



**-Japan-**  
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### GENERAL FEATURES OF TRADE POLICY

The EU and Japan form two of the main pillars of the world economy. Together they account for two fifths of world GDP, with Japan accounting for c. 14% of world exports, and around 10% of imports. Japan is also the largest economy in Asia, accounting for two thirds of that continent's GDP, and is the EU's largest trading partner in the region. Europe is equally a very important market for Japan. The EU and Japan have pursued close co-operation on trade issues for some time. However, despite a downward trend of the Japanese trade surplus since 1999, there are still major imbalances in EU-Japan trade and investment. In some traditional industries, Japan still maintains very high levels of protection. The EU has successfully used recourse to the WTO as a means of protecting the interests of European businesses and will continue to use this and all other available means to ensure that Japan meets its international trading obligations.

To the extent that most of our bilateral problems are regulatory, a major pillar of the EU-Japan relations is the two-way Regulatory Reform Dialogue whose aim is to reduce the number of unnecessary and obstructive regulations which hamper trade and foreign investment. The parties recognise that regulations have a vital role in guaranteeing public health and the safety of citizens, as well as ensuring that goods and services meet appropriate standards. However, they acknowledge that regulations incorporating excessively complicated requirements and lacking transparency do not support these aims and, all too often, have the effect of constraining economic growth. Such regulations exist in a broad range of areas in Japan, including agriculture, services, investment and telecommunications.

Regulatory reform is particularly important in the context of Japan's efforts to overcome the current economic and financial downturn. Following two previous deregulation plans which achieved limited results, the Government of Japan has recently launched a more ambitious three year Regulatory Reform Promotion Programme to which the EU is committed to participate.

Significant progress has been made in a number of areas, in particular financial services, automobiles and pharmaceuticals. However, in areas such as agriculture, transport and telecommunications, severe regulatory restraints remain and progress on competition policy remains disappointing.

*The following table is an overview of the tradeflow between the European Union and Japan*

Section	Year	Import(Euro)	Export(Euro)
<b>Animals &amp; animal products</b>	1996	24,146,930	1,228,834,920
	1997	26,831,690	1,282,383,850
	1998	29,223,710	1,023,505,050
	1999	19,646,780	1,424,055,000
	2000	37,657,080	1,687,948,840
	2001	50,812,080	1,593,291,970

	2002	41,413,020	1,472,998,160
	2003	29,497,190	1,388,783,770
<b>Vegetable products</b>	1996	27,795,680	465,824,600
	1997	25,155,250	422,848,560
	1998	26,489,530	439,522,740
	1999	31,232,890	446,357,230
	2000	36,541,560	498,422,860
	2001	34,891,010	527,302,980
	2002	36,419,570	512,725,600
	2003	34,129,980	486,997,670
<b>Animal or vegetable fats</b>	1996	3,276,500	80,552,480
	1997	4,357,210	76,102,330
	1998	6,799,280	81,206,500
	1999	7,729,740	50,413,670
	2000	10,882,350	95,433,190
	2001	10,304,360	100,113,170
	2002	10,824,500	124,073,170
	2003	11,197,520	108,440,840
<b>Prepared foodstuffs</b>	1996	49,351,360	1,141,771,710
	1997	57,974,340	1,297,213,070
	1998	57,179,140	1,624,355,060
	1999	59,779,110	1,394,950,330
	2000	66,714,950	1,548,040,750
	2001	72,323,320	1,639,666,480
	2002	63,286,020	1,605,894,950
	2003	62,763,170	1,564,337,680
<b>Mineral products</b>	1996	87,064,260	104,130,470
	1997	76,040,720	132,953,530
	1998	67,094,790	132,993,190
	1999	59,816,910	136,220,420
	2000	85,667,590	170,002,850
	2001	111,396,470	249,201,480
	2002	95,940,080	311,390,920
	2003	88,686,660	280,207,690
<b>Chemical products</b>	1996	3,381,531,340	4,044,990,830
	1997	3,763,183,510	4,556,911,650
	1998	3,968,266,150	4,452,529,860
	1999	4,294,514,350	5,499,935,500
	2000	4,942,817,830	6,681,075,320
	2001	5,090,109,410	6,886,803,950
	2002	5,012,324,690	7,204,067,900
	2003	4,749,613,950	6,832,661,730
<b>Plastics &amp; rubber</b>	1996	1,699,582,010	622,234,000
	1997	1,757,393,610	711,476,630
	1998	1,989,791,390	651,338,720
	1999	2,092,286,290	729,308,330
	2000	2,348,738,270	921,296,960
	2001	2,288,718,750	923,690,620
	2002	2,125,419,010	930,297,250
	2003	2,119,365,610	946,889,710
<b>Hides &amp; skins</b>	1996	16,772,280	893,952,330
	1997	16,938,970	832,457,140
	1998	17,188,500	736,333,920
	1999	21,363,690	807,995,920
	2000	26,925,190	1,070,366,800
	2001	27,078,900	1,207,231,150
	2002	26,389,180	1,147,040,140
	2003	24,986,360	1,119,876,700
	1996	10,184,140	464,980,310
	1997	8,173,600	567,162,860
	1998	8,769,130	371,313,260

