

**Recommendations
of the
EU-Japan Business Round Table
to the Leaders of the European Union and Japan**

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**Working Party 3
Digital Innovation and Mobility
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List of Abbreviations

Abbreviation Meaning

AI	Artificial Intelligence
AIOTI	Alliance for IoT Innovation
API	Application Programming Interface
BASA	Bilateral Aviation Safety Agreement
BCR	Binding Corporate Rules
BRT	EU-Japan Business Round Table
CARATS	Collaborative Action for Renovation of Air Transport Systems
DEI	Digitising Europe Industry
DSM	Digital Single Market
EASA	European Aviation Safety Agency
ENISA	European Union Agency for Network and Information Security
EPA	Economic Partnership Agreement
ePR	ePrivacy Regulations
EU	European Union
FTA	Free Trade Agreement
IoT	Internet of Things
ITA	Information Technology Agreement
ITAC	the IoT Acceleration Consortium
FLM	Forced Localization Measures
GDPR	General Data Protection Rules
GPS	Global Positioning System
JCAB	Japan Civil Aviation Bureau
METI	Ministry of Economy, Trade and Industry
MEXT	Ministry of Education, Culture, Sports, Science and Technology
MOU	Memorandum of Understanding
M2M	Machine to Machine
NIS	Network Information Security
SCC	Standard Contract Clause
SESAR	Single European Sky ATM Research
SME	Small and Medium-sized Enterprise
R&D	Research and Development
WP	Working Party

Introduction

Digital Sector

Digital technologies represented by IoT, Big Data, AI and Robotics are changing business and society. The EU and Japan have positioned the digital agenda as a pillar of their respective growth strategies while reviewing and implementing appropriate regulations to foster digitalization. Recently, new initiatives, such as Industry 4.0 in Europe and Society 5.0 in Japan, are re-thinking the way modern societies will manufacture and create new economic value. This will strongly affect civil societies and social policies with significant impact on the Jobs Market. This needs to be supported by efficient political initiatives from Governments.

The BRT thinks that all digital related policies should take into consideration globalisation and inclusive growth. In addition to sharing a common recognition of the effect of IoT and AI among others, on society, on jobs and the economy, the EU and Japan should specify the areas for cooperation and endeavour to create concrete projects.

The EU and Japan should lead the discussion of the development of the global digital economy. This should include global digital rule making by taking coordinated actions based on common principles to fully exploit the potential of social transformation by digital technology at several international fora. The EU and Japan share the same principle that the multi-stakeholder approach is highly effective in realizing the global digital economy. Following the direction prepared during the last G7 meeting in Taormina (Italy), “G7 people centered action plan on innovation, skills and labour”, the EU and Japan should adopt concrete actions and investments in particular on the creation of adequate skills to fill the gap with the actual demand from labour market and to better involve developing countries.

The BRT also welcomes the new initiative of the European Commission, “Digitising European Industry” (DEI), and Japan’s Connected Industries. For DEI, it is important to combine initiatives at European and National-Local level with better alignment and coherence of funding available and a strong Public-Private collaboration. The European Commission and the Government of Japan are encouraged to foster key collaborations.

Role of Innovation

The EU and Japan face similar societal challenges such as aging populations and climate change. To address these complex global issues, governments should harness the innovation capacity of the private sector by fostering a better R&D business environment. Given the critical roles of digital technology, such as IoT, in supporting other sectors, the BRT urges both sides’ authorities to mobilize all necessary tools for the development and deployment of innovative solutions and products.

Funding programmes such as Horizon 2020 and its Japanese counterpart Programmes for International Cooperation on Research and Innovation should increase the efforts towards open collaboration between the EU and Japan. Funding programmes to finance innovation and collaboration is crucial. Supporting

the participation of both SMEs and big Industry is essential for the success in adopting the results of R&D Public Programmes and convert them into economic growth and jobs creation. Developing new mechanisms to help to facilitate new R&D outputs to the market is a further area of focus.

