



**Convention on the Elimination of All
Forms of Discrimination
against Women**

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**Committee on the Elimination of
Discrimination against Women**

**Consideration of reports submitted by States parties under
article 18 of the Convention on the Elimination of All Forms of
Discrimination against Women**

Fourth periodic reports of States parties

Japan* **

* For the initial report submitted by the Government of Japan, see CEDAW/C/5/Add.48, Amend.1 and Corr.1; for its consideration by the Committee, see CEDAW/C/SR.108, CEDAW/C/SR.109 and CEDAW/C/SR.111, and *Official Records of the General Assembly, Forty-third Session, Supplement No. 38 (A/43/38)*, paras. 232–289. For the second and third periodic reports submitted by the Government of Japan, see CEDAW/C/JPN/2 and CEDAW/C/JPN/3; for its consideration by the Committee, see CEDAW/C/SR.248 and CEDAW/C/SR.249, and *Official Records of the General Assembly, Forty-ninth Session, Supplement No. 38 (A/49/38)*, paras. 546–607.

** The designations employed do not imply the expression of any opinion whatsoever on the part of the Secretariat of the United Nations concerning the legal status of any country, territory or area, or of its authorities.

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Introduction

This is Japan's fourth periodic report 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"), which Japan ratified in 1985.

In March 1987, Japan submitted its first periodic report (CEDAW/C/5/Add.48), which was considered by the Committee on the Elimination of Discrimination against Women at its seventh session in February 1988. Its second periodic report (CEDAW/C/JPN/2) was submitted in February 1992, and its third (CEDAW/C/JPN/3) in October 1993, and they were considered collectively by the Committee at its thirteenth session, in January 1994.

The present report covers developments in the implementation of the Convention in Japan for a period of about four years from the conclusion of the consideration of the third report (29 January 1994) up to the end of May 1998.

In the drafting of the present report, the concluding comments of the Committee on the second and third periodic reports were taken into consideration, and consultations with non-governmental organizations (NGOs) were of a broader scope than those held for the drafting of the third report, so that the voices of NGOs could be reflected accordingly in the report. Consultations on the items to be incorporated into the fourth periodic report regarding the current situation in Japan and the report on the activities of NGOs in relation to the fourth periodic report were conducted in writing in July 1997 with leading bodies and eminent persons, such as from local government offices, ordinance-designated cities and cities with a declaration of gender equality, women's groups and various other kinds of groups, women members of the Diet, and members of the Council for Gender Equality. Further consultations were held in August 1997, mainly geared towards the general public using the Web site of the Office for Gender Equality of the Prime Minister's Secretariat, which is responsible for compiling this report. On 26 August 1997, the Liaison Conference for the Promotion of Gender Equality (Egalite Network) an organization within the national machinery for the advancement of the status of women in Japan held a hearing on items to be incorporated in this report and directly heard the opinions of approximately 110 participants from NGOs, and others. The results of all these consultations were referred to upon compilation of this report.

The number of answers and opinions submitted from NGOs amounted to 215 (group: 83, individual: 132). The

Japanese Government tried to take up the items requested by NGOs.

As a party to the Convention, the Japanese Government is committed to continuing its efforts to eliminate all forms of discrimination against women, and to realizing a gender-equal society.

Part one

Situation of Japanese women

I. Population and vital statistics

In 1996, Japan had a population of approximately 125.86 million, of which 64.18 million were women. Women outnumbered men by 2.49 million and accounted for 51.0 per cent of the total population.

In Japan, it is estimated that an extraordinarily aged society, in which 1 out of 3 Japanese people will be over 65 years old, is to come about by the mid-twenty-first century due to an extension of the average life expectancy and also with the continuation of the trend towards families with fewer children. In particular the ratio of women in the population aged 65 and above was 58.7 per cent in 1996, and this percentage is projected to undergo a drastic increase towards the twenty-first century. The average life expectancy as of 1996 was 83.59 years for women and 77.01 years for men, and both women's and men's life expectancies are among the highest in the world. The number of live births in 1996 was approximately 1,207,000 with a birth rate of 9.7 (per 1,000 persons), and both the annual number of live births and the crude birth rate rose from the previous year in terms of the number and ratio as well. Accordingly, the total fertility rate in 1996 (the number of children that would be born to each woman in her lifetime in accordance with the fertility rate of a given period: the sum of the age-specific fertility rates for women aged 15 to 49) was 1.43, falling short of the value of 2.08 that is needed to maintain the present population level through the future. As referred thereto in the previous report, the fall in the birth rate has been brought about by the increasing of women's late-marriage-trend and the rise in the lifetime-unmarried rate. The increase in the feeling of being burdened in child-rearing and the feeling of being burdened in managing compatibility with work, particularly due to the development of an advanced role for women in society and the change in the sense of values towards marriage among both men and women, are also pointed out as factors leading to this trend.

In 1996, there were 795,080 marriages, with a marriage rate of 6.4 (number of marriages per 1,000 persons), and both the marriage number and marriage rate were equivalent to those of the previous year (791,888 marriages with a rate of 6.4 in 1995). The mean age for the first marriage was 26.4 years for women and 28.5 years for men, both of which indicated constant increases.

As for divorce, in 1996, there were 207,000 divorces, with a divorce rate of 1.66 (number of divorces per 1,000

persons), and both the number and rate of divorce had increased. The divorce rate in every generation has been rising, and there has been a rapid increase in the divorce rate of people in their twenties. As for household size, the average number of persons per household is on a downward trend (it turned out to be 2.82 in 1995). Household patterns according to relations among household members showed that, in 1995, 74.1 per cent were family households that consisted of a head and his/her relatives, and 25.6 per cent were single households; 29.1 per cent had a household member aged 65 or above, and the number of such households is consistently increasing.

The maternal mortality rate in 1996 was 6.0 per 100,000 births, indicating a tendency to decrease.

In 1996, there were approximately 3.2 million children/persons with disabilities, of which 1.3 million women and 1.5 million men were under special care at home. The number of mentally handicapped persons in 1995 was approximately 0.41 million, of which 0.12 million were women and 0.17 million were men under special care at home.

II. Education

In 1997, the advancement rate in high schools was 97.0 per cent for girls and 94.8 per cent for boys. The rate for girls has been higher than for boys since 1969. The percentage of girls who advance to universities and junior colleges is also increasing annually. In 1997, the rate was 48.9 per cent for girls and 45.8 per cent for boys, and the girls' rate has been higher than the boys' rate since 1989. As for the university advancement rate, in 1997, it was 26.0 per cent for girls and 43.4 per cent for boys. Although, a gap still exists, it is narrowing compared with the gap in 1992 (17.3 per cent for girls and 35.2 per cent for boys) as stated in the third periodic report.

The proportion of women taking university courses indicates that in 1997 women occupied the majority in home economics (96.5 per cent), arts (67.8 per cent), humanities (67.4 per cent), education (58.3 per cent) and others. On the other hand, in those courses where women's enrolment rates had been low, there was an increase compared with 1992 in social sciences, 23.9 per cent (compared with 17.4 per cent in 1992), agriculture, 38.6 per cent (26.9 per cent), science, 25.2 per cent (19.8 per cent) engineering, 9.0 per cent (5.5 per cent) and others.

In 1997, there were 8,163 women teaching staff in junior colleges (8,141 in 1992), which accounted for 41.1 per

cent of the entire teaching staff (38.5 per cent in 1992), thus, the number and the percentage thereof showed an increasing trend in comparison with the figures in 1992. The number of women teaching staff in universities was 16,564 (12,380 in 1992), which accounts for 11.7 per cent of all university teaching staff (9.6 per cent in 1992). Thus, both the number and the percentage increased in comparison with the 1992 figures.

The employment rate of junior college graduates in 1996 was 66.5 per cent for women and 56.1 per cent for men; thus, the women's rate was higher than the men's rate. As for the employment rate of university graduates, the men's rate slightly exceeded the women's rate, with 67.1 per cent for men and 63.5 per cent for women. Among graduates, except for those who went on to postgraduate courses, the percentage of those who found a job decreased for both men and women after reaching a peak in 1991. As for junior college graduates, the employment rate was 70.5 per cent for women and 67.2 per cent for men, and in the case of university graduates, 68.3 per cent for women and 76.7 per cent for men.

Women's enrolment rate in the field of education, especially in the field of higher education, has been on a constant rise since the presentation of the third periodic report, as stated above. As for the major field of study, women's enrolment rate in courses where the rate used to be low has also been increasing.

In addition, with regard to the educational status of men and women, 62.3 per cent of women and 69.1 per cent of men consider that the status of men and women is equal in the teaching profession, according to a public opinion survey on gender equality carried out by the Prime Minister's Office in July 1995. It is shown that 19.2 per cent of women and 32.3 per cent of men consider men and women to be equal in the workplace, and 31.5 per cent of women and 49.0 per cent of men regard themselves as equal in family life. Therefore, educational institutions are places in which one can especially feel a sense of equality.

Although a gap still exists between men and women generally in the field of education, this gap is, nevertheless, gradually narrowing.

III. Employment

The female workforce in 1997 (the sum of the employed and the unemployed) was 27.6 million, indicating an increasing trend, and the composition ratio of women in the total workforce was 40.7 per cent. In 1997, 26.65 million of the women in the workforce were employed, and 0.95 million

were unemployed, resulting in an unemployment rate of 3.4 per cent (the unemployment rate for the male workforce was 3.4 per cent as well).

In addition, the female labour force participation rate rose for the first time in three years, to 50.4 per cent, while the male labour force participation rate stood at 77.7 per cent (the same rate as the previous year). Female labour force participation rates by age group formed an M-shaped curve, with the rates for women aged 20-24 (73.4 per cent) and 45-49 (72.2 per cent) at the peak and the rate for women aged 30-34 (56.2 per cent) at the bottom. The labour force participation rate in every age group had risen, shifting the overall M-shaped curve upward except for the fall in the 20-24 age group due to the rising enrolment rate for advanced education in comparison with that of 10 years ago (1987). It should be noted that an upward trend in the middle- and old-aged groups of 50-54 and 55-59 has been growing, apart from a substantial rise in the 25-29 age group.

Female labour force participation rates by marital status were 61.2 per cent for the unmarried group, 51.3 per cent for the married group and 31.7 per cent for the divorced and/or the widowed group.

The composition of the female workforce by working status was 21.27 million for employees (79.8 per cent of the total female workforce), 308 million for family workers (11.6 per cent), and 2.23 million for self-employed persons (8.4 per cent). While a downward trend in the number of self-employed persons and family workers continues, the number of employees continues to rise. Thus, the percentage of employees in the total workforce has been rising year by year.

The percentage of women employees in the total number of employees has also been increasing year after year, and it has reached 39.5 per cent in 1997.

The distribution of the female workforce by industry in 1997 was found to comprise 7.37 million (34.6 per cent of the female workforce) in the service industry as the largest component thereof, 5.86 million (27.6 per cent) in the wholesale/retail business and restaurants as the second largest component, and 4.51 million (21.2 per cent) in manufacturing. Women working in these three industries accounted for 83.4 per cent of the women employees. The trend towards women working in the service industry (where the proportion of women employees is traditionally high) has been growing prominently, and the presence of women workers has increased even in the wholesale/retail business and restaurants. On the other hand, the workforce decreased for five consecutive years in the manufacturing industry, and for two consecutive years in the finance and insurance industry.

The number of women employees by occupation in 1997 was 7.25 million for clerical workers (34.1 per cent of the total women employees), and there were 3.71 million skilled and other workers engaged in the two major occupations: manufacturing and construction (17.4 per cent). In addition, there was an increase in the number of professional and technical workers, which stood at 3.26 million (15.3 per cent).

The proportion of women by occupation indicates that the increase in the number of women in clerical work is the highest in comparison with the figure in 1987 (10 years ago), showing that women form the majority in clerical work (59.7 per cent) and security work/services (53.9 per cent), followed by professional/technical work (45.2 per cent) and manual labour (43.1 per cent). The percentage of women in managerial work rose, though marginally, from 7.9 per cent in 1992 to 9.5 per cent in 1997.

In addition, the average length of continuous work by women in 1997 was 8.4 years. Although this is shorter than that of men (13.3 years), it has gone up by 1.0 year compared with 7.4 years in 1992. The composition ratio of women employees aged 35 and above reached 60.1 per cent in 1997, reflecting an increase in the number of those reaching the middle and latter stages of their lives. The percentage of married women among women employees has been also increasing and it reached 67.0 per cent in 1997.

As for wages, scheduled salaries for women employees were 63.1 per cent of the salaries of their male counterparts (not including part-time workers) in June 1997. This gap between the wages of men and women workers is caused by such miscellaneous factors as length of service, academic background, field of employment, rank at work, working hours and others. If one looks at the wages of ordinary workers (workers who are employed upon graduating from an educational institution and continue to work under the same employer) under the same conditions in terms of length of service, age and academic background, it is found that, among university graduates, women workers aged 20–24 earn up to 95.1 in comparison with 100 for men workers, but the gap grows widest with women workers aged 45–49, who earn up to 81.8 compared with 100 for their male counterparts in 1997.

As for working hours, a woman full-time worker's average monthly working hours in a workplace with 30 workers and above in 1997 was 142.9 hours (comprising 137.0 hours of scheduled working hours and 5.9 hours of overtime). On the other hand, male full-time worker's average monthly working hours in a workplace with 30 workers and

above was 166.8 hours (comprising 150.7 hours of scheduled working hours and 16.1 hours of overtime work).

The number of women trade union members was 3.46 million in 1997, indicating a marginal decrease from 3.52 million in 1992, but the percentage of women in the total number of trade union members increased marginally from 28.2 per cent in 1992 to 28.4 per cent.

The number of part-time workers has increased drastically in recent years, and the number of employees whose working hours are less than 35 hours per week (non-agriculture and forestry workers) stood at 11.14 million in 1997. The percentage of women therein was 67.0 per cent, and part-time employees' ratio in the total of women employees was 35.9 per cent. The working situation of part-time workers shows the process of diversification in the field and type of work, as well as the attitude towards work.

IV. Women in agriculture, forestry and fisheries

In 1995, 2.86 million women were engaged in agriculture, forestry and fisheries, slightly exceeding the number of men by 2.04 million. As for agriculture, women accounted for 56.7 per cent of the total number of persons engaged in this industry with 2.227 million in 1997. With regard to payment for work, 26.7 per cent of women engaged in agriculture did not receive remuneration or wages in 1996. The situation as regards the participation of women in social activities and decision-making in the local primary industries of agriculture, forestry and fisheries has gradually been improving in recent years, but it is still at a low level.

V. Results of the public opinion survey on gender equality

According to the public opinion survey on gender equality conducted by the Government in July 1995, on the question asking for the sense of equality in the status of women and men in various fields of the society, it was only in the field of education that the majority of both women and men answered that they considered each other equal (62.3 per cent of women, 69.1 per cent of men). In other fields, both women and men considered that men were treated better, especially in the realm of society in general (79.8 per cent of women, 70.0 per cent of men), social norms, custom and tradition (78.7 per cent of women, 74.9 per cent of men), and

the political field (71.2 per cent of women, 61.6 per cent of men). (See annex 38.)