<b>Wood &amp; wood products</b>	1999	10,345,390	658,764,490
	2000	10,432,790	869,796,400
	2001	8,931,790	841,344,410
	2002	8,819,730	928,918,170
	2003	8,398,700	891,066,820
<b>Wood pulp products</b>	1996	192,510,000	666,996,020
	1997	200,429,030	535,943,190
	1998	207,192,670	457,571,680
	1999	257,568,270	498,700,280
	2000	358,509,860	623,354,640
	2001	307,234,860	598,427,400
	2002	237,168,170	587,746,020
<b>Textiles &amp; textile articles</b>	1996	621,021,970	2,722,170,340
	1997	724,234,510	2,467,721,220
	1998	802,422,250	2,126,446,970
	1999	833,542,880	1,927,740,390
	2000	873,530,220	2,209,464,300
	2001	762,789,950	2,353,495,780
	2002	664,441,260	2,123,302,770
	2003	554,476,680	1,977,826,250
<b>Footwear, headgear</b>	1996	42,458,510	445,164,820
	1997	60,222,150	381,675,970
	1998	53,194,760	328,326,540
	1999	60,722,900	351,007,470
	2000	82,401,920	406,834,850
	2001	62,688,990	445,339,570
	2002	47,013,310	419,216,930
	2003	52,193,450	376,805,500
<b>Articles of stone, plaster, cement, asbestos</b>	1996	354,192,680	590,166,210
	1997	346,292,840	577,178,810
	1998	396,871,190	483,921,020
	1999	437,873,200	491,350,870
	2000	589,286,370	648,747,780
	2001	594,264,140	642,353,570
	2002	527,215,300	567,581,540
	2003	453,062,590	572,246,870
<b>Pearls, (semi-)precious stones, metals</b>	1996	204,951,870	920,074,140
	1997	279,855,240	791,912,050
	1998	403,460,220	688,860,280
	1999	318,797,940	908,809,290
	2000	392,787,470	1,196,151,720
	2001	410,595,130	993,484,130
	2002	256,954,140	984,839,040
	2003	317,030,140	912,445,230
<b>Base metals &amp; articles thereof</b>	1996	1,001,827,380	893,906,420
	1997	1,098,080,020	986,588,520
	1998	1,265,200,610	846,995,770
	1999	1,359,311,310	873,698,060
	2000	1,646,158,640	1,197,377,870
	2001	1,729,169,060	1,097,381,790
	2002	1,389,159,630	991,285,590
	2003	1,363,137,270	1,072,360,540
<b>Machinery &amp; mechanical appliances</b>	1996	22,637,381,280	5,471,248,800
	1997	24,959,031,230	5,855,383,300
	1998	28,858,621,430	5,261,289,760
	1999	31,838,066,690	6,066,272,890
	2000	43,069,564,290	8,584,964,190
	2001	35,302,804,820	9,229,307,830
	2002	29,658,091,290	8,172,619,900
	2003	28,192,052,320	7,237,142,440

Transportation equipment	1996	11,156,743,790	1,543,069,380
	1997	13,628,824,040	1,754,114,330
	1998	15,232,991,670	1,639,152,710
	1999	17,282,268,750	1,927,639,900
	2000	17,545,997,890	3,136,333,410
	2001	15,390,984,180	2,871,104,350
	2002	15,591,877,380	2,934,266,260
	2003	16,844,941,870	3,023,502,350
Instruments - measuring, musical	1996	4,369,858,080	1,609,797,240
	1997	4,640,080,410	1,838,828,410
	1998	4,805,804,210	1,793,561,060
	1999	5,638,630,580	1,999,213,810
	2000	6,933,907,060	2,721,139,380
	2001	6,561,475,550	3,088,472,480
	2002	5,330,335,250	3,116,460,260
	2003	5,193,282,910	3,264,054,290
Arms & ammunition	1996	4,244,410	17,441,420
	1997	2,541,000	21,523,660
	1998	3,034,700	27,180,470
	1999	8,073,020	24,974,660
	2000	15,679,950	40,422,470
	2001	12,499,580	37,067,000
	2002	10,500,860	20,520,290
	2003	12,040,970	16,928,630
Miscellaneous	1996	905,058,610	887,805,520
	1997	1,655,234,100	878,925,740
	1998	1,942,378,420	705,614,740
	1999	1,668,150,610	760,143,700
	2000	2,033,330,050	964,093,750
	2001	1,757,378,820	926,491,790
	2002	2,052,048,700	876,954,690
	2003	977,516,960	887,601,190
Works of art	1996	29,185,760	102,323,520
	1997	58,276,470	102,151,490
	1998	172,085,440	63,593,150
	1999	53,185,030	87,480,040
	2000	64,176,140	141,280,080
	2001	78,143,820	68,488,400
	2002	70,710,170	79,465,930
	2003	68,989,090	70,189,470
Other	1996	152,278,740	108,107,110
	1997	131,325,120	101,574,390
	1998	162,335,920	165,595,850
	1999	178,404,660	208,653,630
	2000	272,583,240	226,651,490
	2001	402,718,470	293,510,680
	2002	419,683,470	281,680,490
	2003	673,146,510	228,437,920

**Agriculture and Fisheries**  
last updated on  
2001-09-06

The EU and Japan are discussing a number of agricultural issues on a bilateral basis. These pertain mainly to the harmonisation of Sanitary and Phytosanitary standards and to the acceptance of the principle of Regionalisation by the Japanese authorities. These discussions are designed to allow agricultural products which abide by EU sanitary and phytosanitary standards to access the Japanese market without unjustified additional requirements.

Concerning fisheries, Japan has for many years operated a system of quantitative restrictions on imports of certain fish and fishery products, covering some 20% of the total import of such products. The GATT/WTO compatibility of these measures is questioned and discussed with the Japanese authorities.

<b>Aircraft last updated on 2001-09-06</b>	European companies do not enjoy anything like the same success in Japan as they do on other world markets. Japan Airlines (JAL) has never bought an Airbus and no Japanese airline has bought a purely European engine over the last twenty years. Airbus has a market share of 12% in Japan whilst its average share on the world market is around 50%. Actual co-operation between European and Japanese companies is rare. The Japanese Aeronautics industry relies, for 75% of its total production, on internal defence-related demands. On the civilian side, international co-operation has started only recently mainly in the aero-engine sector and essentially with non-European partners.
<b>Automotive last updated on 2001-09-06</b>	Market access problems for the automotive industry are a major component of our Regulatory Reform Dialogue with Japan. The Japanese authorities have decided to adopt a significant number of the technical annexes to the 1958 UN-ECE Agreement on motor vehicle regulations in accordance with our belief that the international harmonisation of automobile regulations is in the fundamental interest of all producing nations. The European Commission is encouraging the Japanese side to sign up quickly to these regulations particularly in areas where the absence of harmonisation with international standards creates unjustified additional costs and may prove trade-disruptive.
<b>Ceramics and Glass last updated on 2001-09-05</b>	As part of an action plan for a global partnership adopted by Japan and the United States in 1992, a number of measures (applied on an MFN basis) have been taken to promote the development of glass imports by Japan. These measures are in particular aimed at fostering relations with foreign suppliers, setting up programmes to apply the antitrust law to domestic producers and organising meetings with foreign companies and embassy staff to explain the rules on window glass laid down on the law on construction standards.
<b>Machinery last updated on 2001-09-05</b>	<p>A number of Regulatory Reform proposals have been submitted to the Japanese authorities in the Machinery sector, in particular on: Elevators, Fork-lift trucks, Wind turbines but also on more horizontal issues such as noise regulation.</p> <p>On electrical equipment, differences between Japanese and international standards are a major market access problem for EU firms. The Japanese government is committed to abolish in principle governmental certification for electrical equipment and to move to a system of self-certification.</p>
<b>Pharmaceuticals last updated on 2001-09-06</b>	Problems faced by EU exporters of pharmaceuticals to Japan include long handling procedures and requirements that clinical tests have to be performed in Japan although similar tests have already been approved by US or EU authorities. Such problems in general slow down the entry of innovative products, whatever their origin, onto the market, and may be depriving Japan of new ways to cope with future health care challenges such as dealing with the needs of an ageing population. However, the Japanese system of assessing the efficacy and quality of new medicines has been through a period of major reform and foreign tests recognition is progressing.
<b>Services - Financial last updated on 2001-09-05</b>	<p>The Government of Japan is currently trying to correct the country's banking problems which have been caused by high levels of bad debts resulting from the asset price deflation of the 1990s.</p> <p>To enhance the quality of banking supervision, a Financial Supervisory Agency (FSA) has</p>

