

# Japan – UK CEPA Joint Dialogue

Dr Christian Delev

Trade & Public Policy Network  
University of Bristol Law School

Prof Gregory Messenger

Trade & Public Policy Network  
University of Bristol Law School

# Labour Protection

## Article 16.3

*'3. Each Party shall make continued and sustained efforts on its own initiative to pursue ratification of the fundamental ILO Conventions and other ILO Conventions which each Party considers appropriate to ratify.'*

*[...]*

*5. Each Party reaffirms its commitments to effectively implement in its laws, regulations and practices ILO Conventions it has ratified.'*

## Dr Christian Delev:

- Could Japan provide an update on their domestic ratification of fundamental ILO conventions, notably the Discrimination (Employment and Occupation) Convention, 1958 [C111] and Occupational Safety and Health Convention, 1981 [C155]?
- What actions are being taken to ratify these conventions, and – if none – why is their ratification 'inappropriate' for Japan exactly?
- How does Japan intend to 'implement and periodically review a coherent national policy on occupational safety, occupational health and the working environment'? (Article 4 C155), and require employers 'to ensure that, so far as is reasonably practicable, the workplaces, machinery, equipment and processes under their control are safe and without risk to health' (per Article 16 C155)?

# Fisheries Management

TaPP

Network

## Article 16.8

*'2. In that context, the Parties shall:*

*b) promote conservation and sustainable use of fisheries resources through appropriate international organisations or bodies in which both Parties participate, including regional fisheries management organisations (hereinafter referred to as "RFMOs"), by means of, where applicable, effective monitoring, control or enforcement of the RFMOs' resolutions, recommendations or measures, and implementation of their catch documentation or certification schemes;*

*c) 'adopt and implement their respective effective tools for combating illegal, unreported and unregulated (hereinafter referred to as "IUU") fishing, including through legal instruments, and, where appropriate, control, monitoring and enforcement, and capacity management measures, recognising that voluntary sharing of information on IUU fishing will enhance the effectiveness of these tools in the fight against IUU fishing, and underlining the crucial role of the members of RFMOs with major fisheries markets to leverage a sustainable use of fisheries resources;'*

# Fisheries Management

## Dr Christian Delev:

- Could Japan identify what concrete measures it aims to adopt following the entry into force of the Agreement on Fisheries Subsidies?
- How will the UK and Japan work towards addressing outstanding questions regarding IUU fishing within the WTO and multilateral environmental fora (e.g., UNCLOS)?

## Prof Gregory Messenger:

- What progress have the parties been making to advance cooperation in relation to fisheries management, and in particular, sustainable fisheries management?
- Given concerns documented in Tanaka 2025, is there scope to improve the focus of illegal fishing governance in Japan in line with environmental concerns rather than economic harms to local fishers?

# Forestry Management

## *Article 16.7(c)*

*'exchange information and share experiences at bilateral and multilateral levels with a view to promoting the conservation and sustainable management of forests and trade in legally harvested timber and timber products, as well as to combating illegal logging.'*

## **Prof Gregory Messenger:**

- What progress have the parties made to advance cooperation in relation to forestry management, and in particular, sustainable forestry management?
- To improve sustainable management of forests, how does Japan intend to ensure that the Clean Wood Act or similar instruments not only manage timber but also other forest-risk commodities (FRCs)?
- Given the ongoing UK process to regulate trade in FRCs, are the parties considering cooperation projects or information exchange on models to ensure sustainable supply chains?

# GHG Emissions

## Article 16.4

*'4. The Parties recognise the importance of achieving the ultimate objective of the United Nations Framework Convention on Climate Change, done at New York on 9 May 1992 (hereinafter referred to as "UNFCCC"), in order to address the urgent threat of climate change, and the role of trade to that end. The Parties reaffirm their commitments to effectively implement the UNFCCC and the Paris Agreement, done at Paris on 12 December 2015 by the Conference of the Parties to the UNFCCC at its 21st session [...]'*

## Dr Christian Delev:

- What trade-specific actions has Japan concretely adopted to satisfy its aim of 'reduc[ing] its greenhouse gas emissions by 46 percent in fiscal year 2030'?
- What is the expected contribution of its domestic carbon taxes, as well as carbon border levy?

# Biological Diversity

TaPP

Network

## Article 16.6

*'2. In that context, each Party shall:*

- a) *encourage the use of products which were obtained through sustainable use of natural resources and which contribute to the conservation and sustainable use of biodiversity, including through labelling schemes, taking into account the importance of trade in such products;*

## Article 16.9

*'When preparing and implementing measures with the aim of protecting the environment or labour conditions that may affect trade or investment, the Parties shall take account of available scientific and technical information, and where appropriate, relevant international standards, guidelines or recommendations, and the precautionary approach.*

## Dr Christian Delev:

- Could Japan provide an update concerning how its current agricultural pesticide regulations address biological diversity concerns, particularly on agricultural lands? I note this issue has been raised in the March 2025 OECD report on Japan ([https://www.oecd.org/en/publications/oecd-environmental-performance-reviews-japan-2025\\_583cab4c-en.html](https://www.oecd.org/en/publications/oecd-environmental-performance-reviews-japan-2025_583cab4c-en.html)).

# Regulatory Cooperation

TaPP

Network

## Article 16.12

*'Recognising the importance of cooperation on trade-related and investment-related aspects of environmental and labour policies in order to achieve the objectives of this Agreement, the Parties may, inter alia:*

- a) cooperate at bilateral or multilateral level in the fields of environmental protection and labour, including through appropriate international organisations or bodies in which both Parties participate;*
- j) cooperate to promote the conservation and sustainable management of forests and trade in legally harvested timber and timber products, as well as to combat illegal logging; and*
- k) cooperate, bilaterally or through appropriate international organisations or bodies in which both Parties participate, to promote sustainable fishing and aquaculture practices and trade in legally obtained fisheries resources, as well as to combat IUU fishing.'*

## Dr Christian Delev:

- Could both Parties identify what is their current cooperation in multilateral environmental forums, in line with their obligations of conduct under Article 16.12?
- Likewise, what are current cooperation efforts concerning i) forestry management and ii) conservation of biological diversity? What future forms of cooperation would be most useful in both regards for Japan?



