

# **JAWW NGO Report**

## **for Beijing+20**



**JAWW (Japan Women's Watch)**

**10 November 2014**

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## Foreword

NAKAMURA, Mitchiko, Advisor, JAWW

This NGO Report was made in preparation for CSW 59 (2015) by JAWW (Japan Women's Watch) to present the status of women in Japan as a result of study sessions, conferences and many Board Meetings.

CSW 59 is a special occasion as it will celebrate Beijing+20. How long have we come and how much has the status of women advanced during these years? Have we been successful in mainstreaming gender? Have we been able to eliminate violence against women? An attempt has been made in this report by JAWW to present the results of our activities this past year.

JAWW was established in 2001. But its members have been involved in women's issues for several decades and I pray that our readers will forgive me for reminiscing. I remember how excited I was when the International Women's Year was celebrated in 1975. I was fortunate to have been present at the 34<sup>th</sup> UN General Assembly when the International Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) was adopted in 1979, and how excited I was. CEDAW is often referred to as a Bible to enhance the women's movement.

The Asia Pacific NGO Working Group (APNGOWG→APWW) was established in 1992 in preparation for the 4<sup>th</sup> World Conference on Women to be held in Beijing which produced the Beijing Platform for Action (BPFA). BPFA has inspired women world-wide to work for its realization. In order to bring results to our endeavors women in the Asia Pacific Region got together and organized the Asia Pacific NGO Symposium at Kasetsart University, Bangkok in 1999. NGOs gathered at the ESCAP High-Level Ministerial Meeting in October that year to present their recommendations, and on the final day, October 29, held a meeting at which APWW (Asia Pacific Women's Watch) was established. This meeting was attended by Japanese NGOs who were members of a committee that edited NGO reports to be presented at CSW meetings, which in turn became JAWW on February 18, 2001. JAWW is in close cooperation with APWW~ especially at CSW in New York and with members in the Asia Pacific Region.

Our thanks go to our many supporters for their valuable contributions which have highlighted the issues of women in this report in addition to the presentations by JAWW members.

## Preface

TANAKA, Masako, Convenor, JAWW

JAWW (Japan Women's Watch) was formed in February 2001 as a non-governmental advocacy network to promote the implementation of the BPFA (Beijing Platform for Action) which was adopted at the Fourth World Conference on Women and the UN General Assembly Special Session on Women 2000 Outcome Document. APWW (Asia Pacific Women's Watch) is the umbrella organization of JAWW.

Publishing the NGO report is one of the main pillars of JAWW activities. JAWW has published NGO reports for Beijing + 10 (2005) and Beijing + 15 (2010), along with annual reports on the main theme of every session of the United Nations Commission on the Status of Women (CSW) since 2007. In this NGO report, 21 areas (12 critical areas of Beijing Platform for Action plus nine other critical areas) are covered.

JAWW had already started preparation for its NGO report for Beijing + 20 in March 2015, when CSW will review the implementation of BPFA and discuss critical issues after 2015. However, it was found that the report should be ready for the Civil Society Forum to be organized before the Asian and Pacific Conference on Gender Equality and Women's Empowerment to be held from 17 to 20 November 2014.

In order to prepare the report in time, JAWW had to identify authors for each critical area from JAWW individual and organization members as well as networks. It is regretful that due to time constraints, JAWW was not able to request input from a wider range of NGOs working for gender equality during the preparation for the report. The authors prepared, without compensation, the papers in English which were checked by native English speakers on their own as well as a one page Japanese outline for the JAWW workshop organized in late August for the National Women's Education Center's Forum within a tight schedule. Furthermore, JAWW requested the authors to limit their papers to four pages.

JAWW has no appropriate words to express its sincere gratitude to the authors for their great cooperation and their endeavors despite their extremely heavy schedules. The papers were prepared at the authors' responsibility as of August 2014 and do not reflect JAWW's views.

In late July 2014 the Mioko Fujieda Fund for Promoting Gender Equality informed JAWW that it was chosen as one of the recipients of the fund which was launched in 2014. Without the fund, it would not have been possible for JAWW to publish this report by professional printing and layout. JAWW would like to thank the Fund as well as the late Ms Mioko Fujieda who was a pioneer of women's studies in Japan.

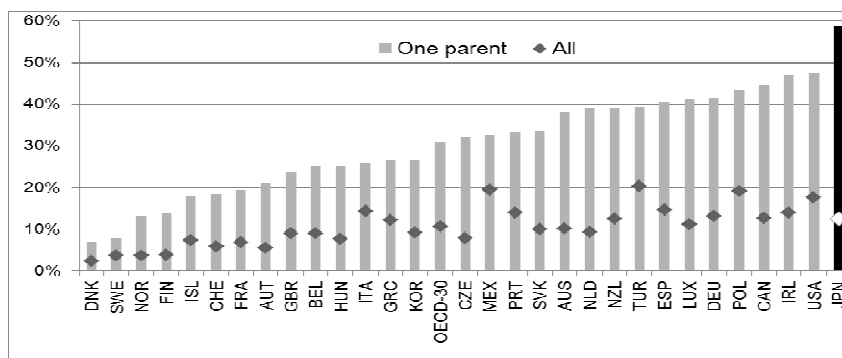
## A. Women and Poverty

TAMIYA, Yuko, Kobe Gakuin University

### 1. Severe poverty of lone parents and children

Discussions about poverty have been taking place in Japan around mid-2000s, and Japanese society seems to have discovered that poverty is not an issue of the past. In October 2009 the government released the official data of relative poverty rates for the first time. The latest data show child poverty rates has been the highest level since 1985; from 10.9% to 16.3%. Compared with lone-parent and two-parent households, the poverty rates of the former is 54.6% and it is more than four-times as much as the two-parent (12.4%)<sup>1</sup>. According to OECD data, lone parent households in Japan has one of the worst rates of poverty in the industrialised countries (Figure 1). Japanese government is responsible for implementing policies to alleviate women and children's poverty.

Figure 1: Poverty Rates of Households with Children by Household Type, mid-2000s



Note: Poverty thresholds are set at 50 per cent of the median income of the entire population.

Source: OECD (2008)<sup>2</sup>; Figure 5.7.

The number of lone parent households, 84% of lone parents is female, has increased<sup>3</sup>. The rise in the number of lone parent households has also increased the overall proportion of households with children (Table 1). In an international context, the number of lone-parent households in Japan is fewer than in other developed countries: for example 28% in the U.S., 26% in the UK<sup>4</sup>. In terms of the types of lone mother households, the majority of lone mothers are divorced (81%), and the remaining is either widowed (8%) or has never been married (8%)<sup>5</sup>. Compared

Table 1: Percentage of lone-parent households (% of all households with children)

1975	3.1
1985	3.7
1995	4.3
2005	6.3
2010	6.6

Note: Lone-parent households refer to households consisting of one parent with at least one non-married child under18; it excludes lone parents living in three-generation households. Source: MHLW, *Comprehensive Survey of Living Conditions*.

<sup>1</sup> MHLW. (2013) *Comprehensive Survey of Living Conditions*.

<sup>2</sup> OECD. (2008) *Growing unequal?: Income Distribution and Poverty in OECD Countries*.

<sup>3</sup> MIC. (2010) *Population Census*.

<sup>4</sup> U.S. Census Bureau, *Current Population Survey, 2012 Annual Social and Economic Supplement*. Office for National Statistics, *Labour Force Survey 2012*.

<sup>5</sup> MHLW. (2011) *Nationwide Survey on Fatherless Families*.

with other countries, never-married mothers in Japan make up far fewer: 46% in the UK and New Zealand and 43% in the USA<sup>6</sup>. This factor influences a smaller number of lone parents in Japan when compared with other developed countries.

## 2. Work and Employment

One remarkable characteristic of lone mothers in Japan is their high labour participation rate; lone mothers made up a larger portion of full-time employment than married women. This does not always correspond to trends in other countries. Unlike Japan, joblessness has been more typically an issue for lone parents than for married mothers in other countries (OECD 2007). The proportion of lone parents in full-time employment was at around 50% in 2012 as seen in Table 2. On the other hand, part-time employment has increased by one and a half times in the past thirteen years, from 28% in 1993 to 42% in 2011.

Table 2: Working Status of Lone Mothers and Married Mothers, 2012

	Employed (more than 35hours)	Employed (less than 35hours)	Self employment	Unemployed	Non-working
Lone mothers	48.6	27.8	4.2	6.9	12.5
Married mothers	21.2	33.5	4.7	1.5	39.2

Notes: Lone mothers refer to lone mothers with at least one child under 20, Married mothers refers to married mothers with at least one child under 18. Sources: MIC (2012) *Labour Force Survey*

Many lone mothers engage non-standard job and there is a significant difference of lone mothers' earnings between standard employment and non-standard employment. Annual earnings of lone mothers engaging non-standard employment (1,250,000JPY) make much less than half of the standard employee's (2,700,000JPY)<sup>7</sup>. This situation might leave lone mothers in poverty despite their participation in paid work.

Table 3 shows that the characteristics of time spent on child care and work in the case of parents with at least one child below six years of age. Lone mothers spend much longer work hours and spend significantly less time on child care than do married mothers. Despite the existence of the trend of the increase in part-time jobs resulted in many mothers allocating more time toward child care instead of to paid work<sup>8</sup>, the fact that lone mothers spend conspicuously less time on child care compared to married mothers suggests that for solo-mothers the reconciliation of child care and work still presents great difficulties.

Table3: Time use data for employed parents with at least one child under 6, 2011 (Average minutes per day)

	Child care	Employment and related travel
Fathers	40	533
Mothers	153	238
Lone-mothers	98	348

Source: MIAC (2011) *Survey on Time Use and Leisure Activities*

<sup>6</sup> Bradshaw, J. and Finch, N. (2002). A Comparison of Child Benefit Packages in 22 Countries, *Department for Work and Pensions Research Report No.174*. Corporate Document Services, Leeds, Table 2.3.

<sup>7</sup> MHLW. (2011) *Nationwide Survey on Fatherless Families*.

<sup>8</sup> Tamiya, Y. and M. Shikata (2010) "Analysis of Time Use Surveys on Work and Care in Japan", Edited by Budlender, D. *Time Use Studies and Unpaid Care Work*, Routledge. 142-170.

### 3. Social Security Benefits

Social security benefits for lone mother households in Japan mainly consist of the Child Rearing Allowance (CRA), Child Allowance (CA), survivors' pensions and Public Assistance (PA).

The coverage of lone mother households awarded these benefits is

shown in Table 6. CRA was the largest number of recipients, and it is estimated that 74% of lone mothers was awarded the allowance. On the other hand, recipients of PA were 14% and the pensions including Survivors' Basic/Employees Pension were the least claimed benefit (9%). As the CRA plays a vital role for lone mothers in the present climate, the next section will analyse this more closely.

### 4. Income and Poverty

A working wage is the most important source of income for lone mother households in Japan. However, their earnings remain low and their social security benefits, which must be used to supplement their insufficient primary incomes, are not enough to cover this shortfall. Figure 4 compares the incomes of lone mother households and all households with children. Lone mothers make only one-third of the income of all households with children. Their main source of income is wages but the proportions differ; lone mothers: 73%; all households: 90%. Social security benefits are important source of income for lone mothers consisting of a quarter of all income, but this is not the case with other households with children, where it only makes up 8 per cent of their income.

One factor contributing to such poverty is joblessness. The poverty rate among lone parent households where the parent is not engaged in paid work is, according to the OECD average, three-times higher than that of those who are working (Figure 5). Nevertheless, in Japan the poverty rate of lone parents engaged in paid work is still 55%, and the poverty rate gap between those working and those not working is only 3 % points. This suggests that engaging in paid work does not provide an escape from poverty for lone mothers in Japan.

In order to analyze the effect of social security benefits in reducing poverty including child-support payments, Figure 6 illustrates changes of poverty rate in primary income and

Figure2: Social security benefits for lone parent households in Japan

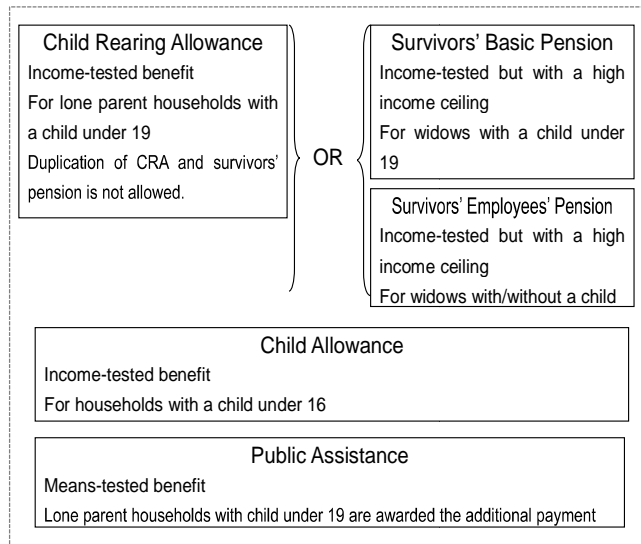
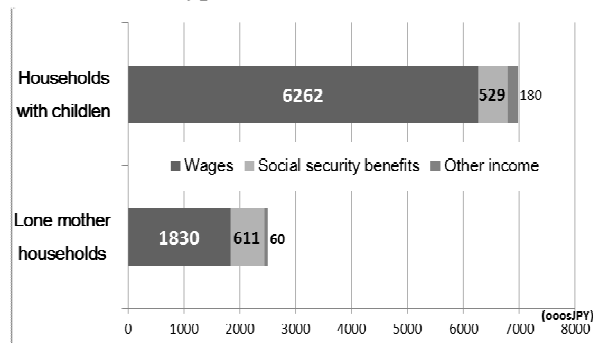


Figure 3: Sources of Gross Annual Income by Household Type in 2012

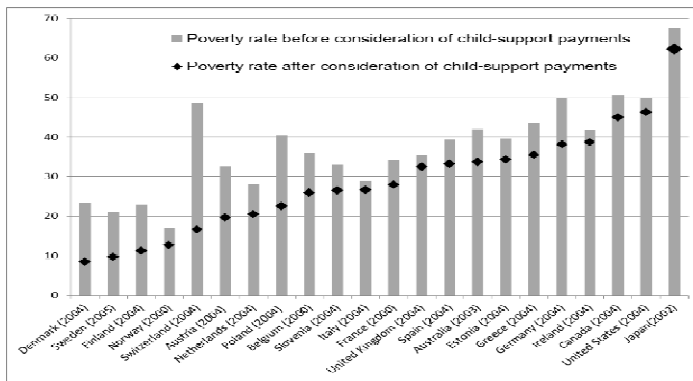


Note: Households are defined as households with at least one non-married child under 18.

Source: MHLW(2012). *Comprehensive Survey of Living Conditions*

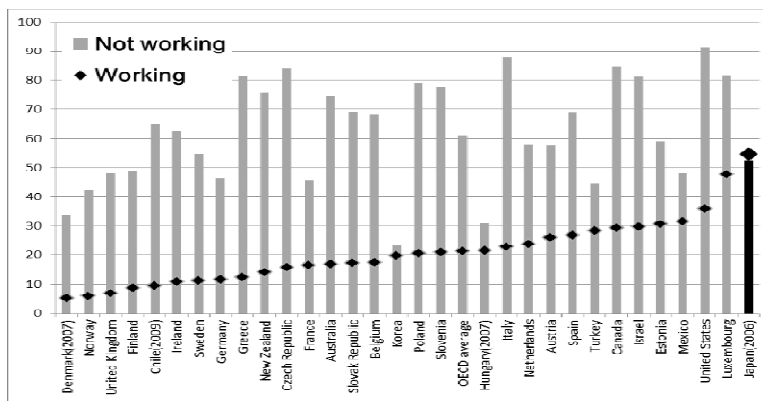
disposable income. The poverty reduction effect amounts 51 to 66 % points for Switzerland, Denmark, Sweden and Finland; rather poor effects amounts less than 10 per cent points are found for UK, Italy, Ireland, US and Japan. Since the redistribution of income through social security benefits has not been effective, lone mothers still kept in poverty.

Figure 4: Poverty rates for lone parent households, 2008



Note: Poverty thresholds are set at 50 per cent of the median income of the entire population.  
Source: OECD (2012), *OECD Family Database*

Figure 5: Poverty rates for lone parent households before and after child-support payments



Note: Families are defined as households with at least one child under 18. Data for Japan refer to poverty rates of lone mother households before and after transfer.  
Source: OECD (2011); Table 6.5, Abe (2006); Table 5-6.

## 5. Policy implication

What is distressing about the situation of lone mother households in Japan is that the high work participation rate does not by itself solve the problem of poverty. The poverty suffered by lone mothers is caused by the unfortunate combination of low-paying jobs, the lack of opportunity to find better work and insufficient monetary benefits. Welfare reform has focused on reducing the number of recipients of social security benefits in spite of the fact that they do not lead to a welfare trap. Kilkey and Zhou<sup>9</sup> suggest with regard to the situation in Japan that support for the improvement of mothers' human capital is insufficient. Kimoto and Hagiwara<sup>10</sup> also highlight the urgent necessity for secure cash benefits and effective job training. If further welfare reforms should reduce the available benefits even more and push lone mothers into working still more, the majority of lone mother households will remain poor.

<sup>9</sup> Kilkey, M. (2000) *Lone mothers between paid work and care: The policy regime in twenty countries*. Ashgate, Aldershot. Zhou, Y. (2012). Conditions Necessary for Single Mothers to Obtain Regular Employment in Japan, *The Quarterly of social security research*, 48(3), 319-333. (In Japanese)

<sup>10</sup> Kimoto, K. and Hagiwara, K. (2010) A feminization of poverty in Japan: A special case? In Goldberg, G. (ed). *Poor women in rich countries: The feminization of poverty over the life course*. Oxford University Press, New York.



## **B. Education and Training of Women**

KIMURA, Ryoko, Osaka University

### **1. Introduction: Amendment to the Basic Act on Education and Gender Equality**

#### 1-1. Deletion of the Article on Co-education

When the Basic Act on Education was amended in 2006, several revisions were made concerning gender equity. An important revision was the deletion of Article 5, titled “Co-education”, which stated that “Men and Women shall esteem and cooperate with each other. Co-education, therefore, shall be recognized in education”. With the exception of high schools in several prefectures which were organized according to the pre-war sex-segregated system at that time, with the reform of the educational system after World War II, under the former Basic Act on Education, no sex-segregated public school had been newly established. Generally the number of girls’ schools and boys’ schools has decreased since the 1990s in the public education system as well as in the private system. However, owing to the deletion of Article 5, a public boys’ residential secondary education school in Kagoshima Prefecture will open in 2015 with the aim of training male elites.

#### 1-2. Newly setting of Article 2 “Objectives of Education”

Another important revision was made to Article 2, which newly established 5 objectives of education, emphasizing a “sense of morality”, “a public spirit”, “respect for our traditions”, and “love of country”. “Equality between men and women” was also included as one of the objectives in this Article, which may give the impression that “equality” has been given a place as a moral issue and not a human rights issue. This Article is related to the last revision of the Government Curriculum Guideline, which raises moral education to the status of an official teaching subject from only a period especially set. There is a concern that the idea of gender equality/equal rights for everyone will be narrowed down and distorted in a kind of conservative moral sense.

### **2. The Gender Gap in the Academic Career**

#### 2-1. MDGs and the Status Quo of Japan

Regarding the Goals 2 and 3 of the Millennium Development Goals (MDGs), Goal 2, to “achieve universal primary education”, has been already realized in Japan. However, Goal 3, to “promote gender equality and empower women”, and its Target 3.A, to “eliminate gender disparity in primary and secondary education, preferably by 2005, and in all levels of education no later than 2015”, have not yet been achieved.

#### 2-2. The Gender Gap in the Enrollment Rate in Upper Secondary Schools and the Advancement Rate to Higher Education

After World War II, the new Japanese educational system has generally provided equal opportunities for female and male students, and gender discrepancies in education have been small. Nearly all girls and boys are enrolled in compulsory education, and the gender gap for the enrolment rate in upper secondary education was closed after the 1970s. Moreover, the percentage of female students advancing to higher education became larger and caught up with that of male students in the 1980s.

However, considering the different types of institutions, we find that there still exists a gender gap in higher education. In Japan, two-year junior colleges have developed as an institution of higher education that is considered appropriate for women. As Chart 1 depicts, many female students enroll not in universities but in these and in specialized training colleges.

### 2-3. The Gender Gap in the Choice of Courses in Upper Secondary School and Higher Education

The gender gap is apparent in several ways in students' choices of courses or majors. While girls go into so-called "feminine" fields of study, boys choose the stereotypically "masculine" fields. Chart 2 shows the Gender Parity Index (GPI) for the number of high school students enrolled in different types of courses. Over 70% of female and male students are registered for general courses intended mainly for advancing to higher education. But in the case of students in specialized courses, focused primarily on occupational training, female and male students are differentiated into gender-stereotyped courses. Regarding specialized training colleges, a similar situation occurs. Chart 3 shows the GPI for university majors. Recently, the gender gap in the choice of faculties has decreased due to the rise in the number of female students advancing to the university. Yet even now, the GPI for the science and technology fields is very low and that for the humanities is high.

Chart 1: Enrolment in and advancement rate to higher education (%)

	Specialized Training College <sup>(1)</sup>		Junior College <sup>(2)</sup>		University <sup>(3)</sup>		Graduate School <sup>(4)</sup> (%)	
	Women	Men	Women	Men	Women	Men	Women	Men
2013	18.4	11.8	9.5	1.1	45.6	54.0	6.0	15.0
2000	17.5	12.8	17.2	1.9	31.5	47.5	6.3	12.8

(1)~(3) New entrants as a percentage of the 18-year old age cohort

(4) New entrants who entered upon completion of the bachelor's course, as a percentage of the total bachelor's course graduates

Source: MEXT, School Basic Survey

Chart 2: GPI for the number of high school students by courses (Person & Index)

		General	Industry	Commerce	Home economics
		2013	Women	1,219,107	25,762
	Men	1,179,154	234,797	75,262	5,293
	GPI	1.03	0.11	1.78	7.08

Source: MEXT, School Basic Survey

Chart 3: GPI for the number of undergraduate students by major (Person & Index)

		Engineering	Science	Social Science	Humanities
		2013	Women	48,036	21,123
	Men	342,006	59,367	563,476	128,881
	GPI	0.14	0.36	0.51	1.93

Source: MEXT, School Basic Survey

## 3. Gender Bias and Specific Problems in Primary and Secondary Education

### 3-1. Home Economics and Physical Education

Until the 1990s, both home economics and physical education were formally gender-specific subjects under the Government Curriculum Guidelines. However, after these guidelines were revised, both became gender-neutral subjects. Nevertheless, almost all teachers of home economics are female even now, and people still hold the idea that home economics is a subject for girls. In secondary education, girls and boys are separated in many physical education classes. It can also be said that currently physical education emphasizes sex differences in body and mind. Home economics and physical education are related to a gender-biased “hidden curriculum”, which will be discussed below.

### 3-2. Sex Education

In the early 21st century, a backlash against feminism has arisen. This anti-feminist movement has attacked reasonable practices of sex education, considering a teenager’s sexual behavior. While many of these practices were employed from the perspective of gender equality and the children rights, those individuals opposing to feminism have called them “excessive sex education” which encourages teenagers to actively participate in sexual behavior. A typical example of the bashing of sex education can be seen in the case of NANA O High School for intellectually disabled, whose principal and teachers were punished by the Tokyo Metropolitan Board of Education in 2003 (the Tokyo High Court ordered the Board to rescind the punishment in 2009). Because the backlash has been so strong, it appears that the Boards of Education in each location, and schools and teachers have become reluctant to impart sex education.

Due to the movements of conservatives (right-wing organizations, some religious bodies, the New Right of the Liberal Democratic Party, the Ministry of Education, Culture, Sports, Science and Technology (MEXT) has chosen to exert control over and restrict sex education. Japanese schools now provide instruction on sex/sexuality in health and physical education classes. The Government Curriculum Guideline stipulates that elementary schools should teach students about puberty and secondary sexual characteristics, and that junior and senior high schools should teach students about STDs and HIV as part of the infectious diseases curriculum, according to the students’ developmental level and grade in school. Junior and senior high schools provide students with information about fertilization and pregnancy, but do not cover the process that leads to pregnancy, i.e., sexual intercourse.

An analysis of survey data<sup>1</sup> collected in 2005 and 2011 suggests there have been some negative effects of the backlash against sex education during this decade. The percentages of topics for which senior high school students answered they had learned about at school are low for social and relational aspects of sexuality. Also the number of correct answers to the questions about contraception and STIs has decreased. (TSUCHIDA, Yoko, NAKAZAWA, Chie)

### 3-3. History/Civics and Textbook Screening

The issue of the *jugun ianfu* (comfort women: women working in military brothels during World War II) of Japan has been strongly debated both inside and outside Japan. In 2012, when the first screening of textbooks took place following the amending of the Basic Act on Education, the word *jugun ianfu* was deleted from all social studies textbooks in lower

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<sup>1</sup> The National Survey of Sexual Behavior of Japanese Youth was conducted in 1974, 1981, 1993, 1999, 2005, and 2011, almost every six years by the Japanese Association for Sex Education.

secondary schools. As a result, it has now become difficult for children to learn about and reflect on wartime sexual violence and gender discrimination in school.

#### 3-4. Hidden Curriculum

In the 1990s, the concept of a “hidden curriculum” related to gender socialization drew the attention of educators and parents. A typical example is a name list that is divided according to sex and arranges boys first, which was used in almost all schools. Since the latter half of the 1990s, the use of mixed name lists increased with the aim of creating a gender-bias free educational environment. But individuals who were part of the conservative backlash also attacked educational practices for being “gender-bias free”, such as the use of mixed name lists, as well as sex education, in the 2000s.

In addition to name lists, there are many examples of a “hidden curriculum” which can be viewed as gender biased. Many Japanese schools adopt a uniform system that compels girls to wear skirts and boys to wear trousers, separate students by gender in physical education or sports events without a rational reason, provide gender-biased advice in academic and career counseling, and produce disparity by gender in interactions between teachers and students in class. Measures to address these problems have been obstructed until now by the backlash against feminism.

#### **4. The Current State of and Issues Related to Government Measures**

The Third Basic Plan for Gender Equality 2010 set numerical targets and provided updated figures for the “proportion of female vice principals or higher in elementary and secondary educational institutions” and the “proportion of female university presidents, vice presidents, professors, associate professors, and lecturers”, “target[ed] employment numbers for female researchers in the natural sciences” and so forth. In 2006, MEXT implemented the “Project to Encourage Female Junior High and High School Students to Select Courses in Science and Technology” in order to address the issue of the limited number of women who study, work, and pursue research in the fields of science and technology. Moreover, the Gender Equality Bureau of the Cabinet Office started a similar campaign in 2013. Setting targets and establishing positive projects are very significant initiatives. But the range of the targets is limited, and the budgets for these projects are insufficient.

Women face many problems, such as unstable employment, poverty, and violence. As the situation of women worsens, new measures are required to meet their needs in the area of social education. The National Women’s Education Center (NVEC) has played a central part nationwide in providing various opportunities for lifelong learning and career training for women. Although the NVEC has been a very important social educational organization for achieving gender equality since its foundation in 1977, it faced a crisis of integration and threat of being abolished several years ago. Under neo-liberal policies and due to the backlash against feminism, valuable spaces and opportunities for women’s learning and training are gradually diminishing.

On examining the budget of the government and the policies of MEXT or the Gender Equality Bureau of the Cabinet Office, I cannot help but say that a positive and effective plan is not enough to support girls and women who are in disadvantaged positions through education and to diminish gender bias and establish gender equality in education.

## **C. Women and Health**

TSUGE, Azumi, Meiji Gakuin University

ONISHI, Kayo, National Center for Child Health and Development

### **Introduction**

In Japanese society, women's health has been traditionally defined as "maternal health," with the emphasis on women's capacity for being reproductive, giving birth, and bearing children. However, since the adoption of the Programme of Action of the International Conference on Population and Development (ICPD) in Cairo in 1994 as well as the Beijing Declaration and Platform for Action at the Fourth World Conference on Women in 1995, an integrated and life-course approach to women's health has been gradually mainstreamed in Japan. That is, addressing not only women's sexual and reproductive health/rights but also more comprehensive women's life-course health, including successful aging, has become our top agenda. Despite this recent trend, Japanese women still confront some tough realities, such as the existence of the Penal Code which bans induced abortion in principle, lags in the introduction of newly developed contraception and abortion methods, maternity harassment at workplace which gives women disincentives to get pregnant, and so on. This paper aims to report the current situation surrounding Japanese women's health as well as reproductive health/rights and to provide some policy recommendations.

### **1. Towards An Integrated and Life-Course Approach to Women's Health**

Since the adoption of the Programme of Action of ICPD and the Beijing Declaration and Platform for Action, an integrated and life-course approach to women's health has gained civil rights and has been gradually mainstreamed in Japan. For example, some hospitals and clinics have begun to label the division "women's health" instead of the traditional label 'obstetrics and gynecology'. This change reflects the recent trend to re-define women's health as not merely a status of being reproductive but also of being well physically, mentally, and socially throughout the life-course. This transition in the concept of women's health has inspired Japanese society's new policy targets which encompass specific needs of women with disabilities and issues such as violence against women, women in disasters, and women in poverty.

For example, in 2012, one year after the Great East Japan Earthquake, the Japanese government proposed a resolution, Gender Equality and the Empowerment of Women in Natural Disasters was adopted at the 56<sup>th</sup> Session of the Commission on the Status of Women. Moreover, it has been widely demonstrated that the health of women under emergency situations, such as natural disasters, is strongly correlated with their social and economic status.

Increasing reports on violence against women in temporary housing or evacuation shelters has abundantly demonstrated that disasters have negative impacts on women's health and safety under emergency situation such as natural disasters or intimate partner abuse. Thus, researchers, NGO activists, and health-workers have started to re-examine women's health from a much broader view than conventional views.

## **2. Underlying Causes of The Lowest Total Fertility Rates in Japan**

It is widely known that Japan has one of the lowest total fertility rate in the world, reaching a minimum of 1.26 in 2004. Although the total fertility rate rose to 1.43 in 2013, it shows no sign of continuous increase.

One of the underlying causes of the decreasing birthrate in Japan is that for several decades there has been a trend for Japanese women to delay marriage. The Ministry of Health, Labour and Welfare reported that the mean age for women's first marriage became 29.0 in 2011. Consequently, in 2011 the average age at first birth became 30.1, exceeding the age of 30 for the first time. (MHLW, *Vital Statistics*, 2012).