been created. The Commission has indicated to the Government of Japan its views on the measures needed to address serious structural banking problems in Japan. In this context it seems necessary for the Financial Supervisory Agency to receive substantially more resources in terms of skilled personal in order to ensure adequate supervision and restore confidence in the system. Financial stability is notably discussed in the G10 forum where Japan should be encouraged to keep playing an active role in this matter. To support this attempt, improved standards of financial disclosure are deemed necessary.

**Services -  
Transport  
last updated on  
2001-09-05**

Discussions between Japan and the EU in the transport sector mostly focus on the issue of air transport. The potential demand for additional flight services to and from Japan's international airports, including Tokyo's Narita airport, is great and the provision of such services is vital to the economies of both Japan and Europe. There is a need to increase capacity and reduce unit costs for all users of Japan's airports while further improving slot allocation. Landing charges in Japan are amongst the highest, if not the highest, in the world. Statements by Japanese airlines as well as foreign airlines operating in Japan have shown that issues relating to capacity and costs are beginning to impinge unduly on sound business decision-making and are a matter of deep concern to the airline industry as a whole.

**Shipbuilding  
last updated on  
2001-09-05**

In the shipbuilding sector the EU is actively discussing with the Japanese authorities improved market access for recreational crafts, survival crafts and fire detection systems.

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## TARIFFS AND DUTIES

Japan's tariffs are, on average, low. Nearly all industrial tariffs are bound. The average unweighted tariff on industrial goods was at 7,2 % after the Uruguay Round and 99 % of the tariffs lines are now bound. However, Japan applies import quotas to some products (mainly certain organic chemicals, pharmaceuticals and rubber-based adhesives) for which quota allocation certificates are issued to importers satisfying the requisite conditions. These certificates are normally valid for four months. Also, following completion of the Uruguay Round negotiations several product areas remained with unacceptably high tariffs:

Agar-Agar (C.A.. 1302.31) (Duty ¥112/Kilo)  
Sugar (Duties between ¥35.3/Kilo and ¥106.2/kilo)  
Chocolate confectionery (tariff rate of 10%).  
Cheese and dairy products (Duties between 22.4% and 40%)  
Sweet biscuits (Duties between 18% and 20.4% )  
Jam (Duties between 12% and 34%)  
Smoked salmon (duty of 15%) and  
Raw materials (lead oxide, fused aluminium oxide, nickel).  
Leather and leather shoes (tariff quota)

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## TRADE DEFENCE INSTRUMENTS

In 2001, emergency measures have been enforced by Japan to target exports of pigmeat. Investigations have been carried out and are ongoing for safeguard measures (on tatami-omote; welsh onions and shitake mushrooms). No measures have been taken or investigated for anti-dumping duties and for countervailing duties.

**Agriculture and  
Fisheries**

**Safeguard Measures**

● 960109- Pigmeat [2005-01-19]

Japan applies increased border protection ("gate prices") on imports of pigmeat when imports exceed 119% of the average of the corresponding quarters in the previous three years. This system was agreed under the Uruguay Round. Japan bound the gate prices at a specific level and agreed to apply a lower price, but would revert to the higher price when the quantitative trigger becomes applicable. The measures, referred to as "Emergency measures" hit all pigmeat. EU exports are heavily affected by the emergency measures in place, while other countries continue their exports. While overall EU export figures might not be hit dramatically, there is a serious disruption of trade and a threat to lose market share in Japan. Japan applied the emergency measures very often since 1995. Japan's safeguard measure was triggered in August 2004 for the fourth consecutive year, even though the trigger volume has risen by 16% since 2003. The gate-price will again be raised by 24%, hampering EU exports for the rest of Japan's financial year.

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## NON TARIFF BARRIERS

One of the major sources of difficulty for EU exporters is the Japanese legislation on standards and conformity assessment. A number of domestic laws prohibit or restrict the importation of certain products via standards and notably the limited recognition of foreign testing and certification bodies. Although these laws do not appear to discriminate between imported and domestically produced goods, they may have trade effects to the extent that they impose non-transparent standards and testing procedures. EU products can wait long periods in Japanese laboratories before obtaining certification which, as a consequence, makes the Japanese distribution system quite cautious in its orders of foreign products which have not yet been tested and certified by Japanese laboratories. It has also to be noted that even in recent periods delays in testing and certification have been used as an industrial policy tool in order to give to Japanese producers the time to become competitive. The Japanese Government is, however, continuing its policies of rationalising and improving the transparency of its standards and certification procedures and harmonizing these, where possible, to international norms, in an effort to remove trade impediments.

Public procurement and competition are also fields where the responsibilities of the Japanese government are directly involved. The Japanese public authorities can substantially contribute to improving conditions of access to the Japanese market in these areas. While improvements in rules and procedures in Japan are to be welcomed, the Commission considers it also important to improve the way the rules are applied by the relevant entities.

### Standards and Other Technical Requirements

#### 980125- *Recognition of foreign testing* [2001-08-27]

One of the means to reduce the procedural/regulatory burden associated with conformity assessment procedures without lowering the protection level that conformity assessment helps ensure, is through recognising certifications of competent conformity assessment bodies abroad. The EU welcomes that fact that a move towards the internationalisation of norms and standards is a priority of the Regulatory Reform Dialogue and is also under investigation by the Regulatory Reform Committee. Recognition of foreign testing bodies and the disciplines imposed by the welcome ongoing process of switching to international standards not only has the capacity to increase foreign products' penetration of the Japanese market, but also to improve the performance of Japanese products in overseas markets.

