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## **IFRC COVID-19 Emergency Decree Research: Japan**

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### **1. Is there coordination between state and non-state actors, e.g. through a national emergency response mechanism?**

As of 20 March 2020, there has been limited coordination between state and non-state actors. Preliminary coordination efforts are described below.

#### **- Prime Minister Shinzo Abe’s COVID-19 Task Force—Novel Coronavirus Response Headquarters**

On 30 January 2020, Japan’s Prime Minister Shinzo Abe established the COVID-19 Task Force led by Deputy Chief Cabinet Secretary for Crisis Management Yoshiaki Okita<sup>1</sup>. On 10 March 2020, the COVID-19 Task Force approved a ¥430.0 billion yen (\$4.1 billion U.S. dollars) package that includes support for small- to medium-size businesses hit by the coronavirus outbreak.<sup>2</sup>

On 16 February 2020, Novel Coronavirus Expert Meeting was held for the first time and attended by Prime Minister Abe<sup>3</sup>.

On 23 February 2020, the COVID-19 Task Force began drafting comprehensive Basic Policies (as defined below). For additional information on the Basic Policies, see the response to Question 7 herein.

On 24 February 2020, Novel Coronavirus Expert Meeting concluded that the most critical objective of the Basic Policies must be to prevent large-scale disease clusters.<sup>4</sup> Specifically, the purpose of the Basic Policies is “to minimize the spread of infection in the country by preventing one cluster of patients from creating another cluster.”<sup>5</sup>

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<sup>1</sup> See “Novel Coronavirus Response Headquarters,” issued by the Prime Minister of Japan and His Cabinet, available [here](#).

<sup>2</sup> See “Japan unveils \$4 billion package to fight virus,” ABC News, available [here](#).

<sup>3</sup> See “The Prime Minister in Action,” Prime Minister of Japan and His Cabinet, available [here](#).

<sup>4</sup> See “Japanese Experts Discuss Basic Coronavirus Policy,” Nippon, available [here](#).

<sup>5</sup> See “About Coronavirus Disease 2019 (COVID-19),” Japan MHLW, available [here](#). See also “Preventing Outbreaks of the Novel Coronavirus,” Japan MHLW, available [here](#).

- **Ministry of Health, Labor and Welfare—Cluster Response Team.**

On 25 February 2020, Japan’s Ministry of Health, Labor and Welfare (“MHLW”) created a “Cluster Response Team” led by its affiliated National Institute of Infectious Diseases and supported by teams from several universities. The Cluster Response Team consists of a contact trace and surveillance team from Hokkaido University, a risk management team from Tohoku University and an administration team. In addition, infectious disease experts from Niigata University and the International University of Health and Welfare, a private university in Japan, are also contributing to the Cluster Response Team’s initiatives.<sup>6</sup>

In an effort to contain small-scale clusters of infections, the Cluster Response Team dispatches various health experts to areas where it identifies clusters of COVID-19 infections.<sup>7</sup> As of 16 March 2020, the MHLW had identified 15 clusters of COVID-19 infections. The largest cluster was identified in the Osaka prefecture, with more than 50 infections linked to a music venue.<sup>8</sup>

While the national Japanese government has begun to address the outbreak through its COVID-19 Task Force and the MHLW’s Cluster Response Team, local governments continue to report the spread of COVID-19 in clusters.<sup>9</sup>

- **Non-Governmental Organizations.**

Non-governmental organizations have begun to provide emergency assistance, but the level of coordination with state actors, including the COVID-19 Task Force and the MHLW’s Cluster Response Team, is unknown.

For example, Civic Force, a not-for-profit organization that provides disaster relief in Japan, has been coordinating with the national Japanese government to provide emergency assistance in response to the COVID-19 outbreak, including by distributing hundreds of thousands of surgical masks to medical facilities across Japan.<sup>10</sup> As the shortage of surgical masks continued to worsen, Civic Force began distributing masks from a stockpile stored in a warehouse in Fukuroi to medical facilities across Japan in mid-February 2020. Civic Force, which has a cooperative agreement with the Fukuroi Crisis Management Division, also began distributing 162,000 surgical masks to nurseries, kindergartens and welfare facilities in Fukuroi on 2 March 2020.<sup>11</sup>

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On 24 February 2020, the national Japanese government announced that the three pillars of its COVID-19 disease control strategy are “early detection of and early response to clusters, early patient diagnosis and enhancement of intensive care and the securing of a medical service system for the severely ill and behavior modification of citizens.” See “Views on the Novel Coronavirus Disease Control”, issued by the Expert Meeting on the Novel Coronavirus Disease Control, available [here](#). Notably, the national Japanese government has been criticized for its failure to prioritize COVID-19 testing in its disease control strategy.

