

**Secretariat**

26 December 2007

Information circular*

To: Members of the staff

From: The Assistant Secretary-General for Human Resources Management

Subject: **New travel regulations for foreign nationals entering Japan**

1. The Secretariat has received from the Permanent Mission of Japan to the United Nations a note verbale dated 19 November 2007 in which it informs the Secretariat of amendments in Japan's Immigration Control and Refugee Recognition Act, effective 20 November 2007.
2. The amendments in articles 1, 2 and 6 of Japan's Immigration Control and Refugee Recognition Act provide that foreign nationals who enter Japan are required to provide fingerprints and a facial photograph at immigration control entry points.
3. United Nations officials travelling to Japan on official duty are exempt from the requirement to provide personal identification information provided they present a valid United Nations laissez-passer with a valid visa, or if the official is a national of a country with visa exemption arrangements listed in the annex to the note verbale from the Permanent Mission of Japan, a valid national passport and a valid United Nations laissez-passer.
4. Family members of United Nations officials are also exempt from the requirement to provide personal identification provided they present a valid United Nations family certificate together with their national passport and a valid visa, if required.
5. The text of the note verbale is set out in the annex to the present circular.

* The present circular will be in effect until further notice.



Annex

Note verbale dated 19 November 2007 from the Permanent Mission of Japan to the United Nations addressed to the Secretary-General

The Permanent Mission of Japan to the United Nations presents its compliments to the Secretariat of the United Nations and, with reference to the former's note verbale No. SC/07/559 dated 16 October 2007, has the honour to inform the latter of the following.

As regards the landing permission in Japan for United Nations officers, heretofore, if a United Nations officer presented a valid passport issued by one of the countries mentioned in the annex to this note that have visa exemption arrangements with Japan, the officer did not need to obtain a visa. If such United Nations officer was presenting a valid United Nations laissez-passer only, the officer was required to obtain a valid visa in advance in the United Nations laissez-passer. A United Nations officer presenting a valid passport issued by a country other than those mentioned in enclosure 1 to the present note verbale that does not have visa exemption arrangements with Japan was required to obtain a valid visa in advance in the passport or in a valid United Nations laissez-passer.

The immigration law of Japan was amended for the purpose of establishing a framework of preventive measures against acts of terrorism, illegal overstay and other violations, and the new law requires foreign nationals to provide personal identification information (i.e., fingerprints and a facial photograph) before they can be granted landing permission, from 20 November 2007. A United Nations officer travelling to Japan on official duty, however, is exempted from the obligation to provide personal identification information **by presenting a valid United Nations laissez-passer and meeting the necessary requirements mentioned above**, as heretofore. An immediate family member (spouse and/or eligible children) of a United Nations officer who presents a valid United Nations family certificate together with his or her national passport at the time of landing inspection in Japan will be exempted from the obligation to provide personal identification information.

If there is a need for further information, such as regarding cases other than those mentioned above or other circumstances, the Permanent Mission of Japan will be pleased to respond promptly. The text of articles 1, 2 and 6 of the revised Immigration Control and Refugee Recognition Act (Act No. 319 of 1951) (see enclosure 2) is provided for reference.

The Permanent Mission of Japan has further the honour to request the Secretariat to circulate the aforementioned information throughout the United Nations system and among its affiliated organizations.

Enclosure 1**Countries having visa exemption arrangements with Japan****Asian/Pacific region**

Australia, Brunei, Lao People's Democratic Republic (except for an ordinary and official passport), Malaysia, New Zealand, Republic of Korea, Singapore, Thailand (except for an ordinary passport), Viet Nam (except for an ordinary passport)

North America region

Canada, United States of America (except for a diplomatic and official passport)

Central/South America region

Argentina, Bahamas, Barbados, Chile, Colombia, Costa Rica, Dominican Republic, El Salvador, Guatemala, Honduras, Mexico, Suriname, Uruguay

European region

Andorra, Austria, Belgium, Bulgaria, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Italy, Latvia, Liechtenstein, Lithuania, Luxembourg, Macedonia, Malta, Monaco, Netherlands, Norway, Poland, Portugal, Romania (except for an ordinary passport), San Marino, Slovakia, Slovenia, Spain, Sweden, Switzerland, United Kingdom of Great Britain and Northern Ireland, Vatican City State (except for an ordinary and official passport)

