

**Seventh and Eighth Periodic Reports on the  
Implementation of the Convention on the  
Elimination of All Forms of Discrimination  
against Women**

September 2014

**Seventh and Eighth Periodic Report  
On the Implementation of the Convention  
On the Elimination of Discrimination against Women  
Japan**

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## **List of abbreviations**

Ministry of Foreign Affairs	MOFA
Ministry of Economy, Trade and Industry	METI
National Police Agency	NPA
Ministry of Health, Labour and Welfare	MHLW
Ministry of Internal Affairs and Communications	MIC
Ministry of Agriculture, Forestry and Fisheries	MAFF
Ministry of Justice	MOJ
Ministry of Education, Culture, Sports, Science and Technology	MEXT
Specialist Committee on Monitoring of the Council for Gender Equality	SCMC
Specialist Committee on Violence against Women of the Council for Gender Equality	SCVW

## **Part One: Overview**

### **1. Introduction**

1. These are Japan's seventh and eighth periodic reports submitted to the Secretary-General of the United Nations in accordance with Article 18 of the Convention on the Elimination of All Forms of Discrimination against Women (hereinafter referred to as the Convention or CEDAW), which Japan ratified in 1985. The present report mainly covers developments on the implementation of the Convention in Japan from the completion of the Sixth Periodic Report in July 2006 up to December 2013.

2. Upon drafting the present report, the Concluding Observations of the Committee on the Elimination of Discrimination against Women (hereinafter referred to as the Concluding observations of the Sixth Report) were duly considered, and public monitoring was conducted according to the United Nations' guidelines. Dialogues with citizens were also conducted. Specifically, with regard to the implementation status of government efforts in response to the Concluding Observations of the Sixth Report, the Specialist Committee on Monitoring of the Council for Gender Equality (SCMC) has implemented hearings with intellectuals and related ministries and agencies and monitored the progress of such efforts. In November 2013, SCMC compiled the "Efforts Made in Response to the Observations of the Committee on the Elimination of Discrimination against Women and Matters to Note When Preparing the Next Periodic Report to Said Committee" (hereinafter referred to as the November 2013 Opinions of SCMC). See Annex 1 for the content of these opinions. In addition, in June of the same year, the Cabinet Office made inquiries in writing to local governments, various groups, and intellectuals about the items, etc. to be incorporated in this report, and also invited opinions from citizens by using the Cabinet Office's website, e-government, Facebook, and other means. The number of opinions submitted totaled 431 (of which 389 were made by groups and 42 by individuals). Furthermore, in November of the same year, the Liaison Conference for the Promotion of Gender Equality hosted a meeting, "the Hearing," for the purpose of providing an opportunity for related ministries and agencies to explain the main government efforts made in relation to the submitted opinions and to exchange opinions with civil society. About 50 people from NGOs, etc. participated in the meeting. These reports were also drafted in light of such opinions.

3. As a party to the Convention, the Government of Japan commits itself to continuing its efforts to eliminate all forms of discrimination against women, and to realize a gender-equal society.

### **2. Progress Made on Policies Related to Gender Equality and Current Situation of Women in Japan**

#### **(1) Progress Made on Policies Related to Gender Equality**

##### **a. Policies Related to Gender Equality in Japan**

4. The Government has been promoting enrichment and reinforcement of Japan's national machinery through enactment of the Basic Act for Gender-Equal Society in 1999 and establishment of the Council for Gender Equality, and efforts, etc. based on the Basic Plan for Gender Equality. However, such efforts are still only partially completed. Therefore, the Cabinet decided the Third Basic Plan for Gender Equality (hereinafter referred to as the Third Basic Plan) in December 2010. Based on this Plan, the Government reemphasized perspectives concerning [i] social and economic

revitalization through women's active participation, [ii] gender equality for men and children, [iii] responses to people facing a variety of difficulties, [iv] elimination of all forms of violence against women, and [v] promotion of gender equality in local communities. On the premise of these perspectives, the Government is promoting efforts while setting the following as issues that should be addressed urgently during the five-year period of the Plan: [i] promotion of effective positive action, [ii] realization of social systems that allow more diverse lifestyles, [iii] rebuilding of employment and safety nets, and [iv] enhancement of systems for promoting gender equality.

#### **b. Promotion of Women's Active Participation**

5. The Government is proactively implementing efforts to promote women's active participation. In particular, the Government recently appointed a minister in charge of support for women's empowerment and child rearing in December 2012.

6. Since February 2013, the Government has been compiling specific measures to be incorporated in the growth strategy, while gathering a wide range of opinions through the Forum for Promoting Active Participation by Young People and Women, etc. under the policy that efforts will be made to build a nation where all women can shine with self-confidence and pride in their own way of life, based on the recognition that utilization of women's empowerment and promotion of their participation in society are indispensable to the recovery of a strong Japanese economy.

7. Moreover, in April 2013, Prime Minister Shinzo Abe outlined his belief that it is important to realize a society where both men and women can easily balance work and child-raising. Based thereon, in relation to the promotion of women's active participation, the Prime Minister made the following two requests to economic associations: [i] all listed companies should proactively appoint women to board membership and managerial positions toward achieving the government goal, "30% in 2020," and [ii] should make it easy for both men and women to take childcare leave and use the short-time working system until their child becomes three years old if they wish to do so. Firstly, the Prime Minister requested the appointment of at least one woman as a board member.

8. It is also stated in the "Japan Revitalization Strategy – JAPAN is BACK" (hereinafter referred to as the Japan Revitalization Strategy), decided by the Cabinet in light of the above in June 2013, that the core part of the growth strategy is to make it possible for women to actively participate in society by sufficiently employing their sizable dormant abilities. Specific measures are incorporated in the Japan Revitalization Strategy from the three perspectives: [i] granting incentives to companies engaged in promoting women's active participation and support for balancing work and child-raising, etc., [ii] support for active participation corresponding to women's life stages, and [iii] development of an environment where men and women can balance work and child-raising/life, based on the proposals of the Forum for Promoting Active Participation by Young People and Women compiled in May. Those measures are also intended to strengthen and accelerate conventional efforts and put new efforts into effect in collaboration with the related office, ministries, and agencies and industrial circles, etc. The Government has been developing those that can be developed within FY 2013 in order of precedence.

9. Specific efforts for promotion of policies related to gender equality are stated in Part Two.

## **(2) Current Situation of Women**

### **a. Population**

10. See Statistical Annex 1 for the total population of Japan.

11. See Statistical Annex 2 for the number of births, the fertility rate, and the total fertility rate (which refers to the total of age-specific fertility rates for women in a given year). Main reasons for the declining birth rate are thought to be the increasing rate of women marrying and giving birth at a later stage in life and that of people who remain unmarried, and the tendency of couples to have fewer children among others. The average age at the time of first marriage is rising each year and now stands at 29.2 years for the bride and 30.8 years for the groom. In addition, among women in their late twenties, who used to have the highest fertility rate, approximately half are now unmarried. Until recently, the average married woman used to have two or more children on average, but the cohort of women born after the 1960s tend to have fewer children than those born before them. From these results, it is anticipated that the overall number of births from married persons is to decline hereafter. On the other hand, life expectancy continues to rise every year, currently standing at the highest level in the world: 86.41 years for women and 79.94 years for men in 2012. See Statistical Annex 3 for the elderly population (aged 65 and over).

12. As a result of the declining birth rate and the extension of life expectancy, Japan is projected to experience population decline and aging with low fertility, and the shape of the population pyramid is expected to change from a barrel-shaped graph to an inverse pyramid. According to the National Institute of Population and Social Security Research's "Population Projections for Japan (January 2012)," (medium-fertility/medium-mortality projection), the total population will consistently decline after 2010. It is projected that the population will have shrunk by more than 20% of its 2010 level by 2050, and that the elderly population will continue to increase until 2042, with the elderly population growing by about 30% of its 2010 level by 2050. As a result, the share will continue to increase rapidly and it is expected to rise to 30.3% by 2025 and 38.8% by 2050.

### **b. Education**

13. See Statistical Annex 5 for the advancement rate. The advancement rate in high schools (excluding those students advancing to correspondence courses in upper secondary schools) for girls has always been higher than that for boys since 1969. The percentage of women advancing to higher education institutions (universities, junior colleges, professional training colleges) is also on the increase. In addition, in terms of the university (undergraduate) advancement rate, a gap between men and women still exists. However, the percentage of women in higher education institutions, including junior and professional training colleges, exceeds that of men. Moreover, see Statistical Annex 6 for the proportion of women by each subject in the various departments of colleges and universities in 2012. The subjects where women occupy the majority are home economics, arts, humanities and education. At the same time, the proportion of women is low in such subjects as social sciences, agriculture, science, and engineering. In the area of higher education, a difference continues to be observed between men and women in terms of the rate of students who continue their studies from high school to professional training college, junior college, or university and from university to graduate school, and in terms of the subjects in which they major. However, this difference is on the decrease.

14. See Statistical Annex 7 for the status of appointment of women to managerial positions at schools. The rate for such women is on the increase, together with the number of women teaching in universities and junior colleges and the rate of women amongst all teachers in universities and junior colleges.

15. See Statistical Annex 8 for the employment rate for college and university students in 2012. The employment rate for women surpasses that for men. The rate of female graduates who find employment, excluding those going on to postgraduate study and the like, also surpasses that for men.

16. See Statistical Annex 33(2) for the results of a public opinion survey on the status of men and women in the field of education. It can be said that the rate of those who feel that men and women have equal status in school education is higher than that of those who feel that men and women have equal status at work or in family life.

### **c. Employment**

17. See Statistical Annex 9 for the female labour force, etc. The rate of women in the total labour force has been consistently on the increase since 1999. The female labour force (the sum of the employed and the unemployed over the age of 15) took a downward turn after peaking in 2010. The number of the unemployed and the unemployment rate for women have decreased for three consecutive years since 2010.

18. See Statistical Annex 10 for the percentage of the labour force by age group. The labour force participation rate (the percentage of the labour force in the population over 15 years of age) for women was 48.2%, the same rate as the previous year (while the male labour force participation rate was 70.8%). The labour force participation rate for women by age group still formed an M-shaped curve, with the rates for women aged 25-29 and 45-49 at the peaks at both ends and that for women of child-bearing and rearing age in the 35-39 age group at the bottom of the M-shape. However, compared to 2002, the labour force participation rate is increasing, except for the 15-19 and 20-24 age groups. In particular, an upward trend in the middle-aged group of 50-64 has been growing, in addition to a substantial rise in the 25-39 age group including the 30-34 age group, who were at the bottom of the M-shaped curve. See Statistical Annex 11 for the labour force participation rates of women by marital status. Compared to the last report (2005), the rate for the unmarried slightly decreased, while the rates for the married and for the divorced and/or the widowed slightly increased. Approximately half of the married women participate in the labour force. The labour force participation rate for women with children under the age of three was 42.9%, showing an increase of 9.3 points from the rate recorded in the last report.

19. See Statistical Annex 13 for the amount of contractual cash earnings, etc. Wages in 2012, excluding part-time workers, show that the wage difference between men and women is still high. However, the difference is steadily being reduced.

20. This gap is caused by such factors as rank at work, length of service, age, academic background, and various allowances, out of which rank at work and length of service play an especially large role. Meanwhile, comparison of the amount of scheduled cash earnings of standard male and female workers (those who are employed upon graduating from educational institutions and continue to

work under the same employers), based on the same conditions in terms of length of service, age and academic background, shows the following. In 2012, among university or college graduates, taking the wage of male workers aged 20-24 as 100, the wage of female workers at the same age group rated 96.6, and likewise, taking the wage of male workers aged 40-44 as 100, the wage of female workers at the same age group rated 80.0, marking the widest gender gap.

21. With regard to the number of part-time workers (non-agriculture and forestry employees whose working hours are less than 35 hours per week), female part-time workers accounted for as much as 69.2% of the total part-time workers in 2012, and 43.7% of the total female employees in 2012.

## **Part Two: Report by Article**

### **Article 2 (Policy Measures)**

#### **1. Measures Taken to Overcome Remaining Obstacles for Women's Equal Participation in Political, Social, Economic and Cultural Activities**

##### **(1) Formulation of the Third Basic Plan for Gender Equality**

22. In 1999, the Government enacted the Basic Act for Gender-Equal Society, which lays down the basic principle related to the formation of a gender-equal society, and clarifies the respective duties of the State, local governments, and citizens. Article 14 of the Constitution of Japan provides that all people are equal under the law and there shall be no discrimination on the basis of sex. Based thereon, the Basic Act for Gender-Equal Society provides that a "gender-equal society" "shall be formed" for the purpose of "ensuring that men and women do not become subject to discriminatory treatment on the basis of sex," and stipulates the necessity of "not being subject to discriminatory treatment" with a focus on the recipients of discriminatory treatment, irrespective of whether there is an intention to discriminate.

23. Moreover, the Act provides that the Basic Plan for Gender Equality, which is a basic plan for the promotion of formation of a gender-equal society, shall be formulated in order to promote policies related to the formation of a gender-equal society in a comprehensive and systematic manner. In response to this, the Government decided the Third Basic Plan at a Cabinet meeting in December 2010. In the formulation phase of the aforesaid plan, the Government made widespread efforts to gather opinions and requests from people in various sectors of society and to reflect the many opinions and requests from women's groups and individuals in said plan whenever possible. In addition, the Government formulated the plan by advancing discussions in light of the Concluding Observations of the Sixth Report.

24. The aforesaid plan set out 15 priority fields\* together with long-term policy directions up to the year 2020 and concrete measures to be implemented by the end of FY2015 for each field. In addition, the plan advocated promotion of effective positive actions, and introduced positive actions by goal and timetable methods, with a set time limit and goal. As for achievement goals, the plan set 82 performance objectives (109 objectives in total), which is nearly twice as many as the number of objectives set in the Second Basic Plan for Gender Equality (42 objectives) decided in 2005. The Government decided to actively work on fields that it had not addressed in the past and fields in

which it had not been necessarily active, such as politics, justice and economy. As for statistical information and other data, the plan stipulates that as much gender-disaggregated data as possible should be collected, and ministries and agencies are carrying forward appropriate measures.

(\*) 15 Priority Fields in the Basic Plan (those with a star were newly set)

- (i) Expand women's participation in policy decision-making processes
- (ii) Reconsideration of social systems and practices and raise awareness from a gender-equal perspective
- (iii) Gender equality for men and children★
- (iv) Securing equal opportunities and treatment between men and women in employment
- (v) Men's and women's work-life balance
- (vi) Promotion of gender equality aimed at bringing about vibrant agricultural, forestry, and fisheries communities
- (vii) Support men and women facing living difficulties such as poverty★
- (viii) Creation of an environment in which people such as the elderly, the disabled and non-Japanese people can live comfortably★
- (ix) Elimination of all forms of violence against women
- (x) Support for women's lifelong health
- (xi) Enhancement of education and learning to promote gender equality and to facilitate diversity of choice
- (xii) Gender equality in science and technology and academic fields★
- (xiii) Promotion of gender equality in the media
- (xiv) Promotion of gender equality in the area of regional development, disaster prevention, environment, and others★
- (xv) Respect for international regulations and contributions to the "Equality, Development and Peace" of the global community

25. The Government is aiming to strengthen the promotion system toward realization of a gender-equal society in organic collaboration with local governments and private organizations as well as reinforcing the national machinery. The Third Basic Plan stipulates "strengthening the monitoring role in relation to the practical implementation of the Third Basic Plan and the latest CEDAW concluding observations." In light of this, the Council for Gender Equality established the SCMC in February 2011 in order to strengthen the monitoring role.

## **(2) Enactment of or Revisions to Laws**

26. Principal enactment of or revisions to laws are as follows:

(i) Related to Article 2

- Act for Partial Revision of the Act on the Prevention of Spousal Violence and the Protection of Victims (promulgated on July 11, 2007 and July 3, 2013)
- Act for Partial Revision of the Anti-Stalking Act (promulgated on July 3, 2013)
- Act on Establishment of Enhanced Environment for Youth's Safe and Secure Internet Use (promulgated on June 18, 2008)

(ii) Related to Article 3

- Act for Partial Revision of the Basic Act for Persons with Disabilities (promulgated on August 5, 2011)
- Act on Promotion of Elimination of Discrimination against Persons with Disabilities (promulgated on June 26, 2013)
- Act for Partial Revision of the Long-Term Care Insurance Act to Reinforce the Foundation of Long-Term Care Service (promulgated on June 22, 2011)

(iii) Related to Article 10

- Revision to the Basic Act on Education (promulgated on December 22, 2006)

(iv) Related to Article 11

- Child and Child-Raising Support Act (promulgated on August 22, 2012)
- Act for Partial Revision of the Act on Improvement, etc. of Employment Management for Part-Time Workers (promulgated on June 1, 2007)
- Act for Partial Revision of the National Pension Act, etc. to Strengthen the Financial Base and Minimum Guarantee Function of the Public Pension System (promulgated on August 22, 2012)
- Act for Partial Revision of the Act on the Welfare of Workers Who Take Care of Children or Other Family Members Including Child Care and Family Care Leave and the Employment Insurance Act (promulgated on July 1, 2009)
- Act for Partial Revision of the Child Welfare Act, etc. (promulgated on December 3, 2008)
- Act for Partial Revision of the Act on Childcare Leave, etc. of National Public Employees (promulgated on November 30, 2009)
- Act for Partial Revision of the Act on Childcare Leave, etc. of National Public Employees, etc. (promulgated on December 3, 2010)
- Act on Leave for National Public Employees Who Accompany Spouses (promulgated on November 22, 2013)
- Act for Partial Revision of the Act for Securing the Proper Operation of Worker Dispatching Undertakings and Improved Working Conditions for Dispatched Workers, etc. (promulgated on April 6, 2012)

(v) Related to Article 13

- Act on Special Measures Concerning Support for Employment of Mothers of Fatherless Households and Fathers of Motherless Households (promulgated on September 14, 2012)

(vi) Related to Article 16

- Act for Partial Revision of the Civil Code (promulgated on December 11, 2013)
- Act for Partial Revision of the Civil Code, etc. (promulgated on June 3, 2011)
- Act for Partial Revision of the Act on the Prevention, etc. of Child Abuse and the Child Welfare Act (promulgated on June 1, 2007)
- Act for Partial Revision of the Child Welfare Act, etc. (promulgated on December 3, 2008)

### **(3) Measures Taken by Local Governments**

27. See paragraphs 33 and 34 of the Sixth Report for Prefectural Plans for Gender Equality and Municipal Plans for Gender Equality. As of April 2012, all prefectures have formulated a plan for gender equality and 70.3% of municipalities have formulated such a plan.

28. See paragraph 35 of the Sixth Report for efforts made by public and private women's centers, gender equality centers and others.

### **(4) Monitoring by the Council for Gender Equality**

29. In May 2011 and September 2012, SCMC conducted follow-ups to the revision of the Civil Code, etc. relating to the system allowing a husband and wife to adopt separate surnames of their own accord, etc. for which reporting had been required by the Committee on the Elimination of Discrimination against Women. Furthermore, in response to a decision made by the Council for Gender Equality in April 2013, the SCMC started monitoring the implementation status of efforts in accordance with the Concluding Observations of the Sixth Report in May of the same year and compiled the November 2013 Opinions of the SCMC.

30. In addition, the SCMC conducted monitoring the implementation status of measures concerning "rebuilding employment and safety nets" and "realizing social systems that allow more diverse lifestyles," both of which are "issues that should be handled urgently" in the Third Basic Plan, compiled the monitoring results as its opinion, and reported to the Council for Gender Equality in August 2012. Moreover, the SCMC conducted monitoring concerning "promotion of gender equality in the area of disaster prevention and reconstruction" and compiled the monitoring results as its opinion in December 2012.

31. The Specialist Committee on Monitoring and Gender Impact Assessment and Evaluation of the Council for Gender Equality (SCAE), which was the predecessor of SCMC, compiled the "Results of Survey and Consideration Concerning Designation of Duties of Members of Councils, etc. in Prefectures and Cabinet-Order Designated Cities under the State Laws and Regulations" in October 2006, "Monitoring and Gender Impact Assessment and Evaluation Report on Capacity Building and

Lifelong Learning Measures that Give People a Variety of Options” in March 2007, “Monitoring and Gender Impact Assessment and Evaluation Report on Support for Self-Reliant Lives for the Elderly” in June 2008 and “Monitoring and Gender Impact Assessment and Evaluation Report on Gender Equality for People Suffering from Difficulties in Their Lives based on the Trends of the New Economic Society” in November 2009. The above reports were submitted to the Council for Gender Equality, which forms opinions concerning measures it requests the Government take, based on the reports.

## **2. Availability and Effectiveness of Legal Assistance against Discrimination**

### **(1) Measures for Handling Complaints**

32. The Cabinet Office gathers information on the handling of complaints, etc. concerning measures for gender equality made to the Government and local governments and reports such information to the SCMC every year, in order to promote efforts for the handling of complaints concerning measures for gender equality and remedy for victims whose human rights have been infringed. Moreover, the Cabinet Office also conducts training for those in charge of handling complaints, produces and distributes handbooks on handling complaints and places related information on its website.

### **(2) Support Services for Human Rights Infringement**

#### **a. Services Provided by the Human Rights Organs of the Ministry of Justice (MOJ)**

33. The Human Rights Organs of the MOJ have established permanent or temporary counseling offices and have set up a counseling hotline specializing in women’s rights called the Women’s Rights Hotline, thereby providing consultation services. The Human Rights Organs try to assign female human rights volunteers or female officers of the Legal Affairs Bureaus to the hotline as counselors whenever possible, to make it easier for women in need of advice to use the services. In addition, if the Human Rights Organs recognize a case suspected of falling under human rights infringement through the aforementioned consultation services, etc., they conduct necessary surveys and take appropriate measures on a case-by-case basis in collaboration with related organizations, such as the Spousal Violence Counseling and Support Centers and the police, thereby aiming at remedy for victims and prevention of human rights infringement.

34. The Human Rights Commission Bill to establish a new human rights institution was submitted by the Government to the 181<sup>st</sup> Diet session on November 2012, but was scrapped due to the dissolution of the House of Representatives in the same month. Appropriate consideration as to what the human rights remedy system ought to be is underway, with a review of various discussions made thus far.

#### **b. Support Services Provided by the Japan Legal Support Center**

35. See paragraph 45 of the Sixth Report.

### **(3) Training for Personnel in the Judiciary**

36. Lectures are held for public prosecutors, in various training schemes according to their years of experience, on such themes as “human rights-related international treaties,” “consideration for women and children” and “gender equality.” Along with these lectures, individual prosecutors are given guidance by their superiors as they perform their daily duties through the course of

investigations and court proceedings. With respect to judges, lectures are continuously held on such topics as global human rights issues, women's human rights, and other human rights issues as well as prevention of sexual harassment and spousal violence, in various training and study groups. The Government understands that such efforts will continue to be made in the future.

### **3. Information on Violence against Women**

37. See paragraph 48 of the Sixth Report for the outline of efforts to cope with violence against women.

#### **(1) Efforts against Spousal Violence**

##### **a. Current Situation**

38. See Statistical Annexes 15 and 16 for the status of arrest for spousal violence (including violence in a de facto state of marriage) and the status of handling of persons who have consulted with the police about spousal violence. With regard to the type of assistance provided, the number of cases in which people were taught preventative measures to protect themselves was 4,531 (having increased by 1,240 over the previous year) and the number of measures taken to prevent address, etc. from being disclosed was 9,475 (having increased by 1,053 over the previous year).

##### **b. Revision to the Act on the Prevention of Spousal Violence and the Protection of Victims**

39. The Act on the Prevention of Spousal Violence and the Protection of Victims (hereinafter referred to as the Spousal Violence Prevention Act) was revised in July 2007 to expand the protection order system and strengthen roles of municipalities. The Act was also revised in July 2013 to cover violence by intimate partners who share a principal residence and victims thereof in the same way as spousal violence and victims thereof. The revised Act came into effect in January 2014.

40. Moreover, the competent ministers (the Prime Minister, National Public Safety Commission, Minister of Justice and Minister of Health, Labour and Welfare) formulated the Basic Policy Concerning Measures for the Prevention of Spousal Violence and Protection of Victims, based on the Spousal Violence Prevention Act. The Basic Policy describes the outline of the system and the basic ideas underlying the implementation of measures for each item provided in the Act. As such, it serves as a guideline for the basic plans formulated by the prefectures. It was revised along with the legal revisions in July 2007 and July 2013.

##### **c. Measures Taken by Spousal Violence Counseling and Support Centers**

41. Spousal Violence Counseling and Support Centers have been established in 237 locations in prefectures nationwide as of January 1, 2014 based on the Spousal Violence Prevention Act.

42. In addition, see Statistical Annex 18 for consultations by the women's consulting offices (49 offices throughout Japan; as of April 1, 2013) and by women's consultants. "Violence by husbands or partners" accounted for 27,453 cases or approximately 34.1% of consulted cases, and ranked first among major complaints (FY2011). The women's consulting offices try to strengthen their support functions for female victims of spousal violence, etc., by providing consultations not only on weekdays but also on holidays and evenings, formulating measures to provide psychological care for female victims, and having staff members receive professional training and provide support in line with the actual conditions of female victims. For example, if a female victim comes to a women's consulting office with her child, she is placed in a Daily Life Support Facility for Mothers and

Children. Moreover, to enhance the protection of female victims, a new system was established under which social welfare facilities and private shelters that meet a certain standard are commissioned to provide temporary shelter to victims. In addition, if a temporary shelter operated by a women's consulting office allocates a staff member to take care of infants who accompany their mothers, the necessary expenses are subsidized.

43. See paragraph 402 of the Sixth Report for provision of information on support for victims of spousal violence. The Cabinet Office prepared the "Start-up Manual on Independence Support for Victims of Spousal Violence" in FY2011 based on the results of the "Model Project for Independence Support for Victims of Spousal Violence" implemented from FY2008 to FY2010, and distributed it to local governments and others.

44. See the section on 3(7) of this Article for the details of "Purple Dial – telephone consultation for DV and sexual violence."

45. Being subsidized by the Ministry of Health, Labour and Welfare, the Social Inclusion Support Center has established a free point of contact for consultation (Yorisoi Hotline) that is open 24 hours a day and 365 days a year as a point of contact providing consultation services for the poor and needy and victims of spousal violence, etc., including on general worries in their lives. The Center provides such services in seven languages (English, Chinese, Korean, Tagalog, Thai, Spanish and Portuguese) in addition to Japanese.

