

(Provisional Translation)

Japan's 2009 Action Plan to Combat Trafficking in Persons

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Introduction

Drawing up Japan's 2009 Action Plan to Combat Trafficking in Persons

Trafficking in persons is a grave violation of human rights and requires a prompt and appropriate response from a humanitarian perspective as trafficking in persons causes serious psychological and physical pain for the victims and recovery from such damage is very difficult.

Following the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime (hereinafter referred to as the Protocol), the Inter-Ministerial Liaison Committee (Task Force) (regarding measures to combat trafficking in persons) drew up Japan's Action Plan of Measures to Combat Trafficking in Persons in December 2004 (hereinafter referred to as the 2004 Action Plan) in order to promote integral and comprehensive government-wide action to combat the transnational organized crime of trafficking in persons.

Article 3 of the Protocol defines trafficking in persons as follows.

Article 3

Use of terms

For the purposes of this Protocol:

(a) "Trafficking in persons" shall mean the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation.

Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs;

(b) The consent of a victim of trafficking in persons to the intended exploitation set forth in subparagraph (a) of this article shall be irrelevant where any of the means set forth in subparagraph (a) have been used;

(c) The recruitment, transportation, transfer, harbouring or receipt of a child for the purpose of exploitation shall be considered "trafficking in persons" even if this does not involve any of the means set forth in subparagraph (a) of this article;

(d) "Child" shall mean any person under eighteen years of age.

In the five years since the 2004 Action Plan was drawn up, the Government of Japan (GOJ) has greatly improved its action against trafficking in persons through steadfast efforts to implement the policies set forth by the 2004 Action Plan. Such policies included promoting monitoring and countermeasures at the border (including the introduction of IC passports), reviewing the criteria for landing permission for the status of residence of "entertainer" and stepping up visa examination, criminalizing the conduct of Buying or Selling of Human Beings, implementing thorough crackdowns, and revision

of the Immigration Control and Refugee Recognition Act to allow the flexible operation of special permission to stay to protect victims of trafficking in persons. As a result, the reported number of cases of trafficking in persons has decreased and the attempt at appropriately protecting victims has been improved, and thus, the 2004 Action Plan has produced significant achievements.

However, while the number of victims entering the country with the status of residence of “entertainer” has decreased considerably, it has also been suggested that cases of trafficking in persons have become more sophisticated and invisible. For example, there have been cases where brokers and other perpetrators traffic victims into the country by arranging false marriages so that the victims may enter the country with the status of residence of “spouse or child of Japanese national” which has no limitations on their work during their stay.

Additionally, trafficking in persons is a serious transnational problem, and thus, the international community pays close attention to Japan’s action against the crime and has suggested that the government should take more comprehensive action (Note).

These suggestions made at home and abroad contain issues that should be appropriately examined and addressed while maintaining coherence with Japan’s policies. In response to recent developments surrounding trafficking in persons in Japan, and to address issues surrounding the crime and to continue to promote comprehensive government-wide action against the crime, the GOJ drew up Japan’s 2009 Action Plan to Combat Trafficking in Persons, aiming to eliminate the crime of trafficking in persons.

Based on the same definition of trafficking in persons described in Article 3 of the Protocol, the 2009 Action Plan, like the 2004 Action Plan, aims to prevent trafficking in persons by achieving close cooperation among all government ministries and agencies concerned and enhancing cooperation between international organizations and NGOs. It also aims to facilitate a more proactive understanding of cases of trafficking in persons that may be hidden and to promote the elimination of such trafficking and the appropriate protection of the victims. The definition of trafficking in persons includes not only the buying and selling of persons but also a wide range of activities such as the recruitment or transportation of persons for the purpose of, for example, sexual exploitation, forced labor or services, or the removal of organs. The 2009 Action Plan intends to raise awareness of the general public to understand the definition of trafficking in persons, the facts that victims of trafficking in persons include but are not limited to non-Japanese women and children, and that the crime should be tackled by society as a whole. It also aims to continuously examine appropriate methods of cooperation among institutions concerned and the necessity of system reforms, in order to improve the system to facilitate action against the crime.

