

CHAPTER 5

ASSISTANCE FOR JAPANESE NATIONALS AND COMPANIES OVERSEAS

Overview

As globalization progresses, people and goods are increasingly able to move freely and quickly in their travels and business without the need to be conscious of the concept of national borders, and Japanese nationals and companies too are active around the world. As such, in addition to ensuring the safety of Japanese nationals overseas and

providing necessary consular services, the Japanese Government is creating an environment in which its nationals and companies overseas can have a sense of security and concentrate on their economic activities. Assisting Japanese nationals and companies for that purpose is important from the perspective of securing Japan's national interests.

A

SAFETY MEASURES AND CONSULAR AND MIGRATION SERVICES FOR JAPANESE NATIONALS OVERSEAS

(a) Overview

There currently are a variety of transnational threats overseas, including not only ordinary crime, but also serious accidents, terrorism and infectious diseases. With the increasing number of Japanese overseas travelers and Japanese nationals residing abroad, there is an increasing possibility that Japanese nationals will encounter threats overseas, and consular affairs, which serve as a direct contact with Japanese nationals overseas, have been becoming increasingly important.

Ensuring the safety of Japanese nationals overseas is one of the top-priority issues, and the Ministry of Foreign Affairs plans to strengthen measures further to deal with incidents and accidents including various safety measures and assistance for victims and their families, and it is working toward improving consular services.

Consular reforms are being carried out based on the Action Plan for the Reform of the Ministry of Foreign Affairs announced in August 2002. Measures are being implemented such as the launch of a 24-hour telephone service at overseas establishments and the system to accept applications for overseas residence registration via the Internet. In addition, the "Advisor on Consular Affairs" system which provides various types of consultation for mainly Japanese nationals residing abroad was newly introduced, and in December, ten volunteers familiar with local situations with enough experience were assigned to the overseas establishments. In June 2003, the Council on the Movement of People Across Borders, which is the advisory council of the foreign minister, announced the "Preliminary Report on the Reform of Consular Affairs" and provided proposals regarding: (1) improving and strengthening consular services; (2)

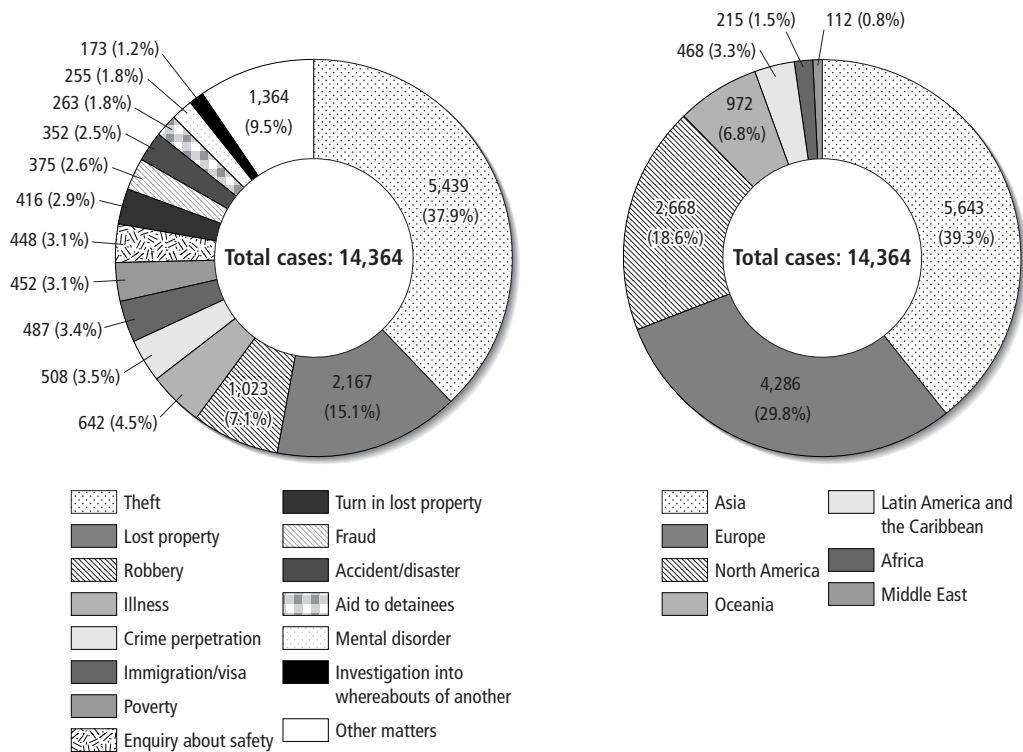
promoting safety measures for Japanese nationals overseas and strengthening crisis management capabilities; (3) improving consular expertise, strengthening training and arranging and cultivating personnel for the placement of appropriate people in appropriate positions; and (4) dealing with issues of foreign residents in Japan. Based on this growing importance of consular affairs, there are plans for institutional reforms in 2004 to reorganize the Consular and Migration Affairs Department into the Consular Affairs Bureau.