#### **d. Measures Taken by the Police**

46. From the perspective that it is important to prevent expansion of damages from violent cases arising from an entanglement of emotions related to romantic attachment, etc., including stalking cases and spousal violence cases, the police systematically promote prompt and appropriate responses, including protective measures for victims and their families through providing video cameras, in addition to arrests of perpetrators through active application of the Anti-Stalking Act, the Spousal Violence Prevention Act, and other laws and regulations.

47. As a new approach, a process of support in decision making for the victims has been implemented since February 2013. Through this process, a victim of stalking or spousal violence is given information about the risk of the case and, notified of damages and measures the police can take in an easy-to-understand manner using a diagram when he/she visits the police for consultation. Furthermore, since December of the same year, the police have utilized a "risk determination checklist", whereby the police ask victims of stalking or spousal violence questions about items concerning the characters, etc. of themselves and perpetrators in the form of a questionnaire and determine the risk of the cases. The results are then used as reference materials in determining case risk.

48. Moreover, in order to reduce the burden on victims and prevent secondary damages, the police have improved the system for handling violence cases at night and on holidays, by increasing the numbers of female police officers on duty and educating them, so that when the female officers are required depending on the characteristics of cases or requests from the victims, they can respond. Furthermore, the police have taken measures to prevent the occurrence of damages from spousal

violence by, for example, giving perpetrators directives and warnings, in addition to arresting perpetrators based on consideration of the will of the victims. For victims, irrespective of whether perpetrators are arrested or not, the police offer guidance and suggestions concerning measures to prevent damages from spousal violence, such as necessary self-defense measures, on a case-by-case basis. In addition, the police reinforce collaboration with related organizations and groups, related business operators and others in relation to protection of victims, etc. and make efforts to promote publicity and awareness-raising activities.

**e. Measures Taken by the Human Rights Organs**

49. The Human Rights Organs of the MOJ prepare and distribute videos, etc. to enlighten people on the subject of abuse including spousal violence, and lend out them. Moreover, with the aim of protecting women's human rights, the organs conduct various promotion activities nationwide throughout the year, under the slogan of "Protect Woman's Rights", as one of the annual priority matters of promotion activities. At the same time, the organs endeavor to help victims by providing consultation services on every aspect of women's human rights through establishment of the Internet Human Rights Counseling Services, in addition to provision of consultation services at their counseling offices and through a counseling hotline specializing in women's rights called the Woman's Rights Hotline. See paragraph 407 of the Sixth Report for protection of and relief for victims.

**f. Measures Taken by the Japan Legal Support Center for Support for Crime Victims**

50. The Japan Legal Support Center promotes establishment of further organic collaborative and cooperative relationships with these organizations and groups with an appropriate understanding of the related organizations and groups with which it should mutually collaborate, including councils established based on the purpose of the Spousal Violence Prevention Act.

**g. Training for Relevant Officials**

51. The Cabinet Office conducts workshops for counselors and staff members who manage counselors at the Spousal Violence Counseling and Support Centers and other organizations throughout Japan, thereby trying to further strengthen public-public and public-private collaboration through sharing of cases of collaboration between related persons in the region and advanced efforts and exchange of opinions. For the purpose of preventing young people from becoming perpetrators or victims of violence against women, the Cabinet Office also prepared awareness-raising materials for young people and distributed them to educational institutions and other related organizations nationwide. The Cabinet Office also provides training for instructors who raise awareness of prevention of violence against women in order to realize effective guidance using these materials.

52. The police provide training for officers in charge of measures against stalking and spousal violence cases, and also give guidance about the handling of cases of these kinds to all officers.

53. The court dispatches and recommends lecturers to workshops for the staff members of local governments and workshops for police officers who engage in their duties in prefectural police departments in charge of stalking and spousal violence cases.

54. The Ministry of Health, Labour and Welfare provides the staff members of women's consulting

offices and others with training concerning support for the victims of spousal violence. In addition, the ministry also subsidizes part of expenses for the professional training of staff members of women's consulting offices implemented by prefectural governments.

#### **h. Handling of the Status of Residence of Foreign Women Who Are Victims of Spousal Violence**

55. See paragraph 409 of the Sixth Report. Under the Immigration Control and Refugee Recognition Act (hereinafter referred to as the Immigration Control Act), where a foreign national with the status of residence of spouse of a Japanese national, resident with permanent residence status or special permanent resident "resides in Japan without engaging in the activities of a person with the status of spouse for six consecutive months or more" or where a foreign national residing in Japan for a medium or long period of time (except for persons whose period of stay has been decided to be "three months" or less and special permanent residents, etc.) does not notify her place of residence within 90 days from the date of her new arrival in Japan, the date of becoming a medium to long-term resident through permission for change of the status of residence or other procedures, or the date of vacating the place of notified residence, she becomes subject to revocation of her status of residence, except for cases in which she has a "justifiable reason" for not engaging in said activities or not giving notice of the place of residence. However, where such a foreign national requires temporary evacuation or protection for the reason of spousal violence, her status of residence is not revoked, deeming that there is a "justifiable reason."

### **(2) Efforts against Stalking**

#### **a. Current Situation**

56. See Statistical Annex 19 for the status of implementation of measures under the Anti-Stalking Act. Women account for 90.3% of all victims of stalking while men account for 86.9% of those who have committed stalking. In addition, in terms of the type of assistance provided, the number of cases in which people were taught preventative measures to protect themselves was 1,884 (having increased by 310 over the previous year) and the number of cases of teaching or lending of crime prevention buzzers and other equipment was 704 (having increased by 169 over the previous year).

#### **b. Revision to the Anti-Stalking Act**

57. The Anti-Stalking Act was revised in July 2013. Major revisions include [i] restriction on the act of continuously sending e-mails, [ii] expansion of the jurisdiction of Prefectural Public Safety Commissions that can issue restraining orders, etc. or take other measures, [iii] establishment of a new request system for restraining orders, etc. or other measures, [iv] establishment of a new notification system concerning warnings and restraining orders, etc. or other measures upon request and [v] support measures for victims taken by women's consulting offices and other organizations.

#### **c. Measures Taken by the Police**

58. See the section on 3(1) of this Article.

### **(3) Promotion of Measures against Sex Crimes (Rape and Forcible Indecency)**

#### **a. Rape and Forcible Indecency**

59. See Statistical Annex 20 for the number of reported cases of rape and forcible indecency. The number in 2013 decreased compared to 2005 for both rape and forcible indecency, respectively.

60. See paragraph 52 of the Sixth Report for measures taken by the police.

61. See the section on 3(7) of this Article for the study and deliberation at the Specialist Committee on Violence against Women of the Council for Gender Equality (SCVW).

#### **b. Support for Victims of Sex Crimes**

62. The Cabinet Office makes efforts to promote collaboration between related regional organizations and entities in cooperation with local governments so that victims of sex crimes can receive support.

63. The Cabinet Office provides training for the consultants and other staff members of regional gender equality centers in order to develop an environment where victims of sex crimes can comfortably receive necessary consultation services and support.

#### **c. Promotion of Counseling for Crime Victims**

64. The police provide appropriate counseling services according to the needs of crime victims by using the counseling commission system based on collaboration with psychiatrists, counselors and victim support groups, as well as by utilizing police officers with counseling skills.

#### **d. Measures against Sex Criminals**

65. Penal institutions provide guidance for prevention of repeat sex offences, with the aim of having sex criminals recognize their own problems that led them to commit sex crimes and acquire specific methods of preventing themselves from reoffending.

66. Probation offices also provide specialized treatment for sex criminals. For sex criminals who have been given the guidance for prevention of repeat sex offences at a penal institution, probation offices take over related information from the penal institution and give coherent guidance.

#### **e. Deliberation in the MOJ**

67. With regard to making sex crimes prosecutable ex officio etc, the Third Basic Plan states that “Consideration will be conducted on an ideal of penal provisions for sex crimes, including review of the crime of rape (making the crime of rape prosecutable ex officio, raising the age of sexual consent and review of requirements constituting the crime of rape). The MOJ is to conduct consideration thereon by the end of FY2015”. Based on this, consideration by the MOJ is now underway, including study of other countries’ legal systems concerning the crime of rape and other sex crimes and the current situation of punishment for such crimes in Japan.

### **(4) Sexual Harassment Prevention**

#### **a. Prevention of Sexual Harassment in the Workplace in Genera**

68. The Act on Securing, Etc. of Equal Opportunity and Treatment between Men and Women in Employment (hereinafter referred to as the Equal Employment Opportunity Act) obliges employers to establish necessary measures in terms of employment management in order to prevent sexual harassment in the workplace. The guidelines set under the Act require that an employer [i] clarify his/her policy, make such policy public and the workers aware, [ii] establish necessary measures to give advice during consultation with the workers (including complaints; the same shall apply hereinafter) and cope with problems of the workers, [iii] take prompt and appropriate response after

the fact pertaining to Workplace Sexual Harassment and [iv] take measures for those listed in [i] to [iii]. If an employer does not comply with a recommendation given by the Minister of Health, Labour and Welfare in relation to these obligations, the Minister of Health, Labour and Welfare will make a public announcement of the name of the company.

69. Furthermore, in light of the Supplementary Provisions of the Revised Equal Employment Opportunity Act, the Labour Policy Council consisting of representatives of the public sector, employers and employees conducted deliberations on future measures to promote equal opportunity in employment and compiled a report in September 2013. In the report, the council concluded that it is appropriate to revise the current guidelines that stipulate measures against sexual harassment as follows: [i] Currently, the guidelines state that it is essential to have the causes and background of the occurrence of sexual harassment known to employees when clarifying a policy on sexual harassment and making it known to employers and raising awareness thereof; the guidelines are to be revised to clearly state that words and actions based on a sense of gender-based role-sharing are also included in the causes and background; [ii] Currently, the guidelines state that consultation services cover wide-ranging cases, such as where there is a risk of occurrence as well as in cases where it is not immediately clear whether the situation fits the definition of Workplace Sexual Harassment; the guidelines are to be revised to clearly state that consultation services cover cases where a relevant act is likely to harm the work environment if it is left unchanged and cases where sexual harassment is likely to occur based on or against the backdrop of words and actions based on a sense of gender-based role-sharing; [iii] The guidelines are to be revised to separate ex post measures into measures for those who have committed sexual harassment and those for victims and add “consultation services provided by the administrative supervisors or industrial health staff members in the workplace for victims’ mental health disorders” to examples of measures for victims; [iv] The guidelines are to be revised to clearly state that sexual harassment also includes that against a person of the same sex. In response to this report, the MHLW revised the guidelines in December 2013, and it will endeavor to secure the implementation of the Act in the future.

70. See Statistical Annex 21 for the change in the number of cases of consultation with the Equal Opportunity Employment Department of Prefectural Labour Bureaus under the Ministry of Health, Labour and Welfare (MHLW). The Equal Opportunity Employment Department provides consultation services for around 20,000 cases every year, about half of which are related to sexual harassment.

71. The MHLW raises awareness of the revised Equal Employment Opportunity Law and related guidelines. The Ministry also gives employers administrative guidance to help them take measures to prevent sexual harassment in cases where they have not taken any action. In addition, if it is considered efficient and effective to give group guidance by the type of business or by size, such as where multiple sexual harassment cases have occurred in the offices of the same type of business and where guidance targets small-sized companies, the MHLW seeks cooperation from related industry groups and other organizations and gives group guidance by utilizing the conferences of these groups in order to prevent occurrences of sexual harassment. Furthermore, the MHLW provides appropriate consultation services for workers who have suffered emotional distress due to sexual harassment in the workplace by utilizing equal employment consultants with professional knowledge and experience allocated in the Equal Opportunity Employment Department.

72. The MHLW tries to disseminate the information that development of a mental disorder due to sexual harassment may be covered by workers' accident compensation, for example, by distributing leaflets to medical institutions and labour-related organizations, and has qualified persons in charge, such as clinical psychotherapists, to provide consultation services relating to claims for workers' accident compensation. The MHLW thereby develops an environment that encourages workers who have developed a mental disorder to use consultation services.

#### **b. Prevention of Sexual Harassment in National Public Service Workplaces**

73. With regard to national public employees, the Ministries and Agencies make efforts, such as enactment of internal rules, establishment of a complaint consultation system and training for their staff members based on the National Personnel Authority Rule 10-10 (came into effect on April 1, 1999) which provides for prevention of sexual harassment in national public service workplaces.

74. In order to raise awareness for the prevention of sexual harassment among the officials of Ministries and Agencies, the National Personnel Authority has designated the week from December 4th to 10th of every year as "National Public Employees' Sexual Harassment Prevention Week," and holds that week, the Symposium on National Public Employees' Sexual Harassment Prevention and other lectures. The Authority also prepares a pamphlet on sexual harassment prevention for supervisors and for newly recruited officials, respectively, and distributes this to Ministries and Agencies. In addition, the authority conducts training for those who give advice on sexual harassment complaints. Furthermore, aiming to replace the existing training curriculum examples for newly recruited officials and for administrators, which the authority has provided to ministries and agencies, in FY2009, the authority newly developed Sexual Harassment Prevention Training, the content of which is appropriate for newly recruited officials, newly appointed supervisors and administrators respectively, in order to raise awareness of sexual harassment prevention among officials and to have administrators and supervisors thoroughly understand the responsibilities and roles they should fulfill. The authority implements this training, targeting officials in charge of the personnel affairs of ministries and agencies.

#### **c. Prevention of Sexual Harassment in the Field of Education**

75. See paragraph 68 of the Sixth Report for measures taken by the Ministry of Education, Culture, Sports, Science and Technology (MEXT).

76. Many national university corporations are now proactively making voluntary efforts, including development of a consultation system for sexual harassment. Public and private universities are also encouraged to make active efforts to prevent sexual harassment.

77. See paragraph 70 of the Sixth Report for efforts made by public schools.

#### **(5) Protecting Youth from Sexual and Violent Information**

78. The Third Basic Plan contains specific measures concerning research study, such as promotion of publicity and awareness-raising and promotion of measures for preventing distribution, directed against sexual and violent expressions used by the media, and related ministries and agencies are

carrying out connected measures.

**a. Formulation of the Second Comprehensive Measures to Eliminate Child Pornography**

79. The Government decided the Second Comprehensive Measures to Eliminate Child Pornography, which summarizes measures the Government should take at an early date, at a Ministerial Meeting Concerning Measures Against Crime in May 2013, on the premise of the current law. Based thereon, ministries and agencies are promoting measures in collaboration with citizens, business operators, related groups and others.

**b. Act on Establishment of an Enhanced Environment for Youth's Safe and Secure Internet Use and Establishment of the Second Basic Plan and Ordinances**

80. Based on the Act on Establishment of an Enhanced Environment for Youth's Safe and Secure Internet Use enacted in 2008, the Government decided the Second Basic Plan on Measures to Enable Youth to Safely Use the Internet in 2012. Based on this Basic Plan, the Government takes measures to minimize the opportunities for youth to view harmful information, including sexual and violent information, which significantly inhibits their healthy growth, via the Internet.

81. See paragraph 72 of the Sixth Report for establishment of ordinances regarding protection and nurturing of youth.

**c. Measures against Illegal and Harmful Information**

**(i) Measures Taken by the Police**

82. The police operate the Internet Hotline Center (hereinafter referred to as the IHC), whereby staff members receive reports concerning illegal and harmful information from Internet users in general, report such information to the police and request site administrators to delete the information. This effort has produced definite results, including arrests of suspects and deletion of illegal and harmful information. Moreover, with regard to child pornography stored on foreign web servers, the IHC acceded to INHOPE, which was established as a mutual liaison organization for countries' hotlines in March 2007, and is promoting measures in collaboration with the INHOPE member organizations. For example, the IHC requested that the INHOPE member organizations take measures for deletion of such child pornography.

83. The police have strengthened their crackdown on Internet-based child pornography crimes, and make efforts to gather information on child pornography cases through reports from the IHC and cyber patrols. In addition, the police provide information and give advice to the body to prepare and manage address lists of websites containing child pornography in relation to measures to prevent access to child pornography (blocking) taken by providers. Thereby, the police promote measures to enhance the effectiveness of blocking in collaboration with related organizations and bodies.

84. Moreover, the police try to disseminate points to note in using the Internet in collaboration with schools and other related organizations, taking into account the ongoing occurrence of cases in which young people are involved in crimes or trouble such as child prostitution through the use of online dating sites and community sites, in light of the circumstances where smartphones are rapidly proliferating among children. The police also facilitate dissemination of function-restricting applications to restrict certain applications from starting up and filtering and they promote public

relations and awareness-raising, activities, targeting guardians. Furthermore, the police carry out measures such as support for voluntary introduction of effective zoning by business operators and confirmation of the content of emails exchanged between users of a website according to the size, form and status of efforts of business operators.

85. In addition to the above, the police provide lectures by information security advisers, using opportunities such as workshops hosted by the police or a provider liaison council in order to improve citizens' knowledge about information security and awareness of rules in cyberspace. The police also disseminate information about methods employed in cybercrimes and the current situation of and measures against illegal and harmful information on the Internet through the National Police Agency's website, publicity and awareness-raising pamphlets, DVDs on information security measures and other means.

86. Moreover, in order to eliminate the harmful effect of sex entertainment businesses on youth, the police endeavor to understand the actual conditions of the malicious crimes of organizationally forcing children to serve as prostitutes in entertainment districts and amusement areas and businesses that trade on the sexual conduct of youth, and impose thorough controls over them. Furthermore, the police implement activities to remove illegal and harmful advertising, including pink fliers, in cooperation with related organizations and bodies.

**(ii) Measures Taken by the Ministry of Internal Affairs and Communications (MIC)**

87. With regard to measures against illegal and harmful information on the Internet, the MIC conducted deliberations on voluntary measures taken by providers and others and action to effectively support such measures, and published the final report in August 2006. On the basis of this report, four telecommunications-related industrial groups drew up and published the Guidelines for Dealing with Illegal Information and the Model Terms and Conditions for ISPs concerning Illegal or Harmful Information Generated by Users. Moreover, in 2009, the MIC established a hotline for consultation on illegal/harmful information for the purpose of promoting appropriate handling of illegal and harmful information on the Internet. This hotline accepts inquiries and questions about illegal and harmful information and safety and security in an Internet environment from related persons, and gives advice about the handling of posts, methods of deletion and other issues, and provides relevant information.

88. Furthermore, the MIC cooperates with industry organizations to set up their guidelines. It supports voluntary measures taken by ISPs, including removal of illegal and harmful information that leads to discrimination against women including child pornography, issuing warnings to senders of such information, and suspension of the use of Internet by these senders. The MIC, when necessary, also endeavors to ensure proper implementation of the guidelines by monitoring how they are implemented.

89. The MIC implements demonstration of blocking and facilitates the voluntary introduction of blocking, which is one of the measures to prevent distribution and viewing of child pornography on the Internet, in order for ISPs and other related business operators to be able to improve the effectiveness of voluntary blocking. In accordance with this, due consideration is given to ensure there are no unjust effects on Internet users' privacy of communications and freedom of expression.

**(iii) Measures Taken by the Ministry of Economy, Trade and Industry**

90. In order to correspond to changes in the environment of Internet use, METI has formulated a determination standard for desirable provisions of filtering. METI also conducts continuous surveys on the status of use of devices corresponding to new Internet access devices, such as game consoles, in order to contribute to making determinations using the aforesaid standard, and provides information and conducts dissemination and awareness-raising activities with regard to filtering through seminars and other opportunities so that guardians can use filtering in a more appropriate manner.

**(iv) Measures Taken by the Ministry of Education, Culture, Sports, Science and Technology**

91. MEXT conducts the following awareness-raising and educational activities to protect youth from harmful information on the Internet:

- (i) Provide cooperation for "Consciousness Survey on Children and Media" conducted by the National Congress of Parents and Teachers Associations of Japan
- (ii) Promote regional measures against harmful information, such as information on moral education, targeting youth and their guardians based on collaboration among schools, households and communities
- (iii) Consider a method whereby intellectuals, local governments, school-related bodies and telecommunications-related bodies make public the outcomes of their own efforts to cope with harmful information and other efforts and can coordinate such efforts with each other (FY2006 and thereafter)
- (iv) Prepare and distribute an awareness-raising leaflet concerning points to note when youth use the Internet, examples of problems and crime-related damages and measures to deal with these (FY2008 and thereafter)
- (v) Conduct learning-based and participatory symposiums for guardians and others throughout Japan by forming a caravan consisting of intellectuals and other related persons, in order to disseminate Internet behavior and other related matters (FY2011 and thereafter)
- (vi) Develop a workshop in which youth train themselves in methods of corresponding with new communication devices, such as smartphones, and transmit the results thereof (FY2012 and thereafter)

**(6) Efforts against Prostitution**

92. See the section on Article 6.2.

**(7) Activities to Eliminate Violence**

**a. Considerations by National Machinery**

- (i) Specialist Committee on Violence against Women

93. The SCVW is aimed at studying and considering future desirable measures for preventing violence and for supporting victims within the fields of spousal violence, sex crimes, prostitution, trafficking in persons, sexual harassment and stalking. The SCVW compiled and made public the results of discussions on the enforcement status of the Spousal Violence Prevention Act in March 2007. In addition, the SCVW compiled problems to be solved to eliminate violence against women and measures to solve them in June 2011, with a central focus on the results of emergency and intensive consultation services provided by the Cabinet Office through the launch of "Purple Dial –

telephone consultation for DV and sexual violence” during the period from February to March 2011. Furthermore, with regard to the promotion of measures against sex crimes, the SCVW compiled strict measures against sex crimes through review of the crime of rape and support for and consideration of victims in July 2012 after going through intensive study and deliberation. In August, the Council for Gender Equality decided to request that the Government take measures based thereon.

(ii) Meeting of Directors from Ministries and Agencies Concerned on Violence against Women

94. See paragraph 87 of the Sixth Report.

#### **b. Raising Social Awareness**

95. See paragraph 88 of the Sixth Report.

#### **c. Research and Study**

96. The Cabinet Office conducted a Survey on Violence between Men and Women in FY2011 to gain an understanding of the actual conditions of violence between men and women in Japan.

### **4. Basic Position and Efforts of the Government of Japan on the issue of “Comfort Women”**

97. As this Convention does not apply to any issues that occurred prior to Japan’s conclusion thereof (1985), the Government of Japan considers that it is not appropriate for this report to take up the comfort women issue in terms of the implementation of State Party’s duties regarding the Convention. However, considering the reference to the “comfort women” issue during the deliberations at the 44th Committee meeting in July 2009 and the Committee’s Concluding Observations concerning Japan’s report, we would like to explain what efforts Japan has thus far made on this issue.

98. During a certain period in the past, Japan caused tremendous damage and suffering to people of many countries, particularly to those in Asian countries. Squarely facing these historical facts, the Government of Japan has repeatedly expressed its feelings of deep remorse and heartfelt apology, and expressed feelings of sincere mourning for all victims of the war both in Japan and abroad.

99. With regard to the comfort women issue, Prime Minister Abe, in the same manner as the Prime Ministers who preceded him, is deeply pained to think of the comfort women who experienced immeasurable pain and suffering beyond description, which had been repeatedly expressed.

100. The Government of Japan has sincerely dealt with issues of compensation as well as property and claims pertaining to the Second World War, including the comfort women issue, under the San Francisco Peace Treaty, which the Government of Japan concluded with 45 countries, including the United States, United Kingdom and France, and through bilateral treaties, agreements and instruments. The issues of claims of individuals, including former comfort women, have been legally settled with the parties to these treaties, agreements and instruments. In particular, the Agreement on the Settlement of Problems Concerning Property and Claims and on Economic Co-

operation between Japan and the Republic of Korea stipulates that “problems concerning property, rights, and interests of the two Contracting Parties and their nationals (including juridical persons) and concerning claims between the Contracting Parties and their nationals... have been settled completely and finally.” (Article II (paragraph 1)).

101. Nevertheless, recognizing that the comfort women issue was a grave affront to the honor and dignity of a large number of women, the Government of Japan, together with the people of Japan, seriously discussed what could be done to express their sincere apologies and remorse to the former comfort women. As a result, the people and the Government of Japan cooperated and together established the Asian Women’s Fund (AWF) on July 19, 1995 to extend atonement from the Japanese people to the former comfort women. To be specific, the AWF provided “atonement money” (2 million yen per person) to former comfort women in the Republic of Korea, the Philippines and Taiwan who were identified by their governments and other bodies and wished to receive it. Moreover, the AWF provided funds for medical and welfare support in those countries, financial support for building new elder care facilities in Indonesia, and financial support for a welfare project which helps to enhance the living conditions of those who suffered incurable physical and psychological wounds during World War II in the Netherlands. The Government provided a total of 4.8 billion yen for programs of the fund and offered the utmost cooperation for support programs for comfort women, such as programs to offer medical care and welfare support (a total of 1.122 billion yen) and a program to offer atonement money from donations of the people of Japan. In addition, when the atonement money was provided, the then-Prime Minister (namely PM Ryutaro Hashimoto, PM Keizo Obuchi, PM Yoshiro Mori and PM Junichiro Koizumi), on behalf of the Government, sent a signed letter expressing apologies and remorse directly to each former comfort woman. While the AWF was disbanded in March 2007 with the termination of the project in Indonesia, the Government of Japan has continued to implement follow-up activities of the fund.

102. Throughout history, women’s dignity and basic human rights have often been infringed upon during the many wars and conflicts of the past. The Government of Japan places paramount importance on and is committed to doing its utmost to ensure that the 21<sup>st</sup> century is free from further violations of women’s dignity and basic human rights.

### **5. Minority Women**

103. See paragraph 98 of the Sixth Report for the status of minority women as pointed out in the Concluding Observations of the Sixth Report.

104. The Third Basic Plan states that efforts will be made to understand the actual conditions of cases in which a woman faces multiple additional difficulties due to her gender and that necessary measures will be carried out from the perspective of gender equality as well as promoting human rights education and promotion and relief for the victims of human rights infringement, based on the following basic direction of measures: If we are to build an environment in which people can live with confidence, we need to be conscious of the fact that women sometimes face multiple additional

difficulties due to being a person with a disability, a non-Japanese living and working in Japan, or Ainu people or because of Dowa issues. Related ministries and agencies take the following measures not by establishing a framework of special measures for limited places of origin or nationalities but by reacting accordingly, depending on the individual situation and problem within a framework of general measures for human rights protection, education, employment, health and prevention of violence.