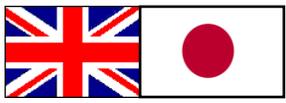
~The second meeting of Joint Dialogue with Civil Society under Chapter 16 (Trade and Sustainable Development)  
of Japan-UK CEPA~  
Videoconference, 23 October 2025

# Challenges Japan Faces in Ratifying and Implementing the ILO Core Conventions

**Ryo SAITO**

Executive Director, International Policy Department  
**JTUC-RENGO**





## Chapter 16 Trade and Sustainable Development

### Article 16.3 : International labour standards and conventions

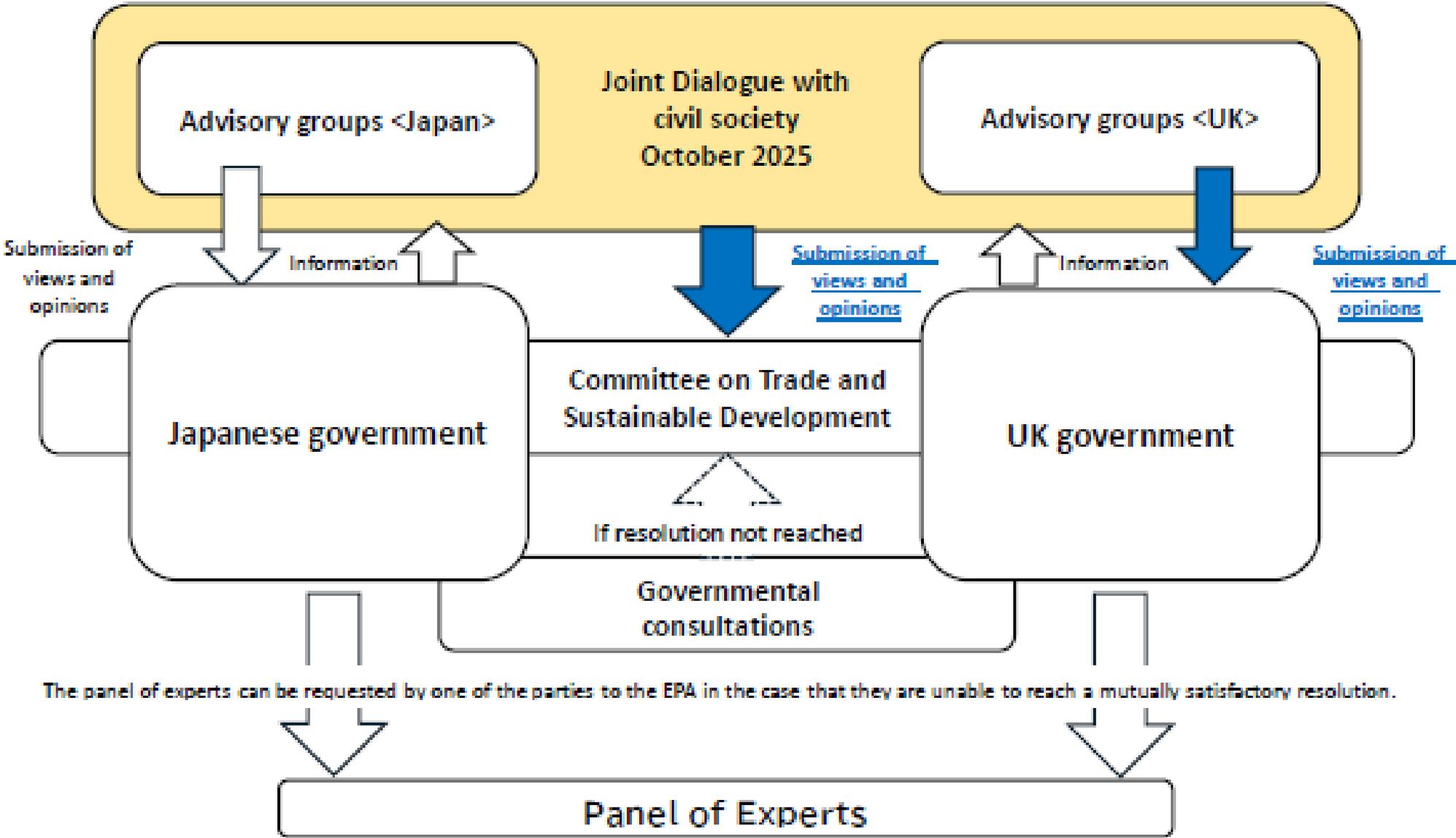
1. The Parties recognise full and productive employment and decent work for all as key elements to respond to economic, labour and social challenges. The Parties further recognise the importance of promoting the development of international trade in a way that is conducive to full and productive employment and decent work for all. In that context, the Parties shall exchange views and information on trade-related labour issues of mutual interest in the meetings of the Committee on Trade and Sustainable Development established pursuant to Article 22.3, and as appropriate in other fora.
2. **The Parties reaffirm their obligations deriving from the ILO membership.** The Parties further reaffirm their respective commitments with regard to the ILO Declaration on Fundamental Principles and Rights at Work and its Follow-up.  
**Accordingly, the Parties shall respect, promote and realise in their laws, regulations and practices the internationally recognised principles concerning the fundamental rights at work, which are:**
  - (a) the freedom of association and the effective recognition of the right to collective bargaining;**
  - (b) the elimination of all forms of forced or compulsory labour;
  - (c) the effective abolition of child labour; and
  - (d) the elimination of discrimination in respect of employment and occupation.**
3. **Each Party shall make continued and sustained efforts on its own initiative to pursue ratification of the fundamental ILO Conventions and other ILO Conventions which each Party considers appropriate to ratify.**
4. **The Parties shall exchange information on their respective situations as regards the ratification of ILO Conventions and Protocols, including the fundamental ILO Conventions.**
5. **Each Party reaffirms its commitments to effectively implement in its laws, regulations and practices ILO Conventions ratified by UK and Japan respectively.**
6. The Parties recognise that the violation of the internationally recognised principles concerning the fundamental rights at work referred to in paragraph 2 cannot be invoked or otherwise used as a legitimate comparative advantage, and that labour standards should not be used for protectionist trade purposes.



## Article 16.17 : Government Consultations

- 1. In the event of disagreement between the Parties on any matter regarding the interpretation or application of this Chapter,** the Parties shall only have recourse to the procedures set out in this Article and Article 16.18.  
The provisions of this Chapter shall not be subject to dispute settlement under Chapter 21.
- A Party may request in writing consultations with the other Party on any matter concerning the interpretation and application of this Chapter. The Party requesting consultations shall set out the reasons for the request, including identification of the matter and an indication of its factual and legal basis, specifying the relevant provisions of this Chapter.
- When a Party requests consultation pursuant to paragraph 2, the other Party shall reply promptly and enter into consultations with a view to reaching a mutually satisfactory resolution of the matter.
- During consultations, each Party shall provide sufficient information to enable a full examination of the matter in question.  
**The Parties shall take into account the activities of the ILO and other relevant international organisations or bodies in which both Parties participate and, as may be required by the Parties on an ad hoc basis, may seek advice from those international organisations or bodies, or other experts.**  
The Parties shall discuss appropriate measures to be implemented, taking into account that advice.
- If no solution is reached through the consultations held in accordance with paragraphs 2 to 4, the Committee shall be convened promptly on request of a Party to consider the matter in question.
- The Parties shall ensure that the solutions reached through the consultations under this Article will be jointly made publicly available, unless the Parties agree otherwise.