The Japanese Government conducted a public opinion survey on gender equality in society in September 1997. According to the results of the opinion survey, an absolute majority of the people embraced the idea that it is desirable for women to prioritize family life over work or to keep them equally compatible (45.0 per cent for giving priority to family life, 41.2 per cent for the compatibility of family life with work), and the majority of them still agreed with the idea that “women should be responsible for household work and child-rearing, though it is good for them to have jobs” (86.4 per cent agree), while the majority of them embraced the idea that it is desirable for men to prioritize work over family life (62.4 per cent for priority to be given to work). Analysing by gender, women surpassed men in answering that women should prioritize family life over work or to keep them equally compatible, representing the fact that women themselves feel responsible for managing the family.

On the other hand, in comparison with the results of the public opinion survey on gender equality conducted in November 1992, there was a decrease in the number of both men and women answering “agree” to the idea that “women should focus more on their families, i.e. their husband and children rather on themselves, once married.” Besides, while positive answers to “in general, it would be disadvantageous for a woman to be divorced in today’s society”, increased, more people responded affirmatively to the idea that “it is better to be divorced if you are not satisfied with your partner”. Thus, there is a drastic and flexible change when it comes to the view of the family. (See annex 39.)

VI. Activities of non-governmental organizations

A. Liaison group for the implementation of the resolutions of the International Women’s Year Conference of Japan

Since the International Women’s Year in 1975, women’s organizations have been vigorously putting forth activities in various fields. Moreover, with the Fourth World Conference on Women in 1995, many women’s organizations and groups were born throughout Japan that are carrying out grass-roots activities nationwide.

Encouraged by the International Women’s Year, 41 organizations took the opportunity to form a liaison organization, the first women’s organization on a nationwide

scale. In November 1975, the International Women’s Year Conference of Japan was held, and resolutions on the formulation of the National Action Plan and other policies related to women were adopted. After that, those organizations formed the Liaison Group for the Implementation of the Resolutions from the International Women’s Year Conference of Japan (hereinafter referred to as the “International Women’s Year Liaison Group”), and the group has been active towards the advancement of the status of women. The International Women’s Year Liaison Group is composed of 51 organizations as of April 1998.

The International Women’s Year Liaison Group held the “Toward the Twenty-first Century — Convention of Japanese Women’s NGOs” in November 1995 after the Fourth World Conference on Women in Beijing, and they adopted the NGO Goals for Action comprising six areas. In April 1996, the assembly commemorating the fiftieth anniversary of women’s suffrage was held in collaboration with the Liaison Committee for the Parliamentary Activities of Seven Women’s Organizations calling for the promotion of women’s increased participation in politics.

Furthermore, in October 1997, representatives of the Liaison Group submitted a request to the Chief Cabinet Secretary (Minister for gender equality) to ensure the participation of women in various fields of society, to enhance the organization and function of the Prime Minister’s Office in charge of promoting women’s policy measures comprehensively, and to create the basic legal framework for promoting gender equality.

B. Other NGO activities

Apart from the above-mentioned NGO activities, there are many women’s organizations and groups, including the Japanese Association of International Women’s Rights, that are carrying out studies on the Convention and other activities in various parts of Japan. And a new organization, Beijing JAC, was formed in the wake of the participation in the Beijing conference, suggesting a further deepening of interest in the advancement of women among Japanese NGOs and grass-roots people. In recent years, network-type organizations on women’s issues have been created as the new form of activities, while there is a trend towards public and private liaison-conference type organizations on women’s issues established at the prefectural and municipal levels. Furthermore, various opinions and requests have been presented to the Government and local public organizations with regard to measures and activities to create a gender-equal society in line with the Beijing Declaration and Platform for Action.

VII. National Machinery for the Promotion of Gender Equality

The headquarters for the promotion of gender equality, which is to handle the comprehensive promotion of a wide variety of measures concerned, and the Council for Gender Equality, which is the advisory body to the Prime Minister and other ministers concerned, are playing a key role towards the realization of a gender-equal society. In addition to these, the Liaison Conference for the Promotion of Gender Equality, which functions as a liaison with various groups and fields of the civil society nationwide is promoting the creation of a gender-equal society as a national movement. The Cabinet Secretariat, Prime Minister's Office (Office for Gender Equality) and other related administrative organizations in close cooperation with each other are extending secretariat support to the Headquarters, the Council and the Liaison Conference.

An organizational chart of the National Machinery for the Promotion of Gender Equality appears in the figure.

As for the transition of the machinery after the consideration of the third periodic report, see part two, chapter XIII.

VIII. National plan of action

In July 1996, the Council for Gender Equality, which was formed by Cabinet Order No. 190 of 24 June 1994, submitted the "Vision for gender equality" to the Prime Minister, taking into consideration the various views and opinions of society as well as the outcome of the Fourth World Conference on Women. The Vision presented the direction and process for the realization of a gender-equal society contemplated by around 2010, taking into account the possible economic and social changes in Japan.

Therefore, upon revision of the "New National Plan of Action towards the Year 2000" (prepared in 1987), which appeared in the third periodic report, the policy indicated in the Vision as well as the outcome and the issue of the first revision of the new national plan of action (1991) were taken into consideration in order to formulate an entirely new national plan of action. In December 1996, a national plan of action entitled the "Plan for gender equality 2000 — the national plan of action for the promotion of a gender-equal society by the year 2000" was formulated, duly responding to the Beijing Platform for Action (para. 297).

Upon formulation of the plan, attempts were made to take into consideration the viewpoints of various groups and fields of society, referring to 1,100 different opinions and requests presented from various groups and individuals. The plan is constituted with the following four basic targets: (a) building social systems that promote gender equality, (b) achieving gender equality in the workplace, family, and community, (c) creating a society where the human rights of women are promoted and protected, (d) contributing to the "equality, development and peace" of the global community, and 11 priority objectives. This time, "reviewing social systems and practices and reforming awareness from the perspective of gender equality", "eliminating all forms of violence against women", "respect for human rights of women in the media", "supporting lifelong health for women" were adopted as new priority objectives. The Japanese Government is now striving to promote various measures for the creation of a gender-equal society in accordance with this plan.

IX. Activities of local public organizations

Active administrations related to gender equality have been proceeding in local public organizations as well. Action plans to promote measures for gender equality have been formulated in all 47 prefectures and 12 ordinance-designated cities by establishing departments and/or divisions (offices) for planning and coordination of the measures for gender equality (as of April 1997). The formulation ratio of the action plan conducted by municipal organizations (excluding the ordinance-designated cities) is 382 out of 3,243 municipal organizations (11.8 per cent).

X. Major amendments to laws and ordinances

A summary of the major amendments to laws and ordinances carried out during the period relevant to the report is shown below, and the details appear under each particular article in part two:

(a) *Law concerning partial amendments to the Child Allowance Law* (see chap. XXV). This is intended for the collection of donations from business proprietors for a child-nurturing project in addition to donations from business proprietors for part of the cost of the cash provision of the child allowance so as to secure the funds required for the expansion of various support services for child-rearing. It was promulgated on 31 March 1994 and entered into force on 1 April 1994;



(b) *Law concerning working hours and leave, etc. for national public employees in the regular service.* This law was intended to specify the principle of the 40-hour work-week system and the enactment of a family-care system. It was promulgated on 15 June 1994 and went into effect in September 1994;

(c) *Cabinet order on the Council for Gender Equality* (see chap. XIII, sect. A). Upon the Prime Minister's request for advice, the Council for Gender Equality was mandated to present to the Prime Minister views on the formation of a gender-equal society following investigation and deliberation on the fundamental and comprehensive aspects of such a formation. The Cabinet order was promulgated on 24 June 1994; it entered into force on the same day, and the Council was established with a limited term expiring 31 March 1997;

(d) *Cabinet order concerning partial amendment to the ordinance on the organization of the Prime Minister's Office* (see chap. XIII). This order stipulated the establishment of the Office for Gender Equality in the Cabinet Secretariat, the duties of that Office and the establishment of the Council for Gender Equality in the Prime Minister's Office. It was promulgated on 24 June 1994 and entered into force the same day;

(e) *Law concerning partial amendment to the Employment Insurance Law.* The provision of child-care leave benefits was stipulated to secure the continuation of employment for those employees who take child-care leave as the child-care leave system became compulsory. This law was promulgated on 29 June 1994 and entered into force on 1 April 1995;

(f) *Law concerning partial amendment to the Child-Care Leave Law* (see chap. XXV). This law was intended to incorporate into the existing Child-Care Leave Law new elements: measures for the family-care leave system or family care, such as the reduction of working hours, as well as measures on the support extended by the Government, etc. to workers engaged in child care or family care. This law was promulgated on 9 June 1995 and entered partially into force on 1 October 1995. It will take effect in its entirety as of 1 April 1999;

(g) *Law concerning partial amendment to the Foreign Service Personnel Law* (see chap. XX). This law was promulgated on 9 May 1996. The amendment stipulated the disqualification criteria for the foreign service officials;

(h) *Law concerning partial amendment to the Eugenic Protection Law* (see chap. XXVII). In view of discriminatory expressions against persons with disabilities

in some sections of the Eugenic Protection Law, based on the eugenic idea for prevention of dysgenic posterity births, stipulations based on the eugenic idea were deleted from, *inter alia*, the provisions on abortion, and the Law was converted into the Maternal Protection Law; it was promulgated on 26 June 1996 and entered into force on 26 September 1996;

(i) *Law concerning establishment of the Council for Gender Equality* (see chap. XIII). The Council for Gender Equality was established in the Prime Minister's Office as an organization to investigate and deliberate the fundamental and comprehensive policy and the important subjects with regard to promoting the formation of a gender-equal society, in compliance with a request for advice by the Prime Minister or the ministers concerned so as to contribute to the promotion of a gender-equal society. This law was promulgated on 26 March 1997 and entered into force on 1 April 1997;

(j) *Law concerning partial amendment to the Child Welfare Law* (see chap. XXV). In view of the increasing trend towards families with fewer children, a general trend towards dual-income families with a working husband and wife and changes in the environment surrounding children and families, such as lower functioning of child-rearing in the family and the community, there has been a restructuring of the child and family welfare system. The amendment was designed to support the sound nurturing and independence of children, who are responsible for the next generation, and to facilitate a better environment in which to rear children. This law was promulgated on 11 June 1997 and entered into force on 1 April 1998;

(k) *Law concerning partial amendment to the Equal Employment Opportunity Law* (see chap. XXII). This law incorporates, *inter alia*, reinforcement of the Equal Employment Opportunity Law, deregulation of overtime work, holiday work and late-night work by women and fulfilment of measures for the protection of mothers. The law was promulgated on 18 June 1997 and will enter into force on 1 April 1999 (part of the Law is already in force);

(l) *Law concerning partial amendment to the Employment Insurance Law.* This Law stipulates the provision of family-care leave benefits to secure the continuation of employment for those employees who take family-care leave as the family-care leave system will become compulsory. The law was promulgated on 31 March 1998 and will enter into force on 1 April 1999;

(m) *Law concerning regulation and rationalization of the work of entertainment-related establishments* (see chaps. XI and XVII). This law includes provisions to prevent

prostitution and to regulate the sex industry when prostitution is conducted off the premises. The Law was promulgated on 8 May 1998; it is to enter partially into force within six months of that date, and in its entirety within one year of that date. The date of entry into force will be decided by the Government, which will issue an ordinance in that regard.

Part two

Report by article

XI. Article 2 (a)

A. Violence against women

Under this Article, information is provided focusing on the measures applied in Japan to violence committed against women and relief for victimized women.

1. Sexual crimes

Legislation and measures

As for infringements of women's sexual freedom, penal provisions, such as indecent assault (Article 176 of the Penal Code: imprisonment with labour for not less than six months and not exceeding seven years), rape (Article 177 of the Penal Code: imprisonment with labour for not less than two years), and rape resulting in injury (Article 181 of the Penal Code: imprisonment with labour for life or not less than three years) are prescribed and have been appropriately enforced.

Current situation regarding rape and indecent assault

The number of reported cases of rape in 1996 declined to 1,483, one fourth of the 6,393 cases reported in 1967. This indicated a continued downward trend in the number of reported cases from 1967 to 1990, which stabilized to more or less 1,500 from 1990 onward. The number of reported cases of indecent assault in 1996 was 4,025, indicating an increase of 20 per cent in comparison with 3,416 cases in 1967. There was a downward trend until 1986, and the numbers started rising in 1987. The 1996 figure was 10 per cent higher than that of the previous year.

Appropriate measures to deal with victims of sexual crimes

In order to eradicate all forms of violence against women, the relevant penal code is being applied strictly in cases of sexual crimes, such as rape and indecent assault.

As a sexual crime inflicts substantial psychological trauma on the victim as well as physical damage, there exists a propensity for the victim to hesitate to report the crime to the police owing to a sense of shame, which can give rise to latent damage.

Thus, since 1996, in order to promote more pertinent and more effective investigations into sexual crimes, apart

from striving to alleviate the mental burden of the victim using appropriate measures in consideration of the victim's position, instructors on sexual-crimes investigation methods and a sexual-crimes investigation unit were set up at the headquarters of each prefectural police force. Measures were also taken to alleviate the victim's mental burden, such as investigation interviews, identification activities, and attendance at a hospital by a policewoman and improvement of the counselling system by expert officers. Furthermore, even at the trial stage, public prosecutors undertake to protect victimized women by objecting to inappropriate questions, while creating an environment to facilitate the victimized women's testimonies by requesting the court to suspend the public trial and to order spectators and defendants to leave the courtroom.

Measures to prevent damage from being kept latent

Victimized women are given support in the form of appropriate information (for example, brochures explaining criminal procedures and relief systems in plain language), pertinent information on the investigation process and the status of the suspect. In addition, their inquiries receive accurate responses, and a sex crimes consultant (for example, a sex crime hotline installed in each prefectural police force) is made available to them. When the civil liberties organs of the Ministry of Justice obtain information, through human rights consultation services or from the victims themselves, these organs investigate the case and, if they recognize an infringement of the woman's rights, provide the perpetrator with special education on respect for human rights. At the same time, they act to prevent the recurrence of such acts of violence in an effort to protect the victim.

Among the steps to promote relief measures, a system of commissioners for human rights mediation was introduced in July 1996 as a means of providing practical relief to those victims whose rights have been infringed upon.

2. Sexual harassment

As for acts of sexual harassment that are regarded as a violation of women's sexual freedom, penal provisions on sexual violence against women, as mentioned above, have been appropriately enforced. As for other forms of sexual harassment, it is possible to apply penal provisions, such as battery (Article 208 of the Penal Code: imprisonment with labour for not more than two years or a fine of not more than ¥300,000 or penal detention or a minor fine), intimidation (Article 222 of the Penal Code: imprisonment with labour for not more than two years or a fine of not more than ¥300,000),

compulsion (Article 223 of the Penal Code: imprisonment with labour for not more than three years), defamation (Item 1 of Article 230 of the Penal Code: imprisonment with or without labour for not more than three years or a fine of not more than ¥500,000), and insult (Article 231 of the Penal Code: penal detention or a minor fine) in accordance with the type of each case, and these penal provisions have been appropriately enforced.

