their home country and utilize them. So, first, revisions will be carried out with regard to the supervising organizations and implementing organizations in the direction of performing a results assessment through such means as making the sitting of a skills evaluation exam mandatory on completing the technical intern training in order to ensure the first stage, which is skills acquisition.

In addition, since there is the reality that some trainees are being made to engage in simple labor and low-paid labor contrary to the intent of the system, there is a need to ensure optimization of the supervision conducted by the supervising organizations. Therefore, in order to strengthen the auditing system of the supervising organizations vis-à-vis the implementing organizations, new measures will be taken such as requiring the introduction of outside directors or outside audits. In addition, a new organization to operate and supervise the system will be established to complement the role of the government agencies, which will have a basis in laws and regulations, and a system will be built enabling the government to consistently perform rigorous guidance and supervision.

Further, with regard to human rights protection of the technical intern trainees, responses to

acts of human rights infringement against the technical intern trainees will be reinforced such as through developing a system enabling the technical intern trainees to report misconduct by the implementing organizations or the supervising organizations, and the establishment of new penalty provisions vis-à-vis the supervising organizations and implementing organizations which have committed acts of human rights infringement, etc.

Measures are also being considered for the dispatching organizations. Even now, the collection of unfair monies such as deposits is prohibited under the immigration control laws and regulations, but some disreputable dispatching organizations still continue to collect deposits or engage in other misconduct. Therefore, we will be aiming for optimization at the stage of the dispatching countries, for example, making arrangements with the government (authorities) of the dispatching country in order to exclude inappropriate dispatching organizations.

##### ( b ) Revisions Relating to Expansion of the System Based on the Original Purpose of the System

The period of the technical intern training under the current system is a maximum of three years and, in principle, further training is not permitted. However, there have been calls for an extension of the training period on the grounds that three years is not enough to acquire more advanced skills. In light of the intent of the system, which is to make an international contribution through transferring Japanese skills, etc. to the developing countries, it is necessary to respond to such demands, and it is deemed rational to permit this as long as proper training is being conducted. Therefore, as well as considering the measures given in (a) above and carrying out optimization of the system of technical intern training, a revision will be made, taking into account the framework for acceptance, etc., in the direction of permitting extension of the training period or re-training for technical intern trainees who are undergoing training at reputable supervising organizations and implementing organizations deemed to have been conducting proper acceptance.

In addition, revisions are to be made to the categories for the numbers for acceptance. In other words, in terms of the current law, the quota of technical intern trainees to be accepted through the association supervised scheme is three trainees uniformly for implementing organizations with up to 50 full-time employees and six trainees for implementing organizations with between 51 to 100 full-time employees. A revision is being made in the direction of creating more detailed categories and setting quotas of trainees to be accepted which correspond to those categories, and of permitting the fixed quota to be increased for those reputable accepting organizations.

In addition, in the future we will also be considering increasing the subject occupations. The system of technical intern training was introduced in 1993 based on the fact that training systems had become the norm, and while initially there were 17 subject occupations, this has now increased to 71 occupations (April 2015). This is the result of rapid and precise responses to the needs on the side of the dispatching countries and the changes in the situation on the

accepting side, and we will continue to increase the number of subject occupations in the future in a form which matches the needs on the side of the dispatching countries and the industrial realities of Japan based on the intent of the system which is to make an international contribution by transferring skills, etc. to the developing countries.

## 4 Contributing to the Realization of a Symbiotic Society Co-existing with Foreign Nationals through Accurate Operation of the Residency Management System, etc.

### ( 1 ) Background

On July 9, 2012, a new residency management system was introduced and the alien registration system was abolished. Through this, the Minister of Justice came to be able to centrally keep track of the information necessary to manage the residency of the mid to long-term residents. In addition, the system of residential basic books pertaining to foreign residents was introduced on the same day, and mid to long-term residents and other foreign residents have become subject to application of the system of residential basic books, and it has become possible to quickly provide the basic information of foreign nationals necessary for the municipal governments to implement their administrative services through the information coordination system constructed between the Ministry of Justice and the municipalities using the Local Government Wide Area Network (LGWAN).