Image of Bilateral Consultations on Trade and Sustainable Development in the Agreement (incomplete draft)



\* The panel of experts consists of 3 experts who are all independent of, have no connections with, and take no instructions from either of the parties to the EPA.



## ILO Discrimination (Employment and Occupation) Convention, 1958 (No. 111)

- The Convention 111 aims to eliminate discrimination based on seven factors—race, colour, sex, religion, political opinion, national extraction or social origin—as well as in matters related to employment and occupation.

### Obligations of Countries That Have Ratified Convention 111:

#### Article 2

Each Member for which this Convention is in force undertakes to declare and pursue a national policy designed to promote, by methods appropriate to national conditions and practice, equality of opportunity and treatment in respect of employment and occupation, with a view to eliminating any discrimination in respect thereof.

#### Article 3

Each Member for which this Convention is in force undertakes, by methods appropriate to national conditions and practice--

**(b) to enact such legislation and to promote such educational programmes as may be calculated to secure the acceptance and observance of the policy;**

**(c) to repeal any statutory provisions and modify any administrative instructions or practices which are inconsistent with the policy;**



## Challenges Japan Faces in Ratifying C111



Regarding the obligation outlined in previous slide **(b)**, **Japan's domestic legal restrictions are limited. Currently, the only prohibitions pertain to gender discrimination in job advertisements and hiring practices.**

Regarding the obligation outlined in previous slide **(c)**, two key issues arise:

1. Provisions that differentiate (protect) based on gender

—These regulations take into account physical and psychological differences in relation to hiring and labor conditions. \*1

2. Provisions that differentiate (sanction) the expression of political views by public servants

—These restrictions are intended to uphold the neutrality of administrative agencies.\*2

\*1 The Ministry of Health, Labour and Welfare aims to ensure that provisions designed to protect maternity do not pose issues in the application of C111.

\*2 According to the Ministry of Health, Labour and Welfare, it has been confirmed that the United States, the United Kingdom, Germany, Canada, South Korea, and other countries also have certain restrictions. While the content and scope of these restrictions vary from country to country, many instances involve limitations on specific occupations (in the U.S. and U.K.) or particular actions and situations (in Germany and Canada).

# National Diet of Japan (198th session)

## Resolution concerning Japan's further contributions to the ILO on the commemoration of the centenary of its foundation

Acknowledging that in 2019, the International Labour Organization (ILO) celebrates its 100th anniversary,

Reaffirming that since its foundation in 1919, in the aftermath of the First World War, the ILO, under the universal principles stipulated in the Preamble to its Constitution that “universal and lasting peace can be established only if it is based upon social justice”, has significantly contributed globally to the improvement of working conditions and the work environment, as well as to the establishment of fundamental rights at work through its efforts in discussing and adopting the International Labour Standards and delivering technical and development cooperation, all of which should be acknowledged to be historic milestones of the past 100 years,

Applauding that the ILO, with 187 member states world-wide today, has established and institutionalised a unique tripartite structure which brings together representatives of governments, workers and employers for all decision-making and operation of the organization, and contributed to promoting tripartism in all its Member States, including Japan,

Recognizing that Japan, as one of the founding members of the ILO holding a titular seat of the ILO Governing Body as one of the states of chief industrial importance since 1954, has played a leading role in promoting ILO's activities, not only in Japan but also elsewhere in the world, and that our continued contribution is strongly expected by the international community,

Emphasizing that “the ILO Declaration on Fundamental Principles and Rights at Work”, adopted in 1998, commits all Member States to respect and promote fundamental principles and rights at work in four categories, driving continuous international efforts toward ratifying and implementing the eight Core Conventions corresponding to those principles, and that Japan, while having joined in this effort, must make additional effort toward ratification of the remaining unratified Core Conventions and to the sound and steady implementation of ratified Conventions.

And, welcoming that “Decent Work”, conceptualised in 1999 as a new strategic objective of the ILO, is now set as one of the SDGs (Sustainable Development Goals) adopted by the UN Sustainable Development Summit in 2015, we hereby reaffirm that Japan will make further contributions toward the efforts of the ILO in achieving Decent Work globally as well as domestically, setting the Decent Work agenda as one of the key targets of our on-going “Work Style Reform” programmes, in anticipation of “Future of Work”, through tripartite efforts by government, workers and employers of Japan, leading the efforts of the international community.

In recognition that, as globalization and information-driven innovation will be accelerated, both in scale and speed, which inevitably change and diversify work styles and environments and increases intra-/inter-national migration of workers in terms of size and complexity, the importance of the ILO and its basic principles, International Labour Standards, tripartism, and the Decent Work agenda will be increased, we, the House of Representatives/Councillors, hereby reconfirms the leading roles of Japan to be played within the ILO, and expresses our commitment to make our utmost contributions to pursuing and achieving the principle and objectives of the ILO in cooperation with the member states throughout the world, leading to the development of the ILO in the next 100 years.

[Adopted in 26 June, 2019]



## Regarding the Ratification of C111



- ★The current domestic legislation prohibits discrimination on seven grounds, but the only explicitly defined prohibition is sex discrimination. While sex discrimination is distinctly outlawed, existing laws and regulations effectively ensure compliance with the other requirements.
- ★Several observations have been made by the CEACR of the ILO.  
It is possible to ratify a convention without necessarily having an explicit statute. Ratification itself can serve as a declaration of renewed commitment to this goal. Based on this understanding, the approval of the policy and compliance with the requirement to enact appropriate laws and regulations ensuring its acceptance and implementation are generally considered fulfilled.
- ★The key issue is the requirement to repeal all statutory provisions and amend administrative orders or practices that conflict with the policy. Under current domestic legislation, provisions that impose distinctions (sanctions) on restrictions related to the expression of political views by public officials remain in laws such as the National Public Service Act, the Local Public Service Act, and the Self-Defense Forces Act, among others. The Japanese government maintains that ratification will not be feasible unless these legal provisions are abolished and all relevant orders and practices are revised—without such changes, the ratification process cannot move forward.
- ★In other countries, public officials are recognized as individuals who hold human rights, including the fundamental right to express political opinions. This principle is universally accepted. However, Japan imposes restrictive measures that conflict with the purpose of the Convention. Furthermore, the Japanese government is unable to ratify the Convention in its current state, as it strictly evaluates existing provisions, including rules and regulations, making compliance difficult under current legal conditions.

### < Perspectives of the ILO Parliamentary Group >

The ILO Parliamentary Group believe there may be a pathway to ratification within the framework of current Personnel Authority rules. However, such an approach could face challenges as a politically sensitive decision.

