

Talking Points: Comments

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1. Current Measures taken by Japanese government relating to Admission of Ukrainians

(1) Consideration for extension or change of status of residence in favour of Ukrainian residents in Japan (Press release issued by Immigration Service Agency)

Cf. Measures taken after the coup in February 2021 for Myanmar residents in Japan
(See: <https://www.moj.go.jp/isa/content/001349767.pdf>)

(2) Commitment of non-refoulement even of Ukrainians for whom writ of deportation has been issued (Press release, op. cit.)

(3) Issuing visas for short stay (up to 90 days) to Ukrainians who have close relative or friend in Japan (Sankei Shinbun, 6 March)

2. Observations on these Measures

(1) Possibility for extension or change of status of residence

In the case of Myanmar residents, status of residence issued to them is “designated activities” which does NOT secure national treatment in the field of social security or welfare.

(2) Admission of new evacuees

A relatively new precedent, but too small and subject to surety

Cf. Admission of Indochinese (mainly Vietnamese) “refugees” for establishment in Japan

Question to Ambassador Dr. Reiterer:

What do you think Japanese measures relating to admission of Ukrainians?

3. Historical Perspectives

(1) How far do we go beyond dichotomy between enemies and friends?

Treatment of American deserters during the Vietnamese War

Vs.

Admission to some extent of Indochinese “refugees”

(2) How far can we make decoupling humanitarian reliefs from considerations on the level of jus ad bellum?

Cf. Problem of Afghan “refugees” after the September 11 attack and American War on terror in 2001: Too broad effect of SC Res. 1373, paras. 3 (f) and (g)?