

MEMORANDUM OF COOPERATION  
BETWEEN  
THE GOVERNMENT OF JAPAN  
AND  
THE GOVERNMENT OF THE REPUBLIC OF INDONESIA  
ON  
A BASIC FRAMEWORK  
FOR  
PROPER OPERATION OF THE SYSTEM PERTAINING TO FOREIGN HUMAN  
RESOURCES WITH THE STATUS OF RESIDENCE  
OF  
“SPECIFIED SKILLED WORKER”

The Government of Japan (hereinafter referred to as “GoJ”) and the Government of the Republic of Indonesia (hereinafter referred to as “GoI”) share the view to enhance mutual benefits through the cooperation between the two countries on the sending and accepting specified skilled workers from Indonesia in accordance with the laws and regulations of each country. Based on this view, GoJ and GoI (hereinafter collectively referred to as “Both Governments”) have decided to cooperate as follows:

1. Purpose

The purpose of this Memorandum of Cooperation (hereinafter referred to as “MoC”) is to protect specified skilled workers by means of establishing a basic framework for information partnership and placement and protection mechanism for specified skilled workers in order to ensure proper implementation of the system of sending and accepting them.

2. Definition

For the purpose of this MoC:

- (1) the term “System” refers to a system of sending and accepting specified skilled workers applied in accordance with the laws and regulations of Japan;
- (2) the term “specified skilled worker” (hereinafter referred to as “SSW”) refers to an Indonesian natural person who possesses certain expertise and skills and has been granted the status of residence of “Specified Skilled Worker” by GoJ;
- (3) the term “SSW candidate” refers to an Indonesian natural person who intends to work in Japan through acquiring the status of residence of

“Specified Skilled Worker”;

- (4) the term “accepting organization (hereinafter referred to as AO)” refers to a public or private organization in Japan which intends to enter into an employment contract with SSWs;
- (5) the term “registered supporting organization” refers to an organization that is entrusted based on a contract to perform the work of implementation of all the suitable support plan for SSWs and registered with the Commissioner of the Immigration Services Agency of Japan;
- (6) the term “SISKOTKLN” refers to online computerized system for placement administration services of Indonesian migrant workers operated by GoI;
- (7) the term “IPKOL” refers to online computerized labor market information system in Indonesia; and
- (8) the term “Designated Activities” refers to the status of residence (employment permitted) which certain foreign nationals who plan to change to “Specified Skilled Worker (i)” will be granted, along with the establishment of the status of residence of “Specified Skilled Worker”, for the time being, according to the laws and regulations of Japan.

### 3. Contact point

In order to effectively implement the cooperation under MoC, Both Governments will designate respectively the following contact points:

(1) For Japan:

Residency Management Division, Residency Management and Support Department, Immigration Services Agency

(2) For Indonesia:

Directorate of Indonesian Overseas Workers Placement and Protection, Directorate General of Manpower Placement and Job Opportunity Expansion Development, Ministry of Manpower of the Republic of Indonesia

### 4. Implementation

For the implementation of MoC:

- (1) Cooperation under this MoC will be conducted within the scope of the laws and regulations in force in each country;
- (2) The competent authorities from GoJ are the Ministry of Justice, the Ministry of Foreign Affairs, the Ministry of Health, Labour and Welfare and the National Police Agency of Japan; and

- (3) The competent authorities from GoI are the Ministry of Foreign Affairs, the National Board for the Placement and Protection of Indonesian Overseas Workers, the Ministry of Manpower, and Ministry of Law and Human Rights.

## 5. Confidentiality

Either of the Governments will not disclose confidential information, which is any information designated as confidential, and obtained from the other Government through cooperation and information-sharing within the framework of MoC, without written consent from the other Government.

## 6. Basic framework for information partnership

### (1) Information-sharing

Both Governments will promptly share necessary or useful information in order to ensure smooth and proper sending and accepting SSWs and to resolve the problems of sending and accepting and of residing in Japan of SSWs.

### (2) Consultations for correction of problems and other issues

Both Governments will consult periodically or from time to time to achieve the purpose set forth in 1. of MoC, and will make efforts to correct problems that require improvement for proper operation of the System. The main subjects of the consultations will be as follows:

- (a) Issues related to implementation and changes of the policies of both countries concerning the System;
- (b) Issues related to ensuring the appropriateness of the System;
- (c) Issues related to corrective measures for the various examinations pertaining to sending and accepting SSWs and for improper AOs in Japan, or organizations engaging in support for foreign human resources with the status of residence of “Specified Skilled Worker (i)” (which means support for their work life, daily life and social life enabling SSWs with “Specified Skilled Worker (i)” to engage in their activities under the status of residence stably and smoothly);
- (d) Issues related to proper implementation of skill exams and tests to measure Japanese language proficiency of SSWs;
- (e) Issues related to residence management of SSWs in Japan; and
- (f) Issues related to proper operation of the System and other related systems pertaining to immigration or labor of both countries other than the issues specified in (a) to (e) above.