<sup>6</sup> See “Countermeasures Against Cluster Infection of COVID19,” available [here](#). See also “Abe urges continued caution as panel warns of ‘explosive’ jump in COVID-19,” Japan Times, available [here](#).

<sup>7</sup> See “COVID-19 cases top 1,500 in Japan as ministry releases cluster map,” Japan Times, available [here](#).

<sup>8</sup> See “Japan identifies 15 coronavirus clusters,” Reuters, available [here](#).

<sup>9</sup> See “Spreading clusters of coronavirus cases worry Japan’s local governments,” Japan Times, available [here](#).

<sup>10</sup> See Civic Force website, available [here](#) (noting that there is no information available regarding the specific government entities).

<sup>11</sup> See “COVID-19 Emergency Assistance Press Release—Over 160,000 Surgical Masks Distributed to Nurseries and After School Day Care Centers,” Civic Force, available [here](#).

Separately, other non-profit organizations have begun to provide emergency assistance from abroad. For example, World Central Kitchen, a non-profit organization based in Washington, D.C., coordinated with Princess Cruises and the national Japanese government to deliver fresh meals to the crew and guests that were quarantined after disembarking the Diamond Princess cruise ship affected by COVID-19.<sup>12</sup>

**2. Is there mention of the role of Red Cross (RC) or humanitarian actors? In what areas/sectors? What responsibilities are ascribed to RC?**

As of 20 March 2020, there is no public information available regarding the roles and responsibilities of the Red Cross or other humanitarian actors in Japan.<sup>13</sup>

Further, the Japanese Red Cross Society has voiced concern over falling blood donations as a result of the COVID-19 outbreak.<sup>14</sup> On average, the Japanese Red Cross Society needs approximately 13,000 blood donors per day to secure a stable supply of blood for transfusions at nationwide medical institutions. Approximately 920 blood donation events were canceled or postponed between 19 February and 5 March 2020. Fearing that the national Japanese government's containment recommendations may reduce blood supplies, the Japanese Red Cross Society has asked the public to continue to visit donor centers and donate blood.<sup>15</sup>

**3. Are there exceptions to travel restrictions that will facilitate the movement of RC/humanitarian relief teams and/or aid across borders? What (if any) quarantine requirements or other conditions are attached?**

As of 20 March 2020, there are no exceptions to cross-border travel restrictions that facilitate the movement of humanitarian relief teams. Japanese nationals, as well as their spouses and children, are exempt from travel restrictions described below.<sup>16</sup>

- **Legislation.**

Since the national Japanese government designated COVID-19 as a "Designated Infectious Disease" under the Infectious Diseases Act of Japan, foreign nationals deemed as COVID-19 patients will be denied entry to Japan pursuant to the Immigration Control and Refugee Recognition Act of Japan. In addition, since the national government of Japan designated COVID-19 as a "Quarantinable Infectious Diseases" under the Quarantine Act of Japan, foreign nationals who are suspected of being infected by COVID-19 will be ordered to be quarantined with no exception for valid visa holders.<sup>17</sup>

- **Health Checks and Quarantine Procedures.**

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<sup>12</sup> See "WCK serving meals in Yokohama, Japan," WCK website, available [here](#) (noting that there is no information available regarding the specific government entities).

<sup>13</sup> Human Rights Watch has documented health care discrimination based on sexual orientation and gender identity in Japan. See "Human Rights Dimensions of COVID-19 Response," a press release issued by Human Rights Watch, available [here](#).

<sup>14</sup> See "Japanese Red Cross on alert as blood donations fall amid virus outbreak," The Japan Times, available [here](#).

<sup>15</sup> See "Japan frets over falling blood donations amid coronavirus outbreak," The Mainichi, available [here](#).

<sup>16</sup> See "Coronavirus: Which countries have travel bans?" CNN, available [here](#).

<sup>17</sup> See "Important Notice on New Restrictions Related to Novel Coronavirus," available [here](#).

