

Dialogue with Civil Society in the Preparation of the Report

Japan places great importance on collaborating with civil society to achieve gender equality and the empowerment of women. Accordingly, Japan has engaged in dialogue with civil society as outlined below, and has incorporated these discussions into the report as much as possible.

1. Opinion Exchange Meeting at the Liaison Conference for the Promotion of Gender Equality

The Liaison Conference for the Promotion of Gender Equality held an opinion exchange meeting to facilitate broad dialogue with civil society on the issues to be included in this report and the draft report, with participation by over 100 representatives from various sectors including business, labor, education, media, women's organizations and other NGOs/NPOs, and academia.

At the meeting, the following experts and representatives of NGOs and NPOs presented their opinions and a dialogue with the general participants also took place.

(Alphabetical order)

- Ms. KAMIYA Masako (Chairperson of the Special Committee on United Nations Affairs, International Women's Year Liaison Group)
- Ms. MIURA Mari (Professor, Faculty of Law, Sophia University)
- Ms. MIWA Atsuko (Director, Human Rights Information Center for Asia and the Pacific (HURIGHTS OSAKA))

Summary of the Shared Opinions

Progress Over the Past Five Years and Perspectives for Future Measures

- The efforts made over the past five years are characterized by the promotion of women's empowerment as a response to the declining working population, and by efforts to realize a society in which women can live with dignity and pride.

- The perspective of “women’s empowerment” included in the Beijing Declaration is critical. In line with this concept, it is vital that society recognizes women’s achievements, as well as removing the obstacles to women exercising their abilities and rights.
- Hereafter, it is necessary to take action that “leaves no one behind,” not just women.

Women’s Political Participation

- While other countries have seen significant improvements, the situation of women's political participation in Japan is showing a relative regression. In 2001, Japan had the third highest percentage of women lawmakers in the House of Councilors (upper house) among the G7 countries; however, it has the lowest as of 2022.
- In accordance with the revision of the Act on the Promotion of Gender Equality in the Political Field, parity democracy was established as a legal norm, where men and women are equal in both number and power relations. Political parties are expected to initiate further efforts, such as improving the process of fielding candidates, in addition to setting numerical targets for female candidates. The Diet is also expected to make further efforts under an appropriate division of roles.
- Some upcoming challenges are approaches that would deepen democracy in a more inclusive manner, such as graded allocations of political party subsidies in accordance with the percentage of female candidates, requirements for equal numbers of men and women in proportional representation, and measures to address the shortage of individuals willing to stand for election.

Gender-Based Violence

- Article 177 of the Penal Code was amended, replacing the crime of “forcible sexual intercourse” with the crime of “nonconsensual sexual intercourse”, placing the focus of the crime on the existence of sexual consent. As a result, understanding of the reality of sexual violence has widened, including a critical understanding of common “rape myths” and the underlying power relations.

- Digital violence, harassment, and hate speech against women are intensifying on social media platforms and through other means. Such acts may discourage women's political participation by targeting female politicians. Appropriate regulations for digital technology, including AI, are required.

Prejudices and Stereotypes

- As indicated in General Recommendation No. 35 of the Convention on the Elimination of All Forms of Discrimination against Women, gender prejudices and stereotypes need to be understood in relation with gender-based violence.
- Digital violence is rooted in and reinforces prejudice and stereotypes against women. In addition, stereotypes about masculinity may lead to misunderstandings about sexual consent and lack of communication.
- Becoming free from stereotypes of gender roles may be more important for men than for women.
- The Japanese government is also expected to take measures against expressions that sustain and strengthen gender prejudices and stereotypes.

Environment

- The serious damage to industries, livelihoods, housing, and social infrastructure caused by disasters brought about by climate change will increase the burden on women, who are the main providers of care work. In particular, women's workload in developing countries in relation to securing water and fuel is increasing, as well as health problems and the loss of educational opportunities.
- From the perspective of making a proportionate contribution to climate change mitigation, contributions from a gender perspective are required for the Loss and Damage Fund, which was agreed to be operational at COP28 in 2023.
- There is room to leverage Japan's experiences in disaster-affected areas for international contributions.

2. Opinions from NGOs and NPOs

On drafting this report, public opinions were collected on the Cabinet Office Gender Equality Bureau website regarding the evaluation of the government's efforts over the past five years, areas of challenge, and what should be addressed over the next five years.