Middle East/Africa region

Iran (Islamic Republic of), Israel, Turkey, Lesotho, Mauritius, Morocco (except for an ordinary passport), Tunisia

Enclosure 2

この出入国管理及び難民認定法の翻訳は、平成十八年法律第八十号までの改正（平成 18 年 6 月 21 日公布）について、「法令用語日英標準対訳辞書」（平成 18 年 3 月版）に準拠して作成したものです。

なお、この法令の翻訳は公定訳ではありません。法的効力を有するのは日本語の法令自体であり、翻訳はあくまでその理解を助けるための参考資料です。この翻訳の利用に伴って発生した問題について、一切の責任を負いかねますので、法律上の問題に関しては、官報に掲載された日本語の法令を参照してください。

This English translation of the Immigration Control and Refugee Recognition Act has been prepared (up to the revisions of Act No. 80 of 2006 (promulgation June 21, 2006)) in compliance with the Standard Bilingual Dictionary (March 2006 edition).

This is an unofficial translation. Only the original Japanese texts of laws and regulations have legal effect, and the translations are to be used solely as reference material to aid in the understanding of Japanese laws and regulations.

The Government of Japan shall not be responsible for the accuracy, reliability or currency of the legislative material provided in this website, or for any consequence resulting from use of the information in this website. For all purposes of interpreting and applying law to any legal issue or dispute, users should consult the original Japanese texts published in the Official Gazette.

Immigration Control and Refugee Recognition Act (Act No. 319 of 1951)

CHAPTER I GENERAL PROVISIONS

Article 1 (Purpose)

The purpose of the Immigration Control and Refugee Recognition Act is to provide for equitable control over the entry into or departure from Japan of all persons and to consolidate the procedures for recognition of refugee status.

Article 2 (Definition)

The terms in the following items as used in the Immigration Control and Refugee Recognition Act and the orders pursuant to the Act shall have such meanings as defined in each item respectively.

- (i) Deleted.
- (ii) The term "alien"¹ means a person who does not have Japanese nationality.
- (iii) The term "crew member" means a crew member of a vessel or aircraft.
- (iii-2) The term "refugee" means a refugee who falls under the provisions of Article 1 of the Convention relating to the Status of Refugees (hereinafter referred to as the "Refugee Convention") or the provisions of Article 1 of the

¹ Based on examples in acts of the U.K. and the U.S., the term "alien" has long been used in the Immigration Control and Refugee Recognition Act.

Protocol relating to the Status of Refugees.

- (iv) The term "Japanese consular officer" means a Japanese ambassador, minister or consular officer who is stationed in a foreign country.
- (v) The term "passport" means any of the following documents:
 - (a) A passport, a refugee travel document or any other certificate in lieu of the passport (including a travel certificate issued by a Japanese consular officer) issued by the Japanese Government, a foreign government recognized by the Japanese Government or any authorized international organization.
 - (b) A document, which is equivalent to the documents listed in (a), issued by any authorized organization of the region as provided for by a Cabinet Order.
- (vi) The term "crew member's pocket-ledger" means a mariner's pocket-ledger or any other equivalent document issued to a crew member by an authorized organization.
- (vii) The term "trafficking in persons" means any of the following acts:
 - (a) The kidnapping or the buying or selling of persons for the purpose of profit, indecency or threat to a person's life or body, or delivering, receiving, transporting or hiding such persons who have been kidnapped or bought or sold;
 - (b) In addition to the acts listed in sub-item (a), placing persons under 18 years of age under one's own control for the purpose of profit, indecency or threat to a person's life or body;
 - (c) In addition to the acts listed in sub-item (a), delivering persons under 18 years of age, knowing that they will be or are likely to be placed under the control of a person who has the purpose of profit, indecency or threat to a person's life or body.
- (viii) The term "port of entry or departure" means a seaport or airport at which an alien enters or departs from Japan, as provided for by a Ministry of Justice ordinance.
- (ix) The term "carrier" means an operator who is engaged in the business of transporting persons or goods by means of a vessel or aircraft between Japan and areas outside of Japan.
- (x) The term "immigration inspector" means the immigration inspector provided for in Article 61-3.
- (xi) The term "supervising immigration inspector" means an immigration inspector of supervisory rank designated by the Minister of Justice.
- (xii) The term "special inquiry officer" means an immigration inspector designated by the Minister of Justice and authorized to hold hearings.
- (xii-2) The term "refugee inquirer" means an immigration inspector designated by the Minister of Justice to execute the duties prescribed in Article 61-3, paragraph (2), item (ii) (limited to the parts pertaining to Article 22-4,

paragraph (2), as applied *mutatis mutandis* to Article 61-2-8, paragraph (2)) and in item (vi) (limited to the parts pertaining to Article 61-2-14, paragraph (1)).