When the police are called on a sexual harassment charge, etc., they proceed to arrest the assailant and apply the relevant provisions of the penal code. Even in other cases, efforts to respond to the victim's needs are made, such as introducing the authority or organization concerned with supporting victims, etc. according to her requirements.

In addition, the civil liberties organs of the Ministry of Justice are endeavouring to make people aware that sexual harassment is an infringement of human rights and to propel measures to deal with this problem through human rights consultation services or investigation and settlement of cases involving infringements of human rights.

In recent years, there has been a growing awareness of sexual harassment even in educational organizations. And while there is an increasing number of universities furnishing themselves with guidelines and counsellors, private organizations are forming networks to tackle these issues through information exchange and preventive measures.

Sexual harassment in the workplace is taken up in Article 11.

3. Respect for human rights in the media

Legislation on sexual or violent expression

As to sexual or violent expression, it is possible to apply the prefectural ordinances concerning the protection and fostering of young persons (the so-called Youth Protection Ordinance) apart from provisions for crimes of public indecency (Article 174 of the Penal Code: imprisonment with labour for not more than six months or a fine of not more than ¥300,000 or penal detention or a minor fine), and distribution of obscene material (Article 175 of the Penal Code: imprisonment with labour for not more than two years or a fine of not more than ¥2,500,000 or a minor fine) according to the type of case, and these penal provisions have been appropriately enforced.

Control of publications with expressions of sexual violence

The number of cases of distribution of obscene material in the last five years is shown in annex 44, indicating little change in recent years.

With regard to the charge of distributing obscene material, the criminal offence of selling obscene videotapes has constituted a major part of the cases. However, new forms of criminal offences, such as transmitting obscene images to an unspecified number of people in the general public using communications services for personal computers and the Internet and sales of CD-ROMs, etc. on which obscene images are recorded, are increasing.

The situation regarding cases of distribution of obscene material using a computer network, such as the Internet, in the last four years is shown in annex 45.

Protection of juveniles

Since images portraying sex and violence may have a bad influence on the sound nurturing of juveniles, books and videos that include images of sex and violence are designated "harmful books" by the Youth Protection Ordinance, which was enacted in 46 prefectures all over Japan, and which contains provisions, to punish those who sell such books. The Government is clamping down on unscrupulous traders of books designated as harmful, while working to promote measures to be taken by the concerned industry by requesting them to distinctly classify the books in collaboration with the organizations concerned and local residents. Also, the Government is conducting investigation studies on the actual situation as well as on how this issue is addressed in other countries so as to contribute to the further promotion of these measures.

Child pornography

As for regulation of child pornography, strict law enforcement has been executed on illegal cases, taking into account that becoming the subjects of the photography may have a harmful influence on the subsequent sound nurturing of the girls and is also a violation of their human rights.

Measures by the media

A conference on multi-channel-age audience and broadcasters on the influences that television broadcasting might have on minors and the consequent countermeasures to be taken reported that a function which automatically controls the audience on a temporary basis (parental-lock function) would be beneficial.

In satellite digital broadcasting, which commenced in June 1996, the parental-lock function was voluntarily introduced, and eight companies started to provide the service.

In addition to this, a study was made on how the policy for viewers should be in 1998, and further consideration is being given to the measures for the policy on viewers. In satellite digital broadcasting, business entities that broadcast adult programs containing images of sex and violence voluntarily formulated guidelines for their rules of ethics, and established the Ethical Committee for Communication Satellite Programs in September 1996 with a view to abiding by the provisions and standards stipulated.

Also, with regard to the distribution of information on the Internet, a study group from the Ministry of Posts and Telecommunications issued a report entitled "Rules for distribution of information on the Internet" in December 1997. The report stated what the rules should be for the distribution of harmful information on the Internet through such ways as applying existing laws and voluntary measures taken by Internet service providers.

As for measures taken by private organizations, on 16 February 1998, the Telecom Service Association, an organization of communications business entities including Internet service providers, issued guidelines for codes of practice for Internet service providers with the support of the Ministry of Posts and Telecommunications, following consideration of various voluntary regulations or guidelines.

Furthermore, as for movies, the Film Ethics Regulatory Committee (an organization for self-imposed control established by the Japanese movie industry in 1956 and run by a third party), with the objectives of strictly controlling the supply of movies which may be detrimental to people's sense of ethics, examines and makes judgments in accordance with the film ethics regulations formulated in August 1959 and revised in May 1994 and May 1998. Movies that are not suitable for minors (those under 18 years of age) are rated "PG-12" (accompany by guardian desirable for those under 12 years of age), "R-15" (no-entry for those under 15 years of age) or "R-18" (no-entry for those under 18 years of age).

4. Regulations on adult entertainment businesses (implemented after the Law Regulating Adult Entertainment Businesses was amended)

The Law Regulating Adult Entertainment Businesses requires all adult amusement and entertainment businesses, including the so-called private-room video shops and adult entertainment shops, to report the outset of business to the authorities, and to observe the rules concerning youth

protection, which prohibit those businesses from employing minors and require them not to allow children to use their services or even enter such shops. Those who violate the Law are subject to punitive measures, including the suspension of the business licence.

Also, the Law Regulating Adult Entertainment Businesses was partially amended in April 1998 to add new regulations on cyberspace businesses that provide sexually stimulative visual images, including obscene acts and nudity over the Internet or computer networks. The businesses must not allow teenagers under 18 years of age to use their services and they are prohibited from conducting certain styles of advertising activities on the street.

B. The issue of "wartime comfort women"

Although the issue known as "wartime comfort women" has no direct bearing on the Article concerned herein, this section describes the measures taken by the Japanese Government on this issue, paying attention to the concluding comments of the Committee on the Elimination of Discrimination against Women on the combined second and third periodic reports of Japan, as well as the consideration at the thirteenth session of the Committee, held in January 1994.

The Japanese Government has been conducting a thorough fact-finding study on the issue known as "wartime comfort women" since December 1991 and it announced its results in July 1992 and in August 1993. Documents found as a result of the study are now open to the public. After the announcement of the results of the study, the Government has expressed its sincere apologies and remorse to the former "wartime comfort women" on many occasions. The Government provided support for the establishment of the "Asian Women's Fund" (hereinafter referred to as the "AWF"), with a view to fulfilling its moral responsibility, and has been providing the AWF with all possible assistance, including bearing the whole operational costs of the AWF and assisting in its fund-raising.

1. Letter from the Prime Minister of Japan

On behalf of the Government, the Prime Minister sends a letter expressing apologies and remorse directly to the former "wartime comfort women" together with the atonement money, which is donated by the Japanese people to the AWF.

2. Atonement by the Japanese people

The Japanese Government has been making great efforts to raise public awareness and gain a better understanding of the issue of the “wartime comfort women”. The Government has provided all possible assistance to the AWF in its fund-raising from the public to express atonement to the former “wartime comfort women”.

As a result, a wide range of people, including individuals, enterprises, labour unions, political parties, Diet members and Cabinet ministers, have shown their support for the aims of the AWF. As of May 1998, more than 483 million yen has been contributed to the AWF, and the contributions continue.

In July 1996, the AWF decided to provide ¥2 million (the atonement money) to each former “wartime comfort woman” in the Republic of Korea, the Philippines and Taiwan from the above-mentioned people’s contributions. As of now, in total more than 100 have applied and more than 70 have received atonement money from the AWF.

Together with the atonement money and a letter from the President of the AWF, messages from the Japanese contributors are to be conveyed to each victim.

3. Medical and welfare support projects to be funded with government resources

In order to meet its moral responsibility, the Japanese Government has decided to disburse about 700 million yen from the national budget for the medical and welfare projects of the AWF to the former “wartime comfort women” in the Republic of Korea, the Philippines and Taiwan over a five-year period (such plans as (a) improvement of housing, (b) nursing services and (c) assistance in the provision of medical services and medicines are being carried out with the actual circumstances of each of the former “wartime comfort women” being taken fully into account). These projects are implemented in addition to the above-mentioned atonement by the Japanese people.

4. Project in Indonesia

In Indonesia, the AWF has decided to support a project proposed by the Indonesian Government on promotion of social welfare services for elderly people in Indonesia and has been implementing it making use of the fund disbursed by the Japanese Government. In this project, new facilities will be built for the elderly who have no family or relatives to look after them and are unable to work due to illness or physical handicaps. Priority will be given to those who claim to be former “wartime comfort women”, and facilities will be

established mainly in the regions where former “wartime comfort women” are thought to live.

5. Efforts to address contemporary issues concerning the honour and dignity of women

The Japanese Government considers that it is its responsibility towards the future to address contemporary issues on women, such as violence against women. The Government is providing financial contributions to the AWF for its activities towards the solution of such contemporary women’s issues.

Examples of these activities are as follows: organizing international forums; supporting the activities of other NGOs; and conducting research and fact-finding projects.

6. Programmes underscoring the lessons of history

The AWF recognizes its importance that the facts in this issue should be accurately conveyed to the future generations as a history lesson in order to ensure that such an issue never arises again. As a pillar of its activities, the AWF set up a subcommittee of historians, other experts and members of the AWF secretariat to collate and publish documents and materials relating to the issue of “wartime comfort women”.

7. Efforts in the field of education

The Japanese Government attaches great importance to school education, through which young people, who will lead the next generation, will correctly understand the facts of modern Japanese history, including the issue of “wartime comfort women”. Now junior high and high school textbooks have references to this issue.

XII.

Article 2 (c)

Ombudsperson

The report entitled “Vision for gender equality” (see part one, chap. VIII) proposed that studies should be carried out on the possibility of an ombudsperson to settle problems concerning gender equality as a new function in the national machinery. This was incorporated into the national plan of action: “Plan for gender equality 2000” as “study and research the possibility of introducing an ombudsperson into Japan who will resolve problems concerning gender equality, making reference to related activities and legal systems in other countries”.

XIII.

Article 3

The summary of the present organization of the Headquarters for the Promotion of Gender Equality in Japan was provided in part one, chapter VII, and here, Japan's efforts to enrich the organization are reported for the period since the discussion of the third periodic report.

A. Reinforcement of the national machinery

1. Headquarters for the promotion of gender equality

In Japan, the headquarters for the promotion of gender equality was established in July 1994 for smooth and effective promotion of measures towards the formulation of a gender-equal society. The headquarters, with the Prime Minister and the Chief Cabinet Secretary as its President and Vice-President respectively, is composed of all the cabinet ministers. The headquarters was transformed from the Headquarters for the Planning and Promoting of Policies Relating to Women, which was originally in the Prime Minister's Office, and was placed in the cabinet. At the same time the members were upgraded from vice ministers to cabinet ministers. The Office for Gender Equality was established in the Prime Minister's Office in June 1994.

In addition, in the second Cabinet reshuffle by Ryutaro Hashimoto in September 1997, the Minister for Women's Affairs was replaced by the Minister for Gender Equality, and Kenzo Muraoka, the Chief Cabinet Secretary, was appointed to the post.

2. Council for Gender Equality

In June 1994, in accordance with the ordinance concerned, the Council for Gender Equality was established. The Council assumed responsibility for investigating and deliberating fundamental and comprehensive subjects in relation to the creation of a gender-equal society in accordance with the Prime Minister's request for advice. It was also to submit its opinions on the particulars of the Prime Minister's request. As the Council was due to be dissolved on 31 March 1997, a law concerning the Council for Gender Equality was issued in March 1997 establishing the Council for Gender Equality without a time limit. The Council can investigate and deliberate fundamental and comprehensive policies and important items related to promoting the creation of a gender-equal society and can present its opinions to the Prime Minister and ministers concerned on the particulars

related to the request for advice. The Prime Minister has requested advice on two issues: (a) basic issues related to policies for promotion of a gender-equal society and (b) basic policies to ensure a proper response to the changing situation brought about by people's awareness and internationalization in regard to prostitution and other forms of violence against women which impede the achievement of a gender-equal society. In response, a committee on basic issues and a committee on violence against women have been set up and are proceeding in investigation and deliberation. The Committee on Basic Issues is investigating and discussing the basic legislation regarding promotional measures to realize a gender-equal society. For this Council, the law stipulates that the aggregate number of either men or women members shall not be under four tenths of the total number of Council members (25), and currently 60 per cent of the Council members are women.

3. Liaison Conference for the Promotion of Gender Equality

In August 1996, the Liaison Conference for the Promotion of Gender Equality was inaugurated with the objectives of promoting information exchange and ideas and liaising widely with people in various fields of society, in order to promote the creation of a gender-equal society nationwide. The Conference is composed of 13 eminent persons designated by the Chief Cabinet Secretary and 67 persons representing various organizations, such as women's organizations, financial circles, educational circles and the media.

The Planning Committee of the Conference held a meeting on 26 August 1997 to directly hear opinions on elements to be incorporated into the present report from a wide range of sources, such as NGOs. Liaison with NGOs is also promoted by reporting on every session of the Committee on the Elimination of Discrimination against Women at the Conference.

4. Final report of the Administrative Reform Council

In November 1996, in order to investigate and deliberate on the fundamental and comprehensive particulars related to the promotion, reorganization and integration of the national organizations, and to address the complicated and wide range of administrative problems with flexibility and accuracy, the Administrative Reform Council was established. According to the final report submitted by the Council in December 1997, the function related to the promotion of gender equality was placed in a newly established Cabinet

office. The Conference for Gender Equality chaired by the Chief Cabinet Secretary is to be established in the Cabinet office, replacing the present Council for Gender Equality. This is a machinery to carry out investigations and monitor progress on measures adopted as well as to present its own opinions. In addition, the section that deals with the comprehensive coordination of various measures related to gender equality in the coordination department of the Cabinet office is to be the secretariat of the conference. This section was stipulated to be in charge of the comprehensive coordination and other secretariat work, apart from its function as a secretariat of the conference.

As for enrichment and improvement of the national machinery, requests and signatures have been provided from various organizations, etc.

B. Enrichment of measures in local public organizations

In Japan, the so-called “women’s centers”, comprehensive institutions that provide information to women, space for voluntary activities of women’s groups and organizations, and counselling and investigation studies, etc., are set up at 39 locations throughout the country by prefectures and ordinance-designated cities as of September 1997, functioning as bases for activities of regional women’s organizations.

C. Measures for women with disabilities

1. Formulation of the government action plan for persons with disabilities

In March 1993, the Japanese Government formulated a new long-term programme for government measures for disabled persons in cooperation with the Asian and Pacific Decade of Disabled Persons by the Economic and Social Commission for Asia and the Pacific (ESCAP). In December 1995, the Government formulated an action plan for persons with disabilities called a seven-year normalization strategy as an implementation plan for important measures to proceed with the realization of the plan. It is a seven-year plan covering the period from fiscal year (FY) 1996 to FY 2002 and incorporating concrete targets for the measures, such as setting the mode of the numerical targets, and with this, comprehensive measures for women with disabilities as well as for men are promoted, with the aim of creating a society in which every individual can actively participate.

As concrete measures are adopted, government authorities are working towards the achievement of the targets within the planned period by setting numerical targets in various fields, such as, securing residence; group homes, welfare homes, securing work; sheltered workshops, welfare factories, designation of employment support centres for people with disabilities, enrichment of family care services; at-home services, such as home helpers/short home stay service, etc., institutional service, such as institutions for disabled persons.

