

# Immigration Policy in Japan for a New Era of Community Development

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Japan has been struggling to deal with population decline issue which has brought labor shortage. Currently, it is warned that a large number of municipalities will lose their population, and some might disappear by 2040. In order to avoid the disappearance, the government has suggested countermeasures. Acceptance of foreign labor is one of the important means to maintain Japan's labor force and economy, however, Japan has not succeeded in recruiting high-skilled foreign nationals who can be a potential permanent resident and contribute to Japan's economy as well as low birth rate. Once, Japan was in need of cheap labor, the government renewed its immigration policy and began to receive people with Japanese links who are called Nikkeijin. They took part in factory jobs and contributed Japan's economy, however, the economic crisis has brought their return to home country. Thus, Japan has lost the potential permanent residents. Currently, the acceptance of foreign workers is still one of the prescriptions for population decline. The government focuses on accepting "high-skilled workers" rather than importing "immigrants", which resulting in "revolving door migration". In order to attract high-skilled workers and progress their settlement in Japan, more strategic way or realistic immigration policy is needed.

**Key words:** Immigration Policy, Migrant Worker, Nikkeijin

## I . Introduction

Once Japan had been a sending country of immigrants, but now it became the host country of immigrants with post-war economic growth, welcomed the new era of globalization. The wave of war for the talent is now a global trend

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and countries have tried to attract foreign nationals with professional skills. As well as many immigration receiving countries, Japan has been in need of foreign nationals. The share of foreign nationals in Japan has increased rapidly over the last few decades, rising from 0.88 percent of the population in 1990 to 1.76 percent in 2015, representing about 2,232,000 individuals. Nevertheless, Japan faces the serious issues of population decrease and a super-aging society at present<sup>1)</sup>.

In 2014, “Masuda Report” gave a sensational impact, in which the author Hiroya Masuda, the chairman of “Japan Policy Council”, suggested that 896 municipalities would disappear due to the catastrophic population decline by 2040. The report was announced at the subcommittee of Japan Policy Council. Masuda and his fellows calculate statistical data on the premise that urban area receives 60,000-80,000 people from rural area per year. Masuda Report and the population decline map which is made based on his research shocked a lot of policy makers as it suggests majority of municipalities will lose 10-60% of their population. Although everyone knew that majority of cities or towns are already struggling to increase residents, the report concretely points out which municipality will lose what percent of its population that may have been the first attempt. As he intended to warn that how it would be dangerous to leave this issue without strategical measurement, discussion of local community development has been accelerated in every municipality, and acceptance of foreign nationals has been discussed as one of countermeasures of disappearance of cities<sup>2)</sup>.

However, Japan has already experienced labor shortage and accepted foreign workers in the past. What is the difference between the past attempt and the current situation? If there is already a receiving system, how migrant workers have expanded their community in Japan? Compared to major immigration importing countries, there are fewer researches on migrant workers and desirable

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1) Total population of Japan is estimated to steadily decline in the long run from 128.06 million in 2010 to 116.62 million in 2030, to 99.13 million in 2048 and after 50 years to 86.74 million in 2060. In the future, as the total population decreases, the percentage of the elderly will continue to increase. As the elderly population will reach its peak of 38.78 million in 2042, the percentage of the elderly will increase. In 2060, the percentage of the elderly will reach 39.9% with 1 in 2.5 people being 65 years and over (Annual Report on the Aging Society, Cabinet Office Japan : 2016).

2) For a more detailed contents, see "Japan Revitalization Strategy(2013-2016)".

immigration policy for Japan's economy as the number of immigrants and ethnic communities are at low level. Therefore researchers often refer empirical researches which are conducted abroad and apply to Japan. Ogiwara and Nakashima (2014) can be listed as the preceding studies on this issues. They introduce various researches on migrant workers in relation to importing countries and their contribution to economic performance, innovation and etc. using comprehensive data and analysis. Although their paper raises reasonable research result of other researchers, it does not mention the current immigration discussion.

In this paper, in order to reveal the background of the current immigration debate, we explore Japan's immigration system with the latest immigration act to seek the cause of the growth. Then it focuses on ethnic groups in Japan. Brazilian group is featured as a case study. Finally, we discuss the current reform plan of immigration policy and point out a contradiction between expectations and the reality.

