

## Fact sheet on Individual Efforts Made towards the Achievement of the Bogor Goals: Japan

	Status in 1996	Status in 2009	Major Achievements incl. Significant Progress after the Mid-term Stocktake and Example of Best Practices
<b>1. Tariffs</b>			
(1) Import-weighted average of MFN applied tariff	4.0%	1.6%	Japan has voluntarily reduced/eliminated tariffs on 89 items from the industrial sector and 45 items from the agricultural sector (total of 134 items, based on domestic tariff classification (9 digits in accordance with HS nomenclature) since 1996.
(2) Simple average of MFN applied tariff	9.0%	6.5%	
(3) Tariff average, based on import tariff revenue	2.8% (1996FY)	1.2% (2008FY)	
(4) Zero tariff lines as a percentage of all tariff lines	35.5%	40.8%	
(5) Zero tariff imports as a percentage of all imports	Not available	80.2%	
(6) Standard deviation for applied tariff	0.4	0.2	
(7) Transparency in tariff regime	<p>Japan worked to ensure transparency by immediately announcing any changes in tariff rates and the tariff system in the “Kanpo” (government gazette), and by annually publishing “Customs Tariff Schedules of Japan.</p> <ul style="list-style-type: none"> <li>- The tariff rates are determined through Diet</li> </ul>	<p>The following improvements have been made in addition to the status as of 1996:</p> <ul style="list-style-type: none"> <li>- Japan has started to announce any changes in tariff rates and the tariff system on the Internet.</li> <li>- Inquiries to customs counsellors’ offices by</li> </ul>	Japan announces changes in tariff rates and the tariff system not only in the “Kanpo” but also on the website. In addition, the Government of Japan releases annually the outline of the Law to Amend the Customs Tariff Law on the website.

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	<p>deliberations; and, as appropriate, the tariff rates would be discussed in the Customs Tariff Council in advance.</p> <ul style="list-style-type: none"> <li>- The customs counsellors' offices provide proper knowledge, advice and any other suggestions on the customs procedures including tariff schedules and other tariff related measures to the consultants. Inquiries could also be made by telephone.</li> </ul>	e-mail is also available.	
<b>2. Non-Tariff Measures</b>			
(1) Quantitative import restrictions/prohibitions	<ul style="list-style-type: none"> <li>- Data not available on HS 6 digit level.</li> <li>- As a result of the Uruguay Round negotiations, Japan abolished quantitative restrictions on all agricultural products and converted them into customs duties.</li> </ul>	<ul style="list-style-type: none"> <li>- Data not available on HS 6 digit level.</li> <li>- All the import/export prohibitions and restrictions that Japan implements are in accordance with the special exception provisions and other relevant provisions of the</li> </ul>	<ul style="list-style-type: none"> <li>- Special treatment on rice imports has been replaced by a tariff scheme since April 1999.</li> <li>- Ethyl alcohol of an alcoholic strength by volume of 90% vol or higher had been imported under state monopoly, exempt from tariff. This state monopoly was abolished in April 2001, and any person who is permitted to import alcohol under the Alcohol Business Law is now able to import ethyl alcohol of an alcoholic strength by volume of 90% vol or higher intended for use in distilling industrial alcohol with free of</li> </ul>

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		WTO agreements. Some measures are implemented to fulfil obligations under other international agreements, such as the Montreal Protocol.	tariff.
(2) Import licensing	- It is difficult to count the number of tariff lines which require import license at the HS 6-digit level because there are goods which require the license according to criteria other than HS nomenclature such as specified place of origin, specified end-use and specifications. However, all the import licensing measures are consistent with the WTO Agreement on Import Licensing Procedures. Some measures are implemented to fulfil obligations under other international agreements,	- It is difficult to count the number of tariff lines which require import license at the HS 6-digit level because there are goods which require the license according to criteria other than HS nomenclature such as specified place of origin, specified end-use and specifications. However, all the import licensing measures are consistent with the WTO Agreement on Import Licensing Procedures. Some measures are implemented to fulfil obligations under other international agreements,	The permission system on rice imports has been replaced by a tariff scheme since April 1999.

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	such as the Montreal Protocol.	such as the Montreal Protocol.	
(3) Import levies	None	None	--
(4) Export subsidies	None	None	--
(5) Other non-tariff measures maintained	Japan's export restrictions were limited to those stipulated under international agreements or those necessary to protect the public safety and national security. Such restrictions include; (1) Export licensing measures taken for reasons of international security; and (2) Export prohibitions, quantitative restrictions and licensing measures based on international agreements (e.g. the Montreal Protocol, the Basel Convention and the CITES).	Japan's export restrictions are limited to those stipulated under international agreements or those necessary to protect the public safety and national security. Such restrictions include: 1) Export licensing measures taken for reasons of international security; and 2) Export prohibitions, quantitative restrictions and licensing measures based on international agreements (e.g. the Montreal Protocol, the Basel Convention and the CITES)	--
<b>3. Services</b>			
(1) Number of sectors out of 55 services sectors in which market access and/or NT are granted as a result of the commitments in	43 sectors	43 sectors	Japan has actively participated in the WTO negotiations including the Doha Development Agenda to promote liberalization for trade in services.

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the GATS			
(2) Number of sectors out of 55 services sectors in which MFN exemptions maintained as a result of the commitments in the GATS	None	None	
(3) Number of sectors out of 55 services sectors in which market access and/or NT are offered in the DDA under the GATS	--	45 sectors	
(4) Number of sectors out of 55 services sectors in which MFN exemptions maintained in the DDA under the GATS	--	1 sector	
(5) Number of RTAs/FTAs in which more market access and/or NT are committed to services sectors than those in the commitments under the GATS	None	10 agreements	
(6) Number of sectors in which licensing and qualification requirements apply specifically to foreign service providers	None except those relating to immigration laws and regulations.	None except those relating to immigration laws and regulations.	<ul style="list-style-type: none"> <li>- The minimum job experience to be registered foreign lawyer was relaxed from five to three years following the amendment in 1998 to act on Special Measures concerning the Handling of Legal Services by Foreign Lawyers.</li> <li>- Japan has promoted mutual recognition of IT professionals qualification and the uniformity of IT Professionals Examination in Asian area.</li> </ul> <a href="http://www.jitec.ipa.go.jp/1_18else/kaigai_002.html">http://www.jitec.ipa.go.jp/1_18else/kaigai_002.html</a>