(Note) For example, the United Nations Special Rapporteur on Trafficking in Persons stated, “Japan is affected as a destination country for many victims of human trafficking,” during her mission to Japan, which took place in July 2009. Prior to the official report, the rapporteur also called attention to some issues of immediate concern, which are listed

below. These issues included issues that had not been generally considered as cases of trafficking in persons in Japan, but are internationally considered part of or closely related to trafficking in persons according to the definition of Article 3 of the Protocol.

1. Non-ratification of the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, the Organized Crime Convention and the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families;
2. Lack of comprehensive definition of trafficking in the national legislation;
3. Unclear identification procedure which may lead to mis-identification of victims of trafficking;
4. That trafficking has gone underground due to a variety of factors including but not limited to mis-identification, inadequate confidential services (psycho-social support), language barrier and a weak redress system;
5. Appropriate shelters for victims of trafficking, and lack of the resources and specialized know-how, including but not limited to language skills, required to provide adequate assistance to victims and avoid their being re-trafficked at a later stage;
6. Abuses within the trainees and technical interns programs: while this is a well intended program to be encouraged for its objective of transferring skills and technology to some Asian countries, in a number of cases it is fuelling demand for exploitative cheap labour under conditions that may well amount to trafficking;
7. Lack of access by victims to redress and compensation though the judicial system even though *de jure* this is provided;
8. The problem of coordinating effective action amongst relevant actors - Police, the Immigration Bureau and the Prosecutor's Office, and the lack of appropriate training on trafficking for these law enforcement officers including judges. In particular, training focusing on building capacity for identification, protection of victims, and on the implementation of their right to effective judicial remedy, including compensation;
9. Human trafficking responses by the State and assistance to victims are gendered and focuses solely on women and on sexual exploitation; while this is important, other forms of trafficking that affect both men and women, boys and girls must not be neglected;
10. Efforts in the area of prevention are weak and need to be strengthened, using innovative ICT and other channels of communication that especially appeal to young people;
11. Child pornography, child prostitution and “*enjo kosai*”- compensated dating - are not sufficiently addressed; and
12. High incidence of domestic violence against women and girls.

I. Thorough Understanding of the Current Situation of Trafficking in Persons

(i) Understanding and analysis the cases of trafficking in persons

Through various activities (including procedures conducted by the Immigration Bureau, patrolling of adult entertainment businesses and the enforcement of regulations by the police, protection activities by the Women's Consulting Offices for female victims of trafficking in persons, and the collection of information from foreign embassies, NGOs, lawyers, etc.), institutions concerned will make efforts to understand and analyze the working conditions of non-Japanese women and workers, cases of trafficking in persons, and the current situation of broker organizations in Japan and abroad, as well as to promote efforts to share information among related organizations that may lead to the identification of cases of trafficking in persons.

(ii) Sharing information with foreign governments and related institutions

The GOJ will make efforts to share information with foreign governments and related institutions through various activities, including a dispatch of a Government Delegation on Anti-Human-Trafficking Measures to a country where a victim of trafficking in persons will be sent from. Making most of the contacts established for cases of trafficking in persons at related government ministries and agencies, embassies, and NGOs, the GOJ will make efforts to share information and to arrest brokers and other perpetrators in Japan and abroad.

II. Integral and Comprehensive Action against Trafficking in Persons

1. Prevention of trafficking in persons

(1) Preventing potential victims from entering the country

(i) Improvement of the visa screening system

To tackle the increasing number of cases of sophisticated visa application fraud (including false marriages and impersonation), an increasing number of visits to Japan of mothers accompanying minors who have acquired Japanese citizenship after the revision of the Nationality Act, and an increasing number of visa applications from parents and children who come to Japan to acquire Japanese citizenship, the GOJ will increase the number of visa officials at Japan's diplomatic establishments overseas, particularly in the Philippines and Thailand, and conduct more detailed individual interviews to prevent trafficking in persons.

(ii) Establishment and improvement of a Visa Wide Area Network (VISA WAN)

As part of the effort to detect trafficking in persons at the border, the Ministry of Foreign Affairs, and its diplomatic establishments overseas as well as related ministries and agencies have been working and will continue to work to establish and improve an information communication network system (VISA WAN) in order to promptly share information concerning suspicious visa applications and to prevent trafficking in persons.