The new residency management system and the system of residential basic books was introduced based on the requests of the local governments including the Meeting on Cities with Large Populations of Foreign Nationals comprising the municipalities which have a large number of foreign nationals.

“Internal internationalization” is indeed progressing in areas where large numbers of foreign nationals are living and measures are being taken to achieve symbiotic co-existence between the Japanese residents and foreign residents.

However, in order to be able to realize a symbiotic society co-existing with foreign nationals, there is a need to tackle a number of challenges. In addressing these challenges, measures are required not just of the national government, but it is essential that the administrative services of the local governments are smoothly provided, and it is necessary to continue discussions in the future bearing in mind what information the local governments need, the image that the local governments seek with regard to a true symbiotic society, and based on these, what measures should be taken by the national government.

In accepting foreign nationals, it is necessary to promote the dual aspects of immigration control administration and measures towards a symbiotic society co-existing with foreign nationals, and this is a major challenge which needs to be addressed by the entire government.



## ( 2 ) Future Policies

### ( a ) Accurate Operation of the Residency Management System and Revision of the System

As a result of information coordination between the residency management system and the system of residential basic books which commenced their operations on July 9, 2012, information on changes of the status of residence, etc. of mid to long-term residents is provided quickly by the Ministry of Justice to the municipalities and reflected in the residence certificates. Therefore, the municipalities are now able to keep track of the basic information required for the administrative services for foreign nationals based on the residential basic books. In this sense, this residency management system is believed to contribute to the realization of a symbiotic society co-existing with foreign nationals.

Information coordination between the Ministry of Justice and the municipalities is essential for the smooth implementation of residence administration by the municipalities. This is because this also has great significance from the perspective of the realization of a symbiotic society co-existing with foreign nationals, and therefore we will continue to work on its proper operation, and strive to strengthen further cooperation with the municipalities towards the realization of a symbiotic society co-existing with foreign nationals.

### ( b ) Efforts towards the Realization of a Symbiotic Society Co-existing with Foreign Nationals

The efforts in the areas in which large numbers of foreign nationals reside and the challenges raised are extremely important when considering the course of acceptance of foreign nationals in the future, and so long as the objects of the acceptance are “people”, it is not appropriate for discussions on acceptance to simply run on ahead, and it is necessary to consider the perspective of foreign nationals as “residents” of the area after their acceptance, which includes Japanese language education for the foreign nationals themselves and the people accompanying them, the education and welfare of the children of foreign nationals, employment support for foreign nationals and housing. For this, it is necessary to prepare a living environment enabling foreign nationals to make a contribution as a resident of the area and to give consideration to the rights, etc. of the foreign nationals.

Comprehensive measures by the entire government including the local governments need to be promoted in the realization of a symbiotic society co-existing with foreign nationals, and it is important not only to take measures once problems arise after acceptance, but to take measures right from the beginning for coexistence with foreign nationals at the time of accepting them. The Ministry of Justice will continue to proactively participate in measures for the realization of a symbiotic society so as to simultaneously proceed with immigration control administration and measures to realize a symbiotic society co-existing with foreign nationals.

## 5 Efforts to Realize a Tourism-Oriented Country

### ( 1 ) Background

Tourism is one of the very important sectors in order to once again achieve the economic growth of Japan. Expectations are that incorporating the world’s tourist demands, starting with the Asian countries which are achieving rapid growth, will lead to revitalization and increased opportunities for employment in the regional areas, and expectations are also that communicating the appeal of Japan to foreign nationals visiting Japan will lead to the promotion of mutual understanding and contribute to forming Japan’s staunch position in the international community.

The Basic Act on the Promotion of Japan as a Tourism-Oriented Country was enacted in 2006, and the government established the Japan Tourism Agency in 2008 and formulated the Basic Plan on Promotion of a Tourism-Oriented Country (approved by the Cabinet on March 30, 2012) in 2012 in order to comprehensively and systematically promote measures for the realization of a tourism-oriented country. In addition, the Ministerial Council on the Promotion of Japan as a Tourism-Oriented Country presided by the Prime Minister and composed of all of the Cabinet ministers was launched in March 2013, and measures are being proactively taken towards the realization of a tourism-oriented country. As a result, the government goal of 10 million foreign tourists visiting Japan, which had been in place since 2003, was reached in 2013, and the number of tourists exceeded 13 million in 2014.