105. In the November 2013 Opinions of the SCMC, it stated that when considering a policy for measures mainly for so-called minority groups, it is necessary to pay attention to a balance between men and women in selecting representatives, as well as making efforts to ensure that the parties concerned can participate in discussions at conferences and other opportunities.

106. See paragraph 99 of the Sixth Report for measures based on the Basic Plan for Promotion of Human Rights Education and Encouragement.

107. The Human Rights Organs of the MOJ carry out various promotion activities nationwide throughout the year from the stand point of prohibiting all forms of discrimination, under the slogans of “Eliminate Prejudice and Discrimination in Relation to Dowa Issues,” “Improve Understanding of Ainu People,” and “Respect the Rights of Foreign Nationals” as the annual priority matters of promotion activities.

108. The meetings of the Council for Ainu Policy Promotion chaired by the Chief Cabinet Secretary have been held since January 2010 to promote comprehensive and effective Ainu policy in light of the opinions of the Ainu people. Multiple representatives of the Ainu people, including women, participate in this council.

109. The Working Group for Research on the Living Conditions of Ainu People outside Hokkaido, established under the Council for Ainu Policy Promotion, conducted research on the living conditions of Ainu people who have moved outside Hokkaido, in order to consider policies necessary from a nationwide perspective to ensure that the Ainu people can autonomously decide their lives and take charge of cultural promotion and tradition irrespective of where they live. The research results revealed that, although the living conditions of Ainu people outside Hokkaido and those in Hokkaido are very similar, there is still a gap in terms of living standards and education compared to the general public. The Working Group compiled the results of deliberation in June 2011 and reported to the Council for Ainu Policy Promotion. After that, the Working Group for Ainu Policy Promotion was newly established in August 2011, and has been holding discussions on the development of measures from a nationwide perspective in light of the Research on the Living Conditions of Ainu People outside Hokkaido. Multiple representatives of the Ainu people, including a woman, participate in the Working Group for Ainu Policy Promotion.

110. See Statistical Annexes 22 to 24 for related materials.

**6. Measures to Disseminate the Convention on the Elimination of All Forms of Discrimination against Women, Periodic Reports on Implementation of the Convention, and Concluding Comments of the Committee**

111. For the purpose of public dissemination, the following documents are posted on the websites of the Ministry of Foreign Affairs (MOFA) and the Cabinet Office: the Convention, the Sixth Report, the Concluding Observations of the Sixth Report, the Response by the Government of Japan on the Concluding Observations of the Sixth Report and the Observations of the Committee on the Elimination of Discrimination against Women thereon, and the additional information regarding the response by the Government of Japan on the Concluding Observations of the Committee on the Elimination of Discrimination against Women and the Observations of the Committee on the Elimination of Discrimination against Women thereon (English original and provisional Japanese translation for all of them).

112. In addition, the Cabinet Office endeavors to inform the general public of the Concluding Observations of the Sixth Report through report meetings, publications and other means. The Cabinet Office also notified the House of Representatives, the House of Councillors, and the court in writing of the Concluding Observations and requested them to make the Concluding Observations known and make efforts based thereon. Moreover, in submitting the Response by the Government of Japan on the Concluding Observations of the Sixth Report, the Cabinet Office implemented efforts, such as distribution of the report to related Diet members. Incidentally, for dissemination of the Convention, the Cabinet Office made such efforts as creating a poster and holding events in commemoration of the 30th anniversary of the adoption of the Convention, holding lectures by the members of the Committee on the Elimination of Discrimination against Women, producing a publicity DVD that explains the Convention in an easy-to-understand manner, distributing this to prefectural governments and others and holding a lecture by Executive Director Michelle Bachelet of the United Nations Entity for Gender Equality and the Empowerment of Women (UN Women). The ratio of Japanese people aware of the Convention is approximately 35%, almost the same level as at the time when the previous report was drafted (32% in 2004). It is thus necessary to further promote efforts to disseminate the Convention. In addition, see Part One for efforts to invite opinions from citizens in drafting this report.

#### **7. Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women**

113. The Government of Japan considers the individual communications procedure set forth in the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women to be noteworthy in the sense that it could effectively guarantee the implementation of the Convention. With regard to the acceptance of the procedure, the Government of Japan is aware of and has been making internal studies on various issues to consider, ranging from whether it could pose any problems in relation to Japan's judicial system or legislative policy, as to what possible organizational framework would be required for implementing the procedure in the case that Japan is to accept it. In this vein, in April 2010, the Division for Implementation of Human Rights Treaties was established in MOFA. The Government of Japan continues to seriously consider whether or not to accept the procedure, while taking into account opinions from various sources.

#### **8. Measures in the Area of Disaster Prevention and Reconstruction**

114. The Third Basic Plan newly established "promoting gender equality in the area of regional development, disaster prevention, environment, and others" as one of the priority fields, and states

that we will establish disaster prevention (reconstruction) plans that adopt the perspective of gender equality so we can resolve the problems that affect women during disasters and the reconstruction stage. Based on this, the Government took the following measures after the occurrence of the Great East Japan Earthquake in March 2011.

## **(1) Reinforcement of Disaster Prevention (Plans) after the Great East Japan Earthquake**

### **a. Amendment of the Basic Disaster Management Plan**

115. After the Great East Japan Earthquake, the Cabinet Office amended the Basic Disaster Management Plan three times and promoted women's participation in the operation of shelters. The Cabinet Office also clearly stipulated that efforts would be made to operate shelters in consideration of the needs of women and child-raising households and that consideration would be given to the needs of men and women in conducting commodity procurement and supply activities.

### **b. Formulation of the Guidelines for Disaster Prevention and Reconstruction from a Gender Equality Perspective**

116.

With regard to measures and responses necessary from the perspective of gender equality, the Cabinet Office issued the Guidelines for Disaster Planning, Response and Reconstruction from a Gender-Equal Perspective which serve as guidelines when local governments take measures at the stages of prevention, emergency measures, restoration and reconstruction, in May 2013. The Cabinet Office promotes the sharing of the guidelines with local governments and related organizations.

### **c. Promotion of Appointment of Women as Members of Regional Disaster Management Councils**

117. With regard to Regional Disaster Management Councils, the Basic Act on Disaster Control Measures was revised in June 2012 to incorporate provisions intended to encourage a variety of persons, including women, to participate in Prefectural Disaster Management Councils as members thereof. Although the percentage of women among the membership of Prefectural Disaster Management Councils was 3.5% in 2011, it has been on the rise, specifically, to 4.6% in April 2012 and 10.7% in April 2013. The number of prefectures in which none of the members of the Prefectural Disaster Management Council were women was 12 out of 47 prefectures in 2011, but decreased to six in 2012 and to zero in 2013.

## **(2) Measures Taken in the Disaster-Stricken Areas**

118. The Cabinet Office dispatched the staff members of the Gender Equality Bureau to the Government's Local Emergency Response Headquarters in Miyagi Prefecture, and implemented gathering of local information and collaboration with gender equality centers, NPOs and others (15 persons in total for the period from March to July 2011; eight women and seven men). In addition, the Cabinet Office requested related organizations give consideration to the needs of women and child-raising households in relation to living in evacuation centers and other places immediately after the occurrence of the disaster. Furthermore, the Cabinet Office has been implementing consultation services concerning women's various concerns and worries arising from the Great East Japan Earthquake and violence against women by telephone and through interview or other means in Iwate Prefecture, Miyagi Prefecture and Fukushima Prefectures since FY2011, with the cooperation of consultants nationwide in collaboration with local governments, private bodies and other

organizations.

119. The police dispatched a special contingent to secure the safety and security of disaster victims' lives. Consultation services and crime prevention guidance was provided to disaster victims who live in evacuation centers and other sites in the disaster-stricken areas. The special contingent consisted of 754 police officers (of which 492 were women) in total, dispatched from the Metropolitan Police Department and Prefectural Police Headquarters to three disaster-stricken prefectures, Iwate Prefecture, Miyagi Prefecture and Fukushima Prefectures, over a period of 165 days in total.

120. The Reconstruction Agency gathers and publicizes examples of support for female disaster victims and women's active role and also encourages specific efforts to be made in disaster-stricken areas from the perspective of gender equality based on those examples in the reconstruction process.

121. With the particular perspective of giving consideration to female disaster victims, the Ministry of Defense (MOD) dispatched female self-defense officials to conduct wide-ranging operations, such as hearing requests for relief supplies that women require in a detailed manner and delivering such supplies in an appropriate manner, searching women's dormitories of disaster stricken companies, and providing bathing services.

122. Female volunteer fire corps engaged in various activities, including support for evacuation of residents immediately after occurrence of the disaster, warning patrol activities and support for evacuation centers. In addition, female fire prevention clubs (organizations consisting of women that promote prevention of fires arising from households and other local disaster prevention activities) engaged in a wide variety of activities, including support for soup-kitchens in evacuation centers, distribution of relief supplies, and confirmation of information about people's well-being.

### **Article 3 (Ensure Full Development and Advancement of Women)**

#### **1. Efforts for Promotion of Women's Active Participation**

##### **(1) Formulation of the Japan Revitalization Strategy**

123. See the section in Part One for the Japan Revitalization Strategy.

##### **(2) Support for Female Entrepreneurs**

###### **a. Implementation of Entrepreneurial Classes for Women**

124. METI offered a short-term intensive training course called the business launch class, in which 30 hours of training were provided to help trainees develop the practical skills they would need to start a business, targeting those who have specific action plans for starting a business, up to FY2010. There were also classes geared towards women, in which a total of 4,952 women participated, at the classes offered at 162 locations nationwide over a five-year period from FY2006 to FY2010.

###### **b. Preferential Treatment System for Financing**

125. METI operates a low-interest lending system for those in need, including female entrepreneurs, through the Japan Finance Corporation (Small and Medium Enterprise Unit/Micro Business and Individual Unit). At the same time, METI offers loans without security and surety to those who plan to start their own businesses, after their business plans are screened. Aiming particularly at female

entrepreneurs, a low-interest lending system was launched in February 2003, and the METI raised the loan limit several times in April 2004 and thereafter to make the system more user-friendly.

#### **c. Business Start-up and Inauguration Aid System**

126. In FY2012, the Government started providing support for businesses that foster regional demand by calling for business plans from women and youth who are newly starting a business or conducting a second business inauguration (conversion of a business or development into a new business or a new field in cases in which a successor takes over a business from a predecessor at an SME or a small-scale business that has already been running a business) and by subsidizing part of the expenses required for the implementation of the plans.

#### **d. Measures in the Area of Agriculture**

127. See the section on Article 14.

### **2. Measures for Women with Disabilities**

#### **(1) Steady Implementation of the Basic Programme for Persons with Disabilities**

128. Measures have been promoted in a comprehensive and planned manner since the formulation of the Long-Term Plan for Persons with Disabilities in 1982 as a domestic action plan developed on the occasion of the United Nation's Decade of Disabled Persons. At present, the Government has specified concrete, numerical targets in keeping with the Third Basic Programme for Persons with Disabilities (decided at a Cabinet meeting in 2013) and promotes measures in a unified manner. The Basic Act for Persons with Disabilities was revised in 2011 to add provisions to the effect that "measures for supporting the independence and social participation of persons with disabilities shall be formulated and implemented according to the gender of the person with the disability" to the basic policy for measures with women with disabilities in mind. Based on this, the Government incorporated the following in the Basic Programme for Persons with Disabilities as a cross-sectional perspective that is common to all fields of measures for persons with disabilities: Measures shall be formulated and implemented in light of the necessity of support for persons with disabilities on a case-by-case basis according to the gender, age, conditions of disabilities and actual living conditions, and in particular, attention shall be paid to the point that women with disabilities sometimes face multiple additional challenges due to being a woman.

#### **(2) Promotion of Measures for Eliminating Discrimination against Persons with Disabilities**

129. Through the revision of the Basic Act for Persons with Disabilities in 2011, the provisions incorporating the philosophy of reasonable accommodation prescribed in the Convention on the Rights of Persons with Disabilities were added to the Act in relation to prohibition of discrimination. The Act on the Elimination of Discrimination against Persons with Disabilities, which concretized these provisions, was enacted in June 2013. The Act stipulates that reasonable accommodation shall be provided according to gender or other factors.

#### **(3) Efforts towards Ratifying the Convention on the Rights of Persons with Disabilities**

130. The conclusion by Japan of the Convention on the Rights of Persons with Disabilities was approved by the Diet in December 2013. The Government of Japan conducted intensive reform of the domestic system for persons with disabilities in advance of the conclusion of the Convention. In the reform, the Government of Japan revised the Basic Act for Persons with Disabilities, enacted the

Act on the Prevention of Maltreatment of Persons with Disabilities and Support for Attendants of Persons with Disabilities, the General Support for Persons with Disability Act, the Act on the Promotion of Public Procurement from Businesses Employing Persons with Disabilities, and the Act on the Elimination of Discrimination against Persons with Disabilities and amended the Act for the Promotion of Employment of Persons with Disabilities.

### **3. Measures for Elderly Women**

131. See paragraph 110 of the Sixth Report.

132. In June 2008, SCAE compiled the Monitoring and Gender Impact Assessment and Evaluation Report on Support for Self-Reliant Life of the Elderly. In the report, SCAE stated that it is important to promote support for the self-reliance of the elderly on the basis of the philosophy of “independence and harmonious coexistence” in light of differences in the situation between men and women and trends of the aging population. Based on this report, the Council for Gender Equality decided its opinion concerning the efforts that it will request the Government to make.

133. The Third Basic Plan states that efforts will be carried out from the perspective of gender equality, specifically, support for the promotion of employment of the elderly and their social participation, development of systems and environment leading to economic independence for the elderly, efforts for realizing independent living so that the elderly can have a healthy existence in households and communities with peace of mind, efforts concerning medical care and nursing care prevention in consideration of differences between men and women, and establishment of high-quality medical and nursing care infrastructures.

134. In addition, the General Principles Concerning Measures for the Aging Population were decided by the Cabinet in September 2012 as a guideline for basic and comprehensive measures for the aging population. Related administrative organs aim to further promote such measures in line with the General Principles while collaborating and cooperating with each other.

#### **(1) Long-term Care Insurance System**

135. See paragraph 112 of the Sixth Report.

136. As of March 2013, 1.76 million men and 3.95 million women have been certified as requiring support or care, of which women make up approximately 70% of the total.

137. Looking at the implementation situation of the long-term care insurance system since its inception in 2000, the number of elderly persons who use the services has more than doubled, and the system generally receives favorable marks in public opinion polls, which indicates that the system is steadily becoming established as a system underpinning the daily lives of the nation’s elderly. In addition, the Act for Partial Revision of the Long-Term Care Insurance Act to Reinforce the Foundation of Long-Term Care Service was enacted in June 2011 to establish a regional comprehensive care system whereby medical, nursing care, prevention, habitation and livelihood support services are provided without interruption so that the elderly can continue to live in familiar areas with peace of mind. The Act came into effect in April 2012.

#### **4. Measures for Foreign Women**

##### **(1) Measures Based on the Third Basic Plan for Gender Equality**

138. The Third Basic Plan states that support will be carried out according to the situations of foreign women taking into account the fact that foreign women face multiple additional challenges due to being a woman, as well as due to such difficulties as differences in language, culture and values and isolation in the community. From the perspective of gender equality, related ministries and agencies are carrying out measures concerning education, housing and job assistance for foreign nationals who work and live in Japan and providing information and development of a consultation system for such persons in multiple languages, in light of the actual conditions.

139. The MHLW is making efforts to provide job assistance for foreign nationals to secure their stable employment, and also promotes strict implementation of the system of notification of the status of foreign workers and realization of appropriate work based on the Guideline concerning Appropriate Approaches to Improving Management of Foreign Workers for Employers (MHLW Public Notice of August 2007) in order to accurately understand the actual working conditions of foreign workers. Moreover, see the section on Article 2.3 for consultation services via hotline.

140. MEXT gains an overall understanding of difficulties of foreign nationals and their children in terms of school entrance and learning and provides support in light of their actual conditions.

141. The MOJ sets up Human Rights Counseling Offices for foreign nationals to which interpreters in English, Chinese and other languages are allocated and thereby offers consultation services for foreign nationals.

142. The related ministries and agencies carry forward efforts concerning measures against trafficking in persons based on Japan's 2009 Action Plan to Combat Trafficking in Persons . See the section on Article 6 for the content thereof.

143. The Cabinet Office clearly stipulates consideration for evacuees, including foreign evacuees, such as provision of information and development of a consultation system in diverse languages, in the Guidelines for Securing Good Living Conditions at Evacuation Shelters formulated in August 2013.

##### **(2) Status of Efforts toward Ratification of the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families**

144. With regard to the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, the Government of Japan acknowledges the principle itself of the Convention of aiming at protecting the rights of all migrant workers, including women, and their families. On the other hand, Japan has been giving careful consideration as there are many issues in terms of the principle of equality, and the domestic systems, given, inter alia, that part of the Convention guarantees migrant workers more rights than the rights guaranteed to Japanese nationals or foreign nationals other than migrant workers.

## **Article 4 (Special Measures)**

### **1. Women's Participation in the Decision Making Process for Government Policies and Measures**

145. See paragraph 116 of the Sixth Report. The Third Basic Plan sets as its goal “raising the percentage of women in leadership positions in all fields of society to at least around 30% of the total by 2020,” and also sets promotion of effective positive action as a further goal. Positive action measures by goal and timetable methods for which the time limit and goal are set were introduced for all priority fields.

#### **(1) Appointment of Women as Members of the National Advisory Councils and Committees**

146. See paragraphs 117 and 118 of the Sixth Report for the status of efforts based on the decision adopted by the Headquarters for the Promotion of Gender Equality concerning promotion of the appointment of women to national advisory councils and committees.

147. The Third Basic Plan sets as its goals raising the percentage of women amongst all members of the national advisory councils and committees to 40% or more but 60% or less and raising the percentage of women amongst all expert members of the national advisory councils and committees to 30% by 2020. At present, the Government is proactively appointing women to the national advisory councils and committees to achieve the above goals.

#### **(2) Recruitment and Promotion of Female National Public Employees**

148. See paragraphs 119 and 120 for the status of efforts based on the decision adopted by the Headquarters for the Promotion of Gender Equality concerning enlargement of the recruitment and promotion of female national public employees.

149. The Third Basic Plan sets as its goals raising the percentage of women amongst all national public employees recruited through recruit examination for national public employees to around 30% and raising the percentage of women in positions such as director of a division or director-general of an office of a ministry of the State or a higher position to around 5% by the end of FY2015.

150. In December 2012, the SCAE concluded that it is necessary to further reinforce goal and timetable methods that make up the current positive action measures because, at the promotion stage, the percentage of women in managerial positions is low, although it is difficult to make obligatory the implementation of a quota system by law or regulation because the status of recruitment of national public employees is getting closer to the goal set by the Third Basic Plan. In response to this, the Council for Gender Equality requested the Government to make such efforts as promotion of active participation of female national public employees in April 2013.

151. The Japan Revitalization Strategy also states that efforts for enlargement of the recruitment and promotion of female public employees will be made from the perspective of “practice what you preach.” On that basis, since 2013, the Minister of State for Gender Equality has requested ministers to promote the recruitment and promotion of female national public employees while showing them the current value for each ministry. Such efforts will be continuously carried forward.

152. The National Personnel Authority revised the “Guideline Concerning the Expanding Initial Appointment and Promotion of Female National Public Employees” in January 2011 in light of the Third Basic Plan. The revised Guidelines stipulate goals for each appropriate division, such as the entire ministry, division and department, and provide that specific efforts toward achieving goals will be set, and to develop and utilize human resources through utilization of Personnel Evaluation, to review the factors that inhibit promotion of female national public employees and the necessity of job relocation, diversification of career paths and other matters and that female national public employees will be given appropriate guidance and training when they are granted job experience and necessary support will be provided thereafter. Ministries are working on the recruitment and promotion of female national public employees based on the revised Guidelines. In addition, the National Personnel Authority holds the Seminar by Female National Public Employees for Women mainly based on opinion exchange between participants and female national public employees and the Live Discussion for Women in which female administrative employees give lectures on important policy issues, the appeal of public service and the actual conditions of their work, in collaboration with ministries based on the revised Guidelines, thereby proactively conducting recruiting and awareness-raising activities.

153. See Statistical Annexes 27 and 28 for the status of the recruitment and promotion of national public employees engaged in regular service. The number and percentage of women amongst all national public employees have been hovering at the same level for the last few years. However, the number and percentage of women amongst all national public employees in managerial positions have been on the increase.

## **2. Women’s Participation in the Decision-making Process in Local Governments**

### **(1) Request for Cooperation in Promoting Appointment of Women as Members of the Advisory Councils and Committees of Local Governments**

154. Prefectures and government-ordinance-designated cities are making efforts to promote the appointment of women in their advisory councils and committees by setting target ratios and cutoff dates for achieving them. See Statistical Annex 29 for the percentage of women in the membership of the advisory councils and committees of prefectures and government-ordinance-designated cities which are set by law or regulation or by ordinance. As of April 1, 2013, the percentage increased to 29.9%. Moreover, the percentage of women in the membership of the advisory councils and committees of municipalities which are set by law or regulation or by ordinance was 24.3% as of April 1, 2013.

### **(2) Recruitment and Promotion of Female Local Government Officials**

155. The Government keeps local governments informed about a policy decision entitled Enlargement of the Recruitment and Promotion of Female National Public Employees, which was agreed at a meeting of managers in charge of personnel affairs at various ministries and agencies, and of the Guidelines Concerning the Enlargement of the Recruitment and Promotion of Female National Public employees, in which a mentoring program has been newly introduced, thereby requesting facilitation of the recruitment and promotion of female local government employees. At the same time, the Government keeps itself abreast of the efforts local governments are making and facilitates information exchange regarding best practices of recruitment and promotion of local

government employees.

156. See Statistical Annex 30 for the number and percentage of women amongst all local government employees (regular administrative service). Local governments are making efforts to promote appointment of women to their councils and committees by setting ratio targets for promotion of women to managerial positions and training women for such positions. The proportion of women in managerial positions has been steadily increasing.

### **3. Support for Measures Taken by Private Corporations, Educational and Research Institutes, and Other Organizations and Groups**

#### **(1) Support for Female Workers and Making the Status of Women's Active Participation at Corporations Visible**

157. See Statistical Annex 31 for the ratio of corporations which took positive action in FY2012. Looking at the ratio of corporations that “are already taking positive action” by the size of corporations, bigger corporations have a higher ratio. Moreover, see Statistical Annex 32 for the status of effects of positive action on corporations that are taking positive action.

158. In relation to positive actions in the employment field, the Government provides support, such as offering advice and information, to corporations that are taking positive actions, such as recruitment of women and expansion of their occupational fields, increase in the number of women in managerial positions, extension of women's duration of service and improvement of the work environment and work climate, based on the Equal Employment Opportunity Act. As it is indispensable to promote positive actions to realize substantially equal treatment of men and women, the Government conducts awareness-raising activities to deepen the recognition and understanding of gender equality in the workplace among people in society in general, including workers and employers, by designating June of every year as Equal Employment Opportunity Month, since 1986 when the Equal Employment Opportunity Act was enacted.

159. Since FY2012, the MHLW has been directly encouraging corporations to promote positive action measures and to facilitate disclosure of information about the status of women's active participation by utilizing the Positive Action Information Portal Site. Since July 2010, this site has been offering comprehensive information provision services concerning positive action through unification of the Positive Action Support Site, whereby people can inspect and conduct searches for the content of corporations' positive action measures, the women's active participation promotion declaration site on which corporations intending to promote positive action measures put their own messages and the outcome of the status of promotion of women's active participation, whereby corporations can self-evaluate the status of promotion of positive action measures through comparison with corporations in the same industry or of the same scale.

160. Moreover, the MHLW has given the Corporation Award for the Promotion of Gender Equality/Work-Life Balance since FY1999 by publicly seeking corporations that are proactively promoting positive action. Furthermore, as it is vital to increase awareness of top management to promote positive action at corporations, the MHLW has held meetings of the Positive Action Promotion Council in collaboration with employer's associations since FY2001. The MHLW conducts activities to promote positive action. For example, it prepared the Collection of Messages

about Positive Action, which provides messages from corporations that are taking positive action measures and women playing an active part in a corporation, in FY2011. Moreover, the MHLW held the Forum on Company Management and Positive Actions in October 2013 to promote positive action at corporations.

161. See the section on Article 11.4 for efforts based on the Guidelines for Supporting Efforts of Workers and Employers to Eliminate a Wage Gap between Men and Women. In addition, the MHLW has prepared and disseminated the Manual for Mentor System Introduction and Role Model Dissemination so that corporations can introduce and develop mentoring systems and human resources who serve as role models, both of which are considered as effective methods of promoting female employees' active participation, thereby providing support for the creation of an environment where female workers can continue to work.

162. In FY2013, the MHLW added the Subsidy for Support for Work Life Balance at SMEs as an economic incentive for corporations that are taking positive action measures for cases in which a SME declares a numerical target for enlargement of recruitment of women, expansion of women's occupational fields, or appointment of women in managerial positions as a positive action on the women's active participation promotion declaration site on the Positive Action Information Portal Site and achieves the numerical target.

163. In December 2012, the SCAE drew a conclusion to discussions concerning desirable projects to support women's active participation, consideration of measures to promote women's active participation through public procurement and other issues mainly from the legislative perspective. In response to this, the Council for Gender Equality requested the Government to make such efforts as promotion of women's active participation through public procurement and various other assistance projects, as well as facilitation of disclosure of the status of women's active participation in corporations in April 2013. The Cabinet Office has requested ministries, local governments and local incorporated administrative agencies to carry forward efforts through public procurement.