(b) Promotion of Safety Measures for Japanese Nationals Overseas

The Foreign Ministry has been making efforts aimed at further enhancing overseas safety measures to support safe overseas travel and residence by Japanese nationals. Overseas safety measures are being promoted in coordination with foreign countries, relevant ministries and agencies and private-sector companies and organizations while focusing on both preventing incidents and accidents and appropriately handling incidents and accidents should they occur.

Approximately 13.3 million (preliminary figure) Japanese nationals traveled overseas in 2003, and a total of approximately 911,000 Japanese nationals live abroad (as of October 1, 2003). The number of Japanese nationals involved in incidents and accidents overseas has increased by approximately 1.5 times over the past ten years, and the number of cases in which Japanese embassies and other establishments were involved in providing support to Japanese nationals overseas in 2002 was 14,364 and the number of people involved in the cases was 16,996. Examples of incidents and accidents involving Japanese

Number of Cases of Support for Japanese Nationals Overseas in 2002 by Incident and Region



nationals in 2003 include a coup d'état in the Central African Republic (March, one Japanese national seriously injured), terrorist bombing of the United Nations (UN) office in Iraq (August, one Japanese national injured), kidnapping of a Japanese national in Shenyang, China (October, one Japanese national kidnapped, unhurt), and series of sightseeing bus accidents in Egypt (November, December, large numbers of Japanese sustained minor and serious injuries). The largest issue concerning the safety of Japanese nationals living abroad in 2003 was the response to the military operation in Iraq by the United States (US) and other forces in March. Under the principles of "preparing for the events in advance" and "being prepared for the worst case scenario," the Foreign Ministry made efforts to ensure the safety of Japanese national residing abroad and provided as much assistance as possible to Japanese nationals who stayed in Iraq after the start of the military operation.

Unfortunately, incidents in which Japanese nationals overseas lost their lives occurred. In these tragic incidents, a Japanese national who had been kidnapped in Columbia in February 2001 was killed on November 24, and two Japanese diplomats were killed in Iraq on November 29.

The most important preventative measures are the appropriate provision of information and public relations

activities for Japanese people. The Foreign Ministry provides a wide range of information concerning all countries and regions, which can be referential from the perspective of safety measures and avoiding trouble. For example, the Foreign Ministry certainly provides information about the situations that could negatively impact the safety of the lives and physical well-being of Japanese nationals overseas, including worsening security situations, riots, terrorism, and information about the possible occurrence of these situations. In addition, the Foreign Ministry provides basic information necessary for safety measures and avoiding trouble in traveling and residing overseas in the form of "travel information," such as information on general security situations, trends in the occurrence of crime (situations, methods, etc.), visa and immigration procedures, and health and sanitation. In handling the outbreak of Severe Acute Respiratory Syndrome (SARS) centered on Asia in spring 2003, the Foreign Ministry provided information related to SARS through the transmission of travel advice and warning, websites and the holding of explanatory meetings. Given the situation in the Middle East centered on Iraq and a statement in October thought to be issued by Al-Qaeda leader Usama bin Laden mentioning Japan as a target for retaliation, the gathering and analysis of information related to terrorism

was strengthened and efforts were made in the provision of information and enlightenment at gatherings such as “crisis management seminars” for companies with operations overseas and Japanese nationals residing abroad. This information is being provided widely through the Foreign Ministry “Overseas Safety Website” (<http://www.mofa.go.jp/anzen>, Japanese-language only), an overseas safety information facsimile service (+81-570-023300) and an up-to-date travel information e-mail service. The “Overseas Safety Website” is accessed over two million times per month (five million times in March). Moreover, information is provided and exchanged by holding the Security Consultation and Liaison Committee among Japanese embassies, consulates and Japanese nationals residing abroad. Information is also provided to

people in Japan through various lecture meetings and the Council for Public-Private Cooperation for Overseas Safety. In addition to this type of provision of information, crisis management systems at overseas establishments are being examined at all times and training in handling situations in which evacuations are necessary is being carried out.

