



**“the Tokyo Declaration**  
**on the Responsible Acceptance of Foreign Workers in Japan”**  
**("ASSC Tokyo Declaration 2020")**

## Background

The Global Alliance for Sustainable Supply Chain (hereinafter referred to as ASSC) has established a “Foreign Workers Roundtable” (hereinafter referred to as “the Roundtable”) from October 2018. This roundtable aims to discuss the human rights and labor issues of foreign workers<sup>1</sup> in Japan by engaging multiple stakeholders across industries and sectors.

As part of the Tokyo 2020 Nationwide Participation Program (accredited by The Tokyo Organising Committee of the Olympic and Paralympic Games<sup>2</sup>), we are working with many participants in this meeting who aim to improve their knowledge about issues of foreign workers in the supply chain of Japanese companies and to implement measures to solve the issues<sup>3</sup>.

As a result of discussions at this meeting, the ASSC will declare here the Tokyo Declaration on the Responsible Acceptance of Foreign Workers in Japan (commonly known as the "ASSC Tokyo Declaration 2020"). This Declaration includes the Dhaka Principles<sup>4</sup>, the international norms on the responsible recruitment of migrant workers, as well as norms and guidelines proposed by the International Organization of Migration<sup>5</sup>, the International Labor Organization<sup>6</sup>, and international NGOs<sup>7</sup>. For this reason, this Declaration is designed to comply with international treaties, guidelines, norms, standards, etc., while taking into account the various systems for accepting foreign workers in Japan.

This declaration offers requirement that any related organization can responsibly practice the acceptance of foreign workers in Japan. The content of this declaration, which is not legally binding, can be utilized as target and direction by 2025, although this may be revised in align with legislation update in the future.

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<sup>1</sup> Foreign Workers, in The Round Table and this declaration, are defined as “individuals who do not have Japanese nationality who enter and stay in Japan to get work from outside Japan, regardless of the name, reason, definition, etc. in the domestic legal system”. Specifically, it is mainly assumed such as foreign technical intern trainees, foreign construction workers, specific skilled workers, foreign dispatched workers, and foreign students’ part-time job.

<sup>2</sup> For more details, please refer to the website for the Tokyo 2020 support program (Japanese only).  
<https://participation.tokyo2020.jp/jp/>

<sup>3</sup> For more details, please refer to the Report of Activities of ASSC Foreign Workers Round Table (Japanese only)

<sup>4</sup> Institute for Human Rights and Business. “Dhaka Principles for Migration with Dignity”

<sup>5</sup> IOM. “CREST”

<https://iris.iom.int/sites/default/files/CREST%20Consolidated%20Factsheet%20V2.1%20e-version%20%28002%29.pdf#search=IOM+Crest>

<sup>6</sup> ILO. “General principles and operational guidelines for fair recruitment and definition of recruitment fees and related costs”  
[https://www.ilo.org/wcmsp5/groups/public/---ed\\_protect/---protrav/---migrant/documents/publication/wcms\\_536755.pdf](https://www.ilo.org/wcmsp5/groups/public/---ed_protect/---protrav/---migrant/documents/publication/wcms_536755.pdf)

<sup>7</sup> Verité 「2019: A Year of Impact, Achievement, and Optimism」 <https://www.verite.org/category/migrant-workers/>

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- #1: The wages, working conditions and working environment of foreign workers must be fair. Foreign workers should engage in work without discrimination, and should be free of disadvantageous treatment.**
- #2: The employers<sup>8</sup> and recruitment agencies<sup>9</sup>, regardless of their location of operation, must have and operate recruitment policies and policies that respect the human rights of foreign workers.**
- #3: Foreign workers must not bear recruitment fees and related costs<sup>10</sup>.**
- #4: Employment contracts and working conditions for foreign workers<sup>11</sup> must be in their mother language, communicated in writing, and concluded prior to the travel of foreign workers.**
- #5: All rights related to the work of foreign workers<sup>12</sup> must be guaranteed.**
- #6: The identification documents of foreign workers<sup>13</sup> must be under the direct control of the foreign workers.**
- #7: Wages for foreign workers must be paid properly on the dates specified in the employment contract and in the notice of working conditions.**

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<sup>8</sup> An employer means all persons who act on behalf of an employer with regard to business owners or other matters relating to workers in the relevant business.