Facilitating bilateral R&D collaboration and pilot projects with the participation of academia, public and private sectors will contribute to the creation of innovative products and services that can be deployed in both regions and also in the rest of the world. The BRT encourages the European Commission and the Japanese Government to keep on investing in common Calls for Proposals such as the EU-Japan Horizon 2020 Calls that should be present in the new Work Program 2018-2020 and in the next Framework Programme.

The BRT also suggests fostering EU-Japan Programmes for a mutual exchange of Researchers, PhDs and students in order to allow for better collaboration in particular in certain areas of common interest such as Healthcare, Robotics and IoT.

Regulatory cooperation between the EU and Japan will also facilitate the deployment of new services and products.

Aeronautics

We uphold all previous years' recommendations.

Europe's aeronautics industry is a major supplier to the world market, and Japan with its many advanced technologies may soon follow in its footsteps. Both, however, are challenged by aggressive new entrants. In this context, joint technology and project development is necessary for both sides to maintain their technological leadership and competitiveness. EU-Japan industrial cooperation already exists in helicopters and aeroengines, but there is much more potential. More government-led cooperation and continued support from both sides' Authorities is needed to help the European and Japanese aircraft industries bring to fruition the development of their relationship while meeting the EU's environmental, social, and safety requirements.

Space

The EU and the Japanese space industries are major suppliers of space products and services. The global commercially accessible space market, however, is small with limited growth prospects. As government budgets remain low and competition increases, mutually open markets and cooperation are necessary for the EU and Japan to achieve their goals in space and for their industries to realize their full potential in the global market. We are certainly satisfied with the creation and first two meetings of the EU-Japan Space Policy Dialogue, which were fruitful and enabled the two bills enacted to be coherent with the EU legal framework towards space. We also appreciate that the outcome of discussions held in Japan regarding the Approval of Satellite Launch Service Providers was finally fair and consistent with last year's BRT recommendation on this subject.

Recommendations from both European and Japanese industries

WP-3 / # 01* / EJ to EJ Cooperation for Global Digital Trade Rule Making

With rising protectionist sentiment and a growing undercurrent of distrust surrounding trade, the EU and Japan are required to demonstrate that improved trade relations can bring great value to the mutual benefit of economy and society.

The BRT has serious concerns that some countries are implementing Forced Localization Measures (FLMs). Those measures could become a real threat to the digital trade. Maintaining the business environment to realize adequate “cross-border data flows” is imperative for multinational companies and for citizens who consume services offered by global players. The BRT thinks that the principles of free flow of data and the restriction of a mandatory requirement of data localization will be one of the foundations of the digital economy.

The BRT supports the introduction of rules for e-commerce and cross-border data flows in trade Agreements. This will allow tackling new forms of digital protectionism while respecting data protection rules.

The BRT requests both sides’ Authorities to lead global rule making by incorporating provisions to restrict digital protectionism such as FLMs into EPA negotiations respective parties are engaged in or the TiSA negotiation, and jointly approach the abolishment of such regulations.

The BRT welcomes the efforts of the EU and Japan, as historic partners with a shared commitment to open, fair and free trade, including in digital goods and services, to strengthen their cooperation by completing an ambitious EU-Japan EPA/FTA. We believe the agreement offers a valuable chance to demonstrate the mutual benefit of open and fair trade—including digital agendas aspects—and set an example for future cooperation with and between other regions.

The BRT welcomes that the EU and Japan finished the necessary domestic procedure to implement the expanded ITA, and also welcomes efforts to increase its membership countries.

< Recent Progress >

In May 2015, the 23rd Japan EU Summit was held in Tokyo. The EU and Japan emphasized their determination to combat all forms of protectionism.

In October 2015, the European Commission released a trade strategy “Trade for All”, where it addressed digital protectionism and sought to use FTA and the TiSA to set rules on e-commerce and cross-border data flows.

At the G7 Ise-Shima Leaders’ Declaration, leaders endorsed G7 Principles and Actions on Cyber and commit to take actions.