In the future, encouraged by the holding of the Tokyo Olympic and Paralympic Games in 2020, we will be promoting measures aimed at further increasing the number of foreign tourists visiting Japan and tourist consumers, and owing to expectations of a large economic effect brought about through tourism, the “2015 Action Program for the Realization of a Tourism-Oriented Country” compiled by the Ministerial Council on the Promotion of Japan as a Tourism-Oriented Country in June 2015 stated the goals of preparing an environment for acceptance at an accelerated rate and achieving the early realization of an era of 20 million foreign tourists visiting Japan.

The number of foreign tourists is expected to further increase in the future, and therefore smooth immigration will be required, but at the same time in order to protect security of Japan and public safety, it is important to strictly prevent entry at the border of terrorists and foreign nationals intending to stay illegally in Japan.

## ( 2 ) Future Policies

### ( a ) Expansion of Use of the Automated Gates

The automated gates have the effect not only of enabling users to undergo fast procedures owing to automation of the immigration procedures for Japanese nationals and foreign residents through the utilization of fingerprint authentication technology, but it is also possible to ensure that all of the immigration examinations are conducted smoothly and promptly since



the spare capacity of immigration officers owing to the automated gates can be focused on the essential work of face-to-face examinations such as in the examinations of foreign nationals newly entering Japan. The automated gates were first introduced at Narita Airport in November 2007, followed sequentially by Chubu Centrair Airport, Kansai Airport and Haneda Airport, and since November 2014, the automated gates are being operated through an increase in the number of automated gates at the four airports from 40 to a total of 70 units.

The number of users of the automated gates was approximately 200,000 at the time of 2008, the year after the automated gates were first introduced, but had increased to approximately 1.69 million users in 2014, and in the future we will be carrying out more effective publicity measures, and striving to increase the number of users, and moreover, we will be endeavoring to respond appropriately to the increase in the number of users and to ensure smooth and effective operation of the system.

Moreover, through the 2014 Immigration Control Amendment Act, of the foreign nationals newly entering Japan who are not currently eligible to use the automated gates, those foreign nationals who are deemed to be “trusted travelers” are to be included in the eligible users of the automated gates, and in the future, we will be proactively promoting efforts to ensure smooth and efficient operation of this system. In addition, in order to expedite and facilitate immigration procedures through bilateral cooperation with other countries, a consideration is being conducted on whether travelers who are trusted by both sides may be eligible for examinations using the automated gates.

Furthermore, the Ministry of Justice conducted a trial run in FY 2014 in order to consider whether or not to introduce automated gates utilizing facial recognition technology in the departure and return examinations for Japanese nationals, and the Committee for Evaluation of Facial Recognition Technology in the Departure and Return Examinations comprising outside experts deemed that, having analyzed and considered the results of the trial run, with regard to the one-to-one matching between the facial image read from the IC chips in the IC chip passports and the still facial images taken at the airport, “facial recognition technology could be rated as having sufficient possibility for use in the departure and return examinations of Japanese nationals” from a technical point of view.

However, in order to ensure further reliable authentication using facial recognition technology, since it is important to keep the occurrence of false rejections to a minimum, future challenges to consider towards utilization of facial recognition technology are (1) whether the still facial images taken at the airport are suited for use in facial recognition technology, (2) countermeasures against persons intending to abuse the system, and (3) the use of superior equipment in terms of usability from the perspective of the user.

In the future, taking into account the remaining challenges, a consideration is required as soon as possible on the introduction of facial recognition technology while also referring to the efforts of other countries.

### ( b ) Facilitation of Immigration Examination Procedures Pertaining to Foreign Visitors on Cruise Ships

In recent years, moves to attract tourist cruise ships have been increasing in order to revitalize the local economy and there has been an increase in the number of ships entering Japanese seaports and the number of foreign passengers. One tourist cruise ship has the capacity to carry several thousands of passengers, and since the time spent at the port of call is limited, there have been calls for facilitation of the entry examination procedures. The Immigration Bureau had been striving to conduct speedy entry examinations using the Permission for Landing at a Port of Call, but a system was established in the 2014 Immigration Control Amendment Act for a new “Landing Permission for Cruise Ship Tourists” for the purpose of further facilitation of the entry examination procedures for cruise ship passengers.

