

Our Views on the Immigration Law and Foreign Workers

It has been repeatedly criticized by various researchers and others that the Technical Intern Training Program (TITP) contains a serious contradiction. That is, its original purpose was to contribute to the international communities by providing workers from developing economies with training, technical skills, and technology experience, but it has been implemented in reality as a way to address a labor shortage in Japan. It has been also revealed by some studies that the TITP as a program has limited abilities in addressing human rights violations against trainees. While the Specified Skill Workers (SSW) Program, introduced in 2019, specifies that foreign nationals working in Japan under this program are “workers,” the issue of human rights violations remains unresolved even with the SSW.

On May 11, 2023, members of the Advisory Committee on the Technical Intern Training and the Specified Skill Workers Programs submitted their interim report to the Minister of Justice, which implies that the Japanese government intends to make some changes in the existing programs to accept foreign workers in the near future.

Welcoming more foreign workers in Japan requires establishing an immigration law that ensures the protection of their human rights, as well as a system that enables us to build a multicultural, equal society with individuals with diverse national, ethnic, and racial backgrounds, including foreign workers (whose number is expected to increase in the next few years). Below are our views regarding this issue.

1. The TITP should be abolished immediately.
2. The existing Visa programs to recruit foreign workers should be integrated into the SSW Program. And in doing so, it should be specified that the program aims to recruit them as workers, rather than to “train” them.
3. Under the new integrated foreign worker program, the number of occupations /industries to recruit them should be expanded. Furthermore, the number of those that enable one to change their visa type from the Specified Skill Worker (I) Visa to Specified Skill Worker (II) Visa should also increase.
4. It should be ensured that the work conditions (e.g., salary) of foreign workers are the same as those of workers with Japanese nationalities.
5. The rights of foreign workers to change jobs should be ensured, and there should be no restrictions imposed on their choice of industries or areas

when they change jobs. It is also important that necessary law or policy changes are made to ensure their rights to change jobs.

6. Foreign workers should have the same rights to access social welfare as workers with Japanese nationalities.
7. With regards to the recruitment and employment of foreign workers, there should be penalty provisions for violation of related laws by employers and supporting organizations, and the provisions should be strictly applied when implemented.
8. To reduce costs related to employing foreign workers and their immigration processes (e.g., travel fees, costs associated with their training), the Japanese government should establish bilateral agreements with worker-sending states regarding this issue or provide employers with some level of support.

Costs associated with hiring a foreign worker can be more expensive than hiring a worker with Japanese nationality due to the need for communication support and necessary training. We believe that these costs should be the responsibility of not just their employer but also the government.

Furthermore, the integration of foreign workers into Japanese society requires public support for the matter. For this reason, we believe that the Japanese government should set a concrete number of foreign workers to accept per year in their immigration policy to control their increase so that it happens gradually over time.

- In summarizing our views on immigration and foreign workers, we surveyed Okayama local associations of four political parties (i.e., Komei Party, Liberal Democratic Party, Japan Innovation Party, and Constitutional Democratic Party) on their views and policies on foreign workers. We received responses from all of the parties. We appreciate their cooperation.

Based on their responses, it is our understanding that, while all of the parties agree on the need to revise the current immigration law regarding foreign workers, there are differences in their view on whether the new program should keep the TITP's original purpose of "training" foreign nationals or not. Furthermore, there was a difference in the degree to which they view the foreign workers as residents of Japan, yet all four parties are in agreement in terms of the need to ensure their rights as workers during their employment.