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New Japan Women's Association

The New Japan Women's Association (NJWA) is a women's NGO founded in 1962, working nationwide for the elimination of nuclear weapons, gender equality, the rights of women and children, and solidarity of women around the world for peace.

1. Introduction: Women in COVID-19 Pandemic and Frequent Disasters

Eight years since the consideration of Japan's 7th and 8th Periodic Reports by the Committee on the Elimination of Discrimination against Women, the world has been struggling to cope with the COVID-19 pandemic. In Japan, frequent disasters have made the situation even more challenging, and neoliberal policies with entrenched gender-based discrimination affecting the people's lives is called into question. At the same time, public awareness of gender equality has grown, and people's solidarity actions are moving the society, leading to the introduction of gender pay gap disclosure requirement for large companies, as well as to the Penal Code revision to criminalize "nonconsensual sexual intercourse." Protests arise every time LGBTQ people and diverse sexualities come under attack, and long-buried sexual violence and harassment cases in various fields, including the entertainment agencies and the Self-Defense Forces have been exposed. Actions are spreading calling for their elimination.

During the COVID-19 outbreak, women were the first to lose jobs, faced with increasing domestic and sexual violence, and burdened with excessive care work. The situation became so grave that suicides rose among women. While Japan experiences not only life-threatening heat and rain extremes due to accelerated warming but also frequent earthquakes, the disaster-prone country's incredibly poor disaster prevention measures and lack of human rights and gender perspectives in evacuation measures have become visible. However, there is no sign of improvement effort.

Japan ranked 118th among 146 countries in the 2024 global gender gap index, remaining the lowest among the Group of Seven industrialized nations. In these thirty years, the Government has promoted, in accordance with the financial circle's strategy, a shift to non-regular employment, privatization and adverse revision of social security system. All these have impeded women's economic independence and increased poverty among women. It has come into the open that the Government, together with the right-wing and the cult group who try to impose the patriarchal family model on the public, has refused to introduce selective dual-surname system for married couples and same sex marriage, obstructing gender equality policy. Furthermore, the Government is pushing ahead with the massive military buildup in total violation of the Constitution's war-renouncing Article 9. To boost the military budget to a record high, people's living and livelihood, education,

welfare and support for the disaster-hit areas are left behind. It even steamrolled through the Diet a series of bad laws to restrict human rights and freedom. People of all walks of life are now voicing that things cannot go on like this, and women are advocating, “Improve women’s right to meet the international standards!”

2. Ratification of Optional Protocol to CEDAW

The Government has repeatedly said that it would conduct serious considerations for an early ratification of the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women (hereafter referred to as the Convention), but there has been no progress in this regard. Women have launched an NGO network for achieving Optional Protocol’s ratification called OP CEDAW Action, and 73 groups are working together nationwide. As a network member, NJWA has submitted to the Diet in the past eight years a total of more than 504,300 petition signatures calling on the Government to ratify the Optional Protocol. The number of local assemblies having adopted the petition totals 280 as of September 7.

- The Government should promptly decide on ratifying the Optional Protocol with a clear roadmap.

3. Definition of Discrimination against Women and Legislative Framework

Apparently, the Government has no intention to implement the CEDAW Committee’s recommendation calling for the incorporation of the definition of discrimination fully into domestic legislation. Even a cabinet member said that there was “no such thing as a sexual harassment charge.” The absence of law with explicit definition of discrimination to prohibit all forms of discrimination has allowed discrimination to be maintained, and bashing and hate speeches to flourish.

- The Government should immediately enact a comprehensive anti-discrimination legislation with ban on harassment.

- The Government should provide training to politicians, parliamentarians, public employees and law enforcement officials, and keep educational personnel and the media well informed on the CEDAW Convention as well as the Committee’s recommendations.