The immigration control administration has been working on smooth operation of the above-mentioned system, and has proactively been considering measures to conduct onboard examinations within vessels of foreign nationality on the high seas in order to further accelerate and facilitate the entry examinations for foreign passengers of cruise ships.

### ( c ) Other Efforts Contributing to the Realization of a Tourism-Oriented Country

In addition, as well as continuing to implement the flexible assignment of immigration inspectors, consideration will be given to permitting foreign crew members who have been granted “Multiple Landing Permission for Crew Members” times to be eligible to undergo examinations using the automated gates, and to permitting foreign residents to electronically submit their Embarkation and Disembarkation Card when using the automated gates.

Moreover, in order to reduce the time required for the entry examinations at the Japanese airports, in cooperation with the relevant ministries and agencies, considerations are being conducted on specific eligibility and implementation methods towards the implementation of pre-clearance where the passengers coming to Japan by aircraft will be checked in advance at the airport of the place of departure.

In addition, we will continue to strive to ensure both strict entry examinations and smoother entry examinations through the implementation of secondary screening and through the cooperation of the related organizations.

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

### (1) Background

It is necessary to reliably prevent the entry at the border of terrorists and other foreign nationals who intend to stay illegally in Japan in order to protect the security of Japan and public safety, and such foreign nationals have to be quickly and reliably excluded from Japan. This is also an important mission of the immigration control administration and countermeasures at the port of entry have become increasingly more important in response to the cases of Japanese nationals being held captive and murdered in Syria. Thus far, with regard to illegal residents, we have been implementing measures such as countermeasures at the port of entry including the implementation of strict landing examinations utilizing personal identification information (fingerprints and facial photographs), implementing proactive crackdowns in cooperation with the police, utilizing the system of departure orders enforced in 2004 as a measure to encourage departure, developing guidelines relating to special permission to stay in Japan, and conducting publicity activities for each of these measures. As a result, the number of foreign nationals staying illegally beyond their authorized period of stay was reduced to approximately 59,000 at the time of January 2014 and this was a significant decline of about 80% when compared to 1993 (about 300,000) which is when there was the biggest number of foreign nationals staying illegally beyond their authorized period of stay.

However, in recent years, it has become more difficult than before to expose the foreign nationals staying illegally beyond their authorized period of stay owing to the fact that they are spreading out in smaller groups, and also, because the number of foreign nationals illegally overstaying, which previously had been decreasing started to increase again as of the time of January 2015 along with the large increase in the number of foreign nationals entering Japan, and therefore it is necessary to continue strongly implementing the existing countermeasures against illegally overstaying foreign nationals without becoming lax.

Furthermore in recent years, diversification has been seen in the guises used by so-called imposter residents such as foreign nationals who obtain a status of residence through illegal means disguising their status or activities and who, in reality, engage in illegal work without engaging in the activities corresponding to the status of residence. The gap between the status of residence and actual activities is difficult to prove unlike the fact of illegally overstaying where the facts of the violation are comparatively easy to prove, and therefore it is necessary to reinforce countermeasures against such foreign nationals. Therefore, as well as effectively and proactively utilizing revocation of the status of residence, it is necessary to consider newly establishing penalty provisions to impose a punishment in cases where a status of residence is acquired through a false application.

In addition, owing to the fact that there has been an increase in the lengthy detentions of foreign

nationals who refuse to comply with deportation despite being issued with a deportation order, and an increase in the number of foreign nationals on provisional release, there is a need to implement further measures to realize the early deportation of such foreign nationals, and we will need to strive towards responding appropriately to the various problems related to long-term detention such as the health management of the detainees.