At the G7 Summit in Taormina, Italy on 27 May 2017, important progress has been made to avoid protectionist measures. During the high level meeting, a generic but important declaration was decided to prevent negative consequences on digital trade.

< Background >

Thanks to the digital economy, today's business environment is evolving at exceptional speed. Information, goods, and services are more global than ever before. In the trade environment, digital trade - intended as for example cross-border data flows and e-commerce - is growing exponentially around the world. It is important to emphasize though that digital trade does not only positively impact the digital technology sector, but also has a positive spin-off effect on the entire value chain and across all industries and players, including consumers and employees. Digital trade has a positive effect on the quality of goods and services and productivity levels thanks to new technologies, processes, business models, and services. Thus digital trade has great potential to bring new growth and prosperity to Europe and Japan. However, the true potential of digital trade to drive innovation, job creation, and economic growth has yet to be fully realized. Indeed, barriers persist, and protectionist trends and policies are on the rise.

Several countries are trying to implement digital protectionist policies. To spread the fruit of digital technology all over the world, modernized and harmonized rules are indispensable so that business can offer innovative solutions without unnecessary burdens to meet specific local requirements.

WP-3 / # 02* / EJ to EJ Privacy Protection and Innovation towards Digital Economy

The BRT welcomes the fact that revisions and implementation of the data protection regulations are underway both in the EU and Japan, and also welcomes intensive dialogues are conducted by both authorities.

The BRT requests the EU and Japan that implementation of regulations create a trusted, harmonized and future-proof set of data protection environments both for the EU and Japan as we believe that modern and flexible regulation has the potential to act as a catalyst for growth, jobs and innovation both in the EU and Japan.

GDPR implementation

The BRT welcomes the work and the approach of WP29 allowing all stakeholders to contribute through public consultations in preparing the Guidelines for the implementation of the GDPR.

It is crucial that the GDPR is implemented in a harmonised manner across EU Member States. This is important in order to fully take advantage of the cross border business opportunities. In this sense the BRT encourages the European Commission and WP29 to monitor the implementation acts where Member States can interpret the new Regulation based on the Guidelines from WP29 in order to assure as much

harmonisation as possible and avoid to create different market conditions in different Member States.

The BRT supports the notion that one of the important steps in data protection is to conclude international data transfer agreements.

Rulemaking for the facilitation of cross border transfer of personal data

The BRT requests the establishment of a cross border personal data mechanism between the EU and Japan as soon as possible to complement the EU-Japan FTA/EPA negotiation.

While the BRT understands the importance of an Adequacy Decision as a mechanism for transferring Personal Data, we encourage the European Commission to keep on working on the direction of its recent Communication by considering alternative mechanisms such as a certification mechanism and a code of conduct, and adopting flexible negotiations tailored to the different legislative environments and sectorial needs.

The BRT welcomes the European Commission's communication "Exchanging and Protecting Personal Data in a Globalised World" to the European Parliament and Council on the 10 January 2017. The communication clearly defines the strategy of the Commission to achieve as soon as possible International Data Transfer Agreements with key countries in both Asia (Japan & Korea) and Latin America. As there is a clear link between International Data Transfer and the General Data Protection Regulation (GDPR), there is a solid basis for reaching an agreement that works for each country.

With GDPR considered as a basis, we have now a 'toolkit' of mechanisms to transfer personal data from the EU to third countries (e.g. adequacy decisions, standard contractual clauses, binding corporate rules, certification mechanisms and codes of conduct). While adequacy decisions remain the Commission's preferred option, other mechanisms will also be considered. This will provide more flexibility during the negotiations in particular with countries that do not consider adequacy as the only way forward. For example, the GDPR provides the possibility to extend Standard Contractual Clauses (SCCs), especially in the case of processor-to processor services (e.g. Cloud service providers). In addition it allows for the use of Binding corporate rules (BCRs) not only within a Corporate Group but between different Companies as well.

The BRT welcomes the EU-Japan joint Statement released on the 20 March 2017 confirming the strong political commitment in finding the best solution to allow Free Flow of personal Data between the EU and Japan.