## II. Immigration Status and Major Issues

### 1. The Context of Receiving Foreigners in Japan: Old Comers

Immigrants in Japan are classified into two groups: old comers who settled in Japan before the 1980s and new comers who arrived in Japan after the 1980s. Sellek(2001) suggests that the word "old comers" has been adopted to describe Korean and Chinese, special permanent residents who have been in the country since the pre-war period and their descendants<sup>3)</sup>. Above all, Korea has had a relationship with Japan since the end of the nineteenth century so Korean's emigration was already being seen around 1900. Japan annexed Korea in 1910 and since then the number of Koreans has increased gradually, and by 1940, the number has reached 1,000,000<sup>4)</sup>. Although, the number of Koreans decreased considerably in the five years after the Second World War, the aftermath of

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3) Sellek(2001), p.19.

4) MINDAN: Korean Residents Union in Japan

wars made many Koreans remain or re-migrate to Japan. As a result, 640,000 Koreans stayed in Japan after the Second World War, and in doing so became the largest minority group in Japan<sup>5)</sup>.

By the 1970s, Japan's economic and social situation had changed. Although the largest ethnic minority is Korean (includes North Korean), the changes drew the world's attention and became a trigger for an influx of migrant workers or migrant groups in the 1980s. For example, Indo-Chinese refugees have been coming to the country since around 1975 as the government determined to agree to their stay as it met the demands raised from both home and abroad. Also, "Japanese Orphans in China" began to return from China after the Joint Communiqué of the Government of Japan and China. Thus, though the number of foreigners is small, Japan gradually opened its border to migrant workers and refugees.

In the 1970s and 1980s, the progress of Japan's economic growth caused an increase of migrant workers and illegal immigrants. Japan experienced an extraordinary economic growth, while industrial sectors were suffering from serious labor shortages. The sectors in need of labor offered what have been described as 3K meaning *kitanai*, *kiken*, and *kitsui*<sup>6)</sup>. With changes in the Japanese sense of value that people emphasized on educational background, people tended to avoid these 3K jobs. Therefore, migrant workers, not the Japanese, engage in these sectors which resulting in an influx of illegal workers.

## 2. The First Attempt to Receive Foreign Workers: New Comers

By the growing need of migrant labors and a demand for relaxation of the past strict immigration rule which issued quite few visa admission for foreigners, the Japanese Diet approved several amendments to the entry of foreigners; this revised Immigration Control and Refugee-Recognition Act (ICRRA) was enacted in 1990. On the one hand, "the amendments expand the number of job categories for which the country will accept foreign workers, typically on three-year stays. These are mostly in professional occupations such as lawyers, investment bankers,

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5) Korea was divided into north and south, and went to war (the Korean War 1950-53), which made many Koreans hesitate to return to their country.

6) In general, 3K is described as 3D: Dirty, Dangerous, and Demanding in English.

accountants with international expertise and medical personnel”<sup>7)</sup>. On the other hand, the revised act has strict terms for over stayers. Also, the government decided to provide visas for people with Japanese links. This is the most remarkable revision of the new Act in which the government loosened entry of ‘Nikkeijin’<sup>8)</sup>.

Then, ‘Nikkeijin’ was qualified to have the long term resident visa or spouse or child of Japanese national visa. Among these ‘Nikkeijin’, most of them are of Brazilian origin. Because lots of Japanese had emigrated to Brazil since the early twentieth century due to the result of a demographic policy to avoid concentration of population. According to the Ministry of Foreign Affairs, there are currently 1,400,000 Japanese descendants originating from ancestors who migrated to South America from 1908<sup>9)</sup>.

The newly introduced visa status for those people with Japanese links does not impose any limit on the owners’ activities. That is to say, they are able to work in unskilled jobs. Therefore, many companies became to employ ‘Nikkeijin’ legally. And with the growing need of cheap labor, the large number of Brazilian Nikkeijin migrated to Japan and started to work in factories.

Among diversifying ethnic background of immigrants since the end of twentieth century, ‘Nikkeijin’ is the most dominant ethnic group of the subject of the revised immigration act. Compared to Koreans and Chinese as the representative of old comers, they are said to represent the ‘new comers’. Emergence of these new comers gave a new image of immigrants to Japanese, since old comers are not completely different from mainstream Japanese cultural and physical features.

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7) Morita and Sassen(1994), p.160.

8) Sellek(2001), ‘Nikkeijin’ means descendants of Japanese nationals: it refers mainly to South American-Japanese because the large number of Japanese had immigrated to South American countries between 1910s-1970s. The government planned to maintain labor force by providing visas for ‘Nikkeijin’. Therefore, the new immigration control act provides the status of residence of “spouse or child of Japanese national” for the second generation, and the status of residence of “long-term resident” for the third generation, p.75.