# Challenges Japan Faces in Implementing C87

~Situation Regarding the Application of Fundamental Labor Rights to Public and Civil Service Personnel in the Republic of Korea and Japan~

Classification	 <b>Republic of Korea</b>			 <b>Japan</b>		
	Right to Organize	Collective Bargaining Right (Right to conclude a CBA)	Right to Engage in Industrial Action	Right to Organize	Collective Bargaining Right (Right to conclude a CBA)	Right to Engage in Industrial Action
General public service employees	○	○	×	○	△	×
Non-clerical public service employees	○	○	○	○	○	×
Educational public service employees	○	○	×	○	△	×
Firefighter Public service Employees	○	○	×	×	×	×
Prison officers	×	×	×	×	×	×

Note: The measure applying the right to organize and the collective bargaining right to the Republic of Korea's firefighter public service employees was enacted with related laws in December 2020. The △ mark in Japan's collective bargaining right indicates that the right to conclude a collective bargaining agreement is not included.



# Challenges Japan Faces in Implementing C87

~Toward a Resolution of the Issue of Basic Labour Rights of Japanese Public Services Workers~



## Conclusion of the 2024 CAS

The Committee took note of the oral and written information provided by the Government and the discussion that followed. The Committee noted the long-standing nature and the prior discussion of this case in the Committee, most recently in 2018.

Taking into account the discussion, the Committee requested the Government, to consider, in line with the Convention and in consultation with employers' and workers' organizations:

- further improvements of the status and labour conditions of firefighters;
- what categories of prison officers are considered part of the police, thus exempted from the right to organize, and those categories that are not considered part of the police, and having the right to organize;
- with regard to public service employees:
  - **ensure that the National Personnel Authority (NPA) procedures guarantee effective, impartial and speedy conciliation and arbitration procedures;**
  - **continue to examine carefully the autonomous labour–employer relations system and seek solution to the various obstacles to it, in line with the Convention; and**
  - review the Local Public Service Act and any other related legislation to ensure that local public sector workers enjoy the rights and guarantees set out in the Convention.

The Committee requested the Government to submit a report to the Committee of Experts on progress achieved on all of the above matters by 1 September 2024.

**Summary of the 2024 Report of the Government of Japan:  
"Convention concerning Freedom of Association and Protection of the Right to Organise (No. 87)"**

(i) Right to Organise of Firefighting Personnel

- In response to the conclusion of the 2018 ILO Conference Committee on the Application of Standards, the Ministry of Internal Affairs and Communications held the first regular consultation with the employees' side on January 18, 2019, and shared a recognition on a desired way of holding this consultation with the employees' side.
- It was confirmed that the consultation would continue after substantive discussions on the Fire Defense Personnel Committee system.

(ii) Right to Organise of Prison Officers

- In view of the purport of the ILO No. 87 Convention, Article 9, the prison officers are considered to be included in the "police" as mentioned in the same article.
- The personnel of penal institutions are not entitled to the right to organise. However, based on the observations on the report from the Committee of Experts on the Application of Conventions and Recommendations held in 2018, the GOJ newly created and expanded the opportunities for the personnel of penal institutions to express their own opinions on the working environment, etc.
- The GOJ is seeking to improve their workplace environment through various measures including those that are not stated above.

(iii) Basic Labour Rights of Public Service Employees

- The basic labour rights of the public service employees of Japan are restricted to some extent, due to the distinctive status as servants of all citizens and the public nature of the functions they should perform, in order to guarantee for all citizen's common interests. As a compensatory measure for these restrictions, neutral and third-party organizations such as the National Personnel Authority and Personnel Committees have been established to issue recommendations and implement other measures.
- The National Personnel Authority is effectively, impartially and speedily functioning as a compensatory measure for the restrictions on basic labour rights.
- With regards to measures for the autonomous labour-employer relations system, there are a wide range of issues that have yet to be understood by the public, making it necessary to continue careful considerations on these issues. This situation remains unchanged today. For this reason, the GOJ believes that the measures for an autonomous labour-employer relations system are issues that should be carefully examined while continuing to exchange opinions with employee organizations, etc. in Japan.

(iv) Local Public Service Employees

- The GOJ will carry out careful examinations regarding the basic labour rights of local public service employees, based on the examination of national civil service reform, listening to opinions of related organizations.

(v) Consultations with Social Partners

- **Taking advantage of the conclusions of the Committee on the Application of Standards in 2024, the GOJ will conduct a new exchange of opinions with domestic employers' and workers' organisations on issues related to the public service employee system. The GOJ continues to strive for further mutual understanding with social partners.**

**Summaries of the Japanese Government 2024 Annual Report and JTUC-RENGO's Views  
on the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87)  
(Related to consultation with social partners)**

Japanese Government's Annual Report	RENGO's Views
<p>The GOJ continues to carefully examine, in consultations with social partners, how to respond to the recommendations stated in the conclusions of the Committee on the Application of Standards. In addition, the GOJ has been consulting employers' and workers' organisations at the annual ILO Panel on various themes related to this report, including the autonomous labour-employer relations system.</p> <p><u>Furthermore, taking advantage of the conclusions of the Committee on the Application of Standards in 2024, the GOJ will conduct a new exchange of opinions with domestic employers' and workers' organisations on issues related to the public service employee system.</u> The GOJ continues to strive for further mutual understanding with social partners.</p> <p>The GOJ will continue to provide information in good faith to the ILO on our country's efforts.</p>	<p>With regard to the indication in the Annual Report of the Government of Japan that "the GOJ will conduct a new exchange of opinions with domestic employers' and workers' organisations on issues related to the public service employee system." as a response to the conclusion in the 2024 Conference Committee on the Application of Standards, <u>we intend to maintain vigilance over future developments, including whether or not the Japanese government will respond in good faith.</u></p> <p>In order to have the Japanese government realize the request in the 2024 Report of the Committee of Experts on the Application of Conventions and Recommendations ("the Committee is bound to urge the Government to take the necessary measures without further delay to define, <u>in consultation with the social partners concerned</u>, a time-bound plan of action to give effect to the recommendations of the Conference Committee."), <u>we strongly urge the Committee to clarify, at least, (1) the setting of a minimum of approximately a two-year limit for the formulation of the action plan, (2) the identity of the personnel in charge in the ministries of the Japanese government who are to be consulted with, and (3) that the "related social partner" is the Alliance of Public Services Workers Unions (KOMU-ROKYO), which consists of unions related to public service employees and is affiliated with JTUC-RENGO, is the party representing the labour side.</u></p>

**<Views of Keidanren (Japan Business Federation)>**

○ Based on the conclusions of the Committee on the Application of Standards in 2024, the Government of Japan has decided to continue to communicate with the social partners by conducting a new exchange of opinions with domestic employers' and workers' organisations on various issues related to the public service employee system, in addition to the annual ILO Panel which has been discussing these issues for some time. Keidanren commends these decisions and responses by the Government of Japan.

## JTUC-RENGO

We regretfully clarify that in the first meeting, held on December 19, 2024, it was not possible to sense in the slightest degree that the Japanese government held a sincere attitude toward a resolution of the issues and that the meeting was nothing more than an opportunity for government, labor, and management to express their different perceptions.

