

## Stop the sexual harassment of female job-seekers

### Editorial

Female students and professors from six Tokyo universities, including the University of Tokyo and Sophia University, created a group called Safe Campus Youth Network and have been studying gender-based violence. As they gathered once a month, they began to share their job-hunting experiences and discovered that many female students had fallen victim to sexual harassment while seeking employment. Some students were asked questions unrelated to work by male company employees, such as “What kind of relationship do you have with your partner?” or they were asked out for drinks. The students and professors held a news conference on Monday, where they urged the government, companies and universities to take measures to end the sexual harassment of university students seeking employment.

Although the issue of workplace harassment has capturing the media's attention in recent years, the news conference was an eye-opener because not many people are aware of the fact that students fall victim to sexual harassment while looking for jobs. The government, companies and universities must strive to identify and root out the problem.

According to a survey of university students by internet media company Business Insider Japan, as of Nov. 24 a whopping 359 out of 723 people, or more than 50 percent of respondents said they had experienced sexual harassment during the recruitment process. Three-quarters said that they have never told anyone, not even those close to them, about their traumatic experiences.

In Japan, where lifetime employment is still common, many people still consider the company they join after graduating from university to be a very important choice on their career path. As a result, most of them hesitate to report their experiences of sexual harassment to the companies out of fear that doing so would narrow their chances of being hired.

Universities do not seem to be of much help to students who are sexually harassed either. Since few students report their experiences to the universities, it is hard for them to grasp of what's going on. Moreover, universities tend to refrain from criticizing companies outright as their main goal is to enable students to land jobs at the firms. “People suffer in silence and offenders are not punished,” said one student at the news conference.

Harassment reportedly ranges from forced sex and inappropriate touching to verbal abuse. Company employees who take advantage of students' vulnerability should not be tolerated.

Experts point out that changes in the job-hunting environment are also creating a breeding ground for sexual harassment. In the past, there were no online applications for students to meet with alumni to seek advice, but now connections can be made easily via the internet. In addition to job interviews, students now have various chances to meet company employees, such as internship programs. For students, these opportunities are considered part of the recruiting process.

In October, the labor ministry drafted guidelines to prevent workplace harassment, but the definition of workplace in the guidelines is relatively narrow. Meeting with job-seeking students outside the office could be construed as a gray zone under the guidelines. As a result, students say that the guidelines do not reflect reality and they fall short of preventing harassment.

The International Labor Organization's convention and recommendation to combat violence and harassment at work that was adopted in June this year recognizes that harassment at the workplace can constitute human rights violence and it poses a threat to equal opportunity. Unlike Japan's guidelines, the ILO convention and recommendation cover not only employees, but also job seekers and job applicants.

The harassment of female students also goes against the spirit of Article 5 of Japan's equal employment opportunity law, which stipulates that employers must provide equal opportunities for job seekers and applicants regardless of their gender.

The government can do many things to protect female students. It should provide student victims of sexual harassment with sufficient public consultation services and require companies to provide training and education for employees to prevent harassment. They should also consider introducing punitive measures for sexual harassment offenders and their employers.

Victims of sexual harassment may be able to speak about their past experiences years after such incidents, but it is often difficult to speak up when harassment is ongoing. Considering this, it is very courageous for those students to speak out in public about the problems they are now experiencing. The government, companies and universities must heed their voices and tackle this serious issue in a sincere manner.

## What throws a monkey wrench in trade talks

Kazuhiro Yamashita



Concerning the United Kingdom's exit from the European Union, there are views that the chances of a no-deal Brexit will remain even if the Conservatives win the Dec. 12 general election. Even after the Brexit deal agreed on between British Prime Minister Boris Johnson and the EU is approved by the Parliament and takes effect on Jan. 31, the theories go, the talks for a free trade pact that will define future relations between Britain and the EU will need to be concluded by the end of the transition period through the end of 2020. In the case they fail to do so, the U.K. and the EU will face January 2021 without an accord that define their trade relations, creating a state of no-deal Brexit.