9) Referred “the Association of Nikkei & Japanese Abroad” (<http://www.jadesas.or.jp/en/>)

**Table 1.** List of Status of Residence

| Status of residence                                      | Examples   |
|--|--|
| Highly skilled professional visa                         |  |
| Highly skilled professional                              | highly-skilled human resources per “Points System”   |
| Highly skilled foreign professional                      | dependents of the highly skilled foreign professional, etc.  |
| Working visa   |  |
| Professor  | university professor, assistant professor, assistant, etc.   |
| Artist   | composers, songwriters, artists, sculptors, craftspeople, photographers, etc.  |
| Religious activists                                      | religious people such as monks, bishops, missionaries, etc.  |
| Journalist   | newspaper journalists, magazine journalists, editors, news cameramen, announcers, etc.   |
| Business manager   | company presidents, directors, etc.  |
| Legal/Accounting services                                | attorneys, judicial scriveners, public accountants, tax accountants, etc. certified in Japan   |
| Medical services   | physicians, dentists, pharmacists, nurses, etc. certified in Japan   |
| Researcher   | researchers, investigators, etc. at research institutes, etc.  |
| Instructor   | teachers, etc. at elementary schools, intermediate schools and high schools  |
| Engineer/Specialist in humanities /International service | scientific engineers, IT engineers, foreign language teachers, interpreters, copywriters, designers, etc.  |
| Intra-company transferee                                 | people transferred to the Japanese branch (head office of the same company, etc.)  |
| Entertainer  | musicians, actors, singers, dancers, sportspeople, models, etc.  |
| Skilled labor  | chefs specializing in the food of a foreign country, animal trainers, pilots, sports trainers, sommeliers, etc.  |
| General visa   |  |
| Cultural activities                                      | unpaid internships, people studying the tea ceremony or Japanese flower arranging, etc.  |
| Student  | college students, pre-college students, etc.   |
| Training   | trainees in a local government, etc.   |
| Dependent(Family stays)                                  | the spouse and children of a foreign national with working visa, etc.  |
| General visa:<br>Technical intern training               | technical intern   |
| Specified visa   |  |
| Spouse of child of Japanese national                     | spouse of a Japanese national, biological child of a Japanese national   |
| Spouse of permanent resident                             | spouse of a permanent resident   |
| Long-term resident                                       | persons with Japanese ancestry, Indochinese refugee settlers, the spouse or children of Japanese nationals left behind in China, etc.  |
| Designated activities                                    | foreign nationals who wish to enter Japan as personal help privately employed by diplomats, etc., foreign nationals who wish to enter Japan for a working holiday or for paid internships, candidate nurses and care workers who wish to enter Japan based on an EPA, etc. |
| Designated activities                                    | long Stay for sightseeing and recreation   |
| Diplomatic visa  |  |
| Diplomat   | diplomatic agents, diplomatic couriers, etc.   |
| Official visa  |  |
| Official   | administrative and technical staffs of diplomatic missions and members of the service staff, etc.  |

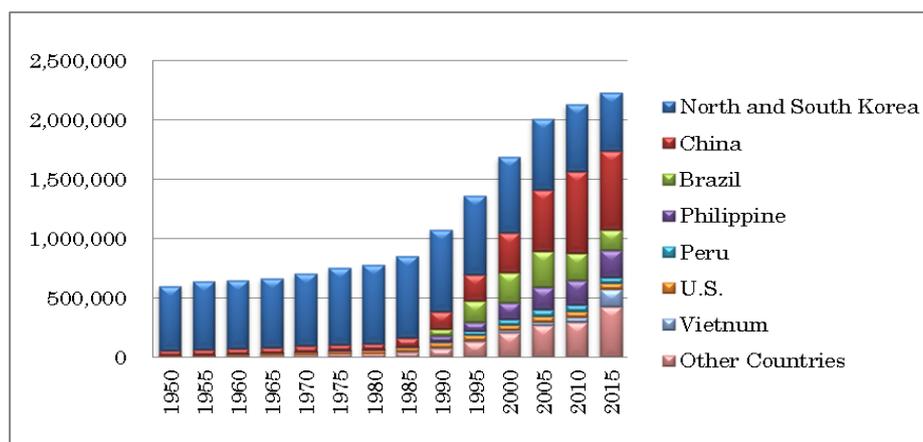
Source: The Immigration Bureau, Ministry of Justice(2016)