Another cause of the low birth rate is considered to be the difficult environment for raising children, e.g. long working hours, minimal involvement in fathering, shortage of day care centers and their high cost and the heavy expense for educating children. Even for women who are willing to get pregnant despite the difficulties of raising children, the added reality of so-called "mata-hara" in the workplace makes them feel reluctant to get pregnant. The "mata-hara" is a term derived from maternity harassment. The term, which became widely known over the last couple of years in Japan, refers to workplace discrimination against pregnant women who have just returned to the workplace after giving birth.

## **3. Strategic Objectives of Beijing Declaration and Platform for Action and Current Situation of Reproductive Health/Rights in Japan**

### **3-1. Abortion and Contraception in Japan**

Upon the adoption of the Beijing Declaration and Platform for Action in 1995, Japanese society has witnessed two major changes in reproductive health/rights.

First of all, the Eugenic Protection Law was amended to what is called Maternal Body Protection Law in 1996. The Eugenic Protection Law was established in 1948 with the purpose of legalizing abortion under the authorization of General Head Quarter soon after the end of the Second World War, legalizing abortion as well as sterilization for eugenic reasons with his/her own and spouse's consent. That is, while the Penal Code had banned induced abortion in principle, the Eugenic Protection Law was enacted to "to prevent birth of inferior descendants from the eugenic point of view, and to protect life and health of mother". In 1950, the law was amended, allowing abortion not only for eugenic reasons but also for "economic reason," which resulted in free access to abortion on demand. Since its enactment, the number of induced abortions showed a peak of 1,170,143 in 1955, which had contributed to the decreasing birth rate in post-war Japan. However, given its eugenically discriminatory character, the Eugenic Protection Law was criticized by people with disabilities and women involved in the reproductive rights movement as well, which finally led to the elimination of the discriminatory clauses in 1996. With the elimination of the clauses, the law's name was changed to Maternal Body Protection Law.

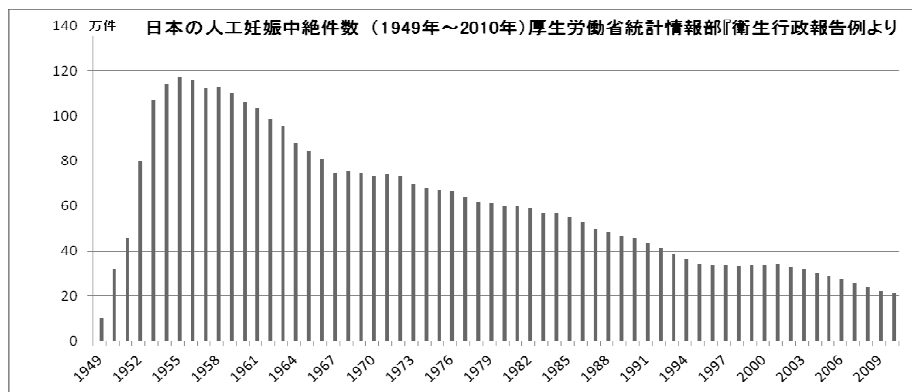
The Maternal Body Protection Law legalizes abortion on demand until the 21st week of pregnancy, even though the Penal Code still bans induced abortion in principle. However, it requires her spouse's consent in addition to her own if she is married. Therefore a problem happens for a wife who is suffering from domestic violence when she wants an abortion.

Although the number of induced abortions is decreasing since 1955, when it reached its peak, the number of induced abortions for those less than 20 years old is increasing. Also, it is worth pointing out that abortion rates after the 12th week of pregnancy are relatively high among these young females while most abortion cases are conducted before the 12th week.

Second, oral contraceptive pills were finally approved by the Ministry of Health in 1999, notoriously making Japan the last state among the member states of the United Nations to license them. One of the reasons for the delay in approving the oral contraceptive pills was a “fear of the sexual liberation of women” by the male side. However, even after the approval of the oral contraceptive pills, Japanese women still shy away from using them. It is partly because the usage of oral contraceptive pills requires doctors’ prescriptions. When it comes to the pill usage percentage, the demographic with the largest percentage using the method is women aged 25 to 29 years, with for 6.5 percent usage, the second largest is those aged 35 to 39, with 5.3 percent usage. Instead of the oral contraceptive pills, male condom use has been the most popular contraceptive usage up until now, currently accounting for more than eighty percent of women. Especially for women aged 15 to 19 years, the condom usage accounts for one hundred percent according to the Japan Family Planning Association<sup>1</sup>.

In addition to the lack of adequate contraceptive methods, Japanese women also face a barrier to accessing safe abortion methods. Currently the most popular abortion method in Japan is Dilatation and Curettage (D&C), which accounts for more than 90%<sup>2</sup>. WHO defines D&C as “an obsolete method of surgical abortion”<sup>3</sup> and it instead recommends vacuum aspiration and/or medical methods. Specifically for the latter, WHO recommends oral mifepristone followed by a single dose of misoprostol, for pregnancies of gestational age up to 9 weeks (63 days) as well as oral mifepristone followed by repeated doses of misoprostol for pregnancies of gestational age over 9 weeks (63 days). However, mifepristone is not approved in Japan yet.

Figure 1: Number of abortions (1949-2010) in Japan



Source: Ministry of Health, Labour and Welfare, *Report on Public Health Administration and Services (1949-2010)*

<sup>1</sup> Kitamura, Kunio and Japan Family Planning Association (2012) “Dai Rokkai danjyo no seikatsu to ishiki ni kansuru chosa kekka (gaiyo)”.

<sup>2</sup> Tsukahara, Kumi et. al. (2010) “Problems of the Japanese Government's Reproductive Rights Policy: from a Technical Viewpoint”, *Igaku tetsugaku igaku rinri* (28), 38-48.

<sup>3</sup> WHO (2012) *Safe Abortion: Technical and Policy Guidance for Health Systems*, Second edition.

### 3-2. Prenatal Care in Japan

While the maternal mortality rates drastically decreased from 30.1 per 100,000 to 16.0 per 100,000, between 1960 and 1975 due to the improvement of hygiene and the establishment of maternal center in rural areas, maternal mortality rate has to some extent increased in the 2000s, reaching 4.0 in 2007. Although Japan has kept one of the lowest maternal and infant mortality rates in the world, one of the underlying causes of the recent increase in maternal mortality rates is considered to be the decreasing number of obstetricians and maternity hospitals and clinics.

### 3-3. Assisted Reproductive Technology (ART) and women's health

Japan is a country that the number of In Vitro Fertilization (IVF) conducted in a year is the largest in the world. Now more than three percent of children are born through IVF annually. Japanese Society of Obstetrics and gynecology (Ob/Gyn) collects data of children who are born through IVF and discloses it partly. However, it does not disclose the data on side effects, especially long term side effects by high dose hormonal drug for hyper stimulation for IVF.

There is no legislation concerning Assisted Reproductive Technology (ART) but Japanese Society of Ob/Gyn regulates ART. Although it permits conducting artificial insemination by donor sperm, it does not permit conducting IVF and intra cytoplasmic sperm injection (ICSI) with donated sperm and/or eggs. It bans surrogacy as well. However, not a few couples or women, or men in rare cases, had their "own" babies by using ART with donated sperm, donated eggs or surrogacy in foreign countries. Recently, there are some cases that Japanese couples/ Japanese men had children by surrogacy in foreign countries, which cause several problems in terms of legal status of children in Japan.

### 3-4. Sexual Minorities and HIV/AIDS

Although the existence of sexual minorities is gradually getting recognized through the mass media or through their own declarations, the protest against same-sex marriage and bias towards the sexual minorities still persist.

The total number of newly HIV-infected people and AIDs patients reached 1,590 in 2013 the second largest number ever (the National AIDS Surveillance Committee, 2014). The newly HIV-infected people are mostly males in their 20s and 30s. However, there are also some women who are not aware of their infection of HIV till their maternity.

## **Conclusion**

In conclusion we would like to highlight the importance of education on women's health including reproductive health/rights since there are very few occasions and very few places to learn it. Although many women get information about their concerns through the internet, they don't have a chance for consulting with specialists, discussing their issues with others, and making an informed decision after careful consideration. Policies and actions are needed to set up adequate classes for studying about women's health, including reproductive health and rights, at school and also to establishing a center for women's health at a hospital.



## D. Violence against Women

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The 1990's saw emerging and growing efforts to raise public consciousness about violence against women and to demand governmental response to previously unrecognized forms of violence against women in Japan. International currents such as United Nations (UN) conferences and declarations<sup>1</sup> provided additional pressure for the Japanese government to develop policies and programs to address violence against women (VAW). This report presents 1) a brief summary of the scope of VAW in Japan; 2) a discussion of the overall policy framework, machinery, and guiding policies; 3) a critical review of specific statutes and policies; and 4) an assessment of current laws and policies based on the Beijing Platform of Action.

### 1. Violence against Women in Japan

VAW is highly prevalent in Japan. National studies have consistently documented that about one third of adult women experience some form of partner's violence.<sup>2</sup> The number of domestic violence cases known to the police has steadily increased over the years; there was a total of 49,533 cases in 2013 (almost double from 25,210 in 2008).<sup>3</sup> Similarly, the number of stalking cases recognized by the police is on the rise: 21,089 cases in 2013. Women make up over 90% of all victims of stalking, while men account for over 85% of perpetrators.<sup>3</sup> In 2013, 1,409 rape cases were known to the police.<sup>3</sup> The prosecution rate is low; of the 1,320 rape cases recognized by the Ministry of Justice in 2012, only 42% (554 cases) were prosecuted.<sup>3</sup> These numbers are based on the narrow definition of rape in Japanese law (see below). Sexual harassment features in about half of the approximately 20,000 consultations cases handled by the Equal Opportunity Employment Department (EOED) of Prefectural Labour Bureaus every year.<sup>4</sup> Considering many barriers to reporting, those cases recognized by the police and EOED likely represent only a small tip of the iceberg.

### 2. Policy Framework, Machinery, and Guiding Policies

The Headquarters for the Promotion of Gender Equality (established in 1994) has been the official and central machinery for Japan's policymaking on matters concerning gender issues. The Council for Gender Equality serves as an advisory body, and the Gender Equality Bureau serves as a central administrative unit to coordinate national efforts concerning gender equality.<sup>4</sup>

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<sup>1</sup> For example, the Vienna Declaration and Programme of Action adopted at the World Conference on Human Rights in 1993; the Declaration on the Elimination of Violence against Women adopted at the 48th UN General Assembly; and the Beijing Declaration and Beijing Platform for Action adopted at the UN World Conference on Women in 1995. The Global Campaign for Women's Human Rights was instrumental in transforming a conventional definition of human rights from men's rights in the public sphere to one that includes women's rights in the private sphere.

<sup>2</sup> Gender Equality Bureau Cabinet Office <http://www.gender.go.jp/e-vaw/chousa/index.html>

<sup>3</sup> Japanese government. (2014). Seventh and Eighth Periodic Reports on the Implementation of the Convention on the Elimination of All Forms of Discrimination against Women.

<sup>4</sup> It should be noted that although the English translations use the term "gender equality," the official Japanese names of the Headquarters, Council, and Bureau do not contain the equivalent term. Instead, they use the term

The Council's work as an advisory body became visible following the 1995 UN World Conference on Women. In July 1996, the Council issued *The Vision of Gender Equality*. It recognized VAW as a serious societal, structural problem that places women in a subordinate position relative to men and impedes the enjoyment of human rights and fundamental freedoms by women. In the same year, the Headquarters developed the *National Plan of Action for Promotion of a Gender-Equal Society by the Year 2000* and identified the elimination of all forms of VAW as one of the priority policy objectives. The Bureau conducted the first nationwide survey on VAW in 1999; a similar national study has been conducted every three year since. In 1999, the Council issued two reports specifically addressing VAW: *Toward the Creation of a Society Free of Violence Against Women* in May and the *Basic Policy Approaches concerning Violence Against Women* in July. Both reports clearly recognized VAW as a serious social structural problem and a barrier to gender equality.

In 1998, the Council also issued reports to inform the development of the Basic Act for Gender-Equal Society. The Basic Act for Gender-Equal Society was enacted in 1999; it articulated the basic principles for the formation of a "gender-equal society" (read: cooperative participation) and guides efforts of the national and local governments and citizens<sup>5</sup>. The Act does not reference VAW specifically. However, accompanying resolutions adopted by the upper and lower houses of the parliament included a statement that active efforts to eradicate all forms of VAW are indispensable to the establishment of women's human rights.

As stipulated in the Act, the national government developed the Basic Plan of Gender Equality in 2000 and identified 11 priority fields, including the elimination of all forms of VAW. It recognized VAW as a major barrier to achieving gender equity and stated that in devising a societal response, it is imperative to view VAW as a structural problem rooted in rigid gender-based role divisions, and economic disparity, and power differentials. These perspectives remained central to the Second Basic Plan of 2005. There are, however, concerning changes in the Third Basic Plan, such as a notable shift in the degree to which the root causes of VAW are articulated and an absence of clear articulation that VAW is a societal, structural problem.

### **3. Specific Statues concerning Violence Against Women**

In this section, we analyze major laws and policies concerning selected forms of VAW.

#### **3.1. Laws and Policy concerning Domestic Violence**

Grassroots organizing, action research, and advocacy efforts prompted the legislative and policy responses to domestic violence during the 1990's.<sup>6</sup> The Prevention of Spousal Violence and the Protection of Victims was first enacted in 2001 and has since been amended three times, in 2004, 2007 and 2013. The Act's preamble clearly states that spousal violence is a grave violation of human rights and an obstacle to gender equality. As stipulated by the Act,

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*danjo kyōdō sankaku*, which means "cooperative participation of men and women." In this report, we use the governmental English translation, *gender equality and gender equal society*, when referring to governmental bodies and documents.

<sup>5</sup> A number of political parties and non-governmental organizations critiqued the concept and the term used in the Act, *danjo kyōdō sankaku*, and suggested alternatives, such as Basic Act for Gender Equality and Act to Prohibit Gender Discrimination; see [http://www.gender.go.jp/about\\_danjo/law/kihon/situmu2-2.html](http://www.gender.go.jp/about_danjo/law/kihon/situmu2-2.html).

<sup>6</sup> Yoshihama, M. (2002). The definitional process of domestic violence in Japan: Generating official response through action-oriented research and international advocacy. *Violence Against Women*, 7, 339-366.

the government formulated the Basic Policy Concerning Measures for the Prevention of Spousal Violence and Protection of Victims, which has been revised along with revisions in the Act. It recognizes that spousal violence further worsens the economic vulnerability of women and hinders the actualization of gender equality.

The main legal tool of the Act has been the issuance of protection orders, which can require an abusive spouse not to approach his wife and others (e.g., accompanying minors) and to vacate the residence. The requirements to obtain a protection order are strict, and renewal can only be granted under strict conditions. The 2004 amendment expanded the duration of vacate orders from 2 weeks to 2 months. An unintended consequence of this change was that courts became hesitant to issue a vacate order as long as 2 months. The 2013 amendment expanded the scope of spousal violence to cover violence committed by an unmarried partner who shares the same residence with the victim. However, violence committed by an unmarried, non-cohabiting partner remains out of the eligibility criteria for protection orders under this Act. (Note: stalking by an unmarried, non-cohabiting partner can be covered by the Act on the Restriction of Stalking discussed below.) The Act also focuses on the provision of assistance primarily through public Domestic Violence Support Centers. The Centers' services can be used by victims of domestic violence, regardless of victims' marital or cohabitation status.

The Act and the Basic Policy are limited in several major ways. First is the lack of the human rights principle. The right to safety and violence-free life is a fundamental right of any human being. However, currently victims of domestic violence must seek safety by leaving home. Second is the lack of comprehensive measures to promote self-reliance. Specific provisions focus on emergency or otherwise temporary assistance;<sup>7</sup> virtually no measure addresses obstacles to self-reliance that are rooted in the social structure, such as the gender-based wage gap, the preponderance of non-regular worker status among women, and sexual harassment at the workplace. Unless these obstacles are removed, women's self-reliance cannot be achieved. An additional and perhaps most fundamental limitation of the Act is the absence of substantive measures to prevent domestic violence, although "prevention" is in its title. The Act focuses on the provision of information, assistance, and protection to the victim, with limited intervention directed at the perpetrators. Preventing domestic violence calls for eradicating root causes, which are deeply rooted in the very social structure supported by patriarchal ideology.<sup>8</sup>

### 3.2. Laws concerning Stalking

The Act on the Restriction of Stalking was enacted in 2000. Precipitated by the steady increase in the reported stalking cases, including lethal cases, the 2013 amendment expanded the category of stalking to include stalking via repeated email communications. The revised Act also expanded the jurisdiction of local public safety commissions and police over stalking cases. It

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<sup>7</sup> For example, provision of emergency shelter, cash assistance, assistance with job search, and job training; special arrangements for subsidized public housing; provision of guarantor; allowing an abused woman and accompanying minors to register for health insurance separately from her abusive husband.

<sup>8</sup> For example, Domestic Violence Chosakenkyukai. (1998). *Domestic violence: Otto/koibito no boryoku wo nakusutameni [Domestic violence: Towards the elimination of violence against women by husbands and boyfriends]*. Tokyo: Yuhikaku; Tsunoda, Y. (2001). *Seisabetsu to boryoku [Sexual discrimination and violence]*. Tokyo: Yuhikaku; Yoshihama, M. (2005). A web in the patriarchal clan system: Tactics of intimate partners in the Japanese socio-cultural context. *Violence Against Women*, 11, 1236-1262.

also strengthened the responsibility of the local police and public safety commissions to notify the victim regarding the issuance of a warning and a restraining order (and the reasons for denial for the request). The National Police Agency (NPA) has made efforts to improve the procedures to handle stalking cases, trained police officers to properly assess the degree of danger, required local police agencies to set up a special department with expert members. The number of arrests for stalking, albeit increasing over the years, accounts for less than 8% of all reported cases.<sup>3</sup> The prosecution rate for stalking has been lower than 50% since 2008.

### 3.3. Laws/Guidelines concerning Sexual Harassment

A combination of grassroots organizing, legal actions, and action research efforts helped problematize sexual harassment at the workplace in late 1980's. The first codification of sexual harassment in Japan was in the revision of the Equal Employment Opportunity Law (EEOL) in 1997, which recognized sexual harassment as a form of gender discrimination. The EEOL requires employers to establish necessary measures to prevent sexual harassment in the workplace and oblige the Ministry of Health, Labour and Welfare (MHLW) to establish guidelines. MHLW can make the name of the company that does not comply with the Law and guidelines public and/or impose a fine. Although the revised 2006 EEOL strengthened the employers' responsibilities for compliance, the 2009 CEDAW Concluding Observations<sup>9</sup> criticized current legislation for its insufficient punitive measures to enforce compliance.

### 3.4. Laws concerning Prostitution

The legal and social situation surrounding prostitution is filled with contradictions and loopholes. Three major laws concerning prostitution are: the Amusement Business Control Act of 1948, the Act on Prevention of Prostitution (Anti-Prostitution Act, hereinafter) of 1956, and the Act on Punishment of Activities Relating to Child Prostitution and Child Pornography and the Protection of Children (Child Prostitution and Pornography Act, hereinafter) of 1999.

The stated purpose of the Amusement Business Control Act is not to prohibit prostitution; in effect, the Act protects prostitution. This Act "regulates" the so-called sex industry, as well as other businesses considered to affect public morals and compromise the healthy development of young people, such as soaplands, strip clubs, and adult shops. The Act requires sex business establishments to register with the local authorities and regulates their operations (e.g., restricting business hours and location and prohibiting people under age 18 from entering or working there. Regulated (read: legitimized) under this Act, owners and managers develop creative sexual services within the legal confines of what counts as "prostitution." This kind of innovation flourishes in Japan.

The Anti-Prostitution Act defines prostitution very narrowly: sexual intercourse with an individual unknown to a prostitute and in exchange of money or exchange of promise of payment. This narrow definition provides many loopholes. For example, acts that do not involve intercourse are exempted. Or at a soapland (a registered business supposedly offering bathing and massage services), a customer pays for services that do not involve intercourse; if intercourse takes place, it is argued to have taken place between individuals who had become

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<sup>9</sup> Committee on the Elimination of Discrimination against Women (CEDAW). (2009, August). *Concluding Observations of the Committee on the Elimination of Discrimination Against Women, Japan*.

acquainted. Thus, their act is rationalized as not meeting the definition of prostitution. As seen in this kind of “creative” and convenient interpretation of the law, the Act’s narrow definition of prostitution prompts the development of innovative services, which become regulated (and thus legitimized) by the Amusement Business Control Act. The Child Prostitution and Pornography Act represents the first ever attempt to respond to the high prevalence of child prostitution and pornography in Japan. It defines prostitution more broadly than the Anti-Prostitution Act: sexual intercourse and any conduct similar to sexual intercourse. It is not limited to acts between unknown persons, as was the case of the Anti-Prostitution Act described above. Unlike the Amusement Business Control Act discussed above, the Child Prostitution and Pornography Act intends to prohibit prostitution. The 2014 amendment made the possession of pornography without intent to distribute punishable by law. However, the current legal definition of child pornography does not include video games or cartoons involving sexual violence against girls.

The Japanese government ratified the Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography in 2005. In addition, under the auspice of the Inter-Ministerial Liaison Committee on Crime Response, the Inter-Ministerial Liaison Committee on the Protection of Children from Crimes was established in 2005 and developed Measures to Protect Children from Crimes, which has been updated annually. In 2010, the Inter-Ministerial Liaison Committee on Crime Response developed Comprehensive Measure to Eradicate Child Pornography. While recognizing certain degrees of progress, the CEDAW Concluding Observations<sup>9</sup> strongly urged the Japanese government to ban the sale of video games or cartoons involving rape and sexual violence against women and girls, which currently falls outside the legal definition of child pornography.

It is clear that current legal response to prostitution in Japan is lukewarm at best. It condones prostitution and encourages new (and legalized) forms of prostitution. This compromises the rights of those in prostitution, but also affects women as a whole, for legalized prostitution sends a message that women are sexual objects and can be bought “legally.”

### 3.5. Laws concerning Trafficking

The Japanese government has developed several specific measures to combat trafficking, such as the adoption of an Action Plan on Measures to Combat Trafficking in Persons in 2004, the establishment of the Inter-Ministerial Liaison Committee on Trafficking in 2004, and the addition of new articles concerning trafficking in persons to the Penal Code in 2005. Since the adoption of the Japan’s 2009 Action Plan to Combat Trafficking in Persons, annual follow-up reports have been issued. However, trafficking of women remains prevalent in Japan. The CEDAW Concluding Observations<sup>9</sup> pointed out the lack of measures aimed at rehabilitating women victims of trafficking and the disparity in legal response because “prostitutes are subject to prosecution under the Anti-Prostitution Law while their clients do not face punishment.” In 2009, the UN Special Rapporteur on Trafficking in Persons also identified a range of issues that require immediate attention, including the lack of a comprehensive definition of trafficking in national legislation; insufficient efforts in the area of prevention; and the difficulty for victims in accessing needed assistance due to mis(under)identification of victims, lack of assistance programs that ensure confidentiality, and language barriers. The Special Rapporteur warned that without proper measures, the problem could go “underground.”

### 3.6. Law concerning Rape and Sexual Assault

Crimes of rape and forcible indecency are punishable under the Penal Code (Articles 176 and 177) enacted in 1907, over 100 years ago, predicated on the old Japanese Constitution, which was enacted in 1889. Some of the fundamental problems found in the current legal response to rape include: 1) the crime of rape is prosecutable only with a complaint; 2) the court seldom recognizes marital rape as a crime; and 3) predominant legal interpretation that a crime of rape requires a degree of force that is beyond a victim's ability to resist and that a victim must strongly resist the perpetrator's action. The 2009 CEDAW Concluding Observation<sup>9</sup> urged the Japanese government to eliminate the requirement of the victim's complaint in prosecuting sexual assault cases, to increase the statutory penalty, and to include incest as a specific crime.

## 4. Beijing +20: Assessment of Current Conditions and Visions for the Future

As reviewed above, while considerable advances have been made over the last 20 years, laws and policies concerning VAW in Japan remain limited in several important ways. Here, we highlight critical areas that require further efforts. The Strategic Objectives in Beijing Platform of Action required member nations to:

1. Take integrated measures to prevent and eliminate VAW.
2. Study the causes and consequences of VAW and the effectiveness of preventive measures.
3. Eliminate trafficking in women and assist victims of violence due to prostitution and trafficking.

As for Strategic Objective 1, the current policies and measures in Japan are not prevention-oriented. Prevailing focus is on the provision of emergency and temporary assistance to the victim, as seen in the Spousal Violence Prevention Act, and the definition of VAW is narrow as in the case of rape and (adult) prostitution. Despite acknowledgment that VAW is rooted in gender disparities, virtually no substantive measures have been implemented to address structural inequalities that render women vulnerable to violence, exploitation, and coercion in the first place. Echoing Strategic Objective 2, the CEDAW Concluding Observations<sup>9</sup> urged the Japanese government "to collect data and to conduct research on the prevalence, causes and consequences of all forms of violence against women ... and to use such data as the basis for further comprehensive measures and targeted intervention." However, studies conducted by the national and local governments tend to focus on documenting the public's attitudes toward and the prevalence of specific forms of violence. Enhanced efforts must be made to examine the causes of VAW, develop measures based on such analyses, and assess the effectiveness of prevention and intervention measures. Much remains to be addressed with respect to Strategic Objective 3. Legal loopholes leave the so-called sex industry to thrive, condoning (and in effect, legitimizing) diverse forms of prostitution. Video games, cartoons and other media that portray rape and various forms of VAW and girls remain outside of the legal definition of pornography. Along with broadening the definition of prostitution and pornography, the efforts to address the root causes of trafficking in women and prostitution thereby reducing and eliminating their vulnerability to exploitation are critically needed.

VAW is a violation of fundamental rights to bodily security and integrity. Any sexual act against one's will is a violation of human rights regardless of whether physical force was used. Laws and policies must be founded on the human rights principles. The prevention and elimination of VAW requires eradicating its root causes, gender inequity in all spheres.

## **E. Women and Armed Conflict**

NIWA, Masayo, JAWW (Japan Women's Watch)

### **1. The Statement by the Government of Japan at The Global Summit to End Sexual Violence in Conflict**

Nobuo Kishi (younger brother of Prime Minister Shinzo ABE), the then Vice Minister for Foreign Affairs, who attended The Global Summit to End Sexual Violence in Conflict held in London on June 12, 2014, gave an outstanding speech as the representative of the Japanese government in which he outlined Japan's many contributions to this goal. In Japan, the media reported that Angelina Jolie was one of the organizers of the Summit, but the content of Vice Minister Kishi's speech received insufficient media attention.

The position of the Japanese government is that these issues are occurring in the Congo, Somalia, Nigeria and in other countries, where sexual violence, such as rape, is being used as a weapon in armed conflict situations, and moreover, there is little change in the culture that forces part of the criminal responsibility on the victims while the impunity of perpetrators continues. It is necessary to ensure that those who are charged with crimes are brought to justice. He stressed that Japan has been focusing on strengthening the judicial systems of the countries involved in conflicts and on providing training and raising the awareness of the judicial personnel concerned. Japan is also making active contributions to the funding of these efforts, as in the past, and intends to strengthen these contributions in the future.

In addition, the Vice Minister stated, "Sexual violence is a crime. It is important to eliminate the culture of impunity against the perpetrators and to change our mindsets. As is stated in the preamble of the Declaration of Commitment to End Sexual Violence in Conflict, most of the victims of sexual violence in conflict are women. I believe that the acceleration of women's empowerment and promotion of women's full participation in politics, society and the economy must constitute a dynamic force for changing people's mindset."

Nevertheless, there are continuing concerns expressed in the international community about the current Japanese government's involvement in this issue. Naturally, Japanese women themselves are strongly voicing their view that it is rather the Japanese government that needs to change its mindset before involving itself with issues of other countries that require support.

### **2. Preparation of the Action Plan for Implementation of the UN Security Council Resolution 1325**

The Japanese government voted in favor of Resolution 1325 (the first Security Council resolution to clearly associate a means to realize the participation of women in a) the processes of conflict prevention and resolution and in b) the protection, rights and special needs of women in conflicts to the issues linking women with peace and security), which was passed in the UN Security Council in 2000. For more than ten years since that time, however, no start had been made on the formulation of an action plan for putting the Resolution into practice.

These issues are precisely connected with problems inherent in Japanese culture, and moreover, it would seem that this inaction has occurred because the government has been unwilling to recognize the huge unresolved question that exists before its very eyes. The work of formulating this action plan must be one that is undertaken jointly through cooperation between civil society and the concerned government ministries and agencies.

Finally, at the Foreign Ministers' meeting of the G8 held in April 2013, Foreign Minister Kishida announced that work was to begin on the formulation of the action plan. The true motive behind this appears to be that only two of the G8 member states, Russia and Japan, have not yet begun working on the action plan. The slogan of the Abe administration, "make women shine" was also an important driving force. The work is now in progress following strong demands for assured participation by civil society and sufficient time to be made available for the drawing up of an effective plan.

However, it has become apparent that there are several points on which a wide gap in awareness and understanding exists between the women who have responded to the call and are participating actively in the formulation process and the government, with the Ministry of Foreign Affairs in the central role. This concerns the basic principle of the action plan. That is, while the government of Japan, as a "developed nation," focuses on the elimination of the violence against women in countries where armed conflicts occur, women are calling for Japan to first prioritize efforts to resolve Japan's own problems. This issue consists of three main points: (1) the Self-Defense Forces, (2) the US bases in Japan, and (3) historical understanding.

### **3. The Self-Defense Forces**

Whether it be the transport of supplies or the protection of Japanese nationals, when Japan considers aid to countries involved in conflicts, this will be carried out by the Self-Defense Forces. We need to ask to what degree the Self-Defense Forces are aware of the problem of violence against women.

In 2006, a female member of the Self-Defense Forces, who was working at a Japan Air Self-Defense Force (JASDF) communications base in Hokkaido, was sexually abused by a senior male. When the woman denounced the attack, because she was startlingly encouraged to retire, she filed a state redress suit against the government. The trial drew a great attention due to the involvement of a woman on active duty within the Self-Defense Forces and the fact that suffering caused by sexual violence and the reality of the handling of the case within the Forces had been made a matter of public scrutiny.