### (2) Future Policies

#### (a) Implementation of Strict Immigration Examinations and Other Countermeasures at the Port of Entry for the Purpose of Preventing the Entry of Terrorists and Other Suspect Persons

##### ① Promotion of Landing Examinations Utilizing Personal Identification Information

The Immigration Bureau has been implementing landing examinations utilizing personal identification information (fingerprints and facial photographs) since November 2007, and since it is now possible to quickly and reliably identify whether the passport bearer and the rightful holder are one and the same, the number of foreign nationals who have been prevented from landing through these examinations reached a total of 5,219 from the time of commencement of the system to the end of December 2014. In addition, considering the fact that there are some foreign nationals who have given up even attempting to enter Japan owing to the introduction of this system, there is thought to have been a considerable effect.

In the future, we will continue to promote effective operation of this system and to reliably prevent the entry of terrorists and other suspect persons at the border by implementing stricter landing examinations.

In addition, we will also consider the use of new technologies such as the utilization of facial photos in the countermeasures at the port of entry.

##### ② Reinforcement of Countermeasures at the Port of Entry Utilizing Information in Cooperation with the Relevant Organizations

A provision was established in the 2014 Immigration Control Amendment Act to the effect of permitting requests to be made to the airline companies, etc. to provide passenger name records (PNR), and it is now possible to obtain more information before the passengers enter the country not only on the passenger who made the booking but on accompanying passengers. We will now be able to reliably identify terrorists, affiliated persons, illegal entrants and other foreign nationals who pose an immigration problem before they enter Japan and prevent their entry through the use of the passenger name records and by analyzing the trends relating to such persons, and will be able to conduct smooth and prompt landing examinations for those foreign nationals who do not pose problems.

In addition, we will be able to continue reliably preventing the entry at the border of those terrorists and other suspect persons using lost or stolen passports by utilizing the Stolen and Lost

Travel Documents database of the International Criminal Police Organization (ICPO).

We will continue to strengthen cooperation with the relevant organizations both in and outside of Japan, and conduct strict landing examinations, etc. vis-à-vis imposter residents and those foreign nationals who are attempting to stay illegally in Japan.

### ③ Reinforcement of Countermeasures against Illegal Entrants Using Vessels, etc.

Since Japan has a long coastline, not only the landing examinations, but also conducting countermeasures against foreign nationals attempting illegal entry using a vessel is important. Currently, some of the regional immigration bureaus have established a mobile team composed of immigration control officers and they conduct countermeasures at the port of entry such as the detection of stowaways, for example, by patrolling the seaports and coastal areas. We will continue to proactively employ these mobile teams and continue with our endeavors in the future to maintain the security of Japan while strengthening cooperation with the Japan Coast Guard, the police, customs and other relevant organizations.

Furthermore, immigration control officers currently board the patrol boats of the Japan Coast Guard in order to prevent illegal landing on the Senkaku Islands, and we will continue with our activities in the future to protect the territorial sovereignty of Japan with the cooperation of the relevant organizations.

In addition, patrol activities are being carried out in the direct transit areas of the major airports which have a direct transit area such as Narita Airport, and we will be continuing with our surveillance and exposure of suspicious persons.

## (b) Promotion of Countermeasures against Foreign Nationals Illegally Residing or Posing as Legitimate Residents in Japan

### ① Implementation of Proactive Detection

Although the number of illegal residents has been greatly reduced, there are still about 60,000 illegal residents in Japan, and there is the concern that there will be a considerable number of foreign nationals illegally staying beyond their authorized period of stay in the process of aiming for 20 million foreign tourists visiting Japan towards 2020, and therefore it is necessary to maintain an appropriate structure to handle such occurrences, and to continue to strongly promote effective detection by utilizing the various types of information held by the Immigration Bureau and through the close cooperation of the related organizations. In order to enforce the various measures aimed at the realization of a tourism-oriented country, we will strive to accurately keep track of clues pointing to foreign nationals staying illegally beyond their authorized period of stay from various types of information and strive for effective detection.

### ② Reinforcement of Countermeasures against Imposter Residents

While there has been a decline in the number of illegal residents, one problem in terms of proper immigration control is the existence of imposter residents, requiring urgent

countermeasures. Pursuant to the new residency management system introduced on July 9, 2012, mid to long-term residents are obliged to submit a notification on their place of residence and the organization of affiliation to which they belong, and immigration inspectors and immigration control officers are now able to conduct an inquiry into the facts related to these notifications. Since imposter residents appear to be legitimate residents, there is very little information to serve as clues which can be obtained from members of the general public and also, since it takes considerable time to uncover the real situation, it is necessary to continue with measures to continuously keep track of information on mid to long-term residents by collecting and closely analyzing the information given in the notifications submitted by the mid to long-term residents and their organizations of affiliation to the Immigration Bureau as well as the information in the notifications on the situation of employment of foreign nationals provided by the relevant organizations, and to proactively utilize the power to inquire into the facts and to explore new investigation techniques.