4. Selective Separate Surnames System

Japan is the only country in the world with a law requiring married couples to have the same surnames. In formulating the Fifth Basic Plan for Gender Equality, the phrases “taking the Concluding Observations by the CEDAW Committee and others into account” and “selective separate surnames” were removed from the draft due to the fierce opposition from the ruling Liberal Democratic Party (hereafter referred to as the LDP). Obviously, they were driven by strong demand from the right-wing and the cult group. The public opinion survey conducted by NHK (Japan Broadcasting Corporation) in April, 2024, found 62% of all respondents supported selective separate surnames, with 80% of those in their twenties and thirties in favor. In June, the Japan Business Federation (KEIDANREN), submitted a proposal to the Government calling for an early switch

to optional separate surnames. Public support is growing for amending the current law to allow married couples to choose different surnames.

Since the Justice Ministry's Legislative Council recommended introducing a selective separate surnames system in 1996, NJWA has been working hard to gather petition signatures urging the Government to introduce the separate surnames system, and the number of local assemblies having adopted such petition has reached 404 as of September 7.

- The Government should promptly revise the Civil Code to allow married couples to choose separate surnames.

5. Stereotypes and Harmful Practices

In 2021, the head of the Tokyo Olympics and Paralympics organizing committee who had served as Prime Minister had to resign for his sexist remarks that women should understand their places. There has been a series of abusive remarks made by politicians of ruling LDP, and in each case people reacted and protested.

From late 2017 through 2018, NJWA requested Japan's three largest convenience chain operators to remove pornographic magazines for adults from their store shelves, and to stop selling them. NJWA members throughout the country brought the same request to local stores. In 2019, all those three operators announced the halt of the sales of such magazines. However, magazines of that kind came back to the shelves due to the pressure from the publishers. From February to April 10, NJWA again conducted a nationwide urgent survey and its members visited 3241 stores. On the shelves, magazines with images of women half undressed or in swim suits, along with sensational headlines on the cover are placed next to picture books for children and comic books. This clearly falls into environmental sexual harassment, which provides breeding ground for commercialization of sex and sexual violence. Depicting women and girls emphatically as sexual objects in the media, advertisement and social media is a violation of human rights, which is unacceptable for any reason whatsoever including "freedom of expression."

The State is increasingly intervening in individual's family life and women's lifestyle in the name of "measures to reverse the county's declining birthrate." At the initiative of the national government, some municipalities have introduced educational materials for junior and senior high school as well as university students, suggesting suitable ages for marriage and childbirth, ideal number of children, and a specific family model such as three-generation family household. Others have adopted "family education support ordinance" with emphasis on the role of the family in childrearing and care, or launched matchmaking programs. Severe criticism from the public drove the Government to withdraw its plan to offer cash incentive to women moving to rural areas to get married,

- The Government should strictly deal with discriminatory words and deeds by public figures. The State should stop intervening into family lives and education.

- The Government should strengthen efforts to eliminate gender-based stereotypes and discrimination in all fields, including education, the media, families, and communities.

6. Gender-based Violence against Women

Okinawa was placed under the U.S. military occupation for 27 years after World War II, and still hosts 70% of U.S. military bases in Japan. In Okinawa, there is no end to sexual abuses and other crimes involving U.S. military personnel. The 1995 rape of a girl by U.S. servicemen sparked outrage among people of Okinawa and elsewhere, leading the governments of Japan and the U.S. to agree on the prevention measures and the procedures for reporting incidents involving U.S. military personnel. However, it was revealed recently the Government had concealed rape cases, including the one that a minor girl was raped by U.S. servicemen in Okinawa last December. Protests are spreading among people, who are saying that suffering will never end until bases are gone, and condemning the Government for placing the military alliance with the U.S. above people's safety and human rights.

In 2018, sexual harassment by the administrative vice minister for the Ministry of Finance at once provoked actions of protest demanding his resignation all across the country. The awareness that groping in trains is a crime has increased, social actions such as Flower Demo spread out nationwide showing solidarity with the victims who came forward with their names, and a former Maiko, apprentice geisha, spoke out about the abuse and exploitation of underage girls in the name of traditional culture.

