MEMORANDUM OF COOPERATION
BETWEEN
THE MINISTRY OF OVERSEAS PAKISTANIS & HUMAN RESOURCE DEVELOPMENT OF PAKISTAN
AND
THE MINISTRY OF JUSTICE, THE MINISTRY OF FOREIGN AFFAIRS, THE MINISTRY OF HEALTH, LABOUR AND WELFARE AND THE NATIONAL POLICE AGENCY OF JAPAN
ON
A BASIC FRAMEWORK FOR INFORMATION PARTNERSHIP
FOR
PROPER OPERATION OF THE SYSTEM PERTAINING TO FOREIGN HUMAN RESOURCES WITH THE STATUS OF RESIDENCE
OF
"SPECIFIED SKILLED WORKER"

The Ministry of Overseas Pakistanis & Human Resource Development of Pakistan (hereinafter referred to as "the MOP+HRDP") and the Ministry of Justice, the Ministry of Foreign Affairs, the Ministry of Health, Labour and Welfare and the National Police Agency of Japan (hereinafter referred to collectively as "Ministries and Agencies of Japan") share the view to enhance mutual benefits through cooperation between the two countries on sending and accepting specified skilled workers in the operation of the system of acceptance (hereinafter referred to as "the system") of human resources possessing certain expertise and skills, who have been granted the status of residence of "Specified Skilled Worker" by the Government of Japan (hereinafter referred to as "specified skilled workers"). Based on this view, the MOP+HRDP and the Ministries and Agencies of Japan (hereinafter referred to collectively as "Ministries and Agencies of both countries") have decided to cooperate as follows:

1. Purpose

The purpose of this Memorandum of Cooperation (hereinafter referred to as "MOC") is, while protecting specified skilled workers through the smooth and proper promotion of sending and accepting specified skilled workers to Japan from Pakistan, by means of establishing a basic framework for information partnership, to ensure smooth and proper sending and accepting specified skilled workers (in particular the elimination of malicious intermediary organizations) and to resolve the problems of sending and

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accepting and of residing in Japan of specified skilled workers, as well as to enhance the mutual benefits of both countries through cooperation for proper operation of the system.

2. Contact points

In order to effectively implement the cooperation under this MOC, the Ministries and Agencies of both countries will designate respectively the following contact points for each side:

(1) For Pakistan:

Joint Secretary (Emigration), Ministry of Overseas Pakistanis & Human Resource Development

(2) For Japan:

Residency Management Division, Residency Management and Support Department, Immigration Services Agency, Ministry of Justice

3. Framework of cooperation

Cooperation under this MOC will be conducted within the scope of the laws and regulations in force in each country. The ministries and agencies or ministry of one country will not disclose the confidential information of the ministries and agencies or ministry of the other country, obtained through cooperation and information-sharing within the framework of this MOC, without written consent of the ministries and agencies or ministry of the other country.

4. Basic framework for information partnership

(1) Information-sharing

The Ministries and Agencies of both countries will promptly share necessary or useful information with each other in order to ensure smooth and proper sending and accepting specified skilled workers and to resolve the problems of sending and accepting and of residing in Japan of specified skilled workers. This information includes information on the acts of intermediary organizations (including both individuals and corporations) in both countries which involve in recruitment and job seeking relating to specified skilled workers (hereinafter referred to as "intermediary organizations for specified skilled workers") and on those that fall under the following:

(a) managing money or other properties of specified skilled workers or candidates of specified skilled workers (hereinafter referred to as "specified skilled workers and candidates"), their relatives or any

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a deposit or any other purposes;

(b) concluding any contracts that impose monetary penalties or that expect undue transfer of money or other properties, for the violation of the contracts;

(c) human rights infringements against specified skilled workers and candidates such as assaults, intimidation and restrictions of their freedom;

(d) using or providing forged, altered or false documents, pictures or drawings, with the intention of obtaining permissions, visas or other certificates fraudulently in relation to the immigration control or visa procedures of Japan; or

(e) collecting fees or other expenses from specified skilled workers and candidates without indicating the calculation basis of the expense, and making them understand the amount and breakdown of the expense.

