

## The Amnesty for Long-Residing Unauthorized Foreigners by Acquisitive Prescription

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It is very difficult for long-residing unauthorized foreigners to obtain amnesty (special residence permit) in Japan, because the decision depends on the arbitrary discretion of the Minister of Justice. To establish certain clear and objective standards for deciding, it may be useful to apply the doctrine of acquisitive prescription for long-residing unauthorized foreigners. Acquisitive prescription is a property doctrine that permits an intruder who fulfills certain statutory requirements to acquire legal title to the land. A special residence permit in Japan also allows long-residing unauthorized foreigners with special circumstances to obtain legal resident status. There are some resemblances between the two. This thesis focuses on how the principles of acquisitive prescription could be applied to unauthorized foreigners who have lived in Japan for a certain number of years so that they may acquire legal resident status.