

Advisory Committee on Enforcement

Eighteenth Session
Geneva, June 2 to 4, 2026

EFFORTS BY JAPAN TO COMBAT CROSS-BORDER COPYRIGHT INFRINGEMENT AND THE NEED FOR INTERNATIONAL COOPERATION

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ABSTRACT

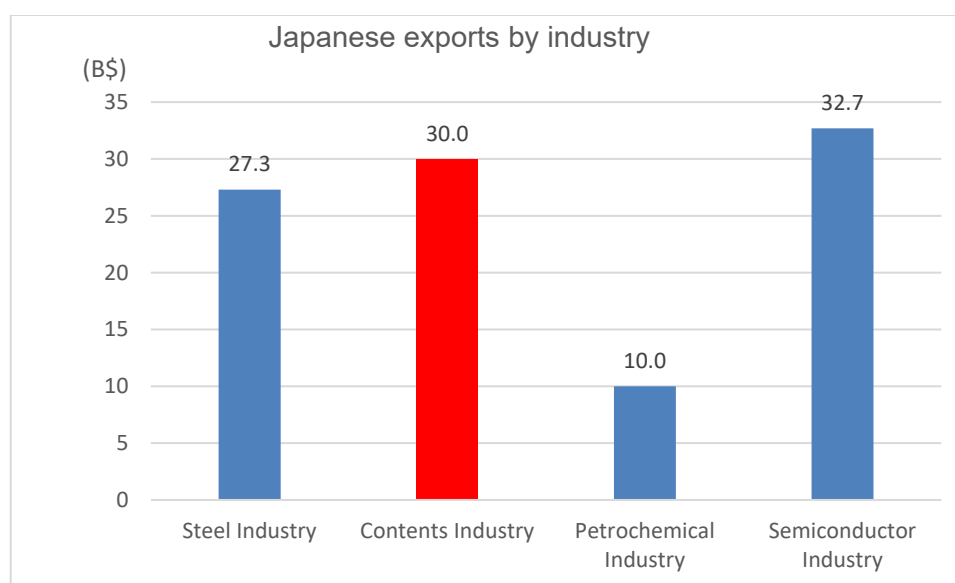
Japanese content, which is popular worldwide, is suffering considerable harm from piracy, with 100 billion hits a month on major piracy sites alone. The Japanese Government is therefore making concerted efforts among ministries to address the situation, including by formulating a comprehensive anti-piracy plan. This contribution contains an overview of losses faced by the content industry in Japan due to piracy, which is spreading around the world, and the measures being taken by the Japanese Copyright Office (JCO) to combat online piracy. Challenges in tackling cross-border copyright infringement are highlighted, as well as the need to strengthen international cooperation in this area.

* The views expressed in this document are those of the author and not necessarily those of the Secretariat or of the Member States of WIPO.

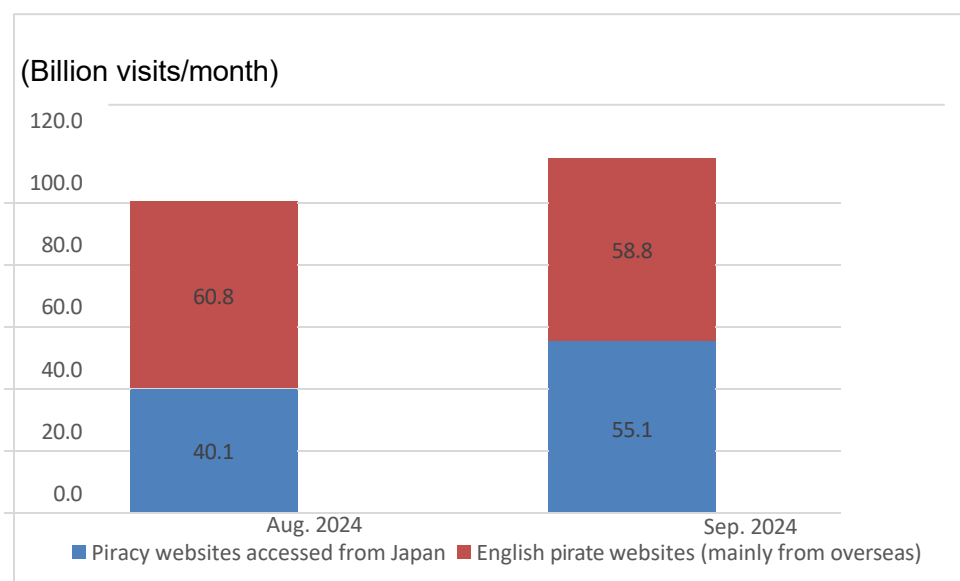
I. THE HARM CAUSED BY PIRACY OF JAPANESE CONTENT

1. Fueled by its popularity overseas, Japanese content industry has become one of the major industries. Exports amounting to some 30 billion US dollars (USD), put the content industry in Japan on a par with the steel (27.3 billion USD) and semiconductor (32.7 billion USD) industries, according to figures provided by the Japan Cabinet Office. Growing demand for the content overseas, however, has seen online piracy emerge as a serious problem. More than 1,000 websites offer pirated publications, particularly Manga. According to one survey, the number of global monthly visits to pirate websites hosting Japanese publications has reached approximately 2.85 billion. The resulting annual economic loss is estimated at 55.2 billion USD.