To this end, it is important to have clear criteria for appointing competent conformity assessment bodies especially where Japanese product standards differ from international ones. This is not always the case in Japan at present, and there is a need for a greater transparency and alignment of criteria with ISO/IEC guidelines/practices so as to ensure all competent third country testing and inspection bodies designated or accredited against international standards and in line with international practices, can be recognised under the appropriate Japanese laws.

The EU welcomes the different schemes that have come into existence over the past years in different laws (such as the recently amended Electrical Appliances Safety Law) that allow competent foreign testing, inspection and certification bodies to perform conformity assessment functions under these laws.

Also, the conclusion of the EU-Japan Mutual Recognition Agreement will facilitate the market access to Japan for EU exporters for the sectors covered by this agreement. It will, in addition, facilitate confidence building and exchange of information between regulators and operators in the conformity assessment field. Fuller deregulation leading to greater self-certification, however, would significantly further facilitate trade even in these sectors since there are many areas where the MRA does not reach.

## Quantitative Restrictions and Related Measures

### ● 960101- *fish quotas* [2001-08-28]

Japan has import quotas on certain types of fish, including herring, sardine, mackerel and horse mackerel. The level of these quotas are calculated half-yearly or yearly to fill the gap between domestic demand and domestic supply, usually after the reference period has begun. The management of the quotas is not transparent and leads to under-utilisation. In addition, it has a strong bias in favour of Japanese fish processors, fishermen and traditional traders, and only a very small proportion of licences are effectively available for new comers. The European Commission considers this system to be in breach of WTO rules.

## Standards and Other Technical Requirements

### ● 960104- *Food Supplements* [2001-08-27]

Japan requires that many food supplements be marketed in capsules, tablets or other dose forms that are of non-conventional shapes such as triangles, squares, hexagons to prevent customers from confusing them with medicines that are marketed in tablets, capsules or pills of conventional shape. As a consequence, most food supplements produced as hard gelatine capsules cannot enter the market. The EU believes that the objective of the Japanese legislation can be met in a less onerous manner through adequate labelling.

### ● 960106- *Safety of Plastics* [2001-12-10]

Products containing plastic parts which come into contact with foodstuffs, such as household electrical kitchen appliances (e.g. coffee-makers, juice extractors, food mills and mixers) are subject to disproportionate regulatory requirements. All plastic parts contained in such products and which come into contact with food are legally required to undergo an annual check. The producer has to submit the many parts concerned annually to the Japanese authorities so that these tests can be carried out. The relevant Japanese legislation is the Food Sanitation Law, Clause 16, Regulation 15 (inspection and procedure of report for import).

### ● 960108- *Exporting live horses* [2005-02-01]

Foreign-trained horses are restricted from participating in a large number of the races administered by the Japan Racing Association, especially those horses with overseas racing experience. On account of the high prize levels for horse races in Japan, further reductions of restrictions on EU horses participating in such races are of great interest.

### ● 000002- *Plant health facilities* [2005-02-02]

Improvements have been made to the inspection facilities for cut flowers at Narita airport. However, because of a lack of competition, the cost of fumigation, warehousing and cooling facilities are higher than at comparable airports in other countries.

The Commission's objective is to reduce the cost of fumigation, warehousing and cooling facilities through greater competition in the provision of these services.

Following a complaint by the European Commission, the Japan Fair Trade Commission concluded that violations of the Anti-monopoly Act exist for the companies responsible for fumigation and that suspicions of cartel practices exist for the companies responsible for bonded warehousing. This enforcement of a more competition friendly environment should trigger a significant reduction of costs for EU exporters.

### ● 020081- *Import restrictions for energy drinks* [2005-02-09]

Energy drinks based on a similar formula as European products have been popular in Japan and Asia for more than 30 years. Products such as Lipovitan are sold in 100 ml glass bottles. None of the products currently available is carbonated. Their main channel of distribution is through pharmacies and health stores.

According to the Japanese Foodstuff Regulation, energy drinks are regarded as quasi-drugs falling within the category of vitamin-containing health supplements. The packaging unit for vitamin-containing health supplements is limited to 100 ml. The provisions on vitamin-containing health supplements provide a maximum daily dose for taurine (1500 mg), glucuronolactone (1000 mg), caffeine (50 mg) and certain vitamins. Further, the above-mentioned regulation does not provide for the carbonization of supplements.

Due to the addition of artificial caffeine and taurine, energy drinks could not be marketed as a regular foodstuff in Japan. Glucuronolactone is regarded as a pharmaceutical in Japan. Japanese restrictions on the packaging size of energy drinks as well as their classification as food supplements act as a trade barrier.



- The issue remains unresolved in January 2005.

#### ● 980123- *liquor - product definitions* [2004-10-13]

Japanese product definitions for spirituous beverages do not conform with international norms. We would like to see the introduction of product definitions in Japan in line with the product specifications prevailing for all international liquor categories as endorsed by the International Federation of Wines and Spirits (e.g. as defined in EU Regulation 1576/89).

## **Sanitary and phytosanitary measures**

#### ● 960103- *Japan- Herbs- testing radiation* [2004-09-10]

The Japanese authorities require testing or the provision of certificates produced by laboratories approved by Ministry of Health and Welfare (MHW), attesting the freedom from radioactivity upon arrival in Japan of certain food products. The EU believes (see Council Regulation 616/2000) that herbs can no longer be classified as sensitive products and thus considers such controls no longer necessary with regard to this product.

However, according to the EU's information, Japan plans to lower the level of permissible radioactivity for food products. This would run counter to the intent of the Deregulation Programme to simplify procedures and reduce the burden of regulation.

#### ● 960107- *Japan- Cut flowers* [2004-09-10]

A pre-shipment inspection system was agreed in 1985 between the Netherlands and Japan whereby three Japanese inspectors are stationed full-time at Aalsmeer to inspect flowers in the Netherlands on the basis of Japanese rules and regulations. The Netherlands asked in September 1997 for a change in this system, to one where there is an acceptance of the (officially audited) Dutch inspection systems with a monitoring of these systems by Japan. Such a move would be in line with the Government of Japan's commitment to (1) move from a priori regulation to ex post facto checking and (2) transfer inspection functions to the private sector. Commission's objective: A replacement of current pre-shipment inspection procedures by a system whereby there is an acceptance of the Dutch inspection systems and a monitoring of these systems by Japan.

