



Joint Minutes of the Fourth Meeting of the Committee on Regulatory Cooperation under the Agreement between the European Union and Japan for an Economic Partnership

Video Conference, 22 February 2023

The fourth meeting of the Committee on Regulatory Cooperation under the Agreement between the European Union (“EU”) and Japan for an Economic Partnership (“EPA”) took place on 22 February 2023 via video conference.

On Japan’s side, representatives from Ministry of Foreign Affairs, Ministry of Economy, Trade and Industry, Ministry of Land, Infrastructure, Transport and Tourism and the Mission of Japan to the EU participated in the meeting. On the EU side, the Directorates-General for Trade, for Internal Market, Entrepreneurship and SMEs, for Environment, and the EU Delegation to Japan were represented.

The meeting agenda was adopted (cf. annex).

Both sides discussed five main issues concerning the deployment of offshore wind power in Japan: tendering, standards and certification, cabotage, maritime spatial planning, and feedback from Japan to the EU offer to cooperate on these matters. Japan explained their improvements on evaluation methods which were adopted in the 2nd round of tenders. Both sides reaffirmed to continue cooperation for the next round of tenders in Japan, where Japan will further consider tender size and Japanese centralized system etc. Japan requested EU good practice of a “one stop shop” approval process of offshore wind regulatory requirements, which is not possible in Japan at this point since the relevant domestic laws and regulations are under the jurisdiction of multiple ministries and agencies. Japan indicated, however, that they share the importance of reviewing the regulatory system standardization and certification in line with what has been discussed with the EU by, for example, increasing reliance on certification systems involving private conformity assessment bodies as a means to implement Japanese technical regulations. As for cabotage, the EU stated that access of EU-flagged vessels would be beneficial as Japan does not possess the right types of vessels for offshore wind power projects, and that this causes problems for operators. Japan explained the basic concept of their cabotage system, referring to good examples of reflagging of foreign vessels to Japanese, and concluded that reflagging could

be the best possible solution for the foreign vessels to be deployed in Japan. The EU and Japan confirmed that access to vessels needed to be discussed further. Both sides confirmed to continue discussion on the possible use of the exclusive economic zone (EEZ) for offshore wind power and on the possible development of a system of Maritime Spatial Planning in Japan.

Japan raised their concerns on several draft regulations on chemicals: Classification, Labelling and Packaging (CLP), per- and polyfluoroalkyl substances (PFAS) and Multi-wall Carbon Nanotubes (MWCNTs).

Japan requested that the EU review of the CLP be based on the decision made by the informal correspondence group on the Globally Harmonized System of Classification and Labelling of Chemicals (GHS) to avoid disruption in their value chain. The EU explained that the CLP revision is based exclusively on the decision made by the GHS Sub-Committee that is reflected in the Purple Book. As for the proposal on PFAS, Japan pointed out that such restriction should be based on scientific evidence, along with the socio-economic impact. Japan appreciated the opportunities for Japan's stakeholders to present their views on the MWCNTs. The EU referred to their usual practice to consult all stakeholders, which also applied in these cases.

Both sides exchanged views as regards the engagement with stakeholders on regulatory cooperation issues. Both sides confirmed that a joint Japan-EU debriefing to the business sector may be useful and reaffirmed that such activity should not be duplicated, possibly making use of the Sherpa meeting of the Japan-EU Business Round Table. Japan requested a written progress report from the EU while the EU explained that they would launch a detailed evaluation of EPA after its 5th year of application. As for the questionnaire which Japan asks Japanese exporters to the EU, Japan would share information with the EU concerning replies on non-tariff barriers or EPA-related issues, if any.