The Act on Support for Women Facing Difficulties was enacted, but support for women and girls with no place to go is being left in the hands of private groups, one of which has been the target of misogynist attacks online and offline by those who oppose its activities including Diet and local assembly members.

- To eliminate sexual crimes by U.S. military personnel, the Government should strictly follow the reporting procedures, and take actions to drastically revise the Japan-U.S. Status Forces Agreement, reduce and close U.S. military bases, and to abrogate the Japan-U.S. Security Treaty.

- The Penal Code pertaining to sexual offenses should be revised further to abolish or extend the statute of limitations for prosecution, and to toughen penalties.

- The Government should take responsibility to enhance the function of sexual violence victims support centers in prefectures, by increasing subsidies to enable local authorities to employ more full-time personnel and to improve working conditions of the staff. It should lend more financial assistance to privately-run shelters and women's support groups.

- The Government should firmly address hate speech including on social media.

7. "Comfort Women"

The Government has refused to admit the facts of Japan's war of aggression and colonial rule. It totally lacks understanding of "comfort women" issue, in which Japan forced women into sexual slavery, as war crime and

heinous human rights violation. It continues to condemn and obstruct citizen's efforts in other countries to set up "comfort women" memorials, as well as the lawsuits filed by survivors. Japan's attitude contrasts sharply with that of other former colonial powers who are expressing regret and apology, and taking reparation measures including compensation and return of the plundered cultural property to the colonized countries.

In 2014, the Government adversely revised the school textbook screening standards, based on which the Cabinet made a decision in 2021 to prevent wording as "Japanese military comfort women," "forcibly brought," and "forced labor" from being used in the textbooks.

- In accordance with the CEDAW Committee's recommendation in 2016, the Government should accelerate the resolution of the issue in a way that is acceptable to the survivors, including by acknowledging the facts, making an official apology and providing compensation, so that the survivors' dignity and human rights are restored.

- The Government should refute and strictly deal with the words and deeds by politicians and public figure denying the facts.

- The Government should withdraw the 2014 Cabinet decision and stop making unwarranted intervention in education. It should instead reinstate and improve the description on Japan's aggression in the textbooks, as well as to enhance policy to remember, record and pass the historical facts to future generations.

8. Participation in Political and Public Life

The Act on Promotion of Gender Equality in the Political Field enacted in 2018, calls on political parties to make the numbers of their male and female candidates in elections "as even as possible," but the law is not compulsory and does not bind political parties. Even with the revision made in 2021, setting the target of proportion of female candidates remained an obligation of political parties to make efforts. In the House of Representatives election that ensued, women only accounted 17.7% of all the candidates, and 9.7% of those elected. The target set by the ruling coalition falls far short of the Government's 35%, with the LDP seeking 8.2% and the Komeito, 9.9%.

In the nationwide unified local elections in 2023, the percentage of female members of city assemblies increased to 22.0%, but 14% of local assemblies still has no female members at all.

- The Act on Promotion of Gender Equality in the Political Field should be revised to be more effective by mandating political parties to set the target with penalties. A drastic electoral system reform is needed, and the Government should abolish single-seat constituencies and introduce a new system centered on proportional representation with gender parity or quota.

- To increase the percentage of women in local assemblies, efforts should be accelerated to establish or improve ordinance, bylaws and code of ethics, and to promote gender training.

9. Education

While the call for respect for sexual diversity has become widespread, sex education is not compulsory in

school education. Lack of sufficient opportunity for young people to learn basic knowledge and their rights relating to sex is one of the factors behind adolescent pregnancy, sexual violence and bashing on diversity including on social media. The Cabinet Bureau's survey in 2022 found one in four young people aged between 16 and 24 had experienced sexual violence of some kind.

With junior and senior high school students asking for freedom of choice in uniform, many schools are adopting genderless uniforms. Also, increasing criticism towards unreasonably strict school rules, regulating even the color and length of hair, and color of underwear and socks has led to the Ministry of Education, Culture, Sports, Science and Technology to send out notifications in 2021 to boards of education across the country to review such rules.