<sup>9</sup> Recruitment agencies refer to staffing agencies, supervising organizations and sending organizations in the foreign technical intern training system, and registration support organizations for specific skills.

<sup>10</sup> Recruitment fees and related costs are to be borne by companies. For example, passport application fees, government agency application fees and ID acquisition costs required for cross-border labor, costs of payment to intermediaries related to placement, foreign workers' travel expenses, appreciation payments, the backing of margins for clients of recruitment brokers, expenses that fund excessive entertainment, and the purpose of preventing disappearance such as security deposits and any other types of deposits, and other rights.

<sup>11</sup> The working conditions include various internal rules, employment rules, wage rules, and dormitory rules.

<sup>12</sup> The rights of workers include basic labor rights, including the right to organize, collective bargaining, the right to collective action (dispute), and the ILO Core Labor Standards ([https://www.ilo.org/global/standards/WCMS\\_201895/lang--en/index.htm](https://www.ilo.org/global/standards/WCMS_201895/lang--en/index.htm))

<sup>13</sup> Identification documents refer to passports, status of residence, social security card, etc.

- #8: The working environment of foreign workers must ensure safety and hygiene. Education on occupational safety and health must be provided in an effective manner and in the mother language of foreign workers.**
- #9: The living condition of foreign workers must be guaranteed to be safe and sanitary.**
- #10: Foreign workers are not restricted from leaving dormitories and accommodations freely. Also, there is no restriction on annual paid vacation days or temporary return to home on long vacations, unless there is a justifiable reason.**
- #11: Appropriate procedures must be taken to ensure that foreign workers can change their jobs or resign voluntarily<sup>14</sup>.**
- #12: A reliable and effective grievance mechanism for foreign workers must be established. In addition, foreign workers must not be at any disadvantage in using the grievance service.**
- #13: Travel expenses for foreign workers<sup>15</sup> must be paid by the employer.**

Finally, to build responsible acceptance of foreign workers based on this Declaration, hopefully governments in each country are obliged to support activities of companies, various corporations, individuals, etc. and take law revisions and continuous measures.

This Declaration can be used as a goal or guide for any company, corporation, organization or individual to practice the responsible acceptance of foreign workers. This declaration does not guarantee any activity of any corporation or individual.

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<sup>14</sup> If a foreigner with a specific skill desires to change jobs or retire, they should cooperate with a registration support organization to support the procedure. Under the foreign technical intern training system, workers are not allowed to change jobs due to their own voluntary intentions. In case of issues, employers in consultation with the supervising organization should make the best effort to transfer the foreign worker to other training organizations. In the case of resignation proper procedures should be taken to return the foreign workers from Japan to their home countries.

<sup>15</sup> This refers to expenses related to coming to Japan, temporary return to work again in Japan after expiration of an employment contract, or returning to mother countries due to the employer's illegal action or fault

### **Guideline and Document References**

Institution for Human Rights and Business

Dhaka Principles for Migration with Dignity

Leadership Group on Responsible Recruitment

Employer Pays Principle

the Consumer Goods Forum

Guidance on the Priority Industry Principles

- for the Implementation of the CGF Social Resolution on Forced Labor-

Ministry of Health, Labor and Welfare/ Organization for Technical Intern Training

Operational Guidelines for the Technical Intern Training Program

Ministry of Justice/Immigration Services Agency

New Endeavor to Accept Foreign Personnel and Realize an Inclusive Society

Ministry of Land, Infrastructure, Transport and Tourism

Foreign Construction Worker Acceptance Program