#### ● 970244- *Japan- Fresh fruit and vegetables* [2004-09-10]

Regulatory Procedures for Acceptance of Varieties of Fresh Fruit and Vegetables

The basic problem relates to the Japanese approval procedures for imports of new varieties and types of fresh fruit and vegetables. These procedures are very long (2-3 years), costly and lacking in transparency.

In line with the Government of Japan's commitments set out in the deregulation programme of 31 March 1998, in the field of fresh fruit and vegetables, there is considerable potential to simplify and enhance the transparency of regulations, to accelerate regulatory procedures and to move towards international norms.

The procedures for authorisation of imports of the mandarine variety Clementina from Spain into Japan constitute a good example in this request. It is noted that other Spanish products with similar phytosanitary properties (Navel Oranges) have already been granted approval for import into Japan. A second example relates to the Spanish request for authorisation of imports of the orange variety Salustina.

### Regionalisation

Japan does not recognise that a single market for plant products exists in the EU and will not implement the provisions of the Sanitary and Phytosanitary Standards (SPS) agreement of the World Trade Organisation (WTO) on regionalisation with respect to the EU. Each member state must therefore negotiate bilaterally and pass through the entire lengthy approval procedure from the very beginning for each new variety or type of fruit or vegetable which it wishes to export to Japan. Indeed, often a special approval procedure must be passed through for each individual area of each country. Regionalisation is applied by Japan in relation to the United States for Mediterranean fruit fly. Japan argues that this is possible because the US operates a uniform system under a federal body, APHIS, and therefore is different from the EU. It is, in fact, not the case that the EU is different: the EU has a single body of law, freedom of movement of plant products and an inspectorate at federal level, namely the Food and Veterinary Office. Day-to-day enforcement is carried out by the administrations of the Member States, just as the state agriculture departments carry out the same function in the US.

### Quarantine list

Also, Japan operates a system of zero tolerance for all pests not included on its list of non-

quarantine organisms. This list is incomplete and many common insects which are present both in Europe and Japan, such as aphids and mites, are not included on this list. This means that fruit and vegetables which have such non-harmful insects on them are treated by Japan in the same way as if they were infested by harmful organisms and have to undergo needless fumigation. In February 1999 the European Commission requested the addition of 9 priority organisms to the Japanese list of non-quarantine organisms, and this was repeated in a letter dated 28 July from Director-General Legras to Vice-Minister Kumazawa. In his reply of 22 October 1999, Mr Kumazawa explained that authorities need more time to elaborate on the issue in order to respond to the request.

Commission objectives:

- i. Recognition of the EU as a single market for plant products, with application of the principle of regionalisation in the determination of disease status, thus eliminating the need for 15 separate approvals (one for each Member State).
- ii. Simplification and greater transparency of procedures for authorising the import of new varieties and types of fresh fruit and vegetables.
- iii. Transmission to the Commission of procedures for authorising the import of new varieties and types of fruit and vegetables.
- iv. Approval for additional production areas in the Netherlands from which sweet peppers and tomatoes are allowed to be imported into Japan.
- v. Quick and concrete follow-up to the Italian request, submitted to MAFF on 2 September 1998, for the lifting of the ban on the import of citrus fruit from Italy.
- vi. Extension of the Japanese list of non-quarantine organisms to include all non-harmful organisms found in fruit and vegetables.
- vii. Opening up of facilities at Narita to free competition and introduction of less damaging methods of disinfection.

#### ● 970254- *Japan- Food Additives* [2004-09-10]

Japanese and European legislation on food additives are based on the same principles but are sometimes applied differently, with the result that European exporters can face considerable difficulties in accessing the Japanese market.

Since both Japan and the EU use extensive scientific research to assess the case of designation of new additives, the Commission has invited Japan to increase information exchange and contacts on this scientific research and to decide on the merits of the scientific data.

- The EU urges the Japanese government to modernize Japan's list of accepted food additives in line with the applicable international standards – the CODEX. Alimentarius – and to accept additives recognized as safe by food safety evaluation bodies such as the Joint FAO/WHO Expert Committee on Food Additives (JECFA), the EC Scientific Committee on Food or the European Food Safety Authority.

The newly established "Food Safety Commission" should focus on additives which were not yet evaluated by these evaluation bodies.

Japan imports numerous processed foods containing additives, which are not formally authorised. Instead of seeking a pragmatic solution by adopting a positive list based on available CODEX assessments, the Japanese side insists on re-evaluating all additives by a newly established "Food Safety Commission". The process has already started for 4 substances, all polysorbates, which will receive a group ADI.

This approach will take at least 10 years for all products on the current priority list of 46 additives.

Member States find the additives issue the most important to pursue.

#### ● 970370- *Japan- Flower bulbs* [2004-09-10]

Although the Dutch Flower-bulb Inspection Service (FIS) is ISO accredited, audited by the Dutch government and accepted by most major trading partners, Japan insisted initially on a post-entry quarantine system whereby bulbs had to be planted in Japan for one year before they could enter the trade. This requirement has subsequently been relaxed for some varieties of bulb. The Commission welcomes the success of the trial monitoring system for tulip bulbs this year. Further reform should be undertaken in line with the Government of Japan's commitment in its deregulation programme to move from a priori regulation to ex post facto checking and to transfer inspection functions to the private sector.

#### ● 970245- *Japan- Meat Products* [2004-09-10]

As for plant products, Japan does not recognise that a single market for meat products exists in the EU and will not implement the provisions of the Sanitary and Phytosanitary Standards (SPS) agreement of the World Trade Organisation (WTO) on regionalisation with respect to the EU. Meat imports from the EU are therefore regulated on a bilateral basis through the attribution of national disease status to each single EU Member State. In addition, current Japanese procedures for the upgrade of national disease status are unclear, lengthy and costly. For example, Italy submitted to the Ministry of Agriculture, Forestry and Fisheries a request for the upgrade of disease status in April 1997. However, no progress has yet been recorded. In line with the Government of Japan's commitments set out in the deregulation programme of 31 March 1998, in the field of meat products, there is considerable potential to simplify and enhance the transparency of regulations, to accelerate regulatory procedures and to move towards international norms. Commission objectives: i. Recognition of the EU as a single market for meat products, with application of the principle of regionalisation in the determination of disease status, thus eliminating the need for 15 separate approvals (one for each Member State). ii. Greater transparency in, and acceleration of, procedures for the upgrade of disease status and the agreement of veterinary bilateral protocols.