The following NGOs/NPOs submitted opinions (no particular order):

- Japanese Association of International Women's Rights
- International Women's Year Liaison Group
- Japan Federation of Women's Organizations
- Japan Women's Watch
- National Federation of Business and Professional Women's Clubs of Japan
- National Council for the Promotion of Social Education, National Conference for the Study of Social Education, Women's Learning Subcommittee Steering Committee
- National Women's Network on Non-regular Government Employees ("Hamu-Net")
- Zenshoren (National Federations of Commerce and Industry) Women's Division
- Mirai Workplace
- RHR Literacy Lab
- New Japan Women's Association
- Japan Accountability Caucus for Beijing Conference

Summary of Opinions

Evaluation of the Government's Efforts over the Past Five Years

- The right of sexual self-determination for men and women was respected by abolishing the requirement of assault and threat in the sexual offense provisions of the Criminal Code.
- There has been progress in measures related to positive discrimination correction measures stipulated in Article 4 of the Convention on the Elimination of All Forms of Discrimination against Women and Article 2, Item 2 of the Basic Act for Gender Equal Society, such as measures

aiming to increase the number of female students in STEM departments at national universities.

- The Act on the Promotion of Female Participation and Career Advancement in the Workplace has been revised, and employers are now required to disclose the gender pay gap.
- Although women's employment is increasing, many of the newly employed women hold non-regular positions.
- While the new Act on Support for Women Facing Difficult Problems can be evaluated as an update to the women's protection program based on the Anti-Prostitution Act, concerns are raised that the assistance in the act is based on a "paternalistic" unconscious bias, unilaterally imposing on the women and their surroundings the "ideal figure" based on societal expectations.
- A number of cases of sexual harassment and discriminatory remarks have been made by public figures, but the government's response has been slow and inadequate.
- In schools (kindergartens, elementary schools, junior high schools, and high schools), "life safety education" has been introduced with the aim of "developing an attitude that values life and respects oneself and others, based on a correct understanding of the underlying misconceptions and actions that lead to sexual violence, as well as the effects of sexual violence, according to the child's developmental stage." However, it is only being implemented at a very limited number of model schools, and is only known to a small number of people involved in education.
- It was revealed that some women are unable to purchase or obtain sanitary products due to financial reasons, and this situation came to be known as "period poverty," attracting social attention. Local governments and schools began to provide free sanitary items. This has led to increased interest in the psychological (i.e., "embarrassing" and "should be hidden") and physical burdens placed on women by menstruation, as well as men's lack of understanding of these issues, and there has been a move to provide opportunities for boys to learn about menstruation. It is desirable that these movements expand.
- In order to strongly promote the efforts of each ministry based on the Fifth Basic Plan for Gender Equality (the Fifth Plan), a special committee for the implementation and monitoring was established, holding 34

meetings to monitor the implementation status of the Fifth Plan under various themes. It is desirable that this is continued as a national machinery.

- Progress was made with regard to ensuring women's human rights, such as the unification of the minimum age of marriage for men and women through the amendment of the Civil Code, and the abolition of the period during which remarriage is prohibited.
- The environment surrounding sexual orientation and gender identity is slowly improving, with the Ministry of Health, Labor and Welfare's guidelines on the obligation to prevent power harassment clearly stating that "outing"—the act of disclosing a person's sexual orientation or gender identity without their consent—is a form of power harassment.

Remaining Issues and Areas to Address in the Next Five Years

Inclusive Development, Shared Prosperity, and Decent Work for All

- Detailed review of the implementation status of the Act on Promotion of Women's Participation and Advancement in the Workplace.
- Addressing the gender pay gap and the wage gap between regular and non-regular workers.
- Addressing gendered public services and the increase of non-regular public employees, particularly the disproportionate increase of the number of non-regular female public employees.
- Abolishing systems that prompt people to work without exceeding the scope as a spouse's dependent, such as the so-called "1,030,000-yen barrier" and "1,300,000-yen barrier."
- Raise wages in traditionally female-dominated, low-wage sectors.
- Reducing long working hours.
- Abolition of Article 56 of the Income Tax Act, which allows family business workers' work to be counted as the income of the business owner.
- Improvements and enhancements on nursing care leave and holidays to prevent increasing job turnover due to caregiving.
- Publication of gender statistics on female migrant workers.
- Establish a gender column for owners in the land registry in relation to the percentage of all adults who have secure tenure rights to land (by

gender and ownership type), according to legally recognized documents, in relation to SDGs Global Indicator 1.4.2(a) (Proportion of total adult population with secure tenure rights to land, (a) with legally recognized documentation).