In 2010, four years later, the court recognized the suffering to the female plaintiff caused by sexual violence and clarified that while the process leading up to the occurrence of the suffering was atrocious, the ensuing handling of the case had been especially unlawful. In what can be considered to have been a total victory for the plaintiff, the verdict stated, "The Self-Defense Forces, a group that exists for the purposes of combat, is an organization in which there is an overwhelming internalization of the chain of command," and recognized that by its very nature there is a disposition for the frequent occurrence of bullying and violence. If that is so, then the organization must bear the duty to ensure that undue harm does not occur, that consideration is given for an environment in which new personnel and the small number



of female personnel can continue to work in comfort, and that victims are protected from further disbenefits. However, neither a fact-finding investigation nor sufficient efforts for positive improvements were implemented, resulting in further cases of harm, some of which are currently pending in court. Reports of horrendous bullying against male personnel are also continuing without end.

The courts and police investigations have also clearly shown that training courses are no more than mere formalities. In order to aim for realization of the notion that “sexual violence is a crime, and it is important to eliminate the culture of impunity against the perpetrators and to change our mindsets,” it is first necessary to make robust efforts, for example, to strive to redress gender disparities, implement effective gender-sensitive training and review all kinds of regulations, including those relating to sexual harassment within the Self-Defense Forces.

#### **4. US Bases in Japan and Violence against Women**

The violence against women perpetrated by the existence of US bases in Japan and the military personnel stationed in them is a pressing issue that Japan needs to take action on. Of the US bases in Japan, 75% or more are concentrated on Okinawa. Even since the return of Okinawa to Japan in 1972, over 5,000 US service personnel, army civilian employees and their families have been arrested under violations of the criminal code. It is said that there are at least 20 times that number of persons who have committed criminal offences, but who have returned to the US or have remained on Okinawa without their crime being questioned or without them being arrested. This is largely due to the unequal nature of the US-Japan Status of Forces Agreement (SOFA). It is impossible to attain equality between people, as provided for in the Constitution of Japan, under a situation where SOFA is seen to be placed in a position superior even to the Constitution. The case of sexual violence against a girl by three US soldiers that occurred just as the UN World Conference on Women was being held in Beijing in 1995 received massive attention, and the governments of both countries promised that they would definitely make changes on the ground, but in fact nothing is being done.

The establishment of an effective method of dealing with the relations with such military forces stationed in Japan, including those on Okinawa, should be aimed for as a goal of the Resolution 1325, but that would not be sufficient. The large US military presence on Okinawa is the consequence of 20<sup>th</sup> century wars, and with this situation still continuing to this day, many people consider that it is hard to say that the conflict has been resolved. To the extent that the action plan does not make a sincere attempt to deal with this issue, it will be impossible to implement a transformation of the current situation in Japan.

#### **5. Encouraging People to Transform their Mindsets**

The issue of historical understanding is crucial in the aim for an effective realization of Resolution 1325 that “eliminates the culture of impunity against the perpetrators and changes our mindsets.”

The international community is currently focusing a great deal of attention on the Japanese government. The reason is that the Japanese government is ignoring a large number of UN human rights recommendations, defiantly claiming that it has no obligation to observe

them, and, furthermore, is even trying to advance along the outrageous path of attempting to modify the preliminary report submitted by the Special Rapporteur on violence against women, its causes and consequences, Ms. Radhika Coomaraswamy, in accordance with the Commission on Human Rights resolution 1994/45.

Regarding the issue of “comfort women,” there is a campaign being stirred up recently that claims that the whole issue stems from a fallacious scoop article in the press and thus there never was any “comfort women” issue in the first place, and even if there were some incidents that went too far, these have all now been resolved. On the contrary, the “comfort women” issue is an historical injustice committed by Japan, and a serious fact concerning violence against women in wars and conflicts.

The victims themselves are raising their voices for Japan to recognize these facts and make sincere apologies and reparations. These ongoing issues must be tackled squarely and in a manner that will satisfy international assessments. We may say that a full recognition of the facts and the very act of taking responsibility for one’s past actions will show us how to eliminate the culture of impunity and change our mindsets.

It is unfortunate that while it is now 107 years since the provisions for punishment of sexual violence under the criminal law were codified they remain unchanged, and that there has been no alteration in the provisions that view sexual violence as an infringement against women as part of the assets of the *ie* (a household characterized by the traditional patriarchal structure). This has simply been left as it is without any active attempt to encourage people to transform their mindsets.

The international community’s trust in Japan will not be restored if Japan continues to preoccupy itself with interceding in countries with armed conflict situations on the basis of the implementation of Resolution 1325 and the formulation of the action plan while the inherent issues of Japan remain unchanged. Since we now have this wonderful opportunity before us, I strongly urge that we make every effort to rectify the false historical understanding and contribute to the transformation of people’s mindsets.

## F. Women and the Economy

OSAWA, Mari, The University of Tokyo

### 1. Gendered employment performance

From a “Women and Economy” point of view, one of the most remarkable changes since the mid-1990s is that the average wage has been significantly declined in Japan, while it has increased in other major industrialized economies. In Japan this change is certainly a gender issue as explained below. Figure 1 compares trends of compensation per employee in the private sector (indices at 1995=100) for G5 nations (France, Germany, Japan, the UK and the US) and Denmark and Korea, showing that only in Japan it has declined to about 90 in 2009.

If you ask whether the regular male workers of Japan in their prime earning years, who have the greatest employment security, have seen their pay checks dwindle as much as other groups, the answer is evidently no. Trends in average designated wage (base wage without overtime pay) levels are functions of three factors - changes in the base salaries of regular, full-time workers, who are predominantly male in Japan, changes in the base salaries of part-time workers, who are predominantly female, and the percentage of part-time workers among employees. The base salaries of regular, full-time workers rose from 1997 to 2002, has not declined since then. The median hourly wages of female part-time workers stayed at around 70% of female full-time workers, and at lower than 50% of male full-time workers. We can therefore conclude that the overall decline in average nominal wage resulted from the rising share of part-time workers, primarily among women, and to a certain extent among young men, which is shown in Figure 2-1 and 2-2.

Figure 3 shows trends of male/female ratio of total wage, a gendered outcome of employment performance, in G5 and some other countries. The earning power of Japanese women relative to that of men is quite low and has not improved. The figures have been low even compared with Korean women since the early 1990s.

### 2. An economic and financial system vulnerable to shocks

The *2010 Annual Report on the Japanese Economy and Public Finance* (hereafter, Cabinet’s Annual Report) mentioned that the government’s fiscal activities have a “built-in stabilizing” function. More specifically, this stabilizing function works as follows. When the economy is on an upward swing, the progressive taxation system increases tax revenues at a rate faster than GDP growth, keeping the economy from overheating. When the economy is on the decline, on the other hand, tax revenues decrease at a rate faster than the drop in GDP, while government expenditures expand as a result of increases in payouts of unemployment and other benefits, putting a brake on the recessionary trend.

As a proxy for such built-in stabilizing function, counter-cyclical function in other words, the Cabinet’s Annual Report adopts the revenue (inclusive of both tax revenues and social insurance premiums) as a percentage of nominal GDP, and finds that Japan’s revenue was the smallest among advanced countries in 2006-07 (Cabinet Office 2010: 1-6-07).

The Cabinet’s Annual Report should, however, have examined progressivity of government’s fiscal activities at the same time, because it seems that large-scale annual

revenue would help the economy become resilient to fluctuations, only when the fiscal policy is redistributive, or progressive enough. It has actually been revealed by the OECD *Taxing Wages* report in 2013 that the personal income tax scheme as well as the tax wedge (sum of personal income tax and employee plus employer social security contributions together with any payroll tax less cash transfers, expressed as a percentage of labor costs) in Japan has almost the lowest progressivity among major OECD countries, as shown in Figure 4.

Japanese public finance was thus in the polar opposite situation to the hypothesis of built-in stabilizing function, and it is not “beyond anticipation (*souteigai*)”, albeit it “shocking”, that Japan’s GDP was more seriously affected by the Lehman shock than that of other advanced countries.

### **3. Unfavorable redistribution for the poor and households where all adults are working**

In Japan’s small revenue, however, social security contributions has grown continuously to reach the same level with Sweden in 2010, which imposed heavier burdens on lower income earner (predominantly female), since those contributions have very regressive nature. This is partly because some of the social insurance contributions (or a portion of them at the least) are charged at a flat rate irrespective of the insured person’s income (e.g., a National Pension contribution paid by a Class 1 insured person, and the monthly flat premium for the National Health Insurance plan) and also because social insurance contributions are not fully proportional to the insured person’s income as a result of the imposition of a contribution cap, of the “maximum monthly standard remuneration”.

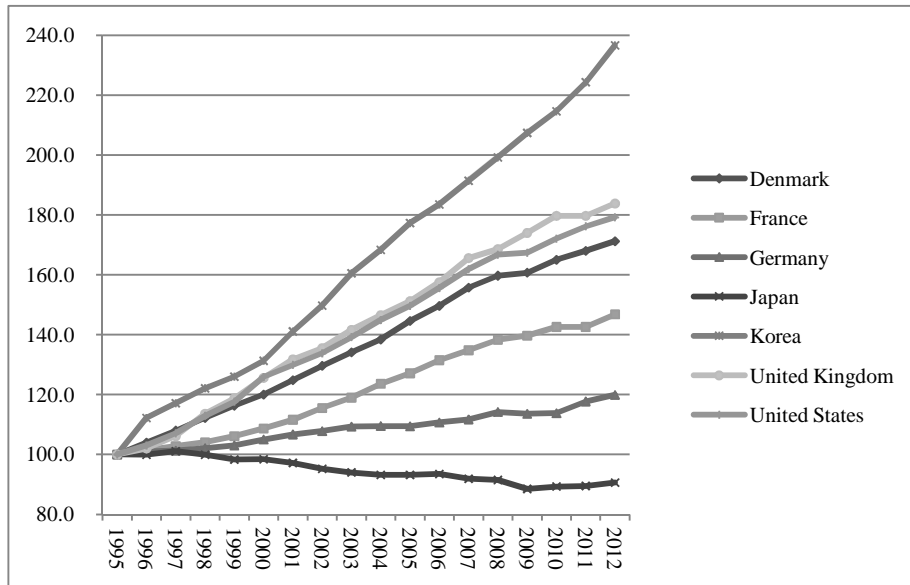
In other words, the manner in which social security contributions (or government revenues) are collected in Japan has grown increasingly unfavorable for low-income earners, who are predominantly female, over the last two decades, and this has diminished both the economic stabilization function built into the government’s fiscal activities and the income redistribution function. In parallel with these developments, the rate of increase in social security benefit payouts was strictly curbed, especially since fiscal 2002 until 2008.

Japan’s poverty reduction rate for the working-age population, achieved through the redistributive mechanisms of the tax and social security systems, was the lowest among OECD countries. The situation in Japan is unique not simply because of Japan’s low poverty reduction rate, but moreover, contrary to the widespread understanding of income redistribution as a means of reducing poverty, redistribution in Japan is “reverse-functional” in the sense that it ends up increasing the poverty rate for certain groups among working-age population (and children). The OECD’s *Employment Outlook 2009* has made a very informative disaggregation of working-age population from a gender perspective, which are population in households where all adult members are working (dual income couples with or without children, single working parents and single working individuals) and those where only one of the couple is working (with or without children). Through this data, we come across the following astounding reality about income redistribution in Japan: only in Japan does the poverty reduction rate for households where all adults are working actually take on a negative value at -7.9% (OECD, 2009: Figure 3.9).

These points clearly highlight the fact that, among OECD countries, Japan’s livelihood security system is by far the most oriented around the male-breadwinner model (to the detriment of dual-earning households and single-adult households), and that this orientation is attributable

not so much to institutions and practices in the private sector, employment practices for instance, but to the redistribution undertaken by the government through taxation and social security. This state of affairs was brought about by the revisions of the tax system and “structural reforms” in the social security system starting in the early 1990s, that is during the Beijing+20 period.

Figure 1: Compensation per employee in the private sector (1995=100)



Source: OECD.StatExtracts.

Figure 2-1: Trends in proportion of non-regular workers among employees, female

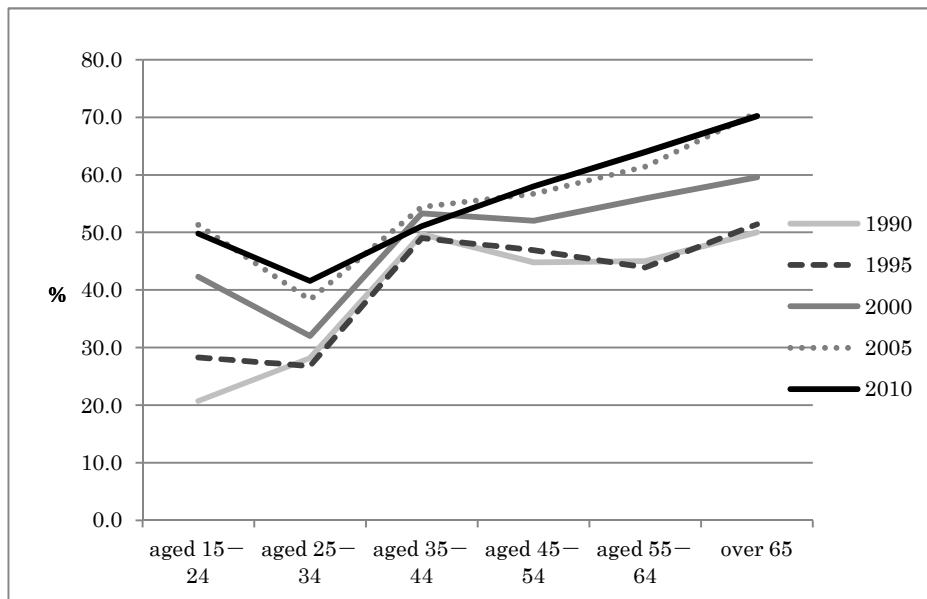
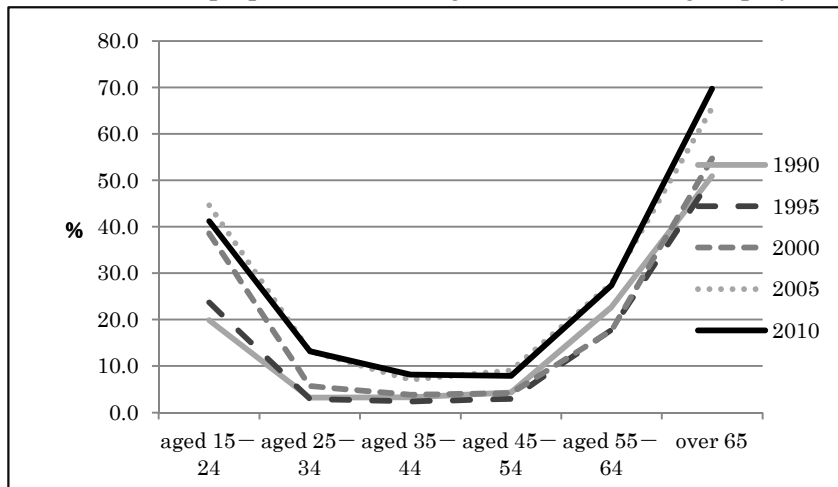
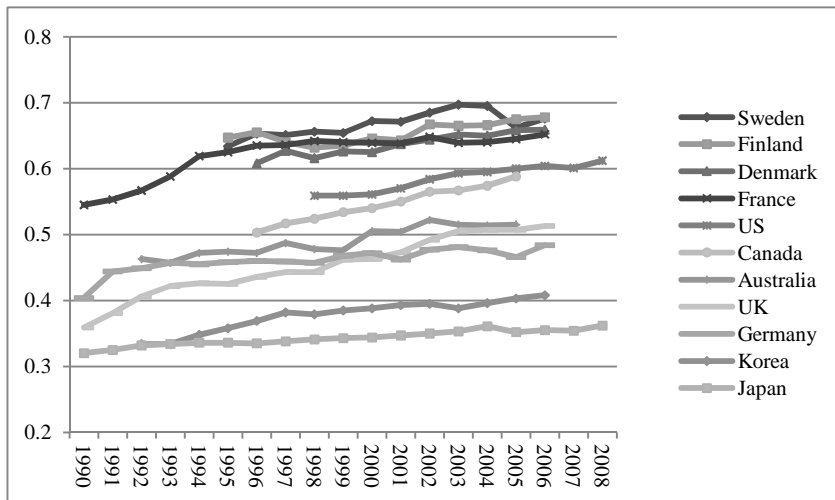


Figure 2-2: Trends in proportion of non-regular workers among employees, male



Source: Labor Force Survey (the Special Survey and the Detailed Tabulation)

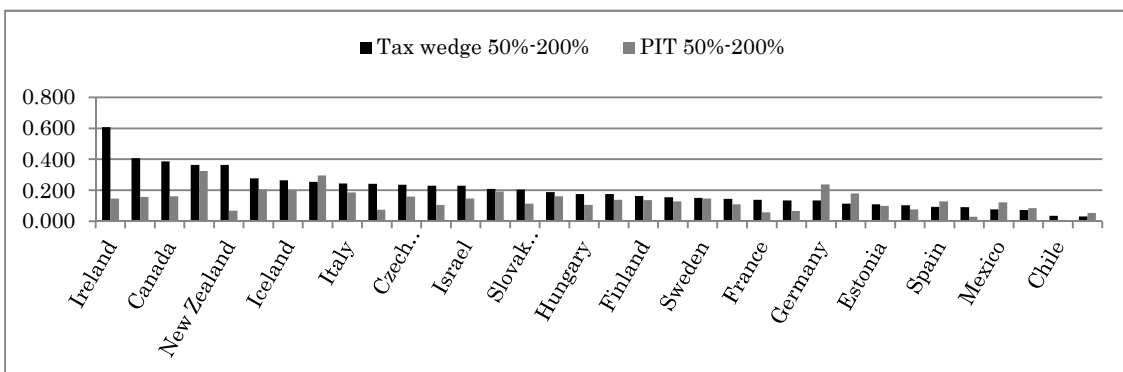
Figure 3: Trends of the male/female ratio of total wage



Note: Total wage = number of employees × working hours × hourly wage

Source: Cabinet Office, 2010 White Paper on Gender Equality, data in section 4

Figure 4: Average rate progression for one-earner married couples with 2 children, 2011



Source: OECD Taxing Wages 2013, Special Feature

## G. Women in Power and Decision-making

MIURA, Mari, Sophia University

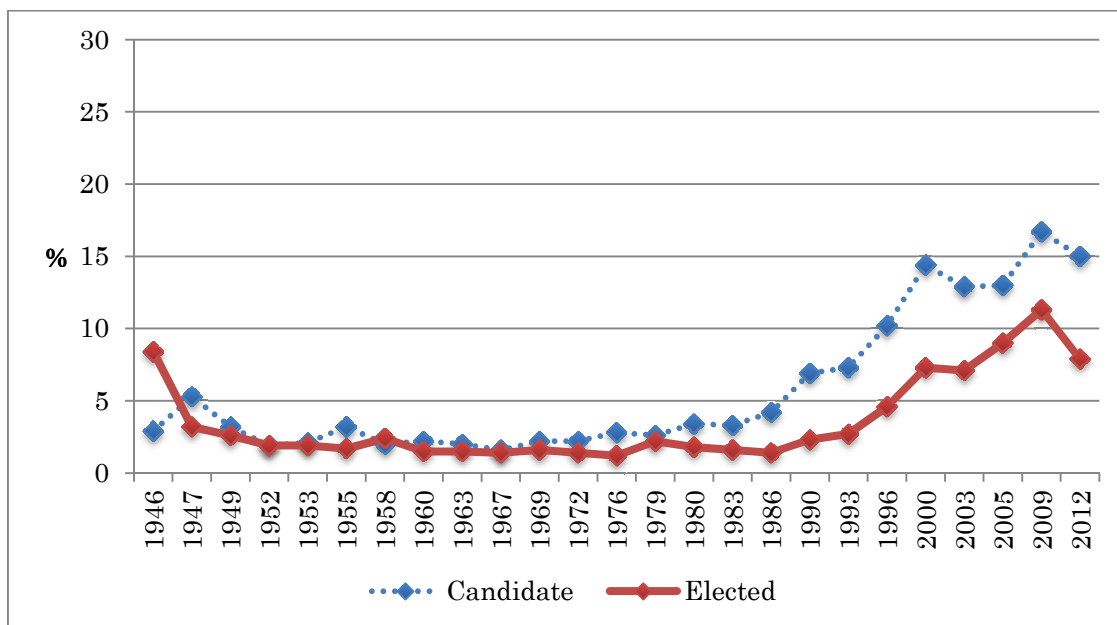
Women's presence in the decision-making bodies is extremely low in Japan, which significantly pushes down Japan's Gender Gap Index (GGI): the 105<sup>th</sup> among 136 countries (as of 2013). The Japanese government sets the goal of achieving 30% of women's ratio in leading positions in both public and private sectors by 2020, upholding the slogan of 202030 or "30% by 2020." The second Abe Shinzo cabinet (2012-present) shows its commitment to this goal and gives a high priority to women's policy under the slogan of "society in which women shine." Although the government sets many numerical targets, it remains to be seen as to whether such a soft approach without coercive measures brings about concrete results.

### 1. Women in Politics

The extremely low level of women's representatives in Japan is the upmost factor that drove its GGI score down. The women's ratio in the Lower House is 8.1%, and 16.1% in the Upper House (as of August 2014). According to the Inter-Parliamentarian Union (IPU) which issues monthly world rankings of women's ratio in the Lower House, Japan ranks at 132nd among 184 countries (as of May 2014).<sup>1</sup> Japan is basically one of the bottom 30 countries in this regard.

Although Japan's international ranking is low, women representatives have steadily increased in the past. Graph 1 shows the trend in the Lower House and Graph 2 that in the Upper House.

Graph 1: The Ratio of Women's Representatives at the Lower House

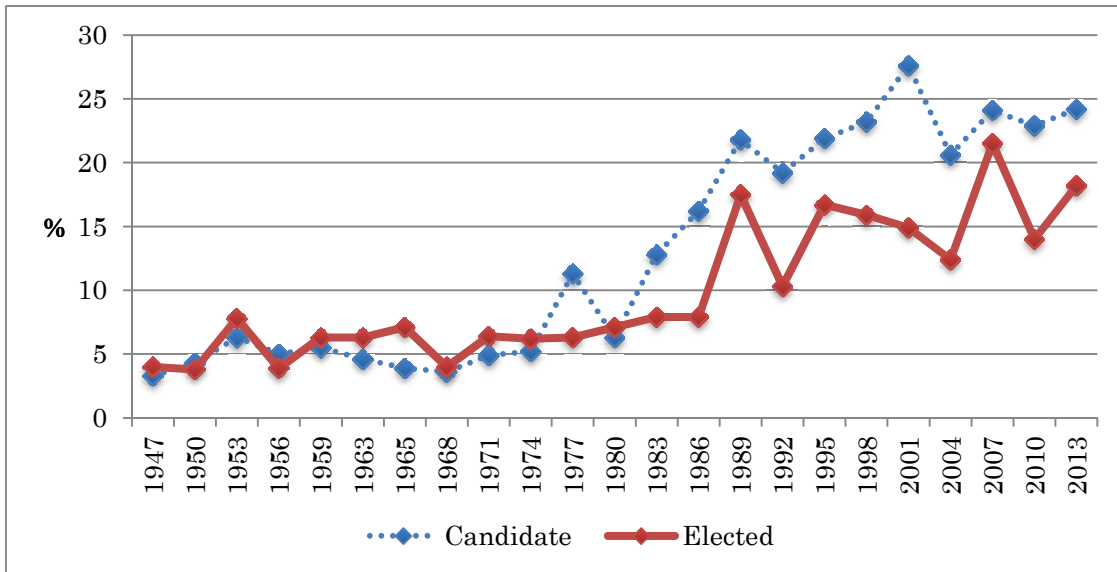


Source: Source: Cabinet Office, *White Paper on Gender Equality*, 2014.

Both show the steady rise of women candidates and representatives in the past decades. In 2009, the ratio in the Lower House for the first time exceeded 10%, reaching 11.3%. In the Upper House, the ratio went over even 20% in 2007. Political parties have constantly endorsed women's candidates since 1989, at least securing 20%.

<sup>1</sup> IPU (<http://www.ipu.org/wmn-e/classif.htm>), last accessed on August 10, 2014.

Graph 2: The Ratio of Women’s Representatives at the Upper House



Source: Cabinet Office, *White Paper on Gender Equality*, 2014.

With respect to the local governments, the situation is worse than the national level. Women’s ratio is only 8.7% at the prefectural assemblies and 13.1% at the municipal assemblies. 40% of town and village assemblies do not include even a single woman.<sup>2</sup> In many other countries, women tend to gain more seats at the local levels than the national level, but this does not hold true in Japan. Patriarchal political culture still dominant in local communities and homosocial networks effective for vote mobilization seem to discourage women from running for elections.

These data clearly indicate that attaining “30% by 2020” is unrealistic, unless Japan drastically changes its approach.<sup>3</sup> The government investigated the usefulness of positive action measures and now asks political parties to contemplate the possibility of candidate quotas (this intervention was authorized by the Third Basic Plan for Gender Equality issued in 2010).

The response from the civil society has recently become more visible. In 2012, major women’s organizations created Group Q (Group to Promote Quotas), and this group hosted a symposium at the Diet member’s building on the women’s day of 2014, inviting representatives from all the parties. The acting secretary general of the Democratic Party of Japan proposed to set up a caucus for women’s quotas, which led to the birth of the Caucus to Promote Women’s Participation and Involvement in Politics in October 2014.

The civil society is now more concerned with the low level of women representation partly because a woman member of the Tokyo metropolitan assembly, Ayaka Shiomura, was subjected to sexist heckles while speaking about the necessity to support childrearing in June 2014. One shouted “you should get married as soon as possible,” while another asked if she was not able to bear children. The incident drew widespread criticism, accumulating over 80,000 petitions within several days through an internet base petition tool, Change.org., to demand the Liberal Democratic Party to identify and punish the hecklers. After initial denial, a male councilor eventually admitted and offered her a public apology. A thorough investigation was ruled out before the rest of the hecklers were unidentified. *Minna no To* (Your Party) to which Ms. Shiomura belongs to, announced in July that it would introduce 25% quotas for its

<sup>2</sup> Cabinet Office, *White Paper on Gender Equality*, 2014.

<sup>3</sup> The Third Basic Plan for Gender Equality sets the goal of achieving 30% of women’s ratio at the level of candidates, not elected officials.



candidates in all levels of elections. The low presence of women in parliaments, it stated, led to sexual harassments, which urged it to take a visible step forward toward promotion of women.

## 2. Women in Government

Compared to increasing women candidates in elections which is essentially up to the decision of political parties, it is relatively easy to attain “30% by 2020” in the government. The ratio of women among central government official entrants is 26.8% (as of 2013) and that of Advisory Councils is 34.1% (as of 2013).<sup>4</sup>

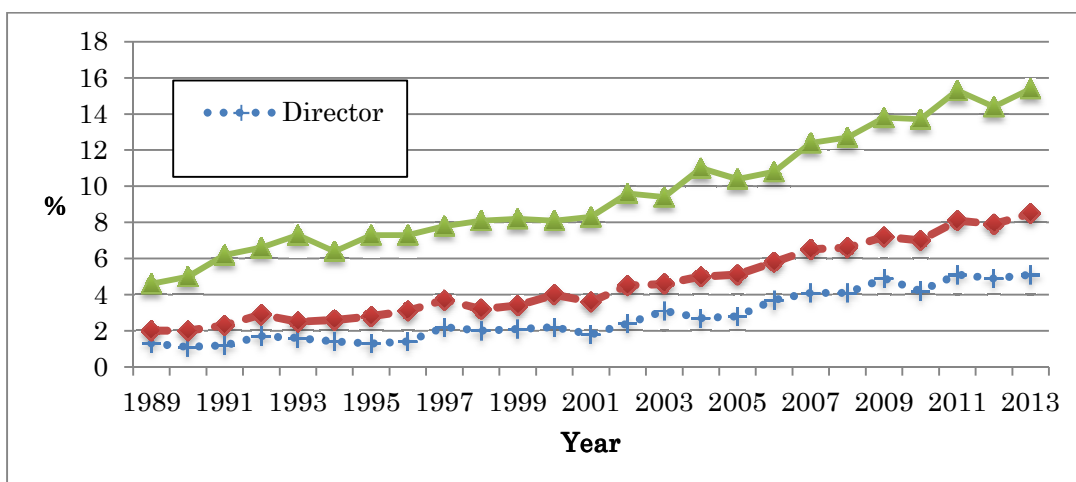
The challenge lies with respect to increasing women officials at higher rankings. Only 2.9% are women at the level of section chief and 1.7% at the level of vice minister and equivalents. Prime Minister Shinzo Abe actively appointed women at senior positions such as prime minister’s secretary, vice minister of the Ministry of Health, Labour, and Welfare, president of National Personnel Authority, director generals at the Ministry of Economy, Trade, and Industry, the Ministry of Foreign Affairs, the Ministry of Justice, as well as the Ministry of Health, Labour, and Welfare. It remains to be seen if his successors also continue to appoint women at important positions.

Notoriously long working hours in the central government have prohibited women from pursuing a fast stream career track. Responding to Abe cabinet’s policy to accelerate women’s appointments, six women’s bureaucrats handed a proposal to the newly established Cabinet Personnel Bureau to change the way in which work is done and evaluated in the government. It is customarily bureaucrat’s role to prepare ministers’ answers to questions in the Diet. Since opposition parties often disclose their questions only in the last minutes, bureaucrats are compelled to stay late during parliamentary sessions. The relationship between bureaucrats and politicians (both ministers and the Diet members) needs to be scrutinized in the light of work and life balance among central government officials.

## 3. Women in Business

Women’s ratio in managerial positions in the private sector is 11.2% (as of 2013). Graph 3 shows the ratios of women in three managerial positions: subsection chief, section chief, and director. The higher up the position goes, the fewer women are appointed. Women’s share is only 5.1% at the director level.<sup>5</sup>

Graph 3: Women’s Ration in Managerial Position



Source: Cabinet Office, *White Paper on Gender Equality*, 2014.

<sup>4</sup> Cabinet Office, *White Paper on Gender Equality*, 2014.

<sup>5</sup> Cabinet Office, *White Paper on Gender Equality*, 2011.

As far as board members among 3,068 companies whose shares are listed in the stock markets are concerned, it is only 1.2%.<sup>6</sup>

In 2013, in order to increase the number of women in managerial position, Prime Minister Abe requested major business organizations to include at least one woman in the board. Consequently, *Keidanren* (Japan Business Federation) called on its member companies to formulate voluntary action plans by the end of 2014 to appoint more women as managers and board members.