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(7) Measures to improve transparency in services	Transparency standards are implemented according to Administrative Procedure Act (Act 88,1993)	Transparency standards are implemented according to Administrative Procedure Act (Act 88,1993) and “Prior Clearance Procedures for Application of Laws and Ordinances by Administrative Organs” (no action letter system) ( Cabinet Decision, March 27, 2001)	<ul style="list-style-type: none"> <li>- The amendment of the Administrative Procedure Act in 2005 enhanced the transparency by making public comment procedures obligatory in case of the establishment of administrative orders. The amendment was enforced on 1 April 2006.</li> <li>- “Prior Clearance Procedures for Application of Laws and Ordinances by Administrative Organs” (no action letter system) was revised on 27th March 2007.</li> </ul>
<b>4. Investment</b>			
(1) Restrictions on foreign investment	The Foreign Exchange and Foreign Trade Act requires a foreign investor who plans to invest in the limited and specified industrial sectors to submit prior notification to the authorities.	<ul style="list-style-type: none"> <li>- The Foreign Exchange and Foreign Trade Act requires a foreign investor who plans to invest in the limited and specified industrial sectors to submit prior notification to the authorities. In 1998 Japan excluded mining sector from the specified industrial sectors.</li> <li>- Japan’s recent investment agreements all include provisions for</li> </ul>	Prior approval of investment under the Foreign Exchange and Foreign Trade Act was removed in 1979 and prior notification of investment to almost all sectors was removed in 1991. The Foreign Exchange and Foreign Trade Act has the basic concept of liberal foreign transaction in principle and minimal restriction, it requires a foreign investor who plans to invest in the limited and specified industrial sectors to submit prior notification to the authorities from the perspective of ‘national security’ and ‘maintenance of public order’ etc. The specified industrial sectors are minimal.
(2) Investment by foreigners entails offsets (performance requirements, export requirements, local content			

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requirements)		<p>pre-establishment National Treatment (NT) subject to a list of reservations.</p> <ul style="list-style-type: none"> <li>- Japan's reservations with regard to the application of NT exist in 17 sectors, with the addition of 3 specific reservations that apply to all sectors.</li> <li>- Japan's reservations with regard to the application of Performance Requirements exist in 8 sectors, with the addition of 2 specific reservations that apply to all sectors.</li> </ul>	
(3) Restrictions on transfers of capital	<ul style="list-style-type: none"> <li>- In principle, Japan had no restriction on repatriation of the funds.</li> <li>- Foreign exchange was available through authorized foreign exchange banks. There was no distinction between a domestic firm and a foreign firm.</li> </ul>	<ul style="list-style-type: none"> <li>- In principle, Japan has no restriction on repatriation of the funds.</li> </ul>	

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	<ul style="list-style-type: none"> <li>- In principle, there was no restriction on the convertibility of currencies for the overseas transfer of funds.</li> <li>- Investors who intended outward foreign direct investment had to give prior notification which would be examined by authorities.</li> </ul>	<ul style="list-style-type: none"> <li>- In principle, there is no restriction on the convertibility of currencies for the overseas transfer of funds.</li> <li>- An investor who has made an outward direct investment needs to submit an ex post facto reporting to the Minister of Finance except an investment in certain sectors where a prior notification is required.</li> </ul>	
(4) Consistency with APEC Non-Binding Investment Principles	Some	Most	Japan has achieved most of items of the Non-Binding Investment Principles in all of BITs and FTAs/RTAs concluded by Japan.
(5) Number of BITs and FTAs/RTAs which NT and MFN are ensured in relation to foreign investment	4 agreements	24 agreements, including Economic Partnership Agreements (EPAs) with investment chapters.	Four BITs (Cambodia(2008), Laos(2008), Uzbekistan(2009), and Peru (2009)) as well as eight EPAs with investment chapters (Mexico (2005), Malaysia (2006), Chile (2007), Thailand (2007), Brunei Darussalam (2008), Indonesia (2008), Philippines(2008), and Switzerland (2009)) have come into force.
BITs and FTAs/RTAs with APEC member economies which NT and MFN are ensured in relation to foreign	China(1989)	<6 BITs> China(1989), Hong Kong (1997), Russia (2000), Korea (2003), Viet Nam	

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investment		(2004), Peru (2009)  <8 EPAs with investment chapters> Singapore (2002), Mexico (2005), Malaysia (2006), Chile (2007), Thailand (2007), Brunei Darussalam (2008), Indonesia (2008), Philippines(2008)	
(6) Measures to improve transparency in investment	<ul style="list-style-type: none"> <li>- Japan provided information relating to regulatory framework on foreign capital participation through "Guide to the Investment Regimes of the APEC Member Economies".</li> <li>- Japan provided information or consultation relating to investment in Japan through some entities such as Japan External Trade Organization (JETRO).</li> </ul>	<ul style="list-style-type: none"> <li>- Japan has introduced "Prior Clearance Procedures for Application of Laws and Ordinances by Administrative Organs," or popularly called "no action letter system," with which a private enterprise, etc. can confirm with the administrative institutions, in advance, whether specific business actions are subject to the provisions of the regulations. The responses from the</li> </ul>	<ul style="list-style-type: none"> <li>- The amendment of the Administrative Procedure Act in 2005 enhanced the transparency by making public comment procedures obligatory in case of the establishment of administrative orders. The amendment was enforced on 1 April 2006. The revised law was enforced on 1st April 2006.</li> <li>- "Prior Clearance Procedures for Application of Laws and Ordinances by Administrative Organs" (no action letter system) was revised on 27th March 2007.</li> </ul>

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		institutions are made public. - Japan has also introduced Public Comment Procedure and provides appropriate period for public comment so that comment can be made sufficiently.	
<b>5. Standards and Conformance</b>			
(1) Number of domestic standards aligned with the target international standards for Voluntary Action Plan (VAP)	1 standard	254 standards	
(2) Description of conformity assessment process including participation in and implementation of mutual recognition arrangements	None	4 agreements	<ul style="list-style-type: none"> <li>- APEC MRA on conformity assessment of Telecommunication equipment</li> <li>- Japan-EC Mutual Recognition Agreement (MRA) (including Electrical Equipment (EE)) (2002)</li> <li>- Japan-Singapore MRA (including EE) (2002)</li> <li>- Japan-Thailand EE MRA (2007)</li> <li>- Japan-Philippines EE MRA (2008)</li> </ul>
(3) Efforts to raise transparency and objectivity of standards	Japan was taking the steps necessary to give prior notice in publication, notify to the WTO secretariat, and provide information by Standard Information	Japanese Industrial Standards Committee (JISC) renewed its homepage to provide further transparency of JIS standardization activities including prior	JISC commenced prior notification of JIS to be withdrawn from Apr. 2009. <a href="http://www.jisc.go.jp/jis-act/withdraw.html">http://www.jisc.go.jp/jis-act/withdraw.html</a>