The BRT also expects that it will take into account during the negotiations between the UK and the EU that there will be no hinder to the smooth transfer of data between the EU and the UK.

Furthermore, both sides' Authorities should strengthen their dialogue to realize consistent personal data protection regimes around the world, to assure

interoperability and to address digital protectionism through enhanced cooperation with third countries and international organizations.

ePrivacy Regulation

Regarding the potential ePrivacy regulation (ePR), it is essential that there is no duplication of the GDPR and that no undue restrictions are placed on businesses.

While to the respect of private life remains at the core of the ePR, this right must be effectively balanced with the other rights within the Charter of Fundamental Rights as underlined by the Court of Justice of the EU and in line with international human rights law.

Broadly including M2M communications into the scope of the ePR could mean that various products and services that contain built-in M2M communication features like automated supply chains, remote control or operation of machines might be covered by the legislation. This does not seem to be consistent with the purpose and objective of the ePR. We see the risk that the inclusion of M2M communications and applying provisions as currently worded would lead to unworkable situations in practice and render standard processes and developments of Industry 4.0 impossible. We suggest a clarification that products and services containing an M2M platform do not fall within the scope of the ePR.

< Recent Progress >

There has been good progress on this recommendation.

The General Data Protection Regulation will be effective on 25 May 2018. Several guidelines for implementation were released by the Article 29 Working Party.

Japan's revised Act on the Protection of Personal Information was effective on May 30 2017.

On 10 January 2017, the European Commission issued communication "Exchanging and Protecting Personal Data in a Globalised World".

On 20 March 2017, the European Commission and the Government of Japan released Japan-EU Joint Press Statement on Facilitating the Free Flow of Data.

At Japan-EU Leaders Meeting on 26 May 2017 in Taormina, Italy, both leaders confirmed that free flow of data is important for EU-Japan economy relations and agree to continue discussion for reciprocal smooth data transfer mechanism while protecting appropriate personal data protection.

< Background >

The original personal data protection laws were adopted before the technical advancement of internet and cloud computing. Since then, citizens have become more concerned about privacy protection, and the differences in regulations by countries in various jurisdictions have caused an increase in compliance costs.

Those differences have become obstacles to efficient global operation and innovation utilising data. Reviewing the regulations is thus needed.

WP-3 / # 03 / EJ to EJ Cybersecurity of Critical Infrastructure

The BRT welcomes that the EU and Japan share their views on the importance of cybersecurity measures for critical infrastructure and take action for improved resilience.

Cloud computing services are under the scope of the NIS Directive. Detailed provisions will be specified by EU Member States. NIS Directive is a vital Directive to mitigate risk of Cyber Attacks. The European Commission should work to ensure harmonised implementation in the Member States.

International cooperation is effective in coping with high-level attacks. The BRT requests to actively conduct educational activities such as public-private joint seminars. A sharing scheme should be created between the national contact points designated in each Member States based on the NIS directive on the one hand and Japan on the other.

The BRT also requests that both sides' Authorities enhance the quality and volume of human talent in the cybersecurity area.

< Recent Progress >

There has been good progress on this recommendation.

The NIS Directive entered into force in August 2016. The DSM mid-term review on 10 May 2017 mentions that by September 2017, the European Commission will review the EU Cybersecurity Strategy and the mandate of European Union Agency for Network and Information Security (ENISA),

The GoJ revised its Cybersecurity Basic Act in April, 2016.

At G7 Summit in Taormina, Italy, G7 Leaders agreed to work together with other Partners to tackle cyberattacks and mitigate their impact on our critical infrastructures and the well-being of our societies.

< Background >

With the diffusion of IoT, the fusion of real space and cyberspace is accelerating. Risks surrounding cyberspace are increasing.

Critical infrastructures sustain citizen's life and economic activities. The impediments of their operations because of cyber-attacks, etc., are serious threats to society. It means that defending critical infrastructures from cyber threats is indispensable for maintaining the business operations and a stable civil society.