(2) Consultations for correction of problems and other issues

The Ministries and Agencies of both countries will consult periodically or from time to time to achieve the purpose set forth in 1 of this MOC, and will make efforts to correct problems that require improvement for proper operation of the system. The main subjects of the consultations will be the following issues:

(a) related to implementation and changes of the policies of both countries concerning the system;

(b) related to ensuring the appropriateness of intermediary organizations for specified skilled workers (including ways of necessary corrective measures);

(c) related to corrective measures for various examinations pertaining to sending and accepting specified skilled workers and for improper accepting organizations in Japan, or organizations engaged in support for foreign human resources with the status of residence of "Specified Skilled Worker (i)", (which means support for their work life, daily life and social life enabling specified skilled workers (i) in order to engage in their activities under the status of residence stably and smoothly) and for the improper sending organizations in Pakistan;

(d) related to proper implementation of skill exams and tests to measure Japanese language proficiency of specified skilled workers;

(e) related to residence management of specified skilled workers in Japan; and

(f) related to proper operation of the system and other related systems pertaining to immigration or labor of both countries other than the

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issues specified in (a) to (e) above.

5. Cooperation in skill exams and tests to measure Japanese language proficiency

The Ministries and Agencies of Japan and the ministries in charge of accepting specified skilled workers (hereinafter referred to collectively as "Relevant Ministries and Agencies of Japan") will properly conduct skill exams and tests to measure Japanese language proficiency of the specified skilled workers. If the MOP+HRDP and the ministry related to the tests (hereinafter referred to collectively as "Relevant Ministries of Pakistan") are requested by the Relevant Ministries and Agencies of Japan to cooperate in the implementation of the tests and related business pertaining to Japanese language education, or in other business related to the tests to Japanese language proficiency which Relevant Ministries and Agencies of Japan are involved in, Relevant Ministries of Pakistan will comply with the request to the extent possible.

In addition, if the Relevant Ministries of Pakistan and the Relevant Ministries of Japan obtain information, in relation to the tests, about proxy test-taking, the forgery or alteration of documents certifying passing of the test or other wrongful acts, they will share the information promptly in accordance with the framework set out in 4 (1) in this MOC.

6. Others

If the Ministries and Agencies of Japan deem that human resources to make up for the labor shortage in Japan have been secured through the acceptance of specified skilled workers in each field, they may temporarily suspend the acceptance of specified skilled workers in accordance with the provisions of the laws and regulations relating to immigration of Japan. In such a case, the Ministries and Agencies of Japan will appropriately deal with the issues or residence of the specified skilled workers from Pakistan and their dependent spouses or children (provided that the status of residence of specified skilled workers is "Specified Skilled Worker (ii)") (hereinafter referred to as "spouse or children") in accordance with the provisions of laws and regulations concerning immigration of Japan, taking into account the status of the employment contract between specified skilled workers and the organization accepting them, the operational situation and living conditions, etc. If these specified skilled workers and their spouse or children are not permitted to reside in Japan, the MOP+HRDP will make efforts to take the necessary procedures together with the Embassy of Pakistan in Japan, such as the issuance of temporary passports, on request

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of the Ministries and Agencies of Japan, in order to ensure their smooth return to Pakistan.

7. Review of the framework and others

Based on a review of the system pertaining to specified skilled workers to be implemented two years after its commencement, the framework of cooperation between the two countries under this MOC will be reviewed as necessary. The contents of this MOC will be modified or supplemented as necessary with written consent of both countries.

8. Settlement of Disputes

All differences or disputes arising from or concerning with the application or the interpretation of this MOC will be amicably settled through mutual consultations and negotiations between the Ministries and Agencies of both countries.

9. Language and others.

This Memorandum of Cooperation was signed in duplicate in English at Islamabad on this 23rd day of December, 2019.

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