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	Service, with a view to ensuring transparency.	notification of JIS to be withdrawn from Apr. 2009.	
<b>6. Customs Procedures</b>			
(1) Adoption of HS2007 nomenclature	--	Adopted	“Harmonization of Tariff Nomenclature” is a Collective Action Plan (CAP) item of the Osaka Action Agenda (OAA).
(2) Conformity with the Revised Kyoto Convention	--	Acceded	Simplification and Harmonization on the Basis of the revised Kyoto Convention” is a CAP of the OAA.
(3) Transparency	<ul style="list-style-type: none"> <li>- Publication of Customs laws and regulations in official gazette and compendium</li> <li>- Establishment of Customs Counselors to handle enquiries and complaints from public</li> <li>- Implementation of Appeal provision</li> </ul>	<ul style="list-style-type: none"> <li>- Development and regular update of Customs website (Japanese and English version) (major contents) <ul style="list-style-type: none"> <li>* Customs law and regulations</li> <li>* Customs Q&amp;A</li> <li>* Customs Tariff rate</li> </ul> </li> <li>- Receiving Public comment when amending Customs- related regulations</li> </ul>	<p>“Public Availability of Information” and “Appeal Provision” are CAP items of the OAA.</p> <p>Customs website has been renewed to further improve its accessibility, usability and content, e.g. English version of Japans Tariff schedule, information on advance ruling and AEO programme.</p>
(4) Use of information technology and automation (e.g. Single Window, Harmonised Trade Data Elements, Paperless	Nippon Automated Customs Clearance System (NACCS), which connect Customhouses, Customs	<ul style="list-style-type: none"> <li>- Adoption of UN/EDIFACT standard in NACCS</li> <li>- Upgrade of NACCS<sup>1</sup></li> </ul>	<ul style="list-style-type: none"> <li>- In 1995, the OAA provided one of Collective Actions, “Computerization through UN/EDIFACT” and instructed to enhance computerization of Customs procedures by adopting and supporting the UN/EDIFACT standard by 1999. Based on</li> </ul>

<sup>1</sup> Currently changed as Nippon Automated Cargo And Port Consolidated System

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Trading, etc.)	brokers, banks and other related parties, had been introduced.	<ul style="list-style-type: none"> <li>- Introduction of Single Window system which covers almost all the necessary import / export procedures and port-related procedures.</li> <li>- Promotion of paperless procedures</li> </ul>	<p>this CAP item, Japan introduced UN/EDIFACT standards in 1999.</p> <ul style="list-style-type: none"> <li>- “Common Data Elements” and “Information Technology” are CAP items of the OAA.</li> <li>- Japan has developed a new generation Single Window for import/export procedures and port related procedures through common Portal system.</li> </ul>
(5) Measures to secure trade (e.g. AEO, etc.)	Adoption of systematic risk management such as Customs Intelligence and Management System (CIMAS), and Customs Intelligence Database System (CIS)	<ul style="list-style-type: none"> <li>- Introduction of pre-arrival cargo information submission</li> <li>- Development of Manifest screening system for sea cargo</li> <li>- Introduction of Container Security Initiative</li> <li>- Introduction of Comprehensive AEO programme</li> <li>- Introduction of Container Scanners</li> </ul>	<ul style="list-style-type: none"> <li>- Japan has introduced Authorized Economic Operators (AEO) programme and has expanded the coverage of AEO for importers, exporters, warehouse operators, Customs brokers, forwarders and manufacturers.</li> <li>- “Risk Management Technique” is a CAP item of the OAA. Japan has made it mandatory to report cargo information prior to entry into ports.</li> </ul>
(6) Implementation of other customs measures to facilitate trade (e.g. Advance Classification Ruling System, Time Release Survey, etc.)	<ul style="list-style-type: none"> <li>- Adoption of Advance ruling Systems for classification</li> <li>- Conduct Time Release Survey</li> <li>- Introduction of Pre-arrival</li> </ul>	<ul style="list-style-type: none"> <li>- Introduction of Pre-arrival examination system for sea cargo</li> <li>- Adoption of Advance rulings System for valuation and certification</li> </ul>	<ul style="list-style-type: none"> <li>- “Advance Ruling System”, “Temporary Importation” and “Implementation of principles in WCO Immediate Release Guidelines” are CAP items of the OAA.</li> <li>- Information on every advance classification ruling has become available on the Customs Website.</li> <li>- Since 1991, Japan has implemented Time Release Survey</li> </ul>

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	<p>examination system for air cargo</p> <ul style="list-style-type: none"> <li>- Introduction of Simultaneous Import Permit upon Arrival System for air cargo</li> <li>- Accession to the ATA Convention</li> <li>- Extended service hours in major airports</li> </ul>	<p>of origin</p> <ul style="list-style-type: none"> <li>- Introduction of Simultaneous Import Permit upon Arrival System for sea cargo</li> <li>- Introduction of Simplified customs clearance procedures for low-value import goods which meet some requirements in line with the WCO Immediate Release Guidelines</li> <li>- Extended service hours in major seaports</li> </ul>	<p>nine times.</p>
<b>7. Intellectual Property (IP)</b>			
<p>(1) Ratification and implementation of the major multilateral agreements relating to IP rights</p>	<ul style="list-style-type: none"> <li>- Convention establishing the World Intellectual Property Organization</li> <li>- WTO Agreement (TRIPS)</li> <li>- Paris Convention for the Protection of Industrial Property</li> <li>- Berne Convention for the Protection of Literary and Artistic Works</li> <li>- Madrid Agreement for the Repression of False or</li> </ul>	<p>The followings are ratified and implemented in addition to the agreements as of 1996</p> <ul style="list-style-type: none"> <li>- Protocol Relating to the Madrid Agreement Concerning the International Registration of Marks</li> <li>- Trademark Law Treaty</li> <li>- WIPO Copyright Treaty</li> <li>- WIPO Performances and Phonograms Treaty</li> </ul>	

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	<ul style="list-style-type: none"> <li>Deceptive Indications of Source on Goods</li> <li>- Nice Agreement Concerning the International Classification of Goods and Services for the Purposes of the Registration of Marks</li> <li>- Rome Convention for the Protection of Performers, Producers of Phonograms and Broadcasting Organizations</li> <li>- Patent Cooperation Treaty (PCT)</li> <li>- Strasbourg Agreement Concerning the International Patent Classification</li> <li>- Convention for the Protection of Producers of Phonograms Against Unauthorized Duplication of Their Phonograms</li> <li>- Budapest Treaty on the International Recognition</li> </ul>	<ul style="list-style-type: none"> <li>- The Protocol Amending the TRIPS Agreement, by a Decision of 6 December 2005(WT/L/641)</li> </ul>	

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	<p>of the Deposit of Microorganisms for the Purposes of Patent Procedure</p> <ul style="list-style-type: none"> <li>- International Convention for the Protection of New Varieties of Plants (UPOV)</li> </ul>		
(2) Measures to ensure the expeditious granting of IP rights	<p>Increases in the number of patent examiners, development of the Paperless Project and enhancing the outsourcing of prior art search</p>	<ul style="list-style-type: none"> <li>- Reduction of fee in cases where the patent applicants present the search reports issued by registered search organizations</li> <li>- In October 2001, the period of request for patent examination was shortened to 3 years</li> <li>- The Japan Patent Office (JPO) accepts the Internet filing of national procedures for PCT applications</li> <li>- JPO is promoting PPH program</li> <li>- JPO launched the “Super Accelerated Examination</li> </ul>	<ul style="list-style-type: none"> <li>- JPO started the Patent Prosecution Highway (PPH) with several IP Offices. Additionally, JPO joined the initiative for plurilateral PPH. The purpose of the PPH is to facilitate an applicant's acquisition of a patent at an early stage worldwide and to enhance the utilization of search and examination results between the world's major IP Offices so as to reduce the burden of examination and to enhance the quality of examination worldwide.</li> <li>- In addition to the conventional accelerated examination system, JPO launched the “Super Accelerated Examination System” on October 1, 2008, under which more expeditious examinations are performed than under the conventional accelerated examination system to satisfy applicants’ various needs regarding the timing of examination.</li> <li>- In April 2008, JPO launched JP-FIRST program to release its examination results (first office action) to the rest of the world for applications first filed with it and then filed with foreign patent offices (basic applications claiming priority under the Paris Convention). This is one of the programs to promote</li> </ul>