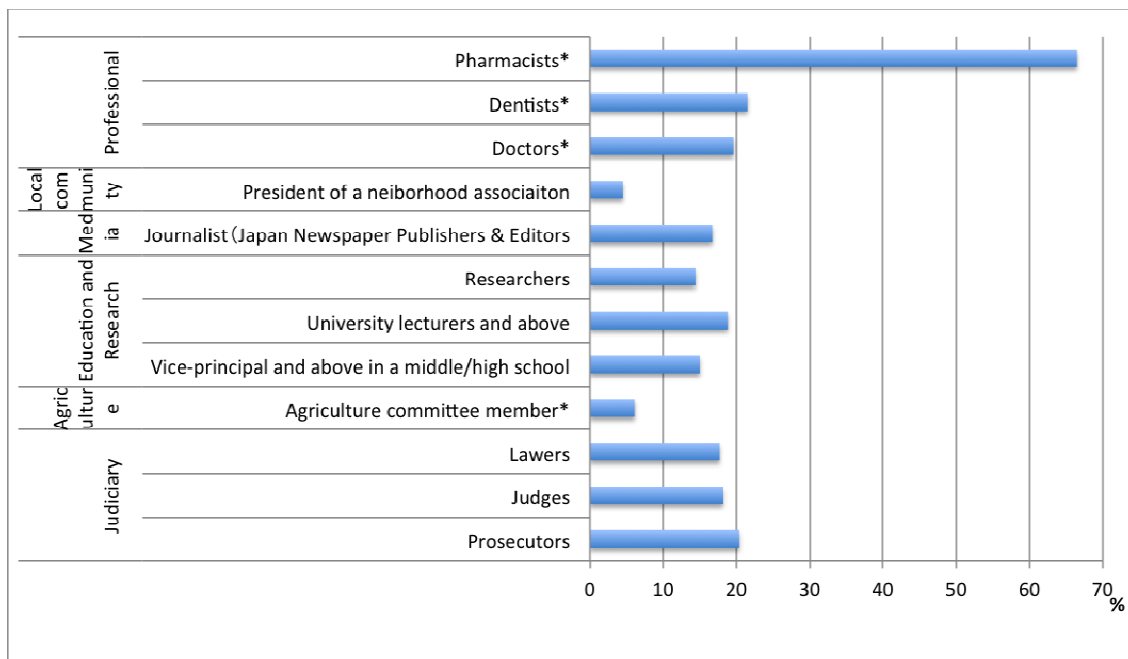
#### 4. Other Indicators

Let us briefly look at women’s ratios in other professions (Graph 4). Pharmacists supersede the 30% goal and so do the government’s advisory councils. All the prefectural councils for disaster prevention now contain at least one woman. The ratio varies from 40% to 1.7%, which suggests the importance of political initiative.

In order to increase women in leading positions, the government should give a higher priority to the elimination of barriers for women to continuously work after childbirth. Only 38% of women stay in workplace after giving birth to their first child. The situation has not improved since 2005.

Again, as is the case for the promotion of women bureaucrats, the reconciliation of work and family responsibility both for men and women is the key to achieve gender equality at workplace. However, the government is reluctant to enforce effective measures to reduce working hours. On the contrary, it aims to introduce a new working hour regulation that allows employers to exempt from paying overtime payment to employees above a certain income threshold. Once overtime payment is abolished, it is more likely that employees are forced to work even for longer hours. The Japanese government needs to be more aware of contradictions between policies. Integrated approach is thus necessary, bringing all the relevant policies together and evaluate their effects and counter-effects as a policy package.

Graph 4: Women’s Ratios in Professionals and Other Indicators



Source: Cabinet Office, *White Paper on Gender Equality*, 2014.

<sup>6</sup> Cabinet Office, *White Paper on Gender Equality*, 2011.

## **H. Institutional Mechanism for the Advancement of Women**

MIURA, Mari, Sophia University

The report focuses on the national machinery for gender equality and gender mainstreaming, which are the main institutional mechanism for the advancement of women.

### **1. The National Machinery for Gender Equality**

The national machinery for gender equality in Japan consists of the three organizations.

- Headquarters for the Promotion of Gender Equality
- Council for Gender Equality
- Gender Equality Bureau, Cabinet Office

The headquarters chaired by the Prime Minister promotes the smooth and effective implementation of gender equality measures, while the Council for Gender Equality, comprising of 12 ministers and 12 experts, is required to submit to the Prime Minister its opinion on the Basic Plan for Gender Equality. It is also required to study and deliberate on basic policies and measures, as well as important matters with respect to promotion of the formation of a gender equal society. Finally, it also monitors the implementation status of government measures and surveys the impact of government measures on the formation of a gender equal society. Expert committees under the Council assist the above functioning of the Council. Finally, Gender Equality Bureau of the Cabinet Office serves as the secretariat for the Headquarters for the Promotion of Gender Equality, the Council for Gender Equality, as well as the Liaison Conference for the Promotion of Gender Equality.

The government announced in September 2014 that the Headquarters for the Promotion of Women's Active Participation would replace the Headquarters for the Promotion of Gender Equality. At this point, it is uncertain as to what form the new regime of national machinery will take and how much gender equality norm would be promoted under the new regime.

The national machinery has been located at the highest level of the government. It is designed to be accountable to the Prime Minister, which makes it susceptible to varying degrees of political commitment of the Prime Minister and the ruling party. In 2013, Prime Minister Shinzo Abe appointed as a member of the Council for Gender Equality a scholar who criticizes sex education programmes that include women's reproductive rights and promotes a rather conservative view of motherhood. Civil society organizations expressed their concerns that gender equality policy could be compromised by such an appointment. It is important to carefully monitor the process and content of the Fourth Basic Plan for Gender Equality that is scheduled to be formulated in 2015.

At the local level, authorities are required to enact an ordinance on the promotion of the formation of a gender equal society. All prefectures except one (Chiba) and all designated cities have enacted the ordinances. 31.3% of cities, town, and villages have done so (as of 2013). Formulation of an ordinance at the local level invited a political backlash in some cases, thereby producing a controversial ordinance in the case of Ube City, Yamaguchi prefecture, and blocking the enactment in itself in the case of Chiba prefecture (the backlash movement

began in the early 2000s and peaked in the middle of the 2000s.). It is thus crucial to carefully investigate the actual implementation status of gender equality programmes at the local level.

The rise of the grass-root backlash movement suggests the limitation of top-down approach led by the national machinery. First, the national machinery needs to reinforce the linkage with civil society organizations. Although the national machinery regularly consults with major NGOs and includes NGO representatives in the Council for Gender Equality and the expert committees, partnership between the two parties need to be further fortified, because civil society organizations can strengthen the position of the national machinery vis-à-vis conservative groups and politicians.

Secondly, the national machinery needs to reach out to lay people in the society. Gender equality perspectives have not sufficiently penetrated into Japanese society, which laid the foundation for the rise of backlash movement at the local level. The top-down approach risks creating an image that gender equality is an elite project thereby blocking the smooth implementation of gender equality programmes at the local level. The national machinery needs to ensure that women and men of all categories benefit from gender equality policy. Civil society organizations are able to assist in this regard to raise the awareness of the general public as to the relevance of gender issues in their lives.

## **2. Gender Mainstreaming**

Beijing Platform for Action added a new focus for national machineries: the mandate to support mainstreaming of a gender-equality perspective in all government policies and programmes. The Council for Gender Equality as well as the Gender Bureau are the gender coordination unit located at the highest level of the government. Yet, the mainstreaming of gender issues is still under way, partly because tools to assist gender mainstreaming have not been fully used.

### **(1) Basic Plan for Gender Equality (2000, 2005, 2010)**

The government formulates the Basic Plan for Gender Equality every five years, which functions as a coordinating process of gender mainstreaming. It has so far issued three Basic Plans in 2000, 2005, and 2010. The contents of the Basic Plans reflect the political commitment of the Prime Minister and the ruling party. The Second Plan was regressive since it was formulated when the ruling party, the Liberal Democratic Party, was orchestrating an anti-gender equality campaign. It set as many as 42 gender performance indicators, but a paragraph on reproductive health/rights as one of the health issues to be addressed by the government was deleted. The definition of “gender” was limited to “social developed gender,” as the phrase “culturally developed” was erased. The term “unpaid work” used for domestic chores that should be examined through a Basic Survey on Social Life was also dropped.

In contrast, the Third Basic Plan is the richest among the three Basic Plans mainly because it was formulated under the Democratic Party of Japan (DPJ) government (initially allied with Social Democratic Party and People’s New Party) and the then Ministers of Gender Equality were committed to gender equality. The terms such as reproductive health/rights and unpaid work, which were deleted in the Second Plan, reappeared and the definition of gender returned to “social and culturally developed.” Moreover, it extended the coverage to include, for instance, benefits of gender equality for men and children, women and men facing poverty,

gender equality in local communities, and respect to international norms. It also promoted effective use of positive action measures in order to achieve 30% of women's ratio in leading positions in all areas of society. (The goal was set in 2003.)

Civil society organizations keep a close eye on the formulation process and content of the Fourth Basic Plan for Gender Equality (scheduled in 2015). It is particularly important that following issues continue to receive government's support: policies toward the most vulnerable, women's reproductive rights, and education on reproductive health/rights.

## (2) Gender Budgeting

The Japanese government has not yet implemented gender budgeting. Instead, the Gender Bureau compiles budgets related to the implementation of the Basic Plan for Gender Equality. As each ministry assumes a direct responsibility to make a budget, the role of the Gender Bureau is limited to putting together budgets made and used by each ministry. Budget data are not presented in a way that NGOs can assess a chronological trend or apply gender budget analysis. Budgeting process needs to be improved so that NGOs are able to monitor outputs and outcomes of budgets from a gender perspective.

Table 1 shows the total amount of budgets allocated to the implementation of the Basic Plan for Gender Equality. It may appear that the budget jumped from 4.5 trillion yen in 2007 to 7.7 trillion yen in 2014, but the coverage is not consistent over time. A major increase took place in 2010 because the Third Basic Plan for Gender Equality enlarged the coverage of gender equality programmes and childcare policy also expanded at that year due to the birth of the DPJ government which committed to "children first" policy. The increase in 2013 resulted from the inclusion of budget related to reconstruction from the Great East Japan Earthquake.

Table 1: Budgeted for the Implementation of the Basic Plan for Gender Equality

Fiscal Year	Amount (Unit: million yen)
2014	7,731,000
2013	7,357,000
2012	6,325,000
2011	6,721,000
2010	6,111,000
2009	4,271,000
2008	4,158,000
2007	4,552,000

Source: Gender Equality Bureau, Cabinet Office

([http://www.gender.go.jp/about\\_danjo/yosan/#yosan\\_20](http://www.gender.go.jp/about_danjo/yosan/#yosan_20)), last accessed on August 10, 2014.

In order to facilitate assessment of the differential impact of budgets on women and men, the government should provide gender disaggregation of budgetary outlays. Such process is supposed to raise awareness of officials with respect to the differential impact of seemingly gender-neutral budgetary decision-making. Moreover, gender audit needs to be introduced, requiring ministries and agencies to assess benefits of their budget implementations to women and men. Such process would reveal differential allocation of resources to women and men

thereby raising awareness of officials and the general public.

### (3) Gender Statistics

Gender statistics are supposed to adequately reflect differences and inequalities in the situation of women and men in all areas of life. Data need to be collected and presented disaggregated by sex. The Third Basic Plan for Gender Equality stipulates that the government should investigate an appropriate way of statistics to objectively capture the situation in which men and women are put into. It also stipulates that the government should collect data disaggregated by sex as much as possible and present and assess numerical goals disaggregated by sex.

In 2013, the government conducted a survey as to the status of gender-disaggregated statistics on 114 indicators that the government uses to implement basic plans and outlines. It turned out that 77 indicators collect and present gender-disaggregated data, but 33 indicators do not even plan to compile data disaggregated by sex.<sup>1</sup> It is an improvement that the government investigated the current state of gender statistics in Japan. NGOs need to continuously give pressure to the government to employ gender statistics in all areas.

Another area worth mentioning is data on the status of women in private companies. Cabinet Office collects and discloses data through its website as to the extent to which each company promotes women's participation and advancement<sup>2</sup>. This visualization project aims to cover all the 3,552 companies that are listed in the stock markets. Customers, investors and job seekers are now able to evaluate companies' practices with respect to the advancement of women. As the business community does not welcome the enforcement of quotas, they preemptively disclose data on the status of women and make their own action plans. Surveillance of and continued pressure from the civil society are thus crucial to make use of newly available information for the interest of women.

Availability of data regarding women's situations in major private companies is welcoming, but it should be also noted that the government conducts such policy under the initiative of Prime Minister Shizo Abe who commits to creating "a society in which women shine." Instrumentalization of women for the purpose of economic growth might produce a favorable environment for some career-oriented women, but NGOs need to carefully monitor whether the objective of gender equality is not sidelined, especially for women in vulnerable positions.

### 3. Future Task

Cooperation with mass media to raise public awareness regarding the benefits of gender equality needs to be further developed. Outcomes of the major United Nations Conferences hardly drew attention of mass media, thereby leaving general public uninformed on international agreements regarding women and gender equality or CEDAW recommendations to the Japanese government. NGOs are expected to develop effective means and innovative campaigns to raise public consciousness so that international pressures can be successfully transmitted to domestic politics.

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<sup>1</sup> [http://www.gender.go.jp/kaigi/senmon/kansi\\_senmon/20/pdf/shiryo\\_s.pdf](http://www.gender.go.jp/kaigi/senmon/kansi_senmon/20/pdf/shiryo_s.pdf) (Last accessed on August 10, 2014).

<sup>2</sup> <http://www.gender.go.jp/policy/mieruka/company/mierukasite.html> (Last accessed on August 10, 2014).

# I. Human Rights of Women

GOTO, Hiroko, Chiba University

## 1. The Constitution of Japan and CEDAW

Paragraph 232(d) of the Beijing Platform of Action indicates that amongst actions to be taken by governments are to 'review national laws, including customary laws and legal practices in the areas of family, civil, penal, labour and commercial law in order to ensure the implementation of the principles and procedures of all relevant international human rights instruments by means of national legislation, revoke any remaining laws that discriminate on the basis of sex and remove gender bias in the administration of justice'.

Japanese women have two effective legal tools to guarantee our human rights. One is the Constitution of Japan of 1945. The Constitution has an equal right clause that states 'All of the people are equal under the law and there shall be no discrimination in political, economic or social relations because of race, creed, sex, social status or family origin'. The other strong legal tool for us is the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) adopted by the UN General Assembly in 1979. Japanese government ratified CEDAW in 1985. We have been in possession of these two powerful legal tools more than 30 years; we had them at the time of Beijing Conference in 1995.

However, we still have many laws against gender equality. Japanese family law (Civil Code) still has many discriminatory provisions. The minimum age for marriage is 18 years for men and 16 years for women (Article 731). Only women have to wait 6 months before they remarry after divorce (Article 733). When registering their marriage, the couple has to choose either one of the spouses' surnames (Article 750), and 95% of couples choose the husband's surname. These provisions have been criticized by the CEDAW Committee, but the Japanese government has ignored the Committee's concluding observation so far.

In 1996, Legislative Council of the Ministry of Justice advised the Minister of Justice to revise these discriminatory clauses in the Civil Code, but the Japanese government, including the administration under the Democratic (a non-conservative) Party, has never proposed the revision to the Diet.

Japanese Cabinet Office conducted a National Survey for Family Legal Framework in 2012. According to the survey, 46.0% favored changes to make marriage age for both sexes the same. Concerning the choice of the surname of a couple, 36.4% supported the present Article 750 of Civil Code, 35.5% favored its change. 24.0% said that it was acceptable for women to use their maiden names in business. 59.8 % also answered that spouses using different surnames would not affect family relationships<sup>1</sup>. CEDAW Committee also indicated that Japanese courts were very reluctant to apply the Convention to legal cases. It said that 'the Committee is concerned that the Convention has not been given central importance as a binding human rights instrument and as a basis for the elimination of all forms of discrimination against women and the advancement of women in the State party. In this

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<sup>1</sup> Japanese Cabinet Office, National Survey for Family Legal Framework in 2012, <http://survey.gov-online.go.jp/h24/h24-kazoku/index.html>

connection, while noting that article 98, paragraph 2, of the Constitution stipulates that treaties that are ratified and promulgated have legal effect as part of the State party's internal law, the Committee is concerned that the provisions of the Convention are non-self-executing and are not directly applicable' and 'the Committee urges the State party to take immediate measures to ensure that the Convention becomes fully applicable in the domestic legal system, and that its provisions are fully incorporated into national legislation, including through the introduction of sanctions, where appropriate.'<sup>2</sup>

In order to improve this situation, we have tried to use these legal tools in Japanese court. Some lawyers have tried to adapt these tools to gender discrimination cases. In March 2014, the Tokyo High Court declined cases of couples' choice of surnames. Plaintiffs claimed that they had a right not to be forced to change his/her surname under the Constitution and the CEDAW Convention. The court said that plaintiffs had no constitutional right not to be forced to change surnames and Article 750 of the Civil Code was constitutional. The court also ruled that CEDAW articles were legally binding but they were not self-executing nor directly applicable. This case has been appealed to the Japanese Supreme Court.

## **2. Local government and gender equality ordinance**

The Beijing Platform of Action in Section 232(i) urged governments to 'provide gender-sensitive human rights education and training to public officials, including, inter alia, police and military personnel, corrections officers, health and medical personnel, and social workers, including people who deal with migration and refugee issues, and teachers at all levels of the educational system, and make available such education and training also to the judiciary and members of parliament in order to enable them to better exercise their public responsibilities'.

We still have witnessed many cases lacking gender-sensitive education. I would like to show one recent case.

Japan introduced the Basic Act for Gender-Equal Society in 1999 and the government adopted Basic Plans for Gender Equality under this law. Now we have the third Basic Plan and another Plan will be adopted in 2015. Under this Act, local governments are strongly recommended to adopt gender equality ordinances. Now 46 out of 47 prefectures have such ordinances.

Tokyo Metropolitan Gender Equal Ordinance was enacted in 2002 and Tokyo Metropolitan government adopted its Action Plan for Gender Equality. Now its third action plan has been implemented from 2012. The third plan includes promotion of gender equality in business area and work-and-life balance, support for single-parent household, and prevention of sexual crimes and sexual harassment.

In April 2014, a female member of the Tokyo Metropolitan Assembly was heckled in its April session. Unidentified male assembly members yelled at her that she should get married and have children in a hurry while she tried to debate the support for childrearing. A male assembly member was identified later and apologized to her.

The Assembly has an ethical code of conduct; however his identity was not discovered by

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<sup>2</sup> Concluding observations of the Committee on the Elimination of Discrimination against Women: Japan, CEDAW/C/JPN/CO/6, 7 August 2009, paras.19-20.



the time limit for disciplinary action. Then it adopted a resolution for taking preventive measures for inappropriate conduct by members. However, the Assembly did not indicate that his conduct was sexual harassment or sexist abuse, nor a violation of Gender Equality Ordinance<sup>3</sup>.

The Gender Equality Ordinance prohibits discrimination against women and sexual harassment. It was discussed and adopted in the Assembly. The Assembly members are expected to behave in a manner, reflecting awareness and sensitivity against discrimination against women.

This might be a reflection of under-representation of women in positions of influence in Japan. The Assembly has just 26 female representatives out of 126. All but 78 of the 772 seats in the upper and lower houses of the National Diet are occupied by males. The ranking of Japan in the Global Gender Gap Index by the World Economic Forum has always been low in the last five years because of the under-representation of women in decision making<sup>4</sup>.

Affirmative action should be powerful tool to change this unequal political situation, and some parties introduced candidate quota systems in nominating their candidates several times in the past twenty years; however, we have no such system for female candidates mandated<sup>5</sup>.

Moreover, the Assembly did not introduce any concrete educational program to prevent further sexist abuse. It has to establish gender-sensitive ethical code of conduct as well. Of course it is an issue not only within the ethical but also in the legal sphere.

### **3. Criminal justice and gender inequality**

The Beijing Platform of Action in Section 232(l) urges governments to ‘review and amend criminal laws and procedures, as necessary, to eliminate any discrimination against women in order to ensure that criminal law and procedures guarantee women effective protection against, and prosecution of, crimes directed at or disproportionately affecting women, regardless of the relationship between the perpetrator and the victim, and ensure that women defendants, victims and/or witnesses are not revictimized or discriminated against in the investigation and prosecution of crimes.’

In the past twenty years, our criminal justice system has started to recognize the existence of victims/survivors. In order to support victims/survivors, the Criminal Procedure Law was revised and the Act on Measures Incidental to Criminal Procedures for Purpose of Protection of Rights and Interests of Crime Victims were introduced. They include the following:

- 1) opportunity to express their feelings about the damage suffered from the offense (2000)
- 2) witness protection measures(2000): shielding a witness from the defendant or the public at the court; keeping the witness in a different room for testimony; testifying via audiovisual communication through the transmission of images and sound (video-link system); and being accompanied by being accompanied by a personnel of the court
- 3) concealing victims’ identity (2007)

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<sup>3</sup> Hiroko Goto, Josei ni taisuru bouryoku toshite no yaji (Sexual hecklings as violence against women), pp.228-233 , *Sekai*, No. 860, 2014

<sup>4</sup> World Economic Forum, *The Global Gender Gap Report 2013*, p.10, <http://www.weforum.org/reports/global-gender-gap-report-2013>

<sup>5</sup> For example, in 2014, Your Party announced to introduce candidate quota system. <http://www.your-party.jp/activity/press/002940/>

4) right to participation in criminal trials (2007): sitting at the bar, during asking question to defendant, closing argument and sentencing recommendation as the prosecutor.

We introduced the Basic Act on Crime Victims in 2004 and the government adopted the Basic Plan for it in 2005. Now we are on the second phase of it. In the last twenty years, legal supports for victims/survivors have been reinforced; however, their emotional, psychological or financial supports are still ignored.

Our crime rate has been low compared with other economically developed countries and reported cases and arrested numbers have been decreasing dramatically recently<sup>6</sup>. However, female arrest rate is almost stable.

Many people in Japan, including professionals and academics still believe a myth that criminal justice system is gender-neutral. In fact, the criminal justice system itself is so 'masculine' because it was made by men to protect public=male interests. In this context, categories of crimes are formed by men. It indicates that women's life had been ignored relating to crime. In modern system based on patriarchy, females are forced to stay in the private sphere and there are no crimes in that sphere. When women become victims of domestic violence or child abuse, they might be forced to live outside of the home. They may end up in drifting in society and commit crimes to survive. Women's spaces in the public sphere are limited and these spaces tend to be connected to crimes or criminals. Their behaviors for survival could be recognized as crimes. They are treated as male, as criminals=male in criminal justice system, since crimes, by definition is acts by men, and laws governing such are for men. They are evaluated according to criminal=male standards. Because of this, female criminals are victimized again in criminal justice system. Second or third victimization by the system makes it difficult for female criminals to recover from crimes. The criminal justice system does not care about gender differences regarding the pathway to crimes or recovery from crimes.

We have to find a way to make criminal justice system more gender-sensitive and gender-mainstreamed.

#### **4. Human Rights of Women in Prison**

Japanese incarceration rate is not high compared to other economically developed countries and the population in prison is decreasing<sup>7</sup>. However, numbers of female prisoners are increasing in the last two decades. There are 9 female prisons in Japan. They have been overcrowded for decades. Female prisons have no treatment index<sup>8</sup> to classify prisoners. All kinds of female prisoners, like first offenders and reoffenders, are mixed in prison. This means that it is very difficult for female prison staffs to treat them. Moreover, it is also difficult for female prison staffs to work after their marriage or after giving birth to children because prisons are usually located in remote areas and they work on 24-hour and 365-day shifts. We have to promote gender-equality in prison to guarantee women's rights.

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<sup>6</sup> *Hanzai Hakusyo 2013* (White Paper on Crime 2013), Figure 1-1-1-1.

[http://hakusyo1.moj.go.jp/jp/60/nfm/n\\_60\\_2\\_1\\_1\\_1\\_0.html](http://hakusyo1.moj.go.jp/jp/60/nfm/n_60_2_1_1_1_0.html)

<sup>7</sup> Id. Figure 2-4-1-3. <http://hakusyo1.moj.go.jp/jp/60/nfm/images/full/h2-4-1-03.jpg>

<sup>8</sup> White Paper on Crime 2012, <http://hakusyo1.moj.go.jp/en/61/image/image/h002004002002h.jpg>

## J. Women and the Media

HAYASHI, Kaori, The University of Tokyo  
Gender & Communication Network (GCN)

### 1. Conservative Media and Politics

Abe Shinzō, the current Prime Minister of Japan (Dec. 2012- ) adopted a series of new policies in line with his conservative political views soon after the Liberal Democratic Party regained the majority in both the Upper and Lower Houses of the Diet in July 2013. Among these new policies was the highly controversial Secret Information Protection Act, set to be enacted in December 2014. This new state secrets law was conceived to toughen penalties for civil servants, politicians and any others who leak sensitive information related to diplomacy, defense, terrorism or espionage. A wide range of social groups including opposition parties, journalists and citizen groups have raised grave concerns believing that the law's vague wording could give the government too much power over the disclosure of public information and thus risk limiting freedom of the press and the public's right to know - all in the name of national security.

The current government line was also reflected in a series of appointments for important posts at NHK (Japan Broadcasting Corporation), Japan's sole public broadcaster. At his inaugural news conference on January 25, the newly appointed NHK President Momii Katsuto effectively rejected the broadcaster's core principle of journalistic impartiality by stating "We can't say 'left' when the government is saying 'right'." He also dismissed claims relating to the issue of comfort women and the Imperial Army's practice of forcing Asian women into prostitution during World War II, arguing that such wartime practices have "existed in every country." His comments drew sharp criticism from both inside and outside Japan as Momii holds the ultimate editorial control over the nation's most influential and trusted<sup>1</sup> media institution.

Critics have also questioned appointments to NHK's Board of Governors, their top decision-making body. One new appointee, Hasegawa Michiko, Professor Emeritus of Saitama University, published a column in January saying that a woman's most important task is to bring up her children, and that childcare should take priority over working outside the home. Prior to this statement she published an essay praising the right-wing extremist Nomura Shūsuke, who committed suicide in the office of the liberal daily Asahi Shimbun in 1993. Another new appointee and popular novelist, Hyakuta Naoki, denied Japanese involvement in the massacre in Nanjing, China, in 1937. Appointed by Prime Minister Abe both board members were instrumental in rallying support for Abe's second bid for leadership of the Liberal Democratic Party in 2012, and both remain close to the current administration. A third appointee to the board was Abe's tutor during elementary school.

When he served as Deputy Chief Cabinet Secretary in 2001, Abe was one of two politicians who allegedly "requested" NHK to revise the content of a controversial documentary program dealing with the Women's International War Crimes Tribunal on Japan's Military Sexual Slavery. The program was altered as a result. The independence and credibility of Japan's public broadcaster has been seriously damaged by such political interference.

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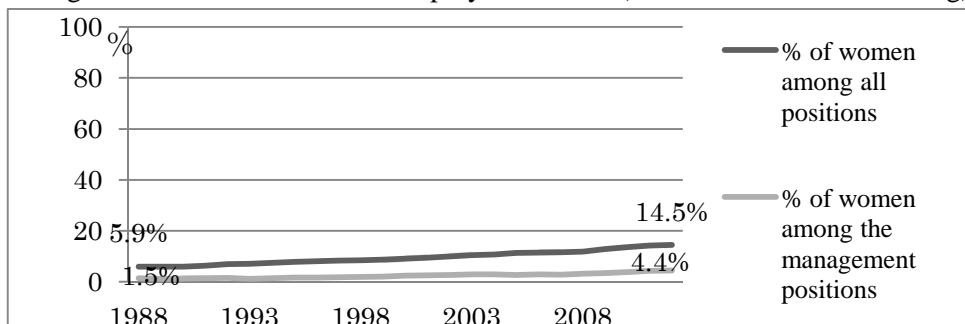
<sup>1</sup> <http://www.chosakai.gr.jp/notification/index.html> (Accessed 7 August 2014)

Japanese politics is known to be a male bastion, and journalism has long failed to recognize and criticize this exclusive macho culture. On 18 June 2014, a Tokyo assemblyman heckled a female colleague during an assembly session by jeering “you should get married rather than ask questions.” This story was first carried only locally, but thanks to the Internet and social media it developed into a national, and soon after, international news story. This incident brought to light the fact that heckling of female politicians and lawmakers with sexist remarks is a common practice in Japanese politics and that the media has overlooked such abuses for decades. This story reflects the persistent traditional chauvinistic attitude in Japanese politics, business and media circles. (KODAMA, Miiko)

## 2. Media Organizations as Masculine Workplaces

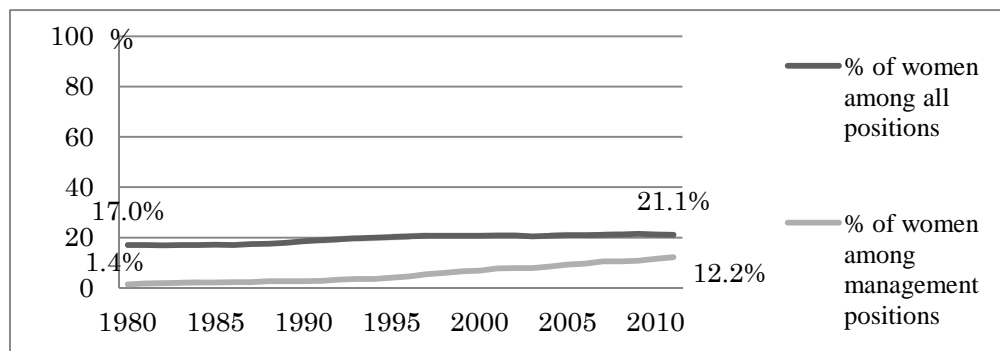
Women are still significantly underrepresented in Japanese media organizations. According to the International Women’s Media Foundation (IWMF), the average percentage of women across all job levels in the Japanese media industry stands at 15.2%, significantly lower than the world average of 35.1%<sup>2</sup>. It is likely that this tendency will persist at least into the next decade as we have seen very little progress in the past (Figures 1, 2 and 3). Senior media management positions in particular are occupied mostly by men while women tend to work only in the stereotypically “feminine” sections of family, lifestyle and culture. Even though percentages have relatively improved compared to those of the 1980’s and 90’s, vertical and horizontal segregation based on sex and gender is still common within the industry.