To be more specific, firstly, the explanations and materials provided by relevant ministries merely reiterated the current situation of constraints and a unilateral justification on the part of the Japanese government, which had been found to have behaved improperly by the Committee on Freedom of Association and the Committee of Experts on the Application of Conventions and Recommendations.

Secondly, by bringing up topics such as securing human resources and measures against harassment, which were not matters of consideration in the CCAS conclusion, the government is attempting to avoid a discussion of the essential issue of basic labor rights.

Thirdly, although the CCAS conclusion requested “the government to consider, in consultation with employers’ and workers’ organizations, in accordance with the Convention,” the Japanese government regarded the meeting as a mere formality. This is also symbolized by the title of the meeting as “an exchange of opinions.”

JTUC-RENGO recognizes that the conclusion in the 2018 Conference Committee on the Application of Standards urging the Japanese government to “formulate, jointly with the social partners concerned, a time-bound plan of action to give effect to the recommendations of the Committee of Experts on the Application of Conventions and Recommendations” is the only and extremely important measure that will lead to the resolution of the issue.

Further, on this issue, the report of the 2025 Committee of Experts on the Application of Conventions and Recommendations, JTUC-RENGO urges the Committee on Freedom of Association to take especial steps to ensure that the Japanese government initiates prompt action, at least by including the formulation of a time-bound action plan as an agenda item at meetings with employers' and workers' organizations.

# Toward a Resolution of the Issue of Basic Labour Rights of Japanese Public Services Workers

On 23 June 2025, the 6th Joint Dialogue with civil society under the Japan-EU EPA was held in Brussels.

There, JTUC-RENGO raised the issues of Japan's non-ratification of Convention 111 and the public service labour rights situation. With support from our colleagues at ITUC, ETUC, CGIL, and DGB, the EU DAG chair's statement clearly expressed deep concern about these issues and was formally adopted.



EU Domestic Advisory Group  
under the EU-Japan Economic  
Partnership Agreement

6. On labour, we encourage the EU and Japanese institutions to further cooperate in complying with article 16.3 of the EU-Japan EPA. We recommend that progress is made on the Japanese side on compliance with international labour standards, especially with Convention 87, following the guidance provided by the ILO supervisory mechanisms. We equally call on all EU member states to ratify outstanding fundamental Conventions on Occupational Safety and Health, where this has not yet been done.
7. We further call for the ratification by Japan of ILO Convention 111. This is a fundamental ILO Convention that eliminates discrimination in the workplace based on race, sex, religion and political opinion. The ratification would be extremely important for every worker, and especially for the employees in the public sector.
8. It is crucial that the EU and Japan remain in close contact at all levels, including through the valuable civil society exchange, on how recently adopted EU legislation, which could have trade impacts, affects our Japanese partners and continues evolving, as the Commission seeks a substantial reduction of administrative requirements for economic operators. This should lead to greater understanding and a more efficient implementation of this legislation at home and abroad.
9. In this sense, in what concerns the Corporate Sustainability Due Diligence Directive, its full implementation will come in three years, and the changes proposed by the Omnibus package, which aims at simplifying this legislation, are not yet finalised. However, it is important that businesses on both sides already prepare for what will be required for full compliance and cooperate to ensure that trade between the EU and Japan continues as smoothly as possible. Equally, regarding CBAM, legal certainty is critical for all sides





Thank you for your kind attention



 日本労働組合総連合会 (連合)

2<sup>nd</sup> UK-Japan Joint Dialogue with Civil Society  
Trade and Sustainable Development  
23<sup>rd</sup> October 2025  
Trade and Labour  
Relevant Co-operation Activities Between the UK and Japan



# THE UNIVERSAL DECLARATION OF Human Rights

## UK Modern Slavery Act 2015 and its Impact on Japanese Companies: *Implications for Human Rights Due Diligence in Global Supply Chains*

**Dr. Emi Sugawara**  
Professor, Osaka University of Economics and Law  
Director, Global Compact Research Center, Japan  
(Member, Roundtable for implementation of NAP)  
[e-sugawara@keiho-u.ac.jp](mailto:e-sugawara@keiho-u.ac.jp)



# Human Rights Violations in Global Supply Chains

## Development of Business and Human Rights Policies

- Human Rights and Environmental Violations in Global Supply Chains
  - modern slavery (incl. forced labour) : 50 million people (every 150 people) ([ILO et al \(2022\)](#))
    - UK: 122,000 Japan: 144,000 ([Walk Free \(2023\)](#))
  - OECD Guidelines (1976, 2023) , ILO Declaration (1977, 2022) and UNGP (2011)
- Business and Human Rights Policies
  - [National Action Plans](#): UK (2013, 2016) and 35 countries including Japan (2020), Malaysia (2025)
  - Legislation: UK Modern Slavery Act 2015 (section 54) and France, Australia, Norway Germany, EU etc.
    - mandatory reporting
    - mandatory human rights and environmental due diligence
    - mandatory “stakeholder engagement” both affected stakeholders (rights-holders) and suppliers
  - Smart mix of measures
    - disclosure, public procurement, sustainable finance, trade policies, international development etc.
    - import bans on goods made with forced labour: US and Canada, EU

“mandatory” : low-medium- high stringency requirements, transparency, sanction etc.

# Progress and Challenges in Japan

- Business and Human Rights Policies by the Government of Japan
  - Oct 2020 [National Action Plan on Business and Human Rights\(2020-2025\)](#) (currently under the revision process)
  - Sep 2022 [Governmental Guidelines](#) on Respecting Human Rights in Responsible Supply Chains followed by [METI](#) (2023), [MOE](#) (2023), [MAFF](#)(2023), [MHLW](#)(2024), [JETRO](#)(2024)
  - April 2023 [Decision](#) (Inter-Ministerial Committee) on HR efforts in public procurement
  - Dec 2023 [Good practices](#) of information disclosure on sustainability in financial statements
  - Supply Chain Initiatives with international organizations
    - ILO [Building Responsible Value Chains in Asia](#) ([ILO \(2024\)](#) good practices) / UNDP [B+HR Project](#)
- Gaps in the Implementation of Reporting and DD in Supply Chains among Japanese Companies
  - “...there are significant gaps in understanding and in the implementation of the UNGPs among different types of businesses” ([UNWG on BHR \(2023\)](#))
  - companies with more than 5,000 empl. : 95% are undertaking initiatives based on UNGPs
  - companies with 499 or fewer empl. : a high proportion of “have not started yet” and “do not understand” ([KEIDANREN \(2024\)](#))
  - companies implementing HRDD: large (53.5%), Mid-sized (20.7%), SMEs(9.7%), Small(4.9%) [JETRO\(2024\)](#)
  - Japanese-affiliated companies overseas implementing HRDD: 28.5% ([JETRO \(2023\)](#))
  - companies implementing environmental DD in supply chain: 56% ([MURC \(2022\)](#))
  - Need of building capacities (incl. SMEs) and creating an enabling environment to ensure due diligence in supply chains (incl. the third countries)