In order to publicize consular measures to citizens, the Foreign Ministry carried out related events accompanying Passport Day (February 20) and overseas safety campaigns (December). In addition, the Foreign Ministry has continued to hold seminars on overseas safety and provide information related to overseas safety to companies with operations abroad and the travel industry.

Overseas Safety Website

The screenshot displays the homepage of the Overseas Safety Website. At the top, it features the MOFA logo and the title "海外安全ホームページ" (Overseas Safety Home Page) alongside the Japanese Ministry of Foreign Affairs logo "外務省". Below the header, there are several informational boxes and navigation sections:

- 国・地域別情報** (Country/Region Information): Includes a world map and a list of regions for search: アジア地域 (Asia), 大洋州地域 (Oceania), 北米地域 (North America), 中南米地域 (Central/South America), 欧州地域 (Europe), 中東地域 (Middle East), and アフリカ地域 (Africa).
- 検索** (Search): A keyword search bar and a "検索" button.
- 過去の情報検索** (Past Information Search): A dropdown menu for selecting time periods, ranging from 2002年4月 to 1998年1月-2002年4月.
- 海外安全相談センターからのお知らせ** (Information from Overseas Safety Consultation Centers): Links to introduction, FAX services, and email services.
- 最新渡航情報メールサービス** (Latest Travel Information Email Service): A link to subscribe.
- Info 海外安全対策パンフレットダウンロードサービス** (Info: Overseas Safety Measures Pamphlet Download Service): A link to download materials.
- Info 安全対策ビデオ「なぜ君が知られるのか」** (Info: Safety Measures Video "Why You Get Noticed?")
- Info 海外邦人事件簿** (Info: Overseas Japanese Incident Book): A list of recent incidents, including cases in the Philippines, Thailand, and the Middle East.
- その他の情報** (Other Information): Links to world medical information, overseas Japanese election statistics, newsletters, and email distribution status.
- 海外安全官民協力会議** (Overseas Safety Civilian Cooperation Conference) and **リンク集** (Link Collection).

At the bottom of the page, it states "Copyright 2004 The Ministry of Foreign Affairs of Japan".

Dealing with the SARS Crisis Consular Services in Guangzhou, China

The biggest fear among Japanese nationals living in Guangdong Province, the birthplace of SARS, a disease of which the paths of infection were not yet known, was that infection could occur in any place at any time. Therefore, the main task of the Japanese Consulate General in Guangzhou was information gathering and the prompt dissemination of information to local Japanese residents in Guangzhou in order to help them allay their worries. Staff also went to the aid of a Japanese national who had been admitted to the isolation ward handling SARS patients because a check-up had found him suffering from fever. Consulate members donned protective clothing together with other staff and visited the ward to provide support such as interpretation for him. In addition, they made contact by mobile phone with Japanese foreign students placed in isolation by school authorities and relayed news of their predicament to their families in Japan. Providing these kinds of services, everyone at our small consulate eventually became involved in work related to SARS. Since we were fighting this unknown disease, everybody became exhausted from repeated tension and worry. However, we were encouraged every time a message came through from a local Japanese resident that they were grateful for our information.

Throughout this experience, I was strongly afraid of "the fear of the unknown." There would be phone calls every day from Japanese nationals and others where the person on the other end of the line would say, "A patient was identified at a company on the 1Xth floor of X Building in Guangzhou, and the company is closing down for now," or "I heard a rumor of a mass outbreak in X town, Guangzhou, and some Japanese have died." Checking on these reports, in almost all cases they were revealed to be groundless or distortions of the truth in some way. After receiving this kind of inaccurate information, an important task was "dousing the rumor" so that there was no panic among local Japanese nationals. Of course, we must respond quickly if we are to fight the fear of the unknown, whether it be SARS or any other phenomenon, but this has brought home to me the importance above all of keeping our composure and making correct responses.

Author: Masanori Shindoori, Consul at the Japanese Consulate General in Guangzhou

(Photo)

“Human Shields” in Iraq and the Principle of Personal Responsibility The View of an Embassy Staff Member

“The situation in Iraq is extremely dangerous. ‘Evaluation advice for all residents’ has already been issued for the entire country. Please leave Iraq immediately.”

In February 2003, with the Iraq War about to begin, the Ministry of Foreign Affairs desperately tried to persuade Japanese nationals intending to become “human shields” at strategic locations within Iraq not to enter the country. Embassy staff tried every method possible including waiting at the airports and bus terminals in countries neighboring Iraq and directly speaking to Japanese nationals attempting to enter Iraq.