(iii) Reinforcement of Immigration Control

The GOJ will implement stringent examination for landing at airports and seaports using the Trafficking in Persons Database (managed by the Immigration Bureau) and other resources. Additionally, to prevent illegal entry into Japan, the GOJ will dispatch

liaison officers (experts in identifying forged documents) to airports in countries from which many illegal entrants to Japan are known to originate. In addition, to prevent cases where victims of trafficking in persons are moved via Japan in an attempt to enter a third country, the GOJ will thoroughly patrol the transit areas at airports and, with the cooperation of airlines, will make efforts to monitor and detect suspicious activities including the exchange of counterfeit passports from brokers and other perpetrators.

(iv) Enhancing action to counter forged documents

To ensure that counterfeit passports and other travel documents will not be used as a means to enter Japan for victims of trafficking in persons, the offices for identifying forged documents at the Narita, Kansai, and Chubu airports will implement stringent identification checks for forged documents. In addition, to make the most of video microscopes installed at airports and seaports, the officials working at these ports will receive proper training.

(v) Examining the introduction of next-generation e-Passport

The GOJ will examine the introduction of next-generation e-Passports with second biometrics to ensure that Japanese passports will not be used in cases of trafficking in persons and to enhance the action against illegal uses of passports, including forgery, and the illegal acquisition of passports through impersonation.

(2) Preventing trafficking in persons through the thorough management of residence status

(i) Preventing cases of trafficking in persons (that accompany illegal stays and stays under false pretenses) through the stringent management of residence status

Through the stringent management of residence status, the GOJ will make efforts to prevent cases of trafficking in persons that accompany illegal stays and stays under false pretenses. In particular, there is concern about the increase of cases of trafficking in persons by means of false marriage. Therefore, to crack down on false marriages, follow-up investigations will be conducted on non-Japanese citizens who were working at adult entertainment stores (where the police uncovered criminal activity etc.) after entering Japan with the status of residence of “spouse or child of Japanese national” and therefore are suspected to be residing in Japan under false pretenses. In addition, to crack down on illegal stays and stays under false pretenses (including false marriage) as well as brokers and other perpetrators who are involved in these cases, the police and the Immigration Bureau will promote efforts to exchange information, and, when they detect a criminal case, they will cooperate to crack down on the crime, to determine whether it is a trafficking in persons case or not, and to protect the victims. Additionally, the Immigration Bureau and Japan’s diplomatic establishments overseas will enhance cooperation when examining certificates of eligibility (the Immigration Bureau) and visa checks (diplomatic establishments overseas).

(ii) Preventing trafficking in persons through action against illegal employment

There are many victims of trafficking in persons who are forced to work illegally. The police, the Immigration Bureau, the Labor Standards Inspection Offices, and other institutions concerned will enhance cooperation and proactively exchange information to

crack down on illegal employment. When malicious employers, brokers, or other perpetrators (involved in illegal employment of victims of trafficking in persons) are detected, the police will crack down on the crime, explore cases of trafficking in persons, and protect the victims in cooperation with the Immigration Bureau, the Labor Standards Inspection Offices, and other institutions concerned. In particular, as many victims of trafficking in persons are working illegally in the adult entertainment and the sex industries, the GOJ will strengthen its effort to crack down on illegal employment in these industries. In addition, to improve the general public's awareness of the prevention of illegal employment, the GOJ will conduct educational activities, including the annual campaign (Illegal Work Prevention Campaign) to tackle the situation surrounding illegally employed non-Japanese workers, which takes place in June (a national awareness month to educate the general public about the issues surrounding non-Japanese workers).

2. Elimination of trafficking in persons

(1) Thorough crackdowns

(i) Thorough crackdown on trafficking in persons

Through various activities, including the uncovering of illegal activities and the operation of Tokumei Tsu-ho Dial, the anonymous reporting line, the police, the Immigration Bureau, the Japan Coast Guard, and other related organizations will make efforts to identify trafficking in persons as quickly as possible and thoroughly crack down on the crime. While attempting to identify criminal organizations behind individual cases of trafficking in persons, the police and the Japan Coast Guard will cooperate closely with institutions concerned to stringently punish and penalize perpetrators (including confiscation of crime proceeds) by proactively applying penal regulations to the Buying or Selling of Human Beings, violations of the Immigration Control Act, violations of the Act on Control and Improvement of Amusement and Entertainment Businesses, etc. and violations of the Labor Standards Act as well as other punishments and penalties for crimes related to trafficking in persons.