In addition, staged installation and upgrading measures intended for a barrier-free society, such as wider sidewalks and elevators at train stations, are proceeding with concrete targets in numbers, and follow-up work is carried out regularly.

In May 1995, the Government set guidelines for prefectural and municipal entities, the administrative bodies which are more familiar to the residents, to formulate a basic plan for measures for persons with disabilities. These local public organizations are actively promoting the measures for persons with disabilities based on the plan.

2. Disabled Person’s Week

The week from 3 to 9 December has been designated “Disabled Person’s Week” since FY 1995. It is the week to campaign for the desire of both men and women with disabilities to be independent and to participate in society, as well as for an increased level of understanding and recognition by the nation as a whole with regard to the problems of disabled people.

D. Measures for elderly women

The proportion of women among elderly is higher than that of men; therefore women are more affected by the issues confronting the elderly. With Japan’s ageing population, it is of paramount importance for Japan to build an environment in which the elderly can live in health and economic independence as fulfilled members of society. Hence, as guidelines for fundamental and comprehensive measures to be taken by the Government to deal with the ageing society in line with the provisions of the Basic Law on Measures for the Ageing Society enacted in 1995, the General Principles Concerning Measures for the Ageing Society were established. Under these, measures to deal with the ageing society in various fields of working and income, health and welfare, learning and social involvement, living environment, promoting research are formulated and are currently being carried out.

Establishment of a long-term care insurance system

In December 1997, the law concerning long-term care insurance was approved to address the need to establish a system to support long-term care due to the increasing number of elderly people. Following a preparatory period, the system will be introduced in April 2000. With this system, bed-ridden elderly persons or elderly persons with senile dementia over 65 years old and people from 40 to 64 years of age in need of long-term care because of diseases caused by ageing will be provided with long-term care. Both at-home and institutional care are covered. As for the use of services, 10 per cent of the principal expenses that would be covered by insurance are to be borne by the user. In case of institutional service, food expenses will also be borne by the users.

From now on, in order to implement the system from FY 2000, while continuing to promote the maintenance of a basis for the long-term care service in line with the New Gold Plan and in order for the municipalities and the insurer to manage the system smoothly, various aspects are being considered: an approval system for those in need of care, a national basic policy for the formulation of a long-term care insurance operational plan and the details of a clerical management system in consultation with the Council for Medical Insurance and Welfare.

As for cash payment of the family care benefit, owing to concern that it may not necessarily contribute to appropriate care and fear that family care could be fixed to restrict women engaged in family-care work, and that expansion of long-term care services might be restricted with the cash payment, it has been decided not to apply cash payment to the long-term care insurance system for the time being.

XIV.

Article 4

A. Appointment of women as members of national advisory councils and committees

As reported in the third periodic report, the target ratio of 15 per cent of women as members of national advisory council and committees was set to be achieved by approximately 1995. After serious efforts were made in this area, the ratio rose to 15.5 per cent by the end of March 1996 (the end of FY 1995).

In May 1996, the Headquarters for the Promotion of Gender Equality set the new target at the internationally recognized level of 30 per cent in approximately 10 years and, for the time being, at 20 per cent by the earliest possible time before the end of FY 2000. At present, continuous efforts are being made to achieve these new targets. The ratio of women as at the end of September 1997 was 17.4 per cent.

B. Appointment of women to advisory bodies of local public organizations

Prefectural governments and designated cities are also making efforts to promote women in their advisory bodies and committees by setting target ratios and dates for achievement.

The ratio of women in advisory bodies provided by law is 12.8 per cent as of 1 June 1996.

C. Measures to promote the use of women workers' abilities and skills

1. Promotion of positive action

In FY 1996, the Ministry of Labour held a study group on promoting the use of women workers' abilities and skills. The group compiled guidelines regarding voluntary measures by business proprietors to promote the use of women workers' abilities and skills which indicate the idea and give examples of concrete methods for business proprietors to promote the demonstration of the abilities of women employees and to actively utilize them. Business proprietors are urged to take measures to both utilize the guidelines and further understand the importance of taking positive action. The Equal Employment Opportunity Law was revised in June 1997 to set the new provisions for the Government to support and consult those business proprietors that promote positive action.

2. Support for women entrepreneurs

In FY 1996, the Ministry of Labour conducted a study group to examine the measures to systematically provide assistance to women wishing to be entrepreneurs by grasping the needs of women planning to be entrepreneurs and the problems confronted by women entrepreneurs. Based on the outcome of the study group, a manual for women entrepreneurs was compiled and measures to assist women entrepreneurs are being promoted.

XV.

Article 5 (a)

A. Publicity and enlightenment activities to correct stereotyped notions of gender roles

The Japanese Government has disseminated information on its national measures to promote gender equality at home and abroad by way of the Internet since October 1996, in addition to publicity in various newspapers, magazines and on television and radio aimed at improving the status of women and achieving a gender-equal society.

The Government, in its effort to create a gender-equal society, holds the “National Conference toward the Creation of a Gender-Equal Society” to acquire further appreciation and cooperation from Japanese nationals, the “Regional Conference for the Promotion of Gender Equality” to develop the atmosphere of further promoting various activities in the local communities, and the “Programme to Encourage Cities to Declare Gender Equality”, which encourages “Cities with Declarations on Gender Equality”. Furthermore, the Japanese Government plans to formulate guidelines for expressions to improve publications issued by public organizations from the standpoint of gender equality.

Some local public organizations have already set such guidelines and are actively addressing the issue. From FY 1998, the Conference for Young Women Leaders for those who have already begun to play active roles in the communities will be held in order to facilitate the penetration of gender equality into the local communities.

Furthermore, 4 through 10 December has been named “Human rights week” every year since 1949 with a view to enhancing people’s consciousness of human rights with the cooperation of relevant agencies and organizations.

During this week, the Regional Legal Affairs Bureaus, the District Legal Affairs Bureaus and Civil Liberties Commissioners throughout the country (13,806 as of 1 January 1998) engage in intensive public information and enlightenment activities. Since 1975, in particular, a slogan entitled “Let’s raise the status of women” has been adopted as one of the items to be emphasized during the week, and various public information and other activities have been and are sponsored by these organs in all parts of the country to enlighten people on the human rights of women, including the holding of lectures or discussion meetings and film shows, setting up temporary consultation services, use of mass media, and distribution of posters, leaflets or pamphlets, etc.

“Women’s week” was introduced in the third periodic report, and since 1995, the week adopted the theme “Let’s create a society for the twenty-first century in which we can be ourselves”, and campaign is being promoted nationwide.

As it is indispensable to abolish the stereotyped notions of gender roles even from the point of realizing equal employment opportunities, publicity and advocacy activities are carried out every June, the “month for equal employment opportunity”, between men and women.

B. Publicizing the Convention

The Japanese Government prepared leaflets and posters on the Convention (in Japanese) and distributed them to prefectural governments and various women’s organizations to make the Convention known. Furthermore, it reports on the results of the deliberation at every meeting of the Committee on the Elimination of Discrimination against Women to NGOs, as reported in Article 3.

The text of the Convention is also available from the Internet home page of the Office for Gender Equality in the Prime Minister’s Office as a measure to make the Convention widely known.

C. Respect for the human rights of women in the media

In the broadcast media, the appropriation of programmes has been promoted and expanded in recent years by providing opportunities for exchanges of opinion between audience and broadcasting entities through the establishment of the Consultative Organization on Broadcast Programmes, the establishment of a focal point responsive to audiences, and the broadcasting of programmes responsive to audiences, etc.

XVI.

Article 5 (b)

Gender equality in the family

1. Home education

It is often pointed out that home education tends to be entrusted to the mother and the presence of the father tends to be barely felt. Since FY 1994, the Government has been holding a home education forum twice a year as an opportunity for parents and people concerned with home

education to realize the importance of conducting home education with cooperation between the father and the mother.

Materials for home education under the title “Series on the future of home education” have been produced since 1995, and the third issue of the series adopted the theme “thoughts on the father” in which the proposal was made to not only work but to actively participate in the family and in the regional community.

Moreover, since FY 1997, local governments in each of the prefectures have been holding study sessions to discuss the importance of the father’s existence in a family, assembling people in business and others, and forums under the theme of “father”. Municipal authorities have organized a “visit to the father’s workplace”, in which children see their fathers at work, and have been rendering support with a project to set up lectures at the workplace to educate fathers on the importance of home education.

Also, measures are actively promoted to support the compatibility of work and family so that both men and women employees can harmonize their working lives with their family lives and at the same time fulfil their roles as members of the family in child care and family care (see Article 11, 2).

2. Counselling for child care

While functional deterioration in child-rearing at home and in local communities is becoming noticeable, there are problems, such as the growing anxiety concerning child-rearing and isolated child-rearing. In order to deal with this situation, the Regional Child-Rearing Support Centre operates to give counselling widely on child-rearing to families with children in the local community using the child care knowledge and experience of day-care centres. Furthermore, day-care centres are making efforts to extend advisory services to local residents on infant child care with the revision of the Child Welfare Law in 1997.

XVII.

Article 6

A. Current situation of prostitution

1. Actual situation of identification of crimes related to prostitution, and relevant laws

In Japan, there are several laws against crimes related to prostitution, such as the Anti-Prostitution Law, the Child Welfare Law, the Penal Code and the prefectural Youth

Protection Ordinances, and these penal provisions have been appropriately enforced.

The situation of identified cases of crimes related to prostitution in the last five years is as shown in annex 50, which indicates a more or less downward trend despite some fluctuations. The situation of identified cases of violation of the Anti-Prostitution Law shows a similar tendency. In terms of numbers of cases, procurement is the most frequent reason for identification, followed by contract and solicitation. Nevertheless, these three modes represent an overwhelming majority, accounting for more than 90 per cent of the total cases of violation of the Anti-Prostitution Law.

In all crimes of prostitution, procurement and contract, which are often incidental to the so-called “dating clubs (escort service)”, represent a substantial portion. Therefore, it can be said that a dispatch-type prostitution service, such as providing a prostitute upon the request of the customer, represents the most popular form of prostitution in Japan. It is also noticeable that criminal techniques for dispatch-type prostitution are becoming more unscrupulous and dexterous, such as seeking clients openly by means of affixing leaflets to public telephone booths and using call-forward phones and cellular phones for communication with clients.

Among these criminal cases of prostitution, cases in which organized crime groups are involved continue to share a certain portion. The ratio of members of organized crime groups to the number of violators of the Anti-Prostitution Law in 1996 was 18.5 per cent (264 offenders), which indicates the fact that the prostitution business is a source of income for organized crime groups.

The law regulating adult entertainment businesses was amended in April 1998 to prevent prostitution in entertainment businesses to make illegal employment grounds for closing entertainment businesses and to prevent entertainment business owners (restaurants and customer reception businesses) or so-called “brokers” from having employees in reception services who owe large debts or from holding employees’ passports.

2. Sex education and advocacy activities

Efforts have been made aiming at further improving sex education in schools, mainly through such subjects as health and physical education, science, home economics, moral education and special activities, so that students will acquire scientific knowledge about sex according to their developmental stages, understand the importance of life, have healthy views about the opposite sex based on the spirit of respecting human rights and gender equality, and behave in an appropriate manner. Various measures have been adopted,

such as producing guidance materials for teachers and holding various seminars.

In addition, the following activities have been conducted as part of social education. Classes for education at home, which are held by various municipal authorities for parents, provide information on sex education at home and teach participants the facts about sex. On the other hand, subjects concerning reproductive health rights, such as matters related to pregnancy and childbirth are coming to be taken up in a class designed for newly married couples without children and couples expecting a child.

3. Prostitution by non-Japanese women

The situation of non-Japanese women involved in criminal offenses related to prostitution, classified by nationality and working places in the last five years, is shown in statistical annex 52. Many of these women entered Japan with the status of “temporary visitor” or “entertainer”, overstayed their visas and worked in adult entertainment businesses, including bars and nightclubs, and engaged in prostitution. Recently, this situation seems to have spread to local cities, owing to the existence of brokers engaged in the supply of non-Japanese women, and organized crime groups and unscrupulous employers who receive the supply of those women. In the most wicked cases, women have been brought into Japan under false pretenses and have been cheated by such brokers and forced to engage in prostitution or menial work while their pay is unreasonably reduced by the brokers.

In response to this situation, a nationwide investigation into the actual situation of foreign entertainers’ workplaces (foreigners who have entered Japan with the status of “entertainer”) and their activities was conducted and, as a result of this, illegal activities of foreign entertainers, such as “hostess” services, were found. In order to remedy the situation surrounding the activities of foreign entertainers and to prevent employers from infringing upon the human rights of these entertainers, the Ministry of Justice partly revised an ordinance on 3 September 1996 to ensure that the employment of foreign entertainers would be permitted only if the facilities concerned are so-called adult entertainment service businesses, if not less than five persons are to be engaged in “hostess” services and if it is determined that the foreign entertainers will not be engaged in “accompanying” services. In addition, the reasons for being barred from employing foreign entertainers are clearly defined.

As stated in Chapter XVII, Section A, the Law Regulating Adult Entertainment Businesses was partially amended to prevent prostitution by non-Japanese women.

4. Juvenile prostitution

Because engaging the services of a juvenile prostitute significantly hampers the sound development of girls and violates their human rights, current laws and ordinances are being utilized to the maximum extent in an effort to control this activity. Besides, in order to have a society in which juvenile prostitution is not allowed, relevant organizations are collaborating in activities of publicity and advocacy intended to protect the rights of juveniles. On the other hand, in order to prevent cases from remaining latent, we are striving to establish an environment and a system that will ensure that the girls feel neither afraid nor intimidated when consulting with or reporting to the police. A system by which expert staff provide continuous support, including a counselling service, is also being arranged with the intent of facilitating the repair of the mental damage done to victimized girls to ensure an early recovery.

In addition, so-called “youth protection ordinance” enacted in all local governments except Nagano prefecture have obscenity penalty provisions to control “obscene sexual acts or indecent acts with juveniles”.

Setting the example for other local governments, the metropolitan government of Tokyo revised its ordinance for juvenile protection on 16 December 1997 in response to this situation. Significant characteristics of the amendment can be found in provisions prohibiting adults from having sexual intercourse or similar acts with a juvenile by offering money or goods or through procurement (prostitution) and the introduction of penalties for adults who engage in such intercourse with juveniles.

“Patronage dating” originally meant receiving money in return for sexual favours. Today, however, this term has come to mean the kind of act performed especially by young girls. Sexual delinquencies committed in the name of “patronage dating” have drastically increased in number, and the girls.

Police have actively engaged in the strict control of adults involved in patronage dating, strict applications of local government ordinances regulating telephone clubs (hotbeds of sexual delinquency), continuous guidance to victimized girls and strict control over acts of prostitution inducement. At the same time, publicity and advocacy activities are carried out to develop awareness among young girls and to form public opinion for the prevention of delinquency.

