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Opinion Statement on the System to Provide Information on the Website of the Immigration Bureau under the Ministry of Justice (Executive Summary)

Main Conclusion of Opinion Statement

Since February 16, 2004, the Immigration Bureau under the Ministry of Justice has started a system whereby information on non-nationals who seem to be staying illegally could be sent via email, seeking provision of such information.

The JFBA calls for a halt to this system.

Reasons

Part 1 Social Influence of the System

1 Contents of the System

2 Promotion of Prejudice and Discrimination by the System

2.1 The System Intensifies Surveillance of Non-nationals and Ethnic Minorities

It is not apparent from his or her appearance or living condition if a non-national is staying illegally. General citizens who are encouraged to provide information on undocumented people may become overly suspicious that non-nationals in general and ethnic minorities who look like non-nationals by their appearance might be undocumented people, thus making such groups of people subject to surveillance under the whole society.

Particularly, this system encourages general citizens to provide information under anonymity in a psychologically and physically easy way, regardless of whether it is substantiated by specific grounds. As this system, which is similar to an anonymous tip, is encouraged through a bulletin set up 24 hours on the website to receive information. Therefore, non-nationals and ethnic minorities are all the more widely and easily exposed as being the subject of provision of information and become subject to surveillance.

2.2 Promotion of Prejudice and Discrimination through such Publicity as "Hotbed of Increasing Crimes Committed by Non-nationals"

General citizens would understand the system as something set up to eliminate social groups that are the hotbed of criminals. Consequently, in proportion to the general citizens increasingly watch non-nationals and ethnic minorities, doubting they are undocumented people, prejudice that such people might relate to crimes will be created, thus further promoting discrimination.

Part 2 Conflict with the International Convention on the Elimination of All Forms of Racial Discrimination

1 It is highly possible that the system conflicts with the articles of the International Convention on the Elimination of All Forms of Racial Discrimination which prohibit promotion and incitement of discrimination.

2 Although the system makes a distinction based on nationality, the Committee on the Elimination of Racial Discrimination states that xenophobia against non-nationals constitutes one of the main sources of contemporary racism. It is understood that the purpose of the system is to maintain order of immigration control, and the main necessity of it is nothing more than an administrative purpose of immigration control. Although the JLNR does not deny the necessity to take measures to detect and prevent crimes and others

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alike, there is no justification for actively publicizing in a way that targets undocumented people on the whole and to influence non-nationals in general.

Part 3 Retrogradation from a harmonious multicultural, multiethnic society

In a time when there is increasing necessity of truly accepting non-nationals in the Japanese society without prejudice or discrimination, the system runs counter to the progress.

Part 4 Efficiency of the System

There were 2200 pieces of information provided, of which only 20 led to detection. Considering the extensiveness and seriousness of harmful effect that the system has, there is little significance in maintaining and running the system.

Part 5 Relation with “information” prescribed under Paragraph 1, Article 62 of the Immigration Act.

“Information” under the paragraph has the same meaning as “accusation.” The system is different from “information” which has the same meaning as “accusation,” and the article cannot be the basis for the system.

Part 6 Conclusion

The system encourages general citizens to perceive non-nationals as undocumented people, has an effect that intensifies the societal surveillance of such people, and promotes prejudice and discrimination that such people are criminals or that they belong to groups that are the hotbed of crimes. The system also runs counter to the progress towards a harmonious multicultural, multiethnic society. The system should be halted in view of the extensiveness and seriousness of its harmful effects.