However, the “human shield” volunteers ridiculed these attempts at persuasion as “over-protectiveness” and rejected them. Some entered Iraq saying, “If you have enough time for this kind of thing then you should persuade the United States to stop the attack.” Yet, as it is the role of the Foreign Ministry to protect Japanese nationals overseas, the Foreign Ministry continued its efforts to recommend evacuation. At the same time, I questioned my own actions.

The “human shield” volunteers were acting of their own free will and in full awareness of the dangers in order to try to uphold the ideal of the pursuit of peace. Perhaps the government had neither the right nor the obligation to try to stop them, and instead, were our unwanted efforts to protect Japanese nationals an insult to their ideals and a waste of tax money?

However, in the midst of our activities, one of the “human shield” volunteers made the following request: “Even after the embassy staff has evacuated Iraq, if I take refuge at the embassy it will help me, won’t it?” I felt that the volunteers’ attitude was to reject the embassy’s advice but to still expect the government to look after them in the end. The embassy staff continued to persuade Japanese nationals to leave Iraq and offered all the assistance we could for those who asked for help leaving Iraq right up to just before the military operation commenced.

In the end, the war ended without producing a single Japanese victim. However, there remained an unresolved question concerning the protection of Japanese nationals. Namely, Japanese nationals who knowingly go overseas into dangerous situations based on their own beliefs, as the “human shields” did, need to have a clearer awareness of the principle of personal responsibility. I felt that a clearer awareness of this principle of personal responsibility would encourage more responsible actions by individuals and in the end, lead to greater safety for Japanese nationals overseas.

(c) Promotion of Exchange and Security Measures

Since the September 11 terrorist attacks in the US, interest in counter-terrorism measures and security measures has been growing significantly in the US as well as the international community. To ensure domestic security and prevent international crime, the Foreign Ministry has been strengthening measures for the issuance of visas as well as the issuance, management and counter-forgery systems for passports, and it has been making efforts to promote international exchange.

Many foreign people visit Japan. In 2003, approximately 5.77 million foreign nationals entered Japan and approximately 1.85 million foreign nationals resided in the country. While this encourages people-to-people exchange with foreign countries, an important task of overseas establishments is to prevent in advance the entry of terrorists as well as foreigners that could possibly cause issues such as residing illegally or

working illegally in Japan. To efficiently check the entry of these types of foreigners at the stage of visa issuance, a visa wide area network (visa WAN) system was put into operation in December 2002, and the network is continuing to expand.

Cases of the illicit procurement, forgery and misuse of travel documents such as passports have taken place in recent years, and strengthening the issuance and management system for travel documents and strengthening forgery countermeasures are issues of international concern. The Foreign Ministry, from the perspective that the construction of an effective system of cooperation with other countries is essential, has been actively participating in discussions at relevant international meetings such as the International Civil Aviation Organization (ICAO) regarding the introduction of passports that use personal identification technology based on biological information. Furthermore, the Foreign Ministry has been striving to strengthen the issuance and management systems for

passports, improve forgery prevention technology and create information networks. For example, the Asian Workshop on Passport Policy, held in November, aimed at information support regarding measures and international cooperation against passport crime.

Although the number of foreigners illegally residing in Japan has decreased since 1993, crimes by foreigners may bring about a false image regarding foreign residents and could possibly inhibit sound human exchanges. The Foreign Ministry aims to prevent the entry of people who intend to work or reside illegally in Japan through strict visa screenings, and at the same time, it continues to promote simplifying and expediting visa procedures to promote sound human exchanges. These efforts are in keeping with plans for the realization of Japan as a country built on tourism and efforts toward deregulation of the government. Discussions are held periodically with nations from where many people enter Japan, and efforts are being made to resolve issues in the area of consular affairs. In addition, regarding

issues related to foreign nationals, discussions are taking place at general meetings of the Council on the Movement of People Across Borders and at its Foreign National's Affairs Subcommittee meetings on issues including the stay in Japan of foreign residents and people of Japanese descent, such as the many employed people not in possession of a social insurance number or the large number of cases of children not attending schools and young people turning to delinquency.

(d) Assistance for Living Overseas

With the increase in the number of Japanese nationals residing overseas, consular services required to ensure the safety and comfortable overseas activities of Japanese people have been becoming complex and diverse. Based on the fact that the major interests of people living overseas are local security, education and the medical service, the Foreign Ministry, as part of environmental development for improving the welfare of people overseas, has continued to carry out assistance

Topic

What is a Biometric Passport?