5. Telephone clubs

In recent years, businesses such as “telephone clubs” and “two shots dial”, which intermediate communications between anonymous men and women using telephone lines, have been increasing. This causes a problem because such establishments become hotbeds for illicit sexual activity, such as prostitution, because girls who see the advertising leaflets may call the service out of curiosity, and there is serious anxiety about the negative influence on juveniles. Upon formulation of local government ordinances regulating telephone clubs and the like in 46 prefectures, the police have commenced enforcement to exert control over miscellaneous illegal acts, activities to remove the advertisements of telephone clubs (in cooperation with relevant organizations, groups and residents), publicity work and advocacy activities to prevent juveniles from being harmed in connection with telephone clubs.

6. Sex tours to developing countries

Although Article 6 does not request the States parties to take measures as regards the situation outside the country concerned, Japan takes measures related to sex tours to developing countries.

Article 13 (3) of the Travel Agency Law stipulates that travel agents are prohibited from involving themselves in conduct by tourists (including receiving services) that violates local laws or ordinances. Furthermore, a notification was issued to provide that the names of those travel agents who are involved with immoral acts committed by Japanese tourists overseas should be made public.

In recent years, however, there have been cases of Japanese tourists being arrested for engaging child prostitutes. In another case, a Japanese tourist was prosecuted after his return to Japan. In the wake of the World Congress against Commercial Sexual Exploitation of Children, held in Stockholm in August 1996, the Japanese Government held a liaison meeting of ministries and agencies concerned and started advocacy activities for preventing child prostitution and child pornography. As part of these efforts, posters calling for the elimination of juvenile prostitution were made and distributed widely at ports and airports and at passport service windows. This was conducted in cooperation with the Japan Committee for UNICEF. The travel business association has also been making efforts to keep travel agents and tourists well-informed.

The Japanese Government is determined to respond strictly, in accordance with the relevant laws and ordinances, in cases where travel agents are involved in illicit acts committed by Japanese tourists overseas.

B. Various aspects of prostitution

1. Businesses related to adult entertainment

In Japan, in the early part of the 1980s, new types of adult entertainment emerged in rapid succession, and this had an enormous amount of negative influence on the good morals of society and the sound development of the juvenile. In response to the situation, the Entertainment Establishments Control Law (which has been superseded by the Law Regulating Adult Entertainment Businesses, etc.) was amended in 1984 to significantly strengthen regulations on such trade; defining five kinds of adult entertainment businesses (see annex 56), introducing the notification system, prohibiting various acts concerning persons under 18 years of age and brokers for adult entertainment services and imposing restrictions on advertisements, publicity and business hours in addition to the regulation on areas where such business is prohibited. In April 1998, in consideration of the current situation with the trend toward diversified forms of prostitution (such as a sex entertainment business with no establishment involved), the adult entertainment law was partially amended.

In addition, in order to cope with recent changes in the business environment that have been brought about by technological progress, including the widespread use of personal computers, the government ordinance concerned was amended in 1996 to include electromagnetic recording media, such as CD-ROMs, among the items regulated for pornography.

The number of business places of adult entertainment businesses in the last five years is shown in annex 56.

For those illegal sex businesses that do not fall under the regulation for adult entertainment businesses, efforts have been made to exercise thorough control by applying the Anti-Prostitution Law.

2. Diverse forms of prostitution

There are diverse forms of prostitution, such as prostitution in a bathroom furnished with a private room, prostitution disguised as various kinds of “accompanying” services (such as prostitution conducted in a so-called “pink bar”), prostitution by non-Japanese women working in restaurants, and conventional prostitutes, in addition to dispatch-type prostitution, including dating clubs, which represents the mainstream.

3. Protection of women engaged in prostitution

Facilities for the protection of women

Chapter 4 of the Anti-prostitution Law has provisions on protection and rehabilitation of a woman who could possibly engage in prostitution owing to her disposition or circumstances.

For that purpose, consultation offices for women based on Article 34, as well as protective institutions for women, based on Article 36 of the Law, have been established, and women's counsellors, based on Article 35, have been appointed.

In response to recent changes in socio-economic conditions and from the standpoint of prevention, these activities for the protection of women are being extended to include women who have problems that cause difficulties in their social life, such as the break-up of families, a poverty-stricken life and sexual damage, in addition to women who have prostituted themselves.

In the women's consultation offices, women are offered guidance and support, such as assistance in finding a job or returning to their families, referral to a welfare office and, at a women's protective institution, hospitalization. Women in need of protection can find temporary protection in the annexed temporary protective station.

The women's counsellors appointed in all 47 prefectures and some large cities provide guidance and support services similar to what the women's consultation offices offer.

The women's protective institutions established at 52 locations in the nation provide the women with vocational training. These women will leave the institutions and become employed, start their own business, return home, return to their parents' home, marry or transfer to other organizations or facilities.

Protection of victimized girls

For a girl who is still mentally and physically immature, engaging in prostitution is not only a violation of her human rights, but it could inflict substantial mental damage on her and have a bad influence on her subsequent development. The National Police Agency and the Ministry of Justice are striving to establish a system to offer continuous support to such girls through counselling services by expert staff members so as to facilitate an early recovery by repairing the mental damage.

Protection of non-Japanese women

Among the non-Japanese women for whom the Government of Japan initiated deportation procedures for working illegally in 1996, the number of women engaged in prostitution amounted to 484.

Regarding the problem of illegal employment of foreigners in Japan, when considering the economic condition of Japan and other Asian nations, it is expected that the inflow of foreigners who intend to work illegally will continue to increase; therefore, the engagement of non-Japanese women in prostitution will also increase. The Government has taken such measures as strict immigration inspections, intensified raids, more active publicity activities both at home and abroad and other measures under the fundamental policy of preventing practice of illegally employing foreigners in Japan and reducing the number of such foreigners, while considering their human rights.

In addition, efforts have been made to prevent the very act of prostitution, in view of its immorality, anti-sociality and negative influence on public morals, society and the public health. In addition, when a case of infringement of human rights, such as prostitution by force, is found, the relevant authorities will take the necessary measures to protect human rights, including the issuance of a government notification.

For the purpose of providing temporary protection for women who have suffered from situations such as those described above, there are shelters established by private women's organizations which have been used by many non-Japanese women. (An example would be the Women's House — Help, established by the Japan Woman's Christian Temperance Union)

4. Integration of the Prostitution Countermeasures Council into the Council for Gender Equality

The Council for Gender Equality, newly established by the Establishment Law of the Council for Gender Equality, passed in March 1997 and enacted in April 1997, has taken over and developed the role formerly played by the Prostitution Countermeasures Council. The Council for Gender Equality is now investigating and deliberating on the measures against prostitution (involving both parties) and other forms of violence against women.

XVIII.**Article 7 (b)****Women's participation in public fields**

Women's participation in decision-making for policies and measures is not only part of the democratic process, but it is also necessary so that women's concerns can be reflected in various policies. However, it has long been pointed out that women's participation in decision-making for policies and administrative measures in public fields as well as in private fields remain seriously undeveloped. In the report on the present status of gender equality and measures, the Japanese Government recognizes that, according to the United Nations Development Programme (UNDP), Japan ranks 7th out of 175 countries by human development index (HDI), but it falls to 34th out of 94 countries by gender empowerment measurement (GEM). Therefore, the Government is promoting further participation by women in the decision-making processes for policies and measures.

1. Women Diet members

The ratio of women members in the Diet has been increasing, and exceeded 10 per cent in the House of Councilors in July 1989. The number and ratio of women Diet members among the total were 24 and 4.8 per cent in the House of Representatives and 36 and 14.3 per cent in the House of Councilors, making the total for both Houses to 60 and 8.0 per cent as of March 1998. However, these rates are still at low levels in view of international standards, and some political parties have therefore been considering a quota system for women candidates.

Moreover, as one of the memorial events of the fiftieth anniversary of the House of Councilors, the "Woman Diet" was held on 4 October 1997 for qualified women voters throughout Japan. The 252 one-day-members of the Diet, who were determined by lot out of 1,609 applicants, discussed various problems ranging from issues related to their daily lives to particulars of national administration, and issued a "declaration of the Woman Diet" at the end.

2. Appointment of women ministers

As at May 1998, there were five women ministers and seven women parliamentary vice-ministers who had been appointed after the presentation of the third periodic report in October 1993.

3. Women members of prefectural assemblies, administrative heads, and others**Proportion of women members in prefectural assemblies**

Although the number of women members of prefectural assemblies is showing a slight increase, there are only 2,849 women out of 64,260 members, namely, only 4.4 per cent of the total number of prefectural and municipal assemblies in December 1996 (this figure was 3.3 per cent in December 1992, as shown in the third periodic report). This shows that women's participation is still at a low level.

Women as administrative heads in prefectures, ordinance-designated cities and municipalities

As for heads of the 3,255 municipalities throughout Japan, there is only one woman city mayor, one woman town mayor and one woman village mayor (as of the end of December 1997). There are no women administrative heads in the 47 prefectures and 12 ordinance-designated cities.

Women as deputy heads of prefectures and of ordinance-designated cities

As for deputy governors appointed by the governors of the 47 prefectures, seven women had been appointed as of May 1998. There was one woman deputy mayor in one of the 12 ordinance-designated cities as of May 1998.

4. Women in the judiciary

The first women justice of the Supreme Court served from February 1994 to September 1997. There are six women presidents of court as of April 1997. The numbers of women who passed in the national bar examination, and who became court judges or public prosecutors have all been increasing in recent years.

5. Women government workers

As indicated in the third periodic report, restrictions against women applying for any type of regular government work were abolished in FY 1989. Every fiscal year, the Government promotes a management policy that promotes gender equality, as required by the administrative policy on personnel management, which is determined by the Director-General of the Management and Coordination Agency in consultation with personnel managers. This is the fundamental policy for promoting gender equality in personnel management in all areas of the Government. Although the proportion of women managers remains low, both the number and proportion of women among government

workers, including managers, have been continuously increasing.

However, the first woman administrative vice-minister in Japan was appointed in the Ministry of Labour in July 1997. In addition, a woman was appointed Director General of the Agency for Cultural Affairs from 25 July 1994 to 19 January 1996 and another was appointed Director General of the Social Insurance Agency from 1 September 1994 to 1 July 1996.

6. Women local government workers

The number and proportion of women workers in local government is increasing, and the number and proportion of women workers at the management level is generally increasing.

7. Active recruitment of women police officers and expansion of job areas

The police force is actively recruiting women police officers and expanding job categories to deal with increasingly complicated and diverse police-related matters.

Every prefectural police force has had women police officers since FY 1994, and 7,800 women police officers were in service by 1 April 1997 (an increase of approximately 630 compared with the previous year, and an increase of approximately 2,400 compared to FY 1993).

The job categories for women police officers are also expanding to include such fields as criminal investigation, identification, information analysis, escorting and protection of VIPs and security as well as traffic control, juvenile guidance, detention of women suspects and public relations.

The police force is diversifying job categories where women can play an active role independently. In particular, as a measure of dealing with sexual crimes against women, and in order to alleviate the mental burden on victims of the crimes, many women police officers have been assigned to the sections in charge of investigation, police boxes and counseling rooms, etc.

The first woman head of a police station was appointed in the Metropolitan Police Department in February 1994 and the first woman division director was appointed in Shiga Prefectural Police Headquarters in August 1994. This is evidence of progress in the appointment of women to higher managerial posts.

XIX.

Article 8

Participation of women in the policy decision-making process in the international field

1. Participation of women in international conferences

The number of women delegates sent to international conferences is gradually increasing. Since FY 1994, Japanese women have participated in the following major international conferences in the capacity indicated:

(a) The eighty-first session of the International Labour Conference (adviser);

(b) The Second Asian and Pacific Ministerial Conference on Women in Development (representative);

(c) The International Conference on Population and Development (adviser);

(d) One session of the Governing Body of the International Labour Office (adviser and substitute delegate);

(e) The thirty-eighth regular session of the General Conference of the International Atomic Energy Agency (representative);

(f) The forty-ninth session of the General Assembly (representative) (alternate);

(g) The tenth session of the Joint Planning and Coordination Committee under the Agreement between the Government of Japan and the Government of the United States of America on Cooperation in Environmental Protection (alternate);

(h) The fifth Japan-United States joint High-Level Committee meeting on Science and Technology under Japan-United States Agreement on Science and Technology (representative);

(i) The World Summit for Social Development (adviser);

(j) The 1995 Review and Extension Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons (representative);

(k) The Fourth World Conference on Women (representative) (alternate);

(l) The fiftieth session of the General Assembly (representative) (alternate);

(m) The World Congress against Commercial Sexual Exploitation of Children (representative);

(n) The fifty-first session of the General Assembly (representative) (alternate);

(o) The special session of the General Assembly on the review and implementation of Agenda 21 (representative);

(p) The fifty-second session of the General Assembly (alternate).

Participation in the Fourth World Conference on Women

The Japanese Government prepared a report for the Fourth World Conference on Women (Beijing, September 1995) in June 1994 and submitted the English version to the United Nations in September. The Government also prepared various materials to explain to other countries Japan's measures on women and the current situation of Japanese women before the plenary session, and distributed these materials to the participants of intergovernmental meetings and NGO forums held concurrently. Moreover, to ensure that the participants of these meetings would comprehend the situation of Japanese women and the society as a whole, an exhibition using a number of charts and panels was held to introduce the current situation of Japanese women playing active roles in various fields towards the formation of a gender-equal society. At the same time, a meeting for exchange with NGOs was held and efforts were made to create collaborative and cooperative relations.

About 5,000 women representing Japanese NGOs participated in the "NGO Forum on Women 95"; those empowered women have since been carrying out further activities throughout the country.

2. Participation of women in international organizations

The proportion of women among Japanese staff members in the United Nations Secretariat stood at 57.5 per cent at the end of June 1997. And the number of Japanese women engaged in professional posts in major international organizations, including the United Nations, was 180 in 1994 but had increased by 230 in 1997. Japanese women working actively in senior management positions, at the end of October 1997, included the Deputy Chief Secretary of ILO, the Director of Personnel of UNESCO, the Director of the Department of Public Economy Administration, and the Deputy Executive Secretary of ESCAP as well as the United Nations High Commissioner for Refugees, Ms. Sadako Ogata.

3. Women ambassadors

To date, there have been six Japanese women ambassadors, including the current ambassador to Turkey.

4. Women in development

Japan has been promoting women in development programmes in line with moves by the international community, such as the Development Assistance Committee of the Organisation for Economic Cooperation and Development (OECD). Japan's Official Development Assistance Charter stipulates that full consideration will be given to the active participation of women in development and to the securing of benefits of development for women as necessary measures for the effective implementation of official development assistance.

Based on this policy, Japan announced a women in development initiative at the Fourth World Conference on Women.

Under the initiative, Japan makes efforts to further build up the overall scale of development as regards women, mainly in the three areas of women's education, health and participation in economic and social activities, in cooperation with developing countries, other donor countries, international organizations and NGOs, while giving consideration to the empowerment of women and gender equality at all stages of women's lives, including in education, work, childbirth and economic and social activities.

Japan intends to incorporate women's participation and benefits for women in all projects involving official development assistance at every stage of the project cycle, including its formulation and implementation as well as its evaluation for technical assistance, grant aid, loan assistance and subsidies to NGO projects. In order to support women at the grass-roots level, Japan extends assistance in the form of grants for grass-roots projects and subsidies to NGO projects as well as the Japan Overseas Cooperation Volunteers.