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		<p>System”</p> <ul style="list-style-type: none"> <li>- JPO launched JP-FIRST program</li> <li>- Amendments to the Trademark Act required for accession to the Madrid Protocol went into effect in March 2000.</li> <li>- Increases in the number of patent examiners</li> <li>- JPO loosened eligibility requirements and simplified the procedure for a request for accelerated examination or appeal in July 2004.</li> <li>- Accelerated examination system has been introduced into trademark examination procedure since 1997.</li> <li>- Outsourcing of searches regarding trademark applications, increasing the number of trademark examiners, and promoting the development of the</li> </ul>	<p>international work sharing in patent examination and help applicants obtain appropriate patent rights in foreign countries.</p> <ul style="list-style-type: none"> <li>- As a temporary measure to reduce the backlog, JPO employed about 500 fixed-term patent examiners in 5 years from FY 2004 to FY 2008, in addition to regular examiners. In 2008, JPO increased 98 fixed-term patent examiners.</li> </ul>

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		Paperless System since 2000.	
(3) Measures to provide for the effective enforcement of IP rights	<ul style="list-style-type: none"> <li>- Japan prohibited the import of goods infringing patent rights, utility model rights, design rights, trademark rights, copyrights, and neighboring rights under the provisions of Customs Tariff Law.</li> <li>- The import suspension application was available where a right holder of a trademark rights, copyrights, and neighboring rights could file an application for suspension when IPR infringing goods were about to be imported.</li> </ul>	<ul style="list-style-type: none"> <li>- IP laws were amended in order to lessen the burden of proving damages caused by infringement and to strengthen penalties in 1998.</li> <li>- Since January 2007, Japan has been working on the enforcement of laws against the exportation of goods infringing IP rights</li> <li>- To enhance the level of criminal penalties, amendments were made to the Patent Act, Utility Model Act, Design Act and Trademark Act, as well as to the Unfair Competition Prevention Act in January 2007.</li> <li>- The Copyright Act was amended in December 2006 in order to enhance penalties and to prohibit exportation and</li> </ul>	<ul style="list-style-type: none"> <li>- Japan has expanded the coverage of import-prohibited good and import/export suspension application.</li> <li>- Since January 2007, Japan has been working on the enforcement of laws against the exportation of goods which infringe patent rights, utility model rights, design rights, or trademark rights and goods which violate the Unfair Competition Prevention Act including goods imitating the configurations of another person's goods. The possession of infringing goods for the purpose of transferring or exporting them has been deemed as an infringement since January 2007.</li> <li>- To enhance the level of criminal penalties, amendments were made to the Patent Act, Utility Model Act, Design Act and Trademark Act, as well as to the Unfair Competition Prevention Act in January 2007. With this amendment, for infringements of patent rights, design rights, trademark rights, or rights to trade secrets, the maximum term of imprisonment was changed from 5 years to 10 years and the maximum amount of fine was increased to 10 million yen. Also, for infringements of utility models, the maximum term of imprisonment and the maximum amount of fine were increased to 5 years and 5 million yen, respectively.</li> </ul>

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		<p>possession for exportation of pirated goods for business (the amendment is in effect from July, 2007).</p> <ul style="list-style-type: none"> <li>- The Copyright Act was amended in 2009, which stipulated to introduce the following measures. <ul style="list-style-type: none"> <li>* Illegalizing offer or sale of pirated goods, with the knowledge that such goods are pirated goods.</li> <li>* Illegalizing download of music or motion picture from infringing source, with the knowledge that such source is infringing, even if such download is for private use.</li> </ul> </li> <li>- The Prevention of Unauthorized Recording of Movies in Theatres was enacted in May, 2007 to</li> </ul>	

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		<p>prevent unauthorized recording of the movies which is showing at the theater or the places with similar function</p> <ul style="list-style-type: none"> <li>- Japan adopts procedures that do not allow importers to reship the suspended goods before verification has been completed.</li> <li>- Japan expanded the import suspension application system of IPR infringing goods to cover goods infringing patent rights, utility model rights, design rights, plant breeder's rights and goods which violate the Unfair Competition Prevention Law as well as trademark rights, copyrights, and neighboring rights.</li> <li>- Japan amended the Customs Tariff Law to make it possible to inform</li> </ul>	

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		<p>both the right holder and the importer at the beginning of the process to check the possible infringing goods, and to introduce the following:</p> <ol style="list-style-type: none"> <li>1. inspection by the right holder of intellectual property accompanying disassemble of suspected infringing goods under certain criteria, and</li> <li>2. inquiry to the Minister of Agriculture, Forestry and Fisheries by the Customs to check the suspected infringing goods of plant breeder's rights</li> </ol> <p>- Japan also amended the Customs Law to adopt a mechanism where the Customs consult experts, as appropriate, regarding the application for</p>	

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		<p>import/export suspension and the identification procedures and to commence enforcement on exportation and transshipment of goods infringing intellectual property rights.</p> <ul style="list-style-type: none"> <li>- Japan Customs employs a computer database system which provides information concerning intellectual property rights, such as the features distinguishing genuine and fake goods, and the characteristics of goods suspended in the past.</li> <li>- Amendments to the Plant Variety Protection and Seed Act went into effect in December 1998, in order to strengthen the Plant Breeders' Rights (PBR) under the UPOV Convention revised in 1991. The Plant Variety</li> </ul>	

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		Protection and Seed Act was further amended in 2003, 2005 and 2007, expanding the scope of penal provisions and the term of protection for registered varieties, facilitating claim for damages in a civil suit, and strengthening preventive measures against infringement of PBR.	
(4) Measures to harmonise IP rights systems in the APEC region	For the purpose of promoting international harmonization of legal frameworks, Japan was regularly holding the Trilateral Conference with patent offices in the United States and Europe in order to discuss patent information issues and harmonization of examination practices. Japan also held the meetings with the United States and, based	Japan amended the Patent Act for the purpose of harmonizing the Japanese Patent System with the global standard to encourage acquisition of foreign patents based on the application in Japan (came into effect in January 2004)	

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	on the results of the meetings, amended the Patent Act in 1994 to permit patent applications to be submitted in English, from July 1995, and to introduce a post-grant opposition system, which went into effect in January 1996.		
(5) Public education about IP	<ul style="list-style-type: none"> <li>- Holding public seminars regarding intellectual property</li> <li>- Japan Customs distributed pamphlets and posters to publicize that IPR infringing goods are contrabands and to provide information of Customs enforcement on IPR infringing goods such as import suspension application.</li> </ul>	<ul style="list-style-type: none"> <li>- Preparing and distributing educational materials regarding intellectual property</li> <li>- Holding seminars regarding intellectual property targeting different levels of audience, including International Patent Licensing Seminar since 2000 by the National Center for Industrial Property Information and Training (INPIT).</li> <li>- JPO has and related ministries and agencies have conducted</li> </ul>	The Japan Copyright Office (JCO) annually organizes Local Copyright Seminars and Copyright training Programs for the general public and experts such as librarians, school teachers and officials of local governments. In addition, the JCO publishes various publications and pamphlets.