As the entities conducting cyber-attacks act globally, and their attacks become more and more advanced, addressing these serious issues requires sustained and close international cooperation between the public and private sectors.

WP-3 / # 04 / EJ to EJ Fundamental Reform of the Private Copying Levy System (Compensation System for Private Copying)

The EU and Japan should cooperate to thoroughly reform the private copying levy system taking into account the evolution of technology and distribution channels for lawful digital contents. Expansion of the current levy system to new devices or cloud services should be avoided prior to the fundamental reform of the system.

Any review for reform should consider, in a comprehensive manner, alternative methods – including new content distribution practices – available to secure compensation for rights' holders and creators from private copying as well as the development of licensed cloud-based content streaming models. Increasing the availability of lawful digital content will require a reform of the existing copyright regime in the EU as well as in Japan. The aim of the reform should be to promote open and competitive markets in licensed digital content, with the aim to increase availability of more legitimate digital content, at prices which appeal to consumers and hereby promote innovation and growth of digital creative market. The goal should be to enable the establishment of a system which is transparent and fair to consumers, rights holders, and service and equipment providers.

< Background >

Current compensation is based on private copying levies and sometimes dates back to the analogue era. Private copying levy regulations do not address piracy. New emerging and expanding business models may be hindered by the current levy system. In addition the rules vary greatly across EU and this is in contradiction with the Internal Market principles of free movement of goods and services.

WP-3 / # 05* / EJ to EJ Cooperation Towards Digital Economy

The framework for cooperation in the Digitising European Industry (DEI) should be expanded upon to allow for an exchange of ideas, best displayed in the Digital Innovation Hubs. Bottom up innovation is crucial here as it will allow the various stakeholders to play to their strengths.

The central goal of DEI is to ensure new technologies are integrated and expanded throughout the European economy. An essential condition for success rests in collaboration between various actors.

Taking note of the European Commission's 2017 Digital Transformation Scoreboard, we must ensure cybersecurity is central in our efforts regarding the DEI initiative. We must create a safe environment for both businesses and European citizens.

The BRT supports the priority actions identified by DEI: ICT Standards, eGovernment action plan and the Cloud Initiative which will hopefully make it easier to do business in Europe and spur entrepreneurship. The BRT shares the focus on Public Private

Partnerships and Digital innovation Hubs as drivers for new investment in innovation and digital solutions.

The European Commission and the Government of Japan are encouraged to foster key collaborative projects under DEI and Connected Industries.

Finally, any policies related to the DEI and Connected Industries initiative should not place undue restrictions on innovation and its bottom up nature.

< Recent Progress >

In April 2016 the Digitising Europe Industry (DEI) initiative sought to offer concrete steps towards completing the DSM. Chief among the various initiatives stand the European Cloud Initiative, Industry 4.0, and the Digital Innovation Hubs.

The European Commission released its mid-term review of its Digital Single Market strategy on 10 May 2017 and identified to develop the European Data Economy to its full potential as one of major challenges.

In March 2017, METI of Japan introduced Connected Industries as a new vision for the future of Japanese Industries.

At the joint statement released on 20 March 2017, both authorities confirmed the importance of data and committed to a continuous exchange of views.

WP-3 / # 06* / EJ to EJ Skill Development for Digital Economy

The BRT welcomes the Digital Skills and Jobs Coalition Initiative that brings together Member States, companies, social partners, non-profit organisations and education providers, who take action to tackle the lack of digital skills in Europe.

In this sense the BRT encourages the European Commission and the Japanese Government to take common actions to guarantee innovative ways to create new skills for new jobs and prepare the young generation to meet the new challenges related to the Digital evolution. New technologies such as Robotics, and Artificial Intelligence should be perceived as new opportunities to create better jobs and economic growth. To keep all generations close to the new jobs market conditions it is crucial that all actors (Universities, Digital Clusters, Governments, Public Authorities, Unions, Industry and SMEs Associations) work together to find solutions to guarantee a harmonised match between offer and demand for new jobs and avoid resistance to change and innovation. Joint initiatives and cross border collaborations should be reinforced in order to find resources and new ways to create the right competences for new jobs. Gender equality should be guaranteed as equal opportunities for everybody, ensuring there is no discriminations.