Specific objectives of the three priority areas in women in development initiatives are as follows.

Education

With the cooperation of the recipient countries and other donors, Japan intends to support efforts in the area of education to achieve the following targets:

(a) Closing the gender gap in school education for 6 to 11-year-old children by 2005;

(b) Providing universal education for all 6 to 11-year-old girls and boys by 2010.

For this purpose, Japan intends to support: production and provision of educational materials and textbooks appropriate for the educational needs of girls in a given social context; training of teachers; establishment of facilities for training and education that girls can utilize; literacy training for adult women; and other measures that promote girls' primary education.

Health

With the cooperation of the recipient countries and donors, Japan intends to support efforts in the area of health to achieve the following targets:

(a) Reducing maternal mortality to below 200 per 100,000 childbirths by 2010 in all countries and regions;

(b) Reducing infant mortality to below 35 per 1,000, by 2015 in all countries and regions.

For this purpose, Japan intends to support: enhanced provision of primary health care; the promotion of basic education on sanitation and nutrition; the provision of maternal health services (such as regular medical examinations for babies and advice on feeding); promotion of family planning; the capacity to collect and analyse basic statistical data concerning medicine, health, sanitation, nutrition and population; and other measures that promote women's health.

Economic and social participation

Japan intends to support (a) enhancement of job skills training and learning opportunities for women to acquire relevant skills; (b) improvement of their working environment; and (c) establishment of a legal and institutional framework for women's full participation.

In view of the importance of assisting microenterprises, which are often run by women, Japan has extended loan assistance to the small-scale industries development programme in India. Recently, it extended similar assistance to Grameen Bank in Bangladesh. Japan intends to support the efforts of other developing countries to introduce similar schemes and give financial and other support for the successful running of such schemes when introduced.

To assist microenterprises, Japan will:

(a) Advise and help in the establishment of financial schemes that support microenterprises;

(b) Advise and give guidance on how to organize women into groups or enterprises (for example, by helping to create workers' guilds or cooperatives);

(c) Supply equipment (for example, sewing machines) that assists microenterprises and fosters women's participation;

(d) Provide financial support for schemes that assist women entrepreneurs.

XX.

Article 9

Amendment to the Foreign Service Personnel Law

Article 7 of the Foreign Service Personnel Law, stipulating the grounds for disqualification, was amended in May 1996. The Article had stipulated that a person whose spouse was a foreigner could not become a foreign service official, and that a person already in the foreign service who married a foreigner would lose his/her office unless the spouse acquired Japanese nationality within four years after the marriage. The amendment eliminated these regulations, thereby enabling a person with a foreign spouse to become or to continue to be a foreign service official.

The regulations against foreign spouses had been based on the belief that, because of the specific nature of the work, a foreign service official married to a foreigner could be exposed to various inconveniences and disadvantages. Although this concern has not been totally disregarded, the decision to amend the provisions was made, taking into consideration various factors which reflect change in the international community, such as the progressive internationalization of the Japanese society and the rising number of marriages involving more than one nationality among diplomats in general.

XXI.**Article 10****A. Improvement of education and learning to offer women more choices and to promote gender equality****1. Improvement of elementary and secondary education**

The Ministry of Education provides prefectural boards of education with information, guidance and assistance in order to promote throughout the educational system, respect for human rights, equality between men and women, and mutual cooperation and understanding. Information and guidance are also provided from the standpoint of giving due consideration to the textbooks and other educational materials used in schools and to improving and enhancing the training of teaching staff.

As was described in the third periodic report, under the current course of study (revised in 1989), home economics has been a part of the curriculum for both boys and girls in junior high schools since the 1993 school year and in senior high schools since the 1994 school year. Teachers are thoroughly trained and the course has been proceeding smoothly.

Some textbooks on social studies describe the Convention and many textbooks on home economics have descriptions of diverse images of the family and the importance of gender equality, mutual understanding and cooperation.

2. Promotion of gender equality in institutions of higher education

Women's studies that seek to reconstruct the conventional system of learning from women's point of view are promoted at institutions of higher learning that foster men scholars of women's studies. Efforts are also being made to make students sensitive to gender in education and research activities.

Research institutions on women's studies have been set up at an increasing number of universities recently. Among national universities, Ochanomizu University set up the Institute for Gender Studies in May 1996, with its main objectives being to conduct academic study and investigation, and to provide education, training and information concerning gender. The Institute undertakes various study projects and offers research guidance to undergraduate and postgraduate students as well as to researchers. It holds monthly study

meetings and symposiums open to everyone and publishes annual reports.

The Women's University of Osaka Prefecture (public) and Aichi Shukutoku University (private) have also set up gender study centres.

3. Promotion of social education**Increasing study opportunities**

There are various opportunities to study the importance of respect and understanding between people, regardless of sex, including home education courses, courses for newly-weds and courses for couples expecting a baby. How to promote gender equality in family life is often taken up as a theme for women's classes. The Ministry of Education subsidizes pioneering or model projects selected from such classes or lectures held by local governments.

Promotion of mutual understanding and cooperation among young people

Boards of education, public halls, women's organizations and parent-teacher associations hold classes and lectures to give young men and women an opportunity to study gender equality, mutual understanding and cooperation, and gender equality at home, in the local community and in the workplace. The Ministry of Education subsidizes model projects selected from classes and meetings held at the local level.

The Ministry of Education has been holding gender equality seminars for youth on a consignment basis since FY 1996. In FY 1997, 16 such seminars were held.

4. Promotion of lifelong learning

Japan is promoting policies to establish a lifelong learning society where people can learn at any stage of life, can freely select and participate in opportunities for study and can have the results of their learning appropriately evaluated. This is also important to enable women to take part in every aspect of social life equally with men.

Regional promotion of systems for lifelong learning

Japan promotes the utilization of regional basic plans for the promotion of lifelong learning which are set up according to the Lifelong Learning Promotion Law, and encourages local governments to establish administrative organizations, such as lifelong learning councils, to formulate plans to promote both programmes and centres for the promotion of lifelong learning.

Promotion of recurrent education

Recurrent education to retrain adults and working people has become increasingly important to help them cope better with the rapid progress in science and technology and changes in the industrial structure. The Ministry of Education therefore encourages colleges in general, and special training colleges in particular, to reserve places for adults, to offer day and evening courses and to open schools. The Ministry of Education is also striving to expand the functions of universities and special training colleges so that they can be places for lifelong learning, and to improve and expand open classes at upper secondary schools.

Expansion of the University of the Air and other institutions

In January 1998, satellite broadcasting enabled the University of the Air, which provides higher education via television and radio, to expand its broadcasts nationwide. The Ministry of Education promotes the establishment of a credit system for upper secondary schools and special training colleges to give people with different educational backgrounds and lifestyles more opportunities to study.

B. Education and learning opportunities to meet the diverse and advanced demands of women

1. Promotion of women's social participation and lifelong learning

Since 1990, the Ministry of Education has entrusted women's educational organizations with model projects to promote women's participation in social activities so that they can realize their potential and create a comfortable society to live in. In FY 1997, the Ministry of Education consigned 18 projects to local organizations and 8 projects to national bodies. One of them produced a picture-story show and a comic stage dialogue script to be used as educational material for studying the Convention more easily, and held a forum to actively publicize the Convention.

Since FY 1994, the Ministry of Education has supported projects for promotion of women's lifelong learning carried out by local governments as a way to develop and advance women's abilities and cultivate a sense of gender equality.

2. Twentieth anniversary of the National Women's Education Centre

The National Women's Education Centre is the only national educational institution for women, and as the national centre it plays leading and pioneering roles for women's educational facilities and centres across the country.

To enrich its information programme, the Centre opened a home page on the Internet in FY 1996 and initiated advanced courses to train educational leaders. It has also established a multimedia database on family education and has conducted research on the educational function of the family and the local community.

The Centre has held a forum on women's and gender studies since FY 1996 and provides an opportunity to present the achievements of organizations, groups or individuals active in research and education on women's studies and gender studies at local levels and promotes exchanges of views and networking among such organizations, groups and individuals. It also compiles the results of various studies on educational methods for women's studies.

In FY 1997, the Centre began holding a regional seminar for women's lifelong learning in cooperation with local boards of education and institutions related to women's lifelong learning.

In November 1997, the Centre held a women's festival and commemorative ceremonies to mark the twentieth anniversary of its founding and sponsored an international lifelong study forum under the theme of "Women's network toward the twenty-first century". As another commemorative event, the Centre published a bulletin composed of theses, contributions and case studies that are expected to contribute to international, interdisciplinary and practical research on lifelong learning.

C. Guidance on university courses and employment

Women university students tend to major in humanities and take up clerical work after graduating from school. The Government has implemented various measures so that every woman student can decide her future course independently without being swayed by fixed ideas about the roles of men and women.

The Government also calls on universities to offer career guidance for students and since FY 1995 has conducted national employment guidance meetings where employment counsellors at universities and recruitment

officers from private companies can exchange views and information. It has promoted measures to provide students with employment-related information promptly through employment counsellors at school and called on corporations to give equal employment opportunities to women students.

Since FY 1995, the Ministry of Labour has held seminars for female high school students, their parents and their school guidance counsellors to raise their awareness as to the importance of not being swayed by gender-based stereotyped ideas in deciding their future.

D. Programme for educational reform

In January 1997, the Ministry of Education worked out a programme for educational reform to concretely and positively tackle educational reform, one of the six reform policies that the Japanese Government has set forth. One of the aims of the programme is to promote education to heighten awareness of gender equality. For the purpose of discarding gender-based stereotypes and promoting gender equality based on awareness of human rights in order to realize a gender-equal society, the Ministry of Education is working to improve the training of persons concerned with education and the development of teaching materials used in school and in social education.

XXII.

Article 11.1 (a)–(c), (f)

A. Implementation of the Equal Employment Opportunity Law

Following the implementation of the Equal Employment Opportunity Law, progress has been made regarding the equal treatment of men and women during the recruitment process, as can be seen in the decline in the number of job offers according to the gender of the applicant. But there were many cases in which female students were not given an equal opportunity to secure a job compared with male students in the severe employment situation of recent years. For example, many corporations failed to provide women students with necessary information about their recruitment and imposed limits on the number of women to be employed. As to assignment and promotion, there has been an increase in the number of women assigned to duties that had previously been assigned only to men, and an increasing number of women have been promoted to posts equivalent to section chief. However, an increasing number of corporations say that they

“assign women to jobs where women’s characteristics and sensitivity can be utilized”, although a majority of corporations say that they “assign women to the same jobs as men in accordance with their ability and aptitude”. Most of the corporations treat men and women equally in training and fringe benefit programmes. As for retirement and dismissal, although there has been improvement in such areas as the different mandatory retirement age for women, problems remain in practice, such as compelling or encouraging women to retire upon marriage, pregnancy or maternity leave or at a certain age.

The Prefectural Women’s and Young Workers’ Office of the Ministry of Labour receives about 20,000 requests from corporations and workers for advice concerning the Equal Employment Opportunity Law and provides individual administrative guidance on the basis of the Law in about 3,000 cases per year. The number of requests from female students for advice concerning recruitment and concerning forced retirement and dismissal is on the increase, apparently reflecting the faltering economy in recent years.

The number of requests for advice and counselling on sexual harassment in the workplace is also on the increase. Some of the cases involving harassment are vicious and serious. Law suits involving sexual harassment have become conspicuous.

In order to promote equal opportunity and equal treatment of men and women in the workplace, restrictions on overtime work, holiday work and late-night work by women have been eased to a certain extent, except in cases of maternal protection under the Labour Standards Law. Employers are tending to call for total abolition of the restrictions, and women have begun to call for a review of the restrictions.

B. Revision of relevant laws

In view of the changes in social and economic environments made in the 10 years or so since the Law was implemented, and with the prospect of the rapidly approaching era of the ageing society with fewer children, the Government submitted a bill to revise the Equal Employment Opportunity Law, the Labour Standards Law and the Child-Care and Family-Care Leave Law to the one hundred and fortieth session of the Diet in February 1997. The bill was designed to strengthen the Equal Employment Opportunity Law, and dismantle the restrictions on overtime work, holiday work and late-night work by women laid down by the Labour Standards Law in order to effect equal treatment of men and women in employment and give women more choices in work

and more chances to realize their potential. The revision was adopted by the Diet on 11 June 1997 and promulgated on 18 June.

The revised law is scheduled to come into force on 1 April 1999, but the portion concerning the improvement of maternal protection (mandating health maintenance measures for pregnant women and extending the maternity leave period in cases of multiple births) was implemented on 1 April 1998.

1. Strengthening the Equal Employment Opportunity Law

Prohibition of discrimination against women in recruitment, assignment and promotion

The revised law prohibits employers from discriminating against women in recruitment, assignment and promotion, while the previous law stipulated that it was the duty of employers to try to treat men and women equally in such fields. The law also prohibits employers from discriminating against women in all training programmes, while the previous law prohibited discrimination only in some such programmes. As a result, discrimination against women is prohibited in all stages of employment from recruitment to mandatory retirement age, retirement and dismissal.

Under the previous law, measures for women only or giving preferential treatment to women were not a problem, but the revised law regards such measures as discrimination against women and prohibits them, except for measures designed to improve equal employment opportunities in the workplace for men and women.

Strengthening measures to ensure the effectiveness of the law

Disclosure of names of employers not heeding administrative guidance

The Minister of Labour or the Director of Prefectural Women's and Young Workers' Office shall provide administrative guidance in the form of advice or recommendations to employers who violate regulations prohibiting discrimination against women. The names of employers not heeding such recommendations shall be made public.

Improvement of the mediation system

Currently, an application for mediation filed by one party cannot be acted upon without the consent of the other party. The revised law makes it possible to initiate mediation upon application from only one party.

Establishment of regulations to promote positive action

The Government will provide advice and other assistance to employers engaged in positive action, such as establishing organization in charge of positive action, analysing current situations, and drawing up and implementing plans, to close the gap between men and women workers created by traditional practices and stereotyped role concepts deeply rooted in the workplace and in society, and to promote the full utilization of women's abilities and skills.

Establishment of regulations to prevent sexual harassment in the workplace

The revised law calls on employers to take steps to prevent sexual harassment in the workplace.

Mandatory health maintenance measures for pregnant women and nursing mothers

The revised law has made it mandatory for employers to take measures to maintain the health of women workers during pregnancy or after childbirth (such as ensuring a time for such women to receive health guidance or a health check, lessening the workload to enable them to observe health advice and implementing other necessary measures). The present law stipulates that employers are responsible for making the necessary efforts to ensure that such measures are taken.

2. Revision of the Labour Standards Law

Abolition of restrictions on overtime work, holiday work or late-night work by women

The revised law has abolished restrictions on overtime work, holiday work or late-night work by women aged 18 years and above.

Extension of maternity leave in cases of multiple births

At present, maternity leave is given six weeks before childbirth and eight weeks after childbirth in the case of a normal pregnancy and 10 weeks before childbirth and eight weeks after childbirth in cases of multiple births. The revised law has extended the period of the leave before childbirth in cases of multiple births to 14 weeks from 10 weeks.

