

## **Chapter 8.**

### **Contribution to International Society and Proper Handling of Foreign Worker Problems**

#### **Section 1. Positive Participation in and Cooperation with International Organization Activities**

In recent years, moves in the international society and domestic policies have become connected each other in many fields of health, labour and welfare administration. For instance, there is a concern that measures against infectious diseases such as avian/pandemic influenza could make a tremendous impact on global economic societies across borders, and efforts to stabilize employment system under the economic crisis has become the universal issues. Accordingly, it has become important to take appropriate measures in the activities through international organizations including WHO and ILO, or bilateral cooperation in order to secure the public health and their stable lives.

##### **1. Activities through WHO**

World Health Organization (WHO) is an international organization that implements measures against infectious diseases, drug and food safety measures, and health promotion measures with the aim of all people achieving their highest possible level of health. Japan has been positively participating in deliberations and making decisions as part of the WHO Executive Board and Assembly and was assigned as one of 34 Executive Board members for the 3 year term from May 2009 to May 2012. Margaret Chan has been assuming the Director-General since March 2007.

On June 12, 2009, WHO declared to raise the pandemic alert of Influenza to Phase 6 (pandemic or global epidemic) in response to the worldwide spread of novel H1N1 Influenza A (formerly known as Swine Flu). Having taken prompt measures after the outbreak at home, Japan has been rapidly disseminating accurate information on the domestic measures/efforts and promoting international cooperation.

The revised International Health Regulation (IHR) was adopted by the World Health Assembly in May 2005 and entered into force in June 2007 with the aim of ensuring the maximum security against the international spread of diseases. IHR defined obligations to report to WHO “any events that could become a global threat to public health regardless of reasons” within 24 hours after assessment, followed by continuous report on the detailed information about public health afterward. The outbreak of novel influenza A (H1N1) in Japan was reported to WHO based on this regulation.

Furthermore, the “WHO Framework Convention on Tobacco Control”, which aims at protecting current and future generations from the effects of smoking on health, society, the environment, and the economy, came into effect in February 2005, which Japan accepted in June 2004. The “Guidelines on the protection from exposure to tobacco smoke” was adopted at the 2nd Conference of the Parties held from June to July 2007.

## **2. Activities through the ILO**

The international Labour Organization (ILO) is an international organization that tackles issues in the field of labour with the aim of contributing to realizing social justice through the improvement of working conditions. The ILO is characterized by the tripartite structure which consists of governments, workers’ and employers’ organizations.

In recent years, the ILO invented the idea of “Decent Work for All” and has been working toward its realization. In response to the announcement of the “Asian Decent Work Decade” at Asian Regional Meeting in September 2006, the Ministry of Health, Labour and Welfare, recognizing decent work as such work or working styles which fulfill desires which people have in their working lives and realization of which the MHLW should strive for, has been conducting activities for this goal in cooperation with workers’ and employers’ organization.

The ILO has its annual conference in June in Geneva to have discussions on various labour issues for the improvement of working conditions which include the development of the instruments such as ILO Conventions. At the Conference in

2008, the “ILO Declaration on Social Justice for a Fair Globalization” was adopted. In addition, regional and industrial sectoral meetings are regularly held.

At the Conference in June 2009, ILO Summit on Global Jobs Crisis was held to discuss measures for employment and social policies under the current economic and financial crisis.

### **3. Activities through OECD**

The Organisation for Economic Co-operation and Development (OECD) is an international organization that aims at contributing to economic growth through exchanging opinions on economic/social issues that developed nations share. The Ministry of Health, Labour and Welfare is actively participating in meetings on health and medical care, social security, and employment.

At present follow-up activities are being carried out in accordance with the “Restated OECD Jobs Strategy” that was published in June 2006 (revised edition of the “OECD Jobs Strategy” compiled in 1994). In addition, information exchange and policy analysis regarding the measures for the recent economic crisis are being implemented. Japan is actively contributing through participation in research activities of individual countries.

The results of aforementioned follow-up activities and measures for the economic crisis taken in the labour market and social policies are to be discussed at the OECD Labour and Employment Ministerial Meeting in September 2009.

### **4. Activities through G8 and ASEAN**

The G8 Labour and Employment Ministers Meeting, one of the related ministers meeting of the G8 Summit (meeting of the government heads of developed nations) is held for the purpose of sharing each other’s knowledge and taking measures against employment/unemployment issues. In March 2009, the G8 Labour and Employment Ministers Meeting was held in Rome, Italy to discuss the impacts on the labour market caused by the global economic crisis that had started in the autumn of 2008. In May 2008, a G8 Labour and Employment Ministers Meeting was

held in Niigata City to discuss “realization of well-balanced lives keeping harmony with prolonged longevity; political contributions to vulnerable workers and regional disparities; and work and global environment.”