Figure 1: Number of Women Employed in NHK (Public Service Broadcasting) (%)



Source: Sōgō Jānarizumu Kenkyū [Journalism Studies] 1988-2013

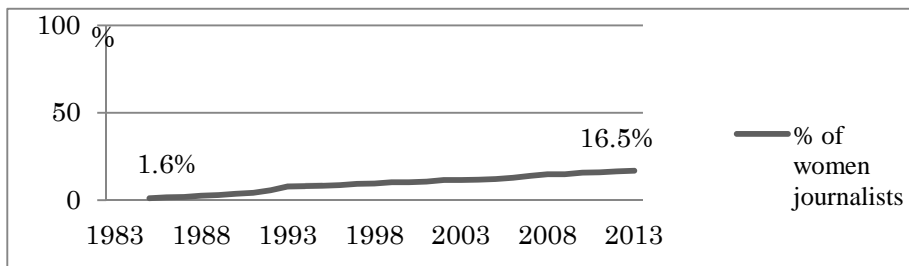
Figure 2: Number of Women Employed in Commercial Broadcast Stations (%)



Source: The Japan Broadcasters Association 1980-2012

<sup>2</sup> <http://www.iwmf.org/our-research/global-report/> (Accessed 27 July 2014)

Figure 3: Women Journalists in Newspaper Companies (%)



Source: The Japan Newspaper Publishers and Editors Association

Major Japanese media companies incorporate many traditional features of Japanese management into their own corporate management practices. Most companies guarantee lifetime employment to their employees including reporters, photographers and editors, and provide them with firm-specific training and skills after recruitment. Consequently, because of heavy corporate investment in human capital and resources, switching companies during one's career is regarded as disadvantageous and seldom takes place. This human resource management style has an effect on gender balance. With its offers of relatively high salaries, diverse social benefits, and generous spending on staff training, Japanese media management tends to favor employees that are worth the investment, i.e. those who give 24-hour commitment and loyalty to their company and work uninterruptedly throughout their career until retirement. In short, journalism in Japan is a job designed for breadwinners. By necessity then, the breadwinner needs support from a spouse who can take 100% responsibility for the home and housework. Recent government research shows that almost 40% of employees in the broadcasting sector reply that they work an average of 60 hours or more per week. 30% have ten or more nightshifts per month and 70% consider it difficult to maintain a healthy work-life balance<sup>3</sup>. Human resource managers at the major media firms the authors of this report interviewed admitted that they prefer to cap the percentage of women at 30% to 40% from among new college graduates, even though most female candidates outperform their male counterparts at job exams and interviews.

To alter the traditional employment system it is necessary to increase the number of women at top decision-making levels. Already in 2005, the Japanese government set the objective of filling 30% of public and private sector managerial positions with women by 2020, but little progress has been made so far. Likewise Prime Minister Abe, long thought to be an unlikely leader to advocate for gender equality due to his conservative views, pledged to promote women's empowerment in his policy platform, but his policies failed to introduce the fundamental measures necessary to combat the male corporate culture of long and inflexible working hours. In a society where the majority of people are reluctant to acknowledge hidden gender biases, it seems this will be an arduous task. Continued efforts must be made to carefully monitor progress. (ISHIYAMA, Reiko)

### 3. Burgeoning Alternative Media

While corporate culture in conventional media remains as masculine as ever, alternative media is thriving with a growing number of women playing active roles. Following the Great

<sup>3</sup> Gender Equality Bureau Cabinet Office, Surveys were conducted in Dec 2011. [www.gender.go.jp/research/kenkyu/sekkyoku/pdf/00\\_full\\_set.pdf](http://www.gender.go.jp/research/kenkyu/sekkyoku/pdf/00_full_set.pdf) (Accessed 22 July 2014)

East Japan Earthquake on 11 March 2011, thirty small-scale, temporary emergency broadcast FM radio stations were established in the disaster inflicted Tohoku (northeastern) region to enable the sharing of evacuation, rescue and recovery effort information in affected local communities. One such radio station, *FM Aozora* [Blue Sky] in Watari Town, Miyagi Prefecture, is operated by a network of mothers who teach children at a private tutoring school. The earthquake provided these mothers with the decisive impetus to take up the microphone out of sheer necessity. Although there are still very few women executives in mass media, a growing number of women are beginning to play an active role in community media such as *FM Aozora*.

Women have also become essential to public access television operated by cable television networks. Under the directorship of Nishiumi Mari, *Musashino Mitaka Public Access TV Station*, a specified nonprofit corporation that serves both Musashino City and Mitaka City in the Tokyo Metropolitan Area, focuses on community building, local culture and children. The public access TV station also engages in community education activities that support public video and film-making projects, foster media literacy and nurture self-expression through film.

*Eizō Hasshin Terere* is another media-related citizens forum that presents films created by ordinary citizens. The Osaka-based group, overseen by Shimonobō Shūko, got the idea of 'four-walling' from French civic broadcasting groups that screens their films in cafés. All submitted works, regardless of quality or level, are aired unconditionally. The goal of the group is to foster dialog based on the audience's reactions to the diverse works of ordinary citizens. Similar initiatives are spreading to other communities throughout Japan.

With regard to internet broadcasting, ever since the Great East Japan Earthquake and the ensuing disaster at Fukushima Dai-Ichi Nuclear Power Plant, *OurPlanet-TV*, another specified nonprofit corporation, has continued to question Japanese nuclear energy policy. The director, Shiraishi Hajime, a former TV director, has won numerous scientific journalism awards including the Hosō Woman Taishō [Women in Broadcasting Award] for her reporting on the accident at the Fukushima nuclear power plant and its ensuing consequences. She continues to play a pivotal role in post-Fukushima era journalism by constantly questioning government policies from a grass-roots perspective and by capturing the reality of mothers and children in Fukushima, which mass media has been unable to keep pace with.

The media activities introduced above are generating a new type of communication that is both free of conventional objectivity constraints and rooted in the local community and people's lives. These women have turned their backs on the conventional methods of commercially driven, self-censored corporate media outlets. The number of supporters of and participants in media outlets and activities that place high value on such alternative practices continues to grow, slowly but surely. (MATSUURA, Satoko)

#### **4. Digital Technologies and Future Challenge**

The alternative media activities described above are largely underpinned by the growing accessibility of digital technologies. According to an OECD survey conducted in June 2013, Japan boasts the second largest fixed and wireless broadband market among OECD countries, just below the United States<sup>4</sup>. With ready access to broadband technology, Japan has become one of the most socially diffuse information and communications technology (ICT) societies

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<sup>4</sup> Japan takes up 11 % of the share in the OECD broadband market.  
<http://www.oecd.org/internet/broadband/oecdbroadbandportal.htm> (Accessed 22 July 2014)

in the world. The 2014 White Paper on Telecommunications found that household Internet usage in Japan has reached 82.8%. The increased use of the Internet and other digital communication technologies such as mobile and smart phones in recent and coming years is bringing major changes in the everyday lives of ordinary citizens, both at work and home. At the same time however this increased use of the Internet has given rise to new social problems relating to privacy, security, internet addiction and crime. In this final section, we will address some of the expectations and challenges related to gender and minority in the digital age.

Two of the biggest challenges facing Japan today are the country's aging society and its low birth rate, both of which contribute to the decline in Japan's working age population. Aggravating the effects of the decline further however is the fact that men and women of working age find it significantly difficult to stay in the workplace when they have elderly family members in need of care and that more than 60% of working age women who are having children quit their jobs upon marriage or childbirth, even though most desire to keep working. Digital technologies offer many opportunities for change in the Japanese workplace to ameliorate the effects of the decline in the working age population. It is hoped that further introduction and advancement of ICT will enable diverse arrangements for people to work from home. The adoption of teleworking by major corporations however remains at only around 10%. We need to design more flexible working styles with the assistance of digital technologies.

Finding new paths toward more desirable social media (SNS) use is another challenge. SNS is most popular among individuals in the 20 to 49 age bracket, but its use often poses problems among younger children. The government has taken steps to promote the appropriate use of ICT by young people with the "Act on Development of an Environment that Provides Safe and Secure Internet Use for Young People." Use of SNS however, continues to spread without sufficient understanding of SNS manners and ethics and society has been slow in responding to such problems as hate speech and cyber bullying. Furthermore, according to the 2014 White Paper on Crime, the number of internet-related crimes in violation of the "Act on Punishment of Activities Relating to Child Prostitution and Child Pornography" has doubled to 1520 cases over the last five years. This shows that there is a pressing need to monitor at the school and community levels, the risks posed to young people by digital technologies such as online dating services, rife with underage prostitution.

When used properly however, SNS has proven to be successful at supporting such initiatives as promoting comprehensive support programs for victims of the Great East Japan Earthquake and providing emergency shelter, counseling and training for survivors of domestic violence. Women have accumulated a substantial body of knowledge and experience regarding such use and it is our future task to make these initiatives and their potential widely known to society at large.

Finally, the rapid spread of ICT use has impacted the lives of individuals within different age groups in different ways. Training and assistance efforts, appropriate for each age group, must be undertaken to increase media literacy among both the producers and the consumers of that information. ICT workshops and classes, similar to the kinds used to instruct the varieties of generations and social groups affected by the Great East Japan Earthquake held by women<sup>5</sup>, are useful as examples as we find ways to support more long term institutional ICT initiatives to narrow the gaps in use of the Internet. (AOKI, Reiko)

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<sup>5</sup> One example is an initiative supported by Oxfam. [http://risetogetherjp.org/?page\\_id=93#lang\\_en](http://risetogetherjp.org/?page_id=93#lang_en)

## **K. Women and the Environment**

DOMOTO, Akiko (Japan Women's Network for Disaster Risk Reduction)

ODA, Yukiko (JAWW, Kitakyushu Institute on Sustainability)

The Beijing Platform for Action (BPFA) recognizes the detrimental effects of environmental degradation on the health, well-being and quality of life of girls and women of all ages and specifies three strategic objectives: K.1. Involve women actively in environmental decision-making at all levels, K.2. Integrate gender concerns and perspectives in policies and programs for sustainable development, and K.3. Strengthen or establish mechanisms to assess the impact of development and environmental policies on women. This recognition is the reaffirmation of the Agenda 21 adopted at the United Nations Conference on Environment and Development in 1992.

How much has the BPFA been implemented in Japan over the past two decades? Unfortunately, the answer is not positive. Neither women's equal participation in environmental decision-making, nor mainstreaming gender concerns and perspectives in sustainable development policies has been achieved, although some progress has been made.

### **1. Women's equal participation in environmental policy- and decision-making**

Women have been playing a significant role in environmental protection in Japan and their contributions have been highly valued by the environmental community, in both the government and Non-governmental organizations (NGOs). Most environmental NGOs responded that women's opinions are valued the same as men's in their activities and no gender based discrimination exists in their management.

The importance of women's participation in environmental policy- and decision- making has been also recognized in Japanese government's environmental policies, though it has been sporadic. For instance, the Third Basic Environment Plan (2006), which maps out the basic approach of environmental policies and measures based on the Basic Environment Law in Japan, mentions promoting women's participation in both formation and decision-making process of policies as important. Another example is in the National Biodiversity Strategy 2012-2020, which is Japan's roadmap for achieving the Aichi Biodiversity Targets approved by the Cabinet in 2012. The Strategy sees women's participation crucial in order to bring up to date the issues of biological diversity in the society.

In spite of these favorable examples, the level of women's participation in environmental policy- and decision- making is generally far from equal. Applying the female ratio of managerial positions in the Ministry of Environment (MOE) as a proxy to measure the level of participation, the percentage doubled from 2.3% to 4.5% from January 2007 to January 2013, although the number of women in managerial position is still only 5 persons out of total 193 persons as of January 2013. In spite of the MOE's action plan to increase the number of female managers and officers, it is unlikely that the figure will improve quickly because women newly recruited to the MOE in April 2013 was only 6 persons (26.1% of all members). In addition, the history of recruiting women to the MOE is relatively short.



Another indicator to gauge women's participation in policy- and decision-making is the proportion of female members of national advisory councils and committees. The percentage doubled for the last 17 years from 16% in 1996 to 32.8% in 2013, yet the figure is below the target set at 40- 60% female representation by 2020 in the Third Basic Plan for Gender Equality.

NGOs face similar shortcomings in terms of women's participation in decision-making despite their high self-evaluation of gender equality in management as introduced above. The statistics shows that of 2,744 organizations listed on the *Comprehensive Environmental NGOs/NPOs List of 2008*, whose main activity is environmental conservation; only 13.5% are led by women. In addition to shortage in number, women-headed organizations seem to be less influential in environmental decision-making arenas as they tend to be small in size and more community-based, while the NGOs headed by men tend to cover a larger geographic area and have many organizations under their networks. As the representatives of environmentally active NGOs are often appointed to be members of the local advisory councils and committees, women have less opportunity to participate in decision-making in spite of their contributions.

Internationally, at the 18<sup>th</sup> Conference of Parties (COP18) of the United Nations Framework Convention on Climate Change (UNFCCC) in Doha in 2012, a decision was adopted to promote gender balance in the Parties' representation and to improve women's participation in UNFCCC negotiations and in bodies established pursuant to the Convention or the Kyoto Protocol. To my regret, Japan places at the 10.1 - 20% range level that is much lower than the average of 32%, according to an analysis of women's representation at the UNFCCC meetings between 2008 and 2012.

These statistics indicate that women's participation in the environmental policy- and decision-making in Japan has not been sufficiently achieved and much more effort needs to be undertaken.

## **2. Integration of gender perspectives into the national environmental policies and programs**

Starting from the anti-pollution and protection of the natural environment against industrialization, environmental policies have emerged over the last two decades in Japan since the Agenda 21 in 1992. A series of laws, acts, policies, and measures have been developed to tackle emerging environmental issues such as global warming, biodiversity loss, health hazardous chemicals and finally the decontamination of radioactive materials.

How have gender perspectives been integrated into these environmental issues? The answer is again disappointing judging from language used in the three Basic Environment Plans. From the First Plan in 1994 through the Third Plan in 2006, the Plans appreciated women's knowledge and experience in environmental conservation activities and included the term of gender equality in the Plans statement. The Plans also declared the necessity of promoting women's participation in decision-making. The Fourth Environment Plan in 2012, however, reversed the trend and failed to mention either gender or women. The Fourth Environment Plan ensured safety and security as a core concept of its measure as the Plan was laid down after the Great East Japan Earthquake in 2011. But it did not acknowledge the significant role that women play in the achievement of safety and security, or that gender equality is the key to these goals.

Why did the Plan omit the terms of gender and women from the Fourth Environment Plan? One explanation can be attributed to a recent change in emphasis on green economy with focus on technologies and financial measures. After the Kyoto Protocol in 1997, the policy focus has been the reduction of greenhouse gas emission along with the enactment of

the Law for Promotion of Global Warming Measures in 1998. In promoting this policy, changing lifestyles from mass consumption to 3R (reduce, reuse, and recycle) became important and attention was paid to women, who led the practice the 3R at home and in their communities based on their gender role. Thus, the role of women and the necessity of integrating women's concerns as well gender equality were recognized in the Plan, even though the recognition was peripheral. The countermeasures and efforts for global warming have been continuing today, however, the government broke away from the second Kyoto Protocol commitment period from 2013 to 2020. It set a less ambitious target to reduce greenhouse emissions by 3.8 percent compared to the 2005 level by 2020 and more emphasis was put on the market mechanism in partnership with the private sector. For this shift, less priority was put to women's role and gender equality and thus the Fourth Environment Plan omitted women and gender from its statement.

Contrasting this downward trend, the environment has been mainstreamed in the policy of promoting gender equality. In the Third Basic Plan for Gender Equality in 2010, the "environment" was identified as one of 15 priority fields, upgrading from the previous plans. This indicates that the integration of gender perspectives into the environmental policies will be possible if the policies for promoting gender equality are strengthened.

### **3. Establish mechanisms to assess the impact of development and environmental policies on women**

Despite the recognition of BPFA's strategic objective, the mechanism of collecting gender-disaggregated statistics and the incorporation of the data in policy formation, monitoring and evaluation are very weak in Japan. For instance, nurturing foresters is one of measures of the National Biodiversity Strategy 2012-2020 and a target number is provided to monitor the implementation process, but gender-segregated target is not given. There is no way to know if and how many female foresters were trained.

Another example is the Japan Environment and Children's Study, a huge birth cohort study launched in 2011 in order to identify harmful factors in the environment that affect children's growth and health. The Study involves as many as 100,000 parent-child pairs nationwide and the expectation of the results is high. But the survey does not clearly mention if the data will be analyzed by gender. It seems that Study focuses only on children as a group.

It is already known that gender gaps exist in perception, attitude and behavior on waste management, especially on 3R in Japan. Young males are the group of people who least acknowledge the significance of 3R and exercise in their daily life, but no specific measures have been taken to educate these indifferent groups. In this way, even if gender based statistics exist, they are not incorporated into policies and measures.

According to a series of polls on the biodiversity conducted by the government, it was revealed that more women are willing to take eco-friendly actions than men, though male ratio is higher than female in terms of knowledge of biodiversity. This gender gap again has not been taken in consideration in the National Biodiversity Strategy 2012-2020. The Strategy only refers to citizens without paying attention to gender. Women's enthusiasm and motivation have not been valued in the measures to combat biodiversity loss.

As these examples indicate, the importance of collecting the gender based data has not been recognized; the mechanism of collecting gender differentiated data is insufficient; and the data even when it exist is not utilized in formulating policies and measures.

## **L. The Girl-child**

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### **1. Situations in Japan**

The priority theme of the 51st Session of the CSW in 2007 was Elimination of All Forms of Discrimination and Violence against the Girl-Child. In Japan at that time and now, child prostitution and child pornography have been serious problems. In 2007, JAWW published a book based on the priority theme of the CSW, entitled *Discrimination and Violence against the Girl-Child: Situations in Japan and Approaches to Eliminate It*, Akashi Publishing Company. The following report shows challenges that remain to be overcome in Japan and recent outcomes concerning girls' education.

### **2. Main Legal Responses Concerning the Girl-child and the backgrounds in Japan**

In 1994, Japan ratified the Convention on the Rights of the Child, and its Optional Protocol to the Convention on the Sale of Children, and the Child Prostitution and Child Pornography was ratified in 2005. In 2001, the Second World Congress against Commercial Sexual Exploitation of Children was held in Yokohama city and the National Plan of Action on Commercial Sexual Exploitation of Children was established and promoted the legal approaches to commercial sexual exploitation of children.

In 1999, the Act on Punishment of Activities Relating to Child Prostitution and Child Pornography and the Protection of Children was enacted. In 2003, Act on Regulation on Soliciting Children by Using Opposite Sex Introducing Service on the Internet was enacted.

Very recently, in 2014, the Act on Punishment of Activities Relating to Child Prostitution and Child Pornography and the Protection of Children was revised and the "simple possession" was at last prohibited like western countries.

Japan has no national action plan specific to the Girl-Child to date because the Girl-Child has been regarded to be included in the category of women. As a result, statistical data describing the situation of the girl-child have not been fully compiled.

### **3. The Serious Situation Regarding Human Rights Violations of the Girl-Child**

#### **3.1 The situation of commercial sexual exploitation of children**

Table 1 shows statistics released in 2014 by the National Police Agency. It shows statistics on the number of cases sent to the police agency in the past decade. Although the number of cases of child prostitution is decreasing, that of child pornography is increasing.

The number of victims is great in child prostitution via online dating websites. However, the number of cases is decreasing due to the revision of the act on regulation of online dating websites and the arrest of offenders who violated prohibition of solicitation (those who solicited minors knowing that they were under 18), but it is worrisome that the number of victims is increasing in the case of child prostitution via community sites because free

telephone application is available and ID exchange is possible through bulletin board system.

Table 1: Number of cases arrested on the charges of violating the Act on Punishment of Activities Relating to Child Prostitution and Child Pornography, and the Protection of Children (2003-2013)

Year	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013
No. of cases sent	1,945	1,845	2,049	2,229	1,914	1,732	2,030	2,296	2,297	2,291	2,353
Child Prostitution	1,731	1,668	1,578	1,613	1,347	1,056	1,095	954	842	695	709
(via online dating websites)	791	745	654	775	679	531	358	254	230	213	213
(via telephone clubs)	212	178	219	169	61	46	72	54	86	29	39
(via community sites)	-	-	-	-	-	994	1,347	1,541	1,421	1,311	859
Child Pornography	215	177	470	616	567	676	935	1,342	1,455	1,596	1,644
(via Internet)	102	85	136	251	192	254	507	783	853	1,058	1,058
(via file sharing softwares)	-	-	-	-	-	-	54	156	368	519	507

The number of cases via community sites in 2013 shows that of the first half of the year.

Source: National Police Agency, June, 2014

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### 3.2 The situation of child pornography

As shown in Table 1, victims of child pornography are increasing in number and laws fail to change the trend. Child pornography is not a simple recording of obscene images. 80% of the images depict rape, forced sexual intercourse and acts that violate human rights of actual children. Even in some foreign countries where the possession of adult pornography is legalized, child pornography including its simple possession is regarded as a crime. In Japan the law was revised this year (2014) and the simple possession of child pornography was at last banned.

Unfortunately, of the 646 victims in 1644 cases in 2013, 270 produced pornographic images of themselves by themselves and 50% of them seemed to have voluntarily sold the images to buyers. The fact shows the importance of education at school.

In July, 2010, the National Police Agency released comprehensive measures to crack down on child pornography. The following three policies are now being promoted at the Cabinet Office and the National Police Agency: (1) disclosure and punishment of producers, (2) deletion of pornographic images from the Internet, and (3) aid to victims.

It is difficult to save child victims once their images are exposed on the Internet. It is considered as an effective care and support to the victims to provide continued counseling by juvenile counselors qualified as clinical psychologists

#### 4. Protection needs for the girl-child

##### 4.1. Abortion of teenage girls

The number of abortions of women under 20 exceeded 40,000 around 2003 and it became a social problem. At present the number has halved as shown in Table 2, and the number has been stabilized in every age bracket since 2010.

Table 2: Number of Abortions by Age

Age	1995	2000	2005	2010	2011	2012
Under 20	20,117	44,477	30,119	20,357	20,903	20,650
19	-	-	11,635	7,291	7,257	7,100
18	-	-	8,236	5,190	5,204	5,344
17	-	-	5,607	3,815	4,099	4,038
16	-	-	3,277	2,594	2,831	2,701
15	-	-	1,056	1,052	1,046	1,076
Under 15	-	-	308	415	408	400

Source: Ministry of Health, Labor and Welfare

The figure under 20 is the total number of 19 to under 15.

##### 4.2. Necessary health measures

First of all, in order to prevent unwanted pregnancies, it is necessary to give information on the prescriptions of low-dose contraceptive pills and emergency contraception as part of sexuality education at school.

The side effects of cervical cancer vaccines are now a health issue in Japan. Cervical cancer is almost always caused by human papillomavirus (HPV) infection. Of the 100,000 doses, 6.9 cases of serious side effects are reported. The Ministry of Health, Labor and Welfare doesn't now recommend active injections of the vaccine. Access to information on the vaccine is important if girls are already sexually active.

#### 5. Girls' Education

Use the search engine as 'Japan,' 'girls' education' or 'boys' education' as key words, and you'll find it is difficult to get valuable information on researches and education outcomes of girls' education. The situation is quite different from Western countries where single sex education is highly evaluated and tried, while in Japan single sex education is not researched nor interests researchers.

In order to measure the impact of the environment consisting of only women and girls, the Girl Scouts in Japan conducted a research on middle school girls and high school girls

studying at co-educational schools as well as middle school girls and high school girls participating in the Girl Scouts activities<sup>1</sup>. They found a clear difference between girl scouts and other girls in (i) self-affirmation, (ii) contribution to society, positive attitude without feeling shy in front of strangers, and confidence in their own views. They confirmed superiority of girl scouts to other girls. As for (i) (on a maximum scale of 4), middle school girl scouts got 1.37, while other middle school girls got 1.14; high school girl scouts got 2.38, while other high school girls got 2.13. (ii) rates of affirmative answers were 73.9% among middle school girl scouts, while those among high school girls scouts were 79%. As for co-educational school girls, only 47.6% of middle school girls gave affirmative answers, while 61.9% of high school girls did so. These findings<sup>2</sup> coincide with the outcome of awareness survey released by the Cabinet Office in May this year<sup>3</sup>, which identified the lack of self-affirmation among Japanese youth<sup>4</sup>, including boys and girls<sup>5</sup>.

“Anna and Snow Queen,” a film shown all over the U.S. in fall last year, won the 86th Academy Award’s long animation film section award. The Walt Disney Company was taken notice of its first ever appointment of a female director for the film<sup>6</sup>, but the film was co-directed by female and male directors. Although it is a product of gender equality based on the collaboration of both female and male directors, no media took any notice of the fact. Different from the usual women and girls who passively wait for the rescue from princes, the heroines, two sisters, challenge their hardship for themselves and show what they can do by themselves, which held the audience spellbound<sup>7</sup>. In Japan many people from pre-school children to older people visited movie theaters<sup>8</sup> and the total number of audience exceeded 17,000,000<sup>9</sup> as of June 4, 2014. The fact that citizens have a good opportunity through media to consider how women should live is expected to lead to an impact that will change Japanese society<sup>10</sup>.

<sup>1</sup> Girl Scouts of Japan (March, 2014), *Girls Will Grow Further: Necessary Power and Environment for Girls, Bearer of Our Future*. Survey Period: July 2012~February 2013 (Preliminary Survey: 2011); Method of Survey: Survey Forms, Online Questionnaire and Group Interview; Target: 237 middle school girls and 112 high school girls at coeducational schools; 323 middle school girl scouts and 262 high school girl scouts.

<sup>2</sup> Mari Kataoka, Mieko Hisayoshi, Masami Tajima and Ori Nakamura, *Impact of Experiences as Girl Scouts on the Self- of Middle and High School Girls*, in Japanese Society of Educational Psychology, “Collection of Papers Presented at the Annual Conference,” 2011; 52: 547.

<sup>3</sup> Nikkei, *Not Confident but Want to Be Useful, Lack of Self-affirmation of Japanese Youth*. See [http://www.nikkei.com/article/DGXNASDG2501E\\_W4A520C1CICR0000/](http://www.nikkei.com/article/DGXNASDG2501E_W4A520C1CICR0000/)

<sup>4</sup> BLOGGS “Awareness Survey on Japanese Youth”, <http://blogos.com/article/87286/>

<sup>5</sup> Ministry of Health, Labor and Welfare, *Awareness Survey on the Youth*.

<sup>6</sup> New Era of Disney Animation! ‘Eccentricity’ of the film directed by the first female director and casted two women as heroines. [http://news.mixi.jp/view\\_newspl?media\\_id~14&id=2804273](http://news.mixi.jp/view_newspl?media_id~14&id=2804273)

<sup>7</sup> Sugar covered gender perspective of “Anna and Snow Queen”. <http://blogos.com/article/84395/>

<sup>8</sup> Secrets hidden behind the great success of “Anna and Snow Queen” <http://mdpr.jp/dcisney/detail/1356504>

<sup>9</sup> Chuokoron, “Refused to Carry! Akio Nakamori’s Pershttonal Interpretation of ‘Anna and Snow Queen’” <http://real-japan.org/%E3%80%8C%E4%B8%AD%E5%A4%AE%E5%85%A8D%C%E8%AB%96%E3%8D%E6%8E%B2%E8%BC%89%E6%8B%92%E5%90%A6%EF%BC%81-%E4%B8%AD%E6%A3%AE%E6%98%8E%E5%A4%AB%E3%81%AE%E3%80%8E%E3%82%E3%83%8A%E3%81%A8%E9%9B%AA%E3%81%AE/>

<sup>10</sup> The 3<sup>rd</sup> Survey on “Seeing Movies at Movie Theaters,” NTT Com. Research Portal, <http://research-nttcoms.com/database/data/001895/>

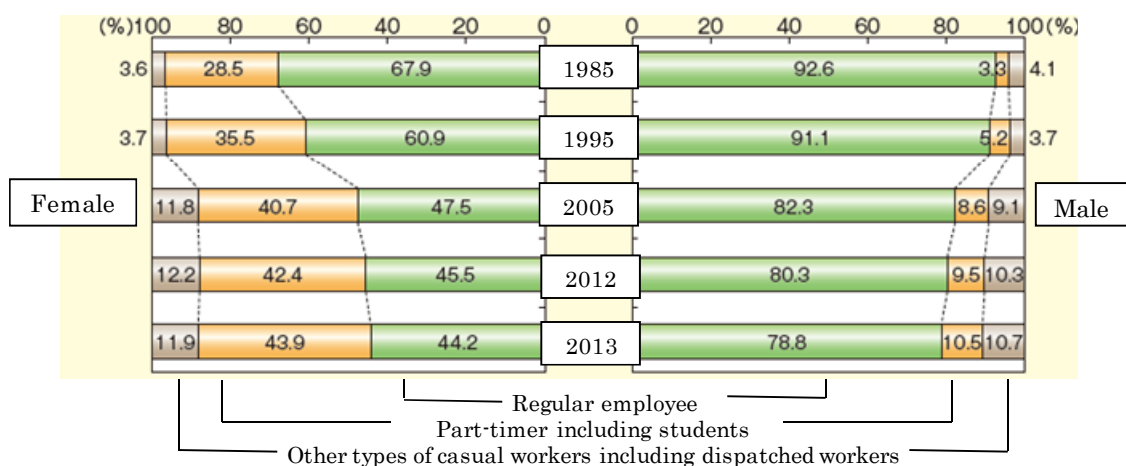
## Q. Women and Work

Equality Action 21

### Introduction

In 1995, under the globalization of the economy, the *Nikkeiren* [Japan Federation of Employers' Association] published a report called “The Japanese Style of Management in the New Era.” Since then, labor laws and regulations have been rapidly deregulated. As a result, the number of irregular workers among women workers grew to over 50% in 2002 and is still increasing (Figure 1). Poverty among women has persisted and intensified.

