

Section 11

Contribution to International Society and Proper Handling of Foreign Worker Problems

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 participation in international organizations including WHO and the International Labour Organization (ILO), or bilateral cooperation in order to secure the public health and their stable lives.

(1) Activities through WHO

The World Health Organization 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 at the WHO Assembly and Executive Board. Japan contributes to policy making at WHO as one of 34 Executive Board members for three years from May 2009 to May 2012.

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. Japan also has provided free fund assistance to contribute to vaccination in developing countries.

The revised International Health Regulation (I H R (2005)) 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. (For details, please refer to Section 3 Chapter 1.)

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. In May 2010, the symposium on the World No Tobacco Day, which is designated by the WHO headquarters, took place for the first time in Tokyo (See Section 5-3-(3) in Chapter 2)

(2) Activities through 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, employer and worker representatives. The tripartite representatives of Japan actively participate in discussions at the International Labour Conference and the Governing Body, and the Japanese government is a titular member of the Governing Body. ILO draws up international labour standards expressed in the form of Conventions and Recommendations, and Japan has ratified 48 ILO Conventions. In recent years, the ILO invented the idea of “Decent Work for All” and has been working toward its realization. Putting the Decent Work Agenda into practice is achieved through the implementation of the ILO's four strategic objectives; a) creating jobs; b) guaranteeing rights at work; c) extending social protection; and d) promoting social dialogue. 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.

Every June, the ILO has its annual conference in Geneva to have discussions on various labour issues and the development of the instruments such as ILO Conventions for the improvement of working conditions. The Conference in 2009, where discussions were held on employment and social policies to respond to the economic and job crisis triggered by the financial crisis in the United States, adopted the “Recovering from the crisis: Global Jobs Pact” . The GJP includes various measures, such as support for the poor, strengthening of public employment security service and job creation in the growth areas, which are consistent with the recent employment measures in Japan.

(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 the 7th OECD Labour and Employment Ministerial Meeting, which was held in September 2009, discussions were made on a) employment measures during the economic crisis; b) activation policy under the economic crisis; and c) employment measures for young people, and Mr. Hiroyuki Nagahama, Senior Vice-Minister, Ministry of Health, Labour and Welfare addressed the speech on the ideas concerning employment measures taken by the new administration. At the meeting, agreements were reached: that injection of resources will be continuously required for employment measures, including securing of safety net for the unemployed and low-income people; that support for young people is needed at an early stage; and that improvement in support for job seekers, support to qualification acquisition and strengthening of cooperation with school education are needed. The communiqué (official announcement at diplomacy meetings) was compiled.

(4) Activities through G8, G20 and ASEAN

1) Activities through G8 and G20

As part of the related ministers' meeting of G8 (meeting of the government heads of developed nations) and G20 (meeting of the government heads on finance and global economy), the Labour and Employment Ministers Meeting 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. Furthermore, based on the instructions made by the government heads at the G20 Pittsburg Summit in September 2009, the first ever meeting of G20 Labour and Employment Ministers took place in Washington DC in April 2010. At the meeting, the "recommendations" conveyed to G20 leaders were compiled and was directly reported to the US President Barack Obama after the meeting. At the G8 Summit in L'Aquila in July, the agreement was made on the necessity to reinforce measures in each field of Millennium Development Goals (MDGs) including water/sanitation, health and education. Furthermore, a consensus was reached to promote "Toyako Framework for Action on Global Health"-- actions for infectious diseases, maternal, newborn and child health, and health systems strengthening including human resource development of health workers, which was declared at the G8 Hokkaido Toyako Summit

that took place in July 2008.

In addition, aiming at strengthening cooperation among each nation to improve global health crisis management, the Global Health Security Initiative (GHSI) is held every year as a conference of the health ministers from G7 (Japan, Canada, USA, UK, France, Germany and Italy), Mexico and the European Commission (EU). In December 2009, the ministerial meeting was held in London, and the joint statement was adopted on the novel influenza control.



G20 Labour and Employment Ministers Meeting

(Vice Minister of MHLW Hiroyuki Nagahama - 4th from the left in the middle row, U.S. Labor Secretary Hilda Solis- 5th from the left in the front row)

2) Activities through ASEAN +3

To further build a cooperative relationship among the Association of Southeast Asian Nations (ASEAN), Japan, Korea, and China, the ASEAN+3 Ministerial Meetings have been held. Concerning the health and labour administration, the ministerial meetings have been held in each field of health, labour and social welfare, and Japan actively participates in the meetings. In May 2009, the Special Meeting of ASEAN Plus Three Ministers of Health on Influenza A (H1N1) was held in Bangkok, and their joint statement was adopted on the actions that each country should carry out such as surveillance of occurrence status of infectious diseases and the measures that each country should work together such as the establishment of Hot Line. In May 2010, the ASEAN +3 Labour Ministers Meeting was carried out in Hanoi, and discussion was made on the measures for human resources development under the economic crisis and international cooperation for ASEAN.