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		<p>“Anti-Counterfeits and Pirated Goods Campaign” since 2003, in order to prevent consumers from purchasing the counterfeits and pirated goods.</p> <ul style="list-style-type: none"> <li>- The textbooks for school education to learn the social meaning of IPR system and multimedia subjects have been developed and distributed</li> <li>- Japan Customs distributed pamphlets and posters to publicize that IPR infringing goods are contrabands and to provide information of Customs enforcement on IPR infringing goods such as import suspension application. These Customs information is available through the internet as well.</li> </ul>	
(6) International cooperation on IP	- Japan carried out, under a	- In July 2003, JPO	- Various technical cooperation through WIPO and JICA in the

	<b>Status in 1996</b>	<b>Status in 2009</b>	<b>Major Achievements incl. Significant Progress after the Mid-term Stocktake and Example of Best Practices</b>
rights	<p>variety of formats, programs of technical cooperation between JPO and APEC industrial property rights agencies, and between related private sector organizations and the private sector in the APEC economies.</p> <ul style="list-style-type: none"> <li>- The JCO launched the Asia-Pacific Copyright Systems Enhancement (APACE) Program in 1993 by entrusting a fund to the WIPO, which consisted of symposium, seminar and training program.</li> <li>- Since 1995, Japan had provided training courses in the field of border measures for the enforcement of intellectual property rights. The main purpose of the programs is to assist</li> </ul>	<p>launched the Asian Industrial Property Network (AIPN) for providing JPO's patent examination information to the Patent Offices in APEC region.</p> <ul style="list-style-type: none"> <li>- In October 2004, the AIPN was improved to provide JPO dossiers using the English-Japanese Machine Translation System and renamed to the Advanced Industrial Property Network (AIPN).</li> <li>- In addition to APACE Program, Japan is carrying out, under a variety of formats, programs of technical cooperation between the Japan Copyright Office and APEC copyright agencies.</li> <li>- Customs cooperation has been continuing.</li> </ul>	<p>field of industrial properties.</p> <ul style="list-style-type: none"> <li>- Copyright</li> </ul> <p>Japan is also carrying out, under a variety of formats, programs of technical cooperation between the Japan Copyright Office and APEC copyright agencies. Followings are the specific areas in which technical cooperation is currently conducted.</p> <p>1 Human Resources Development</p> <p>(1) Cooperation through the WIPO</p> <p>The Japan Copyright Office (JCO) launched the Asia-Pacific Copyright Systems Enhancement (APACE) Program in 1993 by entrusting a fund to the WIPO, which consists of the following six activities: (1) Annual Regional Symposium; (2) Special Training Course in Tokyo; (3) Expert Advisory Mission; (4) Training on Collective Management ; (5) National Seminar and (6) Sub-Regional Roundtable.</p> <p>(2) Cooperation through the JICA</p> <p>A three-week long group training course in administration of copyright was launched in 1999.</p> <p>(3) Cooperation Directly Conducted by the Japan Copyright Office (JCO)</p> <p>Copyright Seminar has been organized annually from 1997 to 2009 to provide participating copyright experts with opportunities to exchange information and viewpoints.</p>

	<b>Status in 1996</b>	<b>Status in 2009</b>	<b>Major Achievements incl. Significant Progress after the Mid-term Stocktake and Example of Best Practices</b>
	<p>in the smooth implementation of the TRIPs Agreement and to provide the expertise and skills required for efficient enforcement system for IPR by customs officials in developing economies.</p> <ul style="list-style-type: none"> <li>- Seminars on protection of PBR have been held since 1991 under the Japanese fund to the UPOV, with participation from some APEC economies.</li> </ul>	<ul style="list-style-type: none"> <li>- Seminars on protection of PBR have been held since 1991 under the Japanese fund to the UPOV, with participation from some APEC economies.</li> <li>- JICA Groups training courses on protection of PBR have been held since 2000, with participation from some APEC economies.</li> </ul>	<p>2 Cooperation in information related issues</p> <p>Cooperation through the CRIC. The Copyright Research and Information Center (CRIC) provides information on copyright to other economies through meetings, publications, web pages (<a href="http://www.cric.or.jp/cric_e/index.html">http://www.cric.or.jp/cric_e/index.html</a>) etc., under the supervision of the JCO.</p> <ul style="list-style-type: none"> <li>- Japan organized APEC international seminar on ‘Plant Variety Protection System’, which was held in Jakarta in FY2008, in cooperation with Indonesia.</li> <li>- To facilitate establishment and operation of PBR systems in East Asian countries, the first meeting of ‘East Asia Plant Variety Protection Forum’ was established in Tokyo, in July 2008, with participation of some countries in East Asia, including some APEC economies. Japan has been providing some training courses in Japan, dispatched the experts to those countries, and held workshops.</li> </ul>
(7) Measures to promote transparency of IP rights requirement (for example, the APEC Leaders’ Transparency Standards)	The Examination Guidelines for Patents and Utility Models was published.	<ul style="list-style-type: none"> <li>- The Examination Guidelines for Patents and Utility Models has been revised or published.</li> <li>- Laws and regulations and its amendment relating Copyright and neighbouring rights are</li> </ul>	<p>JPO revised or published the Examination Guidelines for</p> <ul style="list-style-type: none"> <li>- Conversion of applications, and for an application for patent based on a utility model registration in March 2005 in line with revision of the Patent Act and Utility model Act</li> <li>- Medicinal inventions and industrially applicable inventions in April 2005, in reference to the result of discussion in Task Force on the Protection of Patents of Medical-Related Acts in Strategic Council on Intellectual Property</li> </ul>