< Recent Progress >

This is a new recommendation.

< Background >

Digital technologies represented by IoT, Big Data, AI and Robotics are changing business and society. It is expected some of the current jobs will be replaced by AI and Robots. Both Authorities have to address concerns of these disruptive changes represent for the working environment. Without taking certain actions, disparities may spread among our societies.

WP-3 / # 07 / EJ to EJ Building Connectives for Digital Society (5G)

The BRT requests that the EU and Japan should reinforce initiatives regarding sharing of progress towards 5G commercial service, e.g. through sharing of trials plans and results.

- The EU and Japan should reinforce cooperation regarding these initiatives and promote events in this domain.

< Recent Progress >

This is a new recommendation.

< Background >

Telecom operators are working hard to prepare the deployment of 5G networks with standardized equipment to achieve an enhanced user experience, and enhanced network performance and operation, especially to ensure it is energy efficient. This will enable new services (new IoT services, services for verticals, ultra-low-cost networks) and ensure forward compatibility for future 5G releases.

Innovation in General

WP-3 / # 08 * / EJ to EJ Seamless Approach Towards Digital Society

Innovative solutions and products can contribute to the realization of a prosperous digital society only after social implementation is completed. Therefore seamless and comprehensive approaches from innovation creation to social deployment are required.

Funding programmes such as Horizon 2020 and its Japanese counterpart Programmes for international cooperation on research and innovation should increase the efforts towards open collaboration between the EU and Japan.

The EU and Japan should reinforce initiatives regarding open innovation between large companies, universities and startups.

- The EU, its members, and Japan should share information regarding the main initiatives in this domain with a focus on initiatives respectively sponsored.

- The EU, its members, and Japan should reinforce cooperation.

The BRT hopes that initiatives under Horizon 2020 and Japan's 5th Science and Technology Basic Plan will lead to further EU-Japan strategic R&D cooperation.

Both sides' Authorities should specifically favour joint R&D programmes that are geared towards international standardisation such as standardisation in advanced manufacturing, the Internet of Things and Cybersecurity. Regulatory cooperation between the EU and Japan will facilitate digitalization of society by deployment of new services and products in both regions.

< Recent Progress >

In May 2015, The EU and Japan signed a joint declaration concerning R&D and cooperation for standardization called "A strategic cooperation on the future generation of communication network (5G)".

On 20 March 2017, the IoT Acceleration Consortium (ITAC) and the Alliance for IoT Innovation (AIOTI) of the EU signed a Memorandum of Understanding (MOU) for IoT Cooperation. At the joint statement released on 20 Mar 2017 by the both authorities welcomed this MOU.

Japan's Cabinet Office has adopted its 5th Science and Technology Basic Plan in late January 2016. It outlines Japan's science and technology approach for the next 5 years.

< Background >

The EU and Japan share common societal challenges such as an aging population, climate change, resources constraints, etc. Science, Technology and Innovation are engines for growth. Enhancing cooperation between the EU and Japan will increase possibilities to create new products and services addressing complex issues.

Countries can more effectively use their human resources and financial funds if their R&D programmes are coordinated and if mutual access to R&D programmes is easier for participants from both regions.

Start-ups, for their part, are at the leading edge of new market developments. Their agility allows them to develop innovative services on short notice. Developers, whether they work for major companies, IT service companies, digital agencies or start-ups, are keen to optimize their development cycles using APIs so they can generate usage value for their applications and services. The open innovation approach therefore makes it possible to rapidly develop novel solutions, which will draw on the best elements of the network and offer clients innovations that are simpler and more intuitive, which focus on usage and respond to their needs for experience and information in real time. It is a lever of change and an accelerator of innovation for the benefit of customers. Innovative solutions developed by start-ups anticipate changes in the digital world, especially in four areas that will turn business

and personal life upside down: the Cloud and connected objects, augmented reality, big data and the ability to analyse and edit data rapidly. Cooperative innovation should also form part of a win-win relationship. Open innovation and collaboration with start-ups will be beneficial for both start-ups and large companies.