### 3. The Current Statistic of Registered Foreigners

Japan's supervision of the border adopts the "status of residence" system. According to the latest Immigration Control and Refugee-Recognition Act (ICRRA), foreigners entering and staying in Japan must belong to one of 27 statuses of residence. These statuses of residence are roughly classified into 23 statuses based on activities such as artist or student, and 4 statuses based on a position such as permanent residence or spouse or child of a Japanese national. Foreigners who stay in Japan for 90 days or more must apply for Alien Registration.

According to the Immigration Bureau of Japan, there are currently about 2,232,000 registered foreign people in Japan. The number constitutes 1.73% of the total population. Although the latest proportion of foreign residents is still the lowest among major Western immigrant receiving countries, it is expected that the proportion will rise from now on. This data suggests that Japan is becoming one of the countries where many nationalities coexist.

However, the actual increase in the number of skilled laborers with relevant visas was far less than other issued visas, while the proportion of long-term residents including spouse or child of Japanese nationals and dependents is high, which means that the majority of registered foreigners are no longer guest stayers nor guest workers, but inhabitants.



Source: Immigration Bureau of Japan 2016, <http://www.immi-moj.go.jp/toukei/>

Fig. 1. The Number of Registered Foreigners

Thus, Japan accepts immigrants from many countries. Especially after it decided to open the door widely for its labor purposes in 1990, it has been meeting more and more numbers of immigrants from other countries. Nikkeijin's entry enabled factories to employ young foreign workers. It is considered that Nikkeijin has greatly contributed to Japan's economy<sup>10)</sup>.

#### 4. Nikkeijin's Settlement and Return

As the previous chapters show, the number of 'Nikkeijin' has increased since the 1990s. The government intended to reduce the number of illegal workers who work in a 3K job by introducing the immigration reform in 1990; however, these 'Nikkeijin' replaced the position of illegal workers<sup>11)</sup>.

Fundamentally, the right of residents is a kind of privilege; it is flexible, advantageous and characteristically works for better ways compared to other foreigners. Regarding the advantages, it can be said that among the strict kinds of the status of residents, their status can be seen as an exception. Such liberty of entry, stay, and work in Japan has drawn a large number of migrant workers. Since Brazil was in economic recession at the same time as Japan announced the 1990 law, whether he/she had a better wage in Brazil, came to Japan for work.

At the beginning, there was a trend in which the aim of their stay was to earn money in a short period of time. However, the environmental situations led them to extend their stay, particularly because of the wage gap between jobs in Japan and Brazil. By diversifying kinds of occupation and chance, those 'Nikkeijin' are in various areas of occupation. After they adapted to their new lives in Japan, their family, relatives, and friends came to the country<sup>12)</sup>. Thus,

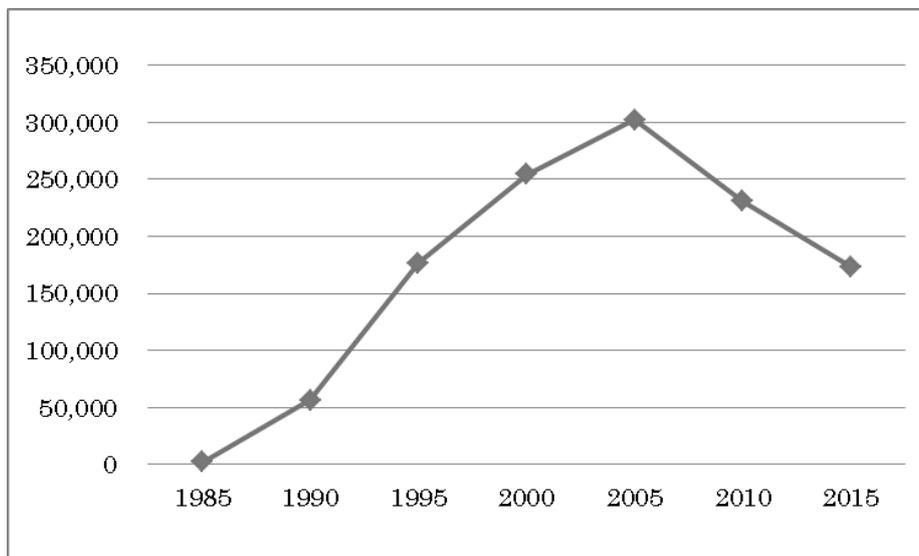
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10) Large number of Nikkeijin took part in factory jobs which are so called "3K job". Japan was in need of labor workers who engage in unskilled jobs.