	Status in 1996	Status in 2009	Major Achievements incl. Significant Progress after the Mid-term Stocktake and Example of Best Practices
		<p>published on the website of JCO and Copyright Research and Information Center (CRIC).</p> <ul style="list-style-type: none"> <li>- In recent years, when JCO amended the laws and regulations, JCO has made public them, along with explanation, on its website.</li> <li>- In case of establishing, improving or eliminating copyright-related regulations, JCO makes public the draft outline, where appropriate; seeks the opinions on it from the public; and takes account of the opinions to finalize them.</li> <li>- Japan Customs has made public, through the internet, laws and regulations related to customs enforcement on IPR and enforcement measures including import</li> </ul>	<ul style="list-style-type: none"> <li>- Novelty and inventive step concerning an invention including a statement specifying a product by its use in June 2006</li> <li>- (1) Notification of Article 50-2 (notification to have the same reason for refusal with the related application), (2) amendment of changing specific technical feature of the invention, (3) requirements for division of application, (4) requirement for unity of invention, (5) applications in foreign language, and (6) method for conducting examinations in March 2007 in line with revision of the Patent Act.</li> <li>- Examples relating to the judgment of necessity for deposit of microorganisms, etc in January 2009</li> </ul>

	Status in 1996	Status in 2009	Major Achievements incl. Significant Progress after the Mid-term Stocktake and Example of Best Practices
		<p>suspension application of IPR infringing goods as well as statistical data such as numbers of IPR infringing goods that customs suspended.</p> <ul style="list-style-type: none"> <li>- Japan Customs has received public comments when amending customs-related regulations.</li> </ul>	
<b>8. Competition Policy</b>			
(1) Development of competition laws and establishment of competition authority	<p>Competition law and authority were existent.</p> <p>Law: the Act on Prohibition of Private Monopolization and Maintenance of Fair Trade (Antimonopoly Act: AMA)</p> <p>Authority: Japan Fair Trade Commission (JFTC)</p>	<p>Competition law and authority are existent.</p> <p>Law: the Act on Prohibition of Private Monopolization and Maintenance of Fair Trade (Antimonopoly Act: AMA)</p> <p>Authority: Japan Fair Trade Commission (JFTC)</p>	<ul style="list-style-type: none"> <li>- Japan has actively been conducting competition policy, focusing on vigorous enforcement of the AMA, since it was enacted in 1947 with a view to promoting free and fair competition. The AMA mainly prohibits following types of business practices: (a) unreasonable restraint of trade, (b) private monopolization, (c) unfair trade practices and (d) anti-competitive M&amp;A. The JFTC is in charge of enforcing the AMA.</li> <li>- Recent years, there were two significant amendments of the AMA in Japan. One was 2005 amendment (enacted in April 2005, came into force in January 2006), and the other was 2009 amendment (enacted in June 2009, scheduled to come into force in January 2010). The main features of these two amendments include introduction of a leniency program, introduction of compulsory measures for criminal</li> </ul>

	Status in 1996	Status in 2009	Major Achievements incl. Significant Progress after the Mid-term Stocktake and Example of Best Practices
			investigation, revision of the surcharge system etc.
(2) Consistency with APEC Principles to Enhance Competition and Regulatory Reform and efforts to become consistent with the Principles	All	All	Japan has actively been conducting the competition policy in line with the Principle. Especially, in the area of capacity building, Japan has conducted a series of APEC training courses on competition policy since 2005 in cooperation with the Philippines, Thailand, Singapore, Indonesia and Chinese Taipei. These training courses have greatly contributed to realization of the Principle.
(3) International cooperation on Competition law/policy	<ul style="list-style-type: none"> <li>- Japan had no arrangements or agreements for assistance or cooperation with other APEC members regarding competition policy.</li> <li>- The JFTC had held bilateral meetings for exchange of views with foreign competition authorities regularly (including those of the following three APEC members: the US, Canada and Korea).</li> <li>- The JFTC had participated in the discussions of the OECD and UNCTAD</li> </ul>	<ul style="list-style-type: none"> <li>- Japan has agreements, including EPAs, which stipulate cooperation in the field of regulation of anticompetitive activities with other APEC members (the US, Singapore, Mexico, Canada, Malaysia, the Philippines, Chile, Thailand, Indonesia and Viet Nam).</li> <li>- The JFTC has held bilateral meetings for exchange of views with foreign competition authorities regularly (including those of the following three APEC</li> </ul>	<ul style="list-style-type: none"> <li>- From 2005 to 2009, six EPAs with competition chapter were signed between Japan and APEC members which are Malaysia (2005), the Philippines (2006), Chile (2007), Thailand (2007), Indonesia (2007) and Viet Nam (2008).</li> <li>- The JFTC has demonstrated its initiative in establishment of the East Asia Top Level Officials' Meeting on Competition Policy, which has been held five times since 2005 in cooperation with competition authorities in East Asia region, including those of APEC members.</li> <li>- The JFTC and JJICA have co-organized training course on the AMA and competition policy for developing countries, including those in a number of APEC members, four times from 2005 to 2009.</li> <li>- The JFTC and JICA have co-organized country-focused training course on the AMA and competition policy for Indonesia (four times), China (nine times), and Viet Nam (two times) from 2005 to 2009.</li> <li>- The JFTC has sent long-term experts on competition policy and law to developing countries including some APEC</li> </ul>

	<b>Status in 1996</b>	<b>Status in 2009</b>	<b>Major Achievements incl. Significant Progress after the Mid-term Stocktake and Example of Best Practices</b>
	<p>concerning Competition Law and Policy.</p> <ul style="list-style-type: none"> <li>- The JFTC and Japan International Cooperation Agency (JICA) co-organized training course on the AMA and competition policy for developing countries, including those in a number of APEC members.</li> <li>- The JFTC and JICA co-organized country-focused training course on the AMA and competition policy for Russia.</li> </ul>	<p>members: the US, Canada and Korea).</p> <ul style="list-style-type: none"> <li>- The JFTC has participated in the discussion of the OECD, UNCTAD, the WTO and the International Competition Network (ICN) concerning Competition Policy.</li> <li>- The JFTC has held a series of the East Asia Top Level Officials' Meeting on Competition Policy annually since 2005 in cooperation with competition authorities in East Asia region, including those of APEC members.</li> <li>- The JFTC and JICA co-organized training course on the AMA and competition policy for developing countries, including those in a number of APEC</li> </ul>	<p>members such as Viet Nam, Indonesia, for technical assistance.</p>

	Status in 1996	Status in 2009	Major Achievements incl. Significant Progress after the Mid-term Stocktake and Example of Best Practices
		<p>members.</p> <ul style="list-style-type: none"> <li>- The JFTC and JICA co-organized country-focused training course on the AMA and competition policy for China and Viet Nam.</li> </ul>	
<b>9. Government Procurement</b>			
(1) Increasing transparency of laws, regulations, bidding system, and how to determine bidding qualifications and bid winners	<p>With a view to further enhancing transparency of government procurement, Japan, as a party to the Agreement on Government Procurement, which went into effect on January 1, 1996, is implementing government procurement through fair, open and transparent procurement procedures in accordance with the provisions of the Agreement.</p> <p>In addition to fulfilling its obligations under the Agreement, Japan has since 1985 initiated voluntary measures to improve access</p>	<p>On April 1 2001, Proper Tendering Act came into force. Its basic principles are "Secure transparency", "Promote fair competition", "Proper implementation of works" and "Abolish improper actions"</p>	<p>Japan, together with the other Parties to the Agreement on Government Procurement, is presently actively participating in the review of the Agreement with a view to improving the Agreement and further expanding its coverage, while seeking a widest possible participation of other WTO Members.</p>