Aeronautics

WP-3/ # 09/ EJ to EJ Government-Led Industrial Cooperation in Aeronautics

The Authorities of Japan and the EU should establish a permanent dialogue aiming to significantly upgrade the scale of EU-Japan industrial cooperation in aeronautics based upon mutual trust, equality and mutual benefits, and stimulated by government funding. This should include a broad cooperation on environmental issues.

<Recent Progress>

Some progress has been made on this recommendation.

<Background>

Europe's aeronautics industry has long been a major supplier to the world market. Japan also has many advanced technologies. Both are challenged by new entrants. In this context, joint technology and project development are necessary for both sides' companies to maintain technological leadership and competitiveness, and for governments faced with severe budgetary constraints. Some Europe-Japan industrial cooperation exists in helicopters and aero engines but the potential is much greater.

EU-Japan industrial cooperation in civil airliners has stagnated since the early 2000s, when 15 Japanese suppliers joined the A380 programme. The situation is better for Japanese participation in engine programmes and as suppliers of carbon fibre materials. The aerospace industries of other countries have improved significantly in recent years and price competitiveness has become a key decision criterion.

Europe and Japan support mostly separate research programmes on environmental issues, from noise to emissions. We believe that the eco-technology at all aircraft speeds is one of the fields where further cooperation between Europe and Japan could yield significant cooperation and business opportunities.

WP-3 / # 10 / EJ to EJ Cooperation in Aircraft Certification

Cooperation between Japanese and European aircraft certification authorities should be upgraded. Specifically, the BRT recommends the signature of a Bilateral Aviation Safety Agreement (BASA) between the JCAB and the EASA that would cover both type certification and maintenance activities.

< Recent Progress >

Significant progress has been made towards a BASA between Japan and the EU.

< Background >

There is a bilateral agreement between US and Japanese civil aviation authorities that facilitates the mutual acceptance of the other party's certification basis, while there is only a working arrangement between Europe (EASA) and Japan (JCAB) that proves extremely difficult to work with. Validation by JCAB of European Type certified aircraft is a very lengthy process. In particular, validation of EASA-certified new optional equipment for helicopters whose Type Certificates are already validated by JCAB should be almost automatic, but instead the Japanese authority requires a review of all the technical documentation before approval. This is often the cause of delivery delays of the products to Japan and may at times preclude European manufacturers from fairly competing in public tenders, due to stringent delivery requirements. Moreover, Japan is probably the only country in the world where the Rotorcraft Flight Manuals must be translated into the local language and approved by the local authority, again representing an obstacle to helicopter imports.

WP-3 / # 11/ EJ to EJ Cooperation on Navigation Regulations for Helicopters

Establish an increased level and better cooperation between Europe and Japan on the development of low altitude IFR routes and satellite based navigation regulations for helicopters.

<Recent Progress>

There has been progress on this recommendation. Europe's SESAR air traffic management systems programme and Japan's CARATS committee on future air traffic systems established a framework for technical cooperation.

< Background >

The US, Europe and Japan are working on developing their own regulations and infrastructure without an adequate level of exchange of information and standardisation. European and Japanese territories have more similarities than each has with the US, so that Europe and Japan should work more closely and with a shared approach. Many European helicopters are already equipped with the hardware to interface with ground based / satellite based infrastructure already established to allow low altitude IFR routes, Point-in-Space navigation and GPS precision approaches, but that may prove useless if there is no cross recognition of standards and regulations (software) between the countries.

It is expected by the aviation industries that the bilateral agreement between EASA and JCAB will move forward.

Space

WP-3 / # 12 / EJ to EJ Regulatory Cooperation in Space Operations

Europe and Japan should not lose the momentum and continue to cooperate closely on regulatory matters in the space sector.