Personal verification technology based on biological information, which is called biometrics, is one method to verify a person's identity through physical human characteristics (e.g., facial image, fingerprinting and iris) or behavioral traits (e.g., voice and signature). Recently, this technology has been applied not only to entry and exit from restricted areas but also to entranceways in apartment buildings. Now, international efforts are being made to apply this technology to passports. With the introduction of biometric passports, more reliable verification is expected as to whether the holder of a passport is the genuine owner by collating biometric information recorded in an IC card built into the passport with information about the passport holder obtained through the use of electronic devices, rather than by human eyes.

In recent years, the number of passport-related crimes such as forgery or the use of passports by imposters is not small. In order to prevent these illegal acts and the related illegal immigration and organized crime, there have been international discussions and research concerning the application of biometrics to passports. Since the terrorist attacks in the United States in 2001, the introduction of biometric passports as a counter-terrorism tool has become a matter of great urgency. In particular, the United States has enacted legislation making the issuance of biometric passports a condition for countries eligible for the US Visa Waiver Program to maintain their status and the United States plans to begin implementing the new legislation on October 26, 2004.¹

To ensure the international interoperability of biometric passports, the International Civil Aviation Organization (ICAO), of which Japan is a member country, takes the lead in formulating international standards and studying technological issues. At this point, ICAO has chosen the facial image as a compulsory biometric identifier and has made the use of fingerprints and the iris optional. The organization has also decided that contact-less IC cards² should be used.

Based on this situation, the Foreign Ministry aims to introduce in FY2005 biometric passports that comply with international standards.

¹ This date was extended by one year to October 26, 2005 after the publication of the Japanese version of the *Diplomatic Bluebook*.

² The contact-less IC card is easy to use since holders of the IC card can simply wave it in front of a sensor, rather than touch the sensor, for the card to work.

for Japanese schools and supplementary education schools in cooperation with the Ministry of Education, Culture, Sports, Science and Technology. Regarding information such as the spread of infectious diseases overseas (medical information), the Foreign Ministry has been making efforts for the wide provision of information through travel information (spot information and travel advice and warning) based on information from the governments of countries and the World Health Organization (WHO) and other institutions. Also, Foreign Ministry medical consulting teams have been dispatched since 1972 with the cooperation of domestic medical organizations to provide health consultation to Japanese nationals residing in developing countries centered on tropical regions in which the medical situation is not good. These medical consulting teams were dispatched to 40 countries in 2003. In addition to these efforts, Japan has promoted measures in new areas such as resolving issues with duplicate payments and period summations of pension premiums, and facilitating procedures for acquiring driver's licenses in foreign countries in recent years through discussions with relevant countries. Regarding pension premium issues, Japan signed social security agreements respectively with the US and the Republic of Korea (ROK) (February 2004), and an exchange of notes for the mutual exemption from examination for driving licenses was signed with Italy in September. In addition, Convention on the Transfer of Sentenced Persons, aimed at promoting the rehabilitation and reintegration into society in Japan of Japanese convicts serving sentences overseas, was entered into force in June.

A partial revision of the Public Offices Election Law in 1998 made it possible for Japanese nationals to participate in national elections even while overseas, and services related to overseas voting are important from the perspective of realizing the rights of Japanese people. Elections including the House of Representatives general election in June 2000, the House of Councillors regular election in July 2001 and the general election accompanying the dissolution of the House of Representatives in November 2003 took place, and approximately 11,700 Japanese nationals residing overseas voted. In order to vote while overseas, it is necessary to register in advance in the overseas voter directory, and overseas establishments are making efforts to publicize the overseas voting system, as well as receive applications for registrations from Japanese

nationals residing in areas far from overseas establishments through the dispatch of staff.

The Public Offices Election Law was partially revised in June in order to make the overseas voting system more convenient. Overseas establishment voting and postal voting selection systems were introduced for elections publicized or announced on or after April 1, 2004, and starting January 1, 2004, it became possible to apply to register family members living in the same residence.

(e) Cooperation with Communities of People of Japanese Descent Overseas

There is a more than 130-year history of Japanese nationals migration, and currently there are approximately 2.6 million (estimate) Japanese nationals and people of Japanese decent residing overseas. This number is centered on Japanese nationals and people of Japanese decent in North and South America with 1.4 million residing in Brazil and 1 million residing in the US. People of Japanese descent are active in a wide range of areas including politics, administration, economics, academics and culture, and they actively contribute to the economic and social development of each country. People of Japanese descent are highly respected in the local communities and they play an important role in building mutual understanding and developing friendly relations between Japan and the countries in which they live.