## 7. Commitments of the GoI

GoI will carry out the following commitments in relation to sending SSWs from Indonesia in accordance with relevant laws and regulations of Indonesia:

- (1) To verify job vacancies provided by AOs through IPKOL;
- (2) To make publicly available the verified job vacancies through IPKOL;
- (3) To provide database of SSW candidates through IPKOL;
- (4) To make publicly available in IPKOL website information regarding proper recruitment process including the method to get access for publishing job vacancies and receiving database of SSW candidates;
- (5) To inform SSW candidates to update the status of his/her preparation as the requirements for certificate of eligibility in IPKOL. Such requirements consist of tests to measure Japanese language proficiency, skill exams and medical check-up;
- (6) To make publicly available in Indonesia the information regarding GoJ's improvement order to AOs;
- (7) To make publicly available in Indonesia the list of registered supporting organizations prepared by GoJ;
- (8) To ensure that all selected SSW candidates who are currently applying for visa and SSWs who have already resided in Japan are recorded in the SISKOTKLN;
- (9) To conduct pre-departure orientation for the selected SSW candidates in Indonesia;
- (10) To provide necessary information when receiving inquiries from GoJ in relation to sending SSWs from Indonesia; and
- (11) To issue recommendation for changing status of residence to SSW candidates who are currently residing in Japan.

#### 8. Commitments of the GoJ

GoJ will carry out the following commitments in relation to accepting SSWs from Indonesia in accordance with relevant laws and regulations of Japan;

- (1) To notify GoI of an improvement order (including the results of investigations which are the bases of the improvement order) to an AO when making such an order and to share the list of registered supporting organizations to GoI;
- (2) To inform AOs to register in the IPKOL to get access for publishing job vacancies and receiving database of SSW candidates in Indonesia;
- (3) To inform AOs to update the recruitment process of SSW candidates in Indonesia through IPKOL;
- (4) To inform AOs that SSW candidates who are currently residing in Japan

will be required to obtain recommendation for changing status of residence from the Indonesian Missions in Japan;

- (5) To ensure that working visa can only be issued by the Japanese Missions in Indonesia after SSW candidates in Indonesia obtain Certificate of Eligibility and ID number of SISKOTKLN issued by GoI;
- (6) To ensure that status of residence “Designated Activities” will be issued for an SSW candidate who has successfully completed Technical Intern Training (ii) or (iii) in Japan and applies to the same AO and will perform same type of work, along his/her transition process to a SSW in accordance with the laws and regulations of Japan;
- (7) To ensure that AOs conduct pre-arrival orientation for SSW candidates before arrival in Japan;
- (8) To ensure that AOs conduct post-arrival orientation for SSWs upon their arrival in Japan;
- (9) To provide necessary information when receiving inquiries from GoI in relation to the acceptance of SSWs from Indonesia; and
- (10) To encourage AOs to take necessary measures to ensure smooth departure after SSW candidates terminate residing as “Designated Activities” in accordance with the laws and regulations of Japan.

#### 9. Skill Exams and Language Tests

- (1) GoJ (which includes the ministries in charge of accepting SSWs in this part 9.) will properly conduct skill exams and tests to measure Japanese language proficiency of SSWs.
- (2) GoI will support, whenever applicable, skill exams and tests to measure Japanese language proficiency of SSWs which are conducted in Indonesia, in accordance with its prevailing laws and regulations.
- (3) Both Governments will share information about proxy test-taking, forgery or alteration of documents certifying passing of the exams and the tests or other wrongful acts, when they notice them.
- (4) SSW candidate, except those who have successfully completed “Technical Intern Training (ii)”, will be required to fulfill both of the following requirements, in accordance with the laws and regulations of Japan:
  - (a) It will be proven through an examination or other evaluation methods that the applicant possesses skills requiring considerable knowledge or experience necessary for the work which the applicant intends to engage in; and
  - (b) It will be proven through an examination or other evaluation methods

that the applicant possesses the Japanese language proficiency necessary for living in Japan and the Japanese language proficiency necessary for the work which the applicant intends to engage in.

#### 10. Review

Both Governments will meet as necessary and at least annually to review MoC and its implementation. The venue and time of the meeting will be decided by Both Governments. In the event that the meeting could not be conducted, exchange of documents will be made in lieu of such meeting.

#### 11. Settlements of differences

Both Governments will consult each other with respect to the implementation of activities under this MoC or issues arising in relation to the implementation, and will settle such issues amicably and in close cooperation.

#### 12. Commencement, Modification, Duration, and Termination

- (1) MoC will commence on the date of its signing. The duration of MoC will be 5 (five) years, and may be extended by written consent through diplomatic channel.
- (2) The contents of this MoC may be modified or supplemented as necessary with written consent of Both Governments and will form as an integral part of MoC.
- (3) Either Government may terminate MoC at any time by giving written notification to the other Government. The termination date will be 60 (sixty) days after the date notified by the former Government.
- (4) The status of the on-going projects or cooperation after the termination of MoC will be decided by Both Governments.

IN WITNESS whereof the undersigned being duly authorized thereto by their respective Governments, have signed MoC.

Made in duplicate at Jakarta on this 25<sup>th</sup> day of June, 2019 in the English, Japanese, and Indonesian languages, all having equal significance. In the event of divergence of interpretation, the English text will prevail.

**For the Government of Japan**

**For the Government of the  
Republic of Indonesia**

**Masafumi Ishii**

Ambassador Extraordinary and  
Plenipotentiary

**Muhammad Hanif Dhakiri**

Minister of Manpower