# UK Modern Slavery Act (section 54) — What's Next?

- UK Modern Slavery Act 2015 (section 54)
  - introduced a reporting requirement for large commercial organizations with a turnover of £36 million or more supplying goods or services and carrying out business in the UK (including Japanese companies), to prepare a slavery and human trafficking statement for each financial year.
- Effectiveness for a level playing field [Modern Slavery Act 2015 Committee](#) (2024) etc.
  - from (mandatory) reporting to mandatory due diligence
    - weak compliance of minimum requirements/ gaps in understanding and in the implementation
    - development to medium and high stringency, focus on remedy, sanctions for non-compliance
  - Smart mix of measures to address modern slavery in supply chain
    - transparency (governmental repository and guide)/ procurement ([PPN 02/23](#)(2024), [PPN 009](#) (2025)) etc.
    - the “ripple effect” aims not to exclude suppliers but to promote transparency and actions (capacity building)
- Effectiveness to prevent a “dumping ground” effect [Joint Committee on Human Rights](#) (2025) etc.
  - Smart mix of measures to address goods made using modern slavery, especially forced labour
    - mandatory due diligence and transparency
    - import bans and restriction: US (imported goods) and EU (imported and exported goods)
    - free trade agreements
  - Addressing root causes of modern slavery with collaborations among governments, industries, and stakeholders

# Expectations under on UK-Japan EPA

- To effectively implement responsible business conducts on the ground, benefiting both people and communities throughout supply chains.
- Expectation for UK-Japan Joint Dialogue with Civil Society

Ensure meaningful exchange of stakeholder views by:

## 1 . Smart mix & policy coherence to build capacities and enabling environments

Discuss what kind of smart mix of measures can ensure a level playing field without leading to a dumping-ground effect. Combine mandatory reporting and due diligence policies with diverse and coherent measures (sanctions, incentives, etc.) to change corporate behavior./Capacity building should benefit companies, business partners, and communities in the supply chain (including in host countries).

## 2 . Inclusive approach involving third countries to ensure responsible supply chain

Promote dialogue and collaboration among governments, industries, and stakeholders in the UK, Japan and third countries.

## 3 . Address root causes of modern slavery and environmental issues

Recognize the roles of governments as well as companies, including through bilateral and multilateral intergovernmental dialogue and negotiation.



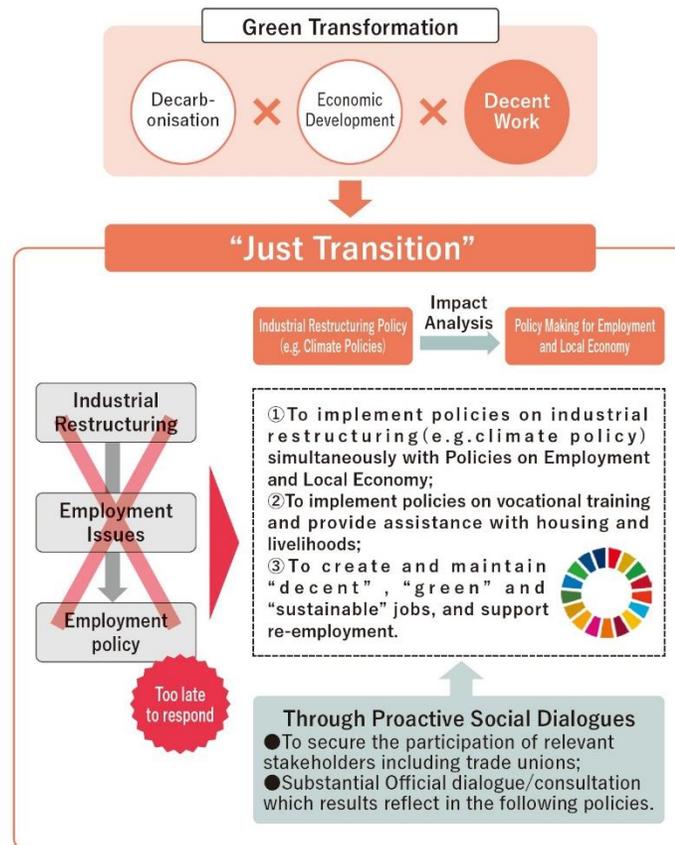
# **RENGO Policy**

## **Carbon Neutral 2050**

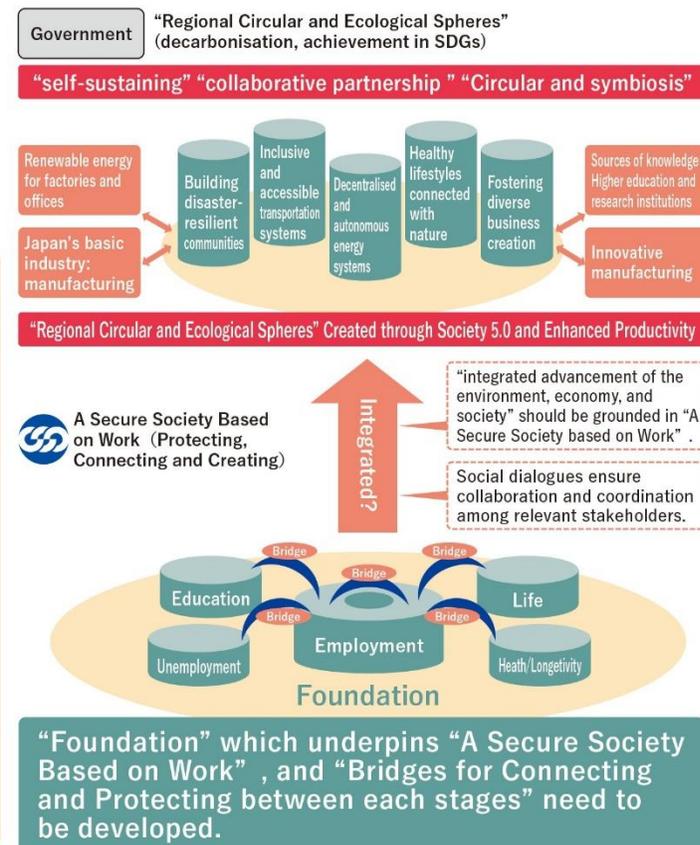
Takahito Katayama  
Director, Social Policy Division  
Japanese Trade Union Confederation (RENGO)

# RENGO Policy : Carbon Neutral 2050

- Based on the principles of the SDGs, policy development will proceed by accounting for innovation and uncertainties of socio-economic landscape, enhancing predictability while maintaining multiple scenarios and options, and working toward consensus through inclusive and deliberative social dialogues.
- In considering and implementing related policies, proactive social dialogues with relevant stakeholders including trade unions, should be conducted in order to minimise the negative impacts of industrial restructuring such as energy transitions on the economy, society, and employment, thereby realising “Just Transition”.



