

In response to the request for information (CU 2016/70(A)/DTA/CEB/ISS) Japan is pleased to provide the following:

**I Information requested from States parties and signatories in relation to the use of information and communications technologies for the implementation of the Convention in order to facilitate public sector transparency and combat corruption**

1. Please describe (cite and summarize) the measures/steps your country has taken, if any (or is planning to take, together with the related appropriate time frame) to use information and communication technologies (ICT) to ensure full compliance with the Convention.

(1) In relation to integrity in public procurement and management of public finances (article 9)

- Utilize online platforms for the distribution of information relating to public procurement and tenders as a way to prevent corruption, enhance transparency and ensure competition and objective criteria in procurement decision-making.

JETRO (Japan External Trade Organization) provides an online database of Japanese government procurement to increase market access under the WTO agreement.

It covers notices and invitations, published in the Official Gazette or published on local governments' websites.

Users can search in English by publication date, product/service category as well as location.

(2) In relation to public reporting (article 10),

- Make available online, including in open data formats, government information relating to the implementation of the Convention, in order to foster greater transparency, accountability and efficiency;

Since the Open Government Data Strategy was launched in 2012, the Government of Japan, mainly the National Strategy Office of Information and Communications Technology of the Cabinet Secretariat has consistently worked on promoting open data policy through its initiatives such as releasing data catalog site called "DATA.GO.JP" (<http://www.data.go.jp/>) and making the Government Standard Terms of Use compatible with CC-BY in 2016.

As a result, ministries and agencies have already registered over 16,000 data

sets on the data catalog site, and the population coverage of open data has reached over 80%.

Against a backdrop of steady progress on open data as cited above, Japan has given attention to the potential of open data for solving social issues through public-private partnership. Since 2015, Japan has improved a number of machine-readable file format data set, dispatched “Open Data Evangelist” to local governments, and compiled and transmitted a collection of use cases of open data called “Open Data 100” to promote further utilization of open data through its built-in function in problem solution. We are also planning to make government’s data publically available and to promote disclosure of data obtained by the private sector in an open data format, and to promote integrated utilization of these data while targeting areas of social issues that need to be addressed urgently.

- Promote the use of online platforms or portals to enhance transparency in public administration, including information on the organization, functioning and decision-making processes of the public administration and on decisions and legal acts.

The Government of Japan has established a portal website of Japan's Government called "e-Gov" ( <http://www.e-gov.go.jp/> ). Through this website, we provide administrative information including Search of Laws.

Public Comment Procedure is also available on “e-Gov”.

- Description of the types of information to be made available upon request by a member of the public (i.e. legislation on freedom of information or access to information);

In Act on Access to Information Held by Administrative Organs, it’s prescribed that the head of an Administrative Organ received Disclosure Request to Administrative Document shall disclose it to the Disclosure Requester unless any of the Non-Disclosure Information listed in Article 5 is recorded in. (The term "Administrative Document" as used in this Act shall mean a document, picture, and electromagnetic record, that, having been prepared or obtained by an employee of an administrative organ in the course of his or her duties, is held by the administrative organ concerned for organizational use by its employees.)

- Standards to protect privacy and personal data in the disclosure of such information;

In Article 5(i) of Act on Access to Information Held by Administrative Organs, “information concerning an individual” as Non-Disclosure Information are prescribed.

(3) In relation to participation of society (article 13),

- In relation to enhancing the transparency of and promoting the contribution of the public to decision-making processes (article 13 (1) (a)):

Regarding “enhancing the transparency of and promoting the contribution of the public to decision-making processes (article 13 (1) (a))”, in Japan, the Administrative Procedure Act (APA) requires that public comments are legally mandatory when national administrative agencies enact "Administrative Orders, etc." such as cabinet orders and ministerial orders.

- Description of the ways in which ICT is used to facilitate public consultations before regulations or other administrative policies are issued, and of any consequences of failure to adhere to the requirement to facilitate such public participation.

The public comment under the APA is publicly notified through online (e-gov : <http://www.g-gov.go.jp>). (Article 39, Article 43, and Article 45 of APA)

(4) In relation to ensuring that the public has effective access to information (article 13 (1) (b))

- Description of staff or entity responsible for administering access to information requests:

In Act on Access to Information Held by Administrative Organs, it's prescribed that the head of an Administrative Organ shall receive Disclosure Request to Administrative Document held by the administrative Organ and make a decision to disclose it or refuse the Disclosure Request.

(5) In relation to respecting, promoting and protecting the freedom to seek, receive, publish and disseminate information concerning corruption (article 13 (1) (d)):

- Description of procedures that allow a member of the public to apply for review of, or appeal against, the application of such a restriction by the Government.

In the case the citizens have complaint to the administrative disposition (ex. a Disclosure Decision, etc. under the Act on Access to Information Held by Administrative Organs), they can appeal against the disposition under the Administrative Complaint Review Act.

(6) In relation to taking appropriate measures to ensure that the relevant anti-corruption bodies are known to the public and providing access to such bodies for the reporting, including anonymously, of any incidents that may be considered to constitute an offence established in accordance with the Convention (article 13 (2))

- Description of the operational mechanisms and applicable procedures for such reporting channels, including reporting obligations, information to be provided and whether reports may be made anonymously.

Relevant procedures are set out in the Article 239 and 241(1) of Code of Criminal Procedures as shown below, which describes the operating mechanisms the questionnaire asks.

#### Article 239

(1) Any person who believes that an offense has been committed may file an accusation.

(2) A government official or local government official shall file an accusation when they believe an offense has been committed.

#### Article 241

(1) A complaint or an accusation shall be filed with a public prosecutor or a judicial police official in writing or orally.

\*Please note that any person may file an accusation anonymously and investigative authority could take it as a lead to institute investigation.

2. Please outline actions required to ensure or improve the implementation of these articles and describe any specific challenges you might be facing in this respect.

- Building the capacity of the relevant governmental authorities to effectively implement legislation on transparency and access to information;

We have meetings for Administrative Organs' staffs in charge of "Act on Access to Information Held by Administrative Organs" to study about Act on Access to Information every year.

## II Information requested from States parties and signatories in relation to promoting good governance in sport and mitigating the risk of corruption that sport faces globally

In the context of prevention, please describe (cite and summarize) the measures/steps your country has taken (or is planning to take, together with the related appropriate time frame) to promote good governance and mitigate the risk of corruption in sport.

- Legislation and policy

The Government of Japan enacted Basic Act on Sport in June 2011. We also amended Act of Japan Sport Council and added provisions about the integrity of sports in May 2013.

In the Sports Basic Plan which was established in March 2012, “improvement of the transparency and fairness/equity in the sport world via the promotion of anti-doping and sport arbitration” was stipulated as one of the seven themes of key principles.

- Partnerships and inter-institutional coordination

The Government of Japan decided on “Guideline for Anti-Doping on Sports” in May 2007 and “Guideline for Governance of NF (National Sports Federations)” in March 2015. We have promoted anti-doping movement in cooperation with World Anti-Doping Agency and Japan Anti-Doping Agency and so on.

Japan Sport Council established “the Integrity Unit” to protect and strengthen integrity of sport in April 2014. In 2015, Japan Olympic Committee established National Federation Total Support Center which supports NF in making use of subsidy and bounty appropriately.