3. Revision of the Child-Care and Family-Care Leave Law

As a result of the removal of restrictions on late-night work by women under the revised Labour Standards Law, there may be cases in which both parents work late-night shifts or in which no one is available for child care or family care late at night. In order to avoid this, the revised law prohibits employers from assigning employees who take care of family members to a late-night shift, upon request from such employees, except when doing so would disrupt the normal operations of the business.

C. Action to ensure equal employment opportunities

1. Activities to raise the level of awareness of the revised law

The Ministry of Labour has been conducting activities to raise the level of awareness in order to promote an understanding of the purpose of the Equal Employment Opportunity Law and to ensure equal treatment of men and women. With the revised law scheduled to come into force in 1999, the Ministry of Labour will continue to conduct awareness-raising activities on various occasions, including during the Equal Employment Opportunity Month in June, to make the revised law well-known to employers and employees and to realize the smooth operation of personnel management in line with the revised law.

2. Administrative guidance and assistance to settle individual disputes

The Prefectural Women's and Young Workers' Office has been providing employers with administrative guidance by visiting their offices under a visiting plan to promote compliance with the Equal Employment Opportunity Law.

The Ministry of Labour is also promoting speedy and smooth settlement of individual disputes between women workers and employers over the handling of equal employment opportunity through appropriate advice, guidance and recommendations from the Director of the Prefectural Women's and Young Workers' Office or through the Equal Employment Opportunity Mediation Commission.

3. Promotion of positive action by corporations for full utilization of women workers' abilities and skills

The Ministry of Labour has worked out guidelines and a worksheet to promote positive action by corporations and hold seminars targeting business leaders to realize equal employment opportunities not only in systems but also in practice (see chapter XIV). The Ministry of Labour intends to have positive action by corporations deeply rooted in society as a developed version of the voluntary checkup promotion campaign (explained in the second periodic report), which has been conducted since FY 1998 and was designed to make the purpose of the Law fully known to every corporation and to encourage corporations to voluntarily improve their personnel management.

4. Actions to remove the glass ceiling

Since the Equal Employment Opportunity Law came into force, there has been an improvement in personnel management as regards women, in women workers' awareness and in the general understanding of equality between men and women in the workplace. However, women's participation in decision-making in individual corporations and labour and management organizations remains feeble and this is believed to be one of the reasons for the low level of awareness on the part of corporations and organizations about utilizing women.

Starting in FY 1995, the Ministry of Labour began conducting an international exchange programme to remove the glass ceiling, which was designed to promote an understanding among the parties concerned with regard to the appointment of women managers and the involvement of women in decision-making in labour and management organizations through interchanges between representatives of the Japanese Government, labour and management, and their counterparts in other advanced countries.

5. Administrative guidance for appropriate operation of the multiple-track personnel management system

Under the multiple-track personnel management system, several tracks are set up according to, for example, whether the job is planning-type or routine-type or whether the job is subject to a transfer requiring a change of abode. Personnel management actions, such as assignment, promotion and training, are carried out according to the track.

In view of the fact that some corporations have implemented different management systems for men and women under the name of multiple-track personnel

management, the Ministry of Labour announced desirable ways to implement a multiple-track personnel management system in 1991 to ensure a clear definition of each track and operation method, implementation of fair recruitment and employee screening practices, openness of the tracks to both men and women, establishment of a system allowing employees to switch tracks, and fair personnel management for men and women. (The Ministry of Labour provides administrative guidance so that personnel management is conducted in line with its guidelines.)

XXIII.

Article 11.1 (c)

A. Promotion of the development of women's professional potential

In order for women to become specialists, obtain managerial positions, or make inroads into other fields amid changes in the economic and industrial structure and rapid progress in the field of communications and other technical innovations brought about by the internationalization of Japanese society, it is essential that each woman develop her potential. This has made it all the more important to promote professional potential development for women, and in so doing, it is important to support a positive approach for women to take interest in their own potential and to help them develop their potential.

To that end, the Ministry of Labour (a) has implemented a business career system (a professional potential acquiring system) to support a step-by-step, systematic development of the professional potential of white-collar workers; and (b) is promoting the improvement of measures, including subsidies, to support employers who establish a work environment, including working hours, that enables workers, regardless of their sex, to voluntarily develop their potential.

B. Supporting women's participation in society

The Government is now constructing a centre designed to support women's participation in society, mainly by providing advice, information and support training to help them realize their potential. The centre is scheduled to open in FY 1999.

XXIV.

Article 11.1 (d)

A. Action to remove the wage gap between men and women

Article 4 of the Labour Standards Law prohibits wage discrimination based on sex. Although the gap in average wages between men and women workers (excluding part-time workers) has been narrowing, the average wage actually paid to women workers in 1997 was 63.1 per cent of that paid to men workers. This gap, as was earlier described, stems largely from the difference in duty (type and rank of job), length of service and educational background, and so on.

The difference in the field of work between men and women workers is partly attributable to the fact that women were not necessarily given as equal an opportunity as men. The Ministry of Labour has therefore been endeavouring to realize equal treatment of men and women and the steady expansion of women's field of work by taking a number of measures: (a) prohibiting discrimination against women in recruitment, assignment and promotion; (b) prohibiting the practice of employment of women only or with preferential treatment of women, which tended to fix the field of jobs available to women and to separate the duties of men and women; (c) revising the Equal Employment Opportunity Law, including the establishment of positive action provisions in the Law, to diminish gaps between men and women workers; and (d) abolishing restrictions on overtime work, holiday work and late-night work by women.

As for measures to dissolve the difference in the length of service between men and women workers, the Ministry of Labour is promoting measures, including a child-care and family-care leave system, to harmonize working life with family life and to shorten working hours so that both men and women can continue to work while caring for children and other family members and playing a role as a member of the family.

The Ministry of Labour is also promoting awareness-raising activities to get rid of the fixed ideas about the abilities of men and women and about gender roles that lie behind the gaps between men and women.

The Ministry of Labour has been providing guidance to ensure proper implementation of the Labour Standards Law.

B. Unpaid work

In May 1998, the Economic Planning Agency published its estimate of the monetary value of housework, social activities and other unpaid work. The estimate showed that, in terms of opportunity cost,¹ the monetary value of unpaid work in 1996 totalled 116 trillion yen, accounting for 23 per cent of the gross domestic product. Unpaid work done by women was estimated at 98 trillion yen, or 85 per cent of the total.

The length of time spent per day on unpaid work by a woman was 3 hours and 50 minutes, and 2 hours and 48 minutes on paid work. Comparable figures for a man were 31 minutes and five hours and 36 minutes, respectively. Thus, women spend 7.4 times as much time as men on unpaid work, whereas men spend more time on paid work, but extremely little on unpaid work.

The per capita value of unpaid work was 1.8 million yen per year for a woman, which was five times as much as that for a man (350,000 yen). The gap in monetary value between men and women is narrower than the gap in working hours owing to the disparity in the average wages for men and women used in calculating opportunity costs.

XXV.

Article 11.2 (c)

A. Establishment of systems for child-care and family-care leave

1. Revision of the Child-Care Leave Law

A bill to revise part of the laws concerning child-care leave designed to establish a family-care leave scheme was enacted on 5 June 1995 and promulgated on 9 June. As a result, the Child-Care Leave Law was renamed the Child-Care and Family-Care Leave Law; it is designed to support workers who are caring for family members to fulfill their responsibility at work as well as in the family.

The law is outlined as follows:

(a) *The right to take family-care leave:* by notifying the employer, a worker can take family-care leave for up to three consecutive months for every family member (spouse, children, parents, grandparents, brothers, sisters and grandchildren living with and being supported by the worker, as well as the spouse's parents if they are in need of care) owing to an injury, an illness, or a mental or physical

handicap. The employer may not dismiss the worker who asked for or took family-care leave;

(b) *Shortening of working hours:* the employer has to shorten working hours for more than three consecutive months, including a family-care leave period, or take other measures to enable a worker to take care of a family member while working for the company;

(c) *Support for workers taking care of children or family members:* in order to ensure continuation of work and facilitate re-employment of workers taking care of children or family members, the Government offers consultation/guidance and subsidies to business operators. It also offers advice and courses to such workers and helps workers forced to resign from their jobs owing to child care or family care to find re-employment;

(d) *Measures for women sailors:* a similar revision of laws was made regarding women sailors. In September 1995, the Ministry of Transport promulgated an ordinance setting forth the procedures for applying for child-care or family-care leave, which would be implemented in April 1999, and the measures that employers have to take;

(e) *Date of entry into force:* the measures listed in paragraph (a) above and those in paragraph (b) that concern child care and family care will enter into force on 1 April 1999. The rest have been in force since October 1995. Even before the entry into force, however, employers have to strive to establish a care leave system as soon as possible and take other measures, including the shortening of working hours.

Following the revision of the Child-Care Leave Law, the "Month for harmonization of work and child care" (October) was renamed the "Month for harmonization of work and family" and intensive awareness-raising activities have been promoted since then.

2. Establishment of a child-care leave benefit

Since April 1995, a child-care leave benefit system has been in force under which an employee who takes child-care leave will be paid 20 per cent of his or her wages before taking such leave as the basic child-care leave benefit, if the employee meets the requirements set forth in the Employment Insurance Law. If an employee who is eligible for the basic benefit is employed after child-care leave by the same employer for more than six months, the employee will be paid a return-to-work benefit in the amount of five per cent of the wage before the leave, multiplied by the number of months of leave.

3. Establishment of a family-care leave benefit

It is planned that, starting in April 1999, an employee who takes family-care leave will be paid in principle 25 per cent of his or her wages before the family-care leave as a family-care leave benefit, if the employee meets the requirements set forth in the Employment Insurance Law.

4. Promotion of the early introduction of the family-care leave scheme

The Government is promoting the early introduction of the family-care leave system and other measures, including the shortening of working hours for family care, by offering consultation and guidance to employers and employees and by providing subsidies.

5. Entrenching the child-care leave system in enterprises

According to a basic survey on management of women workers' employment implemented by the Ministry of Labour in FY 1996, 44.5 per cent of women and 0.16 per cent of men in workplaces offering the child-care leave scheme made use of the scheme. The Government promotes child-care leave and the measures to shorten working hours for child care by giving guidance to the employer and to male and female employees or by providing a child-care allowance.

B. Support for child care

1. Building and reconstruction of day-care centres

Under the Child Welfare Law, the Government provides subsidies to those who build, expand or reconstruct and operate day-care centres. Under the Child Allowance Law, the Government also provides subsidies to those employers who set up and operate day-care facilities in their business establishments. As a result, there are now roughly enough numbers of day-care facilities in Japan, although in some areas of the country, the number of children on the waiting list far exceeds the number of children enrolled.

2. Nursing measures that meet demand

In 1994, the Government adopted basic ideas to promote measures urgently needed for nursing (five-year emergency measures for nursing) to meet diverse demands for nursing brought about by an increase in the number of working women, and to promote compatibility of work and child care. In 1995, the Government began to promote baby nursing (nursing of babies less than one year old) and extended nursing (nursing after 6 p.m.).

3. Review of nursery policies

The Child Welfare Law was revised in 1997 to re-examine nursery policies and other measures with a view to creating an environment conducive to nursing and to assisting children of fatherless families to grow soundly and become independent.

With the number of dual-income families rising, it is now common for such families to use day-care centres. Diverse work styles, meanwhile, demand diverse child care, such as the nursing of infants, extension of nursing hours and temporary nursing (providing emergency or short-term nursing). It is therefore necessary to establish a system that can provide high-quality nursing services to meet the diverse demand with flexibility.

Nursing fees are set according to the age of the child, after taking into account the impact on family budgets of collecting fees on the basis of nursing costs. Previously, nursing fees were set on the basis of, *inter alia*, the income taxes paid by the guardian of the child in the preceding year.

C. Support for harmonizing working life with family life

In order to promote the compatibility of work and family, the Government has implemented the measures described below.

1. Measures to enable employees to take child-care or family-care leave and to return to work

Employees who take child-care leave will be paid a benefit worth 25 per cent of their wages before the leave. (As to the creation of child-care leave benefits, see chapter XXV, section A.)

In addition, the Government has changed the subsidies for the implementation of programmes to facilitate the return to work after child-care leave, which was indicated in the third periodic report. They are now subsidies for the implementation of programmes to facilitate the return to work after child-care and family-care leave, in line with the legislation on family-care leave, to make it easy for workers to take child-care or family-care leave and return to work.

2. Measures to enable workers caring for children or other family members to continue to work

In addition to the subsidy for company nurseries, which was mentioned in the third periodic report, the Government

began to provide subsidies in October 1995 to those employers who extend financial assistance to employees receiving child-care or family-care services with a view to maintaining such workers' continued employment.

The Ministry of Labour expanded the "2020 telephone service", a project to assist working women by providing them with information and advice on available child-care and family-care services on the telephone, into 25 areas as of 1997. In 1995, the Ministry of Labour began holding seminars targeting workers who may have to take care of children or other family members while continuing to work in order for such workers to acquire useful knowledge and be prepared to make child care or family care compatible with work. In FY 1994, it began "family support centre" projects to organize local membership clubs composed of those who extend child-care assistance and those who want to receive such services in order to meet irregular or fluctuating demand for child care that the existing day-care centres cannot cope with, such as a sudden need to work overtime or illness of children.

3. Measures to help find employment for workers who withdrew for child care or family care

The Government continues to promote introduction of a re-employment system by providing subsidies to employers who re-employ workers who left work for reasons of pregnancy, childbirth, child care or family care.

The Government holds seminars for workers who left work to take care of children or other family members. It also provides them with information and extends assistance in self-promotion so that they can resume work with greater ease.

In addition, the Government helps women find re-employment by offering detailed advice and information on jobs available at women's public employment security offices (called "Lady's Hello Work").

XXVI.

Article 11.2 (d)

Protection of mothers

The Government strives to ensure that the provisions of the Labour Standards Law on the protection of mothers are observed in order to maintain the health of working women during their pregnancy and after childbirth. The Equal Employment Opportunity Law stipulates the measures that employers have to take, including securing necessary time for working women to receive health guidance and undergo a

health check in accordance with the Mother and Child Health Law and making it possible for working women to follow instructions given by doctors.

Under the previous law, employers were only required to try, but the revision of the Equal Employment Opportunity Law in June 1997 has made it mandatory. The revision of the Labour Standards Law has extended maternity leave before childbirth from 10 weeks to 14 weeks in the case of multiple births (in force since 1 April 1998).

XXVII.

Article 12

A. Supporting women's health throughout life

In order to help women to be in good health throughout their life, the Government promotes integrated health services from adolescence to pregnancy and childbirth. For middle-aged or older women, it conducts health education with emphasis on lessening menopausal disorders and preventing obesity, offers health consultations and promotes healthy eating habits, proper exercise and regular checkups for breast cancer and osteoporosis.

Since FY 1996, public health offices, women's centres and medical institutions have implemented projects to support the health of women throughout their lives, consisting of health education, to maintain good health throughout life, general consultations to cope with health problems peculiar to women, and consultation on sterility to provide proper consultation and guidance to married couples distressed by sterility.