Figure 1: Composition Ratio of Employees\* by Employment Status



Source: Ministry of Internal Affairs and Communications, *Labour Force Survey (Detailed Tabulation)*

Note\*: Employees excluding executives of company

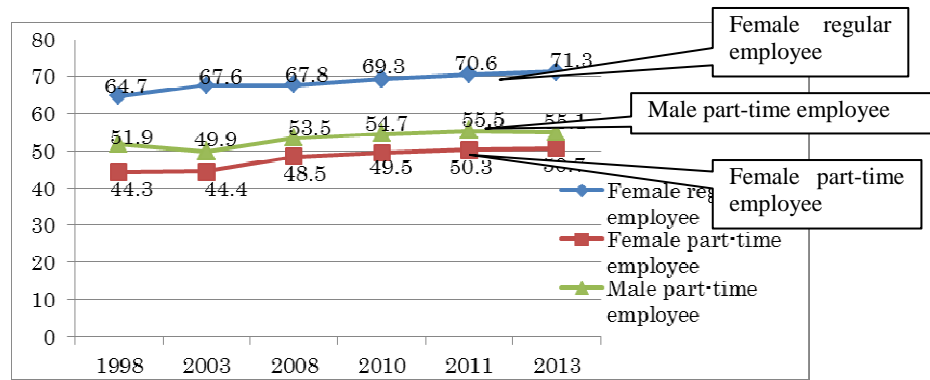
In Japan, traditional gender concepts have not yet been swept away. Such concepts include the traditional family image, according to which women are dependent family members and their earnings only supplement family income. The job segregation by gender is deeply rooted.

The present Abe administration is trying to raise the fertility rate to counteract the decrease of the labor supply due to a dwindling birthrate and an aging population. Under the slogan of “Active Participation of Women” the Abe administration is also trying to bolster the female workforce by increasing irregular work. However, the Abe administration has not offered any remedies for “maternity harassment”, i.e. the harassment that women workers face in the workplace when they get pregnant and have babies.

Setting the wage of a male regular worker at 100, a female regular worker’s wage is 71.3, for part-time workers it is 50.7 (Figure 2). There have been many lawsuits against wage discrimination by gender in the past several decades and many victories and victorious settlements have been achieved. Under the recent reactionary tendencies in the court, however, we have seen a chain of unfavorable rulings. Still, women workers including

irregular workers continue to bring new law suits.

Figure 2: Ratio of Female Wage to Male Wage (Male employee's wage=100)



Source: Ministry of Health, Labor and Welfare, *Basic Survey on Wage Structure* (2014)

### 1. Irregularization and impoverishment of women workers

As of March 2014, irregular workers consist of 57.5% of female workers and women make up 67.8% of all irregular workers. Most irregular workers are on fixed-term contracts, so they have difficulties in claiming their rights, out of fear that their next contract renewal will be rejected.

For over last 10 years, the annual income of 43.2 % of the women workers has been two million yen or less, which is considered to be below the poverty line. Impoverishment of women has worsened. In particular, it is severe for single mothers who are family breadwinners (approximately 1.08 million people). Their average annual wage is 2.23 million yen<sup>1</sup>, which is only 41.4% of the 5.38 million yen, average annual income of all households in Japan in 2010. These women have to work day and night in double jobs to maintain their lives.

### 2. Gender equality in the workplace

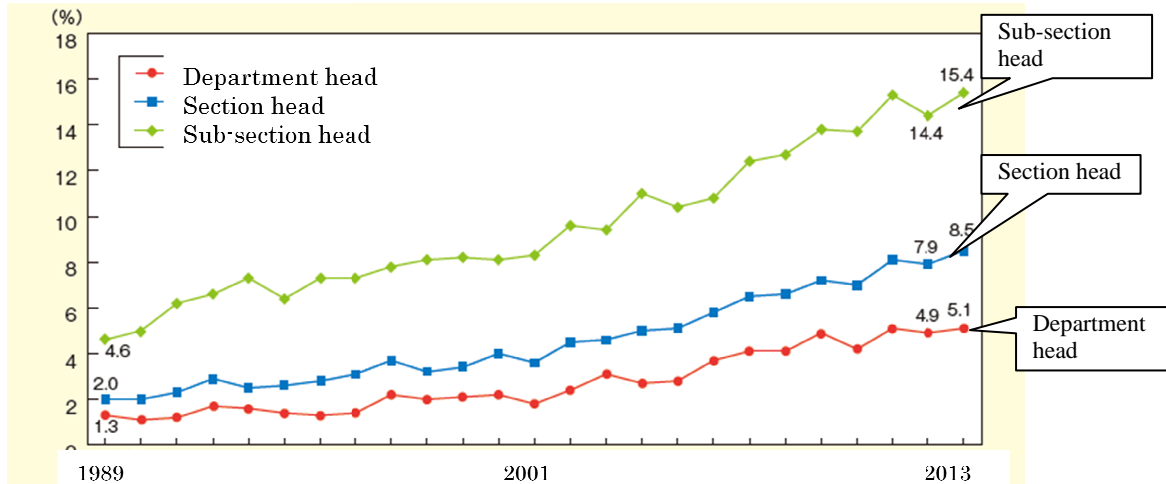
The Equal Employment Opportunity Law (hereafter, the EEOL) was established in 1986 and has been revised twice since then. Revisions prohibited discrimination in employment and promotion (before the revision employers were only obligated to make their best efforts not to discriminate), as well as indirect discrimination. But the EEOL still limits indirect discrimination to only three example cases and discrimination by employment management classification is overlooked. Furthermore, wage discrimination is not covered by the EEOL and Article 4 of the Labor Standards Law, which stipulates equal wages for men and women, has not been enforced effectively. In the 2013 review of the EEOL, only the enforcement regulations and the regulatory guidelines were revised, and those changes came into effect from July 1, 2014. The job evaluation system to realize equal remuneration for men and women workers for work of equal value, based on international standards (ILO Convention No.100), has not been established, though some studies have been made. The percentage of women managers of the private sector is only 11.1% which is the lowest in the advanced

<sup>1</sup> Ministry of Health, Labor and Welfare, *Nationwide Survey on Fatherless Families* (2011)



countries (Figure 3). In order to promote “Active Participation of Women”, the introduction of quota system is most required.

Figure 3: Female Ratio in Management Positions in the Private Sector\*



Source: Ministry of Health, Labor and Welfare, *Basic Survey on Wage Structure*

\* Enterprises with 100 employees or more.

### 3. Policies for irregular employment

The Part-time Employment Act was amended in April 2014. Previously, Article 8 of the Act prohibited discrimination against part-time workers when: 1. The job description is the same as ordinary workers, 2. The contract is without a fixed-term, 3. The personnel system is applied same as ordinary workers. The above condition No. 2 was removed by the amendment of the Law, but only 2.1% of all part-time workers (approximately 300 thousand people) are covered by the remaining two conditions.

The Labor Contract Act, which was amended and enforced in April 2013, allows fixed-term contract employees with renewed contract periods of over 5 years to convert their employment contract to non-fixed term status. But, there is no guarantee that their working conditions are same to those of regular workers. Cases have been reported that employers terminate labor contracts before 5 years to avoid such conversion.

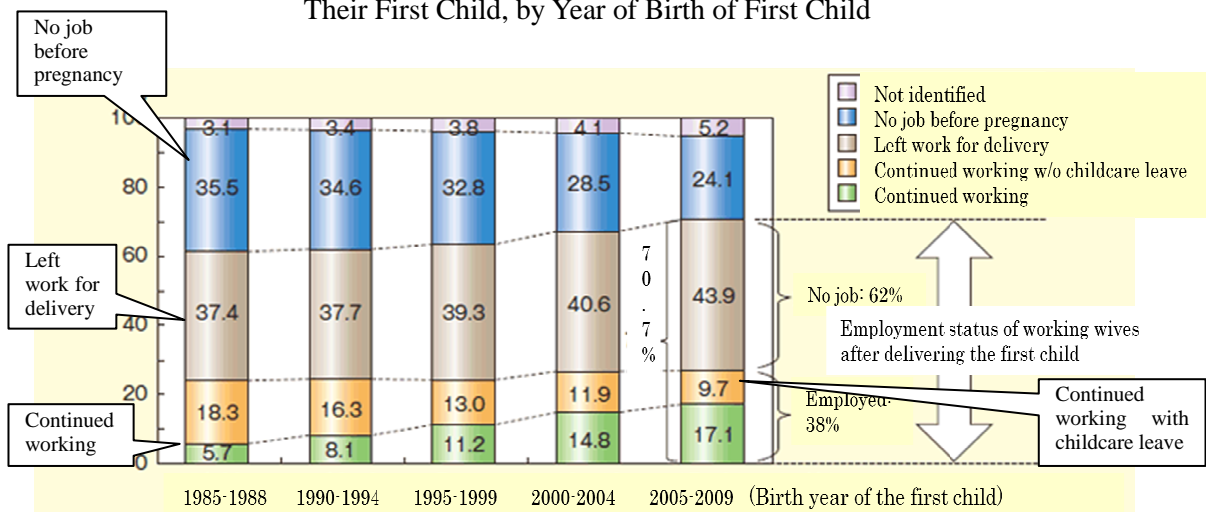
The Worker Dispatching Act of 1985 limited the employment of dispatched workers to certain professional jobs, but this limitation has been removed through a series of five amendments. The most recent amendment in 2012 under the Democratic Party Government prohibited the use of dispatched workers on a daily basis in principle, and required dispatching business operators to make a best effort to employ dispatched workers without a fixed-term and to improve wages and other conditions. The Abe administration is proposing a new amendment of the Act, which will force dispatched workers to remain dispatched workers indefinitely. Indirect employment will further increase precarious jobs. In addition, women's poverty will be aggravated since women dispatched workers are mostly insecure registration-type status.

### 4. Work-life balance

Of women workers, 62% leave their jobs after having the first baby (Figure 4). This trend has not changed even after the introduction of the Child Care Leave Act in 1991. The backdrop of this phenomenon is “maternity harassment” in the workplace. Article 9 of the Equal Employment Opportunity Law (EEO) and the Article 10 of the Child Care Leave Act prohibit discrimination against women based on pregnancy, childbirth and/or taking child care leave. There are an increasing number of inquiries for assistance to dispute resolution and consultations to the local government’s labor bureaus regarding the violation of the EEO and the Child Care and Family Care Leave Act.

According to statistics provided by the Ministry of Health, Labour and Welfare in 2012<sup>2</sup>, only 1.89% of male regular workers take child care leave compared to 83.6% of female regular workers in the private and public sector. The Unemployment Insurance Act was amended in April 2014 to raise child care leave benefits by 67% for the first 180 days. But the amendment benefits only small portion of targeted population. Irregular women workers, who comprise nearly 60% of women workers, hardly ever take child care leave.

Figure 4: Changes in Employment Status of Wives before and after Giving Birth to Their First Child, by Year of Birth of First Child



Source: National Institute of Population and Social Security Research, *The Fourteenth Japanese National Fertility Survey (Survey on Married Couples), 2010*.

Notes:

1. The figures shown are for first-marriage couples. For the statistics on before and after giving birth, the data of couples whose first child is 1 to under 15 years old.
2. Definition of Employment status:
  - 1) Continuous employment (using child-care leave): employed when finding out about pregnancy, took child-care leave, and employed when the child was one year old
  - 2) Continuous employment (not using child-care leave): employed when finding out about pregnancy, employed at the time the child was one year old, without taking child-care leave
  - 3) Cessation of employment upon becoming pregnant: employed when finding out about pregnancy and unemployed at the time the child was one year old
  - 4) Unemployed since before becoming pregnant: unemployed when finding out about pregnancy and unemployed at the time the child was one year old

<sup>2</sup> Ministry of Health, Labor and Welfare, *Basic Survey of Gender Equality in Employment Management* (2012)

## **R. Migrant Women**

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### **1. Overview of migrant women in Japan**

According to the most recent statistics of the Immigration Control Bureau of the Ministry of Justice, as of the end of 2012, out of the 2,033,656 foreign residents in Japan, 1,111,787 (or 55%) were women. Their residential status are as follows: permanent resident: 389,296 (most of them having changed their visa status from 'spouse of Japanese'), special permanent resident: 190,757, spouse of Japanese: 111,456, and long-term resident: 87,266 (migrant divorcees could attain this status). These figures show that a majority of migrant women living in Japan are, in fact, long-term settlers who came to Japan through the increase in international marriages after the 1980s. It is noted that holders of 'Student' (86,773) and 'Technical Intern' (82,806) visas have also been increasing among migrant women in Japan.

In general, migrant women in Japan have been facing multiple discrimination, violation and exploitation based on their gender and country of origin. Despite their need for special support and consideration as minority women, the Japanese government has never conducted any studies on the situation of the migrant women nor has it passed any comprehensive laws or measures to protect their human rights and assist in their settlement. Due to the lack of support system, various human rights violations have been committed against them.

### **2. International marriage /divorce and lack of policy support for settlement**

The number of migrant women settling in Japan through marriage has been increasing since the 1980s. There are an estimated 20,000 to 40,000 international marriages taking place annually since the 1990s. Married migrant women constitute a large proportion of the migrant women population in Japan, although their number has been slightly decreasing after 2006, then the number was 44,701, at the most. There is also an increase in the number of international divorces from 10,000 to 20,000 cases annually. Since the year 2000, the divorce rate between Japanese citizens and foreign nationals has grown higher than the marriage rate. In 2012, 16,288 international couples divorced. That is 6.9% of the all divorces in Japan. In contrast, international marriages were only 3.5 % of all marriages in Japan in that same year.

NGOs provide counseling to a number of migrant women, and a majority of these cases pertain to international divorces or the breakdown of marriages. Most of these cases are Domestic Violence (DV) related and the evident power disparity between Japanese husbands and their migrant spouses. In addition, migrant women often experience discrimination and isolation within their families and communities. One of the reasons for this is the lack of laws and measures to help these women settle down in their communities, such as Japanese language lessons, child care support, employment support and information dissemination and counseling in their own languages, to protect them from human rights abuses. These measures are utilized in other developed countries and recently, in South Korea.

Japan has the Basic Act for a Gender-Equal Society which was established in 1999. However, migrant women were only mentioned for the first time as “foreign” women in one of the subsections in the Third Basic Plan for Gender Equality in 2010. Any further specific measures and even just a study for preparing them have not yet been conducted. Comprehensive legal measures should be established to ensure the safety of the lives of migrant women in their families and communities, to prevent discrimination and human rights abuse.

### **3. Insufficient protection measures for migrant women from Domestic Violence (DV)**

It is widely known that migrant women are vulnerable to physical, mental and sexual violence because of their cultural differences and unstable legal status. Various international organizations have recommended the need for special consideration and treatment of minority women, who are vulnerable to violence. In the Fourth World Conference on Women in Beijing 1995, this issue was already pointed out in the Beijing Platform for Action.

In Japan, DV against migrant women is a serious issue. Although there is no official statistic on the total number of DV victims, it is estimated that the temporary protection rate of migrant women DV victims at Women's Consulting Offices is around five times higher than that of Japanese women. This is according to the Ministry of Health, Labour and Welfare (MHLW)'s statistics of temporary protection from DV and the population ratio of migrant and Japanese women.

Upon the first revision of the 2000 Act on the Prevention of Spousal Violence and the Protection of Victims in 2004, the provision for “respect their human rights regardless of their nationality” was inserted in the Act, aiming to address the serious damages done to migrant women DV victims; however, the practical support for migrant women on site is still insufficient.

Consequently since migrant women are systemically forced to depend on their Japanese spouses to acquire resident status, an abusive husband may threaten his wife that he will not help her in acquiring resident status if she does not obey him; then willfully prevents her from obtaining residency/permanent resident status/citizenship or prolongs the legal process. These conditions make it difficult for migrant women victims to escape from their abusive partners. There have been cases when migrant women - who have lost their residential status due to the lack of cooperation by their abusive husbands - ran to the police seeking protection from DV, but were instead arrested due to the violation of the Immigration Control Act. The fact is that migrant women are a highly vulnerable group and the Japanese system of residential status systematically makes these women depend on their Japanese spouses, as a result, foster DV.

There is no sufficient support system for them. These realities have been repeatedly pointed out and various recommendations have been proposed.<sup>1</sup> In response, the Japanese government revised the Immigration Control Act in 2009 to strengthen the control over foreign nationals by requiring them to report any changes related to their registration status and if they are late to report, they have to face criminal punishment. The revision even

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<sup>1</sup> The final resolution of the Committee on the Convention on the Elimination of All Forms of Discrimination Against Women in August 2009, the Bustamante United Nations Special Rapporteur on the Human Rights of Migrants in March 2010, the recommendation from the Committee on the Elimination of Racial Discrimination in March 2010 and August 2014, and the United Nations Human Rights Committee 2014.

introduced the expansion of the annulment of resident status. It is strongly feared that these actions by the Japanese government will not only foster more DV cases but also more disregard for the rights of migrant women.

#### **4. Human trafficking**

Human trafficking cases in the form of managed prostitution and sexual exploitation have been observed in Japan since the 1980s. Most of the victims in the 1980s were Filipino and Thai women, however women from Latin America, Eastern Europe and Russia have also been included after the 1990s. NGOs and some embassies have been supporting these victims of sexual exploitation for a long time. The Japanese government for its part took its first action when it signed the Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime. And it established an Action Plan against Human Trafficking in 2004, which was then revised in 2009. In 2005, related laws were partly amended accordingly.

In 2010, the Third Basic Plan for Gender Equality specified the measures on the victims of human trafficking. However, even under those actions, the numbers of victims recognized by the related offices were too small. According to the statistics of Ministry of Justice, recognized victims are only 10- 20 annually in recent years and, in 2013, it was only 12. This shows that the government's recognition of the victims of trafficking is too limited and that more actual victims are possibly forced into the underground. NGOs are requesting for the clarification and expansion of the measures of recognition of victims by introducing the guidelines for it.

Among the recent cases wherein NGOs have assisted, the increase of trafficking in individuals using the guise of marriage and labor exploitation under the Technical Intern Training Program have been observed. Various maltreatment and human rights abuses such as unfair wages, long working hours, collection of guarantee charges, confiscation of passports, confinement of workers and forced repatriation have been reported under the Technical Intern Training Program. International organizations and the U.S. State Department have repeatedly claimed that this program is "modern slavery" or "human trafficking for the purposes of labor exploitation." However, the Japanese government is even planning to expand this program and still does not recognize the victims of labor exploitation as human trafficking victims. Various recommendations from different international organizations were already proposed.<sup>2</sup>

#### **5. Rights as workers**

Most migrant women in Japan face difficulties in their employment. One of the problems is that the job available for them is quite limited; spouses of Japanese and long-term resident women (most are Japanese descendants from Latin America) are often in factory work while others are in the sex-related service sector where human trafficking have frequently occurred since the 1980s.

In the sex-related service sector, serious problems remain such as unclear labor contracts,

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<sup>2</sup> United Nations Special Rapporteur on Trafficking in Persons 2008, the Committee on the Convention on the Elimination of All Forms of Discrimination Against Women 2009, the Committee on the Elimination of Racial Discrimination 2010 and 2014, and the United Nations Human Rights Committee 2014.

unpaid wages, wage cuts as “penalty”, and the difficulties for seeking help against human rights violation such as forced prostitution.

Recently, the number of migrant women who have entered Japan as “Technical Intern” and work in the small to middle scale factories or farms are increasing. Those women often suffer from long working hours with low wages, fierce controls including confiscation of passports and sexual harassment.

In fact, there are no limitations on employment for the women who have the residential status as “permanent resident” or “spouse of Japanese” based on their marriages to Japanese, as well as women who have the “long-term resident” status due to their divorces from Japanese spouses or by virtue of being Japanese descendants. However, due to the lack of opportunities for Japanese language lessons and job training, migrant women often stay within the limited sector at minimum wage levels.

In June 2014, the Japanese government announced the “Japan Revitalization Strategy 2014.” It emphasized the utilization of Japanese women and foreign talents and proposed the new plan to introduce foreign nationals to the labor force. Amidst the trend of aging and lower fertility rate in Japanese society, it is predicted that more newly arrived migrant women will be accepted as workers in the care, domestic work and nursing sector. A recent media report on a case of exploitation and human right abuse by the recruitment agency against Filipino women who came to Japan as long-term residents to work as caregivers only implies that the number of these cases will be increasing in the near future. With the expanded plan of receiving more migrant women in Japan, the protection of the rights for the workers is imperative.

## **6. Recommendations to the Japanese Government (GOJ)**

- The GOJ should conduct studies on the situation of migrant women, and from these findings establish a comprehensive legal system for the protection of human rights and for the support the settlement of migrant women.
- The GOJ should strengthen measures to prevent violence against migrant women (e.g. DV and human trafficking). Ensuring the residential status for the victims of violence and the protection of the victims of human trafficking in the form of labor exploitation should be prioritized.
- From the viewpoint of protecting migrant women’s rights, the provision of the requirement to report changes and the annulment of residential status in the 2009 revised Immigration Control Act should be amended.
- The GOJ should carefully examine the current plan of receiving the new migrant workers in the care and domestic work sector, in terms of the rights of women and of workers, then from this should establish the appropriate measures.

## **S. Women with Disabilities**

SEYAMA, Noriko, DPI Women's Network Japan

Women with disabilities are discriminated due to the combination of disabilities and the gender gap. With this recognition, the UN Convention on the Rights of Persons with Disabilities (CRPD) included the provisions on Women with Disabilities in Article 6.

Hence, we, DPI Women's Network Japan (hereafter DPIWNJ), made a proposal to the Committee for Disability Policy Reform (CDPR) in regards to revising the Basic Law for Persons with Disabilities in 2011. Influenced by our approach, the Second Opinion to Disability Policy Reform subsequently included the need of measures for women with disabilities. We felt a strong sense of support by this. Unfortunately, the Basic Law for Persons with Disabilities, after it was revised in 2013, did not contain any provisions on women with disabilities as found in the Second Opinion. Through this experience, the DPIWNJ confirmed the stronger need to the current status of the multiple discrimination women with disabilities face and to position it explicitly in laws and regulations.

In this effort we conducted a survey on Living Difficulties of Women with Disabilities from April to November in 2011. The purpose of the survey was to disclose a large number of difficulties women with disabilities experience through their life which require legal remedy.

Along with questionnaires and interviews with women with disabilities, a survey on the Domestic Violence Prevention Program and the Basic Plan for Gender Equality was conducted based on the annual reports and the plans posted on 47 prefectures' official websites. The responses of 87 surveyed individuals across the country were categorized into types of issues and analyzed. The results were issued as *Living Difficulties of Women with Disabilities: A Report on Current Status of Multiple Discrimination* in March 2012.

### **1. Sexual abuse**

Sexual abuse is a serious issue women with disabilities go through and it must be solved. Therefore sexual abuse is herein addressed first.

The dominant response in the survey was sexual abuse: as many as 35% responded that they have experienced sexual abuse in their lifetime. The responses indicated that the offenders were their bosses at work, teachers or staffs at school, service providers at welfare facilities or healthcare settings, caregivers and family members at home. Victims need to stay and cannot easily leave these types of settings. Furthermore it is common among the reported incidents for the offenders to be in an advantageous position, which is highly likely to discourage victims to make any effort in reporting abusive incidents although they may fall under crime.

Some offenders may take advantage of characteristics of disabled women such as those who are unable to escape, to counter sexual abuse, or, because of their intellectual disabilities, are unable to have their testimony accepted or to identify offenders by voice or physical appearance. Difficulties in achieving financial independence may also hinder women with disabilities to escape from abusive situations and their vulnerability makes them difficult to report.

## 2. Caregiving/Assistance

Relating to sexual abuse is caregiving and assistance, which is another problem for women with disabilities. Our survey discloses that opposite sex caregiving has a relatively high level of problems, both in its seriousness and quantitative aspects.

Caregiving by same-sex does not mean that the problems will be eliminated just by providing female caregivers should always be provided to females and male caregivers to males. Yet, it does mean they should be assisted by someone whom women with disabilities feel most comfortable with. A lot of women with disabilities request to be assisted by female caregivers. The possible reasons are: caregiving frequently involves physical contact and those who receive caregiving that involves such contact are at high risk of sexual abuse. It is true that females are more likely to be sexually abused by males. Women with disabilities assisted by male caregivers are more uncomfortable and at a higher risk of sexual abuse than men with disabilities assisted by female caregivers. Women's bodies are often seen as sexual objects or valued as commercial products. Considering these characteristics of women, it explains why it is such a threat and pain for women with disabilities to receive assistance that involve physical contact from men.

On the other hand, some men with disabilities request to be assisted by male caregivers. Some of them claim that they are uncomfortable with female caregivers who act like a mother.

Among other types of occupations, there is a significant difference in the ratio of men versus female caregivers. Research indicates that 80.6% of caregivers are female and 90.8% of home-visit caregivers are female according to a Survey of Care Workers by Care Work Foundation in 2007. The number of male caregivers at hospitals and other facilities are, however, on the increase. Although women with disabilities request to be assisted by female caregivers at some facilities daily activities such as excretion care and bathing are conducted with male staff assistance according to the workplace rules. This may be because hospitals and other facilities prioritize the job assignments of caregivers and labor management over the request of those who receive the services.

## 3. Reproductive Health and Rights

Among the responses in our survey, there were of those who were forced to undergo eugenic sterilization under the Eugenic Protection Law. There were other responses from those who were recommended *hysterectomy in order to be free of assistance* during menstruation. Although it has been argued about possible cases of *hysterectomy performed, official investigation has not been held*. Thus, it holds great significance for this to be reported as their own experiences.

To further supplement details, sterilization has been performed without consent of the referred person under the Eugenic Protection Law which became effective in 1948 and was revised as the Maternity Protection Law in 1996. The law was made to "prevent the birth of inferior offspring". "Inferior offspring" means the disabled persons and sterilization has been performed to those with genetic disabilities as well as to those with likelihood of having disabled children. Sterilization is a surgery to disable reproductive functions. Based on the provisions in Articles 4 and 12 of The Eugenic Protection Law, upon a medical doctor's application, sterilization may be performed without consent of the referenced person.



Consequently, 70% of the operated individuals without their consent turn out to be women<sup>1</sup>.

In respect to this practice, during the 64<sup>th</sup> General Assembly of the UN Commission of Human Rights in 1998, the Final Review of the Commission of Human Rights issued a final recommendation to the Japanese government stating that “the Commission recognizes the need to abolish enforced sterilization, regrets that the current laws do not contain provisions for the rights to compensation for those women subjected to such procedure, and recommends the government to take necessary legal measures.” However, provisions to “the rights to compensations” as recommended as above have not been practiced yet.

#### **4. Work and income**

Our survey reveals that there are many women with disabilities who wish to work but are not understood by others. The social norm in Japan is founded on a traditional gender role that is men earn money for a living and feed women who engage in housekeeping. Because of this gender role, unmarried women who are not supported by their husbands are likely to be exposed to financial difficulties. Quite a few women with disabilities, since their childhood, have made a determination to one day get a job and live independently because they thought that they might not get married due to their disabilities. Regardless of their determination, the types of jobs women with disabilities can obtain tend to be low wage or unstable because they are women. Given the uncertain work situation of women with disabilities, they are likely to encounter workplace harassment.

Issues pertaining to a gender role society have been seen in other areas such as a gender gap in compensation payments for accidents that cause disabilities. That is because the amount of the compensation for loss of earnings is calculated by the average wage of men and women of the society at time.

Among different studies National Institute of Population and Social Security Research conducted the Living Standards Survey of People with Disabilities at Inagi City, Tokyo and at Fuji City, Shizuoka from 2005 to 2006. The survey further focused on disparities of work and income between women with disabilities and other populations.

The key findings were: employment rates are 90% of men without disabilities, over 60% of women without disabilities, over 40% of men with disabilities and less than 30% of women with disabilities. The average of single household annual income including pensions and allowances is 4 million yen for men without disabilities, 2.7 million yen for women without disabilities, 1.81 million yen for men with disabilities and 920,000 yen for women with disabilities. Additionally, data on labor income excluding pensions and allowances finds that 50% of women with disabilities receive less than 500,000 yen and 70% of them receive less than 990,000 yen. Even with pensions, income level would still be too low to live independently<sup>2</sup>. This low living standards makes women with disabilities vulnerable and that makes them victims to sexual abuse.

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<sup>1</sup> The data is based on *Isei 80 nenshi* [80 years history of Japanese medical institution] and *Yuseihogo toukei houkoku* [Statistics on the Eugenic Protection]. The number of sterilization performed without consent of the referenced person based on the provisions in Articles 4 and 12 of the Eugenic Protection Law reaches 16,520 persons, of which men are 5,164 persons, between 1949 and 1994. This number covers only the cases reported in the official statistics.

<sup>2</sup> “Poverty of Women with Disabilities”, *DPI - A Voice of Our Own*. Vol. 24-3.

## **5. Invisibility of women with disabilities in the policy for the advancement of women**

Our survey evaluated whether or not the policies of the central and local governments are sufficiently responsive.

Under the Basic Law for a Gender-Equal Society, the central government issued the third Basic Plan For Gender Equality (December, 2010) to address issues of individuals with multiple challenges including women with disabilities and expressed the need for solutions. The Act on the Prevention of Spousal Violence and the Protection of Victims (Domestic Violence Prevention Act), which became effective in 2001, was revised in 2004 to additionally incorporate basic policies including accommodations for victims with disabilities. Despite such government plan, practical measures are scarcely present.

Some gender equality measures of local governments refer to women with disabilities, but they are focused on training such as Daily Home Living Training for Blind Women that merely provides practical daily living skills within household settings. We are in doubt as to whether such measures are aligned with the goal of a gender-equal society where both women and men shall be given equal opportunities to participate voluntarily in activities in all fields as equal partners in the society, and shall be able to enjoy political, economic, social and cultural benefits equally as well as to share responsibilities (The Basic Law for a Gender-Equal Society).

In the measures for domestic violence prevention, although victims with disabilities are assumed to exist, there are no data to show their current status, and out of 47 prefectures, as little as 4 maintain records on counseling and temporary custody for individuals with disabilities. Overall, individuals with disabilities have not been provided the necessary information and many of them may have no access even to counseling after encountering domestic violence. In fact, DV counseling is mainly conducted by phone or face-to-face counseling. 19 prefectures' plans include descriptions on sign-language interpretations during face-to-face counseling and 2 include descriptions on transcription services.

Additionally, our survey uncovered the fact that many prefectures are considering to use social welfare facilities or day habilitation centers for the temporary custody of disabled and elderly individuals which lack the same quality of security systems as those of DV shelters. Therefore, protection facilities including DV shelters are behind in removing both physical and informative barriers.

In regard to the Persons with Disabilities Abuse Prevention Act which became effective in October 2012, the definition of abuse is unfortunately too narrow to respond to the wide range of violence women with disabilities are encountering.

Many of the difficulties women with disabilities face have not been socially recognized or have been neglected. Women with disabilities have been dealing with the issues on their own so far, but it is necessary to highlight their issues so that the society as a whole will be aware of them and take actions.