The Financial Times in its Nov. 22 edition noted that while Johnson and Phil Hogan, the EU's new trade commissioner, believe that the negotiations next year will not require much time because Britain has been an EU member for 46 years, a senior official of the European Commission says the upcoming talks will be a difficult process for the U.K. since it has little experience in trade negotiations — and that other EU members will likely call on the commission to take a tough position toward Britain.

The FT quotes Michel Barnier, the EU's chief Brexit negotiator, as saying that the further Britain departs from the EU rules, the more its access to the EU market will be restricted. Should the U.K. adopt regulations on the protection of workers and the environment that are looser than the EU's rules, British products will become more competitive.

Therefore the EU will likely call on Britain to adopt regulations similar to the EU rules — just like the United States often demands a level playing field in its trade negotiations. However, such tight restrictions may leave the U.K. wondering why it is departing from the EU in the first place, since Brexit is all about regaining sovereignty from Brussels so that Britain can freely set its own legal rules.

As for financial services, there is a mechanism called the single passport, which allows a financial services provider to freely operate anywhere within the European Economic Area (EEA) — comprising 31 countries including the EU members and some others — as long as it has won approval in any EEA member-state. Because of this system, many financial institutions keep their bases of European business operations in the City of London.

However, it remains to be seen if Britain can continue to benefit from the system following its departure from the EU. Free trade agreements concluded by the EU demands that equivalence assessment in financial services — meaning that the EU will grant access to its market only to countries that have regulations equivalent to the EU rules.

At issue will be whether the EU will determine whether Britain's financial system is



equivalent to that of the EU.

Aside from the free trade negotiations, the FT also reports that continued access to Britain's fishery waters will be a top priority for EU members such as France, Spain and Denmark, which have operated in those areas, and that they will strongly make that case in talks with the U.K.

Concerning the case for the level playing field, it will be impossible to demand a sovereign state to keep adopting EU rules indefinitely in the future. They will likely agree on a deal similar to the chapters on trade and labor as well as trade and environment in the North American Free Trade Agreement or the Trans-Pacific Partnership. If I were in Johnson's shoes, I would point out that the EU has not required equivalent regulations in its free trade pact with Japan.

Liberalization of services trade are based on two principles: The principle of most favored nation, in which the same level of access will be granted as provided to other countries, and the principle of national treatment, which accords the same treatment as guaranteed to domestic companies.

The EU grants a single-passport system to non-members Iceland, Lichtenstein and Norway. Britain will be able to demand the most-favored nation status and the national treatment as long as it maintains financial regulations equivalent to that of the EU.

As for the euro business, many financial institutions have already moved their operations from London to continental Europe in light of Brexit.

What's more important is that the various fields in the free trade negotiations — liberalization in the movement of goods, services trade, intellectual property rights,

investments and so on — will be ultimately agreed on in a package even if they are separately negotiated in the process. The EU will be in a position to determine whether to grant Britain access to the financial services market, while they stand in opposite positions as to access to Britain's fishery waters. Should the EU take a tough stance toward Britain over financial services, the U.K. may fight back in the fisheries talks.

People may think that financial services will be disproportionate to fisheries in terms of their economic scale. But what makes an area of trade negotiation crucial is not its economic size but its political importance.

Historically agriculture has been the core sticking point in trade negotiations. In the Uruguay Round negotiations under the General Agreement on Tariffs and Trade, which paved the way for creation of the World Trade Organization, negotiations on agricultural trade were the most difficult and required the longest amount of time. The Uruguay Round negotiations would not have reached a conclusion had the U.S. and the EU failed to reach an agreement on agriculture.

U.S. President Donald Trump called on Japan to hold bilateral trade negotiations because U.S. farm products became less competitive against Australian and Canadian exports in the Japanese market when the TPP-11 pact came into effect. The EU was earlier cautious toward a free trade pact with Japan, but became more willing to strike a deal after Japan joined the TPP talks because it feared that European farm products would face disadvantages in the Japanese market. Free trade negotiations between the EU and the U.S. have yet to

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start — despite the earlier promise made by then European Commission President Jean-Claude Juncker to Trump to hold such talks in an attempt to avert additional U.S. tariffs on automobiles — because France refuses to include farm products among the targets of the negotiation.