	Status in 1996	Status in 2009	Major Achievements incl. Significant Progress after the Mid-term Stocktake and Example of Best Practices
	to government procurement markets for goods and service except public works by lowering part of threshold of procurements covered by the Agreement.		
(2) Restrictions on foreign goods, services or suppliers, or preferences to domestic suppliers	None	None	
(3) Reciprocity requirements in providing access to government procurement markets	No reciprocity requirements inconsistent with the commitment under WTO existed.	No reciprocity requirements inconsistent with the commitment under WTO exist.	
(4) Consistency with the APEC Non-binding Principles on Government Procurement	All	All	
(5) Introduction of electronic means for government procurement	(Introduced, Not introduced)	Introduced	<ul style="list-style-type: none"> <li>- E-procurement system was introduced in all the public works that are directly conducted by the Ministry of Land, Infrastructure and Transport in April 2003. (Tendering information website: <a href="http://www.i-ppi.go.jp">http://www.i-ppi.go.jp</a> (Japanese only); Tendering participation website: <a href="http://www.e-bisc.go.jp">http://www.e-bisc.go.jp</a> (Japanese only))</li> <li>- All the Government agencies introduced a on-line system for the submission and opening of tenders via the internet by the end of FY 2003.</li> </ul>
<b>10. Deregulation/ Regulatory</b>			

	Status in 1996	Status in 2009	Major Achievements incl. Significant Progress after the Mid-term Stocktake and Example of Best Practices
<b>Reform</b>			
(1) Reviews of existing regulations	Some  Japan's Cabinet approved "the Plan for Promotion of Deregulation" in 1995 and established the small committee for deregulation in the Government of Japan.	Most  Since 1995, over 5000 items have been deregulated by cabinet approval. The Committee of Promotion of Regulatory Reform has reported on deregulation three times in order to promote deregulation strongly.	
(2) Reviews of new or proposed regulations	All	All	As a rule, forthcoming regulation shall be reviewed after a certain period of time with a possibility of abolishment.
(3) Consistency with APEC Principles to Enhance Competition and Regulatory Reform	All	All	
(4) Improving transparency in regulatory regimes	Transparency standards are implemented according to Administrative Procedure Act (Act 88,1993)	Transparency standards are implemented according to Administrative Procedure Act (Act 88,1993) and "Prior Clearance Procedures for Application of Laws and Ordinances by Administrative Organs" (no action letter system)	- The amendment of the Administrative Procedure Act in 2005 enhanced the transparency by making public comment procedures obligatory in case of the establishment of administrative orders. The amendment was enforced on 1 April 2006. - "Prior Clearance Procedures for Application of Laws and Ordinances by Administrative Organs" (no action letter system) was revised on 27th March 2007.

	Status in 1996	Status in 2009	Major Achievements incl. Significant Progress after the Mid-term Stocktake and Example of Best Practices
		( Cabinet Decision, March 27, 2001)	
<b>11. WTO Obligation/ Rules of Origin</b>			
(1) WTO/UR Agreements not yet fully implemented	None	None	
(2) Ensuring application of rules of origin in an impartial, transparent and neutral manner	Japan had faithfully implemented the WTO Agreement on Rules of Origin, and actively been involved in the HWP by the WTO/WCO.	Japan faithfully implements the WTO Agreement on Rules of Origin, and has been actively involved in the on-going Harmonization Work Programme (HWP) by the WTO/WCO.	
<b>12. Dispute Mediation</b>			
Dispute mediation methods, process and bodies are available to foreign businesses	The civil mediation proceeding at the district or summary court was also available for foreign businesses under the Civil Mediation Law.	The following proceedings are available for foreign businesses; (1) civil mediation proceeding at the district or summary court (2) arbitration proceeding under the Arbitration Law which was enacted in August 2003 and came into force in March 2004 modeling the UNCITRAL Model Law on International	- A new law aimed at promoting the development and use of Alternative Dispute Resolution (ADR) was enacted in December 2004 and came into force in 2007. - The Labor Dispute Adjudication Act was enacted in May 2004 and came into force in April 2006.

	Status in 1996	Status in 2009	Major Achievements incl. Significant Progress after the Mid-term Stocktake and Example of Best Practices
		<p>Commercial Arbitration</p> <p>(3) labor dispute adjudication proceeding at the district court under the Labor Dispute Adjudication Act which was enacted in May 2004 and came into force in April 2006 aiming for expeditious, fair and effective resolution of labor disputes</p> <p>(4) alternative dispute resolution proceeding under the Act on Promotion of Use of Alternative Dispute Resolution which was enacted in December 2004 and came into force in April 2007.</p>	
<b>13. Mobility of Business People</b>			
(1) Number of visa free or visa waiver arrangements	48 countries and regions	63 countries and regions	
Visa free or visa waiver arrangements with APEC member economies	Brunei, Canada, Chile, Mexico, NZ, Singapore and the U.S.	Australia; Brunei; Canada; Chile; Hong Kong, China; Korea; Mexico; NZ; Singapore; Chinese Taipei and the U.S.	

	Status in 1996	Status in 2009	Major Achievements incl. Significant Progress after the Mid-term Stocktake and Example of Best Practices
(2) Participation in the APEC Business Travel Card scheme	NO	YES	Japan has participated in ABTC scheme on 1st April 2003.
(3) Other efforts to facilitate mobility of business people than the above	To facilitate the movement of people between Japan and other economies and to respond to rapidly growing needs for business mobility in the region, Japan continued its efforts to streamline visa regimes and upgrade them.	<p>- The Government of Japan amended the Immigration Control and Refugee Recognition Act for the purpose of introducing a new residence management system which will contribute to equitable control of foreign nationals. It includes provisions that extend the maximum period of stay from three years to five years, that allow re-entry within one year, without the need to be granted re-entry permission, to foreign nationals who have a valid passport and a residence card issued under the new residence management system, and that, in the case of re-entry permission being granted,</p>	<p>- Japan is one of the founding members of the APEC Engineer and started registration from November, 2000.</p> <p>- In December 2001, Japan revised a Ministerial Ordinance to ease requirements for the entry and stay of foreign IT engineers.</p> <p>- Japan has simplified visa application documents for Intra-company Transferee on December 2003.</p> <p>- Since March 2004, Japan has expedited and simplified the examinations on applications for certificates of eligibility for the status of residence filed by companies of good performance.</p> <p>- Japan has streamlined the visa procedure at its overseas establishments worldwide since 2005, especially not to overlap visa procedure with the procedure for the issuance of Certificate of Eligibility.</p> <p>- Japan has joined APEC Architect Project and started registration from 2005.</p>