11) The number of over stayers reached peak in 1993 (about 300,000). There was no precise data before the new immigration was introduced. However, the number of over stayers has decreased since 1993.

12) Newly arrived migrants lead to the second wave of migrant workers which is often described as "chain migrants". Usually, they hear of the advantages of living in receiving countries by their family and so on, and decide to emigrate.

as the number of Brazilians in Japan increase and the length of their stay extended, it was believed that those Brazilians would not leave Japan. The number of Brazilians reached 300,000 and their community was thought to continue developing. However, the sudden arrival of economic recession changed their lives so dramatically.



Source: Author created based on data from Immigration Bureau of Japan 2016.

**Fig. 2.** Tradition of the Number of Brazilian

As the Figure 2 shows, the number of Brazilians in Japan has quickly decreased after the economic crisis. This economic crisis caused by Lehman Brothers bankruptcy has brought serious damage to the primary sectors of economy in which majority of Brazilians had engaged in. Eventually, the large number of Brazilian people lost their jobs and ended up returning to Brazil. Why did they lose their job? Here are some implications; basically majority of Brazilians migrated to Japan worked through human resource companies and their contract terminates within 6-12 months. Therefore, when the contract terminates after the short period of time, they renew the contract or switch their jobs. However, the aftermath of the economic crisis prevented them from renewing a contract and/or finding

a new job. Moreover, these human resource companies give comprehensive support such as housing, translating, offering a new job, and etc. Therefore, they were not able to make ties with local societies which could support their integration to the host society. On the surface of it there are plenty of supports offered by human resource companies, it also becomes an obstacle to their settlement process or integration process. Accordingly, language and cultural barrier remain. As a result, those Brazilian without Japanese language skill became the target of layoff and many returned to their home country<sup>13)</sup>.

As mentioned above, Nikkeijin's settlement progressed and once Brazilian population reached 300,000, but the number became a half quickly after the economic crisis. Outflow of immigrants in such host countries is a rare case in the world, because in many countries short-term workers tends to extend their stay and bring their families and friends, and establish ethnic communities in the host country. However, in the case of Brazilians in Japan, as they relied the base of work and life on labour agencies, the power of the ethnic community or ethnic ties was weak, also adaptation to Japan including breaking language barrier did not proceed. Whereby, when the economic crisis happened they are distressed by language barrier and the lack of supportive networks, resulted in returning home.

## 5. The Current Immigration Debate and Community Development

By the mass return of Brazilians, acceptance of unskilled workers calmed, but as "Masuda Report" indicates labour shortage is an urgent issue. Therefore foreign workers whether they are high-skilled or low-skilled are in need in many sectors in Japan. In particular, due to the rapid population aging, social welfare occupations such as care giving and nursing require large scale of immigration to cover the lack of human resources. The Ministry of Health, Labour and Welfare expects that the percentage of elderly population (aged over 65) will rise from 24% (2012) to 39.4% (2055), and lack of care workers will reach 370,000 by

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13) The Japanese government introduced "voluntary return program (known as pay-to-go program)", which offer 300,000 yen for Nikkeijin willing to return.

2025. Also, determination of 2020 Olympic in Tokyo has provoked new infrastructure demands that require more workers in a construction sector. It can be said that every labour sector is in need of workers since the Japan's population is decreasing at any rate.

Debates over immigration have started to meet these demands. First of all, Japan has joined Economic Partnership Agreement (EPA) between Indonesia (2008), Philippine (2009), and Vietnam (2016)<sup>14)</sup>. According to the Ministry of Health Labour and Welfare, the aim of this agreement is to provide knowledge and experiences in care work sectors for those countries workers, and the deal is not meant to cover the lack of labour. Of course, the care giver shortage is a pressing issue as mentioned above, so the government has discussed to expand foreign trainee system to meet the shortage as well as EPA. There are already the number of trainees from Vietnam and Myanmar and the number has been increasing. Currently the training system does not admit trainees to engage in care work, farming, and construction. It is considered that the current debate will lead to an introduction of these sectors for trainees<sup>15)</sup>.