### ③ Reinforcement of Coordination with the Police and Other Law Enforcement Agencies

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

In addition, we will also be strongly promoting proactive cooperation with the police and other law enforcement agencies with regard to countermeasures against imposter residents.

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

### ④ Implementation of Appropriate Treatment of Detainees and Prompt Deportation

With regard to the treatment of detainees, we have always been respectful of their human rights, but we are striving to improve their environment. The Immigration Detention Facilities Visiting Committee composed of outside members such as legal experts and medical experts was established in July 2010, and the committee members visit the detention facilities and offer their opinions for the purpose of ensuring the proper operation of the detention facilities, which leads to the development of an appropriate environment for the detainees.

We will continue to further improve the environment and strive to improve treatment for the detainees while taking into account the opinions of the committee.

Meanwhile, with regard to so-called deportation evaders who refuse to comply with deportation, since it is necessary to realize safe and secure deportation, we have been promoting such measures as proactive utilization of collective deportations using chartered flights since 2013, and have been working on reliably reducing the number of deportation evaders.

In addition, with regard to those detainees who have not been deported even though

a considerable amount of time has passed since the issuance of their deportation order, we will be considering measures enabling us to implement viable deportation.

### (c) Reinforcement of the Intelligence-Gathering Functions of Immigration Control

The utilization of effective information can be said to be the cornerstone when conducting proper immigration control administration. In December 2013, the “Strategy to Make Japan ‘the Safest Country in the World’” was approved by the Cabinet, and this strategy also referred to strengthening the functions of intelligence (collection and analysis of information) in immigration control administration and working on effective countermeasures against illegal residents and imposter residents and preventing the entry of terrorists and other high-risk foreign nationals by collecting a variety of information through the cooperation of the relevant organizations and performing sophisticated analysis.

For this purpose, we will be striving to reinforce the intelligence-gathering functions of the Immigration Bureau. Specifically, as well as collecting a wide range of information from relevant organizations in and outside Japan that is deemed to be beneficial for the purpose of equitable immigration control, we will be reinforcing the intelligence-gathering functions of the Immigration Bureau by training officers to develop advanced information-utilization capabilities and by analyzing information already possessed by the Immigration Bureau and newly-collected information taking a multifaceted approach. By doing this, it will be possible to quickly and accurately distinguish and expose those foreign nationals who pose an immigration problem and respond stringently, and moreover, to provide more convenient and fast procedures for those foreign nationals who do not pose a problem, and moreover, we will continue to promote further efficiency in all of the work of immigration control. At such time, we will obviously handle all personal information in strict compliance with the laws and regulations.

Moreover, much as it is useful to match the information on notifications on the situation of the employment of the foreign nationals held by the Ministry of Health, Labour and Welfare and the information held by the Immigration Bureau in order to keep track of the employment status of foreign nationals, since sharing information with the relevant organizations and effective use of the information provided by the relevant organizations is important, we will continue to reinforce cooperation with the relevant organizations in the future.

### (d) Appropriate Operation of Special Permission to Stay in Japan

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

From the viewpoint of ensuring the transparency and predictability of the special permission to stay in Japan, since 2004, the Ministry of Justice has been publishing “case examples of when special permission to stay was granted and case examples of when special permission to stay was denied” as needed, and since April 2010, the case examples have been published in the form of a list which makes the contents of each case example easy to understand, and which have been classified and organized by category.

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

In the future, we will be working on appropriate operation of special permission to stay in Japan”, and will also be considering revision, where necessary, of the “Guidelines on Special Permission to Stay in Japan”.