Source: RENGO



Source: RENGO

# Government of Japan : GX2040 Vision

The GX2040 Vision aims to enhance investment predictability toward the realization of Green Transformation (GX) by setting strategic directions for GX-related industrial location and industrial structure. It also addresses "just transition," stating that necessary measures—such as facilitating labour mobility into newly emerging industries. (Cabinet decision in Feb 2025)

1. Overall picture of the GX2040 Vision

2. GX Industrial structure

3. GX Industrial Location

4. Importance of Realistic Transition and to Global Decarbonisation

5. Initiatives in Specific Areas to Accelerate GX

6. Pro-Growth Carbon Pricing Concept

7. Just Transition

In promoting GX, take needed actions such as promoting labour mobility to new industries for a just transition.

8. Progress and Review of GX Policy Implementation

A bill, which is an amendment of GX promotion Act and defines the institutional framework of the concept was passed by the ordinary session of the Diet in 2025.

- Full operation of Emission Trading System(starting from FY2026)
  - Companies with direct emission of 100,000 tons or more CO2 must participate, regardless of industry.
  - Allocate free emission allowance to companies based on industry characteristics.
  - Establish price floors/ceiling for emissions allowances to ensure predictability.
- Introduction of GX surcharge (fossil fuel levy) (starting from FY2028)
  - Establish measures for smooth and effective implementation.

## RENGO Policy : Basic Concept for Emission Trading System

- In designing a concrete framework for “Pro-Growth Carbon Pricing Concept”, the process should be grounded in principle of “S+3E” (Safety, Energy Security, Economic Efficiency, and Environmental Protection). In order not only to ensure industrial competitiveness, but also to minimise negative impacts on employment and wages by fully incorporating the concept of Just Transition. To this end, the burden associated with the decarbonisation transition should be broadly shared by the general public, who will also benefit from the outcomes, rather than being borne solely by specific industries. Careful and inclusive dialogues are essential to this process.
- As concrete investment and support measures are identified, and medium and long term policy framework is shaped, the government must take responsibility and take the lead in providing sufficient explanations to citizens, businesses and local governments, and then work for building public consensus.

# Masako Konishi

WWF Japan, Expert Director (Conservation & Energy)

Member of the Board, TOHO Bank

Graduate school of Showa Women's University, Specially Appointed Professor

Ph.D.in Social Governance (Hosei University,2018)

MPA focusing on Environmental Policies (Harvard University,2005)

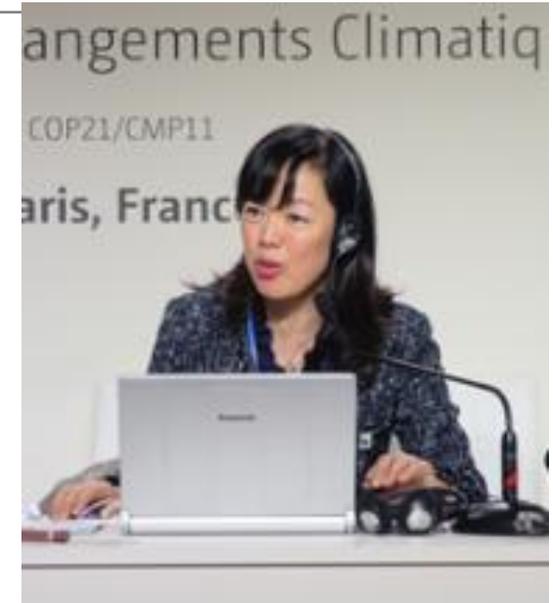
Certified Meteorologist

## Resume

- Worked as TV presenter and reporter for CBC, NHK, CNN for fifteen years
- Attending UN climate COPs since 2005, engaging climate and energy research and advocacy work at WWF, and universities.
- Member of the Central Environment Council of the Ministry of Environment

## Books and Papers

- 『気候変動政策をメディア議題に』著 (ミネルヴァ書房2022)
- 『地球温暖化を解決したい エネルギーをどう選ぶ?』著 (岩波書店2021)
- Routledge Handbook of Environmental Journalism, Part IV: Environmental Coverage in Asia and Australia; 25. The status and Future of Environmental Journalism in Japan, 2020
- The impact of Global NGOs on Japanese Press Coverage of Climate Negotiations: An analysis of the new “Background Media Strategy” *Environmental Communication*, DOI:<https://doi.org/10.1080/17524032.2017.1308403>, 2017



# 1. GX ETS (Japanese ETS) will start in 2026 as real compulsory scheme for the first time in Japan!

- Finally, Japan decided to implement compulsory Emission Trading Scheme from 2026 and Auction system for power sector from 2033.
- Fuel surcharge (carbon surcharge) is planned to be implemented from 2028.
- Upfront investment support totaling 20 trillion yen, utilizing financial instruments such as GX Economic Transition Bonds.

Good news, but questions remain if this is comparable to other compulsory ETS in other areas, and if the level playing field is ensured among countries.

# Can GX law achieve the necessary level of total emissions reduction?



## 脱炭素成長型経済構造への円滑な移行の推進に関する法律及び資源の有効な利用の促進に関する法律の一部を改正する法律案の概要

※脱炭素成長型経済構造への円滑な移行の推進に関する法律（GX推進法）、資源の有効な利用の促進に関する法律（資源法）

### 背景・法律の概要

- ✓ 2023年度成立の「脱炭素成長型経済構造への円滑な移行の推進に関する法律」に基づき、我が国では、2050年カーボンニュートラルの実現と経済成長の両立（GX）を実現するための施策として、成長志向型カーボンプライシング構想の具体化を進めているところ。
- ✓ 脱炭素成長型の経済構造への円滑な移行を推進するため、（1）排出量取引制度の法定化、（2）資源循環強化のための制度の新設、（3）化石燃料賦課金の徴収に係る措置の具体化、（4）GX分野への財政支援の整備を行う。

### （1）排出量取引制度（GX推進法）

- ① 一定の排出規模以上の事業者の参加義務づけ
  - 二酸化炭素の直接排出量が一定規模（10万トン）以上の事業者の参加義務化。
- ② 排出枠の無償割当て（全量無償割当て）
  - トランジション期にある事業者の状況を踏まえ、業種特性も考慮した政府指針に基づき排出枠を無償割当て。割当てに当たっては、製造拠点の国外移転リスク、GX関連の研究開発の実施状況、設備の新増設・廃止等の事項も一定の範囲で勘案。
  - 割り当てられた排出枠を実際の排出量が超過した事業者は排出枠の調達が必要。排出削減が進み余剰が生じた事業者は排出枠の売却・繰越しを可能とする。
- ③ 排出枠取引市場
  - 排出枠取引の円滑化と適正な価格形成のため、GX推進機構が排出枠取引市場を運営。
  - 金融機関等の制度対象者以外の事業者も一定の基準を満たせば取引市場への参加を可能とする。
- ④ 価格安定化措置
  - 事業者の投資判断のための予見可能性の向上と国民経済への過度な影響の防止等のため、排出枠の上下限価格を設定。
  - 価格高騰時には、事業者が一定価格を支払うことで償却したものとみなす措置を導入。
  - 価格低迷時には、GX推進機構による排出枠の買支え等に対応。
- ⑤ 移行計画の策定
  - 対象事業者に対して、中長期の排出削減目標や、その達成のための取組を記載した計画の策定・提出を求める。