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.

Moreover, at the 3rd Tripartite Health Ministers Meeting that took place in November 2009 in Tokyo, the “Memorandum on Tripartite Cooperation by Japan, China and Korea on Food Safety” was signed, and the “Joint Statement of 3rd Tripartite Health Ministers Meeting” was adopted. (See Section 3-1-(2) in Chapter 1.)

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 WHO and ILO and other international organizations, ASEAN and the Asia-Pacific Economic Cooperation (APEC) in cooperation with the Ministry of Foreign Affairs, Japan International Cooperation Agency (JICA) and private organizations.

(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 to developing countries and technical cooperation, mainly at the National Institute of Infectious Diseases and the International Medical Center of Japan. Furthermore, personal and financial assistance has been extended through UNAIDS (Joint United Nations Programme on HIV/AIDS) in responding to the increase in infectious diseases such as HIV/AIDS. Accordingly, the Ministry of Health, Labour and Welfare is making international cooperation in the field of health and medical care in various fashions.

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 programs (multi-bilateral programs) in specific countries or regions. Currently, the following projects are implemented concerning: Promotion of Decent Work for Youth in Sri Lanka ; Managing of Cross Border Movement of Labour in Southeast Asia; ASEAN-ILO/Japan Industrial Relation(IR) project ; In addition, WHO and ILO are working

together for “Effective Implementation of National OSH Programme for Improving Safety and Health at the Workplace in Vietnam”

Since FY 2009, supporting has been provided to realize the “Green Job Initiative (Employment Measures Responding to the Environmental Issues such as Climate Change)”, and the support projects have been implemented to realize corporate activities with low environmental impact.

3) International cooperation in the field of vocational abilities development through private companies and JICA

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.

4) International cooperation to the ASEAN region and China, etc.

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. From the end of August 2009, the 7th meeting took place in Tokyo. The participants actively discussed common challenges and activities to address these challenges which they intend to pursue in the future at the national and regional levels in order to realize an inclusive society (self-sufficiency, self-fulfillment and social participation of people with disability) including health and social welfare services for children with disabilities. The 8th meeting is scheduled to be held in Tokyo at the end of August 2010. This meeting has been conducted as cooperative program with ASEAN+3 Health Ministers Meeting and Ministerial Meeting for Social Welfare Development.

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.

In cooperation with private organizations, 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 invite them to Japan and provide them with training at the companies in Japan concerning industry/labour and management systems and exchange opinions on facilitating the enhancement of human resource/labour management abilities, labour-management relationships, and abilities to establish/improve working environments.

5) Proper implementation and revision of industrial training and technical internship program

The “Industrial Training and Technical Internship Program” *1 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 and guidance to the organizations and companies that accept interns and telephone counseling offered in the mother languages of trainees and technical interns. Furthermore, the revised Immigration Control and Refugee Recognition Act, which stipulated that measures should be taken in order that conventional trainees can learn and acquire skills under the protection of labour related laws, was promulgated on July 15, 2009 and enforced on July 1, 2010.

Following amendments were made in the revised Act, which are reflected in the Ministry of Justice Ordinance:

- a) to create a status of residence of "Technical Intern Training" and apply labour related laws and regulations to trainees receiving on-the-job training;
- b) to add acts such as mediation of technical intern trainees for illicit purpose to the

- reasons for deportation in order to take measure against vicious brokers;
- c) to extend suspension period for accepting technical intern trainees from three to five years targeting serious illicit acts; and
 - d) to strengthen the system of guidance and supervision for organizations and corporation to accept trainees and to eliminate vicious organizations to dispatch trainees.

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, opinions were exchanged with Australia in 2008 on the issues concerning lifestyle related diseases, which are common to both countries. In May 2009, the seminar was held in Finland by Japan and the Northern European countries on “a) private and public care/service provision for older people; b) promotion of wellbeing in old age ; c) support of family/informal care.” In January 2010, Japan-France Seminar took place in France (with the themes of “Finance of medical system” and “Coordination between medical care and long-term care”).