2. English-language pirate websites account for 62 per cent of total illicit traffic, but pirate websites are also found in Japanese, Spanish, Russian and other languages. Moreover, visits to English-language websites are made from all over the world – from Asia, North America and beyond – making the need for countermeasures urgent. In recent years, the number of foreign websites with operators and servers located overseas has grown, making it increasingly difficult to obtain a comprehensive picture of the scope of the problem. Furthermore, because enforcement against copyright infringement, including criminal penalties against such overseas-based pirate websites, falls under each country's jurisdiction, rights holders are finding it increasingly challenging to respond effectively on their own. Those circumstances have, in some cases, delayed the application of countermeasures.



Source: Cabinet Office (2024). Available at https://www.kantei.go.jp/jp/singi/titeki2/contents_wg/dai4/sankou1.pdf (Japanese only).



Source: ABJ (2024). Number of visits to the top 20 Japanese and English pirate websites.

II. JAPANESE GOVERNMENT INITIATIVES

3. In Japan, the Cabinet Office-led Comprehensive Menu of Measures Against Internet Piracy was formulated in 2019. As the Government works to address the issue, each ministry and agency has specific responsibilities. In particular, the Japanese Copyright Office (JCO) has taken initiatives in the following three areas:

- Creating videos and educational material to raise awareness of the importance of protecting copyright domestically and internationally.
- Providing information on enforcement of copyright, including through handbooks on local rules and regulations, a website for consulting domestic rights holders whose copyright has been infringed on the Internet, and expert legal support.
- Holding bilateral consultations based on memorandums of understanding with several Asian countries and discussing the latest developments in copyright policy.

4. Those initiatives have helped to build capacity and, to some extent, facilitated copyright enforcement by rights holders and private organizations, including by taking down cross-border pirate sites. However, few tangible results have been achieved in terms of international enforcement. For that reason, three new initiatives were launched in early 2025.

- Since January 2025, government agencies have been working with the private sector to support individual creators in exercising their rights. In Japan, rights holders rarely assert their rights, partly owing to the cost of legal expenses such as attorneys' fees. However, creators taking action against copyright infringement helps to strengthen deterrence against further violations. When cases of copyright infringement are reported to the Agency for Cultural Affairs, it works with private entities to partially subsidize legal expenses, thereby encouraging individual enforcement of rights.

- An international cooperative framework has been established to combat online piracy. Beyond the existing relationships with copyright offices in other countries, efforts are underway to build a cooperative structure (consortium) that includes law enforcement agencies such as the police and other relevant organizations. The first International Copyright Conference on Anti-Piracy Measures was held in November 2025 in Tokyo as a step toward that goal. The consortium aims to serve as a forum for sharing up-to-date information and expertise regarding online anti-piracy measures and rights enforcement in each country, thereby contributing to more effective protection and enforcement of copyright globally.
- Artificial intelligence is increasingly being harnessed to detect and analyze pirate websites. Rights holders such as publishers and content-owning companies typically identify pirate websites and content manually through visual inspection or title searches, initiating enforcement actions on a case-by-case basis. Such methods are inadequate in the face of the growing number of such websites and infringing materials. To move beyond that labor-intensive approach, the Agency for Cultural Affairs has launched a proof-of-concept project that utilizes AI to identify pirated content from vast amounts of online information and facilitate rights enforcement.

III. CHALLENGES AND FUTURE DIRECTIONS

5. Japan is addressing the serious issue of piracy through joint efforts between the public and private sectors. However, as pirate websites are shut down, they quickly reappear under different URLs, with no end in sight. Pirate sites can generate advertising revenue for their operators, who run little risk of incurring losses, as they can simply shut down a given site when it is discovered. Website takedowns and requests to remove infringing content are important, but it is equally essential to strengthen deterrence by pursuing criminal enforcement actions against operators of pirate sites. Because pirate websites operate across national borders, the challenge of maintaining a healthy cultural and artistic ecosystem is global. Anti-piracy measures are a long-term undertaking that cannot yield immediate results; a persistent and sustained effort is needed.

6. There is therefore a need to expand and deepen the cooperative relationships that Japan established this year with foreign governments and private organizations. It is hoped that more countries will join the consortium, thereby strengthening international collaboration. Consideration is being given to conducting joint awareness-raising and education campaigns on copyright with consortium members. Japan intends to expand such initiatives to encourage people worldwide to refrain from using pirated online content.

7. We will implement integrated policies that combine these efforts and implement them from upstream to downstream, from the stage of preventing copyright infringement, to responding in the event of infringement, and from building a framework for rights enforcement to actually enforcing rights. We hope that this will become an effective countermeasure against pirated copies.

IV. FUTURE COLLABORATION

8. The JCO will pursue efforts to work on anti-piracy measures with the World Intellectual Property Organization (WIPO) and other Member States.

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