(ii) Thorough crackdown on prostitution, etc.

There have been many cases of trafficking in persons for the purpose of sexual exploitation through prostitution, etc. Therefore, the GOJ will attempt to find cases of trafficking in persons and stringently punish and penalize perpetrators by cracking down on houses of prostitution disguised as adult entertainment establishments, prostitute dispatch services disguised as "delivery health" (legal escort) services, and other illegal adult entertainment-related activities.

(iii) Stringent action against the sexual exploitation of children

The GOJ has zero tolerance for the sexual exploitation of children and will thoroughly crack down on child prostitution and child pornography, and will punish and penalize perpetrators more stringently by applying the regulations concerning crimes committed outside Japan as well as the Act on Punishment of Activities Relating to Child Prostitution and Child Pornography, and the Protection of Children. In addition, the GOJ will enhance the action to eliminate child pornography and other illegal activities.

(iv) Thorough crackdown on malicious employers, brokers, etc.

The GOJ will ensure that it implements such laws and regulations as the Act on Control and Improvement of Amusement and Entertainment Businesses, etc, the Immigration Control Act, and the Labor Standards Act. The police, the Immigration Bureau, the Labor Standards Inspection Offices, the Japan Coast Guard, and other institutions concerned will make efforts to share the recognition of possible cases of trafficking in persons for the purpose of sexual exploitation, labor exploitation, or other types of exploitation. When these cases are detected, the police will closely work with the Immigration Bureau, the Labor Standards Inspection Offices, the Japan Coast Guard, and other institutions concerned to crack down on the crime while attempting to arrest malicious employers, brokers, and other perpetrators.

(2) Crackdown on transnational crime

(i) Strengthened cooperation with related overseas institutions

In cooperation with the ICPO (International Criminal Police Organization), the GOJ will accordingly share information about trafficking in persons, child prostitution, and child pornography with the investigative authorities of the countries where victims of trafficking in persons originate from or where Japanese perpetrators are suspected of engaging in child prostitution or other types of exploitation. In addition, the GOJ will make efforts with countries of origin of trafficking in persons through bilateral consultations to share information about passports and visas used for such trafficking in order to take action to prevent the crime. In particular, the GOJ will make such preventive efforts through bilateral consular conventions with the Philippines and Thailand, and a joint task force with Thailand where many victims originate.

(ii) Enhancement of international mutual legal assistance

On the understanding that child prostitution, child pornography, or other types of exploitation (stipulated by the Optional Protocols to the Convention on the Rights of the Child) are criminalized in Japan, the GOJ will proactively provide assistance under the related domestic laws and regulations, including the Act on International Assistance in Investigation and Other Related Matters, when foreign governments attempt to prosecute Japanese perpetrators of such crimes in their countries and request Japan's assistance in investigation based on international comity, mutual legal assistance treaties, or other related international agreements. In particular, the GOJ will consider the possibility of concluding mutual legal assistance treaties with the countries that the GOJ often works together with in these matters.

3. Protection of victims of trafficking in persons

(1) Identification of victims

(i) Publicizing protection policies to potential victims

The GOJ will make brochures and place them where victims of trafficking in persons are likely to see them. The Ministry of Justice will also make efforts to publicize protection policies to potential victims (who do not acknowledge that they are being victimized or who are afraid to report the crime) by, for example, providing information

about trafficking in persons on the ministry's English website. In addition, each prefectural government will promote efforts to publicize to potential victims the roles of the Women's Consulting Offices, which provide consultation and protection for women who face various kinds of problems regardless of their nationality.