The G8 Hokkaido Toyako Summit, which was held in July 2008, focused on health-related Millennium Development Goals (MDGs), and released the “Toyako Framework for Action on Global Health”, which incorporated the principles actions in the field of health care. Through the Framework, agreement was made to take actions for infectious diseases; maternal, newborn and child health; and health systems strengthening including human resource development of health workers. Japan has been leading global discussions through taking various measures such as hosting the international conferences on three major infectious diseases in May and on health system strengthening in November 2008.

To further build a cooperative relationship among the Association of Southeast Asian Nations (ASEAN), Japan, Korea, and China, the ASEAN+3 Health Ministers Meeting, Labour Ministers Meeting, and Ministerial Meeting for Social Welfare and Development has been held on the following themes.

In December 2007, the ASEAN+3 Health Ministers Meeting and Ministerial Meeting for Social Welfare and Development were held in Hanoi, Vietnam with "Mainstreaming persons with disabilities in development: lessons and actions for the future" as the main topic. In May 2008, an ASEAN+3 Health Ministers Meeting and Labour Ministers Meeting were held in Bangkok, Thailand with "Promotion and Enhancement of Decent Work for the Vulnerable Categories of Labour" as the main topic. In October 2008, an ASEAN+3 Health Ministers Meeting was held in Manila, Philippines with the topic of “Trade liberalization: negative effects to borderless health issues.” In addition, the Special Meeting of ASEAN Plus Three Ministers of Health on Influenza A (H1N1) was held in Bangkok in May 2009 for the purpose of jointly taking measures by ASEAN + 3 (China, Japan and Korea) against the issue of novel influenza, which has been spreading worldwide. Furthermore, the Ministry of Health, Labour and Welfare is actively making cooperation in respective field through the framework of ASEAN+3 (described later).

Furthermore, the Ministry participates in the Asia-Europe Meeting (ASEM) of Labour and Employment Ministers Conference that aims at establishing an

interactive/cooperative relationship between Asia and Europe.

Beyond that, the Tripartite Health Ministers Meeting (THMM) between China, Japan and Korea has been held since 2007. In November 2008, the 2nd Tripartite Health Ministers Meeting was held in Beijing, and the “Tripartite Joint Action Plan for Countermeasures for Novel Influenza” was signed. In 2009, the THMM is scheduled to be held in Tokyo.

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<sup>1</sup> "From Okinawa to Toyako: Dealing with Communicable Diseases as Global Human Security Threats" was co-hosted in Tokyo for May 23-24.

<sup>2</sup> G8 Hokkaido Toyako Summit Follow-up “International Conference on Global Action for Health System Strengthening” was co-hosted in Tokyo for November 3-4.

## **Section 2. International Contribution through Human Resource Development**

### **1. Technical Cooperation in the Fields of Health, Labour and Welfare**

The Ministry of Health, Labour and Welfare is contributing to the development of human resources and systems in developing countries through technical cooperation that includes conducting workshops, dispatching experts, and accepting trainees in the fields of health and medical care, water supply, social welfare, employment environment improvement, and vocational ability development, and utilizing the knowledge and experience of Japan via international organizations such as WHO and ILO, in cooperation with the Ministry of Foreign Affairs and Japan International Cooperation Agency (JICA).

### **2. Major International Cooperation Programs of the Ministry of Health, Labour and Welfare**

#### **(1) International Cooperation in the Field of Health and Medical Care through WHO**

For the purpose of strengthening measures against new/re-emerging infectious diseases such as avian/pandemic influenza through WHO, efforts are being made to enhance the Global Outbreak Alert and Response Network (GOARN) led by WHO through dispatching experts and technical cooperation, mainly at the National Institute of Infectious Diseases and the International Medical Center of Japan. Furthermore, the Ministry of Health, Labour and Welfare is making international cooperation in the field of health and medical care through UNAIDS (Joint United Nations Programme on HIV/AIDS) in responding to the increase in infectious diseases such as HIV/AIDS.

