

Statement

Calling for a Just Legal System Appropriate for a Migrant Society

- Don't change the Immigration Control Act for the worse

Japan is already a “migrant society.”

But the government has refused to recognize the fact and has consistently emphasized that it is not conducting any immigration policy. It has failed to put appropriate institutions and environment in place for a “migrant society.”

Symbolic of the government's attitude is the Technical Intern Training Program. Although the workers under this system were supporting the Japanese society, the violations of their rights as workers and as residents as well as the institutional problems that allowed these to happen, were not directly addressed under the guise of “international contribution through transfer of skills.” These issues were to be “dealt with appropriately,” which led to delays in finding drastic solutions to the problem. The “use” of the technical intern Training Program has distorted industries as well as the Japanese society.

This means that abolishing the technical intern Training Program should have been an opportunity for putting an end to the government's false acceptance of workers that it has continued for more than 30 years and for creating a just migrant society in which the dignity and rights of all people are respected.

However, the draft bill to amend the Immigration Control Act, Special Act on Immigration Control and the Technical Intern Training Act continues the existing falsehood and will only lead to new exclusion and discrimination.

The Revocation of Permanent Resident Status Introduced in the Midst of the Confusion is a Discriminatory Procedure Running Counter to an "the realization of society of harmonious coexistence"!

The government, with the view to “optimize the procedures for permanent residence status, as the number of foreign residents under the Specified Skilled Workers system which leads to permanent residence through the career development scheme is expected to increase,” plans to introduce new grounds to revoke the residence status of permanent residents who fail to comply with the obligations under the Immigration Control Act, or intentionally fail to pay taxes or social insurance fees, as well as those who are sentenced to imprisonment for violations of certain provisions of criminal laws.

The introduction of the system for revocation of status of permanent residents will destabilize the lives of approximately 880,000 foreign residents who have permanent resident status (as of June 2023: 880,178, or 27.3% of all foreign residents who are registered with the residence status of 3 months or more) as well as those who plan to apply for permanent resident status. The government intends to have the new procedures adopted as part of the career development scheme although it has not been even discussed in the expert panel. It should be sufficient to respond to tax or social security payment arrears, or minor infringement of the law that do not amount to grounds for deportation with reminders, seizures, administrative or criminal sanctions, just as with Japanese citizens. If only foreign residents are penalized with revocation of resident status despite having fully established their lives in Japan, it would

amount to discrimination against foreign residents.

The introduction of such procedures will go against the “the realization of society of harmonious coexistence” that the government is trying to achieve and exacerbate discrimination and prejudice against foreign residents.

We strongly protest against the government policy that places foreign residents who have established their lives in Japan, and have chosen this country as their final abode under continuous strict control and supervision, and that allows deprivation of the status even from those who were granted the most stable residence status.

The Creation of the Career Development Scheme is Nothing but a Continuation of Slavery!

We have advocated for the abolishment of the Technical Intern Training Program as a form of “modern slavery” and called for accepting workers in the country as workers. But the new scheme of career development indicated in the draft amendment bills as well as the Specified Skilled Workers scheme are far from a worker acceptance system in line with the international standards for the respect of dignity and prohibition of discrimination of workers. The system purports to allow for transfers according to the workers’ wishes, but it sets forth various requirements out of “consideration” to accepting organizations and local regions to restrict the rights of workers coming to Japan. The institutional structure that binds the workers to a single accepting organization is no different from that of the Technical Intern Training Program.

If wages are kept low, and transfer is difficult, accepting organizations may be able to secure stable low-cost “labor force.” But therein lies the essence of the slavery-like structure of the Technical Intern Training Program and the root cause of the distortion of the Japanese society and the endangering of democracy by depriving workers of their human dignity and allowing the deceptive system to continue for the past 30 years. Even if the scheme that restricts workers' rights with invisible "shackles" under the guise of securing "labor force" is created, it may be convenient for accepting organizations in the short term, it is clear that it will follow the same path as the Technical Intern Training Program, and will only weaken industries and local regions.

Also, the Technical Intern Training Program, the career development scheme or the Specified Skilled Workers No.1 scheme do not allow the workers to bring their families. A system that does not ensure a stable life for workers or respect international human rights standards including the right to family life may endanger democracy in the Japanese society. We repeat, the workers coming to Japan are not “goods” for the “labor force.” They are human beings, people who lead their daily lives.

How long will the Japanese society continue with this “deception” and “duplicity” that has been going on for the last 30 years? We strongly demand that the new system and the Special Skilled Workers system after abolishing the Technical Intern Training Program will be systems in line with international human rights protection that eliminate debt bondage and protect basic labor rights including the freedom to change work and the principle of equality between employers and employees.

The Integration of the Residence Card and the Individual Number (My Number) Card Will Endanger Personal Information of Foreign Residents and Exacerbate Discrimination!

The draft bill proposes to integrate the residence card, the special permanent resident certificate and the My Number card.

As mid and long-term residents are required to carry their residence card at all times, with the integration they will be required to carry their My Number card at all times. If they should ever lose their card, the risks of leaks of personal information would drastically rise. If they did lose the card, at present, the My Number card cannot be reissued on the same day and they would have to wait one to two months until it is reissued. Therefore, there is a concern that the duty to carry the card at all times may at times not be complied with.

Moreover, an integrated card would mean that the Immigration Services Agency will add the My Card functions to the residence card or the special permanent resident certificate, and therefore, the card surface will look very much like a residence card or a special permanent resident certificate. As a result, whenever there is a need to present their My Number card, numerous information related to residence status (residence card number, residence status, period of residence, any restrictions on employment, permission to engage in activities other than permitted under the status of residence, nationality, place of origin, etc.) that do not appear on the usual My Number card will be unnecessarily available for others to see. This would mean a relaxation in case of foreign residents of the strict handling requirement under which the My Number card is supposed to be implemented and would lead to exacerbation of discrimination against them.

The government is currently trying to enforce tying the My Number card to the health insurance certificate and thereby force people to hold My Number cards which is supposed to be voluntary. Given this government attitude, there is great concern that eventually the integration of residence cards and the special permanent resident certificate with the My Number card will effectively be enforced. We object to such integration.

For a Just “Migrant Society”

We repeat, let us stop this deception.

What we want is an immigration policy that is appropriate for the current “migrant society.” The policy needs to change into one that accepts human beings as human beings, respect their dignity and rights and enable them to live feeling safe and secure. A just migrant society in which people are not excluded or discriminated, but can play an active role regardless of nationality or ethnicity, is a path to a sustainable society, and is a hospitable society for us living in this society and for everyone.

We call for a “just migrant society,” a society of mutual respect, and raise our voices again, to don’t change the Immigration Control Act for the worse.

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