(ii) Responsibilities of related organizations

To promote the effort to identify and protect potential victims of trafficking in persons by way of responding to a wide range of human rights violation against non-Japanese residents (including trafficking in persons) as well as to the difficulties they face in everyday life, the police, the Immigration Bureau, the Legal Affairs Bureau, the Women's Consulting Offices, the Child Guidance Centers, the Labor Standards Inspection Offices, the Ministry of Foreign Affairs, municipal offices, and general consultation offices for non-Japanese residents will cooperate with related organizations to proactively and appropriately handle situations where victims of trafficking in persons or related persons wish to seek guidance or to be protected. In addition, institutions concerned will enhance the effort to identify victims by creating an environment where people feel comfortable seeking guidance and do not hesitate to report cases of trafficking in persons. For example, to create such an environment, foreign language consultation services may be provided for non-Japanese residents, or female counselors may talk to women who wish to seek guidance. Additionally, the GOJ will enhance cooperation and the exchanging of information with related NGOs by publicizing their points of contact. The GOJ will also examine the possibility of managing or supporting a multi-language hotline to make it easy for latent victims to report their situation.

(iii) Identifying victims during the process of a crackdown

The police, the Immigration Bureau, the Labor Standards Inspection Offices, and related organizations, when handling illegal entries into and stays in Japan, adult entertainment-related offenses, prostitution, child prostitution and pornography, and violations of the Labor Standards Law surrounding non-Japanese workers, will take into consideration the fact that there may be victims of trafficking in persons and make efforts to find such cases as quickly as possible by creating an environment where people feel comfortable and do not hesitate to report such cases from fear or anxiety. For example, to create such an environment, foreign language consultation services may be provided for non-Japanese residents, or female counselors may talk to women who wish to seek guidance. In addition, victims of trafficking in persons who are sexually exploited may talk about their situations to their customers. Thus, when investigating prostitution cases and questioning customers, the police and related organizations will make efforts to collect information in a way that potential victims may be identified.

(iv) Dealing with newly identified victims

After victims of trafficking in persons are identified through consultation and other services or during the process of a crackdown, other victims may also be identified based on the information collected from confirmed victims under protection or related persons. Institutions concerned will cooperate with each other and promptly respond to such cases.

(2) Implementation of thorough victim protection

(i) Protection of victims

When institutions concerned identify victims of trafficking in persons, they will report to the police and/or the Immigration Bureau if necessary and cooperate with each other to take appropriate action to protect the victims, taking into consideration that malicious employers, brokers, or other perpetrators may harm these victims.

(ii) Securing the safety of victims

To secure the safety of victims and prevent or reduce secondary victimization, the situation and emotions of victims should be considered during interviews and other criminal procedures by, for example, providing consultation services, choosing appropriate interview locations, escorting victims in court (by advisors or other supporting persons), providing information (using the Victim Notification System), making court proceedings unobservable, and using the video-link system (audiovisual communication through transmission of images and sound) to examine witnesses.

(iii) Considering the situation of victims

When the police and the Immigration Bureau identify victims of trafficking in persons through consultation and other services or during the process of a crackdown, they will notify the victims about victim protection policies, thoroughly explain legal procedures, including special permission to stay, and explain future investigation activities (to the extent that will not interfere with investigation). In addition, when a victim of trafficking in persons has committed a crime that was part of such trafficking, the investigative organizations will make efforts to thoroughly consider the situation of the victim while looking at future investigation activities.

(iv) Securing the legal status of victims

To prioritize the protection of victims, the GOJ will thoroughly consider their situation and ensure the stability of their legal status according to their wishes. If victims are legally staying in the country, the GOJ may grant them the extension of the period to stay or the change of status of residence. If victims are violating the Immigration Control Act by illegally staying in the country, etc., the GOJ may grant them special permission to stay.

(3) Providing shelters and support

(i) Protection and support activities by the Women's Consulting Offices

The Women's Consulting Offices will cooperate with the police, the Immigration Bureau, other institutions concerned, foreign embassies in Japan, the IOM (International Organization for Migration), and NGOs to provide temporary protection to female victims of trafficking in persons regardless of nationality and age. The Women's Consulting Offices will make efforts to improve the support activities to suit the condition of each victim by, for example, providing her with food, shelter, and clothes, making specific arrangements for her room, bathing, and meals, and implementing night security measures. When children are victims, the Women's Consulting Offices will work together with the Child Guidance Centers to take appropriate action to protect them. In addition, Temporary protection may be commissioned to private shelters by the Women's Consulting Offices in a case where the victim is expected to be taken care of

more appropriately there due to the fact that the address of the said accommodation is not known to the public or that the said accommodation has staff who understand the victim's native language.