Japanese interlocutors: Ministry of Agriculture, Forestry and Fisheries

● 970255- *Japan- Chemical residues in meat* [2004-09-10]

When Japan's zero level standard for pharmaceuticals and veterinary drugs in animal products became obsolete due to the fact that minimal concentrations of a given medicament could be found through advanced analytic technology (parts per trillion), the Japanese government undertook to review its regulations in this area. As a result, a review of substances to establish Maximum Residual Levels (MRL) is now taking place. While progress is being made, the speed of addressing these issues is slow.

Objective : An acceleration in the process of addressing the issue of Maximum Residual Levels (MRLs) by the Japanese authorities.

Japanese interlocutor : Ministry of Health and Welfare, Ministry of Agriculture, Forestry and Fisheries

● 980147- *Japan- Regionalisation- Animal and plant products* [2004-09-10]

Japan still insists on treating each member state separately for the purposes of authorising the import of animal and plant products and has steadfastly refused to apply the regionalisation provisions of the WTO SPS agreement. This means 15 separate sets of veterinary and phytosanitary negotiations and 15 sets of (long and costly) tests before import approval can be given. Japan has argued that it cannot treat the EU as a single entity because, unlike, for example, the United States, the member states' phytosanitary and veterinary control systems are not sufficiently compatible with one another to be treated alike.

The Commission handed over extensive documentation at the High Level Deregulation Meeting in Tokyo in November, showing how the EU's phytosanitary and veterinary control systems function. This was backed up with discussions at expert level. The Japanese government's Deregulation Committee has also taken up this matter as one of its key agricultural issues.

Japanese officials are now studying the information given to them.

The Commission's objective remains to secure Japan's agreement to recognise the EU as a single market for plant and animal products, with application of the principle of regionalisation in the determination of disease status, thus eliminating the need for 15 separate approvals (one for each Member State).

● 040021- *Japan- Tomatoes and Cucumbers* [2004-09-10]

Japan does not recognise the EU as single market for plant products and every Member State must negotiate bilaterally. Japan does not recognise the EU regionalisation for Mediterranean fruit fly or Medfly (*Ceratitis capitata*) for exports of cucumbers and tomatoes.

- Japan should process import requests without undue delay especially with respect to several outstanding current applications (French apples, Italian fruits and vegetables (notably the orange variety Tarocco), , etc.)

Although import authorisation has recently been granted by Japan for two varieties of Spanish citrus, the duration of SPS approval in Japan is far too long – it has taken up to 20 years for the approval of some fruits.

● 040056- *Japan- Tomatoes and Cucumbers* [2004-09-10]

Belgium is unable to export tomatoes or sweet peppers to Japan. Japan does not accept any import of these products from Belgium for fear of 'importing' the fungus Tobacco blue mild (*Peronospora tabacina*). Even though tomatoes and peppers themselves are not susceptible to the 'blue mild'.

● 040045- *Japan- Beef, beef products and processed animal proteins* [2004-12-20]

Ban on the import of Beef, beef products and processed animal proteins and raw materials from bovine sources in pharmaceutical and cosmetics due to BSE.

Countries banned: France,..

- General statement on BSE to all Third Countries on 17/03/2004 in reaction on the statement of the USA. During the XXXI SPS Committee in October 2004 the Commission has given a general statement on BSE (Bovine Spongiform Encephalopathy). Some WTO members started to lift the ban due to BSE for some EU live ruminants and ruminant derived products (e.g.: China, New Zealand, Brazil, Philippines). The EC requested other WTO members to follow the same line and to respect guidelines as set up by international organizations (OIE).

● 040090-*Japan- Cooked pork meat* [2004-09-10]

Japan does not recognise Greece as free of FMD.  
Other Member States affected are FR and PT.

● 040069-*Japan- Pig meat* [2004-09-27]

Import conditions concerning Classical Swine Fever are very strict to get into the Japanese market.

● 040064-*Japan- Dairy products* [2004-10-01]

Ban on dairy products from Spain due to Bovine Spongiform Encephalopathy (BSE)

- General statement on BSE to all Third Countries on 17/03/2004 in reaction on the statement of the USA

● 040049-*Japan- Pot plants in approved growing media* [2004-10-01]

Ban on import Pot plants because of risk of entry of some pests. Japan operates a system of zero tolerance for all pests not included in its list of non-quarantine organisms.

## Chemicals

### Quantitative Restrictions and Related Measures

● 960115- *cosmetics registration* [2005-02-09]

The system for regulating cosmetics in Japan is cumbersome and remains unfair, making it difficult and expensive to introduce new ingredients and products. This is reflected in the fact that imported cosmetics account for only around 5% of the Japanese cosmetics market. European companies have about 2.8% of the market, the largest share for foreign companies. Locally manufactured EU goods account for a further 5.5% of the Japanese market.

Some significant progress has been made. The EU welcomes the fact that new legislation aiming at bringing Japan's hitherto cumbersome system for regulating new ingredients and products into line with international practice was adopted in 2001. The new system has shifted the responsibility for product safety towards manufacturers, and largely resembles the European model of a negative ingredient list, limited positive ingredient lists and full ingredient labelling. However the new positive lists still differ significantly from those in Europe and no mechanism has been established yet to make them more compatible. Inclusion of new ingredients on positive lists is slow and Japan often requires additional tests to those already carried out in the EU which can sometimes necessitate reformulation of products for the Japanese market and generally leads to delays. The EU would welcome Japan consulting further with third countries in order to harmonise regulatory approaches and/or requirements in the field of cosmetics.

Another very important issue is to overcome the gap between product categories, i.e. products categorised as cosmetics in the EU (and indeed the US), but as "quasi-drugs" in Japan. Japan has yet to proceed to the reclassification of many products classified in both the EU and the US as cosmetics. Bringing the Japanese product categories into line with well established international practices would be considered a major step towards the full implementation of the Deregulation programme of March 1999.

Finally, in view of the ongoing process of progressively replacing animal testing by scientifically-validated alternative methods, the EU would welcome Japan's confirmation that it will recognise safety data generated from non-animal alternative testing methods in accordance with OECD guidelines. Mutual acceptance of testing methods would be considered a major benefit of greater international harmonisation.