## T. The Role of Men and Boys

ITO, Kimio, Kyoto University

### Overview

In order to realize a gender-equal society, reforms of different men-led institutions and changes in the consciousness of men are also indispensable to the same extent as the promotion of decision-making and social participation of women. Changes in the fixed consciousness of men, which becomes an obstacle for the social participation of women, and the fundamental shifts in men's lifestyles are also necessary.

According to 1970 data, Japanese society had one of the highest women's labor participation rate among OECD member countries. However, the turn towards gender equality which happened in the international community after the 1970s was not shared in Japan, where the gender-related division of labor has only been strengthened with men primarily engaging in long-term labor and women mainly engaging in housework and childcare and also taking non-regular jobs under poor working conditions. At the same time, Japanese economic growth continued and became the world's top-class in terms of GDP per person.

This economic growth has been realized by the mechanism of gender-based division of labor that got fixed in the middle of the 1970s, although it was accompanied by such negative impacts as even more serious destruction of natural environment and restraints of social participation of women.

In addition, for Japanese men long-time labor and the mechanism of everyday life whereby they were estranged from the family and local community, as well as regulations such as "fixed masculinity", became even more severe during the middle of the 1970s. The so-called *karoshi* (death from overwork) which became apparent after the 1980s, as well as an increase in suicide death rate of middle-aged men became evident in the second part of the 1990s. These are all the evidences of this strengthened "fixed masculinity".

Facing increasing serious problems caused by an aging society with a low birthrate that have become evident around the 1990. The necessity to change the mechanisms of "fixed masculinity" which were created in the middle of the 1970s has been recognized widely, and is represented by long-hour labor of men, while housework and child-rearing along with non-regular part-time jobs are destined for women. But Japanese society could not manage to escape from its past economic success in the 1970-80s and lost an opportunity to change its outdated mechanism of gender-based division of labor.

The Basic Law for Gender Equal Society was established under the influence of the international community in 1999, and the Basic Plan for Gender Equality was devised in 2001. The Japanese government has started tackling gender problems. However, beginning around 2003, conservative political forces and citizen groups started protest movements against the implementation of full-scale measures for gender equality by the central and local governments. They have become huge obstacles towards gender equality<sup>1</sup>. The

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<sup>1</sup> Please refer Ito, K., "Emerging Culture Wars: Backlash Against 'Gender Freedom'" in *Gender and Welfare States in Eastern Asia Confucianism or Gender Equality*, Macmillan, 2013

implementation of policies for gender equality that had just started became greatly delayed by such backlash movements.

By 2010, backlash movements had to some extent slowed down, and gender policy has again gained momentum. The government's Third Basic Plan for Gender Equality drawn up in 2010 has become an even more profound gender policy and plans. They are still being devised.

In this plan, "men and children" have been set up among 15 policy spheres, in which the changes in consciousness and lifestyle of men are proposed, and references were made for the rights of sexual minorities. All these points did not exist in the previous plans. Special attention need to be paid to the measures aimed at men such as the encouragement of men's participation in their home life and promotion of men's work-life balance, as well as the establishment of public consultation facilities aimed at men and the promotion of consultation services.

Despite this progress, we should also admit the fact that such measures to change the consciousness of men and the systems are interrelated. Implementation of measures for a gender equal society needs a long way to go and we are now at the stage when only the first step has been accomplished.

Below are the summaries of several discussion points.

### **1. Sphere of decision-making**

The participation of women in decision-making in politics did not improve much within the last 10 years. The percentage of women in managerial positions in companies also remains low. The conventional view of women, which does not consider woman as an independent work force, lies in the background of men's continuous occupying of managerial positions in politics and economies and has impeded process. Changes in the consciousness of men, especially those who are in leadership positions, and the institutionalization of positive action, including the quota system are urgently needed.

### **2. Working sphere**

No substantial advancement was made concerning the inequality of wages between men and women, as well as the situation that women work on a part-time basis, which tends to function more disadvantageously for women. At the same time, the long-time labor of men is not only the obstacle to labor participation of women, but also causes various problems of the lives of men and their families. Especially, long-time labor of men in their 30s causes big problem. According to the Labour Force Survey in 2012, around 20% of men in their 30s are forced to work over 60 hours a week. There is a need to regulate working hours for the full achievement of work-life balance that will allow men to fulfill their family responsibilities.

### **3. Sphere of family life**

Several campaigns have been held to stimulate men's participation in child-rearing, and social interest in the participation in child-rearing has been drastically increasing. According to a survey conducted by the Cabinet in 2012, the percentage of men who want to take part in active part in child-rearing reaches 60%. However, long-time labor of men does not allow them to take an active part. The parental child-care leave for men does exist in Japan. However, due to the discouraging working environment that requires men to prioritize their work, the percentage of men who are able to take child-care leave constitutes only around 2% at present.

We can predict that elderly care will also become an even bigger problem for men in the future, as people in Japan are getting older. A shift in direction toward men’s participation in nursing and elderly care is needed.

#### 4. Education sphere

Among the OECD countries, in only two countries – Japan and Turkey, men exceed women in the ratio of students who proceed to university-type higher education institutions. The problem of this gender inequality in higher education lies in the social awareness that accepts men to continue their education into university even though their records are not good, but does not expect women to obtain higher education.

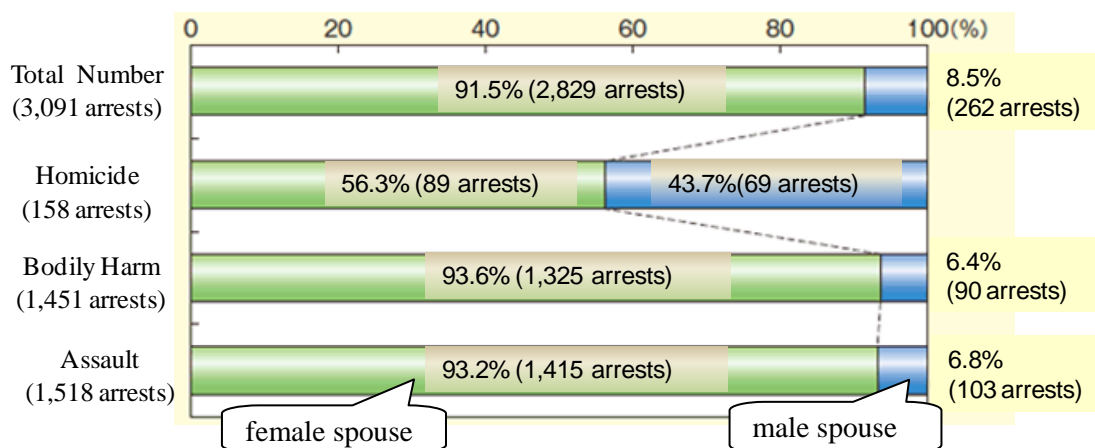
It should be highlighted that the urgent problem of the low academic ability of boys, which is observed in OECD countries, also exists in Japan, although unlike the OECD countries, this problem is invisible in Japan. The results of national academic achievements test need to be announced officially for boys and girls separately (this is not being done now).

It is also necessary to provide gender education with the emphasis of gender-sensitivity for boys and empowerment education for both boys and girls.

#### 5. Sphere of violence against women

Policies and measures dealing with DV (domestic violence) have been to some extent developed. However, the development of programs for perpetrators, including the correction programs targeted at male perpetrators, has been delayed. According to Figure 1, women constitute more than 90% of DV victims. In the case of murders, men constitute a bit more than 40% of victims possibly are DV, although we need to mention that many of these male victims possibly are DV male perpetrators.

Figure 1: Victims of spouses (including common-law) crimes (homicide, inflicting bodily harm, and assault (ratios to total number of arrests) (2011)



Source: National Police Agency Survey, reprinted from *White Paper on Gender Equality 2012*

Attention has begun to be paid to the damages men suffered by DV. Of people who experienced suffering from DV in Japan, about 18% of men reported suffering from DV with

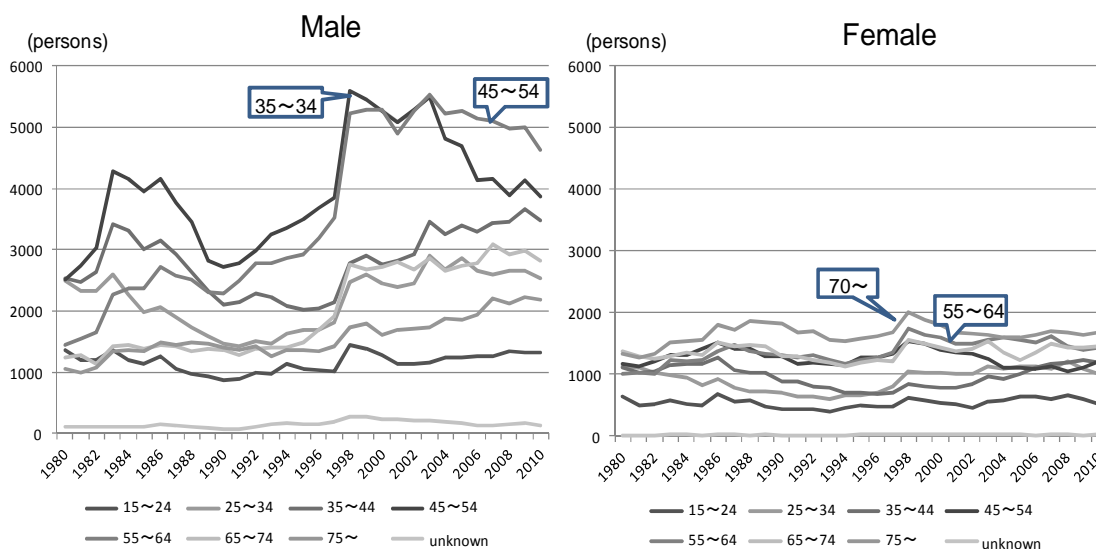
physical violence 13.3%, mental violence 9.5% and sexual violence 3.4%<sup>2</sup>. But there are no facilities to protect male DV victims.

Not many things have been done on such problems as human trafficking, prostitution and child pornography, in many of cases men are consumers.

## 6. Health (care) sphere

Japan is well known as a country with longevity; however, suicide rate is more than global average. As we can see from Figures 2 the suicide rate of middle-aged men has jumped after 1998. Obviously, this is the impact of recession. We can also say that men's consciousness that they tend not to tell other people about their worries is related to such tendency.

Figure 2: Number of suicide by age group



Source: Ministry of Health, Labour and Welfare, *Population Survey Report*

Concerning gender-based medicine, the substantial developments have been made in the sphere of women's medicine. However, medicine targeted at men has not been developed to the full until now. It is necessary that medical policy takes into account the physiological differences between men and women as well as dealing with both mind and body.

## 7. Providing consultation services for men

There is an urgent need to promote consultation services aimed at men as developed under the Third Basic Plan based on the deepened and precise analysis of the situation of men from the gender-sensitive point of view. Along with making it clear the problems that men face, there is also a need for men to promote their changes and to lead moves for a gender equal society.

<sup>2</sup> Gender Equality Bureau Cabinet Office, The survey on violence between men and women (2011) <http://www.gender.go.jp/e-vaw/chousa/images/pdf/h23danjokan-6.pdf> (in Japanese)

## **U. Older Women: Elderly Women in Poverty**

HIGUCHI, Keiko, Women's Association  
for the Better Aging Society

In Japan, contrasting the increase in an aging population, fertility rate has been continuously low. The total fertility rate in Japan was 1.43 in 2013, and the 25% of the population was over age 65. In 2013, the average life expectancy of women was 86.6 years (highest in the world) and 80.2 years for men (4th). Both men and women, on average, live over 80 years, marking the longest life expectancy in the world. If the current trend of declining birthrates continues, the percentage of people over age 65 will be as high as 40% of the total population by 2050. Japan will reach an unprecedented aged society in the world with low birthrates. This implies the risk of the collapse of social security system is possible.

The low fertility rate in Japan cannot be seen as a result of women exercising their reproductive rights unfortunately. The main reason for this trend is the persistent gender-based division of work that has continued for decades; namely men work outside and women stay at home and do household chores and care work. As a result, young women tend to be reluctant to get married and to have children while they work outside a home, although certain percentage of women desire to get married and have children. Not only women, the Japanese society as a whole has failed to establish a lifestyle that values family life and family care as high as work.

### **1. Increasing low income bracket of aged women**

In the sharply rising curve of an aging population, the female curve goes up sharply because of the difference in average life expectancy between men and women. Among the recipients of public long-term nursing care insurance, 3% of people aged between 65 and 75 are assessed that they need nursing care, and the rate of those in need of nursing care increases to 23% among those aged over 75, of which 60% are women.

In the medical insurance system, more than half of per capita lifelong medical expense, which was 23 million yen in 2010, was spent by those aged 70 and over. The male to female ratio of this population group, over age 70, is 9 to 13. Economic burdens for medical expense and nursing care are enormous both for individuals and the government, and no doubt, they are heavier for women. Thus, a larger proportion of elderly women are living in poverty as their expenses for medical and nursing care are greater than their younger days and men in the same age group. As women's ratio is larger in elderly population, increasing medical and nursing care expenditures may lead the whole nation into poverty.

The relative poverty rate, the ratio of people below the national median level of disposable income is higher among women than men at all ages, and the gap between men and women widens at older ages. The relative poverty rates of people over 80 years old are 16.6% for men and 27.1% for women.

Relative Poverty Ratio among People over 80

Men 16.6%      Women 27.1%

**2. Single elderly women in extremely poverty**

Currently, the rate of single-person household of elderly households is 11.1% for men and 20.2% for women. More women live alone.

Men 11.11%      Women 20.20%

The rate of people living below the poverty line is similar between men and women among people who live in single-person households, but the actual number is far greater for women.

Table 1: Ratio of extremely poor among the single-person household by annual income

	Annual income	
	600,000 and below	600,000 – 1.2 million yen
Single women	6.5%	18.4%
(divorced)	(12.5%)	(20.0%)
Single men	6.6%	10.7%

About a quarter of women in single-person households live below 1.2 million yen a year and a third of them are divorced. It is easily inferred that they are caught in a vicious cycle of poverty and ill health.

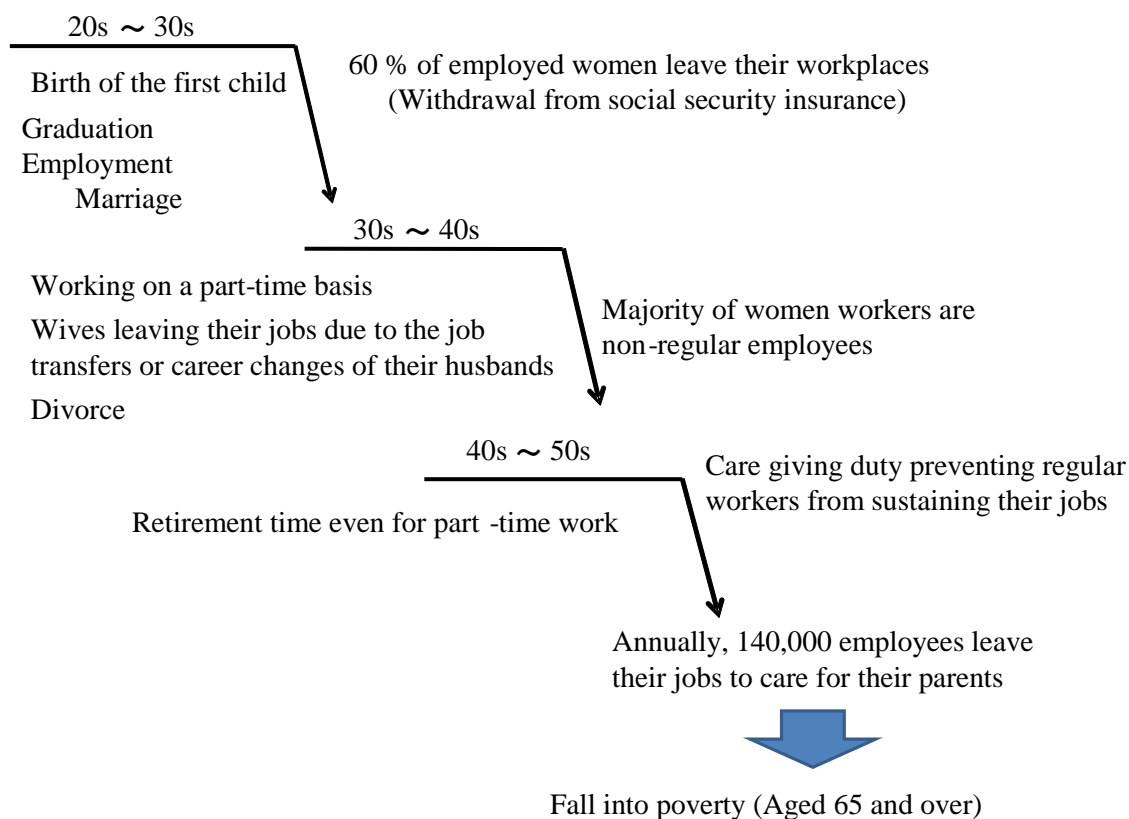
The gap between average life expectancy and average healthy life expectancy is wider among women than men; women at 12.68 years compared to 9.13 years of men (2010, White Paper on Aged Society, Cabinet Office). This suggests that women live longer but they need more nursing care. Because of their greater in number, elderly women's healthy lives are latent social assets. Therefore measures should be taken to improve health services to elderly women and to alleviate their poverty.

**3. Exclusion women from the social security system and preferential treatment for full-time housewives**

Why are women poor in their old age? Women are not born in poverty, but they fall into poverty as they live longer. The figure 1 shows the three stages women fall into the poverty throughout their life.



Figure 1: The three stages women fall into poverty throughout their life



The major income source for elderly households is employees' pension insurance. Of 70% of elderly households in Japan, 80% of their source of income is public pension schemes. The amount of average benefits is 170,265 yen per month for men, and 103,989 yen for women (2011). A large gap exists between men's and women's income. This gap is a direct result of women's shorter period of employment. Women in their late 70s and over are the generation who had to leave their workplaces because the retirement ages for women employees were set lower when they were employed, particularly in the private sector, and the salary they received were less than men from the beginning of their employment. It was less than 60% of men's salary in the early 1970s, and around 70% of men's salary even today.

The universal national pension plan, to which every person is supposed to join, provides 66,000 yen a month starting at the age 65. As many women join the plan for less than the designated period (25 years at the minimum) to be eligible to receive the benefits, the amount of benefits they receive is smaller than 66,000 yen by about 10,000 yen. Around 70% of recipients of employees' pension benefits are men, while 70% of those who receive only public pension benefits are women.

After married, a great portion of women leave their workplaces for childcare, elderly care and other family affairs, and if they desire to return to work, the opportunities to work full-time are extremely limited. Thus, they cannot choose but to work as part-time or as temporary workers, who are almost excluded from employees' pension plans and other social

security programs. Women comprise 42% of the workforce in Japan, and among working women, 58% are not in full-time employment (2013, Ministry of Health, Labour and Welfare).

The employees' pension system is structured based on men being heads of household, and their wives are exempted from paying premiums of the national pension plan as long as the payments from their part-time jobs are below 1.3 million yen a year.

Now, as the postwar baby boomers begin to receive employees' pension benefits, the funds for the contribution are bound to diminish, as a result, the amounts of benefits will decrease. The decline in pension benefits affects both men and women, but women more seriously.

The pitfall of the Japanese social system is that it regards women as a supplementary workforce and a main player in household work, childcare and elderly care. This shortcoming has been emerging in the form for elderly women in poverty.

## V. Rural Women:

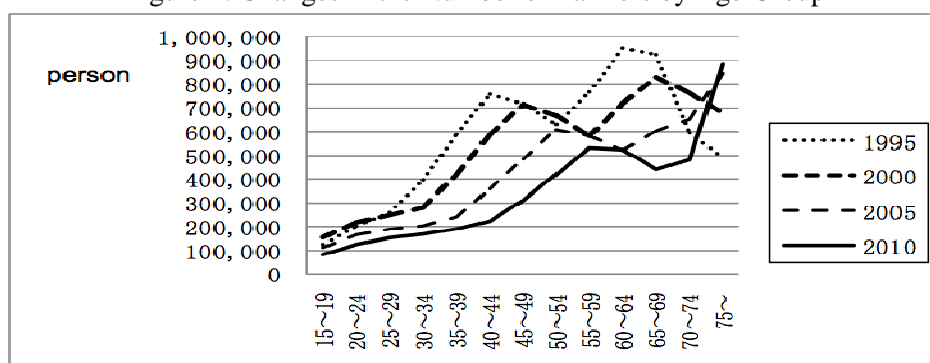
### Promotion of Women's Policy in Japanese Rural Areas and Related Issues

NAKAMICHI, Hitomi, Ehime University

#### Introduction: Expansion of the area gap, the progression of aging and depopulation in Japanese rural areas, and the promotion of women's policy

In 1999, the Basic Law on Food, Agriculture and Rural Areas (henceforth, the new Basic Law) was enacted through revising the Agricultural Basic Law (henceforth, the old Basic Law). In rural Japan, issues such as the depopulation of youth, depopulation of communities, and the aging population became more serious than ever. The number of agricultural workers fell dramatically, while their average age continued to rise, and in 2010 the ratio of farmers aged 65 and over had reached 61%, as shown in Figure 1. Conversely, the ratio of farmers aged under 50 was only 12.4%. It is the senior people, those who would be considered to be "after retirement age" in general working careers, who currently support Japanese agriculture. This can be said that the agriculture, forestry, and fishery industries in Japan have reached crisis point.

Figure 1: Changes in the Number of Farmers by Age Group



Note: The author created this Figure using data from the source below:

Source: *Annual Statistics of Agricultural, Forest and Fishery Census(1970-2010)*

Table 1: Changes in Agricultural, Forestry and Fisheries Workers and Corresponding Ratios of Female Workers

Year	1990	1995	2000	2005	2010
Agriculture Workers	5,653	4,140	3,891	3,353	2,606
Female Workers	3,403	2,372	2,171	1,788	1,300
Ratio of Females (%)	60.2	57.3	55.8	53.3	49.9
Forestry Workers	110,017	84,072	67,153	46,618	68,930
Female Workers	17,994	13,773	11,540	7,015	8,710
Ratio of Females (%)	16.4	16.4	17.2	15.0	12.6
Fishery Workers	371	301	260	222	203
Female Workers	67	54	44	36	30
Ratio of Females (%)	18.1	17.9	16.9	16.3	14.8

Source : *Agricultural, Forestry and Fishery Census, Fishery Census, Census*

Note 1 : Agricultural workers : mainly working on their own farm; unit = 1,000 persons

Note 2 : Fishery workers: working in sea surface; unit = 1,000 persons

Table 1 shows the situation of women in the agriculture, forestry and fishery industries. The total number of workers is decreasing, and the number of female workers is also decreasing. The ratio of female workers is decreasing in every industry. In agriculture, female workers accounted for more than 60% of all workers in 1990, but now fewer than half are women. In forestry and fisheries, only around 10% of all workers are female. Women are disappearing from these industries as the average age of the population advances. This means that the shortage of agricultural successors is becoming more serious, and making conditions extremely difficult for the continuation of these industries. The Japanese agricultural, forestry and fisheries policy was changed for this very situation, and its policy for supporting women was promoted.

### 1. Female participation in decision making in the agriculture, forestry and fisheries

In 1992, the Ministry of Agriculture, Forestry and Fisheries (MAFF) published its first report focusing on women, titled *Women in the New Agricultural, Forest and Fishing Communities Towards 2001* and known as *the Vision*. As a part of the promotion of female policy, many women from agricultural, forest and fishing communities participated in the Fourth World Conference on Women in Beijing and exchanged information with various women from other countries. In 1999, when the Basic Act for Gender-Equal Society was enacted, a special clause on female workers was also added to the new Basic Law of 1999.

Table 2: Changes in Women's Participation in Agriculture, Forestry and Fisheries

Year	1980	1985	1990	1995	2000	2005	2010
Agricultural Committee Members	65,940	64,080	62,524	60,917	59,254	45,379	36,330
Female Members	41	40	93	203	1,081	1,869	1,792
Ratio of Females (%)	0.06	0.06	0.15	0.33	1.8	4.1	4.9
General Members of Agricultural Cooperatives	5,635,000	5,536,000	5,537,547	5,432,260	5,240,785	4,997,797	4,707,348
Female Members	497,000	574,000	667,468	707,117	746,719	804,583	890,718
Ratio of Females (%)	8.82	10.37	12.05	13.02	14.2	16.1	18.9
Board Members of Agricultural Cooperatives	81,059	77,490	68,611	50,735	32,003	22,799	19,161
Female Members	29	39	70	102	187	438	741
Ratio of Females (%)	0.04	0.05	0.10	0.20	0.6	1.9	3.9
General Members of Fishing Cooperatives	409,960	381,785	354,116	317,553	275,715	232,414	178,465
Female Members	19,944	21,180	20,425	18,337	15,655	15,830	10,111
Ratio of Females (%)	4.9	5.6	5.8	5.8	5.7	6.8	5.7
Board Members of Fishing Cooperatives	23,224	22,563	22,022	20,449	17,974	13,861	10,305
Female Members	10	13	22	29	43	45	38
Ratio of Females (%)	0.04	0.06	0.10	0.14	0.2	0.3	0.4
Board Members of Forest Cooperatives						13,094	10,086
Female Members						25	41
Ratio of Females (%)						0.2	0.4

Source: Division of Access to Farms and the Female Farmer, Management Bureau of MAFF

### 2. Promotion of family management agreements in farming households

In 1992, in the same period as reported in *the Vision*, the MAFF reported the “New Agricultural Policy Direction” that led to the new Basic Law. Aimed at innovating farm management, this new Basic Law promoted large-scale farm management based on the same working hours and the same lifetime income as other industries. It therefore promoted the corporatization of farm and the conclusion of Family Management Agreements (FMAs) establishing working hours and labor remuneration for family members. The Women and Life Division in MAFF at the time not only promoted these Agreements with the objective of eradicating unpaid female labor and enhancing women's participation in farm management, but also tried to popularize these Agreements for household management in addition to farm management. Thus, FMAs became a part of policy for women, to counter the serious shortage of agricultural successors, and support the need for policy to modernize and incorporate farm management. The similar “Family Agreements” had been promoted in 1964, with the intention of modernizing and incorporating family farm. These agreements were based on the European and American farm succession contracts. In Hokkaido, many agreements on farm succession were concluded with the objective of obtaining a high farmer’s pension for large scale farming, while in Gunma Prefecture, many agreements on labor conditions were concluded with the objective of preventing the outflow of agricultural successors to nearby metropolitan areas. However, no consideration was given to the female perspective at that time, and the agreements spread to only a very limited area.

On the other hand, FMAs were introduced in South Korea, where the same problem as Japan was experiencing. Moreover, the Japanese government announced the FMAs as a part of an original policy at the 56th session of the U.N. Commission on the Status of Women (CSW) in 2012, targeted priority theme of which was rural woman. As a result, FMAs are still politically promoted to this day, and statistics are taken continuously. However, the FMAs conducted household ratio of all farm households is still very low even now, in spite of the increasing number of total households after twenty years of promotion of FMAs, as shown in Table 3.

Table 3: Number of Households that Concluded Family Management Agreements

Year	1996	2000	2005	2011	2013
Households that Concluded FMAs	5,608	14,777	32,120	48,602	52,527
Ratio of All Farm Households (%)	0.21	0.63	1.64	3.11	3.61

Note: The author created this Figure using data from the source below:

Source: Division of Access to Farms and the Female Farmer, Management Bureau of MAFF

### 3. Promotion of women entrepreneurs

In contrast, more attention has been paid to female entrepreneurs in recent years. The number of female entrepreneurs is increasing every year, and the individual management is increasing much more rapidly than its larger counterpart, the group management, as shown in Table 4. The enactment of the Law Concerning the Promotion of Settlement and Interchange between Regions for Revitalization of Agricultural, Forest and Fishing Communities has helped to politically strengthen the support for female entrepreneurs.

The activities of female entrepreneurs in rural areas are currently based on groups for better living. Better Living Groups (also known as Life Study Groups) were promoted politically to organize the welfare of farming households under the old Basic Law. Agricultural extension workers with household skills took part in the promotion of better living. However, these

extension workers came to treat women as no more housekeepers but farmers in the new Basic Law. After this, the support for women decreased sharply, as did the establishment of these groups. Most female entrepreneur activities are based on the processing of foods or other activities, such as a direct markets or agri-tourism. Better Living Groups were a starting point for many current female entrepreneur activities. The reason why there were few female entrepreneurs in forestry and fishery was related to the fact that there was only minimal support for the establishment of Better Living Groups and their ongoing care. Many female entrepreneurs earned very little income as they could not become financially independent. More often, they worked not for income but for a variety of social missions. Therefore, we can say that most Japanese female entrepreneurs are social enterprises with social missions.

Table 4: Changes in the Number of Female Entrepreneurs

Year	1993	2000	2005	2010
Total	1,255	6,218	8,667	9,757
Individual Management	241	1,495	2,956	4,473
Group Management	1,014	4,723	5,711	5,284
Agricultural Products	150	514	1421	1991
Food Processes	770	4266	6816	7334
Non-Food Processes	90	279	343	326
Sales and Distribution (Direct Markets etc.)	463	2811	3999	5827
Interchange with Urban Areas (Agri-tourism, etc.)	76	479	995	2002
Services	16	48	55	164
Other	0	20	42	
Unknown	14		7	88

Note: The author created this Figure using data from the source below:

Source: Division of Access to Farms and the Female Farmer, Management Bureau of MAFF

#### 4. Issues regarding policies for women in Japanese agricultural, forest and fishing communities

The women in rural areas are still invisible, as demonstrated by the lack of data for women in forestry. Decision-making in the management of farms, forestry, fisheries, agricultural cooperatives, and in rural society in general, is still dominated by males, and women are excluded from virtually all decision making in rural organizations.

Many agricultural, forestry and fishing households in Japan are managed by families. According to the 2010 data, 97% of Japanese farming households were family-managed. Therefore, the dissolution of a patriarchal structure, the male-dominant structure of agricultural, forestry and fishing communities is still an important issue.