	Status in 1996	Status in 2009	Major Achievements incl. Significant Progress after the Mid-term Stocktake and Example of Best Practices
		<p>extends the valid maximum period of re-entry permission from three years under the present system to five years. And, the amendment will be enforced within three years.</p> <p>Japan concluded APEC Architect Memorandum of Cooperation on Registered/ Licensed Architects with Australia in July 2008 and New Zealand in July 2009, which is completed within the scope of the APEC Architect Project. This Memorandum help expedite the process to be authorized and registered as an architect (Kenchikushi in Japan) reciprocally.</p>	
(4) Average time to approve for short term business visit visa		5 working days	

	Status in 1996	Status in 2009	Major Achievements incl. Significant Progress after the Mid-term Stocktake and Example of Best Practices
<b>14. Trade Facilitation</b>			
(1) Consistency with APEC Principles on Trade Facilitation	--	Most (In particular for the aspects of customs procedures: All)	
(2) Implementation of Trade Facilitation Action and Measures (approved in 2002)	Customs Procedures: 55 Standards: 17 Business Mobility: 5 Electronic Commerce: 10	Customs Procedures: 56 Standards: 18 Business Mobility: 5 Electronic Commerce: 10	
<b>15. Promotion of High-Quality RTAs/FTAs</b>			
(1) Number of RTAs/FTAs concluded/signed	None	11 agreements	Since 2005, 10 agreements and the protocol amending the agreement with Singapore have entered into force.
RTAs/FTAs concluded/signed with APEC member economies	None	- Agreement between Japan and the Republic of Singapore for a New-Age Economic Partnership - Agreement between Japan and the United Mexican States for the Strengthening of the Economic Partnership - Agreement between the Government of Japan and the Government of Malaysia for an Economic Partnership - Agreement between Japan	

	Status in 1996	Status in 2009	Major Achievements incl. Significant Progress after the Mid-term Stocktake and Example of Best Practices
		and the Republic of Chile for a Strategic Economic Partnership - Agreement between Japan and the Kingdom of Thailand for an Economic Partnership - Agreement between Japan and the Republic of Indonesia for an Economic Partnership - Agreement Between Japan and Brunei Darussalam for an Economic Partnership - Agreement between Japan and the Republic of the Philippines for an Economic Partnership - Agreement between Japan and the Socialist Republic of Viet Nam for an Economic Partnership	
(2) Number of RTAs/FTAs under negotiation	None	5 agreements	Since 2005, Japan has launched the negotiations with GCC, India, Australia and Peru.
RTAs/FTAs being negotiated with APEC member economies	None	- Japan - Korea Economic Partnership Agreement - Japan - Australia	

	Status in 1996	Status in 2009	Major Achievements incl. Significant Progress after the Mid-term Stocktake and Example of Best Practices
		Economic Partnership Agreement - Japan - Peru Economic Partnership Agreement	
(3) Consistency with APEC Model Measures for RTAs and FTAs	None (There was no agreement in 1995.)	In case of the agreement with Switzerland, it is mostly consistent with APEC Model Measures, containing most of the elements of APEC Model Measures.	
<b>16. Voluntary Self-Reporting</b>			
(1) Efforts in support of TILF: Measures on e-commerce	Door to Door Sales Law (current: Act on Specified Commercial Transactions) which included the provisions to promote e-commerce was in effect.	Japan has domestic laws, regulations and guidelines to promote e-commerce including the Basic Act on the Formation of Advanced Information and Telecommunications Network Society, the Act on Specified Commercial Transactions, the Act on Special Provisions to the Civil Code Concerning Electronic. Consumer Contracts and Electronic Acceptance Notice, and the	- Japan-Switzerland EPA has a chapter on electronic commerce which includes provisions regarding cooperation to make the current practice of not imposing customs duties on electronic transmissions binding within the framework of the WTO, non-discriminatory treatment of digital products and services, rules on market access, protection of online consumers, and paperless trade administration.

	Status in 1996	Status in 2009	Major Achievements incl. Significant Progress after the Mid-term Stocktake and Example of Best Practices
		Act on the Protection of Personal Information, and the Interpretative Guidelines for Electronic Commerce	
(2) Efforts in support of TILF in environmental aspects and efforts to mitigate impact on environment derived from trade and investment: Environment-related articles in RTAs/FTAs	None (There was no agreement in 1995.)	All EPAs signed (11 agreements) have some kind of environment-related articles.	<ul style="list-style-type: none"> <li>- 10 among 11 signed EPAs have investment chapter. In order to protect environment, one of those 11 has a provision which stipulates that each party of the agreement shall not encourage investments by investors of the other party by relaxing its environmental measures, while seven EPAs have provisions which stipulate that each party recognises its inappropriateness of encouraging investments by relaxing its environmental measures.</li> <li>- 9 among 11 signed EPAs have chapter(s) relating to bilateral economic cooperation in which environment is stipulated as one of the fields of cooperation.</li> <li>- Japan-Brunei EPA and Japan-Indonesia EPA have chapter on energy/ energy and mineral resources in which there are provisions on environmental aspects. The purposes of these provisions are: <ul style="list-style-type: none"> <li>● to endeavour to minimise/to confirm, in an economically efficient manner, harmful environmental impacts of all activities related to energy/ energy and mineral resources in its area, in pursuit of sustainable development and taking into account its obligations under those international agreements concerning environment to which it is a party;</li> <li>● to take account of environmental considerations throughout the process of formulation and implementation of its policy</li> </ul> </li> </ul>

	Status in 1996	Status in 2009	Major Achievements incl. Significant Progress after the Mid-term Stocktake and Example of Best Practices
			<p>on energy/ energy and mineral resources;</p> <ul style="list-style-type: none"> <li>● to encourage favourable conditions for the transfer and dissemination of technologies that contribute to the protection of environment, consistent with the adequate and effective protection of intellectual property rights; and</li> <li>● to promote public awareness of environmental impacts of activities related to energy/energy and mineral resources and of the scope for and the costs associated with the prevention or abatement of such impacts.</li> </ul> <p>- Japan-Switzerland EPA has a provision that the parties shall encourage trade and dissemination of environmental products and environmental-related services in order to facilitate access to technologies and products that support the environmental protection and development goals though there are no definitions of “environmental products” and “environmental-related services”.</p>
(3) Labour	N.A.	The laws and regulations related to labour standards including the Labour Standards law, the Employment Contracts Act, the Minimum Wages Law, the Industrial Safety and Health Law, and the Workmen’s Accident Compensation Insurance Law apply to foreign	<p>- Japan has implemented various international cooperation projects regarding vocational training and developing human resources through regional frameworks including APEC in order to create and ensure well-educated labour force mainly in East Asia.</p> <p>- Japan has engaged in discussions on labour at international multilateral fora such as International Labour Organisation (ILO), OECD and World Health Organisation (WHO).</p>

	Status in 1996	Status in 2009	Major Achievements incl. Significant Progress after the Mid-term Stocktake and Example of Best Practices
		workers in Japan as well as the Japanese.	