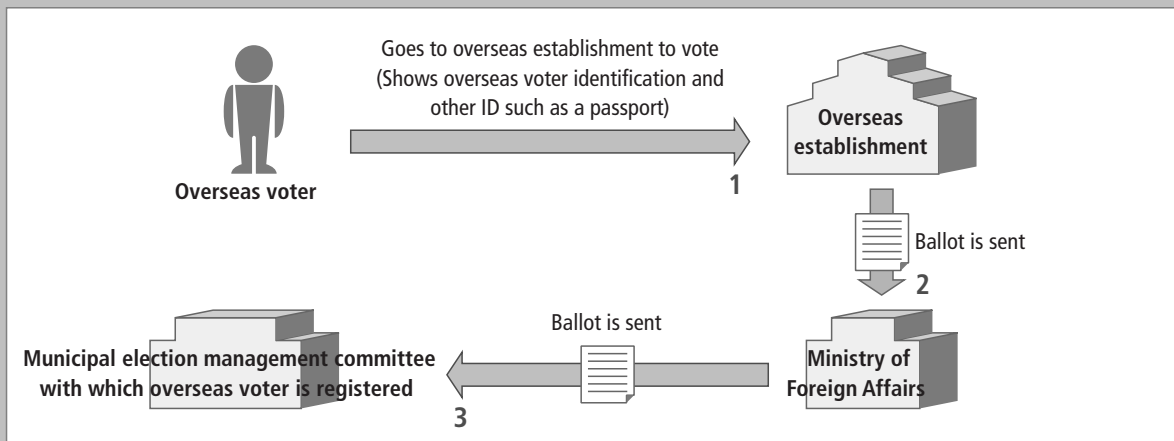
The Foreign Ministry has been making efforts to implement effective policies such as providing various support in response to changes in the requests from local communities of people of Japanese decent including support for welfare issues accompanying the aging of migrants, assistance for people who are unable to help themselves, human resources development for people of Japanese decent, and the utilization of people of Japanese decent in economic and technical cooperation. In particular, regarding assistance for second or third generation people of Japanese decent, the Foreign Ministry has been implementing programs such as the acceptance of technical trainees aimed at human resources development, and for the purpose of Japanese language education, training in the Japanese language and the dispatch of teachers to local Japanese schools. The Foreign Ministry has been compiling a variety of measures with the hope that further successful activities take place with people of Japanese decent acting as a bridge between Japan and the countries in which they live.

Mechanism for Overseas Voting

1. Overseas Establishment Voting

Voters registered in the overseas voter directory can vote at overseas establishments (embassies and consulates-general) with polling places by showing their overseas voter identification and other identification such as a passport. In principle, the period for voting is from the day after the election is publicized or announced in Japan to the day decided upon by each diplomatic mission, and the time for voting is from 9:30 to 17:00. The periods and times for voting, however, differ according to each overseas establishment.

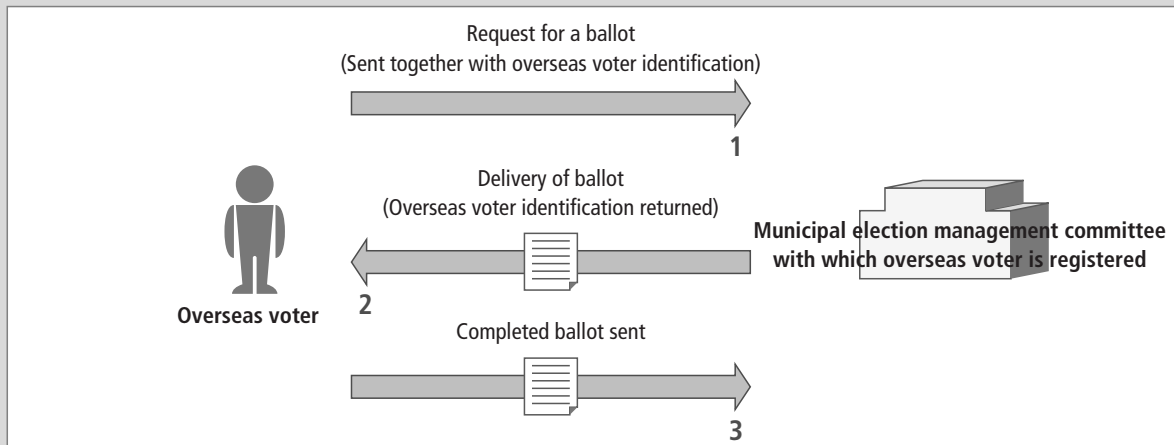
* Regional designations for postal voting have been eliminated, and voters can vote by choosing either overseas establishment voting or postal voting.