As Japan's rapid population aging and disappearance of local community has never been seen in any other countries, the government has tried to prepare various ways to intake foreign nationals into Japan. In 2010, the government published "New Growth Strategy"<sup>16)</sup> which states accepting foreign talent is a key to the country's economic growth and revitalization.

Since the "New Growth Strategy" showed the way to a new immigration country, a series of policies were introduced one after another. In the fourth Basic Plan for Immigration Control (2010), "point system" was suggested for the first time over other countries' influence, and the system was applied in 2012. In "Japan Revitalization Strategy (2013~)", acceptance of high-skilled workers along with international students and tourists is seen as a key to boost Japan's economy.

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14) According to the Ministry of Health, Labour and Welfare (2015), Japan has received over 2,000 care workers from those countries.

15) Ministry of Health, Labour and Welfare suggests that Japan will have to secure 380,000 care workers by 2025, so it expects to receive 50,000 foreign care workers.

16) Prime Minister of Japan and His Cabinet (2010) announced the strategy to reconstruct powerful economy after the collapse of bubble economy.

Recently, introduction of “Japanese Green Card” of the point system has just been studied for the future reform. It is thought that by importing other countries immigration system Japan may be able to achieve an influx of foreign nationals with professional skills and tourist who will contribute to the tourism industry. Also, it targets goal of receiving 300,000 foreign students who are a potential skilled labour and a permanent residents. Thus the global war for talent has begun even in the early stage<sup>17)</sup>.

While the government encourages to intake high-skilled foreign workers for sure, there is a gap between what the government say and the reality. For example, it has discussed and renewed some immigration policy to attract high-skilled workers such as professor, business manager, and doctor, however, demand for low-skilled workers is much higher than those jobs. Moreover, the potential high-skilled workers who graduate from Japanese universities tend to choose overseas countries for better lives<sup>18)</sup>.

It can be said that nevertheless of the series of reforms it has not succeeded in attracting high-skilled labors and low-skilled workers. Since Nikkei people left Japan with grief, they would not return to Japan for unskilled jobs as they experienced the serious economic crisis and lost their lives in Japan. The most needed people in Japan is who contribute to fill sectors which does not require national certificates and who contribute to low-birth rate by becoming permanent residents and make new family in Japan. Therefore the government should broaden its immigration policy to accept “immigrants” rather than suggesting to intake high-skilled workers.

However, the government does not admit that the policy is for high-skilled workers but for immigrants. Although the series of these policy debates are obviously an immigration policy to receive “immigrants”, the term “immigrants” is not used in policy debates and the Prime Minister Abe also denies that Japan will be an immigration receiving country. In this context, there is fear of losing votes

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17) Ministry of Education, Culture, Sports, Science and Technology published “300,000 Foreign Students Plan” in 2008.

18) It is considered that Japanese companies tend to require Japanese language skills that is the major hurdle for international students.

as insular identity is still in lots of people's mind. Therefore, it is still considered that there is no immigration issue In Japan as it does not receive "immigrants".

### III. Conclusion

Historically, Japan was regarded as strict and conservative country that rarely accepts foreign people. Actually, the number of registered foreigners and refugees is lower than other immigration receiving countries. However, Japan the most aged society needs human resource than any other countries. With respect to acceptance of foreign human resources, global talent competition has begun in the world. In order to compete with the world, Japan has expanded the framework of the immigration system by introducing new visas and preparing strategies to keep up with the competition. Policy makers in every country pay attention to Japan's policy as it is obvious that number of European and Asian developed countries will face population aging and labour shortage in few decades. It cannot be said that the current Japan's measures made success in maintaining its population, since it has not achieved receiving high-skilled people or unskilled but important labours yet. However, it will encourage every sector to attract foreign residents by organising policies and regulations. For example, education sector seeks international students' career in Japan, and health care sector seeks a possibility of accepting foreign nurse and receiving foreign patients. Except for human labour, robotic devices for nursing services are already seen in some hospitals in Japan. These attempts will be good cases for other countries as one of the countermeasures for tackling labour shortage.

Currently, diversity management has attracted attention in business world. In this case, "diversity" includes women, LGBT, elderly people, disabled people, and foreigners. Researchers suggest these different people with different culture promote innovation. Therefore, it is considered that the government will urge managers to receive new employees with these attributes. In order to increase the number of foreigners Japanese companies have to change work environment

otherwise high-skilled people will go to better country for better future. That is the global war for the talent. If companies succeed in the global war, people come and innovation will be more widespread in Japan.

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