164. Based on these movements, the Japan Revitalization Strategy states that the Government will carry out enrichment of support through utilization of corporate subsidy systems and taxation measures, efforts through public procurement and expansion of a mechanism of awarding best practices as incentives to be granted to corporations that are working on the promotion of women's active participation and that the Government will encourage corporations to expand appointment of women to board memberships and managerial positions, promote disclosure of the status of appointment (visualizing) and create databases of female human resources. Of these, with regard to making the status of women's active participation in corporations visible, the status of appointment of women to board memberships and managerial positions at individual corporations and targets therefor, women's duration of service, the number of women who have taken child care leave, the ratio of women who have taken annual paid holidays and overtime hours are available to the public on the Cabinet Office's website. Moreover, the Cabinet Office encourages corporations to voluntarily disclose the status of appointment of women to board memberships and managerial positions and other information in reports concerning corporate governance which listed corporations submit to the financial instruments exchange.

## **(2) Request for Colleges and Universities**

165. The Third Basic Plan raised the performance objective for the proportion of female university professors, etc. to 30% and encourages colleges and universities to take voluntary efforts to achieve the objective.

## **(3) Expansion of Women's Participation in Agricultural Cooperatives**

166. The Third Basic Plan states that the Government will bring forward reinforcement of regular follow-ups toward promoting the setting of a goal for the appointment of women as members of agricultural committees and as board members of agricultural cooperatives and achieving this goal and awareness-raising activities and other approaches to the community from which the members of agricultural committees and the board members of agricultural cooperatives are elected. The Third Basic Plan also states that the Government will continue to promote setting of a goal for the appointment of women as board members of forestry and fisheries cooperatives and women's participation in the decision-making process in land improvement districts and in community farming.

## **(4) Fostering of Understanding of Promotion of Women's Empowerment in the Context of International Cooperation**

167. In May 2012, the Team for Promoting Women's Empowerment in the Context of International Cooperation was established under the Liaison Conference for the Promotion of Gender Equality. The team members conduct the following efforts: [i] each corporation and its umbrella organization makes active efforts to foster understanding of the women's empowerment principles (WEPs) in each member of the team; [ii] the team works on corporations and related organizations that are not among its members in order to expand the WEP signature drive to domestic companies and thereby expand signing corporations; [iii] the team organizes the current situation of the WEP implementation process in signing corporations and provides support to cover the lack of procedures in these corporations and thereby increase the effectiveness of WEPs.

## **Article 5 (Elimination of Sex Role Stereotyping and Prejudice)**

### **1. Publicity and Awareness-Raising Activities for the Correction of Stereotyped Perceptions of Gender Roles**

#### **(1) Strengthen Awareness-Raising Campaigns for Eliminating Stereotyped Perceptions of Gender Roles**

##### **a. Measures based on the Third Basic Plan for Gender Equality**

168. See paragraph 143 of the Sixth Report. The Third Basic Plan set forth the basic direction of its policy as follows: "The stereotyped perceptions of gender roles that have been formed in people's minds over a long period of time constitute a huge obstacle that prevents the realization of gender equality. These perceptions have begun changing with the current of the times, but since many of them persist to this day, public information and awareness-raising activities shall be actively undertaken to deepen awareness and understanding of gender equality so that it will be firmly established." Furthermore, as concrete measures, it was clearly stated that the Government would make efforts to disseminate widely among the media and people from various sectors of society the details of the challenges of the Japanese media, such as the need to correct their expressions

regarding men and women based on their stereotyped perceptions of gender roles, as suggested in the Convention and other international norms and recommended by the Committee on the Elimination of Discrimination against Women.

169. Based on the results of the survey on stereotyped perceptions of gender roles among men, which was conducted in 2011, the Cabinet Office carried out measures to raise men's awareness by holding a symposium on the significance of gender equality from a male perspective, publicizing a leaflet entitled "Best Practices of Male Participation in Community Activities," providing related information via the website, and organizing training sessions targeting male officials of local governments.

**b. Measures Taken by the Headquarters for the Promotion of Gender Equality**

170. See paragraph 147 of the Sixth Report for the Gender Equality Week. During this week, the Cabinet Office invites the coining of catchphrases, holds the National Conference for the Formation of a Gender-equal Society and proactively conducts public information and awareness-raising activities, such as the creation of PR posters and banner designs, with the aim of having them downloaded and used actively, with the cooperation of local governments, women's groups and other organizations concerned. Additionally, the Cabinet Office provides the general public with information on Japan's measures and progress on gender equality through the publication of a PR magazine entitled "Gender Equality" and via such media as the Gender Equality Bureau's mail magazine and Facebook, etc.

**c. Measures Based on the Basic Plan for Human Rights Education and Encouragement**

171. See paragraph 149 of the Sixth Report.

**d. Measures Taken by the Human Rights Organs of the MOJ**

172. With the aim of eliminating prejudice and discrimination against women and stereotyped perceptions of gender roles, the Human Rights Organs of the MOJ carry out various promotion activities nationwide throughout the year, under the slogan of "Protect Woman's Rights", as one of the annual priority matters of promotion activities.

**e. Measures Taken by Local Governments and NGOs**

173. See paragraph 151 of the Sixth Report for the Gender Equality Forum and the Program to Promote Gender Equality Declaration Cities. The Cabinet Office conducted the Program to Promote Gender Equality Declaration Cities, with 115 municipalities by FY2012.

174. See paragraph 152 of the Sixth Report for the measures taken by local governments.

175. Moreover, the Cabinet Office holds the Liaison Conference for the Promotion of Gender Equality in order to enhance coordination by promoting exchange of information and opinions with people from various sectors of society and among NGOs. The Cabinet Office also conducts PR activities, such as the creation and distribution of PR posters and DVDs introducing the Convention, while improving the content of its website, publicizing PR magazines, and utilizing government publicity programs. Such DVDs are lent out widely at the request of the general public. Additionally, the Cabinet Office endeavors to create momentum and to enhance awareness for building a gender-

equal society, by conducting training courses for staff members of local governments and gender equality centers.

## **(2) Human Rights Education and Gender Equality Education for Eliminating Stereotyped Perceptions of Gender Roles**

### **a. School Education**

176. At the stage of primary and secondary school education, through elementary school, junior high school and high school, MEXT promotes appropriate guidance in accordance with the development stage of schoolchildren and students regarding respect for human rights, equality of men and women, mutual understanding and cooperation between men and women, and the importance of creating a family with mutual cooperation. At the same time, it implements various measures and policies to promote well-organized, systematic career education throughout the activities of all school education.

177. Moreover, various measures and policies are implemented in higher education to promote a system of internship that contributes to cultivating a strong sense of pride among students in their job and the ability to make their own career decisions.

178. The National Women's Education Center, Incorporated Administrative Agency (hereinafter referred to as the National Women's Education Center) also provides training on gender equality, targeting members of school faculty belonging to decision-making organs of universities, junior colleges and colleges of technology.

### **b. Social Education**

179. In order to increase the opportunity for learning about gender equality in local communities, MEXT conducts practical studies on support measures for programs being implemented by various entities with the aim of assisting women's career development and male participation in community activities, and endeavors to disseminate the outcome of such studies. Furthermore, the Ministry organizes workshops targeting students on such themes as the reconsideration of the working styles of men and their participation in child raising, giving them opportunities to learn about diversified options in their career.

## **(3) Introduce a Gender Perspective into the Media**

180. The Third Basic Plan provides that initiatives and challenges of media companies should be shared on occasions such as the Liaison Conference for the Promotion of Gender Equality to encourage the voluntary avoidance of inappropriate expressions. Furthermore, in light of the fact that the percentage of female managers and professionals is relatively low and female participation in decision-making processes lags behind in the field of mass media, compared with other fields, their autonomous efforts to expand female participation in the process of deciding policies and future directions and their initiatives for seeking diversities, including female participation, are to be further facilitated. The Cabinet Office will also endeavor to disseminate best practices concerning work-life balance in order to deepen the understanding in the field of mass media.

181. The Cabinet Office is encouraging media companies' efforts based on their understanding of the purport of gender equality through the Liaison Conference for the Promotion of Gender Equality

(holding of symposiums) and special features ('TOP INTERVIEW') of the PR magazine entitled "Gender Equality." The percentage of female staff in media companies has been on the rise, and this is expected to contribute to the promotion of gender equality in decision making in the field of mass media. As PR articles and publications prepared by the national administrative organs serve as the fundamental information for the mass media when they transmit information, the Cabinet Office is encouraging the related organs to use expressions from the perspective of gender equality in such articles and publications by taking advantage of various meetings and training sessions.

#### **(4) Implementation of Public Opinion Poll**

182. Since 1972, the Cabinet Office has conducted "public opinion polls on gender equality" once every two to three years. See Statistical Annex 33 for the results thereof. In the poll conducted in October 2012, the ratio of respondents opposed to the stereotyped notion of gender roles, namely, "a husband should go to work, wife should stay home and take care of the family" was lower, for the first time ever, than that of respondents in agreement with this notion. By gender, the ratio of those in opposition exceeded the ratio of those in agreement among women, but the latter ratio was still higher among men. By age bracket, the ratio of those in opposition was higher for respondents in their 30s to 50s, but was lower for those in their 20s and in their 60s or older. The awareness thus varies significantly by generation. In the meantime, the ratio has constantly been increasing for respondents who answered that "women should continue working even after having children" to the question "What do you generally think of women having occupations?"

## **2. Measures for Promoting Gender Equality in the Family**

### **(1) Education in the Home**

183. The environment surrounding education in the home has been changing significantly. Due to the progress in urbanization, spread of the nuclear family, and dwindling number of children and other reasons, families' connection to their local environment has weakened and parents now have less opportunity to learn about child raising and teaching within the family from people around them. At the same time, the number of consultations on child abuse has increased sharply and family problems have become more complicated. Under such circumstances, the society as a whole is increasingly required to offer support.

184. In FY2011, MEXT compiled a report entitled "Productive Home Education through Connection" and emphasized the significance of fathers' understanding and active participation in home education. Furthermore, the Ministry prepared a Handbook of Education in the Home, which takes account of gender equality in family life, and has placed it on its website since FY2008 to widely disseminate related information. The Ministry has also worked to enhance opportunities for fathers to learn about teaching within the family and has thus promoted meticulous support targeting all parents.

185. In order to encourage both men and women to fulfill equal responsibility for raising children and to provide support for child rearing in cooperation with local communities, the National Women's Education Center held training sessions to promote research and information exchange among those concerned, and to facilitate network-building among institutions, groups and leaders in the field of child rearing. In addition, the Center provides teaching material and information to those

in positions of leadership and conducts awareness-raising activities by conducting research and developing learning programs for promoting education in the home and supporting child rearing. See paragraph 167 of the Sixth Report for classes and courses for women by local governments.

## **(2) Support for the Balance between Work and Family**

186. See the section on Article 11.7.

## **Article 6 (Prohibition of Exploitation and Prostitution of Women and Girls)**

### **1. Efforts against Trafficking in Persons**

#### **(1) Current Legal System**

##### **a. Formulation of Japan's 2009 Action Plan to Combat Trafficking in Persons**

187. See paragraphs 170 and 171 of the Sixth Report for the basic recognition and the Action Plan of Measures to Combat Trafficking in Persons formulated in 2004 (hereinafter referred to as the Former Plan).

188. In the five years since the 2004 Action Plan was drawn up, the Government has greatly improved its action against trafficking in persons through steadfast efforts to implement the policies set forth by the 2004 Action Plan. Such policies included promoting monitoring and countermeasures at the border (including the introduction of IC passports), reviewing the criteria for landing permission for the status of residence of “entertainer” and stepping up strict visa examination, criminalizing the conduct of Buying or Selling of Human Beings, implementing thorough crackdowns, and revision of the Immigration Control and Refugee Recognition Act to allow the flexible operation of special permission to stay to protect victims of trafficking in persons. As a result, the reported number of cases of trafficking in persons has decreased and the attempt at appropriately protecting victims of trafficking in persons has been improved, and thus, the 2004 Action Plan has produced significant achievements. In light of the changes in circumstances concerning trafficking in persons, the Government formulated Japan's 2009 Action Plan to Combat Trafficking in Persons in December 2009, with the aim of appropriately addressing pending problems concerning this matter and promoting measures government-wide on an ongoing basis. Since the formulation of the plan, related ministries and agencies have cooperated with each other to steadily implement measures by following up the progress thereof at meetings of the Inter-Ministerial Liaison Committee.

##### **b. Current Legal System**

189. Trafficking in persons is to be punished under the Penal Code, and also with regard to trafficking in children, human traffickers whose objective is to force children into prostitution and other harmful acts are severely punished under the Act on Punishment of Activities Relating to Child Prostitution and Child Pornography, and the Protection of Children (hereinafter referred to the Act Banning Child Prostitution and Child Pornography). In addition, stringent measures are also provided under the Child Welfare Act, through severe punishment of such acts as transferring children to those who are likely to force them to engage in harmful and lewd acts, or putting children under one's own control for the purpose of forcing them to engage in harmful acts.

**c. Amendment to the Landing Permission Criteria for the Status of Residence of Entertainer**

190. See paragraphs 175 and 176 of the Sixth Report for the details of the amendment in 2005 and 2006. As a result, the number of foreign nationals who entered Japan with the status of residence of Entertainer decreased significantly from approximately 135,000 in 2004, prior to the amendment, to approximately 35,000 in 2012.

**d. Approval for the Ratification of the Anti-Trafficking Protocol**

191. In 2005, the 162nd Diet approved ratification of the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, Supplementing the United Nations Convention against Transnational Organized Crime (the so-called Trafficking in Persons Protocol). Based on the idea that early ratification of the Protocol is needed, the related ministries and agencies are now having the deliberations necessary.

**(2) Current Situation of Trafficking in Persons**

**a. Cleared Cases**

192. See Statistical Annex 34 (1) for the number of cleared cases for the crime of trafficking in persons and the number by nationality, etc. In 2013, the number of cleared cases for the crime of trafficking in persons was 37, among which 10 were brokers and 7 were managers of adult entertainment businesses.

**b. Actual Conditions of Victims**

193. See Statistical Annex 34 (2) for actual conditions of victims of trafficking in persons. In 2013, the number of victims of trafficking in persons provided with protection or support for return to their home countries by the Immigration Bureau of the MOJ totaled twelve (all females). Out of the twelve victims, special permission to stay was granted to four victims who were in violation of the Immigration Control Act (e.g. overstay). The Immigration Bureau has been endeavoring to uncover more potential victims of trafficking in persons and to ascertain their real conditions, by closely cooperating with the relevant organizations to gather related information concerning trafficking in persons and by adding the gathered information to a database for analysis.

**c. Enhancement of Communication through the Government Delegation and Overseas Establishments and Collection of Relevant Information**

194. In order to strengthen cooperation and exchange of information with various foreign governments and relevant organizations, the Government of Japan promotes efforts to reinforce liaisons with government organizations of other countries concerned and NGOs by dispatching the Government Delegation on Anti-Human Trafficking Measures or through overseas establishments and the like.

**(3) Measures for Victims, Preventive Measures, Public Information and Awareness-Raising**

**a. Measures for Victims**

**(i) Using Women's Consultation Offices as Shelters for Victims of Trafficking in Persons**

195. Women's consulting offices provide support for women in accordance with their various counseling needs, providing temporary protection and emergency shelter, if necessary. Women's consulting offices provide customized consultations to all women regardless of their nationality or age, and thus victims of trafficking in persons also use them as public shelters. Until FY2011, 343

women were given protection. See Statistical Annex 35 for the figures since 2006.

(ii) Temporary Protection for Victims of Trafficking in Persons Offered in Private Shelters

196. Since FY2005, some victims of trafficking in persons have been temporarily given protection in private shelters, as commissioned by the local women's consulting office, if victims can expect better protection in the private shelters given their efficiency of activities and confidentiality of their location. Until FY2011, 118 of the 343 women given shelter as noted above were protected at private shelters.

(iii) Protective Measures for Potential Victims of Trafficking in Persons

197. In order to provide protection to as many potential victims as possible, the Police actively conduct on-site inspections of adult entertainment businesses, prepare and distribute leaflets in multiple languages to encourage victims to report injury to the police, and operate the "Anonymous-Report Hotline" to receive any related information from the general public.

**b. Prevention Measures**

198. See paragraphs 186 and 187 of the Sixth Report for prevention of entry into Japan using forged passports and visas.

199. Based on Japan's 2009 Action Plan to Combat Trafficking in Persons, related ministries and agencies have been promoting awareness-raising activities targeting the potential perpetrators of sexual exploitation by publicizing the fact that many of the trafficked victims are subject to sexual exploitation such as prostitution. Besides, as child prostitution committed by Japanese nationals traveling abroad is not only illegal under Japanese laws and regulations but also furthers trafficking in persons in the relevant countries, efforts have been made to raise awareness of potential perpetrators of sexual exploitation through posters and distribution of leaflets at travel agencies and passport centers in Japan, aiming to prevent travelers abroad from becoming involved in child prostitution.

200. From the perspective of eliminating violence against women, the Cabinet Office in collaboration and cooperation with related ministries, agencies and local governments, conducts public information and awareness-raising activities including producing posters, leaflets and videos regarding measures to eradicate trafficking in persons, targeting the general public and foreign residents in Japan.

201. Mainly in areas where a crime of trafficking in persons has occurred, the Police hold opinion exchange meetings and lectures and adopt declarations to improve an environment to prevent the creation of another victim through a joint effort by the Police and local residents.

202. The National Women's Education Center conducted research on trafficking in persons and prepared information panels and booklets compiling the results thereof. The Center lends out these panels and booklets and discloses them on its website, thereby providing information widely to the general public.

203. Under the slogan of "Stop Trafficking in Persons", as one of its annual priorities, the Human

Rights Organs of the MOJ carry out various promotion activities, such as distributing leaflets, nationwide throughout the year. Furthermore, the Organs provide consultations at their counseling offices and when made aware of any case where human rights infringement due to trafficking in persons is suspected, they conduct the required investigations and make proper responses accordingly, in collaboration and cooperation with related organizations.

204. See paragraph 205 of the Sixth Report for awareness-raising activities targeting Japanese nationals traveling abroad.

205. See paragraphs 210 to 212 of the Sixth Report for prevention of sex tours to developing countries. To date, 62 travel agencies have signed the Code of Conduct for the Protection of Children from Sexual Exploitation in Travel and Tourism.

#### **(4) Coordination with the International Organizations, International Cooperation, and Support**

##### **a. Coordination with International Organizations**

206. The Government works closely with the International Organization for Migration (IOM) and other international organizations to support smooth repatriation of foreign victims (Return and Reintegration Assistance to Victims of Trafficking in Japan). In addition, the Government supports various projects relating to countermeasures against trafficking in persons through the Trust Fund for Human Security established in the United Nations, the Crime Prevention and Criminal Justice Fund of the United Nations Office on Drugs and Crime (UNODC), and the Grant Assistance for Grass-Roots Human Security Projects, etc.

207. See paragraph 191 of the Sixth Report for contact points between the Police and foreign embassies, international organizations, and NGOs.

##### **b. Response to the Bali Process**

208. Since 2004, in order to contribute to information sharing for the Bali Process, the Government has been offering 10,000 US dollars annually to the IOM, which operates the website of the Bali Process, to assist in the maintenance of the website, thereby promoting the sharing of information on trafficking in persons in the Asia-Pacific region.

##### **c. Dispatch of the Government Delegation**

209. For the purpose of ascertaining and analyzing the current status of trafficking in persons and sharing information with foreign governments, the Government Delegation on Anti-Human Trafficking Measures which is comprised of ministries and agencies concerned was dispatched to Cambodia (January 2007 and March 2011), Laos (January 2007), Austria (February 2008), South Korea (March 2009), the United States (March 2010), Thailand (March 2011 and December 2012), and the Philippines (November 2011).

##### **d. Bilateral Cooperation**

210. Meetings of the Japan-Thailand Joint Task Force on Counter Trafficking in Persons has been held five times since its first meeting in May 2006, and both countries have discussed how to prevent and eradicate trafficking in persons, protect victims and provide concrete means for mutual

cooperation.

#### **e. Efforts against Trafficking of Children**

211. In July 2012, the ASEAN Workshop on Combating Trafficking and Commercial Sexual Exploitation of Children was held in Jakarta, utilizing the Japan-ASEAN Integration Fund (JAIF). At the workshop, active discussions were held and useful opinions were exchanged, aiming to eradicate trafficking and commercial sexual exploitation of children. The Government of Japan has offered contributions to Crime Prevention and Criminal Justice Fund of the UNODC and has conducted such programs as an art therapy program for trafficked victims in Thailand (2006 to 2007) and a program for protecting children vulnerable to trafficking and sexual exploitation (2008 to 2009).

212. The Police have invited foreign investigative organizations in Japan and from Southeast Asian countries every year since 2002 to hold a conference to exchange opinions concerning measures against commercial and sexual exploitation of children.

## **2. More Detailed Information on the Sex Industry in Japan**

### **(1) Current Status of Prostitution and Sexual Exploitation**

#### **a. Cleared Cases Relating to Prostitution**

213. Crimes related to prostitution are regulated by such laws as the Anti-Prostitution Act, the Child Welfare Act, the Employment Security Act, and the Act on Punishment of Activities Relating to Child Prostitution and Child Pornography and Protection of Children. See Statistical Annexes 36 and 43 (1) for cases related to prostitution and those cleared under the Act on Punishment of Activities Relating to Child Prostitution and Child Pornography and Protection of Children. See Statistical Annexes 37 and 43 (2) for Cases accepted by the public prosecutors' offices as they violate the Anti-Prostitution Act and/or the Act on Punishment of Activities Relating to Child Prostitution and Child Pornography and Protection of Children.

#### **b. Prostitution-related Crimes by Non-Japanese Women**

214. See Statistical Annex 39 for the current status of non-Japanese women involved in prostitution-related crimes.

#### **c. Diversifying Forms of Prostitution**

215. In recent prostitution-related cases, in addition to those committed by establishing shops, diversified forms are found, such as those disguised as businesses of dispatch-style sexual services or those inducing customers through so-called online dating sites by pretending to be women. Crimes are thus tactically organized for obtaining illegal earnings. Furthermore, there are also cases of organized child prostitution services disguised as personal Enjo-Kosai (patronage dating) via online dating sites, or cases using legal restaurants or massage parlors but employing children to serve customers with obscene words and deeds.

216. See Statistical Annexes 41 and 42 for cases related to charges of distribution of obscene objects as well as those via computer networks.

### **(2) Measures against Prostitution and Sexual Exploitation**

#### **a. Prevention of Child Prostitution**

(i) Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography

217. In January 2005, the Government of Japan has concluded the Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography, and has been steadily implementing the protocol in the domestic context.

(ii) Efforts Made to Tackle Cases of Child Prostitution and Pornography

218. Child prostitution and child pornography cases are grave violations of the rights of children and as such have enormously adverse effects on their physical and psychological growth. Therefore, based on the revised Act on Punishment of Activities Relating to Child Prostitution and Child Pornography, and Protection of Children (2004), the Police have actively taken strict measures against child prostitution and child pornography. In particular, with the aim of eradicating child pornography, which records the sexual exploitation and abuse of children, the Police have strengthened their crackdown, conducted awareness raising activities, and taken measures to prevent distribution of and access to child pornography, in close collaboration with related organizations and bodies. At the same time, based on the Act on Regulation on Soliciting Children by Using Opposite Sex Introduction Services on the Internet (enacted in June 2003) (Online Dating Site Regulation Act), the Police have taken severe measures against acts that involve the inducement of children to engage in sexual acts through online dating sites. Furthermore, the Police have invited foreign investigative organizations in Japan and from Southeast Asian countries to hold a conference to exchange opinions concerning measures against commercial and sexual exploitation of children, and have participated in international conferences to strengthen international investigative cooperation and information exchanges concerning crimes relating to child prostitution committed overseas. Additionally in 2011, the Police developed a dedicated terminal and participated in the building of an international database on child pornography to share information with foreign investigative organizations.

219. See the section on Article 2.3. for other measures against child pornography-related cases.

(iii) Prevention of Diversified Child Prostitution, etc.

220. See the section on Article 2.3. for measures related to the prevention of child prostitution, etc. via online dating sites or community sites.

221. See the section on Article 2.3. for measures to eliminate adverse effects of sex-related business on young people.

### **(3) Protection of Women Engaged in Prostitution**

#### **a. Protection and Rehabilitation for Women in Need of Protection**

222. See paragraphs 213 to 217 of the Sixth Report. Through the introduction of a system under which the Government offers assistance for half of the expenses required for women's counselors, a counseling system has been enhanced with an increased number of women's counselors. As a result, the number of women in women's protective institutions has been decreasing. See Statistical Annex 38 for the current status of institutions implementing Women Protection Programs.

#### **b. Support for Girls**

223. See paragraph 218 of the Sixth Report for support for girls.

#### **c. Protection of Non-Japanese Women**

224. From 2006 to the end of 2012, the MOJ granted special permission to stay to 52 (non-Japanese) female victims of trafficking in persons who had been staying illegally and had been forced to engage in prostitution. In order to provide protection to non-Japanese female victims of trafficking in persons, the Ministry has been working closely with women's consultation offices, other organizations concerned, the diplomatic missions of the countries of origin and NGOs that engage in activities for the protection and support of women. In collaboration with the IOM, as assistance to those victims who wish to return home (Return and Reintegration Assistance to Victims of Trafficking in Japan), the Government provides vocational training and other assistance in order to assist their social reintegration after returning home.

#### **d. Others**

225. Women who have engaged in prostitution are provided necessary correctional education based on individual needs in penal institutions for those subjected to criminal punishment or in juvenile training schools for those placed under protective measures. And also the necessary guidance is provided at the women's guidance home for those whose criminal punishment is suspended and have been placed under guidance measures.

226. Probation offices offer support for social rehabilitation to women who are placed under probation for inducing prostitution, etc.

#### **(4) Awareness-Raising Activities and Sex-related Guidance for Prevention of Prostitution**

227. See the section on Article 2.3., the section on this Article 1. and the section on Article 12.2.

### **Article 7 (Elimination of Discrimination in Political and Public Life)**

#### **1. Women's Participation in the Public Sector**

228. Expansion of women's participation in policy decision-making processes is an urgent issue in Japan, especially in the fields of politics and the economy. The Government tries to disseminate awareness of the current status and further encourage women's participation.