Today, agriculture, forestry and fisheries industries make up a tiny portion of the economy of major industrialized countries. Those sectors combined account for 1.2 percent of Japan's gross domestic product, 1.6 percent of that of France — where agriculture is said to be the largest among EU members — 0.6 percent of Britain's and 0.9 percent of the GDP of the U.S., the world's largest exporter of farm products. Even in Australia, their share of the economy comes to a mere 2.6 percent.

Trade negotiations become complicated not because the sectors at stake make up a large portion of the economy, or due to technical difficulties in resolving the problem. The share of agriculture in each economy is generally small, and negotiations over farm products are often quite simple: how far to push down the import tariffs or expand the import quotas. Still, agriculture has been the most important area of trade negotiations because agriculture is politically important for the countries involved.

Each country sets its own limits to liberalizing farm trade due to domestic political considerations. Trade negotiations become difficult when an agricultural exporter demands access to the importer's market beyond the latter's line of defense that is allowable in terms of maintaining its own agricultural output. The talks get complicated because it requires a vast amount of time and energy for both parties to adjust their respective interests — such as persuading their domestic industries into accepting concessions — before an agreement is reached.

Trade talks are easy if the sectors at stake are not politically important. In its talks with Japan, the Trump administration did not demand greater access to the rice market because California, which exports rice to Japan, is a blue state — a traditional stronghold of the Democrats. Similarly, if Johnson determines that London is not a Conservative stronghold, financial services may not be a major point of contention in the talks with the EU. On the other hand, fisheries have been a major issue in EU politics.

Not just Barnier but people like Juncker and Donald Tusk, the former president of the European Council, did not think of Brexit as a favorable development. The reported remarks by Barnier and senior members of the European Commission predicting tough negotiations ahead and hinting at the likelihood of a no-deal Brexit — made just as the campaign is going on for an election in which Brexit is the key issue — may indeed have hidden intentions.

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## Macron, the Atlantic alliance and opposite day

How the French government is using psy-ops and parental logic to turn U.S. President Donald Trump into an ardent fan of NATO

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In case you have been wondering why French President Emmanuel Macron recently declared NATO brain dead, there's a very good reason and simple explanation for that.

As one saw at the beginnings of the NATO summit in London on Tuesday, it is none other than U.S. President Donald Trump who is now out there defending NATO and criticizing the French president for having declared the alliance brain dead.

You have to give it to French diplomats. They are very crafty in their approach to their business.

It is also important to remember that the French were the earliest international supporters of the cause of American independence. This notably included the rendering of invaluable military aid to the 13 former British colonies.

French statecraft in dealing with the

United States thus goes back to the foundational days of the American Republic.

The French can therefore legitimately be considered very old hands when it comes to dealing with the — under Trump, once again fledgling — U.S.

For inspiration, French diplomats — first and foremost President Emmanuel Macron — look to unusual sources of insight.

In dealing with Trump, they rightfully assessed that it was pivotal to frame critical issues in line with the mental make-up of 8 to 10-year-old boys.

The specific phenomenon is very well known, particularly to the parents of boys the world over, as opposite day.

At a certain point in their upbringing, children test the patience of their parents by relentlessly claiming, or saying, the very opposite of whatever the parents have just suggested.

And so it is with Trump

The operational logic is using this strategy in reverse is straightforward enough. If one suggests something eminently reasonable to Trump, as normal diplomatic custom would have it, certainly among allies, he is going to counter by saying something stupid or unreasonable and reject the proposition out of hand.

If, however, one smartly switches the bait and says something truly outrageous, that is



French President Emmanuel Macron meets his U.S. counterpart Donald Trump on Tuesday in London, where the two leaders are attending the NATO summit. AP

the way to bring Trump to reason.

Witness the NATO dispute right now. It is all of a sudden Trump who appeals to solidarity among the allies, calling Macron's earlier comments “very, very nasty” and “very disrespectful” during the NATO meetings in London.

Of course, these words come from the mouth of the same man who, in his early days in the Oval Office, called NATO “obsolete.”

While Trump is known to have a very short-term memory, it is downright cute

to see how French diplomacy has pulled his chain. In his admonishing comments in London, Trump gave off the air of a boy playing teacher.

In reality, he turned himself into a French marionette, without even noticing.

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