### Standards and Other Technical Requirements

● 960117- *Pharmaceuticals* [2001-08-29]

Problems faced by EU exporters of pharmaceuticals (including biotechnology products, e.g. plasma products) to Japan include long handling procedures and requirements that clinical tests have to be performed in Japan although similar tests have already been approved by US or EU authorities. Such problems in general slow down the entry of innovative products, whatever their

origin, onto the market, and may be depriving Japan of new ways to cope with future health care challenges such as dealing with the needs of an ageing population.

The Japanese system of assessing the efficacy and quality of new medicines is in the midst of period of major reform. Japan has reduced the "net" time for new drug applications to 12 months since 2000. The number of reviewers has been more than doubled and there has been improvement in approval times and in consultation procedures with applicants. However, it is still the case that MHW's ability to "stop the clock" while asking applicants for approval of new drugs to provide additional information may in some cases still mean that the approval time for a new drug in Japan is considerably in excess of this nominal twelve-month period. Japan has also agreed gradually to accept more global clinical trial data in applications for approval of new drugs. This has significant benefits for companies in that they will not have to conduct comprehensive trials purely for the Japanese market. The EU would wish to see this trend continue and will monitor the implementation of these commitments by the Japanese authorities.

## Other Industries **Standards and Other Technical Requirements**

### ● 960125- *Tank containers / transport of dangerous goods* [2001-08-24]

Most tank containers admitted into Japan, and intended for the carriage of dangerous goods, are to subject to a physical inspection by Japanese authorities. Responsibility for various categories of dangerous goods is divided between (1) Fire and Disaster Management Agency (FDMA) - flammable liquids, (2) Ministry of International Trade and Industry (MITI) - high pressure gases and (3) Ministry for Health and Welfare (MHW) - toxic materials.

All tank containers intended for the carriage of flammable liquids have to undergo inspection on importation and to have a plate attached to verify that the tank container is suitable for the transport of dangerous goods. This time-consuming activity takes place at the port where the tank container first enters Japan and, according to FDMA, municipalities collect fees of about US\$250 per inspection of flammable liquids tanks. However, industry reports that there are several other costs which have to be born beyond the fee levied for FDMA inspection and that real costs can be as high as US\$ 1000.

Given that tank containers are prior inspected and certified in line with the UN Recommendations on the Transport of Dangerous Goods, there is no need for a national administration to query the approvals already granted. The design, construction, initial inspection and testing of tank containers is authenticated and witnessed by agencies, such as Lloyds Register, Bureau Veritas and Germanischer Lloyd, which are appointed by the competent authorities. The principle behind these approvals is that, having met the design and construction requirements, the necessary level of safety and health have been assured and the tank container should be admitted for use by the appropriate modes of transport. Since three separate Ministries share responsibilities for regulations in respect of different categories of dangerous goods this is clearly a domain in which the regulatory arrangements need to be rationalised. There is also a need to extend the recognition of international standards to all tank containers used for the transportation of dangerous goods.

Commission's objectives:

- Recognition by all appropriate Japanese authorities of the validity of the physical inspection and certification of tank containers for the carriage of dangerous goods admitted into Japan when this is authenticated and witnessed by the relevant agencies as appointed by the competent authorities
- Abolition of all supplementary inspections of tank containers for the carriage of dangerous goods which have been inspected and certified in line with the UN Recommendations on the Transport of Dangerous Goods.
- Rationalisation of regulatory arrangements (currently in the hands of at least three Ministries: MOT, FDMA, METI).

This issue has been pursued through the deregulation dialogue with the government of Japan. The most recent list of EU deregulation proposals was submitted to Japan in October 2000. High-level meetings on deregulation, often in conjunction with expert level meetings, have taken place regularly. After continuous pressure from the EU as well as foreign and domestic industry, this issue has been solved.

A ministerial ordinance has entered into force in May 2001 which revises the regulations relating to the inspection of tank containers entering Japan. The compulsory supplementary visual inspections of IMDG-compliant tank containers entering Japan have been abolished subject to certain basic conditions. These are: to provide a certificate of compliance with IMDG requirements and evidence that the container has passed its most recent periodical inspection. Also, compliance of a tank container with the IMDG code, as certified by an agency such as Bureau Veritas, Lloyds Register etc. is considered to be equivalent to and to fulfil Japanese regulations.

### ● 970262- *In-vitro Diagnostics* [2001-08-27]

Registration requirements for in-vitro diagnostics (IVDs) in Japan are very complex. The major difficulty arises from the classification of IVDs in Japan as pharmaceuticals (and the kind of procedures applicable to these products) rather than as a separate category. Due to this classification, IVDs are subject in Japan to the Pharmaceutical Affairs Law imposing strict testing and approval procedures. Current US legislation and forthcoming EU legislation consider these products as medical devices. In the forthcoming EU legislation for IVDs the manufacturer will not be required to obtain third party certification or approval for a large proportion of products.

Some simplification of procedures has been achieved for some categories of IVDs, e.g. accelerated stability testing is accepted in some cases, and for others some simplification appears to be underway. However, at the same time, European industry has reported a tendency for the average processing time for approvals to increase.

Japan is an active member of the Global Harmonisation Task Force which aims to converge the global regulation of medical devices towards a common approach. All medical devices are within the scope of the task force, including in vitro diagnostic ones, providing Japanese participants with the opportunity to compare their approach with that of the other leading regulators. The EU welcomes their participation and believes it will encourage Japan to review their current regulations.

## Services - Communications & Audiovisual

### Competition Issues

#### ● 010001- *Anti-competitive regulatory framework in the telecoms sector* [2001-12-14]

Japanese legislation regulating the market of telecommunication services raises questions as to Japan's compliance with the fourth protocol to the General Agreement on Trade in Services as well as the "reference paper" of the WTO negotiations on basic telecommunications. The Commission suspects that certain provisions and/or their implementation lead to a lack of obligations for local dominant suppliers, the absence of a genuinely independent regulator, the inadequacy of competitive safeguards, the existence of discriminatory rates of interconnection, excessive notification requirements, untimely and discriminatory interconnection procedures, and a non-transparent universal service.