In response to such designations, the Japanese authorities may carry out extended health checks on arrival, including compulsory hospitalization. There are also enhanced quarantine procedures at entry points to Japan.<sup>18</sup>

- **Travel Restrictions for Foreign Nationals.**

Except in exceptional circumstances, foreign nationals may not enter Japan if they visited the following countries or regions within 14 days of arrival in Japan:<sup>19</sup>

- ***China:*** Hubei or Zhejiang provinces.

In addition, those who hold a Chinese passport issued by Hubei or Zhejiang provinces and who were on the *Westerdam* cruise ship that departed from Hong Kong are not permitted to enter Japan.<sup>20</sup> Further, passenger flights from China are required to land at Narita and Kansai international airports.<sup>21</sup>

- ***Iran:*** Qom Province, Tehran Province, Gilan Province, Alborz Province, Isfahan Province, Qazvin Province, Golestan Province, Semnan Province, Mazandaran Province, Markazi Province, Lorestan Province.

- ***Ireland.***

- ***Italy:*** Veneto Region, Emilia Romagna Region, Piemonte Region, Marche Region, Lombardy Region, Aosta Valley Region, Trentino-South Tyrol Region, Friuli-Venezia Giulia Region, Liguria Region.

- ***San Marino.***

- ***South Korea:*** The city of Daegu or the neighboring county of Cheongju; the cities of Gyeongsan, Andong, Yeoncheo; the counties of Chilgok, Uiseong, Seongju or Gunwi in North Gyeongsang Province.

Further, passenger flights from South Korea are required to land at Narita and Kansai international airports.<sup>22</sup>

- ***Spain:*** Navarre, Basque Country, Madrid, La Rioja.

- ***Switzerland:*** Canton of Ticino, Canton of Basel-Stadt.

- **Increased Travel Restrictions from China and South Korea.**

All travelers entering Japan from China or South Korea will be quarantined at designated locations for 14 days, and must refrain from using public transport. Passengers transiting through

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<sup>18</sup> See “Foreign travel advice: Japan,” Gov.UK, available [here](#).

<sup>19</sup> See “Notice on Denial of Landing,” Immigration Services Agency, available [here](#).

<sup>20</sup> See “Foreign travel advice: Japan,” Gov.UK, available [here](#).

<sup>21</sup> See “Foreign travel advice: Japan,” Gov.UK, available [here](#). See also “6 March 2020 Minister Speech,” issued by Ministry of Land, Infrastructure, Transport and Tourism (“MLIT”) New Coronavirus Infectious Disease Control Headquarters, available [here](#); “6 March 2020 Minister Press Conference,” issued by MLIT, available [here](#).

<sup>22</sup> See “Foreign travel advice: Japan,” Gov.UK, available [here](#). See also “6 March 2020 Minister Speech,” issued by Ministry of Land, Infrastructure, Transport and Tourism (“MLIT”) New Coronavirus Infectious Disease Control Headquarters, available [here](#); “6 March 2020 Minister Press Conference,” issued by MLIT, available [here](#).

Japanese airports will not be affected. Passengers originating in third countries and transiting through airports in China or South Korea before entering Japan will not be affected, unless passengers on the same aircraft displayed symptoms. Further, the national Japanese government has canceled visas issued in China and South Korea for future travel to Japan, as well as visa exemptions for travelers from Hong Kong, Macao and South Korea.<sup>23</sup>

**4. Are there exceptions to quarantines, curfews and other restrictions on movement that allow RC/humanitarian organizations access to vulnerable populations (including for psychosocial or non-medical aid)?**

As of 20 March 2020, there are no exceptions to any restrictions on movement for members of humanitarian organizations.

**5. Have any special legal facilities or exemptions been put in place for the importation of medical aid or other relief items or personnel (International Disaster Response Law)? What (if any) quarantine requirements or other conditions are attached?**

Japan Customs is prioritizing the importation of, and exempting tariffs on, medical and relief items.<sup>24</sup>

**6. Is the RC (or humanitarian organizations) categorized as 'essential' or 'emergency' services, for the purposes of exemptions to restrictions on business operations and opening hours?**

As of 20 March 2020, the national Japanese government is not enforcing restrictions on business operations or opening hours.

