

July 7, 2020

## **Second Statement on Re-entry Restrictions Placed on Permanent Resident and Visa Holders**

The American Chamber of Commerce in Japan (ACCJ) expresses our concerns regarding Japan's immigration authorities' limitations on the entry of non-Japanese nationals residing in Japan during the COVID-19 crisis.

The ACCJ understands and supports Japan's efforts to protect itself from further spread of the virus, including Japan's decision to enforce a mandatory 14-day quarantine on those returning to Japan from countries where the risk is greatest. We also recognize the progress in clarifying the conditions and criteria for, and the process under which, foreign residents of Japan may receive permission to re-enter Japan for humanitarian reasons.

We are concerned, however, that the prohibition currently in place on the entry into Japan of foreign nationals who have a permanent abode, family, and work base in Japan is detrimental to Japan's long-term interests, in particular as to Japan's attractiveness as a place to invest and station managerial employees with regional responsibility.

Such individuals, especially those with permanent residency (*eijuken*) and their accompanying family members or those who are immediate family members of Japanese nationals, and those with long-term working visas and their accompanying family members, need to be allowed to enter Japan under the same conditions as Japanese citizens to continue living and working in this country. Such foreign nationals are actively and positively contributing to Japan's economy and society, and do not pose any greater risk than Japanese citizens re-entering Japan.

We would also note that through the payment of local and national taxes, the consumption of goods and services from the local economy, and the support for companies both local and international, Japan's foreign residents and workers play an important role in ensuring Japan's economic growth and good relations with global partners. Their contributions will be all the more important as Japan looks to recover from the economic impact of the COVID-19 pandemic. We are grateful that the Government of Japan treated the

foreign community in Japan on an equal basis by designating duly registered foreign residents as eligible for the recent COVID-19 stimulus payment.

More immediately, we respectfully request that the Japanese Government establish a process whereby travelers entering Japan under the 'humanitarian' exception can receive an assurance that they will be admitted to Japan before they board flights outside of Japan. This is because airlines are generally obligated to return, at their own expense, travelers rejected entry to a country. For this reason, we understand that many airlines are refusing to board any non-Japanese nationals on flights to Japan because of the regulatory uncertainty. This process could be notionally similar to the current re-entry permit application system, and it could be thought of as a "coronavirus re-entry permit" granted at the time the traveler leaves Japan or by special application to a designated Japanese Embassy, Consulate or other designated entity.

We respectfully request that, as the government's Novel Coronavirus Response Headquarters considers which further steps it might take to ease restrictions on travel and measures taken to permit Japanese nationals to travel for business, or, in the future, travel for other purposes, any decisions also apply equally to foreign nationals with proper permanent residency as well as their spouses and children, foreign nationals who are spouses or children of Japanese nationals, long-term visa holders and their accompanying family members, and foreign nationals residing in Japan under a Japanese working visa. At minimum, Japan should adopt the approach of other G7 countries to allow foreigners with established residency status and their immediate family members to depart and enter the country on the same basis as Japanese nationals. In the event that is not done, any guidance provided should be based on objective standards and any advance clearance provided should be in writing and should be recognized as an official approval at the point of entry into Japan.

We hope that the Japanese government will announce clear timelines for the resumption of travel and implement clear policies with the minimum documentation necessary. This will enable those properly desiring to return to Japan to make plans free of anxiety and continue contributing to Japan's economy, society, and international relations.

We respectfully request that the Japanese government considers these concerns and suggestions as critical work continues to protect Japan from the effects of the pandemic and encourage its recovery.