1. The Japanese authorities use a restrictive definition of "major suppliers" (i.e. those who control essential facilities). As a consequence, the competitive safeguards usually applied to these suppliers may be inadequately enforced in Japan. This concerns, in particular, the lack of competitive safeguards on the exchange of information and on cross-subsidisation which could take place between NTT companies: NTT East & West, NTT-C, and NTT DoCoMo.
2. The independence of the Japanese regulator of the telecom market (the MPHPT) is also questioned, since it manages the interests of the Japanese government which is a shareholder in NTT Co. In addition several articles of the NTT law reveal both administrative and financial links between the MPHPT and the NTT holding.
3. On universal service, there is no definition of its scope and no publication of its financing mechanisms. Questions are therefore raised as to the transparency and competitive neutrality of the universal service requirements.
4. The current Japanese legislation does not guarantee that existing interconnection agreements or reference interconnection offers with major suppliers contain only non-discriminatory and transparent terms as well as fair conditions and rates. NTT East & West are under the WTO obligation to provide erga omnes interconnection terms and conditions that are no less favourable to those provided for their own like services or those of their subsidiaries. Interconnection for new operators can be more expensive, more time-consuming, and sometimes unavailable altogether.
5. Japan has also established burdensome licensing requirements.

- The Commission Services have engaged in bilateral high level consultations with the Japanese authorities.

## Services - Financial

### GATS Specific Measures

#### ● 960206- *Insurance* [2002-01-14]

A number of hindrances to the creation of a truly dynamic, innovative and sound insurance market remain in Japan.

Market share figures indicate that foreign firms still hold a meagre share of the total risk premium, with European insurers' share being a minor proportion, in spite of recent acquisitions by foreign companies in the life sector. Ongoing mergers and alliances between Japanese insurers will consolidate more premiums in fewer groups to the detriment of genuine competition.

In July 1998, the obligation for non-life insurance companies to use rates calculated by the rating organisations has been abolished. However, individual product and rate approval is maintained thereby stifling competition and contributing to a burdensome level of economic regulation for insurers, with delayed delivery of innovative products to consumers. The process of micro level individual product and rate approvals should ultimately be fully abolished and replaced with macro supervision of the solvency margins and capital adequacy of insurance companies. Japan should apply here its announced principle of transforming its administrative approach from a priori regulation and supervision to ex post facto checking and scrutiny.

For new market entries the procedure to obtain an insurance license in Japan should be streamlined and simplified in a transparent way. The information needed and procedures to be followed are not always defined objectively and available publicly. Applications should be processed, according to the Administrative Procedures Law, within a short period of time in accordance with Japan's commitment to the principle of speeding up regulatory procedures.

Provisions governing insurance schemes that are arranged through or sold by public entities, such as the Housing Loan Corporation (HLC) and Post Office (kampo), need to be rendered more transparent in order to ensure a non-discriminatory basis for all participants in the insurance market. In principle, public sector entities should not be engaged in the creation of any new products that could be provided by the private sector, especially when they are not subject to the same regulatory oversight as are licensed insurers. Regarding the HLC, there is no open tender process for business and therefore no transparency in the allocation of the markets for non-life products by the HLC Committee. Regarding kampo funds, the Ministry for Public Management, Home Affairs, Posts and Telecommunications (MPHPT) should not be involved in any new underwriting activities. In addition, distribution of and/or participation in existing product offerings should be available equally to all private sector companies, be they domestic or foreign.

Finally, under Financial Services Agency (FSA) rules, brokers are not allowed to work with agents nor are they allowed to collect premiums on behalf of their clients. In other major insurance markets, brokers are able to compete with agents in the same lines and they are allowed to work with agents in the distribution and sales process. Also, collecting premiums is a normal part of the broker's professional activities. Japan should align its practice to conform to international standards. There are a number of other requirements which hinder the development of the insurance brokerage sector in Japan. A combination of stringent financial requirements, such as the out-of-proportion compulsory legal deposit, and various administrative and processing issues, such as the limited-in-time validity of brokers qualifications, discriminate against brokers and encourage intermediaries to remain as agents.

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## **INVESTMENT RELATED BARRIERS**

The overall picture of Foreign Direct Investment between the EU and Japan has gradually changed in the last years towards better balance in both investment stocks and investment flows. The Japanese corporate sector is weathering a financial crisis that raises the need to access foreign capital and thereby limits the number and scope of investment related trade barriers.

However, Japanese investment in the European Union is still, in proportion, substantially higher than the stock of EU investment in Japan. Factors deterring greater foreign investment include high business costs, high corporate taxation, difficulties to access distribution channels, the general regulatory environment and unfamiliar business practices.

Clearly foreign firms face a number of cultural and institutional barriers when proposing to acquire a Japanese company. Amongst the most serious difficulties are: a high level of cross-shareholding between allied companies; a low percentage of publicly-traded common stock; a widespread mistrust of foreign ownership; reluctance of keiretsu members to see a fellow member come under foreign control; complex legal provisions related to mergers and acquisitions; a lack of transparency in Japanese accountancy regulations, and especially a general impression that liabilities (such as e.g. deferred pension liabilities) are consistently under-reported. These problems are felt to be particularly acute for SMEs which are a natural M&A target for inward investors.

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# IPR

Japan is a party to the following multilateral agreements:

Agreement on Trade-Related Aspects of Intellectual Property Rights;  
Convention Establishing the World Intellectual Property Organization;  
Paris Convention for the Protection of Industrial Property;  
Berne Convention for the Protection of Literary and Artistic Works;  
Madrid Agreement for the Repression of False or Deceptive Indications of Source on Goods;  
Nice Agreement Concerning the International Classification of Goods and Services for the Purposes of the Registration of Marks;  
International Convention for the Protection of Performers, Producers of Phonograms and Broadcasting Organisations;  
Patent Cooperation Treaty;  
Strasbourg Agreement Concerning the International Patent Classification;  
Convention for the Protection of Producers of Phonograms Against Unauthorized Duplication of their Phonograms;  
Budapest Treaty on the International Recognition of the Deposit of Microorganisms for the Purposes of Patent Procedure;  
International Convention for the Protection of New Varieties of Plants (UPOV)

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Although Japan is a highly developed country it has not signed all of the important multilateral Treaties. The following have not been signed:

Madrid Agreement Concerning the International Registration of Marks and the Protocol Relating to the Madrid Agreement Concerning the International Registration of Marks;  
Hague Agreement Concerning the International Deposit of Industrial Designs;  
Lisbon Agreement for the Protection of Appellations of Origin and their International Registration;  
Locarno Agreement Establishing an International Classification for Industrial Designs;  
Vienna Agreement Establishing an International Classification of figurative Elements of Marks;  
Convention Relating to the Distribution of Programme-Carrying Signals Transmitted by Satellite;  
Nairobi Treaty on the Protection of the Olympic Symbol;  
Treaty on the International Registration of Audiovisual Works.