However, the national Japanese government enacted legislation authorizing the Prime Minister to declare a “state of emergency,” which allows prefectural governors to require that people remain inside, commandeer buildings for hospitals, cancel events and restrict the use of schools and facilities where large numbers of people typically gather. This legislation also authorizes prefectural governors to require that individuals receive COVID-19 vaccinations if and when available.<sup>25</sup>

Local governments have begun implementing these types of restrictions. For example, the governor of the Hokkaido prefecture declared a state of emergency from 28 February to 18 March 2020. The governor also implemented “a stay-at-home request for the weekend and school closures across the prefecture.”<sup>26</sup>

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<sup>23</sup> See “Foreign travel advice: Japan,” Gov.UK, available [here](#).

<sup>24</sup> See “Japan Customs,” available [here](#).

<sup>25</sup> See “Regarding specific inoculation registration subject to the Act of Special Measures against Pandemic Influenza,” issued by MHLW Tuberculosis Infection Section, New Type Influenza Measures Promotion Office, available [here](#). See also “Act on Special Measures against Pandemic Influenza,” available [here](#).

<sup>26</sup> See “Hokkaido to End State of Emergency over Coronavirus Thurs.,” Nippon.com, available [here](#).

**7. What other measures are provided in the emergency decrees? (for governmental actors, for communities, for health workers, etc).**

In Japan, the majority of primary and secondary schools remain closed until the end of regular spring holidays in early April. The national Japanese government requested that organizers consider postponing or canceling large-scale cultural and sporting events.<sup>27</sup>

Other measures provided in the emergency decrees are described below:

- **Required Hospitalization.**

The national Japanese government hospitalizes all patients that test positive for the virus. “Hospitals are being asked to prepare plans for transferring patients to places that can treat them, given how the speed of the spread has varied by region.”<sup>28</sup>

- **Basic Policies.**

On 25 February 2020, the national Japanese government introduced and adopted the “Basic Policies for Novel Coronavirus Disease Control” (the “Basic Policies”), which act as a uniform basic policy on COVID-19 control. The Basic Policies describe the current situation and knowledge of COVID-19, and describe the measures that the national Japanese government will use to protect the public from coronavirus.<sup>29</sup>

- **New Economic Legislation.**

On 18 March 2020, the national Japanese government announced that it would relax conditions for employment adjustment subsidies and prepare ¥1.6 trillion yen (\$14.4 billion U.S. dollars) to support Japanese companies and businesses.<sup>30</sup>

**8. Have restrictions been adopted or put in place that ban the export of protective medical equipment?**

The national Japanese government has not adopted restrictions on exports of protective medical equipment. On the contrary, it has simplified the rules and regulations governing export control.<sup>31</sup> Further, Japan donated one million masks to China, along with other supplies and contributions by Japanese companies.<sup>32</sup>

While the national Japanese government has not banned the export of protective medical equipment, it has adopted a new rule in response to the nationwide shortage of protective face masks in Japan.

<sup>27</sup> See “Foreign travel advice: Japan,” Gov.UK, available [here](#).

Notably, while one member of the Japanese Olympic Committee called for the delay of the 2020 Tokyo Olympic Games, neither the national Japanese government nor the International Olympic Committee has decided if the Games will be postponed.

<sup>28</sup> See “In Nagoya, scramble for hospital beds highlights coronavirus challenge for aging Japan,” Japan Times, available [here](#).

<sup>29</sup> See “Summary—Basic Policies for Novel Coronavirus Disease Control,” available [here](#).

<sup>30</sup> See “To aid virus-hit Japan economy, look after firms and jobs first, say experts,” Japan Times, available [here](#). See also “Letter to Business Affected by COVID19,” issued by Ministry of Economy, Trade and Industry, available [here](#).

<sup>31</sup> See “4 March 2020 Import/Export Customs Procedures for Countermeasures against COVID19,” issued by Japan Customs, available [here](#).

<sup>32</sup> See “The Global Effort to Tackle the Coronavirus Face Mask Shortage,” US News, available [here](#).

Specifically, on 15 March 2020, the national Japanese government criminalized the reselling of face masks for profit to prevent “would-be profiteers from taking advantage of a nationwide shortage of the masks.”<sup>33</sup> The national Japanese government implemented the rule through a revision to a law enacted in response to panic-buying during the 1973 global oil crisis.

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<sup>33</sup> See “Japan to punish reselling of masks for profit with year in prison, ¥1 million fine — or both,” Japan Times, available [here](#).