

MISSION PERMANENTE DU JAPON
AUPRÈS DES ORGANISATIONS INTERNATIONALES
GENÈVE-SUISSE

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The Permanent Mission of Japan to the International Organizations in Geneva presents its compliments to the Office of the High Commissioner for Human Rights in Geneva and, with reference to the latter's Note Verbale OL JPN 5/2025, dated 7 January 2026, has the honour to transmit herewith the response of the Government of Japan to the Joint Communication from Special Procedures.

The Permanent Mission of Japan to the International Organizations in Geneva avails itself of this opportunity to renew to the Office of the High Commissioner for Human Rights in Geneva the assurances of its highest consideration.

Geneva, 20 April 2026



**RESPONSE OF THE GOVERNMENT OF JAPAN TO THE JOINT COMMUNICATION
FROM THE SPECIAL PROCEDURES OF 7 January 2026
REFERENCE OL JPN 5/2025**

20 April 2026

1. The Government of Japan (hereinafter “the Government” or “we”) takes note of the joint communication, dated 7 January 2026, issued by the Special Rapporteur on contemporary forms of slavery, including its causes and consequences, the Chair-Rapporteur of the Working Group on the issue of human rights and transnational corporations and other business enterprises, the Special Rapporteur on the human rights of migrants, and the Special Rapporteur on trafficking in persons, especially women and children, in which they state that certain concerns have been raised and express their own concerns about the Employment for Skill Development Program (hereinafter “the Program”).

2. We would like to respond to questions 2 to 7, specifically raised in the joint communication, which requested the Government to reply. The Government’s response to question 1 is included in the responses to questions 2 to 7.

3. Regarding the specific implementation of the Program, we are currently reviewing the details in preparation for its launch, which is scheduled on 1 April 2027. Please note that this response is based on the information available as of 20 April 2026.

Response to question 2

4. We do not consider that paragraph 1 of Article 7 of ILO Convention No. 181 obliges a state party to take measures that exceed its enforcement jurisdiction concerning matters such as fees collected by sending organizations in countries of origin.

5. In this regard, as a domestic measure, paragraph 1 of Article 28 of the Employment for Skill Development Act prohibits supervising and supporting organizations from collecting fees from skill development employees. Therefore, we do not consider that the Program is in violation of the aforementioned provision of the Convention.

6. We will consider the points raised in the Communication, taking into account the situation after the law comes into effect.

Response to question 3

7. Under the Program, employment transfer is permitted in cases of unavoidable circumstances, such as when employees are subjected to human rights violations, including violence or power harassment, as is the case under the Technical Intern Training Program. In addition, transfer at the employee's own discretion will also be permitted, subject to certain requirements.

8. Transfer at the employee's own discretion will be subject to the following requirements.

- Skill development employees seeking a transfer must acquire a certain level of skills and Japanese language proficiency as described in the field-specific operation policies for each field.
- A skill development employee must continue to engage in the Program under the implementing organization for Employment for Skill Development (hereinafter "the implementing organization") with which they have been most recently employed for a period of one to two years, during which transfers are restricted. The specific length of this period is determined by the field-specific policy for each Employment for Skill Development industrial field. However, if the period determined by the policy exceeds one year, the implementing organization may, at its own discretion, set the period to one year.
- The skill development employee must not receive a job introduction from a private employment agency at the time of transfer.
- The implementing organization at the destination of transfer must be a reputable implementing organization.
- The proportion of skill development employees who have transferred to a different implementing organization at their own request must remain within a defined limit relative to the total number of skill development employees employed by that implementing organization.
- The implementing organization to which an employee is transferred must pay a specified amount* to the implementing organization from which the employee is transferred.

*The amount is calculated by multiplying the costs related to the placement and training of a skill development employee (as specified by the competent minister in a public notice) by a pro rata rate based on the length of employment at the organization from which the employee is transferred.

9. These requirements are established in order to better protect the rights of foreign workers and appropriately develop their skills.

10. We will consider the points raised in the Communication, taking into account the situation after the law comes into effect.

Response to question 4

11. Whether or not to allow a skill development employee or a specified skilled worker (category (i)) to be accompanied by their family members should be carefully considered, taking into account factors such as the employee's or worker's ability to support their family members and the social costs of accepting family members. Based on discussions at the expert panel, we have decided that a skill development employee or a specified skilled worker (category (i)) shall not be permitted to be accompanied by their family members.

12. We will continue to carefully consider the points raised in the Communication, taking into account the situation after the law comes into effect.

Response to question 5

13. Employment for Skill Development in the form of worker dispatch in seasonal sectors is permitted only by a business operator who has obtained a license under the Act on Ensuring the Proper Operation of Worker Dispatching Services and Protecting Dispatched Workers or other laws.

14. As with regular forms of the Program, implementing organizations are required to draw up Employment for Skill Development plans and have them certified, and to undergo audits by supervising and support organizations. In addition, we have set out appropriate limits for the number of dispatching companies and destination companies that serve as implementing organizations and for the number of skill development employees who can work for such implementing organizations in order to ensure the proper implementation of the Program in the form of worker dispatch and the protection of skill development employees.

Response to question 6

15. With the exception of activities related to the management of personal information and the implementation of post-entry training, staff members of supervising and support organizations are not permitted to engage in supervision support services for implementing organizations with which they have a close relationship.

16. In addition, supervising and support organizations are required to appoint an external auditor

in order to ensure the neutrality and independence of the organizations.

17. We will continue to carefully consider the points raised in the Communication, taking into account the situation after the law comes into effect.

Response to question 7

18. Under the Technical Intern Training Program, the Organization for Technical Intern Training (OTIT) has established a native-language consultation desk in eight languages. The OTIT also makes use of web-based conferencing applications as well as telephone and email, thereby establishing a system that responds to a wide range of consultations, from matters related to daily life to issues concerning implementing organizations. In addition, implementing organizations are required to appoint living guidance instructors and supervising organizations are obliged to establish a system that can respond to consultation in the trainees' native languages.

19. The consultation desk and consultation methods of the OTIT are described in the Technical Intern Trainee Handbook (hereinafter "the Handbook"). We raise awareness of these services by distributing the Handbook to all technical intern trainees at the time of entry into Japan and by using it as training material in post-entry training. During the post-entry training, trainees are encouraged to download an application version of the Handbook. The Handbook itself also includes a QR code for downloading this application, and by downloading it, the trainees can check the contents of the Handbook on their smartphones and other devices.

20. Under the Specified Skilled Worker System, the accepting organizations or the registered support organizations are required to provide support to specified skilled workers (limited to category (i)). Such support includes consultations and explanations regarding how to respond to cases of violations of labor-related laws and regulations.

21. We are considering measures to ensure access to justice and to remedy for foreign workers, taking into account the aforementioned initiatives being implemented under the Technical Intern Training Program and the Specified Skilled Worker System.