##### **(1) Female Members of the Diet**

229. The Third Basic Plan set up a non-binding target to raise the percentage of female candidates to the House of Representatives and House of Councillors to 30% by 2020, and suggested the introduction of positive actions to increase the percentage of female candidates of each political party. The Report of the Specialist Committee on Basic Issues and Gender Impact Assessment and Evaluation of the Council for Gender Equality (February 2012) compiled concrete examples in foreign countries concerning positive actions to expand the political participation of women. Based on these, the Minister of State for Gender Equality has requested every year since 2011 that each political party consider introducing positive actions to increase the percentage of female candidates to the House of Representatives and House of Councillors .

230. See Statistical Annex 44 for the number of female members in the House of Representative and House of Councillors. The number of female members was 38 (7.9%) for the House of Representatives after the 46th general election (as of December 2012) and was 39 (16.1%) for the House of Councillors after the 23rd regular election (as of July 2013).

## **(2) Female Ministers**

231. See Statistical Annexes 46 and 47 for female ministers, vice ministers and parliamentary secretaries. Two ministers (10.5%), four vice ministers (14.3%) and two parliamentary secretaries (7.4%) were female as of November 2013.

## **(3) Women in the Judiciary**

232. See Statistical Annexes 48 to 50 for the number of female judges, female public prosecutors and female applicants who have passed the National Bar Examination. The first female Justice of the Supreme Court was appointed in February 1994, and as of April 2013, three Justices of the Supreme Court, one chief judge of the high court, and three chief judges of the district or family courts were female. The ratio of female judges and public prosecutors has been rising. In addition, the ratio of women who have passed the National Bar Examination has been increasing and has persisted at the 20% level in recent years.

## **(4) Female National Public Employees**

233. See the section on Article 4.1.

## **(5) Female Governors and Mayors in Local Governments**

234. There were three female governors, 16 city and ward mayors, and six town and village mayors as of August 2013.

## **(6) Female Local Assembly Members**

235. See Statistical Annex 51 for the number of female local assembly members. The ratio has been increasing gradually.

## **(7) Female Government Employees**

### **a. Female Local Government Employees**

236. See the section on Article 4.2.

### **b. Boards of Education**

237. The number and percentage of female members of Boards of Education, an executive body of local governments, has been on the increase, as evidenced by the fact that 34.9% (2,620) of the total membership was female in May 2011, compared to 24.8% in May 2003.

### **c. Female Police Officers**

238. The total number of female prefectural police officers as of April 1, 2013 was around 18,700 (7.2% of the total police officers), increasing approximately 1.6 times from the period of the previous report (2005). Previously, many of the female police officers were deployed to traffic sectors, but an increasing number of female police officers are being assigned to various other fields.

Their abilities and characteristics are utilized for investigations and victim support in sex crime cases or spousal violence cases where women are victimized. As more female police officers are being recruited and promoted, efforts have been made to develop a better job environment for women, such as by installing women's break rooms in police stations and introducing subsidies for the use of babysitters.

## **Article 8 (Participation in International Activities on Equal Terms)**

### **1. Participation of Women in Policy Decision Making on an International Level**

#### **(1) Participation of Women in International Conferences**

239. The representatives, alternates and advisors, who were appointed by the Cabinet decision, numbered 151 over the duration of July 2006 to December 2013. Among those, female representatives appointed by the Cabinet decision attended 36 international conferences, which corresponds to about 24% of the international conferences concerned.

#### **(2) Women Working Overseas**

##### **a. International Organizations**

240. See Statistical Annex 52 for participation of Japanese women in UN organizations. In major international organizations including the United Nations, the number of Japanese women employed in professional posts has been increasing. Japanese women were posted as the Director of the Asia and Middle East Division of the Department of Peacekeeping Operations in the UN Secretariat, the Director of the Division of Regional Cooperation of the United Nations Environment Programme (UNEP), and the UNDP Resident-Coordinator of the UN in Costa Rica as of the end of January 2013.

##### **b. Ambassadors**

241. There have been 17 Japanese female ambassadors in total since 1980, when the first female ambassador was appointed. As of December 1, 2013, one Japanese woman was serving as Ambassador to Lithuania, which was the equivalent of about 0.7% of the total number of Japanese ambassadors.

##### **c. Female Staff of Diplomatic and Consular Missions Abroad**

242. As of December 1, 2013, 1,492 female staff were working in the MOFA of Japan, which was approximately 26% of the total staff. The number of female staff in overseas establishments was 538, accounting for about 16% of the total staff of overseas establishments (as of December 1, 2013).

##### **d. Dispatch for International Peace Cooperation Activities**

243. During the period from May 2006 to December 2013, a total of 61 female Self Defense Force (SDF) personnel participated in international peace cooperation assignments in South Sudan and others; a total of 77 in international disaster relief activities in Philippines and other disasters ; 42 in humanitarian and reconstruction assistance activities in Iraq; and 68 in support activities in the Indian Ocean area to cope with international terrorism. Those female SDF members were placed in

charge of operations in areas such as public health, transportation and communications.

### **(3) Gender and Development (GAD)**

#### **a. Official Development Assistance**

244. In 2005, Japan announced the Initiative on Gender and Development (GAD), aiming to promote gender mainstreaming broadly in its ODA through a series of processes from identifying needs to policy planning, formulation, implementation, monitoring, and evaluation of programs. Japan has also sought to assist eradicating causes of gender inequality through policy and institutional assistance in developing countries. In 2012, a third-party evaluation of the ODA was conducted to assess the Initiative on GAD. In response to this evaluation, Japan is making further efforts to promote gender mainstreaming.

245. In order to contribute to achieving the Millennium Development Goals (MDGs), Japan announced its new cooperative measures in the fields of health and education at the UN General Assembly in 2010. Japan clearly expressed its intention to emphasize the gender perspective in these measures, and has been steadily implementing them. Also, at the fifth Tokyo International Conference on African Development (TICAD V), which was held in Yokohama in June 2013, a focus was placed on women, and the outcome document positioned the empowerment of women as one of the fundamental principles, emphasizing Japan's commitment to making efforts together with all stakeholders, including African countries and development partners.

246. In his speech at the 68th Session of the UN General Assembly in September 2013, Prime Minister Shinzo Abe emphasized Japan's intention to strengthen assistance with the aim of achieving a society where women shine (implementation of ODA totaling over 3 billion dollars in three years), centering on measures for "facilitating women's active role / participation in society and women's empowerment," "enhancing Japan's efforts in the area of women's health care as a part of its strategy on global health diplomacy," and "supporting women's participation and protecting their rights in the area of peace and security."

#### **b. International Exchange and Cooperation in the Field of Education**

247. In cooperation with UNESCO, the leading agency for the Education for All movement, Japan contributes to the efforts being made to reach the goals set in the Dakar Framework for Action by providing the following support: [i] contributing to the Japanese Trust Fund for the Education for All Programme and the Japanese Funds-in-Trust for the Promotion of Education in the Asia and Pacific Region; [ii] supporting the Asia-Pacific Cultural Centre for UNESCO and the National Federation of UNESCO Associations in Japan to disseminate literacy education in the Asia-Pacific region; and [iii] implementing the training course conducted by the National Women's Education Center, for leaders of overseas governmental organizations related to women's education and NGOs, as well as providing workshop training by region for officers engaged in countermeasures against trafficking in persons in Thailand, Cambodia, Vietnam, Myanmar, Laos, and the Philippines.

#### **c. Postal Savings for International Voluntary Aid**

248. The Management Organization for Postal Savings and Postal Life Insurance, Incorporated Administrative Agency (Japan Post up until September 2007) contributes accrued interest on Postal Savings for International Voluntary Aid accounts to NGO aid programs in developing countries. Part

of the contribution is used to assist women's independence by conducting training to improve their literacy, hygiene, and nutrition, and also to help them to acquire professional skills.

#### **d. Japanese Assistance to Women in Afghanistan**

249. The Tokyo Conference on Afghanistan was held in Japan in July 2012. Ensuring women's rights was set as one of the goals in the Tokyo Mutual Accountability Framework annexed to the Tokyo Declaration, which was publicized as the outcome document.

250. The Cabinet Office held 15 meetings of the Advisory Council on Assistance to Women in Afghanistan, a council organized by the Chief Cabinet Secretary, during the period from February 2002 to July 2012, following up the outcomes and problems of Japanese assistance to Afghanistan.

#### **(4) Participation in the "Beijing +15" High-Level Plenary Meeting (The 54th Session of the United Nations Commission on the Status of Women)**

251. The government delegation attended the 54th session of the United Nations Commission on the Status of Women ("Beijing +15" high-level plenary meeting; March 2010), which was held in commemoration of the 15th anniversary of the Fourth World Conference on Women, for evaluating the implementation status of the Beijing Declaration and Platform for Action and the outcome document of the 23rd Special Session of the UN General Assembly, the "Women 2000 Conference." The Japanese delegation was headed by the Parliamentary Vice-Minister for Foreign Affairs and was composed of 21 members, including Ms. Yoriko Meguro (a government representative), Ms. Yoko Hayashi (a member of the Committee on the Elimination of Discrimination against Women), delegates from related ministries and agencies, and three representing NGOs. Thirteen members (62%) of the delegation were women, including a government representative.

252. In the statement by the head of the delegation, Japan expressed its will to properly reflect the perspective of gender equality in its ODA based on the Initiative on GAD and to establish an effective Third Basic Plan for Gender Equality by setting priorities, and explained its efforts for eliminating violence against women, such as the amendments to the Act for the Prevention of Spousal Violence on two occasions. Japan also expressed its strong determination to further strengthen cooperation with civil society, including the international community, international organizations and NGOs, for achieving a gender-equal society.

253. During the session, the delegation actively participated in the discussion over the draft declaration and resolutions.

#### **(5) Adoption of the Resolution "Gender Equality and the Empowerment of Women in Natural Disasters" (The 56th Session of the United Nations Commission on the Status of Women)**

254. At the 56th Session of the United Nations Commission on the Status of Women held in March 2012, after one year had elapsed since the Great East Japan Earthquake that hit Japan in March 2011, Japan for the first time submitted a draft resolution, entitled "Gender Equality and the Empowerment of Women in Natural Disasters," aiming to share experience and lessons with other countries to deepen understanding of the international community and at the same time to facilitate measures against disasters giving due consideration to women. The Resolution was adopted by consensus. Japan plans to submit a draft resolution following up the adopted resolution at the 58th Session of

the United Nations Commission on the Status of Women to be held in 2014.

## **2. Implementation of the UN Conference Documents**

255. Given the issues described in the Concluding Observations of the Sixth Report, the Third Basic Plan was formulated by incorporating measures and policies required for actively observing the Convention and other international norms and standards, as well as for strengthening the implementation thereof and dissemination in Japan.

256. For the “Beijing +15” high-level plenary meeting, the Government has made efforts to disseminate information on the outcome documents, national reports and statements at the conference through briefing meetings in their preparatory stages and after the conference, and through various publications and website reports. Additionally, the Liaison Conference for the Promotion of Gender Equality holds a total of 21 meetings of “the Hearing,” from July 2006 to December 2013 for exchanging information and opinions with people from various sectors of society, thereby striving to familiarize civil society with discussions conducted at international conferences, global norms and standards for the status of women, and guidelines for tackling the relevant issues and to actively incorporate them domestically.

257. In September 2013, MOFA began the drafting process to elaborate the National Action Plan (NAP) on Women, Peace, and Security, regarding the UN Security Council Resolution 1325. Since then, MOFA has held Small Consultation Group Meetings with the representatives from MOFA, other relevant Ministries and CSOs (consists of NGOs and academia) in order to discuss and develop ideas about the outline, elements, methodology, and the draft overall (including the objectives, outcomes, and indicators). Based on those discussions, MOFA plans to develop the draft of the NAP and ask for public comments.

## **3. Hosting of the Asia-Pacific Economic Cooperation (APEC) Meetings in Japan**

258. In 2010, Japan hosted APEC and held three women-related meetings, i.e. the 15th Women Leaders Network Meeting (hereinafter referred to as the 15th WLN) in Tokyo in September, the 8th Gender Focal Point Network (GFPN) Meeting in Ranzan-machi, Saitama in September, and the Women’s Entrepreneurship Summit in Gifu in October. Approximately 600 female leaders participated in the 15th WLN holding active discussions on the theme of the “Creation of New Global Economic Activities by Women,” and adopted recommendations for leaders and ministers of APEC economies. The significance of women’s active involvement based on the recommendations was reflected in the outcome documents of the high-level meeting, such as the APEC Leaders’ Declaration.

259. After hosting the APEC meetings in Japan, the Senior Vice-Minister of the Cabinet Office attended the meetings in the United States in 2011 and the Minister of State for Gender Equality attended the meetings in Russia in 2012 and Indonesia in 2013 to proactively participate in discussions. Japan has thus offered cooperation in APEC’s initiatives concerning women and the economy. At the APEC Leadership Forum on Women in Yokohama, which Japan hosted in March 2012, active discussions were held on policies and best practices for encouraging women to practice

leadership in order to bring about economic growth.

## **Article 9 (Legal Equality concerning Nationality)**

### **1. Nationality Act**

260. The Nationality Act in Japan prescribes the acquisition of nationality by birth in Article 2, stating that “A child shall be a Japanese citizen in the following cases,” and specifying the cases as “If the father or mother is a Japanese citizen at the time of birth” (item (i)), “If the father died before the child's birth and was a Japanese citizen at the time of death” (item (ii)), or “If born in Japan and both of the parents are unknown or are without nationality” (item (iii)).

261. The acquisition of nationality by submitting a notification is prescribed in Article 3, and Article 17, paragraphs (1) and (2), etc. of said Act. The requirements for acquiring nationality are defined in Article 3 as [i] that a child has been acknowledged by the father or mother, [ii] that a child is under twenty years of age, and [iii] that the acknowledging father or mother was a Japanese citizen at the time of the birth of the child, and in Article 17, paragraph (1) as [i] that a person has lost Japanese nationality due to failure to indicate his/her intention to reserve Japanese nationality, [ii] that a person is under twenty years of age, and [iii] that he/she has a Japanese domicile.

262. Article 4 of the Nationality Act provides for naturalization and Article 5 specifies minimum requirements for naturalization, i.e., those concerning a domicile, capacity, good conduct, ability to make a living, prevention of dual nationality, and compliance with the Constitution of Japan.

263. When applying any of the aforementioned requirements, equal treatment without any gender discrimination is ensured based on the principles set forth in Article 14 of the Constitution of Japan. There are no provisions to define that marriage or divorce would result in a change in one's nationality.

## **Article 10 (Elimination of Discrimination in Education)**

### **1. Reinforcement of Education and Learning to Promote Gender Equality**

#### **(1) Enhancement of Primary, Secondary and Higher Education**

264. The Courses of Study (government guidelines for teaching) revised in 2008 and 2009 continue to emphasize the importance of respect for human rights, equality of men and women, mutual understanding and cooperation, and creation of a family with mutual cooperation between men and women. MEXT utilizes the opportunities of national conferences, etc. to disseminate the details of the new Courses of Study to prefectural Boards of Education, etc. and provide them with guidance on the enhancement of schools' guidance system and teaching materials and the provision of training of teachers for implementing the new Courses of Study.

265. See paragraph 259 of the Sixth Report for education and research activities in higher education level.

## **(2) Social Education**

### **a. Programs in the Local Community**

266. MEXT carried out a program to support women in planning their lives from a long-term point of view, while taking into account various life events such as marriage, pregnancy and childbirth, and exerting their abilities to autonomously choose their lifestyles. MEXT also collects and provides information on various learning programs with the aim of supporting the development of women from a clear perspective of gender equality as to who can participate in the creation of local communities.

### **b. Learning Opportunities for Education at Home**

267. See the section on Article 5.2.

## **(3) Increasing Opportunities of Education and Learning**

268. See paragraphs 263 and 264 of the Sixth Report for the initiatives for developing a lifelong learning society by MEXT and local governments.

269. Learning opportunities are provided even for working people by introducing a transfer university and professional training colleges system, accepting working students, daytime/evening courses, evening graduate school, and extension courses so that they can acquire the cutting-edge knowledge or technology at any time they would like to.

270. See paragraph 266 of the Sixth Report for the initiatives for developing a lifelong learning society by the Open University of Japan.

## **(4) Empowerment of Women**

271. Based on the Plan of Support for Women's Renewed Challenge, which intends to provide comprehensive support for women in resuming their careers or starting businesses, MEXT provided opportunities for women concerned by career disruption to acquire knowledge and skills necessary for resuming their careers, and supported the smooth recovery of outstanding female researchers who had suspended their research due to childbirth and child raising, etc.

272. The National Women's Education Center conducts various activities including: [i] empirical and practical research concerning women's career development, [ii] development of a role model database and a system to provide information on career planning, and [iii] holding of seminars for gender equality promoters and leaders in the Asia-Pacific region.

## **(5) Supporting Women in the Field of Science and Technology**

273. Under the Third Basic Plan, "gender equality in science and technology, and academic fields" was newly established as one of the priority fields. Furthermore, the 4th Science and Technology Basic Plan decided by the Cabinet in August 2011 set up a goal of increasing the ratio of female researchers recruited in the natural science field as a whole to 30%. Based on this plan, the Comprehensive Strategy on Science, Technology and Innovation decided by the Cabinet in June 2013 set up a goal to increase said ratio at universities and public research institutes to 30% by 2016.

274. In order to support and promote women's activities in the field of science and technology,

MEXT supports universities that make efforts to enhance research abilities of female researchers and improve the environment to enable them to balance their research with childbirth, child-rearing, and nursing care, etc., MEXT also provides female researchers who had suspended their research due to childbirth and child-rearing with research scholarships to assist the resumption of their careers. Furthermore, MEXT provides female junior and senior high school students with opportunities for contact with female researchers, engineers and university students engaged in scientific pursuits, and gives them experimental lectures and visiting lectures to encourage their choice of career paths in the area of science.

275. The Report of the Specialist Committee on Basic Issues and Gender Impact Assessment and Evaluation of the Council for Gender Equality (February 2012) presented concrete examples and best practices of research institutes that had adopted the goals and timetable method, and compiled measures to promote the development of an environment for expanding the participation of female researchers.

276. Since FY2005, the National Women's Education Center has held a number of seminars to introduce female scientist and researcher role models and support female junior and senior high school students in their choice of career paths in the area of science. In FY2010, the Center held a symposium to support empowerment of Japanese and US female researchers.

#### **(6) Training Professionals in the Field of Education**

277. The National Women's Education Center conducted practical training on the promotion of support for women's career development from the perspective of gender equality, targeting university teaching staff.

#### **(7) Promotion of the Decade of Education for Sustainable Development**

278. See paragraph 274 of the Sixth Report for the UN Decade of Education for Sustainable Development. In order to promote Education for Sustainable Development to build a sustainable society, which also promotes gender equality, the Japan's Action Plan for the United Nations Decade of Education for Sustainable Development was formulated in March 2006, with the cooperation of related ministries and agencies. The Action Plan was revised in June 2011. Japan will co-organize the UNESCO World Conference on Education for Sustainable Development in 2014 with UNESCO, which is the final year of the UN Decade of Education for Sustainable Development.

#### **(8) Promotion of Gender Equality under the Basic Act on Education**

279. The Basic Act on Education, which was revised in 2006, provides that the fundamental principle of education should be to contribute to promoting gender equality and clearly states that one of the goals for education is to foster attitudes to respect equality between men and women. The revised Act thus promotes gender equality more positively than before. Article 5 of the Basic Act on Education prior to the revision, which provided for the promotion of co-education, was introduced for the purpose of eliminating gender differences in the prewar educational system. As the purport of co-education has widely been understood and systematic gender differences in educational opportunities no longer exist, Article 5 was deleted from the Act.

## **2. Measures by the National Women's Education Center**

280. See paragraph 275 of the Sixth Report for the functions of the National Women's Education Center.

**(1) Study Programs**

281. The Center has conducted seminars targeting administrative officers and group leaders promoting gender equality as well as women's facility staff members, such as the "Training Course for Staff in Charge of Counseling Services at Women's Facilities." Furthermore, in order to promote gender equality in companies, the Center started to hold a Seminar to Promote Women's Activities that Lead to Corporate Growth in FY2012. The Center also organizes the Forum on the Promotion of Gender Equality, targeting administrative officers, leaders of women's organizations and NPOs, and university or company staff in charge of promoting diversity.

**(2) Education and Learning Support Programs**

282. The Center plans to develop and provide education/learning programs for women's facilities, universities, and junior colleges from FY2013.

**(3) Research Programs**

283. The Center also conducts research on new issues and reflects the outcomes in the various projects, while continuing to implement a specialized survey on statistics concerning gender equality.

**(4) Information Service**

284. The Information Center for Women's Education collects, organizes and provides information on women and family issues from home and abroad. In March 2006, the Center constructed the Women's Information Portal "Winet," which allows users to access a wide range of information related to gender issues in an integrated manner, and widely discloses research outcomes and collected materials and information. The Women's Archives Center collects, organizes and provides information on women and women's organizations nationwide that have contributed significantly to the creation of a gender-equal society and on measures concerning women's education and gender equality. In March 2013, the NVEC Women and Disaster Archive, which compiles records of reconstruction support activities from the viewpoint of women, was constructed and publicized.

**(5) International Programs**

285. With the aim of building and strengthening systems for collaboration with overseas organizations engaged in the promotion of gender equality, the National Women's Education Center holds international training sessions and symposiums, as a national center, targeting trainees from overseas and discloses the outcomes thereof widely in and outside of Japan.

**3. Enhancement of Career and Vocational Guidance**

286. See the section on Article 11.3.

**Article 11 (Elimination of Discrimination in Employment)**

## **1. Promotion of Measures to Secure Equal Employment Opportunities**

### **(1) Enforcement of the Equal Employment Opportunity Act**

287. The Equal Employment Opportunity Act prohibits discriminatory treatment by gender at each stage of employment management, from recruitment and hiring to retirement. Through the revision of the Act in 2006, indirect discrimination came to be prohibited as well. Indirect discrimination is defined as measures which [i] are on the basis of conditions other than sex, [ii] are practically disadvantageous to a substantial extent against members of one sex compared to members of the other, and [iii] are taken without any reasonable reason.

288. The MHLW Ordinance prohibits the following three measures, which were accepted as appropriate requirements by the Labour Policy Council consisting of the representatives of the public sector, employers and employees; [i] Considering a worker's height, weight or physical strength as requirements for the recruitment or hiring of workers, [ii] Considering a worker's acceptance of a transfer that results in a relocation of residence as a requirement for the recruitment or hiring of a "main career track employee" under employment management differentiated by career tracking, and [iii] Considering a worker's experience of transfer as a requirement for the promotion of workers.

289. Based on the Supplementary Provisions of the Revised Equal Employment Opportunity Act, etc., the Labour Policy Council consisting of the representatives of the public sector, employers and employees held deliberations on future measures to be taken for ensuring equal employment opportunities and compiled a report in September 2013. The council reviewed the current MHLW Ordinance, which specifies requirements to be recognized as indirect discrimination, and revised the requirement concerning a transfer to [i] eliminate the part limiting this to "main career track employees" and expand the coverage to include other employees and to [ii] add measures concerning promotion and changes in job type of workers, in addition to those concerning recruitment and hiring. As a result, setting any requirement concerning a transfer resulting in a relocation of residence, without any justifiable reason, upon recruitment, hiring, and promotion, etc. of all employees has come to be recognized as indirect discrimination.

290. In response to the report by the Labour Policy Council, the MHLW revised its Ordinance in December 2013, and will continue making efforts to ensure compliance with the Act.

291. The Equal Opportunity Employment Department receives about 20,000 consultations concerning the Equal Employment Opportunity Act every year from workers and companies.

### **(2) Efforts for the Realization of Equal Employment Opportunities**

#### **a. Administrative Guidance**

292. In response to the violation of the Equal Employment Opportunity Act, correctional guidance is given for approximately 7,700 cases annually. In addition, for companies that have large de facto gaps in the way they treat men and women, advice with concrete measures to improve the situation is given after analyzing the cause and defining problem areas.

293. Such systems as the dual career ladder system are not problematic under the Equal Employment Opportunity Act, as long as they do not treat workers differently by gender but categorize them

depending on their duties and specialties and treat them accordingly by category in their deployment and promotion. However, companies adopting the dual career ladder system tend to have fewer female main career track employees with lower female ratios or to lack reasonableness and transparency in differences in the details of duties and treatment for each category. Therefore, a certain number of these companies are listed and the staff of the Equal Employment Opportunity Department visits the companies on the list. Based on the Equal Employment Opportunity Act and the Important Notice Concerning Employment Management for the Dual Career Ladder System established in January 2007, the department keeps on its eyes on the management system and its implementation, and gives advice where it is necessary.

294. Based on the Supplementary Provisions of the Revised Equal Employment Opportunity Act, etc., the Labour Policy Council consisting of the representatives of the public sector, employers and employees held deliberations on future measures to be taken for ensuring equal employment opportunity and compiled a report in September 2013. It is pointed out that the details of the Important Notice Concerning Employment Management for the Dual Career Ladder System should be further clarified and be compiled into guidelines in order to ensure that business owners adopting the dual career ladder system will properly manage employment in compliance with the Equal Employment Opportunity Act. Some of these business owners have a requirement concerning a transfer resulting in a relocation of residence specifically for main career track employees, for example. However, the aforementioned report compiled in 2013 reviewed the current MHLW Ordinance, which specifies requirements to be recognized as indirect discrimination, and concluded that setting any requirement concerning a transfer resulting in a relocation of residence, without any justifiable reason, upon recruitment, hiring, and promotion, etc. of all employees is to be recognized as indirect discrimination. As a result, the reasonableness and necessity setoff setting a requirement concerning a transfer will be examined more closely for any dual career ladder system, and proper and smooth employment management by career is expected to be achieved.

295. In response to the report by the Labour Policy Council, the MHLW revised its Ordinance and formulated the guidelines in December 2013, and will continue making efforts to ensure compliance with the Act so that the adoption of the dual career ladder system will not result in de facto employment management by gender.

296. If violation of the Equal Employment Opportunity Act is found regarding female students' recruitment or job hunting, correctional guidance will be given. The MHLW has provided guidance to those in charge of personnel so that equal hiring rules in accordance with the Equal Employment Opportunity Act will be secured.