Women are still restricted to obtain skills in agriculture, forestry and fishery. Housekeeping skill does not support the participation of women in current rural society. Therefore, it is necessary for women to learn agricultural, forestry and fishing skills. In addition, for women it is difficult to be a board member of cooperatives with economic responsibility. Many women begin to work in agriculture, forestry or fisheries because they marry into farming, forestry or fishing families. Accordingly, these women do not have their own agricultural, forestry or fishing property, and are therefore unable to take a part in management. Consequently, policies need to ensure that women have the rights to participate in the joint management of farming, forestry or fishing households equally with their husbands. This means that modernization and corporatization of agricultural, forestry and fishing households are needed.

## W. Minority Women

MOTO, Yuriko, International Movement Against  
All Forms of Discrimination and Racism

### 1. Introduction

The Fourth World Conference on Women was an opportunity for minority women in Japan to realize that the common cause of the problems they faced was intersectional forms of discrimination based on gender, “race”, ethnicity, class, disability, and so forth. Being inspired by the accomplishments of the conference, minority women in Japan started to speak out and began to form a network based on solidarity beyond the boundaries of groups they belonged to, which was historic. They started to exchange information and ideas, to support each other and to work together on common agenda. Circumstances, however, can often be harsh and discouraging as discussed below.

For the purpose of this report, the term ‘minority women’ is used in a broader sense<sup>1</sup> than it is in the context of the *International Covenant on Civil and Political Rights (ICCPR)* Article 27. They are in a more vulnerable situation than those in the majority and tend to suffer more in every aspect of life due to the intersectional discrimination against them. They are minorities within minorities either in the category of women or groups they belong to. Even gender-specific policies and programs hardly cater to the specific needs of minority women.<sup>2</sup>

### 2. Situation of minority women in Japan: Overview

Actual social and economic conditions of minority women, let alone the realities of intersectional discrimination against them, have never been surveyed by the government.<sup>3</sup> The government has not complied yet with the UN human rights bodies’ repeated criticism of the lack of information on minority women in its periodical reports.<sup>4</sup>

In such circumstances, the groups of Ainu, Buraku and Korean women<sup>5</sup> took their own initiative and launched a joint project of surveying themselves between 2004 and 2005. The main aim was to collect data that would elucidate their actual conditions and lead to solutions to the problems they faced by using the concept of intersectional discrimination as an analytical tool. Actually they started to collectively advocate for policies that would effectively respond to the problems identified through the survey. They have had meetings with the government officials to express their views and urge the government to take effective measures necessary to improve their situation. They also began to engage in lobbying activities in the international

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<sup>1</sup> It refers not only to women belonging to ethnic, linguistic or religious minorities but those belonging to other socially marginalized groups or categories.

<sup>2</sup> For instance, the Third Basic Plan for Gender Equality.

<sup>3</sup> For instance, in case of the *Ainu* women, a survey conducted every seven years by the prefectural government of Hokkaido, the *Ainu*’s ancestral land, reveals very little about the conditions of *Ainu* women since it deals only with households.

<sup>4</sup> See the UN Doc. CEDAW/C/JPN/CO/6, paras.42 & 51; UN Doc. CERD/C/JPN/CO/3-6, para.17; UN Doc. A/HRC/8/44, para.36 and A/HRC/22/14, para.147.160; and UN Doc. CCPR/C/JPN/CO/6, para.9.

<sup>5</sup> Ainu Association of Hokkaido, Sapporo Branch, Buraku Liberation League Central Women’s Division, and Apeuro Women’s Survey Project.

forums. However, the minority women's expectations have not received even token acknowledgement of the government. For instance, despite repeated requests, the Gender Equality Bureau has not agreed to meet them for a discussion of the results of the survey.

Several positions taken by the government are hampering minority women's enjoyment of human rights and advancement of their status in Japan. To begin with, (1) de-facto immigrants (foreign nationals registered as residents) are not recognized as such although consisting nearly 2% of the population. No notion or terminology of 'immigrants' exist in the government's official vocabulary, and there is no policy of integrating them as members of society. Regardless of the length of their stay and their intentions, they are, in the government's view, supposed to leave Japan sooner or later. (2) Moreover, the government does not admit its legal obligation under international law of ensuring human rights equally to non-nationals in its territory. It claims that only Japanese nationals are entitled to the full protection of their human rights, while the level of protection of non-nationals' human rights depends on the nature of the right in question. (3) The government used to maintain that there were no minority groups in Japan to be protected by the ICCPR Article 27. Faced with criticism and the growing international recognition of indigenous peoples' rights, the government later recognized the Ainu as a minority stipulated in Article 27. It still insists that no other groups, particularly non-nationals such as Koreans, are minorities. Although these arguments contradict the existing international human rights standards and the UN human rights bodies' interpretation of international treaties and other relevant instruments, the government argues that it is entitled to interpret treaty provisions differently from the treaty bodies and it is not obliged to follow the UN human rights bodies' recommendations that are not legally binding.<sup>6</sup>

### **3. Situations of minority women in Japan: Five groups<sup>7</sup>**

The recent phenomena indicated below may be worth noting as the background for the worsened situation of women belonging to certain groups:

- The Abe administration's hostile attitude toward neighboring countries such as North and South Korea and China as well as some actions<sup>8</sup> has stimulated a xenophobic tendency in the population, particularly in the absence of correct history education.
- Radical nationalists' activities have increasingly become active and enjoy popularity in organizing xenophobic campaigns on the internet, hate speech rallies and even committing hate crimes. Their main target has been Koreans, who, in their view, should either leave Japan or die, but Buraku people in the liberation movement and Okinawans opposing the plan of building another U.S. base have also been targets of their fury.

#### (1) Indigenous *Ainu* people of Japan

Ainu people and Ryukyu (currently Okinawa prefecture) people are indigenous peoples of

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<sup>6</sup> For instance, the Abe cabinet made an official decision and announced in June 2013 that it was not obliged to accept and follow a recommendation made by the Committee Against Torture relating to the issue of Japan's military sexual slavery. See <http://www.sangiin.go.jp/japanese/joho1/kousei/syuisyo/183/t...>

<sup>7</sup> Regretfully due to space constraints, only five relatively large minority groups will be discussed here.

<sup>8</sup> For instance, Korean schools allegedly affiliated to North Korea have been excluded from the application of a new scheme to make tuition free of charge for all high school students. See CERD UN Doc. CERD/C/JPN/CO/3-6 of 6/Apr/2010, para.22(e).



Japan recognized by the UN.<sup>9</sup> However, it was 2008 that Ainu people were officially recognized as such. As a consequence of the invasion and deprivation of their home land, forced assimilation by the Japanese government, institutionalized discrimination over centuries and widespread prejudice, Ainu people, particularly women, are still suffering from a variety of disadvantages in every aspect of life, inter alia education, employment, income, marriage and public participation.<sup>10</sup> Many tend not to disclose their ethnic origin.

Even after the openly discriminative law entitled Hokkaido Former Barbarians Protection Act 1899 aimed at the Ainu people was abolished in 1997, the government's focus has been on the protection of Ainu culture, contrary to the Ainu people's expectation to have a comprehensive policy that would effectively improve their economic condition and social status. Public assistance, thus, is still limited and insufficient.

#### (2) Okinawa Women: Women belonging to the indigenous *Ryukyu* population

People of Okinawa (formerly Ryukyu) are still not recognized as indigenous people by the government of Japan. Ryukyu was an independent kingdom until it was annexed to Japan in the late 19<sup>th</sup> century. The most serious problem that has hampered economic development and severely affected the Okinawans' lives is the existence of huge U.S. military bases and related facilities. Approximately 70 % of all the U.S. military bases exist in such a small prefecture, which makes up only 0.6 % of the territory of Japan. From a human rights perspective, such a heavy concentration of military bases against the will of Okinawans amounts to discrimination. Women and young girls have often been raped by the members of the U.S. military, who in most cases enjoy impunity for the crimes they commit in Okinawa.

#### (3) *Buraku* Women

Discrimination based on descent since medieval times against *Buraku*<sup>11</sup> may seem to have diminished to the majority of the population, but it still remains in clandestine forms relating to employment and marriage.<sup>12</sup> As a remarkable accomplishment of *Buraku* people's organized struggle for nearly a century, the infrastructure and living standards of *Buraku* communities have significantly improved with public funding. However, the above mentioned survey has revealed that disadvantages caused by the persistent discrimination in education, employment and marriage still remains particularly for elderly women.

#### (4) *Zainichi*<sup>13</sup> Korean Women

Koreans as one of the largest groups of immigrants would not have existed if it had not been for Japan's invasion and colonial rule of the Korean peninsula. The history of *Zainichi* Koreans consists of systemic discrimination and oppression by the government of Japan.

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<sup>9</sup> See UN Doc.CCPR/C/JPN/CO/6, para.26.

<sup>10</sup> For detailed information on the survey and its results, see the booklet "Minority Women Rise Up: A Collaborative Survey on Ainu, *Buraku* and Korean Women in Japan" published by the International Movement Against All Forms of Discrimination and Racism (IMADR) in 2009..

<sup>11</sup> Although the term '*Buraku*' literally refers to a small, generally rural, commune or a hamlet, historically it was used for an outcaste community that was heavily and institutionally discriminated against.

<sup>12</sup> Nearly 30% of the respondents surveyed in the joint project in the western part of Japan indicated that they had experienced marriage discrimination.

<sup>13</sup> The term '*Zainichi*' literally means 'living in Japan'. Therefore, it is not limited to Koreans but also applied to immigrants from other countries.

Although their economic condition has improved, mainly through their own efforts, and discrimination in employment and marriage seems to have decreased from some decades ago, approximately 80% of them still use Japanese type of names to avoid discrimination. Since Koreans including children attending Korean schools have been the main target of racially motivated offences including hate speech and racist propaganda on the internet and on the streets, many Korean women, particularly mothers, have been living in agony, anxiety and fear.

#### (5) Women belonging to Sexual Minority

Half of the estimated two million LGBT (lesbian, gay, bisexual and transgender) persons in Japan must be women. Although the level of understanding and tolerance has risen in the last twenty years, such women continue to suffer more than male compatriots due to intersectional discrimination based not only on sexual orientation but also gender identity. They lack adequate legal protection, support and recognition of their rights and the problems they face. More women than men tend to make a painful choice of living without revealing their sexual orientation due to the higher risk of negative reactions from people around them.

Comprehensive legislation against discrimination including discrimination based on sexual orientation and gender identity still does not exist, while the existing laws are inadequate. For instance, the Act on the Prevention of Spousal Violence and the Protection of Victims only applies to opposite-sex couples despite the fact that LGBT people experience domestic violence from same-sex partners.<sup>14</sup>

#### **4. Recommendations**

As repeatedly urged by the UN bodies,<sup>15</sup> the government of Japan should:

- (1) Conduct a comprehensive study on the de-facto situation of minority women in a sensitive manner, by seeking their consent and cooperation;
- (2) Take effective measures, including the establishment of a policy framework and the adoption of temporary special measures to eliminate discrimination against minority women; such measures should include those to ensure minority women full access to resources and social welfare, and institute human rights education at school, awareness raising campaigns, and the intensive sensitizing training of police officers and other civil servants;
- (3) Ensure effective participation of minority women's representatives in policy- and decision-making bodies and procedures relating to women in general and minority groups for achieving (2) above and as an integral part of minority women's human rights; and
- (4) Legislate against all forms of discrimination and condemn all propaganda and attempts to justify or promote racial hatred and discrimination in any form, and undertake to adopt immediate and positive measures designed to eradicate all incitement to, or acts of, such discrimination.<sup>16</sup>

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<sup>14</sup> See a research paper prepared by International Gay and Lesbian Human Rights Commission (IGLHRC) and Gay Japan News ([https://iglhrc.org/sites/default/files/JapanCC\\_0.pdf](https://iglhrc.org/sites/default/files/JapanCC_0.pdf)), p.16 on this and also for other examples of flaws in the existing laws such as the Equal Employment Opportunity Law that fails to explicitly regulate harassment and discrimination against LGBTI in the workplace, and the Act on Special Cases in Handling Gender for People with Gender Identity Disorder that sets five conditions for transgender individuals to be eligible to apply for changing sex entry on family registry.

<sup>15</sup> See the concluding observations of the CEDAW, CERD, ICCPR treaty bodies and the Human Right Council's recommendations as cited in op cit 3.

<sup>16</sup> As stipulated in the Convention on the Elimination of Racial Discrimination, Article 4.

## X. Disaster Risk Reduction

HARA, Hiroko, JAWW (Japan Women's Watch), Japan Women's Network for Disaster Risk Reduction (JWNDRR)

### 1. Introduction

This report describes how the Japan Women's Network for Disaster Risk Reduction (JWNDRR) has been working after 3.11 in 2011 to improve risk reduction under the leadership of Akiko Domoto, former Governor of Chiba Prefecture (2001-2009), and before that Member of the House of Councilors (1989-2001) and a journalist with commitment to humanitarian issues.

### 2. Disaster Prevention and Gender issues in Japan

In 1990, before the Great Hanshin-Awaji Earthquake, a voluminous book was published, *Nihon Bosai Hyakunenshi (Hundred years History of Disaster Prevention in Japan)*, examining the record of disaster prevention in Japan from 1868 to 1989. It mentions special consideration for the elderly, infants, and physically handicapped people (although not pregnant, recently-delivered or lactating women), but it makes no mention at all of the need to include them, including women, in the decision-making processes. All of the authors and contributors to the volume were in the national government and men.

#### 2-1. The Great Hanshin-Awaji Earthquake, January 17, 1995

Since the Great Hanshin-Awaji Earthquake occurred on January 17, 1995, local/national governments have begun to release gender/age-disaggregated data but the report is extremely difficult to ascertain or calculate correct figures. Overall, the number of women who died was greater than the number of men, and the number of deaths of elderly women was particularly high because there are more elderly women than elderly men.

The theme "disaster prevention and gender issues" has been getting attention because of the activities of an NGO, "Women's Net Kobe." It was able to provide extensive as well as systematic support to the earthquake survivors, including an important support hotline for domestic violence survivors after the earthquake.

#### 2-2. Action taken by the Council for Gender Equality, Cabinet Office<sup>1</sup>

Regarding the Council for Gender Equality, Cabinet Office, in 2002, seven years after the Great-Hanshin Awaji Earthquake, Kaoru Honoki, a professor at Kobe University (as of 2002) and Reiko Masai, leader of Women's Net Kobe, reported the situation of women victims at the Earthquake at a meeting of the Cabinet Office's Impact Survey Case Study Research Team (henceforth ISCRT). This report had such an impact on committee members and government officials that disaster issues were included in the second (2005) and third Basic Plans (2010) on Gender Equality.

We saw some progress in the government's response to the Chuetsu Earthquake in

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<sup>1</sup> Bureau of Gender Equality(2012) *Disaster Prevention and Reconstruction from a Gender Equality Society Perspective-Lessons from the Great east Japan Earthquake* (From the *White Paper on Gender Equality 2012* [http://www.gender.go.jp/english\\_contents/about\\_danjo/whitepaper/index.html](http://www.gender.go.jp/english_contents/about_danjo/whitepaper/index.html) (accessed September 25,2014) and *Learning from Adversity* [http://www.gender.go.jp/policy/saigai/shishin/pdf/learning\\_from\\_adversity.pdf](http://www.gender.go.jp/policy/saigai/shishin/pdf/learning_from_adversity.pdf) (accessed September 20, 2014)

October 2004 and then the Indian Ocean Earthquake and Tsunami in December 2004. Partly because of, a lasting influence of the ISCRT of 2002, when the Chuetsu Earthquake occurred, a female officer from the Cabinet Office Gender Equality Bureau was dispatched to the support and countermeasure office of the affected area in order to make sure that women's points of view were reflected in the support activities. This was the first time that government responses had included the gender issue. When the Indian Ocean Earthquake and Tsunami occurred in December 2004, the Japanese government immediately made a donation of 1 million dollars through the United Nations agency, UNIFEM.

Following this, from 2004 through 2005, the Council for Gender Equality and the expert committee on the Basic Plan on Gender Equality, began to discuss disaster prevention policies from a gender perspective. In the Second Basic Plan on Gender Equality (2005) the Government of Japan included a new field, "Priority field 12: Promoting gender equality in fields requiring new initiatives." The Third Basic Plan on Gender Equality (approved by Cabinet on December 17, 2010) includes the disaster prevention field from the point of view of gender equality, as a part of Priority field 14. Specifically, in the contents of this plan, Priority field 14 is "Promoting gender equality in the area of regional development, disaster prevention, environment and others."

#### 2-3. Special Committee on Gender Equality, National Governors' Association (chaired by Akiko Domoto, Governor of Chiba Prefecture) in 2008

The Special Committee on Gender Equality under the National Governors' Association (NGA) deemed disaster prevention and gender as important issues nationally, and conducted a survey on the issue under the leadership of Akiko Domoto, then Governor of Chiba Prefecture. When she became the Governor of Chiba Prefecture in 2001, surveys titled "Disaster prevention measures from the point of view of women and local residents" were sent to all prefectures and municipalities in Japan. Responses were received from all prefectures and 1,746 municipalities (96.6%)<sup>2</sup>The results showed that most of the local governments were not well prepared<sup>2</sup>.

In response to recommendations from the Prefectural Governors, many Prefectures created a base to build a framework for integrating the local government's policies on women's participation in disaster prevention into actions from the planning stages at township and village levels. Despite this base, it seems that many municipalities especially at the township and village levels failed to place emphasis on gender perspectives at the time of the Great East Japan Earthquake on March 11, 2011.

#### 2-4. UN World Conference on Disaster Reduction (WCDR) and the Asian Conference on Disaster Reduction in 1994

The World Disaster Reduction Conference was held in Yokohama, Japan in 1994, adopting the Yokohama Strategy and Plan of Action for a Safer World. There was no specific mention of "gender" but one section which mentioned "women" in this Strategy. Later, in the Hyogo Framework for Action 2005-2015 which was adopted at the 2<sup>nd</sup> UN Disaster Reduction Conference held in Kobe, Japan in 2005, the word "women" appeared once and "gender"

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<sup>2</sup> Special Committee on Gender Equality, National Governors' Association, "Disaster prevention measures from the point of view of women and local residents" (2008).

appeared 5 times. This Framework mentions to pay attention to gender-sensitive disaster countermeasures. However, Japan's Basic Act on Disaster Control Measures, last revised on August 31, 2011, had no mention of gender and women's issues.

### **3. Post-3.11 Law Reform Advocacy of the Japan Women's Network for Disaster Risk Reduction (JWNDRR)**

Immediately after the Great East Japan Earthquake (3.11 Earthquake), on the 1<sup>st</sup> of April, the members of Japan's Network for Women and Health (WHJ), Akiko Domoto, former Governor of Chiba Prefecture, Dr. Keiko Amano, Japan's pioneer in gender-specific medicine, Miho Ohara, then of the Center for Integrated Disaster Information Research at the Tokyo University Graduate School of Interdisciplinary Studies, and myself as the Secretariat of WHJ visited disaster affected areas, Fukushima and Miyagi prefectures. During the visit, we saw the lack of the gender perspectives in confronting the disaster:

- That gender roles were being hardened in an environment where domestic violence and sexual harassment were intensifying.
- That women were not participants in decision-making processes.
- That there was a lack of consideration for the caregivers of babies, the sick and disabled.

Furthermore, even when individual pregnant or nursing mothers, disabled, or elderly would appeal to the shelter leaders, they would not listen, and the claimants were compelled to simply endure.<sup>3</sup> To respond the lack of the gender perspectives, we immediately formed a new NGO, Women and Disaster Network Japan (up to September, 2011) (later renamed as the Japan Women's Network for Disaster Risk Reduction, JWNDRR), composed of activists with specialization in various fields, and sought support from women's groups and individuals nation-wide, on 11 April, 2011. (On activities by various women, see Fumie Saito's Article<sup>4</sup>.)

We generally proposed

- Proactive Placement of women in decision-making bodies such as recovery and prevention councils and inclusion of gender perspectives
- To increase number of members of the Reconstruction Design Council with gender perspectives
- The Reconstruction Agency and similar organization should reflect interests and opinions of women, children disabled persons and sexual minorities with a gender equal perspectives.

As results of our lobbying, the perspectives of gender equality were included in the basic philosophy of Basic Act on Reconstruction in Response to the Great East Japan Earthquake (adopted on 24 June 2011), and the Basic Guidelines for Reconstruction in Response to the Great East Japan Earthquake (decided by the Reconstruction Headquarters on 29 July 2011, revised 11 August 2011). Furthermore, the women members in the Reconstruction Promotion Committee were increased from one woman out of 15 members in April 11, 2011 to four women among 15 members when the Prime Minister established of Reconstruction Promotion Committee (formerly Reconstruction Design Council) in February 10, 2012.

In December 27, 2011, revision of the Basic Disaster Management Plan was released with

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<sup>3</sup> Japan Women's Network for Disaster Risk Reduction (ed.)(2013) *Disaster Risk Reduction: A Japanese Women's Perspective on 3/11* (Presentation to the Fourth Global Platform for Disaster Risk Reduction Geneva, May 19 to 23, 2013) [http://www.preventionweb.net/files/32983\\_32983insidetoprint1.pdf](http://www.preventionweb.net/files/32983_32983insidetoprint1.pdf) (accessed September 20, 2014)

<sup>4</sup> Saito, Fumie (2012) Women and the 2011 East Japan Disaster, *Gender & Development*, 20:2, 265-279.

some gender perspectives. We saw a certain progress but the texts which were added were more focused on the specific ideas such as setting up a space for drying women's articles or having nursing rooms etc. And finally, on June 27, 2012, Disaster Countermeasures Basic Act (Law No. 41 in 1961) was revised with the gender perspectives. In the Act, what we proposed was partially reflected in this revision. Because of this revision, in 2013, the number and the percentage of women in prefectural disaster management councils were increased, as shown in Table 1.

Table 1: Members of Prefectural Disaster Management Councils

\*Data as of April 1 each year

year	total	women	men	women (%)	men (%)
FY2007	2,362	67	2,295	2.8	97.2
FY2008	2,426	76	2,350	3.1	96.9
FY2009	2,417	77	2,340	3.2	96.8
FY2010	2,429	100	2,329	4.1	95.9
FY2011	2,419	87	2,332	3.6	96.4
FY2012	2,484	114	2,370	4.6	95.4
FY2013	2,715	291	2,424	10.7	89.3
FY2014	2,717	320	2,397	11.8	88.2

Source: Cabinet Office, Japan (2014) *Implementation status of policies on the formation of a gender-equal society and women in local governments*

#### 4. Conclusion

Measures for disaster prevention and disaster response in Japan, at the national, prefectural and municipal level must include not just the viewpoint of men but of women, the elderly and persons with disabilities and those who do not understand Japanese language from the stage of policy-making. Especially in some communities in Japan, mature-age men are out at work for long hours during the day, leaving only elderly and family members with disabilities in the home. It is necessary for these people to have a say in how to handle at the time of disasters and it is mainly municipal units that must respond to these needs. For this to happen, prefectural governors, local mayors, and local community leaders must have strong awareness of the issues, including disaster prevention, immediate response to disasters, management of evacuation centers, temporary housing design, medical and health services, individuals and public opinion and reopening and rebuilding of businesses.

It has also been confirmed that the disaster prevention perspective has been included in the amended Basic Act for Persons with Disabilities. On July 29, 2011, this amended law, designed to overcome cases of miscommunication of information to people with disabilities during the Great Tohoku Earthquake, was passed in the upper house of the Diet, making it compulsory for the national and local governments to set disaster prevention and crime prevention measures that take into account the situation of people with disabilities (NHK News, broadcast at 16:44, on July 30, 2011). There are a few scholars undertaking this type of research, their number has been increasing but still is small and must be increased.

Through networking with NGOs and scholars internationally, we hope to emphasize more on gender issues in the final document of Hyogo Framework for Action-2 (HFA2) in 3<sup>rd</sup> World Conference on Disaster Risk Reduction by UNISDR (United Nations Office for Disaster Risk Reduction) to be held in Sendai City, Miyagi Prefecture, Japan, March 14-18, 2015.

## Chronology in relation to activities of JAWW (Japan Women's Watch)

1945	6/26	United Nations (UN) Charter signed (San Francisco)
1956	12/18	Japan becomes a member of the UN
1967	11/7	Declaration on the Elimination of Discrimination against Women adopted by the UN General Assembly
1975		International Women's Year
1975	6/19-7/2	World Conference of the International Women's Year (1 <sup>st</sup> World Conference on Women, Mexico City, Mexico) Plan of Action adopted; International Women's Year Tribune held by NGOs
1976 - 1985		UN Decade for Women
1979	12/18	Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) adopted by the UN General Assembly
1980	7/14-30	World Conference of the UN Decade for Women (2 <sup>nd</sup> World Conference on Women, Copenhagen, Denmark) Programme of Action adopted; NGO Forum held
1985	6/25	CEDAW ratified by Japan
	7/15-26	World Conference to Review and Appraise the Achievements of the UN Decade for Women (3 <sup>rd</sup> World Conference on Women, Nairobi, Kenya) Nairobi Forward-Looking Strategies for the Advancement of Women adopted; NGO Forum held
1992	10	Asia Pacific NGO Working Group (APNGOWG) established at the preparatory meeting for 1995 Beijing Conference
1993	6/14-25	World Conference on Human Rights (Vienna, Austria) Women rally under the slogan "Women's Rights are Human Rights, Human Rights are Women's Rights"
	7/12-15	Conference in Preparation for the Beijing Conference (Seoul, Korea) by UNIFEM & APNGOWG
	11/16-20	Asia-Pacific NGO Symposium on Women in Development (Manila, Philippines) held by ESCAP & APNGOWG
	12/20	Declaration on the Elimination of Violence against Women adopted by the UN General Assembly
1994	6/7-14	ESCAP Preparatory Meeting for the Beijing Conference: High Level Ministerial Conference on Women in Development (Jakarta, Indonesia) APNGOWG presents Key Recommendations to Governments from the Asia and Pacific NGO Symposium on Women in Development (Yellow Book) to the Ministerial Conference
	10/20-23	1 <sup>st</sup> East Asia Women's Forum (Kanagawa & Tokyo, Japan)

1995	9/4-15	4th World Conference on Women: Equality, Development, and Peace (Beijing, China ) Beijing Platform for Action (BPFA) adopted
	8/30-9/8	NGO Forum (Huairou, China)
1996	8/22-24	2 <sup>nd</sup> East Asia Women's Forum (Seoul, Korea)
1997	7/3-6	APNGOWG Workshop (Seoul, Korea) APNGOWG changes its name to APW
1998	1/7-11	APW Conference (Chandigarh, India)
	8/23-26	3 <sup>rd</sup> East Asia Women's Forum (Ulan Bator, Mongolia)
1999	5/8	"Japan NGO Report Preparation Committee" established
	8/31-9/4	Asia Pacific NGO Symposium (Kasetsart University, Thailand) Asia-Pacific Women 2000: Gender Equality, Development and Peace for the Twenty-First Century (Asia Pacific NGO Report) compiled
	10/26-29	ESCAP High Level Ministerial Conference (Bangkok, Thailand)
	10/29	APW changes its name to APWW(Asia Pacific Women's Watch)
2000	6/5-10	The 23 <sup>rd</sup> Special Session of UN General Assembly "Women 2000: Gender Equality, Development, and Peace for the Twenty-First Century"
	9/4-7	4 <sup>th</sup> East Asia Women's Forum (Taipei, Taiwan)
	11	Preparatory meeting for the establishment of the JAWW (Tokyo Women's Plaza, Japan)
2001	2/18	JAWW (Japan Women's Watch) established and represents Japan to the APWW HARA Hiroko becomes the 1 <sup>st</sup> President of JAWW
2003	2/20-24	APWW Workshop and Preparatory Meeting for the Beijing+10 APNGO Forum 2004 (Chiang Mai, Thailand)
	11/7-8	APWW Working Group Meeting
	11/29-30	Preparatory Meeting for the Beijing+10 APNGO Forum 2004 (Bangkok, Thailand)
	12/19-22	5 <sup>th</sup> East Asia Women's Forum (Hong Kong)
2004	2/12-14	APWW Steering Committee Meeting and 1 <sup>st</sup> Preparatory Meeting for the Beijing+10 APNGO Forum 2004 (APWW Convener's Group Meeting, Bangkok, Thailand)
	4/27-5/1	2 <sup>nd</sup> Preparatory Meeting for the Beijing+10 APNGO Forum (Bangkok, Thailand)
	5	Japan NGO Report 2004 for Beijing+10 (in Japanese) compiled
	6	Japan NGO Report 2004 for Beijing+10 (in English) compiled
	6/30-7/4	Beijing+10 APNGO Forum (Mahidol University, Thailand)
	7	APWW Steering Committee Meeting (Bangkok, Thailand)
		Voices 2005 and Beyond: Proceedings of the Asia Pacific NGO Forum on Beijing+10 compiled by APWW



	9/7-10	ESCAP High Level Governmental Conference and APWW Steering Committee Meeting held (Bangkok, Thailand)
2005	7/21-22	APWW Steering Committee Meeting (Bangkok, Thailand)
	8/29	10 <sup>th</sup> Anniversary Commemoration of the 4 <sup>th</sup> World Conference on Women (Beijing, China)
2006	3	APWW Steering Committee Meeting (NY, USA)
	2-7	GEAR (Gender Equality Architecture Reform) Campaign participated by APWW
	7/18-19	6 <sup>th</sup> East Asia Women's Forum (Beijing, China)
2007	5/10-11	APWW Steering Committee Meeting (Bangkok, Thailand)
	5/16	the ECOSOC Special Consultative Status acquired by the APWW
2008	6/21-22	APWW Steering Committee Meeting (Bangkok, Thailand)
2008/9/11-2010/9/23		HARA Hiroko becomes the Director of APWW; ASANO Mariko, the Secretary; and TANAKA Masako, the Assistant Secretary
2009	2	Chronology of APWW published in CD form
	6/11-14	APWW Steering Committee Meeting and Workshop (National Women's Education Center, Japan)
	10	Japan NGO Report 2009 for Beijing+15 compiled by JAWW
	10/22-24	Beijing+15 APNGO Forum (Miriam College, Philippines)
2010	6	APWW Steering Committee Meeting and Workshop (Chiang Rai, Thailand)
	7	HASHIMOTO Hiroko becomes the 2 <sup>nd</sup> President of JAWW
2011	1	UN Women established
	6	TANAKA Masako becomes the 3 <sup>rd</sup> President of JAWW
	8	APWW Steering Committee Meeting and Workshop (Colombo, Sri Lanka)
2012	3/1	APWW Steering Committee Meeting (NY, USA)
	8/17-18	APWW Steering Committee Meeting and Workshop (Colombo, Sri Lanka)

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