(ii) Interpretation services at the Women's Consulting Offices

To protect and support victims of trafficking in persons, the Women's Consulting Offices will enhance the effort to support victims in their native languages by hiring and training interpreters with the budget specified for that purpose.

(iii) Counseling and medical care by the Women's Consulting Offices

Professional psychologists at the Women's Consulting Offices and psychological care staff at temporary shelters will provide counseling services for victims of trafficking in persons. In addition, counselors at the Women's Consulting Offices will cooperate with institutions concerned to provide counseling services based on the wishes of victims. Additionally, a free/low-cost medical treatment program or medical-cost subsidies will be applied to provide necessary medical care to victims. When children are victims, the Child Guidance Centers will arrange sessions with child psychologists or checkups with medical doctors if necessary. In cases where highly specialized treatment is required, the Child Guidance Centers will cooperate with specialized medical institutions to provide psychological treatment.

(iv) Publicizing legal assistance policies to victims

The GOJ will publicize legal assistance policies to victims so that they can use the Civil Legal Aid services (provided by the Japan Legal Support Center based on the Comprehensive Legal Support Act) to claim damages from perpetrators when the victims are lawfully residing in Japan with proper addresses and meet certain requirements, including those regarding their incomes. The GOJ will also publicize to victims that they can request to appoint court-appointed attorneys at law for victims through the Japan Legal Support Center in order to take advantage of the system for victims to participate in the criminal procedures when the victims meet certain requirements, including those regarding their incomes. In addition, as part of efforts to support victims, the Women's Consulting Offices will offer legal assistance by providing information about free-of-charge legal consultation services and available laws and regulations for female victims, as well as by, if necessary, requesting lawyers to give advice to the staff at the Women's Consulting Offices and to make arrangements with related organizations and/or persons.

(4) Enhancing victim protection policies

(i) Examining mid- and long-term protection policies

To reduce the burden on victims due to living in Japan for a long period of time, the GOJ will examine the enhancement of the protection and support system at the Women's Consulting Offices as well as of cooperation between the Women's Consulting Offices and investigative organizations. The GOJ will also examine the circumstances causing victims to stay in the country longer and consider establishing necessary protection policies. In addition, the GOJ will respect the wishes of victims who cannot return to their home countries and institutions concerned will cooperate with each other to provide necessary support while giving consideration to their reasons, languages, etc. The GOJ

will grant a status of residence that allows to work if it is deemed necessary after comprehensively examining individual circumstances. Moreover, the GOJ will, if necessary, provide job search support to suit the wishes of victims who have acquired a status of residence that allows to work.

(ii) Examining protection policies for male victims

Male victims may be identified in the cases of trafficking in persons for the purpose of labor exploitation of non-Japanese workers. Since the Women's Consulting Offices specialize in protection for women and cannot deal with the protection of male victims, the GOJ will consider establishing protection policies for male victims.

(5) Promotion of repatriation assistance to victims

(i) Creating an environment for the smooth repatriation of victims

The Women's Consulting Offices, police, the Immigration Bureau, and institutions concerned will enhance cooperation while working closely with the IOM and private shelters as well as foreign embassies to create an environment to smoothly repatriate victims of trafficking in persons to their home countries.

(ii) Exchanging information with countries concerned to allow the prompt issuance of travel documents for repatriation

To promptly protect victims of trafficking in persons, the GOJ will promote efforts to exchange information with the countries concerned and ensure that their embassies will issue travel documents for repatriation to victims who wish to return to their home countries.

(iii) Improving repatriation assistance

The GOJ will improve the repatriation assistance system (conducted through the IOM) for victims of trafficking in persons and work together with foreign governments concerned to provide comprehensive support to victims by, for example, helping them integrate into their local communities and collecting information to prevent revictimization.

(iv) Ensuring the safety of victims at the time of repatriation

To prevent revictimization after repatriation, the GOJ will work together with foreign governments concerned, the IOM, and other related organizations to ensure the safety of victims in their home countries and take appropriate action according to individual circumstances from a humanitarian standpoint.