- Realize equal pay for equal work by engaging with companies and clarifying the core issues.
- Improve the treatment of fiscal year appointment officials in local governments, many of whom are women.
- Ratify the ILO Convention No. 111 on Discrimination in Employment and Occupation, etc.

Poverty Eradication, Social Protection, Social Services

- Decriminalize abortion.
- Delete the requirement for spousal consent for abortion.
- Support for girls and women who have an unwanted pregnancy.
- Recognize that there are people who are disadvantaged by intersecting factors through utilizing a variety of indicators in policy-making, and support disadvantaged people shown by each indicator, as well as implement appropriate policies against “intersectional discrimination.”
- Expansion of social security policies under the issue setting of “women’s poverty.”
- Institutionalization for the promotion of comprehensive sex education.
- Improving the situation of limited approved contraceptive methods and the acquisition conditions being burdensome for women (e.g., requiring a visit to an obstetrician/gynecologist or a doctor’s prescription, not covered by health insurance, etc.).
- Improving the system and its operation on abortion, such as requiring hospitalization at a medical institution for prescribing oral abortion pills and the spousal consent requirements.
- Correcting the unequal distribution of unpaid work between men and women.
- Implementation of statistical surveys and institutionalization of care-related issues often shouldered by women, such as the double burden of childcare and nursing care.
- Formulation and implementation of care policies that reflect the needs of the caregivers.

- Consider a variety of perspectives in measures against domestic violence at the prefectural and municipal levels, particularly that foreign women are required to have a letter of guarantee from their Japanese spouse in order to extend or change their visa status, making it difficult to escape from their spouse even in the situation of being a victim of domestic violence or a deteriorating relationship.
- In the plans of local governments based on the new Act on Support for Women Facing Difficult Problems, it should be clearly stated that women with unstable residency status for various reasons are also eligible.
- Enhancement of social education at public halls and other facilities, which have historically played a major role in empowering women as agents for reexamining gender roles and eliminating discrimination against women.
- Improving gender statistics to include diverse genders.
- Clearly stating in the law the principle of prohibiting multiple discrimination/intersectional discrimination against women with disabilities.
- Understanding the actual situation regarding sexual violence, domestic violence, and unwanted nursing from the opposite sex, and ensuring that women with disabilities have access to relief measures.
- Provide training for staff at relevant organizations such as health, medical, welfare, education, police, and judicial services on the reality and prevention of multiple discrimination/intersectional discrimination against women with disabilities.
- Securing the participation of women with disabilities in policy and decision-making bodies and the implementation of temporary special measures.
- Provide education and projects to empower women with disabilities.
- Improving shelters and disaster victim support in accordance with the Sphere Standards and promoting women's participation in decision-making of disaster prevention measures.

Freedom from Violence, Prejudice, and Stereotypes

- Introducing the system of selective separate surnames.

- Abolition of the requirement to specify the legitimacy of the child on birth registration.
- Addressing the issue of sexual exploitation of minor girls.
- Understanding the reality of sexual violence in the entertainment industry and introducing prevention measures.
- Strongly state in government policy that hate speech (including online) against women is unacceptable and take concrete measures. Hate speech is nothing more than violence that suppresses women's behavior and potential by causing fear and stress and impedes women's enjoyment of their human rights.
- Revising the Civil Code to allow same-sex marriage.
- Abolish the infertility requirement in the Act on Special Measures for Gender Identity Disorder.
- Eliminate stereotypes (fixed ideas based on gender), implement measures such as regulating the production and distribution of pornographic materials and video games, and review textbooks and teaching materials.

Institutions that are Participatory, Accountable, and Gender-Sensitive

- Establishment of an independent national human rights institution.
- Introduction of a comprehensive anti-discrimination law.
- Ratification of the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women.
- Introduction of a law prohibiting harassment that allows for the ratification of ILO Convention 190.
- Introduction of a law prohibiting discrimination based on sexual orientation and gender identity to replace the Law for the Promotion of Understanding.
- Implementation of the recommendations regarding comfort women stated in the "Concluding Observations on the Seventh and Eighth Joint Periodic Reports of Japan" by the Committee on the Elimination of Discrimination against Women.
- Introduction of penal provisions and legal quotas for political parties to promote gender equality in the political sphere.