Meeting with CCBE, MARKT and TRADE for * and FTA Japan

Date: 29 May 2013

Venue: DG MARKT

Attendees:

- **CCBE:**
  - [Art. 4.1(b)]
  - [Art. 4.1(b)]

- **COM:**
  - [Art. 4.1(b)] (MARKT)
  - [Art. 4.1(b)] (MARKT)
  - [Art. 4.1(b)] (TRADE)
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The meeting was requested by CCBE to highlight specific concerns of the legal profession in the context of trade with * and Japan.
JAPAN:

CCBE has yearly meeting with their Japanese counterpart, JFBA (Japan federation Bar Associations).

Recent figures show that the number of EU lawyers active on the Japanese market is very limited. There are all in all some 525 non-Japanese lawyers active in Japan of which 148 are EU lawyers. The large majority of these EU lawyers are UK lawyers.

The CCBE did not mention any additional problems in Japan besides those included in the yearly reports of the European Business Council in Japan. In general, the situation for European lawyers in Japan is good, only some smaller problems occur but these are inherent to the Japanese legislation and do also apply to Japanese lawyers and law companies, e.g. the prohibition to open a second law office.

European Lawyers who want to be registered as gaiben face problems with very cumbersome and lengthy application procedure and the condition of 3 years working experience in home law of which two years have to be obtained outside Japan. This rule does not apply to Japanese lawyers who are not required to have any post qualification experience. Furthermore, temporary stay for European lawyers is conditioned upon a residency requirement of 180 days per year. This is a very high number of days for a ‘temporary’ service provider. To sum up, European lawyers and law companies do not face insurmountable limitations in Japan but there are certainly a number of issues which could improve. CCBE will contact the EU Chamber of Commerce/ European Business Council to see whether they are aware of any additional/new limitations for EU lawyers in Japan.

[Out of scope]