

REFERENCE: MK/follow-up/Japan/71

17 December 2018

Excellency,

In my capacity as Rapporteur on Follow-up on Concluding Observations of the Committee on the Elimination of Discrimination against Women (CEDAW), I have the honor to refer to the examination of the combined seventh and eighth periodic report of Japan, at the Committee's sixty-third session, held in February 2016. At the end of that session, the Committee's concluding observations (CEDAW/C/JPN/CO/7-8) were transmitted to your Permanent Mission. You may recall that in paragraph 55 on follow-up on the concluding observations, the Committee requested Japan to provide, within two years, written information on the steps taken to implement the recommendations contained in paragraphs 13 (a), 21 (d) and (e) of the concluding observations.

The Committee welcomes the follow-up report received with a one-month delay in April 2018 (CEDAW/C/JPN/CO/7-8/Add.1) under the CEDAW follow-up procedure. At its seventy-first session, held in November 2018 in Geneva, the Committee examined this follow-up report and adopted the following assessment.

Regarding the recommendation made in **paragraph 13** of the concluding observations, urging the State party to “**amend the Civil Code in order to raise the legal minimum age of marriage for women to 18 years of age in order for it to be equal to that of men; revise legislation regarding the choice of surnames for married couples in order to enable women to retain their maiden surnames; and abolish any waiting period for women to remarry upon divorce**”:

The Committee welcomes the information provided by the State party that it has submitted a bill in March 2018 to the National Diet with a proposition to raise the legal age for marriage for women to 18 years old, making 18 the marriageable age for both men and women. The Committee further welcomes the adoption of the Act for the Partial Revision of the Civil Code, which shortened the period of prohibition of remarriage to 100 days. The Committee regrets however that the State party has not taken any legislative steps to allow women to retain their maiden name after marriage and that the State party has not abolished the period for prohibition of remarriage for women. The Committee considers that the State party took some substantial steps to implement the recommendation. It considers that the recommendations **have been substantially implemented**.

The Committee considers that the information provided by the State party is thorough and extensive and responds fully to the recommendation. It thus considers that the quality of the information provided is **satisfactory**.

His Excellency  
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The Committee recommends that, in relation to **paragraph 13** of the concluding observations, the State party provide, **in its next periodic report**, information on further actions taken to:

1. **Adopt legislation enabling married women to retain their maiden surnames.**
2. **Abolish all waiting period for women to remarry upon divorce.**

In relation to the recommendation made in **paragraph 21** of the concluding observations, urging the State party to “**adopt legislation to prohibit and sanction sexist speech and propaganda advocating racial superiority or hatred, including attacks on ethnic and other minority women such as Ainu, Buraku and Zainichi Korean women and migrant women**”:

While the Committee welcomes the adoption of a law against unfair discriminatory speech and behaviour and a law on the elimination of Buraku discrimination, it regrets that the scope of the first law is very limited, that both laws lack a gender perspective and that it is not clear whether they contain provisions prohibiting discrimination. Neither of the laws provide for any sanctions. The Committee also regrets that the State party did not take any legislative measures related to discrimination of Ainu people. The Committee considers that the State party took some steps to implement the recommendation. It considers that the recommendation **has been partially implemented**.

The Committee considers that the information provided by the State party is thorough and extensive but it fails to respond fully to the recommendation. It thus considers that the quality of the information provided is **partially satisfactory**.

Regarding the recommendation urging the State party to “**through an independent expert body, regularly monitor and assess the impact of measures taken to eliminate discriminatory gender stereotypes and prejudices against Ainu, Buraku, Zainichi Korean women and migrant women**”:

The Committee welcomes the information provided by the State party that it has conducted two important surveys that have informed government policies in the field of discrimination against women of certain minority groups. The Committee further welcomes the strengthening of the counselling system in the Legal Affairs Bureaus and District Legal Affairs Bureaus. While these are important measures, the Committee regrets that there is not an independent expert body to monitor or assess the impact of measures taken to eliminate discrimination against women of minority groups in the State party. The Committee considers that the State party did not take any steps to implement the recommendations. It considers that the recommendation **has not been implemented**.

The Committee considers that the information provided by the State party is thorough and extensive and responds to the recommendation. It thus considers that the quality of the information provided is **satisfactory**.

The Committee recommends that, in relation to **paragraph 21** of the concluding observations, the State party provide, **in its next periodic report**, information on further actions taken to:

1. **Adopt legislation that prohibits and sanctions sexist speech and propaganda advocating racial superiority or hatred, including attacks on ethnic and other minority women such as Ainu, Buraku and Zainichi Korean women and migrant women.**



**2. Establish an independent expert body with the mandate to regularly monitor and assess the impact of measures taken to eliminate discriminatory gender stereotypes and prejudices against Ainu, Buraku, Zainichi Korean women and migrant women.**

Accept, Excellency, the assurances of my highest consideration.

Yours sincerely,

A handwritten signature in blue ink, appearing to read 'Hilary Gbedemah'.

Hilary Gbedemah  
Rapporteur on follow-up  
Committee on the Elimination of Discrimination against Women