2. Postal voting

In carrying out postal voting, an "overseas voter identification" and a "ballot request form" are sent to the municipal election management committee with which an overseas voter is registered and a ballot is requested in advance. The completed ballot is then sent to the municipal election management committee such that it arrives at the voting office by the end of the voting time (20:00) on the last day of the voting period.

* Voting begins the day after an election is publicized or announced, so the completion of ballots and the sending of completed ballots begin on the day after an election is publicized or announced.



3. Voting in Japan

Overseas voters who temporarily returned to Japan during an election or who have returned to Japan but are not yet registered in the voters directory can vote using the same procedures as domestic voters (voting before the deadline, absentee voting, voting within the period of voting).

Developing Overseas Voting

The overseas voting system¹ was established on May 6, 1998. For more than five years since, overseas voting has been implemented a total of three times. So it just has a short history. There were estimated to be about 660,000 overseas voters as of October 1, 2002, but the number of people participating in overseas voting remains small.

One condition for Japanese nationals living overseas to participate in overseas voting is that they have continuously resided for three months or more within an area under the jurisdictional area of an overseas diplomatic and consular establishment. It is particularly important for a Japanese national living overseas to obtain overseas voter identification from the Japanese domestic election management committee beforehand. Without overseas voter identification, he or she will be unable to vote at all under the overseas voting system.

It is important to change those parts of the system that need reform to serve the public interest and to make overseas voting more convenient and accessible. From this perspective, the overseas voting system was made central to the partial revision of the Public Office Election Law in 2003. For example, voters overseas can choose to vote either at an overseas diplomatic and consular establishment or by a postal ballot. If the voter returns to Japan temporarily, he or she can now vote on the same day as the domestic voting at the election management committee in their registered area. Moreover, since the overseas voting commences the day after the official announcement or notification of the election, voters living in a country or region in a time zone earlier than Japan can obtain a fairer voting opportunity. To meet the needs of overseas voters, the necessary preparations are under way to enable voting at diplomatic and consular establishments located in major cities such as Singapore, New York, London, Sydney or Sao Paulo.

Of course, when promoting the revision of the overseas voting system and liberalization and expansion of the operation, it is necessary to reflect the opinions of the people. Efforts will continue to be made to enable more overseas voters to participate in overseas voting by formulating measures to improve the convenience of the system that are sufficiently based on the wishes of the people.

¹ For national elections, limited to proportional representation balloting.

B

ASSISTANCE FOR JAPANESE COMPANIES

(a) Overview

With the advancement of globalization, the need to improve the business environments for Japanese companies overseas as well as to promote trade and both domestic and overseas investment has been recently growing. The Ministry of Foreign Affairs has established Contact Points for Support of Japanese Companies in all Japanese embassies and consulates-general in November 1999, and requested various countries to strengthen the protection of intellectual property rights as a part of its support for the activities of Japanese companies. In addition, the Foreign Ministry has been vigorously taking steps to develop legal and systematic foundations such as Economic Partnership Agreements.

(b) Contact Points for Support of Japanese Companies

Contact Points for Support of Japanese Companies at overseas establishments provide various types of consultation for Japanese companies operating locally and actively provide support for the activities of Japanese companies.

In a survey conducted in December 2003, covering the first half of FY2003, 189 overseas establishments reported a total of 647 cases of support being provided through Contact Points for Support of Japanese Companies. During the survey period, 536 of these reported cases were resolved.¹

At the Foreign Ministry, reports from overseas establishments are shared with the headquarters as well as with all overseas establishments and efforts at each overseas establishment can be referred to by other establishments. The Foreign Ministry also intends to realize the enhancement of support activities for Japanese companies through the accumulation and utilization of know-how regarding support for Japanese companies

provided by all overseas establishments. In addition, the Foreign Ministry intends to actively carry out external publicity to raise the level of recognition regarding its support among Japanese companies, including the placement of elements of this report which include representative examples on the Foreign Ministry website. Activities to support Japanese companies will be strategically strengthened, aiming for closer communication between overseas establishments and Japanese companies while keeping close communication among related departments and taking up individual issues mentioned by Japanese companies at bilateral and multilateral conferences and places of negotiation.

