

Statement on asylum trends and level in 2012 in Japan
Japan Lawyers Network for Refugees
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According to the press release published by the Immigration Bureau of the Ministry of Justice (MOJ) in March 2013, it was revealed that the number of recognized refugees were eighteen in 2012, which was the lowest in 10 years. The refugee recognition rate also hit all time low in 2012, which broke the lowest record in 2011. In addition, it was also revealed that the protection rate (including both refugees and persons granted residence status on humanitarian grounds) in 2012 marked the lowest level in 15 years.

1. The lowest number of refugee recognition in 10 years, the record lowest refugee recognition rate, and the lowest protection rate in 15 years.

The total number of recognized refugees in 2012 was 18 persons, among which five were recognized at the first instance and the remaining 13 at the appeal level. It was the first time since 2003 that the number of refugees who were recognized during the year did not reach 20 persons. Furthermore, three out of the five refugees who were recognized at the first instance were actually granted refugee status after they won their lawsuits for revocation of the previous decisions rejecting their refugee status. Substantially, the number of refugees who were recognized by the Immigration Bureau of MOJ at the first instance was merely two persons.

The rate of refugee recognition out of the total number of cases disposed at the first instance in 2012 was 0.23 percent, which even fell below 0.33 percent which was the record lowest level marked in 2011. In addition, the rate of refugee recognition out of the total number of cases disposed at the appeal level was 1.30 percent, which was the lowest in 10 years. In terms of combined figures in the first instance and the appeal level, the rate of refugee recognition out of the total number of cases disposed was only 0.56 percent.

On the other hand, the number of persons who were not recognized as a refugee but granted residence status on humanitarian grounds was 112 persons. The rate of protection granted, including 18 recognized refugees, out of the total number of cases disposed was 4.07 percent, which was the lowest in 15 years.

The number of resettlement refugees under the pilot program started in 2010 was zero in 2012, as no applicants desired to resettle into Japan in the end.

2. A record high number of refugee applicants and massive disparities in refugee recognition on country of origin

The number of refugee application in 2012 was 2,545, which exceeded by 678 the record highest number marked in 2011 which was 1867. In terms of applicants' countries of origin, there were similar demographic characteristics from the previous year, Turkey was the largest

(423 persons), followed by Burma (368 persons), Nepal (320 persons), Pakistan (298 persons), and Sri Lanka (255 persons). Applicants from West African countries such as Nigeria (118 persons), Ghana (104 persons) and Cameroon (58 persons) increased in the similar way as in the previous year.

As to countries of origin for recognized refugees, 15 out of the 18 refugees recognized during the year were from Burma, leaving only three others from countries other than Burma. Such disparities between countries of origin of recognized refugees continued.

3. Toward drastic improvements in refugee status determination (RSD) system in Japan

The number of recognized refugees (18 persons), the rate of refugee recognition (0.56 percent) and the rate of protection granted (4.07 percent) are extraordinarily lower than those in other industrial countries. Also taking in to consideration that the number of refugees recognized from countries with high number of applicants other than Burma was zero, it is apparent that the RSD system is no longer functioning in Japan

Thought, the international bodies, including the Human Rights Committee, have criticized such condition, the number of refugee recognition in the past years have retrograded to the standard prior to the introduction of the refugee adjudication councilor (RAC) system. It has become clear that the introduction of the RAC system has not necessarily contributed to the improvement of RSD system in Japan.

To guarantee effective implementation of the Refugee Convention in Japan, the Japan Lawyers Network for Refugees (JLNR), along with the cooperation of concerned bodies and organizations assisting refugees, would work to urge the Government of Japan to bring about fundamental reforms to the RSD system based on international refugee law standards.