B. Services concerning pregnancy and childbirth

Activities to maintain the health of mothers and children are systematized in order to provide integrated, overall services most appropriate at each stage of life from the pre-marriage period through pregnancy and childbirth and the child's infancy.

As a result of the revision of the Mother and Child Health Law in April 1997, municipalities began to offer basic health services from the time a notice of pregnancy is filed until the time when the child reaches school age. This has enabled local government offices to establish lifelong health-care services by combining the school and work hygiene

programmes and the health-care programme for the aged that are already in place.

C. Improvement of perinatal medical care

In 1996, the number of maternal deaths was 72 and the maternal mortality rate was 6.0 per 100,000 births. Both figures have remained almost unchanged for the last several years. The infant mortality rate was 3.8 and the neonatal mortality rate, which accounted for 53.6 per cent of infant deaths was 2.0 per 1,000 births, while the perinatal mortality rate (the number of foetal deaths at 22 weeks of gestation and over, plus the number of early neonatal deaths which are divided by the number of births plus the number of foetal deaths at 22 weeks of gestation and over, multiplied by 1,000) was 6.7. All these figures are on the decline year by year.

The number of babies that a woman gives birth to is on the decline, while the number of women becoming pregnant at the age of 35 or older and the number of premature babies weighing less than 1,500 grams are on the increase. Against this background, the Government is promoting the improvement of perinatal intensive care units and neonatal intensive care units across the country to provide advanced health-care services for pregnancy, childbirth and infancy in order to create an environment where women can give birth to babies and bring them up in peace. In 1966, the Government began promoting the establishment of a medical system for pregnant women and newborn infants in every prefecture.

D. Family planning

The birth rate in Japan has declined sharply since 1975 and the total fertility rate (the average number of children that would be born to each woman in her lifetime in accordance with the fertility rate of a given period: the sum of the age-specific fertility rates for women aged 15 to 49) was 1.43 in 1996. Japan's population is forecast to decline in the years ahead and various measures are being taken to cope with a decreasing number of children. In the circumstances, the concept of family planning and how to make use of it is being taught as part of studies on sex at school and in home training classes, and local health offices are providing technical advice and guidance. According to a survey conducted in 1996, 56.3 per cent of married women practise birth control. The figure rises to 77.8 per cent if those who formerly practised birth control are included. Birth control is also prevalent among

unmarried women, with 42.2 per cent of such women responding that they use it.

Under the Maternal Protection Law, abortion is allowed only when being pregnant or delivering a baby is likely to cause considerable harm to the woman for physical or economic reasons, or when a woman has become pregnant from rape or adultery. In both cases, an abortion is performed only with the consent of the woman in question and her spouse and if it is before the twenty-second week of pregnancy. The number of abortions declined to less than 600,000 in 1980 and to about 338,000 in 1996 after hitting a peak of 1.17 million in 1955. The number of abortions performed on women aged 19 or younger was 28,256 (8.3 per cent) in 1996, showing an increase over the preceding year in both number and proportion. The number of abortions per 1,000 women had remained roughly at the same level since 1980. The number of babies born to women aged 19 or younger has been on the decrease, reaching 15,621 (1.29 per cent of total births) in 1996. This shows that more than 60 per cent of pregnant women aged 19 or younger had abortions.

E. Human immunodeficiency virus/acquired immunodeficiency syndrome

In FY 1994, the Government implemented a seven-year campaign to stop acquired immune deficiency syndrome (AIDS) and has promoted various measures since then to (a) develop specific remedy and vaccines; (b) prevent the spread of AIDS in Japan; and (c) help prevent the spread of AIDS in the Asian region. Specific steps are described below.

1. Seven-year "Stop AIDS" campaign

Enhancement of the medical setup

In line with a rise in the number of cases of AIDS the Government is promoting the establishment of a medical setup where persons infected with the human immunodeficiency virus (HIV) can receive medical treatment in peace. It has established a base hospital for treatment of AIDS in each prefecture and a block base hospital in eight blocks nationwide. It also promotes study and training at the AIDS treatment/research and development centre set up in the International Medical Centre of Japan.

Consultation/guidance setup and test setup

In addition to providing counselling on AIDS, the Government trains counsellors and volunteer leaders to improve counselling at medical institutions and NGOs. It also administers HIV tests at local health offices free of charge and

in complete privacy and offers counselling prior to and after such tests.

Promotion of research and international cooperation

The Government promotes research on AIDS treatment and the development of AIDS medicines at domestic universities and research institutes, and is promoting cooperation with those abroad.

It also supports global efforts to combat AIDS through contributions to the Joint United Nations Programme on HIV/AIDS and participation in international conferences on AIDS.

Raising awareness of correct information on AIDS

In addition to activities to raise awareness of and disseminate correct information on AIDS through the distribution of posters and leaflets and to eradicate prejudices against AIDS sufferers the Government promotes AIDS prevention measures by organizing street demonstrations to mark World AIDS Day on 1 December.

Promotion of countermeasures against AIDS by prefectural governments

In order to implement detailed measures appropriate to each region, the Government provides subsidies to prefectural governments to set up councils to combat AIDS, to promote on-site training of persons engaged in medical treatment and various publicity activities, and to offer tests and consultations.

2. Education at school and in society

In view of the importance of education in deepening the correct understanding of HIV/AIDS and eradicating prejudices and discrimination against people with AIDS and HIV, the Government (a) prepared and began distributing textbooks on AIDS to elementary, junior high and senior high schools in FY 1992; (b) prepared and began distributing teaching materials for teachers in FY 1992; (c) began training of teaching staff in FY 1993; and (d) began practical research in areas designated AIDS education promotion areas in FY 1993. It also inaugurated a project to establish an AIDS education information network in FY 1995 to disseminate AIDS education information nationwide. It promotes learning opportunities on HIV/AIDS in the community and disseminates correct information and conducts awareness-raising activities on HIV/AIDS.

F. Preventive measures against diseases peculiar to women

Checkups for osteoporosis, breast cancer and uterine cancer are conducted by municipalities as part of the medical examinations for the aged and the costs are born equally by the Government, the prefectural governments and the municipalities.

1. Checkups for osteoporosis

The number of people suffering from osteoporosis is expected to increase as Japan rapidly enters an era of ageing population. Early detection is needed to prevent osteoporosis.

In 1995, the Government instituted osteoporosis checkups for women in their 40s and 50s, or those in the pre- or post-menopausal stages as part of an overall health examination covered by the Health and Medical Service Law for the Aged to facilitate early detection of the disease. A total of 10,624 women had checkups for osteoporosis in FY 1996.

2. Checkups for breast cancer

In 1996, 7,900 women died from malignant breast tumours, which accounted for 7.4 per cent of all the deaths of women from malignant tumours. The age-adjusted death rate has been on the increase since the mid-1960s.

Breast cancer checkups were added to the cancer examinations covered by the Health and Medical Service Law for the Aged in 1987. Women aged 30 years and above are eligible for the once-a-year checkup. In FY 1996, a total of 3,187,084 women had a checkup for breast cancer across the country. Of those, 134,244 women had a close examination and breast cancer was detected in 2,921 of them.

3. Checkup for uterine cancer

In 1996, 4,963 women died from malignant uterine tumours. The age-adjusted death rate has been on the decrease and the figure for 1996 was one fourth that for 1955. The number of deaths caused by malignant uterine tumours accounted for 4.7 per cent of deaths of women from malignant tumours in 1996, sharply down from 26.3 per cent in 1950.

Cervical cancer checkups and uterine cancer checkups were added to the cancer examinations covered by the Health and Medical Service Law for the Aged in 1983 and 1982, respectively. Women aged 30 years and above are eligible for a cervical cancer checkup and those who fall into a certain category, after being questioned by a doctor, have a uterine cancer checkup.

In 1996, a total of 3,847,779 women had checkups for cervical cancer and 38,012 of them had close examinations; cervical cancer was detected in 2,538 of them. The number of women who had checkups for uterine cancer was 247,264, 4,476 of whom had close examinations and uterine cancer was detected in 259 of them.

XXVIII.

Article 13 (a)

A. Exemption from paying unemployment insurance premiums during child-care leave

Previously, employees taking child-care leave had to pay unemployment insurance premiums based on their standard pay. However, a 1994 revision has exempted women from such payments during child-care leave to create an environment conducive to childbearing.

The amount of insurance benefits to be paid to such employees will be calculated as if they had kept paying premiums.

B. Provision of child-rearing allowance

The child-rearing allowance provided to, *inter alia*, fatherless families is also provided to unmarried mothers, as of August 1998, after a child is recognized.

XXIX.

Article 13 (b)

Various services for unmarried mothers

Women heading fatherless families, including unmarried mothers and widows, are often in an unstable condition financially and mentally as they are both breadwinner and child-rearer. The Government therefore promotes various services for such mothers by employing mainly the Law for the Welfare of Mothers with Dependents and of Widows in close cooperation with relevant organizations. It extends low-interest or interest-free loans to start a business, and offers consultations with experts, including lawyers, to such women if they are having difficulties in running a business.

XXX.

Article 14.1

Participation of women in the decision-making process in rural areas

Participation of women in the decision-making process in the local agricultural industry is gradually increasing, although it is still at a low level. For example, women accounted for 0.66 per cent of agricultural committee members (403 out of 61,010) in 1996, up from 0.06 per cent (40 out of 64,080) in 1985. Women accounted for 13.3 per cent of full (individual) members of agricultural cooperatives (718,955 out of 5,419,580) in 1996, up from 10.4 per cent (574,000 out of 5,536,000) in 1985.

In order to further improve the situation, it is necessary to establish a partnership under which men and women can take part in decision-making. To this end, the Government in 1997 began to (a) promote an awareness-raising campaign involving men at home and local communities; (b) formulate indices and targets for increasing the ratio of women to the total number of members of boards of directors at agricultural cooperatives; and (c) evaluate the progress made.

XXXI.

Article 14.2 (c)

Farmers' pension scheme

Previously, only those farmers who had their own farmland were able to join the farmers' pension scheme. But as a result of the revision of the Farmers' Pension Fund Law in April 1996, women who do not have their own farmland can be covered by the pension scheme if they conclude a "family business agreement" (see chap. XXXIII, sect. A) and meet certain requirements, including a requirement that they be engaged in agricultural management.

The revision of the law has not only made it possible for women to enjoy pension benefits but it has also raised their social status by recognizing them as members of agricultural management.

XXXII.**Article 14.2 (d)****Technical and management guidance for farmers**

Extension advisers stationed in regional agricultural extension offices visit farmers to offer advice on agricultural technology and management, provide information, set up fields for display and hold seminars and training courses to comprehensively and systematically promote their activities.

Specifically, they provide necessary technological guidance and information on management and funds to rural women who want to start farming. They offer wide-ranging information and management guidance to groups of women who are planning to start income-generating activities, give advice on how to make entries in job journals, how to do bookkeeping and how to analyse business results based on entries as well as helping to improve working conditions.

In FY 1995, the Ministry of Agriculture, Forestry and Fisheries began to supply funds to private organizations to start correspondence courses for rural women. At present, a green tourism expert training course and an agricultural labour management expert training course are being offered.

XXXIII.**Article 14.2 (e)****A. Advancing the economic status of women**

Whether or not women receive fair pay for their work is one of the yardsticks used to gauge the degree of advancement of the economic status of women. In 1996, 72.6 per cent of female regular farm workers and 61.0 per cent of women engaged in full-time fishery work received fair pay. This shows that nearly 30 per cent of such women were not paid. To have women's work evaluated properly and to advance their economic status, it is advisable that they be properly paid.

Therefore, the Government advocates concluding family business agreements. These are agreements on working conditions, such as salary and days off, and on work-sharing. The arrangements are discussed and decided upon by family members engaged in farm management.

B. Status of unpaid women workers in rural areas

The proportion of unpaid women workers in 1996 was 26.7 per cent among female regular farm workers and 39.0 per cent among women engaged in full-time fishery work. Continued efforts are being called for to raise the figures in order for women's work to be properly evaluated.

XXXIV.**Article 14.2 (f)****Promotion of women's participation in local community activities**

In order to promote active participation of rural women in community activities in agricultural and fishing villages, it is important to promote awareness-raising campaigns involving men at home and local communities and to establish a partnership under which men and women can take part in the decision-making process. To facilitate the establishment of such a partnership, the Government has implemented partnership promotion projects, under which it investigates the situation of women's participation in the management of agricultural cooperatives, agricultural committees and land improvement districts, and sets up participation targets.

XXXV.**Article 14.2 (g)****Financing for women**

The Government provides information on management control and supports efforts to start income-generating activities, such as processing of agricultural products, with a view to ensuring the stability of rural women's business groups. It also extends interest-free loans from the agricultural improvement fund and the coastal fisheries improvement fund to support group activities for women and the aged in agricultural and fishing villages.

XXXVI.**Article 14.2 (h)****Home economics extension service**

The extension service in home economics provided by the Government has produced considerable results, and the gap in the standard of living between urban and rural areas is disappearing. Therefore, the extension service is now directed more towards the improvement of agricultural work, the coordination of farming and living plans and the reactivation of rural areas, as well as problems related to production.

XXXVII.**Article 16****A. Proposed amendment to the Civil Code**

The Legislative Council, an advisory organ for the Minister of Justice, has been reviewing the provisions of the Civil Code pertaining, *inter alia*, to marriage since January 1991. In February 1996, it submitted an outline of a bill to revise part of the Civil Code to the Minister.

Public opinion on this issue is divided, and according to a public opinion survey conducted by the Prime Minister's Office in June 1996, the amendment to the Civil Code still does not carry the support of the majority. Compared to the results of the previous public opinion survey, however, there is increased support, mainly among the younger generation. Therefore, the Government will continue to study the amendment, taking into consideration the future trend in public opinion.

Of the revisions mentioned in the Legislative Council outline, those pertaining to gender equality are described below.

1. Minimum age for marriage

The current law sets the minimum age for marriage at 18 for men and at 16 for women. The outline calls for the minimum age to be set at 18 for both men and women.

2. Waiting period for women after divorce or annulment of marriage

The current law requires a woman to wait six months before she may remarry after divorce or annulment. The outline calls for such a waiting period to be set at 100 days,

the minimum period required to avoid confusion as to the paternity of children born after remarriage.

3. Surnames of married couples

The current law states that a married couple has to adopt one of their surnames as their common surname. The outline calls for allowing people to choose at the time of marriage whether to adopt one of their surnames or to continue to use their respective surnames.

B. Domestic violence**1. Violence between husband and wife**

As domestic violence, such as wife-beating, can easily be latent, the police has been giving counsel and advice on not only the violence itself but also the problems that lead to violence.

Violence committed within a family is not exempt from the penal provisions applied in cases of, *inter alia*, battery, bodily injury, false arrest and imprisonment, indecent assault and rape, and these penal provisions are enforced appropriately.

Women's organizations in the private sector offer emergency shelter in around 20 places across the country to wives suffering from violence committed by their husbands.

2. Child abuse

The police has women staff members to offer advice and to accept reports of injuries in cases of abuse of girls so that such girls do not feel uncomfortable about reporting injuries. If an incident is reported, the police take the appropriate measures to rescue such girls in cooperation with other concerned organizations.