(c) Intellectual Property Rights Protection

In recent years, the damage from counterfeit and pirated goods has been growing, particularly in the Asian region, and this has had a serious negative effect on Japanese companies including the loss of potential profits in overseas markets. In this context, important steps in strengthening the international competitiveness of Japanese companies and revitalizing the economy have been proposals to strengthen the protection of intellectual property rights to countries where infringements have occurred and to support the economic activities of Japanese companies in overseas markets. The Foreign Ministry has been promoting measures against counterfeit and pirated goods in accordance with the Strategic Program for the Creation, Protection and Exploitation of Intellectual Property, established in July 2003 under the Intellectual Property Strategy Headquarters headed by the prime minister.

Concerning multilateral efforts, Japan has been conducting law reviews based on the World Trade Organization's (WTO) Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS Agreement) and the Trade Policy Review Mechanism

¹ Looking at the cases of consultation at Contact Points for Support of Japanese Companies, there were 179 (27.67%) cases of proposing corrections to the relevant authorities in areas of taxation, regulations, trials, bids, visas, security and intellectual property, 44 (6.8%) cases of working to resolve troubles with business counterparts, 80 (12.36%) cases of working to secure cooperation from the relevant authorities for Japanese companies, such as conveying the requests of Japanese companies to the relevant authorities, 294 (45.44%) cases of cooperating in accessing information and forming personal contacts, and 50 (7.73%) other cases.

(TPRM), and is strongly requesting countries to crack down on counterfeit and pirated goods in Asian countries. Also, in the Policy Advisory Commission of the World Intellectual Property Organization (WIPO), Japan has been working actively to raise awareness of the necessity for its member countries to jointly crack down on counterfeit and pirated goods. Japan's bilateral efforts include calling on the Chinese government at the 2nd Japan-China Economic Partnership Consultation held in October 2003 to strengthen the protection of

intellectual property rights and crack down on such infringements, and in particular, to enhance law enforcement and penal regulations at the local level. In addition, Japan has been implementing international cooperation including the dispatch of experts and acceptance of trainees through the Japan International Cooperation Agency (JICA) to strengthen the system of organizations that have jurisdiction over intellectual property rights in developing countries and to develop experts.

Topic

Are the Contact Points for Support of Japanese Companies Useful?

There are probably some people who have an image of Japanese embassies as "inaccessible" or "stiffly formal." In order to meet the consultation needs of Japanese companies, the Contact Points for Support of Japanese Companies set up in all Japanese embassies and consulates-general have been continuing to work to dispel this image as much as possible and provide a useful service to Japanese companies overseas. Even as you read this, somewhere in the world a Japanese company is seeking advice from a Japanese embassy or consulate general.

Let us take Thailand, a key player of the ASEAN economy, as an example. About 1,200 Japanese companies have commenced operations in Thailand. The established investment environment is attractive but responses from Thai government officials can change depending on the individual in charge and procedures also are slow. For these reasons, a variety of issues can arise between Japanese companies and Thai authorities. For example, some of the issues that Japanese companies in Thailand have discussed with the Contact Points for Support of Japanese Companies include the extreme slowness in receiving refunds of the value-added tax from Thai authorities, the excessive strictness of the operation of the work permit system, and being taken to court for dumping charges that are not in compliance with international treaties.

In response to these consultations, the Embassy of Japan in Thailand, in cooperation with the Japanese Chamber of Commerce in Bangkok, Japan External Trade Organization (JETRO), Japan International Cooperation Agency (JICA), Japan Bank for International Cooperation (JBIC) and other organizations, makes positive efforts to resolve problems. For example it lobbies the relevant authorities of the Thai government for fair treatment, makes appeals to influential intellectuals and provides necessary information to Japanese companies. The Contact Points for Support of Japanese Companies have been producing results. For example, concerning the value-added tax issue, it has already been receiving feedback from many Japanese companies saying that "the period until the refund is paid has shortened." And concerning the deregulation of work permits, the Thai government has already begun a review of rules and operational regulations.

As Japanese companies become increasingly active overseas, it can be expected that the content of their consultations with Japanese embassies and consulates-general will become increasingly complicated and advanced. The Ministry of Foreign Affairs intends to work hard to make the Contact Points for Support of Japanese Companies even better sources of information for Japanese companies overseas. There is a list of the persons serving as the Contact Points for Support of Japanese Companies on the Japanese website of the Foreign Ministry, so please feel free to contact these individuals for a consultation if you have a problem.