※排出量取引制度を基礎として、2033年度より特定事業者負担金の徴収を開始する。

### （2）資源循環の強化（資源法・GX推進法）

- ① 再生資源の利用義務化
  - 脱炭素化の促進のため、再生材の利用義務を課す製品を特定し、当該製品の製造事業者等に対して、再生材の利用に関する計画の提出及び定期報告を義務付け。
  - GX推進機構は、当該計画の作成に関し、必要な助言を実施。
- ② 環境配慮設計の促進
  - 資源有効利用・脱炭素化の促進の観点から、特に優れた環境配慮設計（解体・分別しやすい設計、長寿命化につながる設計）の認定制度を創設。
  - 認定製品はその旨の表示、リサイクル設備投資への金融支援など、認定事業者に対する特例を措置。
- ③ GXに必要な原材料等の再資源化の促進
  - 高い回収目標等を掲げて認定を受けたメーカー等に対し廃棄物処理法の特例（適正処理の遵守を前提として業許可不要）を講じ、回収・再資源化のインセンティブを付与。
- ④ CEコマースの促進
  - シェアリング等のCEコマース事業者の類型を新たに位置づけ、当該事業者に対し資源の有効利用等の観点から満たすべき基準を設定。

### （3）化石燃料賦課金の徴収（GX推進法）

- 2028年度より開始する化石燃料賦課金の執行のために必要な支払期限・滞納処分・国内で使用しない燃料への減免等の技術的事項を整備する。

### （4）財政支援（GX推進法）

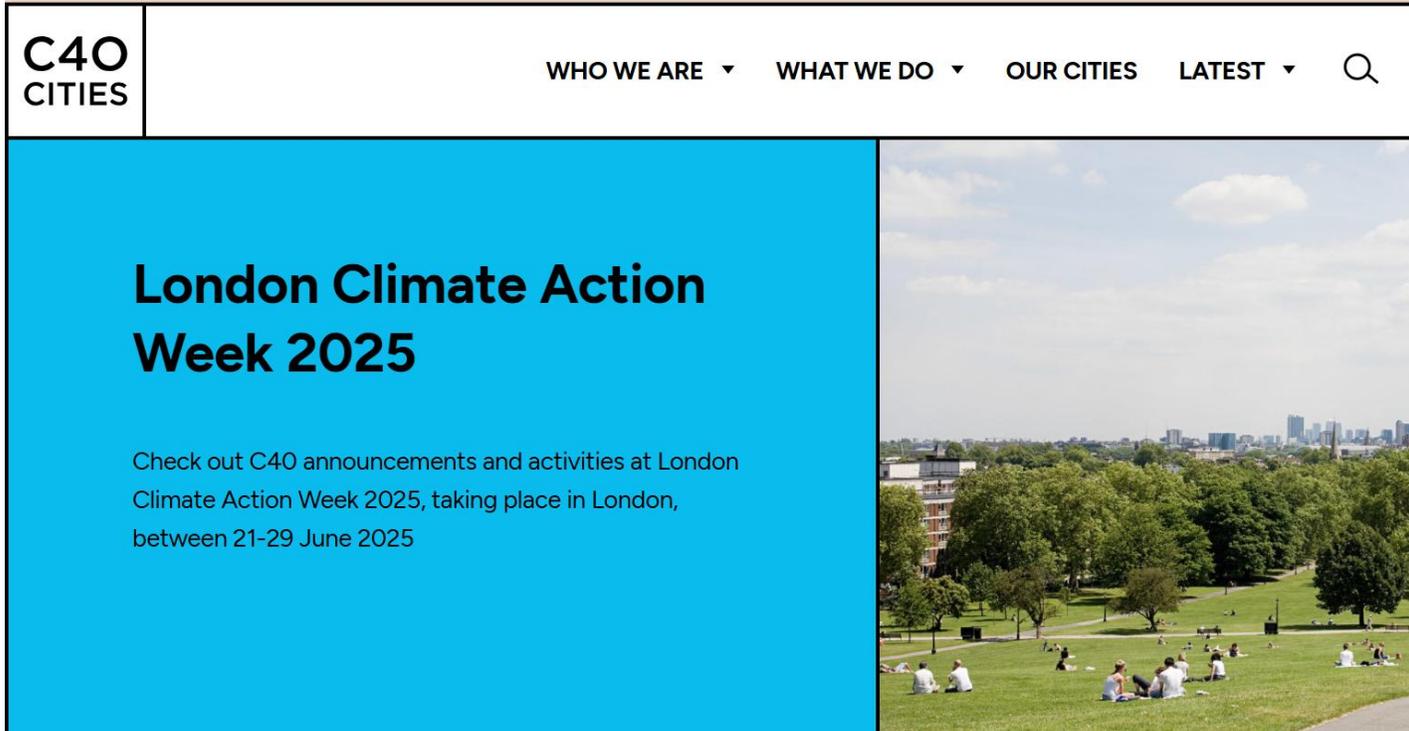
- 脱炭素成長型経済構造移行債の発行収入により、戦略税制のうち、GX分野の物資に係る税額控除に伴う一般会計の減収補填をする。

1. No mention of alignment with the NDC/1.5° C target. Full grandfathering allocation, with consideration of sector-specific characteristics. It is likely a benchmark-based approach.
2. Price Stabilization Measures. Upper and lower price limits for emission allowances will be set. The possible carbon price will be estimated around 2100~2800 yen in average. (source: IEE Japan)
3. It is possible to achieve the targets through the procurement of emission allowances, and there are currently no limits on the use of carbon credits.

出典：経済産業省「脱炭素成長型経済構造への円滑な移行の推進に関する法律及び資源の有効な利用の促進に関する法律の一部を改正する法律案」に筆者加筆

<https://www.meti.go.jp/press/2024/02/20250225001/20250225001.html>

## 2. Importance of Non State Actor's Global Alliance



<https://www.c40.org/cities/london/>

- The Paris Agreement is supported by Non State Actor's progressive action around the world.
- London founded C40 and continues to engage with it to lead cities across the network to raise the level of international action by cities on combating climate change.
- Tokyo, Yokohama are members among other nearly 100 mayors of the world's leading cities that are united to confront the climate crisis.

### Questions;

In the absence of the world second largest nation in climate action, how do you see the way forward, using the power of non state actors' collaboration?