**b. Positive Action**

297. See the section on Article 4.

**c. Measures to Prevent Sexual Harassment**

298. See the section on Article 2.3.

**d. Prohibition of Detrimental Treatment Due to Facts such as Pregnancy and Childbirth**

299. The Equal Employment Opportunity Act prohibits dismissal or any other detrimental treatment

on the grounds of pregnancy and childbirth. Through the revision of the Act in 2006, it is provided that dismissal of female workers during pregnancy or within one year after childbirth is invalid so long as the employer fails to prove that the female worker in question was dismissed for reasons other than pregnancy and childbirth. Amongst consultations received by the Equal Employment Opportunity Department, those citing detrimental treatment due to marriage, pregnancy and childbirth, etc. are the second largest in number, following those citing sexual harassment. The number of cases for which dispute settlement support from the directors of Prefectural Labour Offices is sought is around 240 on average annually. The annual average number of cases for which mediation is sought is around 14 and that of cases for which the Equal Employment Opportunity Department gives correctional guidance is around 24.

#### **e. Settlement of Individual Disputes**

300. To facilitate dispute settlements between workers and employers relating to equal treatment of men and women, the director of each Prefectural Labour Office actively gives advice, guidance and recommendations. The Disputes Adjustment Commission also proactively undertakes dispute conciliation. See Statistical Annex 53 for changes in the number of cases seeking dispute settlement support from the directors of Prefectural Labour Offices and the number of cases for which mediation by the Disputes Adjustment Commission is being sought.

### **2. Development of Employment Conditions for the Diversifying Forms of Employment**

301. Although the issue does not directly fall under this paragraph, because the majority of part-time workers, dispatched workers and fixed-term workers are women in Japan, the measures taken relating to these forms are reported as reference.

#### **(1) Part-time Workers**

302. In recent years, part-time labour has increased and become an indispensable part of Japan's economy. Making part-time work a satisfactory form of employment is essential in order to utilize women's skills and abilities. The number of part-time workers in 2012 was 14.36 million, out of which 9.94 million or 69.2% were women.

303. Therefore, in order to develop an employment environment where part-time workers can make use of their abilities more effectively, a revision was made to the Act on Improvement, etc. of Employment Management for Part-time Workers (hereinafter referred to as the Part-time Labour Act), which aims to ensure treatment equal to and balanced with ordinary workers and promote a shift to ordinary workers (the Revised Act was put into effect in April 2008). At present, efforts by business owners to improve treatment of part-time workers are being encouraged through correctional guidance, consultations and assistance by experts, and utilization of grants based on the Part-time Labour Act. In June 2012, the Labour Policy Council submitted a recommendation to the Minister of Health, Labour and Welfare to suggest the deletion of a requirement concerning non-fixed-term labour contracts from the provisions to prohibit discriminatory treatment. The Ministry will take necessary legislative measures based on this recommendation.

304. The Act to Partially Revise the National Pension Act, etc. was enacted and promulgated in August 2012 for the purpose of strengthening the financial base of the public pension system and its function as the minimum safeguard. The revisions will be enforced in October 2016 to [i] apply

social insurance to non-regular workers to strengthen the safety net, thereby correcting gaps in social insurance, and [ii] to expand the coverage of the employees' pension system and health insurance system to include short-hour workers with the aim of increasing women's desire for employment.

## **(2) Dispatched Workers<sup>(\*)</sup>**

305. The number of dispatched workers as of June 1, 2012 was approximately 1.35 million. In 2012, women accounted for 61.1% of this population.

(\*) staff on irregular contract

306. With regard to dispatched workers, various measures have been implemented based on the Act for Securing the Proper Operation of Worker Dispatching Undertakings and Protecting Dispatched Workers (hereinafter referred to as the Worker Dispatching Act).

307. Labour-related laws and regulations, such as the Labour Standards Act, Industrial Safety and Health Act, and Equal Employment Opportunity Act, are applied to dispatched workers. The Worker Dispatching Act clarifies where responsibility lies by providing that responsibilities are to be assumed by employers as prescribed in these laws and regulations are to be assumed by business owners who dispatch workers in principle, while prescribing that business owners who receive dispatched workers should assume some of the responsibilities under certain provisions.

308. In 2012, the Act to Partially Revise the Act for Securing the Proper Operation of Worker Dispatching Undertakings and Improved Working Conditions for Dispatched Workers was enforced with the aim of protecting dispatched workers and ensuring their stable employment. This Revising Act clearly states that the purpose of the Worker Dispatching Act is to protect dispatched workers, and aims to strengthen protection of dispatched workers and stabilize their employment by newly introducing such provisions as to prohibit day worker dispatching for a fixed term of 30 days or less, in principle, to promote transition of fixed-term employment of certain dispatched workers to indefinite-term employment, and to give consideration to balance between dispatched workers and workers directly hired by clients.

## **(3) Fixed-term Labour Contracts**

309. As of July 2013, the number of fixed-term contract workers was 14.61 million. By gender, 5.82 million were men and 8.79 million were women. Women accounted for 60.2% of the total.

310. On April 1, 2013, the Revised Labour Contract Act was fully enforced, which aims at the realization of a society in which fixed-term contract workers can continue to work without anxiety through the elimination of their unstable position with the possibility of non-renewal of their contracts and through the correction of unreasonable working conditions due to the fact that their contracts are valid only for certain period of time. The Revised Act introduced the following three new rules: [i] a mechanism that converts fixed-term labour contracts into open-ended labour contracts as requested by the workers in cases in which fixed-term labour contracts are renewed repeatedly; [ii] statutory status of the doctrine of *yatoi-dome* that is established by precedent (termination of labour contract by employers is prohibited under some circumstances); and (iii) a rule that prohibits the imposition of working conditions on fixed-term contract workers unreasonably different from those of open-ended contract workers on the grounds of fixed term labour contracts.

### **3. Policies to Enable Flexible Choice of Profession**

#### **(1) Development of Vocational Capability**

311. See paragraph 311 of the Sixth Report. Of those who took the training courses at the public vocational training facilities (265 facilities) in FY2011, 40% were men while 60% were women.

#### **(2) Career and Employment**

312. See paragraph 313 of the Sixth Report for vocational guidance at schools.

313. The Government has called on universities and colleges to hold career guidance for students, and has conducted National Vocational Guidance meetings, in which counselors employed at universities can exchange opinions and have discussions with recruitment staff from private companies. The Council on Employment Issues consisting of universities and other related organizations requests companies to carry out recruitment under the Equal Employment Opportunity Act and in line with the purport thereof. In the meantime, the Keidanren's Charter of Corporate Ethics on Recruitment and Employment of New College Graduates urges companies to ensure fair, equitable and transparent recruitment and selection in compliance with the Equal Employment Opportunity Act.

314. MEXT prepares learning materials that can be utilized in vocational guidance, etc. to facilitate diversity of choice for both men and women and offers support for career education from the perspective of gender equality.

### **4. Equal Remuneration in Respect of Work of Equal Value**

315. Article 4 of the Labour Standards Act states the principle of equal remuneration between male and female workers. It determines discriminatory treatment of women with respect to wages based on gender as illegal. In 2012, the average wage of female workers (excluding part-time workers) was 70.9% of that of male workers, although the disparity has gradually been narrowing down. However, the existing disparity is recognized as significant by international standards.

316. The Study Group on the Issue of Wage Disparity between Men and Women under Changing Wage and Employment Systems has analyzed factors causing wage disparity since June 2008. The results showed that workers and employers are becoming less aware of wage disparity between men and women, and the Study Group suggested that it would be necessary to increase understanding of the current status of gender disparity in treatment and wages in each company and to raise their awareness of the necessity for appropriate measures to promote efforts for eliminating such disparity.

317. In response to the report by the Study Group, the MHLW formulated the Guidelines for Supporting Labour-Management Efforts for Eliminating Wage Disparity between Men and Women in August 2010. The Guidelines present visions for reviewing wage and employment management systems as follows: [i]review the systems for wage and employment management; [ii] review the operation of wage and employment management; and [iii] promote positive actions. The Ministry prepared a pamphlet for the Guidelines so that the details thereof can be properly understood by workers and employees. The pamphlet is on the MHLW website and is utilized on at various opportunities, such as company visits by administrative staff, to disseminate the content.

318. With the aim of making the Guidelines more user-friendly and more broadly used, the MHLW held discussions with users' organizations and labour unions from various industrial sectors from FY2011 and prepared the "Support Tools for 'Visualization' by Business Type" (hereinafter referred to as Support Tools for Visualization) based on features of actual employment management by type of business, and the "Manual for Utilizing Support Tools for 'Visualization' by Business Type for Promoting Positive Actions," which introduces how to utilize the Support Tools for Visualization. Support Tools for Visualization assist companies in [i] analyzing factors of their own problems in a multifaceted manner, [ii] ascertaining the company's current status in light of the characteristics of the relevant industrial sector, [iii] ascertaining their employees' gender-free understanding concerning the promotion of better performance in business and prevalence of such understanding in the workplace, and [iv] analyzing the achievements of the company's efforts over time. By FY2012, the MHLW prepared Support Tools for Visualization for six business types, i.e., department stores, supermarkets, information services, local banks, manufacturing (processed food (frozen food) sector), and manufacturing (electrical machinery, electronics, and information communication sectors).

319. As wage disparity between men and women is considered to be largely a result of disparity in job classes and service years, the MHLW has tried to develop an employment environment where women can also continue working by promoting the introduction of positive actions and providing workers with support for achieving work-life balance.

320. Labour Standards Inspectors request workplaces to submit necessary documents or question employers and workers to examine their payment terms in detail. They check whether wage disparity at the relevant workplace is only due to gender or due to differences in workers' duties, abilities, skills, etc., and if any violation of Article 4 of the Labour Standards Act is found, they give necessary guidance to the workplace. In response to a criticism from the International Labour Organization (ILO) that Japan had failed to provide sufficient information on its interpretation of the aforesaid Article in relation to the Convention concerning Equal Remuneration for Men and Women Workers for Work of Equal Value (ILO Convention No. 100), the MHLW revised, in December 2012, the Labour Standards Act-related Interpretation (Kihatsu No. 150/Fuhatsu No. 47 dated March 14, 1988), which is a circular notice giving the interpretation of the Labour Standards Act, and added case examples of violations to the aforesaid Article in reference to judicial precedents, with the aim of clarifying Japan's interpretation. The Ministry prepared a pamphlet to show judicial precedents concerning said Article to make it possible for business owners to check whether their wage systems have substantially resulted in gender discrimination. In cases where a violation to the Labour Standards Act, etc. is suspected, related organizations will share information and take required measures.

##### **5. The Actual Condition of Women's In-Home Activities**

321. Since 1976, the MIC has conducted a survey on time-budget as part of its Survey on Time Use and Leisure Activities every five years. In 2001, the Ministry tried to enrich the basic data contributing to the quantitative understanding of in-home activities including housework and international comparisons by adding the after-code type of survey sheets to the pre-code type survey sheet used in past surveys. The same kind of survey was conducted in 2006 and 2011.

322. The Cabinet Office utilized this survey and conducted and publicized the analysis of the actual conditions of women's in-home activities, such as time spent on housework and child rearing by wives/husbands with children aged under six, and the estimated monetary evaluation of in-home activities and other unpaid work.

#### **6. Provision of Maternity Benefits**

323. With regard to maternity benefits, which are provided to women covered under employee insurance for a period during which they cannot work due to childbirth, the daily amount was raised in April 2007 from an amount equivalent to 60% of the conventional standard daily remuneration to an amount equivalent to two-thirds of the new standard daily remuneration, reflecting bonuses in addition to wages.

#### **7. Establishment of Child Care and Family Care Systems**

##### **(1) To Strengthen Measures that Enable Women to Balance their Family and Job Responsibilities**

##### **a. Formulation of the Implementation Plan Based on the Outline of Measures for a Society with a Decreasing Birthrate**

324. See paragraphs 323 to 325 of the Sixth Report for the Basic Act on Measures for a Society with a Decreasing Birthrate.

325. The new Outline of Measures for a Society with a Decreasing Birthrate decided by the Cabinet in January 2010 (hereinafter referred to as the Outline of Measures for a Society with a Decreasing Birthrate (Cabinet decision in January 2010)) cites three fundamental attitudes for implementing measures to support children and child raising, [i] nurturing children's lives and development, [ii] responding to children's worries, and [iii] supporting children's daily lives. Based on these three fundamental attitudes, the Outline describes concrete measures and goals for the five years from FY2010 to FY2014, in line with the four policy pillars for achieving a desirable society and the 12 major policies.

##### **b. Enactment of Acts Relating to Children and Child Raising and Introduction of a New System**

326. In order to quantitatively and qualitatively improve early childhood education and care, as well as local programs for supporting children and child raising, including the solution of the issue of children wait-listed for admission to day-care centers, three Acts relating to children and child raising were enacted in August 2012 with the aim of offering support to all children and their families. A new support system is expected to commence in April 2015 at the earliest. The expected revenue increase as a result of the consumption tax rate hike will be utilized for quantitative and qualitative improvements of such support measures.

##### **c. Support for Balancing Work and Family, and Review of Working Styles**

327. The Council of Executives of Public and Private Sectors to Promote Work-Life Balance, which consists of representatives from the business circle, labour circle and local governments, intellectuals, and related ministers, formulated the Charter for Work-Life-Balance and the Action Policy for Promoting Work-Life-Balance (hereinafter referred to as the Action Policy) in December

2007 under a government-labour-management agreement (the Action Policy was revised in June 2010). Based on these, public-private efforts have been made for achieving work-life balance.

328. The Action Policy set up 14 numerical goals toward 2020, such as the ratio of employees working 60 hours or longer per week and the continuous employment rate for women before and after giving birth to their first child. The Subcommittee to Collaboratively Promote and Evaluate Work-Life Balance established under the Council of Executives of Public and Private Sectors to Promote Work-Life Balance utilizes these numerical goals and checks and evaluates the current conditions and progress in efforts, as well as future problems and challenges for achieving the goals. Regarding the indicators for which achievements are delayed, such as ‘the proportion of employees who work 60 or more hours a week’, ‘the proportion of paid annual leave consumption’, ‘the ratio of men who take child care leave’, ‘hours spent by men with children under 6 years old for child-rearing and household chores’, ‘continuous employment rate for women before and after giving birth to their first child’, not only workers and employers but also the national and local governments that support efforts by various entities are to discuss how to respond to identified problems in order to make improvements in these indicators, and will accelerate the overall efforts for achieving work-life balance.

(i) Revisions to the Child Care and Family Care Leave Act, etc.

329. In July 2009, the Government promulgated the Act to Partially Revise the Act on the Welfare of Workers who Take Care of Children or Other Family Members, Including Child Care and Family Care Leave and the Employment Insurance Act in order to further facilitate support for balancing work and child raising, which is now urgently required. This Act stipulates provisions [i] to oblige business owners to prepare a short-hour working system for workers raising children aged three or younger, [ii] to expand a system of leave for nursing children, [iii] to encourage fathers to take child care leave (when both parents take child care leave, they may take a one-year child care leave until the child becomes one year and two months old (creation of the system, “Additional Leave for Mom & Dad”); when a father takes child care leave within eight weeks after the childbirth, he may take a second child care leave; A father may take child care leave even if his wife is a full-time homemaker or is on child care leave), and [iv] to introduce a short-term family care leave system.

330. The Equal Employment Opportunity Department receives approximately 87,000 consultations concerning the Child Care and Family Care Leave Act every year from workers and companies, and gives correctional guidance in approximately 39,000 cases a year for violations to this Act.

331. See Statistical Annex 54 for the ratio of female workers taking child care leave among female employees who gave birth and the ratio of male workers taking child care leave among employees whose spouse gave birth in the Basic Survey of Gender Equality in Employment Management. The ratios of workers taking child care leave increased for both men and women, compared with the period covered in the previous report (2005).

(ii) Support for Companies that Promote Balancing Work and Child Raising

332. Financial support has been provided in various forms to support business owners endeavoring to assist employees in balancing work and child-raising. At present, grant-in-aid is being provided to

[i] business owners and entities that establish or expand child care facilities for their workers within the establishments, [ii] business owners that have prepared a short-hour working system available for workers raising preschool-aged children, when the system has actually been used by any worker, and [iii] small-to-medium companies that have introduced a system for achieving work-life balance and are promoting the use thereof.

(iii) Maternity Benefits and Family Care Leave Benefits

333. When a worker takes leave for taking care of a child aged under one year or giving nursing care to a dependent grandparent or other family member, child care leave benefits or family care leave benefits are granted to support and promote continued employment of the relevant worker, whose wage decreases as a result of taking this leave.

(iv) Revision of the Act for Measures to Support the Development of the Next Generation

334. Based on the priority strategy, “Japan that Supports Children and Their Families,” the Government promulgated the Act to Partially Revise the Child Welfare Act, etc. in December 2008 and partially revised the Act for Measures to Support the Development of the Next Generation, with the aim of encouraging the formulation of a general business owner action plan for assisting workers’ work-life balance or otherwise promoting local communities and workplaces to take measures to support the development of the next generation. Through this revision, [i] those obliged to formulate and submit a general business owner action plan were expanded to companies with 101 or more employees (formerly limited to companies with 301 or more employees), and [ii] those obliged to formulate and submit a general business owner action plan were required to make it public and disseminate it among employees. Business owners are promoting efforts based on their own plans, and as of the end of June 2013, the percentage of companies with 101 or more employees was 95% of the total, and 95.4% of the companies with 301 or employees and 94.9% of the companies with 101 to 300 employees submitted a general business owner action plan.

(v) Dissemination of the Guidelines for Improvement of Working Time Arrangements)

335. Based on the Act on Special Measures for Improvement of Working Time Arrangements, which aims to promote labour-management voluntary efforts for improving working time arrangements in consideration of individual workers’ personal lives including the need for child care, the MHLW established the Guidelines for Improvement of Working Time Arrangements in March 2006, and has endeavored to disseminate the details thereof among business owners, etc.

(vi) Dissemination of the Guidelines Concerning Teleworking

336. Regarding teleworking, the Government has carried out publicizing the details of the Guidelines for the Appropriate Introduction and Implementation of Work at Home Using Information and Telecommunications Devices, (established in March 2004 and revised in July 2008) which clarifies proper methods of labour management.

(vii) Efforts to Encourage Male Workers to Take Child Care Leave

337. In June 2010, the MHLW started the “Ikumen (men taking care of children) Project” with the aim of generating social momentum to create a society where male workers can actively enjoy raising their children and feel free to take child care leave. More specifically, the Ministry has been providing related information by such means as calling for Ikumen Declaration and Ikumen

Supporter Declaration on its official website, preparing handbooks and other PR materials, and holding symposiums. In July 2013, as part of this project, the Ikumen Company Award was created. Companies that actively promote male participation in child raising and try to improve business operations are awarded and their efforts are introduced broadly. In response, the Ikumen Confederation consisting of multiparty Diet members was established in 2012 and the Parenting Alliance with the prefectures actively taking child-raising support measures, with the participation of a prefectural governor who himself took child care leave, was inaugurated in 2013. Thus, moves to encourage male workers to take child care leave are prevailing among Diet members and prefectural governors.

338. The Employment Insurance Committee of the Labour Policy Council compiled a report in December 2013, in which it was suggested that “the child care leave benefits rate should be raised to 67% for the first six months of the child care leave in order to further encourage both men and women to take child care leave.” In response, the Government aims to submit a bill to revise the Employment Insurance Act during the ordinary Diet session in 2014.

(viii) Support for Re-employment and Launching of New Businesses

339. The “Re-employment Support Project” had been introduced to support those who quit their jobs for child care or nursing care but wish to return to work in the future. Various services were made available all over Japan from FY2002 to FY2010. At the same time, in place of the Compatible Support Hello Work Centers, the MHLW established public employment security offices called Mothers’ Hello Work in 2006 to assist child-raising mothers and others to seek employment. These offices were arranged in such a way that mothers would not hesitate to visit them with their children. Personnel in charge provide career counseling and job placement services tailored to individual situations and needs for child-raising mothers who are ready to reenter employment.

(ix) Measures to Support the Balancing of Life at Work and Family Life of National Public Employees

340. In August 2009, the National Personnel Authority submitted opinions to the Diet and the Cabinet to revise the Act on Childcare Leave, etc. of National Public Employees in order to allow a government employee to take child care leave even if his/her spouse is on child care leave and make it possible for a government employee who has taken his/her first child care leave within a certain period after the childbirth to take a second child care leave. Upon receiving these opinions, the Government submitted a bill to partially revise the Act on Childcare Leave, etc. of National Public Employees. This Act for partial revision was enacted in November 2009 and was put into effect on June 2010. Furthermore, the National Personnel Authority revised the Rules of the National Personnel Authority in March 2010 to improve the system of leave for nursing children and to newly introduce a short-term family care leave system upon the enforcement of the Act. In 2010, the National Personnel Authority and the Government revised the Act on Childcare Leave, etc. of National Public Employees and developed related systems (enforced in April 2011) to also allow part-time government employees to take child care leave and family care leave for the purpose of assisting them in balancing life at work and family life. Moreover, in order to promote a supportive environment for balancing work and family life, the National Personnel Authority revised the Guidelines Concerning the Utilization of the System to Support Employees to Balance Work and Child/Family Care, upon developing systems as mentioned above, and established a liaison council

to follow up efforts made by each ministry and agency.

341. As the proverb says, “Whoever suggests should start,” the Japan Revitalization Strategy urges public employees to take the initiative in promoting recruitment and appointment of women and supporting male and female employees’ work-life balance. With regard to support for employees in balancing work and child rearing, the Minister of State for Gender Equality requested the President of the National Personnel Authority to consider necessary measures concerning female national public employees’ separation from the service due to the transfer of their spouses, which is one of the major causes hindering career continuance. In light of the fact that it is essential for society as a whole to support work-life balance and also taking into account personnel management at each ministry and agency, the National Personnel Authority submitted opinions to suggest the enactment of an Act to create a leave system for national public employees who accompany transferred spouses. Based on these opinions, the MIC submitted a bill for the Act on Leave for National Public Employees Who Accompany Spouses to the 185th extraordinary Diet session. The bill was enacted and promulgated in November 2013. See the section on Article 4.1. for the recruitment and promotion of female national public employees.

#### **d. Social Insurance Premiums during Child Care Leave**

342. Through repeated reviews from the viewpoint of offering support for the development of the next generation, it was determined in 2004 that [i] a worker on child care leave is to be exempted from the payment of social insurance premiums until the child reaches three, although this period is to be counted as a period for having paid premiums when receiving social insurance benefits, and that [ii] when a worker continues working while raising children aged under three and his/her compensation immediately after returning to work is lower than before, insurance premiums are to be calculated based on the compensation after returning to work but the amount of pension is to be calculated on the basis of his/her compensation before taking child care leave. The Act to Partially Revise the National Pension Act, etc. for Strengthening the Financial Base of the Public Pension System and its Function as the Minimum Safeguard, which was enacted and promulgated in August 2012, provides that the same measures shall be applied for maternity leave in April 2014 onward.

#### **e. Enriching Child Care Services**

##### **(i) Development of Day-care Centers**

343. In order to resolve the issue of children wait-listed for admission to day-care centers, efforts have been made to increase the capacity of day-care centers, but still many children are on a waitinglist, mainly in urban areas. Although the number has decreased for the second year in a row, there were approximately 24,800 children on a waiting list as of April 2012.

344. With the aim of eliminating these waiting lists by the end of FY2017, when the need for nursery care is expected to peak, the Prime Minister publicized the Plan to Accelerate the Zero Childcare Waiting List Project in April 2013. Under this Plan, the Government will offer full support to local governments in their efforts to develop day-care centers and ensure nursery staff with the goal of increasing the capacity by 200,000 children in the first two years from FY2013 and by a total of 400,000 children in the five years up to the end of FY2017.

##### **(ii) Implementation of Mutual Aid Activities on Raising Children**

345. The MHLW supports municipalities that have family support centers (699 centers as of the end of FY2012), whose members comprise workers, housewives and others in the process of raising infants, elementary school children and others. Through mutual aid activities, these centers link and coordinate those looking for assistance in finding a place to leave their children while they work with those desiring to provide such assistance. From FY2005 to FY2008, the MHLW ran an emergency support network program in which individuals with specialized skills were registered as staff and dispatched to meet the urgent needs of workers in the process of raising children, on occasions such as the child suddenly becoming sick or the parents having to take an urgent business trip. Since FY2009, in lieu of this program, the MHLW has been conducting a new program to take care of sick or convalescent children and to meet urgent needs for nursery care, such as early in the morning or during the night.

#### **f. Support for Child-rearing Practice in Kindergarten**

346. To meet the diversifying needs of parents with kindergarten children, “day care” service, provided both prior to and after normal school hours and during long vacations, is being expanded. Approximately 81% of the kindergartens nationwide provided such service as of 2012.

### **8. Special Protection of Women during Pregnancy**

347. In 2008, the MHLW set up a website “Navigation for a Women-friendly Workplace for Supporting Pregnancy and Childbirth,” which provides companies and working women with information concerning maternity health management. Through this website, the Ministry introduces related systems, best practices and examples of working regulations, thereby promoting maternity health management in workplaces.

348. The revised Regulations on Labour Standards for Women, which was put into effect in October 2012, prohibit any workplaces using 25 chemical materials that may affect women’s pregnancy, childbirth, and breast-feeding from assigning female workers, irrespective of their age or pregnancy status, to a duty requiring the use of a respirator or any duty under an environment where the average concentration of hazardous materials exceeds the standard control concentration. Furthermore, the revised Regulations on Labour Standards for Women, which were put into effect in January 2013, expanded the coverage to include ethyl benzene.

## **Article 12 (Elimination of Discrimination in Health)**

### **1. Maintaining and Promoting the Health of Women throughout Their Lives**

#### **(1) Overview of the 21st Century Sukoyaka (i.e. healthy and happy) Family**

349. In 2000, the 21st Century Sukoyaka Family National Campaign was adopted to propose a vision for the principal measures for maternal and child health in the 21st century. The plan is a national campaign promoted jointly by all the parties concerned, such as the Government, local governments, medical institutions and citizens. It sets the objectives that should be achieved by 2014. In FY2009, the second interim evaluation was conducted at the Discussion Group concerning the Evaluation of the 21st Century Sukoyaka Family National Campaign. The Discussion Group evaluated the achievements of the last four years and presented the future direction to be aimed at intensively by the end of the Campaign in 2014. In FY2013, the Discussion Group will conduct the final evaluation and discuss the formulation of the next plan.