< Recent Progress >

The Space Activities Act has now been passed and will come into effect in November 2018. The registration process for space actors will open in November 2017. The Satellite Remote-sensing act, dealing with Earth Observation activities and including the legal basis of Japanese involvement in the Global Navigation Satellite System (GNSS), has also been enacted.

< Background >

As healthy EU-Japan trade and cooperation in space services calls for common legislative and regulatory ground, we welcome the new Japanese space regulations which are deemed to be in line with the EU positions uttered within the EU-Japan Space Policy Dialogue held on 7 October 2014 and 8 March 2016.

The Space Activities Act and the Satellite Remote-sensing act appear congruent with what the EU Authorities expected. Notably, the licensing process of space actors authorized to collaborate with Japanese counterparts is deemed fair and in accordance with European legal backbones.

WP-3 / # 13 / EJ to EJ Mutual Backup of Government Satellite Launches

Japanese and EU Authorities should bring about a mutual backup cooperation scheme of government launches using Japanese and European launcher fleets.

< Recent Progress >

No progress has been seen on this recommendation.

< Background >

Europe's launcher Ariane 5 and Japan's H-IIA are in an arrangement to back up each other's commercial satellite launches. This reduces the risk of long launch delays due to launcher technical problems. Discussions between the MEXT and the European Space Agency towards a similar back-up arrangement for government launch missions have been going on for many years but have not yet produced results.

Recommendations from European industry

Aeronautics

WP-3 / # 14 / E to EJ Weight Restrictions on Haneda Airport D Runway

Haneda D runway weight restrictions are an obstacle to the use of European-made aeroplanes and an obstacle to further development of international traffic at Haneda. These weight restrictions should be re-examined to allow the operations of new and larger airplanes such as Airbus-made A380 and A350. We request both sides' Authorities in charge to cooperate in making the necessary verifications. Additionally, for the newest mid-size A350 aircraft, operation could be possible with the re-verification of the withstand load with regards to part of the construction.

< Resent Progress >

No progress has been seen on this recommendation. However, the recent approval of the 747-8i (Code F aircraft) for day-time operations in Haneda offers hope that the A380 (also a Code F aircraft) will be approved soon for day-time operation as there are some airlines looking at operating the A380 into Haneda.

< Background >

With the purpose of expanding airport capacity in response to the increase in air travel demand as well as to reduce congestion, a fourth runway (D runway) and an international terminal were opened in Haneda in October 2010. So far focusing on flights to and from Asian countries, its use for long-haul international routes will increase in the future. The number of flights will grow together with the demand but will be limited in the end by the capacity in terms of slots. The recent dramatic increase in the number of foreign visitors to Japan has caused the GoJ to revise the target upwards to 40 million for 2020. The average size of aircraft departing Haneda (230 seats) is now lower than it was in 1980 (240 seats) when 747s were used domestically. To see traffic grow at Tokyo's airports and more specifically Haneda, work needs to be done to ensure larger aircraft can be used at Haneda. In this regard, the use of new and larger aircraft will be an important part of the airlines' strategies. Under such circumstances, aircraft weight restrictions on the D runway could impede the conversion of Haneda Airport to larger and newer aircraft. New aircraft such as the A350 and A380 are significantly quieter and environmentally friendlier than older aircraft now in use at Haneda airport and, with plans to overfly the city to increase flights to and from Haneda, it is essential that quiet aircraft are used as much as possible. In order to avoid disturbing the flow of the Tama River, the D runway was overhauled using a pier-like structure instead of a conventional landfill. Due to this, weight restrictions have been placed upon the aircraft in use, and with the entire lineup of Airbus' newest A380 and A350 series exceeding the weight limit, these aircraft could no longer be used as they currently are (cf. chart below).

Unit: tons	Weight limit	A380	A350-1000	A350-900	B747-400	B777-200ER
Total weight	400	571	308.9	268.9	396.0	286.9
Main gear load, t/gear	139.5	161.6	146.9	126.0	92.8	134.9
Wheel load	26.2	26.9	24.5	31.5	23.2	22.5