#### **(2) Technical Cooperation in the Field of Labour through ILO**

In the field of labour, voluntary contributions have been made to ILO, which possesses accumulated knowledge, experiences and wide range of capable specialists, to implement technical cooperation programmes (multi-bilateral

programs) in specific countries or regions. Currently, a programme on securing worker's health has been implemented in collaboration with WHO and ILO. Other projects such as securing employment for youth, appropriate management of workers crossing international borders, and training program of Japanese technical officers have been in progress.

In addition, ASEAN Industrial Relations project had been supporting the establishment of sound industrial relations in ASEAN from FY2002, upon requests from ASEAN countries. From FY2008, this project has been implemented as a technical cooperation project with ILO multi-bilateral scheme.

### **(3) International Cooperation in the Field of Human Resource Development**

As human resource development is becoming of critical importance to developing countries, efforts are being made to cooperate in establishing and improving vocational skill evaluation systems and provide support for nurturing and securing possible leaders of private manufacturing workplaces through programs such as the "program to promote the transfer of vocational skill evaluation systems" in cooperation with Japanese-affiliated enterprises to nurture and secure a high quality workforce mainly in East Asia, where economic interdependence with Japan has been increasing.

In addition, cooperation in the establishment and management of human resource development facilities in developing countries, dispatching human resource development experts, and accepting of trainees in the field of human resources development are being implemented in cooperation with the Ministry of Foreign Affairs and the Japan International Cooperation Agency.

Furthermore, international cooperation programs are being implemented which include various training programs through such frameworks as the Association of Southeast Asian Nations (ASEAN), Asia-Pacific Economic Cooperation (APEC), and the Regional Skills and Employability Programme in Asia and the Pacific (SKILLS-AP).

Programs where government-sponsored foreign students from the concerned countries are being accepted have been implemented in cooperation with the Polytechnic University of Japan to help developing countries nurture leaders in the

field of human resource development.

#### **(4) ASEAN and Japan High Level Officials Meeting on Caring Societies**

The ASEAN and Japan High Level Officials Meeting on caring society has been held since FY 2003 by inviting high level governmental officials who are responsible for social security and health care policies from 10 ASEAN countries and with the aim of improving human resource development in the field of social security and health/medical care as well as improving cooperative relationships with Japan. In September 2008, the 6th meeting was held in Tokyo to share information/experiences, mainly focusing on sound development of the next-generation with the topics on cooperation between social security, health, and medical services and human resource as well as community development. The 7th meeting is scheduled to be held in Tokyo at the end of August 2009.

The meeting has been conducted as a cooperative program with the ASEAN+3 Health Ministers Meeting, and Ministerial Meeting for Social Welfare and Development.

#### **(5) ASEAN/Japan HIV/AIDS Workshop**

In order to promote measures against HIV/AIDS in ASEAN regions, workshops have been held with officials in charge of addressing HIV/AIDS and the medical staff of referral hospitals from ASEAN countries invited since 2003. In FY2008, 3-day workshops were held at the International Medical Center of Japan in February for the purpose of sharing the recent progress for measures against HIV/AIDS in each country and deepening understanding about new issues related to anti-HIV drug treatment and HIV infections to children.

#### **(6) Training Program of Leaders in Labour Administration**

The Ministry is contributing to voluntary development in the field of labour in Asian countries through inviting administrators, leaders in labour administrations, or candidate middle-management executives from Asian countries, including China, to provide training on situations seen in the industry/labour and management systems of enterprises in Japan and exchange opinions on facilitating the enhancement of

human resource/labour management abilities, labour-management relationships, and abilities to establish/improve working environments.

## **Section 3. Promotion of Bilateral Cooperation**

### **1. Bilateral Cooperation in the Fields of Social Security and Health/Welfare**

As Japan is the most rapidly aging country in the world, it is important to verify the characteristics and problems of the existing systems in Japan compared to those of other countries in addressing common issues and making them references for policy making in Japan. In consideration of this, a seminar on “dementia and ethics, dementia and technology” was held with Nordic countries in Norway In May 2007. In 2008, opinions were exchanged with Australia on the issues concerning lifestyle related diseases, which are common to both countries.

### **2. Bilateral Cooperation in the Fields of Employment/Labour**

In order to solve common issues in the fields of employment/labour that developed nations face with the advancement of the global economy, it is important to conduct bilateral talks on these policies with the participation of labour-management. In consideration of this, discussions and information exchanges on common issues regarding employment problems have been made with the Korean government, labour, and management in April 2006 and with the German government, labour, and management in November the same year. In addition, a Japan-France Seminar (on topic of “Promotion of Employment of Women and Work-Life Balance”) was held in France in November 2007, an EU-Japan Symposium (on topic of “Diversification of forms of work and employment”) was held in Tokyo in January 2008, and Japan-France-Germany Trilateral Symposium (on topic of “Long-term Care System”) was held in Tokyo in February 2009.