## 7 Promotion of Appropriate and Prompt Refugees Protection

### ( 1 ) Background

Recognizing the acceptance of refugees to be one of its important responsibilities towards the international community, Japan joined the Refugee Convention in 1981 and the Protocol Relating to the Status of Refugees in 1982, and developed a system and structure for refugee recognition, and since then, Japan has offered asylum to 3,000 foreign nationals including 633 people recognized as refugees up to 2014, and in addition, between 1978 and 2005 accepted over 10,000 Indochinese refugees.

Taking a look at Japan's situation in recent years (see II3 above), the number of foreign nationals recognized as refugees is small when compared to the number of applications and the number recognized by Europe and other countries, and some of the factors that have been pointed out are the historical relationship between the countries of origin of the refugees and Japan, differences in language and culture, and geographical conditions while criticism has also been expressed that the decisions on refugee recognition in Japan are too demanding. Moreover, now that more than 60 years have passed since the formation of the Refugee Convention, there are some demands that in line with the current international situation and international developments in human rights and humanitarian concepts, clarification is needed of the foreign nationals to whom the Refugee Convention does not apply but who should nevertheless be offered protection by Japan.

On the other hand, in recent years, the number of applications for refugee recognition has been increasing rapidly beyond a scale originally envisaged, and more recently, as seen in other countries, cases whose claims do not come under the grounds for persecution under the Refugee Convention have become noticeable and subsequent applications have as well citing the same circumstances as in their previous application, with the aim of employment, residence or deportation evasion. In this regard, a bottleneck to resolution to this problem is the current system and its operation, in which any application, regardless of the contents, has to be investigated and examined as per usual so long as the application is submitted, and it is possible to re-submit the application as many times as the foreign national wants even after the results of the examination have come out, and moreover, the current framework is such that the deportation, while their case examination is being processed, is suspended regardless of whoever the person is. Moreover, since March 2010, foreign nationals who are legitimate residents and have applied for refugee recognition are uniformly able to engage in work activities while their case examination is being processed if they so wish after six months have passed since the submission of their application, but this has caused the system to be abused by those foreign nationals wishing to work or settle in Japan and is presumed to be one factor leading to the increase in the number of applications. The increase in these cases has put pressure on the system in such forms as necessitating more time for examination and there is the concern that this is hindering the provision of prompt asylum to genuine refugees. In order to cope with this situation, while securing fairness and transparency in the system, it is necessary to take measures to properly

and promptly provide refugees with asylum by clarifying the scope of the foreign nationals eligible for protection and the procedures leading up to refugee recognition.

### ( 2 ) Future Policies

#### ( a ) Efforts, etc. for the Purpose of Appropriate and Prompt Refugee Recognition

In order to resolve the problems that the system faces, we will need to clarify the foreign nationals who are eligible for protection, and to clearly distinguish those who are truly in need of asylum from those who are not, and to process the cases properly and promptly in a suitable manner for each case, and in addition, to work to further improve the quality of the examinations. All of these efforts are intended to be performed in order to quickly and reliably provide asylum to those persons who are in genuine need.

First, in relation to clarifying those foreign nationals eligible for protection, when an application is submitted claiming so-called "new forms of persecution", protection needs to be offered by accurately interpreting the applicability to the "refugee" provided for in Article 2, item (iii)-2 of the Immigration Control Act, in other words, applicability to a refugee under the Refugee Convention, and a mechanism needs to be built for this purpose. At the same time, under the current system, foreign nationals who do not come under a refugee under the Refugee Convention but still require humanitarian consideration after an individual examination of their case, are permitted special permission to stay in Japan. Therefore, a consideration should be conducted with regard to clarifying those subjects who should be granted special permission to stay in Japan as an "opportunity to get under shelter" in the immediate future in Japan based on the trends of the international community and in light of the norms of international human rights law, while bearing in mind the adverse effects on Japan's safety and security owing to the entry and residence of terrorists, criminals and other persons in the guise of asylum seekers.

In addition, the Ministry of Justice will also build a framework for clarification of refugee recognition, expand the publication of case examples of recognition and non-recognition which is already being carried out, and will work to improve the transparency of the system.