4. Establishing the foundations to promote comprehensive action to combat trafficking in persons

(1) Participation in international frameworks

(i) Conclusion of the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children

In June 2005, the Diet approved the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United

Nations Convention against Transnational Organized Crime, and domestic laws were amended for the implementation of the Protocol. The GOJ will promptly ratify the Convention and the Protocol. In addition, the GOJ will proactively participate in the United Nation's and other international frameworks concerning trafficking in persons.

(ii) Sharing information with related foreign organizations, etc.

The GOJ will promote the following efforts to share information with related foreign organizations, etc.

- ① The GOJ will make efforts to extend and strengthen cooperation in overseas investigations within Southeast Asia through the International Symposium on Measures to Prevent the Commercial and Sexual Exploitation of Children in Southeast Asia (sponsored by the National Police Agency), where investigative organizations from Southeast Asia and elsewhere, and NGOs from Japan and abroad participate.
- ② The GOJ will share information concerning trafficking in persons through exchanging the information and opinions at the Seminar on Immigration Control (held by the Immigration Bureau, the Ministry of Justice), where immigration officers in Southeast Asia and personnel from the IOM and related organizations participate.
- ③ Through various training programs at the United Nations Asia and Far East Institute for the Prevention of Crime and the Treatment of Offenders (UNAFEI), the GOJ will endeavor to enhance the capacity of criminal justice authorities in developing countries to cooperate internationally; it will further endeavor to strengthen relationships among such countries' investigating authorities.
- ④ To promote the sharing of information on trafficking in persons in the Asia Pacific region, the GOJ will proactively participate in the Bali Process (follow-up to the Ministerial Regional Conference on People Smuggling, Trafficking in Persons and Related Transnational Crimes in Bali).
- ⑤ The GOJ will consider establishing a bilateral framework for cooperation and information sharing with countries of origin of victims of trafficking in persons.

(iii) International assistance

The GOJ will promote international cooperation efforts through ODA programs by, for example, helping Southeast Asian and other countries (where many victims of trafficking in persons in Japan originate) to provide education, support victims, improve occupational capacity, and implement stricter enforcement of regulations. The GOJ will also make efforts through various international assistance means to reduce poverty (which is one of the major causes of trafficking in persons) and to cooperate with each country to prevent of trafficking in persons and for the support of victims.

(2) Ensuring understanding and cooperation from the general public

(i) Comprehensive awareness and PR activities

To raise awareness of the general public about trafficking in persons and to facilitate efforts to eliminate trafficking in persons, the GOJ will work together with a wide range

of organizations, including prefectural and municipal governments, to conduct awareness and PR activities during the Campaign for Eliminating Violence against Women, which takes place every November and aims to eliminate violence against women, including victims of trafficking in persons. In addition, institutions concerned will cooperate with each other to ensure awareness raising and cooperation from the general public by proactively publicizing, for example, that trafficking in persons is an unforgivable malicious crime and includes sexual and labor exploitation, and that there are governmental policies to combat trafficking in persons. Such publicizing activities will include making and distributing pamphlets, placing information on websites, and PR efforts aimed at the countries of origin of victims of trafficking in persons by Japan's diplomatic establishments overseas .

(ii) Making and distributing awareness-raising brochures on human rights

The Human Rights Organs of the Ministry of Justice will make and distribute awareness-raising brochures on human rights that include descriptions of Japan's action to combat trafficking in persons. In addition, the Organs will hold nationwide awareness-raising activities throughout the year, by putting the slogans "Respect human rights of foreigners" and "Eradicate Trafficking in Persons" in their annual matters of priority and conduct various awareness-raising activities, such as holding lectures and training programs, through the Legal Affairs Bureaus and the District Legal Affairs Bureaus nationwide.

(iii) Measures of school education, etc..