## **Column**

### **Japan-Germany-France Trilateral Symposium**

“Japan-Germany-France Trilateral Symposium” was held in Tokyo in February 2009 for the purpose of exchanging information and holding a discussion on experiences, issues, and measures of Japan, Germany, and France in terms of the declining number of children and the aging of society, which are common issues for these three countries. At this symposium with a main theme of long-term care, opinions were lively exchanged on: (1) care for the elderly with dementia; (2) establishment of a system that enables the public to safely receive long-term care; (3) definition and method for assessment of the persons requiring long-term care; and (4) provision of optimum service in accordance with each elderly’s situation.

This symposium was planned based on the inquiries from Germany and France that they would like to learn Japanese long-term care system. Japan has now become an advanced country in terms of measures for aging society with a system that has impacts on other advanced countries.



Japan-Germany-France Trilateral Symposium in February 2009.

(from left) delegations from France, from Japan (Vice-Minister for Health, Labour and Welfare), and from Germany

## **Section 4. Response to Globalization of Economy**

### **1. Activities through WTO**

As the global economy progresses and an active flow of people, goods, and capital across borders takes place, issues with the international economy are becoming more important to the Ministry of Health, Labour and Welfare. The World Trade Organization (WTO) has been making negotiations based on the “Doha Development Agenda” agreed upon at the 4th Ministerial Conference in 2001 (Doha Round). The Ministry of Health, Labour and Welfare is actively participating in WTO activities, such as negotiations of trade in services, taking into consideration its effects both on the vitalization of the economy and on Japan.

### **2. Economic Partnership Agreement (EPA)**

Following the conclusion of the bilateral Free Trade Agreement (FTA) and the Economic Partnership Agreement (EPA) to complement trade liberalization within the multilateral trading system of WTO, bilateral economic partnership has further accelerated and expanded worldwide since the 1990s. At present agreements with Singapore, Mexico, Malaysia, Chile, Thailand, Indonesia, Brunei, ASEAN as a whole, and the Philippines have already been put into effect and agreements with Vietnam and Switzerland have also been signed. In addition, negotiations with several countries/regions including Australia and India are underway.

Negotiations with these countries mainly deal with issues such as the liberalization of trade in goods and investment. In the field of Health, Labour and Welfare, issues such as liberalization of the trade in services and “movement of natural persons” are being dealt with. Especially the Japan-Philippines Economic Partnership Agreement and Japan-Indonesia Economic Partnership Agreement has enabled Filipino/Indonesian candidates for nurses and certified care workers to stay in Japan under certain conditions to acquire national qualification in Japan and work after that acquisition.

### **3. Other Economic Negotiations in the Fields of Health, Labour and Welfare**

The Ministry is engaging in bilateral economic talks which involve issues such as pharmaceuticals, medical devices, and food. These include the “Regulatory Reform and Competition Policy Initiative” established under the “US-Japan Economic Partnership for Growth” announced at the Japan-US Summit meeting on June 2001, the “Japan-EU Regulatory Reform Dialog” that has been conducted since 1994, and the “Japan-China Economic Partnership Consultation” that started in 2002.

## **Section 5. Proper Handling of Foreign Worker Problems**

### **1. Improving Working Environment for Foreign Residents in Japan including those of Japanese Descent and Support for their Job Displacement**

Since the autumn of 2008, dismissal or refusal to renewal employment contract have been underway for foreign residents including those of Japanese descent, who are dispatched/contracted workers of unstable employment. As a result, visitors to Hello Work have been increasing in the areas which have high concentrations of foreign residents. They are facing severe conditions for re-employment due to being unfamiliar with the Japanese language, or Japanese employment practices as well as insufficient working experiences.

Accordingly, Hello Work and local governments are jointly identifying/analyzing accurate employment situations of Japanese descent mainly in regions where many Japanese descents live by integrating the information obtained at desks of Hello Work or local governments with the one acquired through a reporting system for employment situation with foreign workers.

Based on the information identified/analyzed in this way, Hello Work and local governments are providing employment and daily supports that accurately reflect the actual conditions in each region.