Moreover, in order to make further appropriate decisions on refugee recognition, the Ministry of Justice will additionally strengthen the structure and foundation relating to refugee recognition administration, enhance and strengthen the system of collection and analysis of basic data on the countries of origin of the applicants and on international affairs, work on enhancing and strengthening the training conducted with the cooperation of the relevant organizations such as the United Nations High Commissioner for Refugees (UNHCR), and train professional personnel such as by improving the investigation skills of the refugee inquirers.

Consideration will also be given to the following measures to suppress those applications which attempt to abuse the system or which are based on a misunderstanding of the system.



- ① Applications such as claiming circumstances which clearly do not come under the grounds of persecution under the Refugee Convention will be sorted beforehand at the stage prior to a fully-fledged investigation, and such cases will be quickly processed while ensuring that the applicant has an opportunity to make a sufficient claim.
- ② With regard to the work permission for legal residents which is serving as an incentive for foreign nationals to submit abusive applications solely for the purpose of being able to work, the current system which uniformly grants permission to work if the applicant so requests will be revised, and a consideration will be conducted on setting certain conditions and setting up a mechanism for decisions to be made on an individual basis. For example, in principle, a status of residence which permits work activities will not be considered necessary to be granted in those cases which are deemed typologically lacking in the need for protection.
- ③ With regard to setting restrictions on the reasons for resubmitting an application as a measure to curb the abusive subsequent applications, and to setting certain exceptions to the suspension of deportation as a countermeasure against those untrustworthy illegal residents, etc. who attempt to avoid deportation by resubmitting their application, a further consideration will be conducted from the aspects of both the legal system and operations based on an evaluation of the implementation status and effects of the above-mentioned measures of ① and ②.

Other than the above, with regard to the recommendations given in the report submitted in December 2014 by the Expert Meeting on the Refugee Recognition System established under the 6th Immigration Policy Discussion Panel, the advisory panel of the Minister of Justice, the Ministry of Justice will proceed with further considerations on the structure, system and operation of the system with taking sufficiently into account the intent of the recommendations, and also with assessing the international situation.

### ( b ) Acceptance of Refugees through Resettlement

Japan accepted 18 families comprising 86 Myanmarese refugees from Thai refugee camps between FY 2010 and FY 2014. From FY 2015, Japan has also started, under certain conditions, to accept Myanmarese refugees staying temporarily in Malaysia, and the Myanmarese refugees who have been accepted by Japan from Thailand are now able to invite their relatives to come and live with them in Japan.

The Ministry of Justice will continue to proceed with smooth acceptance with the cooperation of the relevant organizations.

## 8 Other Items

### ( 1 ) Development of the Structure of Immigration Control

Improvement of the immigration control system is essential in order to be able to continue with steadily implementing this plan. In particular, in anticipation of the holding of the Tokyo Olympic and Paralympic Games in 2020 and the expected accompanying significant increase in the number of foreign tourists visiting Japan, we will be maintaining the rigor of the examinations, while systematically developing the immigration control structure in order to realize prompt and smooth immigration examinations.

### ( 2 ) Further Promotion of International Cooperation

International cooperation in immigration control administration is an important area which is essential. Information exchange with the immigration authorities of other countries and the foreign embassies in Japan such as on counter-terrorism and countermeasures against forged or altered documents is essential for effective countermeasures at the port of entry of the Immigration Bureau.

In the future, along with the ongoing development of international cooperation through participation in various international conferences, we will be proactively exchanging information with the immigration authorities of other countries and the diplomatic establishments of foreign countries located in Japan.

### ( 3 ) Consideration for the Victims of Trafficking in Persons

The immigration control administration has been taking appropriate measures in cases where a victim of trafficking in persons is a subject coming under the deportation procedures as an illegal resident such as granting special permission to stay taking into careful consideration for the position of the person, and based on the wishes of the individual. In the future, the Immigration Bureau will continue to maintain close coordination with the relevant organizations, including information exchange with other countries, accurately keep track of the victims of trafficking in persons, conduct joint crackdowns with the police and other relevant organizations, provide protection to the victims such as granting a status of residence in light of the victimization, and moreover, work proactively on countermeasures against trafficking in persons.

In addition, since domestic abuse from a spouse is also a serious violation of human rights, we will be taking appropriate action from the perspective of protecting the victim in the same manner as when protecting victims of trafficking in persons.