## **(2) Health Support Service**

350. The Government expanded consultation and health education services provided by public health nurses and others concerning health problems particular to women throughout their lives (such as gynecological problems, menopausal disorders, pregnancy, contraception, childbirth concerns, infertility). The Government also continually provides training sessions for consultation advisers. Furthermore, a research study on supporting women's health throughout their lives was conducted along with a research study identifying causes and exploring cures for diseases common to women, such as osteoporosis. The Government has organized research focusing on menopausal disorders since 2002.

## **2. Health Support for Pregnancy and Childbirth**

### **(1) Supporting the Health of Women throughout Their Lives**

#### **a. Adolescents**

351. As an objective to be achieved by 2014, the 21st Century Sukoyaka Family National Campaign advocates generating a downward trend in the rates of artificial abortion and sexually transmitted disease among the teenage population.

352. In Japan, the ratio of artificial abortions in the teenage population was 7.0 (out of 1,000 females) in 2012. In order to reduce this ratio, the Government offers home guidance or other consultation support for teenagers who have worries concerning pregnancy, childbirth or artificial abortions under its maternal and child health projects. The Women's Health Support Center and others also provide consultation services.

#### **b. Period of Pregnancy and Childbirth**

##### **(i) Health Support for Women during Pregnancy and Childbirth**

353. See paragraph 356 of the Sixth Report for health support under the Maternal and Child Health Act.

354. As an objective to be achieved by the year 2014, the 21st Century Sukoyaka Family National Campaign has promoted measures to decrease the maternal mortality rate and increase the ratio of people satisfied with their pregnancy and childbirth.

355. See paragraph 358 of the Sixth Report for the content of the Maternal and Child Health Handbook.

##### **(ii) Enrichment of Consultation on Infertility and Other Services**

356. The 21st Century Sukoyaka Family National Campaign and the Outline of Measures for a Society with a Decreasing Birthrate (Cabinet decision in January 2010) stipulate support for women who suffer from infertility as a measure to be taken. In accordance with these, special centers for consultation on infertility were established in 64 locations in prefectures, designated cities and major cities in FY2012 and a part of the cost of fertility treatment has been subsidized since FY2004.

##### **(iii) Enrichment of Perinatal Medical Care**

357. In 2011, the number of maternal deaths was 41 and the maternal mortality rate was 3.8 per

100,000 total births. In 2011, the infant mortality rate was 2.3 per 1,000 live births; and the neonatal mortality rate was 1.1 per 1,000 live births, which accounted for 46.6% of infant mortality, while the perinatal mortality rate (the number of foetal deaths at 22 weeks and over gestation period, plus the number of early neonatal deaths, divided by the number of live births plus the number of foetal deaths at 22 weeks and over gestation period, which was multiplied by 1,000) was 4.1, showing a declining trend..

358. The 21st Century Sukoyaka Family National Campaign advocates reducing the maternal death rate by half and maintaining Japan's status as the country with the lowest perinatal mortality rate in the world as an objective to be achieved by 2014. The Government promotes improvement of maternal fetal and neonatal intensive care units across the country to provide advanced health care services for pregnancy, childbirth, infancy and childhood. The Government also promotes the establishment of a medical system for pregnant women and newborn infants in prefectures.

(iv) Environment and Conditions for Women's Contraception

359. Low dosage birth control pills were approved for use in 1999, and female condom and other contraceptive devices in 2000. In 2010, the Maternal Protection Act was partially revised, to extend the deadline from 2010 to 2015 by which an Instructor for Birth Control, such as a midwife, can sell medication and devices necessary for birth control<sup>(\*)</sup>.

(\*)Regarding artificial abortions, the Programme of Action of International Conference on Population and Development held in 1994 and the Beijing Declaration and Platform for Action adopted in the Fourth World Conference on Women in 1995, clearly stated that any measures or changes related to abortion within the health system can only be determined at the national or local level according to the national legislative process. Since artificial abortions in Japan are regulated under the Penal Code and the Maternal Protection Act, it is illegal to have an artificial abortion when it is in violation of either of these Acts. The Penal Code defines abortion as a criminal act under the recognition that the safety of the lives and bodies of unborn children is an interest to be protected by law. From this point of view, the Government considers it inappropriate to repeal provisions including Article 212 of the Penal Code that define abortion as a criminal act. In the meantime, the Maternal Protection Act permits artificial abortions under certain requirements from the perspective of protecting the life and health of the mother, and a crime of abortion shall not be applied in that case.

**c. Adulthood and Senility**

360. Osteoporosis is a disease causing bone fracture and other problems, and in a progressively aging society, it is expected to become more common. Thus, early diagnosis of people with decreasing bone density and prevention of osteoporosis are needed. Therefore, under the Health Promotion Act, osteoporosis examinations are being conducted for women aged 40, 45, 50, 55, 60, 65 and 70.

**(2) Promotion of Appropriate Sex Education**

**a. Promotion of Appropriate Sex Education in Schools**

361. See paragraph 365 of the Sixth Report. Schools should stress the importance of mental bonding and the dignity of life, and give guidance on sex appropriate for different stages of a youngster's development. Guidance on sex should be given in schools in accordance with the Courses of Study

(government guidelines for teaching), and should be based on the student's stage of development. Efforts should be also made to build mutual understanding within the school as a whole while obtaining the understanding of parents and the local community. In order to avoid imparting more knowledge than necessary by effectively combining group guidance and individual guidance, relevant parties in schools should be thoroughly aware about what is being taught in the classroom. The Government should inform every Board of Education of what constitutes the appropriate contents of sex education and how it should be taught, through the compilation of reference materials based on the Courses of Study and the holding of guidance workshops.

#### **b. Providing Opportunities to Learn about Sex**

362. See paragraph 368 of the Sixth Report.

### **3. Measures against Problems that Threaten Women's Health**

#### **(1) Measures against HIV/AIDS, Sexually Transmitted Diseases**

363. See paragraph 368 of the Sixth Report.

364. In order to raise awareness of the importance of preventing sexually transmitted diseases, the MHLW prepares awareness-raising posters and delivers them to local governments for Sexual Health Week (from November 25 to December 1 every year), which is organized by the Japanese Foundation for Sexual Health Medicine.

365. The number of HIV-infected patients and AIDS patients newly reported in 2013 was 1,590 (1,449 in the previous year), and the accumulated total (excluding cases caused by blood products) reached over 23,000. The number of HIV-infected patients newly reported in 2013 was 1,060 men and 46 women and as for AIDS patients reported, 466 men and 18 women. In recent years, around 1,500 new patients are reported every year and a serious situation is continuing. In January 2012, the MHLW revised the AIDS prevention guideline and has intensively taken measures for "dissemination, enlightenment, and education", "improvement of test /consultation systems", and "provision of medical care service", with respect for patients' human rights.

#### **(2) Education on and Understanding of HIV/AIDS**

366. Students should acquire in school correct knowledge about HIV/AIDS appropriate for their respective stage of development and learn how to act suitably. Therefore, the Government [i] has held lecture meetings for teaching staff, and [ii] has prepared awareness-raising materials that generally explain AIDS and other health problems and distributed them to all students in the fifth grade of elementary schools and the first grade of junior and senior high schools.

#### **(3) Measures against Smoking and Drinking**

367. The Healthy Japan 21 Project set numerical goals concerning women's smoking and drinking. In particular, with regard to pregnant women, the set goal is to achieve 0% smoking and drinking rates. Under the program for promoting measures against smoking, awareness-raising activities targeting younger women are being conducted.

### **4. Psychological and Mental Health of Women**

368. As there is a need to develop a proper system for providing consultation on pregnancy,

childbirth and artificial abortions, etc. from the perspective of offering health support to women throughout their lives, the Government offers home guidance or other consultation support under its maternal and child health projects. The Women's Health Support Center and others also provide consultation services.

369. As part of local mental health activities, public health centers have established mental health consultation offices to provide consultations. Mental Health Welfare Centers have also established offices for interview counseling or telephone counseling by staff with specialized knowledge and have prepared a system under which local residents can seek consultations easily.

## **Article 13 (Elimination of Discrimination in Economic and Social Benefits)**

### **1. Measures for Single-Mother Families and Widows**

370. See paragraphs 373 and 374 of the Sixth Report. Based on the Act on Special Measures concerning Support for Employment of Mothers in Fatherless Households and Fathers in Motherless Households (enforced in March 2013), the MHLW is endeavoring to enhance employment support measures for such mothers and fathers and ask private business owners for cooperation.

## **Article 14 (Elimination of Discrimination against Rural Women)**

### **1. Special Attention to Rural Women**

#### **(1) Women Engaged in the Agriculture, Forestry and Fisheries Industry**

371. Of the total population engaged in agriculture, 1,300,000 were women (49.9%) in 2010. In forestry, the number was 10,000, which was 13.0% of the total in 2010, and in fisheries, there were 24,000 women, which was 13.8% of the total in 2012. Women in Japan thus play an important role in sustaining agriculture, forestry and fisheries. Women also contribute greatly to the management of life in rural areas and to the maintenance and revitalization of local communities. Consequently, expectations are high for the contribution of women in these areas in the future and it is necessary to further encourage these women to make use of their abilities.

#### **(2) Laws and Regulations for a Gender-equal Society in Rural Areas**

372. The new Basic Plan for Food, Agriculture and Rural Areas was formulated in accordance with the Food, Agriculture and Rural Areas Basic Act in March 2010 and the Third Basic Plan for Gender Equality was formulated in December 2010. These plans contain clear and specific measures for promoting participation of women. The basic plan formulated in March 2012 based on the Fisheries Basic Act and the basic plan formulated in July 2011 based on the Forest and Forestry Basic Act also provide for the promotion of participation of women. In line with these basic plans based on Basic Acts, comprehensive efforts have been made for creating a gender-equal society in rural areas.

#### **(3) Changing Consciousness and Behavior in All Places**

373. In order to further promote participation of women based on the Basic Plan for Food, Agriculture and Rural Areas, agricultural cooperatives and other organizations are encouraged to increase numbers of female officials and members. More specifically, MAFF has established a goal to eliminate agricultural organizations without any female officials or members and issues guidance

notices to related organizations.

374. See Statistical Annex 62 for the participation of women in decision-making processes for policies and administrative measures in rural areas. While the ratio of women remains low, it has been on the rise steadily in recent years. Since 2012, women have accounted for over 30% of the members discussing the Farmers and Farmland Plan, which specifies ideal forms of core management entities and local agriculture.

#### **(4) Improvement of Environment Favorable for Women's Lives and Activities**

375. The population of workers engaged in agriculture, forestry, and fisheries is expected to decline significantly in the future. It is therefore necessary to cultivate the widest range of human resources in these industries. To do so, efforts must be made to create an environment where motivated women can make full use of their capabilities and participate in their local communities as they make policy regarding these industries or management. To this end, steps are being taken including the provision of information and training for promoting participation of women in management and the promotion of the development of female managers' networks.

#### **(5) Improvement of Women's Economic Status in Rural Areas**

376. According to the survey conducted in 2008, more than 30% of women in rural areas expressed a desire to become involved in the decision-making process proactively as a manager or co-manager. The survey conducted in 2012 shows that around 70% of women participate in deciding farm management policies and 47% consider themselves as a manager. Thus, their participation in farm management has progressed. An increasing number of rural women start businesses, such as processing local agricultural or fisheries products, selling such products at farm stands, or opening a restaurant. There were 9,757 such cases in 2010. Businesses with sales over 10 million yen are steadily increasing and contribute to the improvement of women's economic status and the diversification and stabilization of women's business management, as well as to the revitalization of local communities. Participation of women in management is further promoted, such as through the provision of information and training therefor, and the promotion of the development of female managers' networks and the information exchange and collaboration among different types of business.

377. See Statistical Annex 63 for the number of farming households that have concluded the Family Management Agreement that sets wages, number of holidays and other matters on the basis of negotiations among family members. Such households are increasing year by year and were approximately 52,000 in number in 2013.

#### **(6) Consolidation of Women's Status as Executive Female Farmers**

378. The Basic Plan for Food, Agriculture and Rural Area clearly states that rural women play a significant role in farming and the revitalization of local communities, and encourages the conclusion of Family Business Agreements from the viewpoint of promoting women's participation in farm management and business startups and clarifying their status as executive female farmers. In 2006, the system of accreditation of farmers was revised and married couples running a farming business with joint ownership are now accredited as certified farmers. Since then, female certified farmers have been increasing. Women who are playing a significant role in farming and the

revitalization of local communities are also expected to play a leading role in creating a so-called Sixth Industry (increase of added value by integrating production, processing and sale of agricultural and fisheries products and creation of new industry by utilizing local resources). Therefore, female farmers' auxiliary activities are being promoted so that they can exert their abilities to the full.

## **2. Ensuring Women's Participation and the Benefits in the Development of Rural Areas**

### **(1) Women's Business Startups.**

379. See the section on this Article 1.

### **(2) Technical and Management Guidance in Agriculture, Forestry, and Fisheries**

380. See paragraphs 389 and 390 of the Sixth Report.

### **(3) Financing for Women**

381. The Government provides information on management and supports income-generating activities such as the processing of agricultural products so that rural women group can run their businesses stably. The Government also extends interest-free loans to support the activities of women and the aged who engage in agriculture and coastal fisheries.

### **(4) Overall Support for Rural Women to Improve their Lives**

382. See paragraph 392 of the Sixth Report.

## **Article 16 (Elimination of Discrimination in Marriage and Family Life)**

### **1. Development of Acts Concerning the Family**

383. In September 2013, the Supreme Court of Japan issued a ruling to declare the unconstitutionality of the provision of the Civil Code which designates the share in inheritance of a child born out of wedlock shall be one half of the share in inheritance of a child born in wedlock. In response, the Civil Code was revised in December 2013 to equalize the shares in inheritance of a child born in wedlock and a child born out of wedlock.

384. Under the recognition that a citizens' consensus is required to revise provisions of the Civil Code, such as for unifying the marriageable age between men and women, introduction of a system allowing a husband and wife to adopt separate surnames of their own accord, and shortening of the period of prohibition of remarriage required for women, efforts are being made continuously to ascertain citizens' awareness and provide information to stimulate discussions on these matters. In response to a report by the Legislative Council of the MOJ in 1996, the MOJ prepared a bill to revise the provisions of the Civil Code by unifying the marriageable age between men and women, introduction of a system allowing a husband and wife to adopt separate surnames of their own accord, and shortening of the period of prohibition of remarriage required for women before remarriage twice in 1996 and 2010, but failed to submit the bill to the Diet on both occasions as consensus was not reached among government departments and citizens.

385. The provision to specify the period of prohibition of remarriage required for women was introduced for the purpose of preventing a situation where a question arises as to whether the father

of a child born after a woman's remarriage comes from her current husband or her ex-husband and out of the necessity to determine the paternity of the child at an early stage. Setting a certain period of prohibition of remarriage thus has reasonable grounds.

386. SCMC compiled a report in November 2013, suggesting that it is necessary to continue efforts, in addition to efforts made thus far, to draft and submit a bill to revise the provisions of the Civil Code by setting the unification of the marriageable age between men and women, introducing a system allowing a husband and wife to adopt separate surnames of their own accord, and shortening the period of prohibition of remarriage, as well as to revise the Family Register Act in relation to the matters to be stated in the notification of birth. With regard to the system to allow a husband and wife to adopt separate surnames of their own accord, the report points out that it is necessary to provide the public with a wide range of information regarding the meaning and prospective details of this system as well as the current conditions in connection with separate surnames, thereby enabling all levels of the public to have a deeper understanding of this issue and encouraging more people to participate in the debate.

## **2. Family Violence**

### **(1) Spousal Violence**

387. See the section on Article 2.3.

### **(2) Prevention of Child Abuse**

#### **a. Revision to the Child Abuse Prevention Act**

388. The Child Abuse Prevention Act was put into effect in November 2000 and was revised in 2004 and 2007. The Child Welfare Act was revised in 2004, 2007 and 2008. Institutional frameworks have thus been enhanced.

389. Furthermore, from the perspective of preventing child abuse and protecting children's rights and interests, the Civil Code, the Child Abuse Prevention Act and other Acts were revised in 2011. Through these revisions, it is clarified that a person who has parental authority should take care of a child in the interest of the child, and that if improper exercise of parental authority harms a child's interest, the parental authority would be restricted or taken away. Additionally, a system to suspend parental authority was introduced to ensure proper exercise of parental authority as necessary. Appointing a corporation as a guardian of a minor or appointing multiple guardians of a minor has come to be permitted and children and guardians of a minor, etc. are now permitted to file a request for trial to seek forfeiture of parental authority. Measures were also taken to allow a superintendent of a Child Guidance Center to exercise parental authority for a foster child without a specific person with parental authority and to prevent a person with parental authority from unduly hindering protective measures, such as legal custody, taken by a facility director for the child's welfare.

390. Child abuse cases handled by Child Guidance Centers (207 centers throughout Japan) in FY2012 totaled 66,701, of which 1,449 or 2.2% were cases of sexual abuse. The Government has made efforts to promote various measures, such as strengthening the consultation functions of Child Guidance Centers and functions of the Regional Council of Countermeasures for Children Requiring Aid (regional network for protecting children) in respective municipalities, so that the Child Guidance Centers, in close cooperation with relevant organizations of welfare, health, medical care,

police and education, can deal with child abuse in an appropriate manner.

#### **b. Measures Taken by the Human Rights Organs**

391. In addition to preparing videos to enlighten people on the subject of abuse and distributing them to the Legal Affairs Bureaus and the District Legal Affairs Bureaus nationwide as well as to the prefectures and government-designated cities, and lend out them, the Human Rights Organs of the MOJ conduct various promotion activities nationwide throughout the year, under the slogan of “Protect Children’s Rights”, as one of the annual priority matters of promotion activities.

392. The Organs endeavor to help victims by providing consultation on every aspect of children’s rights at their counseling offices and through the Children’s Rights Hotline, a counseling hotline which specializes in children’s rights, as well as via the Internet Human Rights Counseling Service on the website. Furthermore, the Organs deliver Children’s Rights SOS Letters-Cards (letter paper with envelope) to elementary school children and junior high school students nationwide to make it easier for them to have consultations. When any infringement of rights of a child has been reported, the Organs conduct a requisite examination as a human right infringement case and give relief to the child through various measures depending on the case, and make efforts to prevent recurrence of infringement of children’s rights by enlightening those involved about respect for human rights. Additionally, efforts are being made to seek better relief measures by strengthening collaboration with the local councils that carry out activities for preventing child abuse on measures for children who need protection.

#### **c. Protection of Abused Children**

393. The police regard child abuse as an important target of their youth protection measures, and have taken measures for early detection of child abuse and early protection of child victims. In order to further strengthen their efforts to prevent child abuse, the police have tried to share information on individual cases with Child Guidance Centers, which play a central role in countermeasures against child abuse, and otherwise enhance close and proper cooperation with them. Education is provided to police staff for assisting their early detection of child abuse and to enhance their knowledge, and thorough guidance is given so as to ensure that when it is suspected that a child is in danger, police staff confirm the safety of the child for themselves and promptly and properly judge the criminality of the case to respond appropriately, sharing the awareness that the top priority is to ensure the safety and protect the child. Moreover, to protect children who do not have anyone to take care of them or children for whom parental custody is not appropriate, the police participate in the regional council for measures for children in need of protective care established by local governments and endeavor to strengthen collaboration with related organizations.

#### **d. Publicizing the Appropriate Response to Child Abuse to People Involved in Education**

394. MEXT has issued, through prefectures, notices for promoting efforts to prevent child abuse to those involved in school education and social education, and has used opportunities of various meetings to disseminate the necessity to make efforts for early identification of child abuse and prompt report to child guidance centers. The Ministry also prepared guidelines for handling child abuse for school nurses and training materials for teachers to enhance their awareness and skills and delivered them to Boards of Education nationwide.

### **(3) Discrimination and Human Rights Infringement against Girls' Rights**

#### **a. Measures Taken by the Human Rights Organs**

395. In the Basic Plan for Human Rights Education and Encouragement, the issue of children's rights was raised as a human rights issue. With the aim of realizing a society in which all children, including girls, are respected highly and are able to enjoy their fundamental human rights, the Human Rights Organs of the MOJ have carried out various promotion activities nationwide throughout the year, under the slogan of "Protect Children's Rights", as one of the annual priority matters of promotion activities. The Organs also provide counseling on human rights infringement, including discrimination against girls, at their counseling offices and via the "Children's Rights Hotline." When there is any case where human rights infringement is suspected, the Organs conduct a required examination and take appropriate measures depending on the case to give relief to the victims and prevent its recurrence. Such measures include referring the girl to other relevant administrative organs and giving guidance and recommendations to the party that committed the human rights infringement.

## **Attachment 1: Monitoring by the Specialist Committee on Monitoring of the Council for Gender Equality with regard to the Status of Efforts Made in Response to the Observations of the Committee on the Elimination of Discrimination against Women**

The Specialist Committee on Monitoring of the Council for Gender Equality has held discussions on seven occasions since May 2013 with regard to the status of the efforts made by the Government in response to the Concluding Observations of the Sixth Report while hearing relevant information from the related ministries and agencies as well as NGOs, and in November 2013, the committee compiled a report entitled “Efforts Made in Response to the Observations of the Committee on the Elimination of Discrimination against Women and Matters to Note When Preparing the Next Periodic Report to Said Committee.” The summary of this report is as follows.

### **1. Opinions concerning the status of efforts made in response to the concluding observations of the Committee on the Elimination of Discrimination against Women**

#### **(1) Overview**

- The Third Basic Plan for Gender Equality (approved by the Cabinet in December 2010; hereinafter referred to as the “Third Basic Plan”) was drawn up while examining the issues pointed out in the concluding observations. It is necessary for Japan to sincerely respond to what was pointed out in the concluding observations, as a State Party to the Convention on the Elimination of Discrimination against Women, from the perspective of proactively implementing the Convention. Through this process, the Government should further promote the specific measures advocated in the Third Basic Plan, while ensuring the viewpoint of gender equality is reflected in the PCDA cycle at all stages from policy development to evaluation, and taking into account the progress in achieving the numerical targets set in this plan.
- With a view to promoting gender equality, various unique measures have been carried out by local governments and other local entities on the basis of the basic principles provided in the Basic Act for a Gender-Equal Society (Act No. 78 of 1999), including respect for human rights of both genders, in light of the differing circumstances surrounding the respective local communities. Meanwhile, some people suggest that it is difficult for local governments to secure personnel with the expertise to be in charge of gender equality measures while at the same time increasing efficiency in their administrative organizations and procedures. Accordingly, it is necessary to collect and share information on best practices among the local entities and establish a network for this purpose, while taking into account the results of the ongoing study in the Specialist Committee on Basic Issues and Gender Impact Assessment and Evaluation of the Council for Gender Equality.
- It is necessary to provide information and carry out publicity activities to raise public awareness of gender equality in cooperation with the local governments so that measures implemented in the respective local communities will be supported by local residents of all age groups, with a particular focus on encouraging young people to view gender equality as an issue affecting them.

## **(2) Discussion by item**

### **A. Regarding the revision to the Civil Code, etc.**

- On September 4, 2013, the Supreme Court of Japan issued a ruling to declare the unconstitutionality of the provision of the Civil Code (Act No. 89 of 1896) which designates the share of inheritance of a child born out of wedlock as being one half of the share of inheritance of a child born in wedlock. The bill for the partial revision to the Civil Code recently submitted to the Diet following this Supreme Court ruling contains a revision to said provision that was declared unconstitutional. In view of the fact that Japan received an assessment by the Committee on the Elimination of Discrimination against Women in September 2013 that Japan had not implemented the recommendation regarding the revision of the Civil Code, including the abovementioned provision, it is necessary to continue efforts, in addition to efforts made thus far, to draft and submit a bill to revise the provisions of the Civil Code with a view to the unification of the marriageable age between men and women, introducing allowing a husband and wife to adopt separate surnames of their own accord and shortening of the period of prohibition of remarriage, and to revise the Family Register Act (Act No. 224 of 1947) with regard to the matters to be stated in the notification of birth. Through this revision process, it is necessary to pay attention to the concerns expressed in the concluding observations regarding Japan's explanation on the measures taken in this field over the fact that Japan depends on public opinion surveys when determining the measures.
- With regard to allowing a husband and wife to adopt separate surnames of their own accord, it is necessary to provide the public with a wide range of information regarding the meaning and prospective details of this system as well as the current conditions in connection with the choice of surnames, thereby enabling all levels of Japanese society to have a deeper understanding of this issue and encouraging more people to participate in the debate.

### **B. Regarding employment**

- With regard to the temporary special measures, the Committee on the Elimination of Discrimination against Women expressed its view in November 2011 that it welcomed Japan's implementation of the recommendation made in the committee's concluding observations in relation to the formulation of the Third Basic Plan and enhancement of the efforts on the temporary special measures. Subsequently, considerable progress and active efforts have been made in this field, such as the encouragement by the Minister of State for Gender Equality to the political parties and Cabinet members as well as the request by the Prime Minister to the economic associations to appoint more women to corporate boards or managerial positions in listed companies. At the same time, although the ratio of companies taking positive actions has been increasing, the ratio of women holding managerial positions in private companies has been extremely low as compared to other countries and the rate of increase has been slow. Thus, further efforts are being required.

With a view to achieving the goal of increasing the percentage of women in leadership positions to "30% in 2020," it is necessary to continue to take planned efforts in the public sector, including the fields of politics and school education, and promote measures to support

companies taking positive actions so that they can receive a higher evaluation in society.

- The efforts made by the Ministry of Health, Labour and Welfare to achieve equal pay for equal work can be appreciated to a certain degree. These efforts include formulating and publishing operational guidelines for the job evaluation of part-time workers and guidelines for supporting the efforts of management and labor toward reducing the pay gap between men and women. In the future, it will be necessary to promote the introduction of the job evaluation approach proposed in these guidelines and also carry out measures in both the public and private sectors to reduce the gender pay gap and achieve equal pay for equal work.
- The Government's actions to incorporate measures relating to the reconciliation of family life and work in the Japan Revitalization Strategy (decided by the Cabinet in June 2013) and to promote these measures through the concerted efforts of the Cabinet deserve great commendation. In the process of increasing visibility of information on women's career success, it is necessary to consider including information on the situation of overtime work in the scope of information to be disclosed, so that students seeking employment can assess whether the company they intend to join will support them in achieving work-life balance. In addition, it is necessary to consider measures to encourage companies to improve the work environment and enhance financial assistance to workers during childcare leave, so that both men and women can take childcare leave as they wish, and in particular, from the perspective of urging men to take childcare leave, it is necessary to collect and compile information on men who have actually taken childcare leave so that they may serve as role models and encourage more men to become *ikumen*, that is, take a larger part in childcare.