(2) Bilateral cooperation in the fields of employment/labour

In order to address 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. Accordingly, in February 2010, discussions and information exchanges were conducted in Berlin on “demographic changes”, “employment policy” and “long-term care issues” with the German government, labour and management. In March, the Japan-EU Symposium was held in Brussels, Belgium (with the theme of “safer and healthier workplaces”). In June, the Japan-China Exchange Program took place in Beijing, China (with the theme of “measures for employment issues in the post-financial crisis.”

*1 For detailed information on the “Industrial Training and Technical Internship Program”, please refer to the following website:

The Ministry of Health, Labour and Welfare

<http://www.mhlw.go.jp/bunya/nouryoku/gaikoku/index.html>

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, the Philippines, Switzerland and Vietnam have already been put into effect. 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 “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 permits Filipino/Indonesian candidates for nurses and certified careworkers to enter Japan under certain conditions, to take training program and work for the purpose of acquiring national qualification in Japan and to work in Japan after the acquisition of qualification.

(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.

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

Most of foreign residents in Japan including those of Japanese descent used to engage in the manufacturing process of the manufacturing industry as “dispatched/contracted workers” of unstable employment. These foreign workers living in Japan could devote themselves to their work thanks to the support for their daily lives including housing provided by dispatch business operators and contractors. Nevertheless, due to the rapid deterioration of employment/unemployment situations, these foreign workers living in Japan lost their jobs and houses, and as a result, many of them visit Hello Work in the area, where many Japanese descents live, to seek their employment. These workers have long engaged in their works and simple tasks via interpreters arranged by dispatch business operators. Accordingly, they have difficulty in re-employment due to being unfamiliar with the Japanese language and Japanese employment practices as well as insufficient working experiences. Competition with Japanese job seekers also makes reemployment of foreign workers living in Japan harder.

Accordingly, additional interpreters in the mother language of these workers, such as Spanish and Portuguese, have been placed at Hello Work intensively in the areas where a large number of Japanese descent live with the aim of facilitating job seeking activities mainly at Hello Work for those who have difficulty in career counseling, etc. due to insufficient command of Japanese language. In addition to strengthening the function, one-stop counseling desks, where various counseling for example about daily life can be provided, have been established in partnership between Hello Work and municipalities in order to develop the system for information provision and counseling.

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.



Preparatory training for employment targeting Japanese descent (Nishio City, Aichi Prefecture)

Training programs to improve skills, including the command of Japanese language, are offered here.

(2) Employment promotion for foreign workers in professional or technical fields

In the midst of the severe global competition of human resources acquisition, discussions were made on employment promotion for foreign workers in professional or technical fields at the “High-Grade Worker Acceptance Promotion Committee”, which was held in July 2008 under the supervision of the Chief Cabinet Secretary with representatives from industry, government, academia and labour. The report compiled in May 2009 indicated the necessity of positioning employment promotion for foreign workers in professional or technical fields as a national strategy and actively taking measures from mid- to long-term perspectives. Accordingly, the Ministry of Health, Labour and Welfare provides domestic employment support, including support for foreign students in Japan, 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 *3 is being supported to help foreign workers display their abilities and facilitate their adaptation to the workplace.

*2 The list of Hello Work that places interpreters:

<http://www.mhlw.go.jp/bunya/koyou/naitei/dl/nihong1.pdf>

Internship for foreign students has been promoted by enhancing cooperation with 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*4. (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 2009, 362 candidates for nurses and certified care workers (93 nurses and 190 care workers) were accepted.

The Japan- Philippines Economic Partnership Agreement took effect on December 11, 2008. In 2009, 283 Filipino candidates for nurses and certified care workers (93 nurses and 190 care workers) and 27 candidates for certified care workers to attend school were also accepted.

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.

Major employment/training support in FY 2009

- a) visiting consultations and guidance to all institutions that accept interns
- b) counseling service through counseling desk and visit to individual institutions
- c) translation of the past national examinations
- d) distribution of learning materials to acquire the Japanese language skills in specialized areas
- e) group training programs for acquisition level confirmation and educational guidance
- f) creation of standard learning plans

*3 The website for the report, etc. concerning the promotion of use of high-grade foreign workers:

(<http://www.mhlw.go.jp/bunya/koyou/gaikokujin/100409.html>)

*4 For detailed information on the system of "Appropriate acceptance of foreign candidates for nurses and certified care workers", please refer to the following website

<http://www.mhlw.go.jp/bunya/koyou/other22/index.html>