The GOJ will enhance efforts to cultivate a spirit of respect for human rights through school and social education at various developmental stages and turning points in life. To prevent prostitution, the GOJ will make efforts to give scientific sex education to students and educate them so that they learn to respect life, are able to think and make judgments individually, and develop sound behavior through total school education. As part of such efforts, the GOJ will make efforts to educate students and raise their awareness to learn to respect social norms that may lead to the prevention of prostitution, etc. through juvenile delinquency prevention programs and other PR activities. In addition, the National Women's Education Center will study measures to educate, raise awareness and cooperate to prevent trafficking in persons with a view to preventing prostitution.

(iv) Promoting compliance with laws and regulations related to trafficking in persons, etc.

The purposes of trafficking in persons include sexual exploitation and labor exploitation, and there are cases where employers engage in activities related to trafficking in persons without recognizing it. Therefore, to prevent employers from engaging in such activities, the GOJ will emphasize PR activities and awareness raising to employers so that they will have a better understanding of trafficking in persons and understand and comply with laws and regulations surrounding trafficking in persons (including the Penal Code, the Immigration Control Act, the Anti-Prostitution Act, the Act on Control and Improvement of Amusement and Entertainment Businesses, etc., the Employment Security Act, the Labor Standards Act, the Child Welfare Act, the Act on Punishment of Activities Relating to Child Prostitution and Child Pornography, and the Protection of Children).

(v) Raise awareness of the demand side of sexual exploitation

The GOJ will promote efforts to raise awareness of the demand side of sexual exploitation by publicizing that many victims of trafficking in persons are sexually exploited through prostitution, etc. According to Japan's laws and regulations it is illegal for Japanese travelers overseas to patronize a prostituted child, and such offenses will encourage trafficking in persons in those countries, so the GOJ will also promote efforts to raise awareness of the potential perpetrators of sexual exploitation by posting posters at and distributing leaflets to travel agencies, passport centers, and related organizations in Japan to prevent Japanese travelers from patronizing a prostituted child.

(3) Strengthening the system to promote action against trafficking in persons

(i) Enhancing knowledge and awareness of staff working at institutions concerned

To tackle increasingly sophisticated and hidden cases of trafficking in persons and to appropriately protect victims of trafficking in persons, institutions concerned will educate staff to enhance their knowledge and skills, and to raise awareness as required to facilitate action against trafficking in persons through specialized and practical training programs for identification, protection and support for victims of trafficking in persons.

(ii) Enhancing cooperation and information sharing among institutions concerned

Institutions concerned will cooperate with each other to examine the total procedure, from identifying and protecting victims to providing them repatriation assistance, as well as the modes of cooperation to systemize how to handle cases of trafficking in persons. In addition, related ministries and agencies will make intergovernmental efforts to share information and improve statistics related to trafficking in persons. Related ministries and agencies will also compile case examples of trafficking in persons to examine how to identify victims and appropriately handle such cases, and how to share information between related ministries and agencies, between national governments and prefectural and municipal governments, and between institutions concerned at the prefectural and municipal levels. In addition, the GOJ will examine the necessity of establishing a bureau that handles policy planning and implementation concerning trafficking in persons in an integrated manner.

(iii) Ensuring cooperation between NGOs, the IOM, and other related organizations

The GOJ will continue to regularly hold liaison committees between related ministries, agencies and NGOs as well as to appropriately cooperate with NGOs, the IOM, and other related organizations in order to promote the public and private sectors' taking joint action to combat trafficking in persons.

(iv) Cooperating with the framework for the promotion and examination of policies surrounding non-Japanese residents

When related ministries and agencies promote action against trafficking in persons, they will ensure consistency with Japan's policies surrounding non-Japanese residents and will cooperate with the framework of various policies surrounding non-Japanese residents.

(v) Cooperating with the framework for the promotion and examination of measures for crime victims

To enhance Japan's policies to protect victims, when related ministries and agencies promote various policies to protect victims of trafficking in persons, they will ensure consistency with the Basic Plan for Crime Victims and cooperate with the framework for the promotion and examination of measures for crime victims.

(vi) Promoting effective and continuing action against trafficking in persons and reviewing the Action Plan

To promote effective and continuing government-wide action against trafficking in persons, the GOJ will regularly verify the progress of each policy, make efforts to understand the latest conditions surrounding trafficking in persons, examine and promote policies required to respond to changes in the means of trafficking in persons, and review the Action Plan as needed.