### **C. Regarding violence against women and trafficking of women**

- A certain degree of progress has been seen in respect to the efforts to support female victims of violence, in manners such as providing more training opportunities for public officials who frequently come in contact with these victims (e.g. police officials, judges and women's consultants). It is necessary to continue efforts to enhance training in relation to gender equality including elimination of violence against women.

In addition, in order to further the development of women's consultants who provide consultation on problems of violence against women as well as consultants assigned at the Gender Equality Centers, the Spousal Violence Consulting and Support Centers and other similar entities, it is necessary to take support measures, such as providing these consultants with more opportunities to improve their expertise and securing their employment, so that they can make use of their experience and skills continuously.

- In order to further enhance support for sex crime victims, it is necessary to provide medical institutions with more opportunities to participate in training in measures to prevent victims from suffering secondary damage, with a view to increasing medical institutions which are capable of treating victims appropriately. It is also necessary to consider a support system for medical institutions and an appropriate method for storing evidential documents collected from victims and to inform medical institutions of such a document storage method.

- With regard to the Campaign for Eliminating Violence against Women (held on November 12 to 25 every year), it is necessary to improve publicity activities to be carried out during the campaign period, with a view to bringing about a synergy effect with other awareness-raising campaigns which are carried out concurrently or closely before and after said campaign period in relation to the themes partially covered by said campaign, while aiming at differentiating this campaign from others.
- As fundamental measures to eliminate violence against women, it is necessary to promote education of young people and consider measures to treat perpetrators appropriately, including proper punishment and rehabilitation.
- It is necessary to comprehensively analyze the survey results and data collected by the relevant ministries and agencies with regard to violence against women, and elaborate more effective measures based on such analysis.
- In order to further promote measures against trafficking of women, it is necessary to consider appropriate public assistance for victims, including financial assistance. It is also necessary to analyze the causes of regional disparities in terms of the number of detected trafficking incidents and urge the local governments to take measures according to the circumstances in the respective local communities.
- As part of efforts toward eliminating violence against women, it is necessary to further the analysis of the measures against trafficking of women taken in other countries, through discussions in the specialist committee set up under the Council for Gender Equality.

#### **D. Regarding health**

- In order to promote the health of both men and women throughout their lives, it is necessary to take proactive measures to provide information and enhance consultation services for young people, in particular, with regard to how to maintain physical and mental health in their lives, including the periods of pregnancy and childbirth.
- It is necessary to consider issues concerning consent for abortion that may be sought by women who become pregnant due to sexual violence by their spouse or sex crime offenders.

#### **E. Regarding vulnerable people in society**

- It is necessary to enhance information available in various languages so that non-Japanese women can understand information concerning support for victims of violence by spouses, etc. and the support offered for single-mother families.
- In order to promote the use of conciliation proceedings and other proceedings at family courts in the course of determining the payment of childcare expenses upon divorce so that single mothers can acquire sufficient childcare expenses from their ex-husbands, it is necessary to

promote measures such as increasing awareness of these proceedings and improving their user-friendliness.

- When considering a policy for measures mainly for so-called minority groups, it is necessary to pay attention to achieving balance between men and women in selecting representatives as well as making efforts to ensure that parties concerned can participate in discussions at conferences and other opportunities.

#### **F. Regarding international harmonization**

- Keeping in mind the fact that the Committee on the Elimination of Discrimination against Women in its concluding observations encouraged Japan to consider ratifying the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, it is necessary to launch a specific study on this issue, while identifying problems that may occur as a result of the ratification of this convention.
- In response to observations expected to be expressed in the future by the Committee on the Elimination of Discrimination against Women in relation to Japan's periodic reports, etc, it is necessary to further strengthen the monitoring function of the national machinery for gender equality in a manner such that the expert committee and other monitoring organs under the Council for Gender Equality hear opinions from the related ministries and agencies at an early stage with regard to the division of roles among them and the policy for responding to the issues pointed out by the Committee, and encourage these entities to take the necessary measures toward the proactive implementation of the Convention on the Elimination of Discrimination against Women.

## **2. Matters to Note When Preparing the Next Periodic Report**

### **(1) Overview**

- When drafting the next periodic report, in addition to explaining the completed or ongoing measures, describe the analysis of the current situation, measures for improvement and status of progress to the greatest possible extent, in accordance with the Guidelines on the Form and Content of Reports to Be Submitted by States Parties to the International Human Rights Treaties (submitted to the Secretary-General of the United Nations as of June 3, 2009), and address issues which are difficult to deal with at the present stage, along with the reasons for such difficulty and future prospects.

Describe the status of the formulation of a national action plan under Security Council Resolution 1325 on Women, Peace and Security, in accordance with said guidelines.

- If results regarding the attainment of the numerical targets set under the Third Basic Plan are to be contained in the next periodic report, describe the status of progress regarding the issues pointed out in the concluding observations which were incorporated in the Third Basic Plan, to the greatest possible extent, using data or other references.
- When drafting the next periodic report, compose the report in line with the composition of the

Convention on the Elimination of Discrimination against Women, and in a manner such that the correspondence between the measures taken by the Government and the issues pointed out in the concluding observations are clearly understood. Include a statement of fact that the Special Committee requested the Government to take measures regarding the issues addressed in its opinions expressed in this report.

- When drafting the next periodic report, make reference to the opinions expressed and materials submitted by NGOs in interviews with the Special Committee, and promote constructive dialogue with NGOs, such as taking opportunities to exchange opinions.
- Describe the recent measures wherein women's active participation is regarded as the core of Japan's growth strategy, while associating these measures with the matters addressed in the Convention on the Elimination of Discrimination against Women and the issues pointed out in the concluding observations, and specify the positive meaning and contents of these measures.
- Include a statement of the facts that the "Guidelines for Disaster Planning, Response and Reconstruction from a Gender-Equal Perspective" have been formulated as a measure to address issues in disaster prevention and reconstruction that had surfaced in the wake of the Great East Japan Earthquake, and that the ratio of female members has been increasing among the members of regional disaster management councils. This statement should be accompanied by numerical data that demonstrate the achievements made after the earthquake, to the greatest possible extent.
- The drafting process should be carried out so that the report will be submitted by the deadline designated by the Committee on the Elimination of Discrimination against Women (July 2014).

## **(2) Discussion by item**

Matters to note when preparing the next periodic report in relation to each item addressed in the concluding observations are as follows (according to the item name used in the concluding observations):

### **A. Discriminatory legislation**

- Describe the content of the Supreme Court ruling mentioned in 1(2)A and the measures for legal revision taken following this court ruling.
- Describe the status of discussions and future policy with regard to the revision of the provisions of the Civil Code and the Family Register Act recommended in the concluding observations. As for the period of prohibition of remarriage, explain the reasons why the Government cannot at the present stage comply with the recommendation to abolish this period and is therefore considering the reduction of this period.

### **B. Legal status and visibility of the Convention**

- Describe the challenges against Japan's ratification of the Optional Protocol, the necessary

measures to overcome these challenges, and the current status of discussions on this issue within the Government.

### **C. Definition of discrimination**

- Describe the discussions at the Subcommittee for Equal Employment under the Labor Policy Council with regard to the definition of indirect discrimination as referred to in the Act on Securing, Etc. of Equal Opportunity and Treatment between Men and Women in Employment (Act No. 113 of 1972), and the status of measures taken based on these discussions.

### **D. Temporary special measures**

- Describe the achievements made thus far in relation to promoting women's active participation in companies taking positive actions, using numerical data.
- Include a statement of the facts that in December 2012, the Specialist Committee on Basic Issues and Gender Impact Assessment and Evaluation, Council for Gender Equality compiled a report on the discussions toward promoting positive actions in terms of administration, employment, subsidies, and public procurement, and that in April 2013, the Council for Gender Equality requested that the Government take measures including promotion of women's active participation through public procurement and various other subsidies.

### **E. Violence against women**

- Include the content of the recommendations made in the report compiled by the Specialist Committee on Violence against Women, which covers measures such as the proper punishment for sex crimes by examining the crime of rape, etc. and the services available to sex crime victims ranging from the telephone counseling (*Purple Dial*) to the one-stop consultation support center .
- Describe the future prospects, to the extent possible, regarding the consideration of the ideal of penal provisions for sex crimes, which is one of the specific measures included in the Third Basic Plan.
- Describe various measures taken by the Government against child pornography, based on the Second Comprehensive Measures to Eliminate Child Pornography (adopted by the Ministerial Meeting Concerning Measures Against Crime in May 2013).
- In relation to the trafficking of women, describe various measures taken to prevent sexual exploitation by reducing demand.

### **F. Education**

- Describe measures taken by the Government to support female researchers and encourage

female students to study science and engineering.

#### **G. Health**

- With regard to legislation criminalizing abortion which the Committee on the Elimination of Discrimination against Women in its concluding observations recommended amending where possible, explain the view underlying the provisions on the crime of abortion in the Penal Code as well as the provisions of the Maternal Protection Act (Act No. 156 of 1948), while taking into account various opinions as to the consent for abortion that may be sought by women who become pregnant due to sexual violence by their spouse or sex crime offenders.

#### **H. Vulnerable group of women**

- Describe the matters regarding the consideration given to women with disabilities, which were incorporated in the Third Basic Program for Persons with Disabilities (adopted by the Cabinet on September 27, 2013).

#### **I. Ratification of other treaties**

- Describe the status of discussions and challenges with regard to the ratification of the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families.

**Attachment 2 Response by the Government of Japan on the Concluding Observations on the Sixth Report of the Committee on the Elimination of Discrimination against Women**

Concluding Observations on the Sixth Report	Response
<p>13. The Committee recalls the State party's obligation to implement, systematically and continuously, all the provisions of the Convention, and views the concerns and recommendations identified in the present concluding observations as requiring the State party's priority attention between now and the submission of its next periodic report. Consequently, the Committee urges the State party to focus on those areas in its implementation activities and to report on actions taken and results achieved in its next periodic report. It calls upon the State party to submit the present concluding observations to all relevant ministries, to the Parliament and to the judiciary, so as to ensure their full implementation.</p>	<p>See Article 2.1. (Measures Taken to Overcome Remaining Obstacles for Women's Equal Participation in Political, Social, Economic and Cultural Activities) and Article 2.6. (Measures to Disseminate the Convention on the Elimination of All Forms of Discrimination against Women, Periodic Reports on Implementation of the Convention, and Concluding Comments of the Committee). Additionally, the Government has taken measures under respective policies.</p>
<p>14. The Committee invites the State party to encourage its national parliament, in line with its procedures, where appropriate, to take the necessary steps with regard to the implementation of these concluding observations and the Government's next reporting process under the Convention.</p>	<p>See Article 2.6. (Measures to Disseminate the Convention on the Elimination of All Forms of Discrimination against Women, Periodic Reports on Implementation of the Convention, and Concluding Comments of the Committee).</p>
<p>16. The Committee urges the State party to make every effort to address the previous recommendations that have not yet been implemented, as well as the concerns contained in the present concluding observations, and report on their implementation in its next periodic report.</p>	<p>The Government has taken measures under respective policies.</p>
<p>18. The Committee urges the State party to take immediate action to amend the Civil Code with a view to setting the minimum age for marriage at 18 for both women and men, abolishing the six-month waiting period required for women but not men before remarriage and adopting a system to allow for the choice of surnames for married couples. It further urges the State party to repeal the discriminatory provisions in the Civil Code and in the Family Registration Law that discriminate against children born out of marriage and their mothers. The Committee points out that the obligations undertaken under the Convention by the State party upon ratification should not be solely dependent on the results of public opinion surveys, but on its obligations to align national laws in line with the provisions of the Convention as it is a part of its national legal system.</p>	<p>See Article 16.1. (Provision of Laws Concerning the Family).</p>
<p>20. The Committee urges the State party to recognize the Convention as the most pertinent, broad and legally binding international instrument in the sphere of the elimination of discrimination against women. The Committee urges the State party to take immediate measures to ensure that the</p>	<p>See Article 2.2. (Availability and Effectiveness of Legal Assistance against Discrimination), Article 2.3. (Information on Violence against Women), and Article 2.7.</p>

Concluding Observations on the Sixth Report	Response
<p>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. It also recommends that the State party increase its efforts to raise awareness about the Convention and the Committee's general recommendations among judges, prosecutors and lawyers so as to ensure that the spirit, objectives and provisions of the Convention are well known and used in judicial processes. It furthermore recommends the State party to take measures to further increase awareness and provide capacity-building programmes for civil servants about the Convention and gender equality. It reiterates its recommendation that the State party continue to consider the ratification of the Optional Protocol and its strong belief that the mechanisms available under the Optional Protocol would strengthen the direct application of the Convention by the judiciary and assist it in understanding discrimination against women.</p>	<p>(Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women).</p>
<p>22. The Committee calls on the State party to take urgent steps to incorporate the Convention and the definition of discrimination against women, as contained in Article 1 of the Convention, fully into domestic legislation and to report on progress made in this regard in its next periodic report.</p>	<p>See Article 2.1. (Measures Taken to Overcome Remaining Obstacles for Women's Equal Participation in Political, Social, Economic and Cultural Activities) and Article 11.1. (Promotion of Measures to Secure Equal Employment Opportunities).</p>
<p>24. The Committee recommends, taking account of Japan's response at the Human Rights Council at the end of the universal periodic review process (see A/HRC/8/44/Add.1, para. 1 (a)), that the State party establish within a clear time frame an independent national human rights institution in accordance with the Principles, whose competencies should include issues related to the equality of women and men.</p>	<p>See Article 2.2. (Availability and Effectiveness of Legal Assistance against Discrimination).</p>
<p>26. The Committee recommends that the State party further strengthen its national machinery for the advancement of women, including by clearly defining the mandate and responsibilities of its various components, in particular between the Minister of State for Gender Equality and Social Affairs and the Gender Equality Bureau, and enhancing coordination among them, as well as through the provision of financial and human resources. It further recommends that the Convention be used as legal framework for the design of the Third Basic Plan for Gender Equality and that monitoring mechanisms be put in place to regularly assess progress towards achievement of established goals.</p>	<p>See Article 2.1. (Measures Taken to Overcome Remaining Obstacles for Women's Equal Participation in Political, Social, Economic and Cultural Activities).</p>
<p>28. The Committee urges the State party to adopt, in accordance with Article 4, paragraph 1, of the Convention and the Committee's general recommendation No. 25, temporary special measures, with an emphasis on the areas of employment of women and participation of women in political and public life, including women in academia, and with numerical goals and timetables to increase representation of women in decision-making positions at all levels.</p>	<p>See Article 4, Article 7, Article 8.1. (Participation of Women in the Policy Decision Making in International Field), and Article 11.</p>

Concluding Observations on the Sixth Report	Response
<p>30. The Committee calls upon the State party to further enhance its efforts and to take proactive and sustained measures to eliminate stereotypical attitudes about the roles and responsibilities of women and men, through awareness-raising and educational campaigns. The Committee recommends that the State party encourage the mass media to promote cultural change with regard to the roles and tasks considered suitable for women and men, as required by Article 5 of the Convention. The Committee requests the State party to enhance the education and in-service training of the teaching and counselling staff of all educational establishments and at all levels with regard to gender equality issues, and to speedily complete a revision of all educational textbooks and materials to eliminate gender stereotypes. The Committee urges the State party to take measures, including the criminalization of verbal violence, to ensure that Government officials do not make disparaging remarks that demean women and contribute to the patriarchal system which discriminates against women. It also urges the State party to strengthen its strategies to combat pornography and sexualization in the media and advertising and to report the results of the implementation in its next periodic report. It calls on the State party to take proactive steps including through encouraging the adoption and implementation of self-regulatory measures to ensure that media production and coverage are non-discriminatory and promote positive images of girls and women, as well as increase awareness of these issues among media proprietors and other relevant actors in the industry.</p>	<p>See Article 5.</p>
<p>32. The Committee calls upon the State party to address violence against women as a violation of women's human rights and to make full use of the Committee's general recommendation No. 19 in its efforts to address all forms of violence against women. It urges the State party to intensify its awareness-raising efforts with regard to the unacceptability of all such violence, including domestic violence. It recommends that the State party strengthen its work on violence against women and speed up the issuance of protection orders and open a 24-hour free hot-line for counselling women victims of violence against women. It also recommends that the State party ensure that high-quality support services are provided to women, including immigrant women and women of vulnerable groups, in order for them to bring complaints, seek protection and redress, thus ensuring that they do not have to stay in violent or abusive relationships. In this respect, the State party should take the necessary measures to facilitate the reporting of domestic and sexual violence. The Committee recommends that the State party implement comprehensive awareness-raising programmes throughout the country directed at these groups of vulnerable women. It calls upon the State party to ensure that public officials, especially law enforcement personnel, the judiciary, health-care providers and social workers, are fully</p>	<p>See Article 2.3. (Information on Violence against Women).</p>

Concluding Observations on the Sixth Report	Response
familiar with relevant legal provisions and are sensitized to all forms of violence against women, and that they are capable of providing adequate support to victims. It urges the State party to collect data and to conduct research on the prevalence, causes and consequences of all forms of violence against women, including domestic violence, and to use such data as the basis for further comprehensive measures and targeted intervention. It invites the State party to include statistical data and the results of measures taken in its next periodic report.	
34. The Committee urges the State party to eliminate in its Penal Code the requirement of the victim's complaint in order to prosecute crimes of sexual violence and to define sexual crimes as crimes involving violations of women's rights to bodily security and integrity, to increase the penalty for rape and to include incest as a specific crime.	See Article 2.3. (Information on Violence against Women).
36. The Committee strongly urges the State party to ban the sale of video games or cartoons involving rape and sexual violence against women which normalize and promote sexual violence against women and girls. The Committee also recommends that, as indicated in the delegation's oral assurance during the constructive dialogue, the State party include this issue in its revision of the Act Banning Child Prostitution and Child Pornography.	See Article 2.3. (Information on Violence against Women).
38. The Committee reiterates its recommendation that the State party urgently endeavour to find a lasting solution for the situation of "comfort women" which would include the compensation of victims, the prosecution of perpetrators and the education of the public about these crimes.	See Article 2.4. Basic Position and Efforts of the Government of Japan on the "Comfort Women" Issue.
40. The Committee requests the State party to take further measures to protect and support victims of trafficking and address the root cause of trafficking by increasing its efforts to improve the economic situation of women, thereby eliminating their vulnerability to exploitation and traffickers, as well as to take measures for the rehabilitation and social integration of women and girls who are victims of exploitation of prostitution and trafficking. The Committee calls on the State party to take appropriate measures to suppress the exploitation of prostitution of women, including by discouraging the demand for prostitution. It also urges the State party to take measures to facilitate the reintegration of prostitutes into society and provide rehabilitation and economic empowerment programmes for women and girls exploited in prostitution. The Committee requests the State party to continue to monitor the issuance of visas for internship and trainee programmes closely. The Committee calls upon the State party to ratify the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime.	See Article 6.
42. The Committee urges the State party to strengthen its efforts to increase the representation of women in political and public life, through, inter alia, the implementation of special measures in accordance with Article 4, paragraph 1, of the	See Article 7.

Concluding Observations on the Sixth Report	Response
<p>Convention, and with the Committee's general recommendation No. 25, in order to accelerate the realization of women's de facto equality with men. It encourages the State party to ensure that the representation of women in political and public bodies reflects the full diversity of the population. The Committee requests the State party to provide data and information on the representation of women, including migrant and minority women, in political and public life, in academia and in the diplomatic service, in its next periodic report. It calls upon the State party to consider using a range of possible measures, such as quotas, benchmarks, targets and incentives, in particular with regard to the accelerated implementation of Articles 7, 8, 10, 11, 12 and 14 of the Convention.</p>	
<p>44. The Committee recommends that the State party give serious consideration to reintegrating the promotion of gender equality in the Basic Act on Education so that the State party's commitment under the Convention to protect women's full rights in the field of education is integrated into domestic law. The Committee also urges the State party to ensure that education policy includes measures to encourage girls and women to pursue education and training in non-traditional fields and so broaden their opportunities for employment and careers in better paying sectors of the economy. The Committee recommends that in the Third Basic Plan for Gender Equality the quota set for the ratio of female faculty in university and colleges be increased from 20 per cent to ultimately facilitate movement towards parity in the sex ratio in these institutions.</p>	See Article 10.
<p>46. The Committee urges the State party to prioritize the realization of women's de facto equality with men in the labour market, so as to achieve full compliance with Article 11 of the Convention. It recommends that the State party take concrete measures, including temporary special measures in accordance with Article 4, paragraph 1, of the Convention and the Committee's general recommendation No. 25, to eliminate both vertical and horizontal occupational segregation and close the gender-based wage gap between women and men, as well as measures to prevent the practice of illegal dismissal of women in cases of pregnancy and childbirth. It encourages the State party to establish sanctions for discrimination against women in the employment field in both the public and private sectors, including sexual harassment, so as to create effective enforcement and monitoring mechanisms and to ensure that women have access to means of redress, including legal aid and timely disposal of their cases.</p>	See Articles 4 and 11.
<p>48. The Committee encourages the State party to step up its efforts to assist women and men to strike a balance between family and employment responsibilities, inter alia through further awareness-raising and education initiatives for both women and men on the adequate sharing of care of children and domestic tasks, as well as by ensuring that part-time employment is not taken up almost exclusively by women.</p>	See Article 11.

Concluding Observations on the Sixth Report	Response
<p>The Committee urges the State party to strengthen its efforts to improve the provision and affordability of childcare facilities for children of different age groups and encourage more men to avail themselves of parental leave.</p>	
<p>50. The Committee recommends that the State party promote sexual health education targeted at adolescent girls and boys, and ensure access to sexual health information and all services, including those directed at interruption of pregnancies, for all women and girls. The Committee also requests the State party to provide, in its next report, sex-disaggregated data on health and the provision of health care and more information and data on the prevalence of, and measures taken against, sexually transmitted diseases, including HIV/AIDS, among women. The Committee recommends that the State party amend, when possible, its legislation criminalizing abortion in order to remove punitive provisions imposed on women who undergo abortion, in line with the Committee's general recommendation No. 24 on women and health and the Beijing Declaration and Platform for Action. The Committee requests the State party to include in its next report information on the mental and psychological health of women.</p>	<p>See Article 12.2. (Health Support for Pregnancy and Childbirth), Article 12.3. (Measures against Problems that Threaten Women's Health), and Article 12.4. (Psychological and Mental Health of Women).</p>
<p>52. The Committee urges the State party to take effective measures, including the establishment of a policy framework and the adoption of temporary special measures, to eliminate discrimination against minority women. To this end, the Committee urges the State Party to appoint minority women representatives to decision-making bodies. The Committee reiterates its previous request (A/58/38, para. 366) that the State party include information on the situation of minority women in Japan, especially with regard to education, employment, health, social welfare and exposure to violence, in its next periodic report. In this context, the Committee calls upon the State party to conduct a comprehensive study on the situation of minority women, including indigenous Ainu, Buraku and Zainichi Korean and Okinawa women.</p>	<p>See Article 2.5. (Minority Women).</p>
<p>54. The Committee requests the State party to provide, in its next report, a comprehensive picture of the de facto situation of vulnerable groups of women in all areas covered by the Convention, and information on specific programmes and achievements. The Committee calls upon the State party to adopt gender-specific policies and programmes that would cater to the specific needs of vulnerable groups of women.</p>	<p>See Article 2.5. (Minority Women), Article 3.2. (Measures for Women with Disabilities), Article 3.3. (Measures for Elderly Women), and Article 3.4. (Measures for Foreign Women).</p>
<p>55. The Committee urges the State party to continue to utilize, in implementing its obligations under the Convention, the Beijing Declaration and Platform for Action, which reinforce the provisions of the Convention, and requests the State party to include information thereon in its next periodic report.</p>	<p>The Government has taken measures under respective policies.</p>
<p>56. The Committee emphasizes that full and effective implementation of the Convention is indispensable for achieving the Millennium Development Goals. It calls for the integration of a gender perspective and explicit reflection of the provisions of the Convention in all efforts aimed at the</p>	<p>See Article 8.1. (Participation of Women in the Policy Decision Making in International Field).</p>

Concluding Observations on the Sixth Report	Response
achievement of the Goals, and requests the State party to include information thereon in its next periodic report.	
57. The Committee notes that States' adherence to the nine major international human rights instruments would enhance the enjoyment by women of their human rights and fundamental freedoms in all aspects of life. The Committee therefore encourages the Government of Japan to consider ratifying the instruments to which it is not yet a party, namely, the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families and the Convention on the Rights of Persons with Disabilities.	See Article 3.2. (Measures for Women with Disabilities) and Article 3.4. (Measures for Foreign Women).
58. The Committee requests the wide dissemination in Japan of the present concluding observations in order to make the people, including Government officials, politicians, parliamentarians and women's and human rights organizations, aware of the steps that have been taken to ensure de jure and de facto equality of women and the further steps that are required in that regard. The Committee requests the State party to strengthen the dissemination, in particular to women's and human rights organizations, of the Convention, its Optional Protocol, the Committee's general recommendations, the Beijing Declaration and Platform for Action and the outcome of the twenty-third special session of the General Assembly, entitled "Women 2000: gender equality, development and peace for the twenty-first century".	See Article 2.6. (Measures to Disseminate the Convention on the Elimination of All Forms of Discrimination against Women, Periodic Reports on Implementation of the Convention, and Concluding Comments of the Committee) and Article 8.2. (Implementation of the UN Conference Documents).
59. The Committee requests the State party to provide, within two years, detailed written information on the implementation of the recommendations contained in paragraphs 18 and 28 above.	The Government submitted the "Response by the Government of Japan on the Concluding Observations of the Committee on the Elimination of Discrimination against Women" in August 2011 and the "Additional Information regarding the Response by the Government of Japan on the Concluding Observations of the Committee on the Elimination of Discrimination against Women" in November 2012.