- The Government should incorporate comprehensive sexuality education based on science and human rights perspectives into the school curriculum, and promote it among all ages from infants to adults.

- The Government should provide opportunities to learn sexual diversity and sexual and reproductive health and rights to promote gender equality, at home, in schools, in communities and elsewhere.

10. Employment

53% of Japan's female workers are in non-regular employment, and their average wage is only 59% of what their male counterparts earn. In July 2022, large companies were mandated to disclose gender pay gap. More has to be done as highest-paying firms, including those having KEIDANREN's board members, show some of the biggest disparities, and requirement is inadequate as gender-segregated wage data of regular workers and non-regular workers each is not made public.

In regular employment, women are less likely to be promoted because of the track-based employment system, which forms indirect discrimination against women. Even in the public sector, women are forced to work in unstable conditions with low-wage as "fiscal-year appointed" employees. Women spend 5.5 times longer than men on housework and childcare. Globally, countries with longer working hours have lower birthrate, and if Japan is to reverse the country's falling birthrate, long work hours should be redressed.

- To close the gender pay gap, the Government should promote regular employment, enact legislation with penalties, and introduce national across-the-board minimum wage with at least 1500 yen per hour, aiming to improve work conditions of non-regular workers.

- To enable everyone to reconcile work and family responsibilities, the Government should introduce a working system of seven hours a day, or 35 hours a week, with stricter overtime regulations.

11. Health

During the COVID-19 crisis, "period poverty" emerged as a public concern. Advocating that this was not only about a poverty issue but also about women's rights, NJWA requested municipalities, education boards and schools across the country to make free menstrual products available in restrooms in schools and public facilities. The effort had positive results in many places, and developed into an initiative to break the period

taboo. Some high school students have started their own campaign as well. The Government conducted a survey on the situation, but financial assistance is not enough to establish a permanent system to make the sanitary products available to everyone for free.

- The Government should increase the budgetary measures enhance the budgetary measures to enable all municipalities to provide menstrual products in restrooms in schools and public facilities.

12. Economic and Social Benefits

Female poverty is exacerbated at all ages. Lower wages result in lower pension, and the gender gap in the amount of the Old Age Employees' Pension benefits in 2022 was more than 700,000 yen a year. Cuts in the expenditure on social welfare continues, and copayment in elderly medical care and nursing care insurance services are increasing.

Women constitute the majority of care workers, but their average monthly salaries are about 60,000 yen less than what workers in other industries receive. Nursing staff shortage remains a serious problem. NJWA's survey in 2023 on those using the nursing care insurance services and their families found many cases that the cost for nursing and medical care of those using services exceeded the pension benefits they received. Cuts in home-visit nursing care compensation starting from the fiscal 2024 has triggered a serious of bankruptcy of care providers, and calls for reviewing the cut policy is growing.

- The Government should introduce a fully state-funded minimum guaranteed pension system.
- The Government should enhance the social security including medical and nursing care, improve care workers' working conditions, and increase the number of full-time public employees.

13. Marriage and Family Relations

The Civil Code was revised in 2024 to introduce post-divorce "joint custody," amidst the mounting opposition particularly from women victims of domestic violence. They argued that divorcing itself was a big challenge, and the system would allow their spouses to continue controlling their lives even after divorce. The revision did not include specific measures such as temporary payment by the State to ensure the child support payment goes to the parents with custody, while currently only 28% of these parents receive the money. Above all, no reference is made to children's right to express their opinions and desire. Family courts will determine the custody arrangements for contested divorce, but they are already understaffed and there could be cases where the courts decide on joint custody as the victims cannot prove the damage of domestic violence.

- The term "custody" in the Civil Code should be redefined to clarify the responsibility of the parents and society to protect children's rights.

- The Government should draw up guidelines before the revised code comes into force in 2026, based on the opinions of female domestic violence victims and children, and implement the guidelines thoroughly.