More concretely, information provision and establishment of counseling system have been implemented with cooperation between Hello Work and local governments, for instance through setting up counseling desks placing interpreters whose mother language is Spanish or Portuguese, etc. Among these measures, Hello Work is utilizing employment promotion navigators for Japanese descent, effectively making use of various subsidies and programs to secure stable housing, actively promoting to create employment and job opportunities for workers. In addition, since FY 2009, flexible counseling/support system has been enhanced through increasing the number of interpreters and counselors, and employment preparation training has been provided to upgrade skills including Japanese language skills of job displaced people of Japanese descent who desire reemployment in Japan. Furthermore, repatriation assistance grant has been

provided to foreign residents of Japanese descent, including their families, who wish to return to their home countries.

Moreover, Hello Work has been improving employment management and providing advice and guidance to support reemployment in a well-planned and flexible manner based on the guidelines established for business owners to appropriately cope with improved employment management of foreign workers. More specifically, employment maintenance and prevention of thoughtless dismissal, as well as guidance/enlightenment concerning efforts for reemployment support have been implemented in addition to publicizing and enlightenment of labour insurance/social insurance and labour related laws. Additionally, improved working environment for foreign workers has been promoted such as through career design for unemployed people of young Japanese descent.

## **2. Employment Promotion for Foreign Workers in Professional or Technical Fields**

With regard to efforts to promote employment for foreign workers in “professional or technical fields”, the “High-Grade Worker Acceptance Promotion Committee”, which was organized by industry, government, academia and labour under the supervision of the Chief Cabinet Secretary, strengthened the importance of creating innovation through accepting high-grade foreign workers with various values, experiences, know-how, and skills. Accordingly, domestic employment support, including support for foreign students in Japan, has been provided in cooperation with universities and local governments utilizing the nationwide network of Hello Work, mainly at Employment Services Centers for Foreign Workers. In addition, improved employment management for foreign workers at enterprises is being supported to help foreign workers display their abilities and facilitate their adaptation to the workplace.

In addition, in view of the “Plan for 300,000 Exchange Students (Outline)” compiled by this committee and related ministries and agencies, internship for foreign students has been promoted by enhancing cooperation between universities and economic organizations aiming at promoting domestic employment of high-grade

foreign students in Japan.

### **3. Smooth and Appropriate Acceptance of Foreign Candidates for Nurses and Certified Care Workers based on an Economic Partnership Agreement**

Aiming at enhancing cooperation of economic activities, acceptance of foreign candidates for nurses and certified care workers based on an economic partnership agreement has been exceptionally implemented within a public framework based on a bilateral agreement in the fields where Japan had not accepted these candidates. (The maximum number of accepted candidates has been set in order not to cause negative impact on the labour market).

The Japan-Indonesia Economic Partnership Agreement was entered into force on July 1, 2008, and 208 Indonesian candidates for nurses and certified care workers (104 nurses and 104 care workers) were accepted in August 2008. In 2009, candidates who signed employment contract with an organization to accept candidates will be accepted in November.

The Japan- Philippines Economic Partnership Agreement took effect on December 11, 2008, and 283 Filipino candidates for nurses and certified care workers (93 nurses and 190 care workers) were accepted in May 2009. Candidates for certified care workers to attend school will be accepted (up to 50 candidates) in late September.

The Japan International Corporation of Welfare Services (JICWELS) is positioned as an only coordinating organization for acceptance of foreign candidates for nurses and certified care workers in Japan with the aim of facilitating fair and neutral placement and appropriate acceptance of candidates. In addition, efforts have been made in partnership with JICWELS to provide employment and training support at the institutions to accept candidates for the purpose of providing appropriate employment/training to obtain national licenses to foreign candidates for nurses and certified care workers so that the candidates can obtain national licenses during the duration of stay approved by the Agreement and continue to stay in Japan after acquiring licenses.

#### **4. Proper Implementation and Revision of Industrial Training and Technical Internship Program**

The “Industrial Training and Technical Internship Program” does not aim at securing labour forces, but is designed for the purpose of making international cooperation to developing countries through technical transfer. Nevertheless, some trainees are in effect being treated as low wage workers by some organizations, and there have been some cases of violations of labour related laws such as non-payment of wages to technical interns. In consideration of these, efforts are being made to ensure the proper implementation of the system through strengthening visiting consultations. Furthermore, the draft legislation to amend the Immigration Control and Refugee Recognition Act was presented at a regular Diet session in FY 2009 and approved in July, which specified that measures should be taken in order that conventional trainees can learn and acquire skills under the protection of labour related laws,