- (xiii) The term "immigration control officer" means the immigration control officer provided for in Article 61-3-2.
- (xiv) The term "investigation into violations" means an investigation conducted by an immigration control officer into cases of violation of laws or regulations on entry, landing or residence of an alien.
- (xv) The term "immigration detention center" means the immigration detention center provided for in Article 13 of the Act for Establishment of the Ministry of Justice (Act No.93 of 1999).
- (xvi) The term "detention house" means the detention facility provided for in Article 61-6.

Article 2-2 (Status of Residence and Period of Stay)

- (1) An alien may reside in Japan only under a status of residence determined by the permission for landing, the permission for acquisition or the permission for any changes thereof, except as otherwise provided for by the Immigration Control and Refugee Recognition Act or other laws.
- (2) The categories of statuses of residence shall be as listed in Appended Tables I and II. An alien residing in Japan under a status of residence listed in the left-hand column of Table I may engage in the activities listed in the right-hand column corresponding to that status, while an alien residing under a status of residence listed in the left-hand column of Table II may engage in the activities of a person with the status or position listed in the right-hand column corresponding to that status.
- (3) The period during which an alien may reside as set forth in paragraph (1) (hereinafter referred to as "period of stay") shall be determined for each status of residence by a Ministry of Justice ordinance; and when the status of residence is one other than that of diplomat, official or permanent resident, the period of stay shall not exceed 3 years (5 years in the case of the status of residence of "Designated Activities" (except for those related to d. in the right-hand column of (5) of Appended Table I).

CHAPTER III PROCEDURES FOR LANDING

SECTION I EXAMINATION FOR LANDING

Article 6 (Application for Landing)

- (1) Any alien (except for a crew member; hereinafter the same shall apply in this section) who seeks to land in Japan shall possess a valid passport with a visa issued by a Japanese consular officer. However, a visa is not required for the passport of an alien for whom a visa issued by a Japanese consular officer shall be deemed unnecessary pursuant to an international agreement or through notification to that effect from the Japanese Government to a foreign government or for the passport of an alien for whom the re-entry permission pursuant to the provisions of Article 26 has been granted or for the refugee travel document which has been issued pursuant to the provisions of Article 61-2-12.
- (2) The alien set forth in the first sentence of the preceding paragraph shall apply for landing to an immigration inspector at the port of entry or departure where he seeks to land and undergo an examination for landing in accordance with the procedures provided for by a Ministry of Justice ordinance.
- (3) An alien who seeks to apply for landing as set forth in the preceding paragraph shall provide to an immigration inspector information for personal identification (fingerprints, photographs or other information as provided for by a Ministry of Justice ordinance that serves to identify the individual; the same shall apply hereinafter) in an electromagnetic form (an electronic form, a magnetic form or other forms that cannot be recognized by human perception; the same shall apply hereinafter) for use by a computer as provided for by a Ministry of Justice

ordinance, which is utilized for personal identification of the applicant, pursuant to the provisions of the Ministry of Justice ordinance. However, this shall not apply to a person who falls under any of the following items:

- (i) A special permanent resident provided for by the Special Act on the Immigration Control of, Inter Alia, Those who have Lost Japanese Nationality Pursuant to the Treaty of Peace with Japan (Act No. 71 of 1991) (hereinafter referred to as a "special permanent resident").
 - (ii) A person who is under 16 years of age.
 - (iii) A person who seeks to engage in Japan in an activity listed in the right-hand column under "Diplomat" or "Official" of (1) of Appended Table I.
 - (iv) A person who is invited by the head of any national administrative organ.
 - (v) A person provided for by a Ministry of Justice ordinance as equivalent to a person listed in any of the two items immediately preceding this item.
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