

**Forty-fourth Session of the Committee on the Elimination of
Discrimination against Women**

**Statement by
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On the Occasion of the Consideration of Japan's sixth Periodic Report

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Introduction

Madam Chairperson,
Distinguished members of the CEDAW Committee

On behalf of the delegation of Japan, I would like to express my heartfelt appreciation for allowing me this opportunity today to attend the consideration of Japan's Sixth Periodic Report on the Implementation of the Convention on the Elimination of All Forms of Discrimination against Women. I would also like to pay tribute to the Committee for their tireless activities for the elimination of discrimination against women all over the world.

In addition to myself, our delegation is comprised of representatives from the Cabinet Office, the Ministry of Foreign Affairs, the Ministry of Justice, the Ministry of Health, Labour and Welfare, the Ministry of Education, Culture, Sports, Science and Technology, and the Ministry of Agriculture, Forestry and Fisheries. Today's consideration is also being watched over by many NGO members who have traveled from Japan. NGOs have played a significant role in promoting gender equality in Japan. The Government seizes opportunities to engage in dialogue with NGOs, and on our return to Japan, we also plan to hold a meeting to deliver a report on this consideration to the NGOs.

As a Diet member, I have been committed and have a strong sense of mission when it comes to the issues of violence against women and women's health. My involvement in and contributions to these issues include the following: the enactment and revision of the Act on the Prevention of Spousal Violence and the Protection of Victims; the prevention of abuse of the elderly, disabled, and children; the enhancement of the system for school nurse teachers; the implementation of free provision of 14 medical check-ups for expectant mothers; home-visiting program by birth attendants or healthcare center staff for all families with new-born babies; and consideration with respect to the ratification of the Optional Protocol to the Convention. Furthermore, with regard to the official development assistance, I have worked for the improvement of maternal, newborn and child health, including better access to medical care services of pregnant women, aiming to achieve the Millennium Development Goals. Since I have been heavily involved in these issues, I feel deeply honored and privileged to be here.

Impacts of the Convention in Japan

The year 2009 is a memorable year as it marks the 30th anniversary of the adoption of the Convention on the Elimination of All Forms of Discrimination against Women. The front cover of the bimonthly PR bulletin, published by the Gender Equality Bureau of the Cabinet Office, carries

the description “2009 is the 30th anniversary of the adoption of the Convention on the Elimination of All Forms of Discrimination against Women.” An explanation of the Convention has also been included in the new pamphlet on gender equality, which was produced by the Gender Equality Bureau this June, and it serves to broadly reiterate the significance of the Convention.

Twenty-four years have passed since Japan concluded the Convention on the Elimination of All Forms of Discrimination against Women in 1985. The effects of Japan’s policies implemented to fulfill our obligations under the Convention are now becoming apparent. For example, in conjunction with our conclusion of the Convention in 1985, we enacted the Equal Employment Opportunity Act. Women who began working at that time, and their younger colleagues, are now working in managerial positions in big corporations. In school education as well, home economics, which had primarily targeted female students, has been offered as part of the curriculum for both female and male students since FY 1993 at junior high schools, and since FY 1994 at senior high schools. Men who studied under this curriculum are now of an age where they are getting married and raising children. Nowadays, many young men take on housekeeping chores, more fathers show an interest in attending delivery, and it is normal to see fathers taking their children to nursery schools. As these examples illustrate, the impacts of the Convention in promoting gender equality in Japan has indeed been great.

Background to the slow progress of gender equality

Unfortunately, however, it is undeniable that the progress of gender equality in Japan has been slow by international standards. Some people may wonder why gender equality has lagged in a country like Japan, which has a high level of education and is economically developed. On this matter, I would like to touch upon three main underlying points.

The first point is the stereotyped perception for gender roles. Public Opinion Polls on a Gender-equal Society are regularly conducted in Japan. According to the poll taken in 2007, the percentage of people who oppose such a stereotypical view that “Husband is expected to work outside the home, while wife is expected to take on domestic duties” exceeded 50 percent. I believe that this has been the result of having advanced public information and awareness-raising activities on gender equality. Nevertheless, if we look at the responses by gender, there were more males who agreed with such a stereotypical view than those who disagreed, whereas more females disagreed with this view than agreed with it. This demonstrates that the stereotyped perception for gender roles still remains deeply entrenched in Japan. I believe that even more work is needed in changing this perception, including enhancing the public information and awareness-raising activities targeted at males.

The second point is the issue of difficulty in balancing work and family life. If we look at the employment of women before and after the birth of their first child, we see that about 70 percent of women have quit their jobs. For this women's difficulty to continue working and to balance work and family life, various factors have been suggested as underlying reasons: these include that systems or services have not been developed enough to support the changes of working style and work-life balance and that family-friendly cultures in organizations which realize easy access to the systems or services for both men and women and management reforms to change working style have not been fully developed. Therefore, the major challenges facing Japan are the promotion of work-life balance and the development of systems that give unprejudiced impacts on the selection of activities in the society by women and men.

The third point is that many working women harbor concerns about development of their careers, partly because their career paths are unclear, and that women have few opportunities of support for their careers. Therefore, we need to further promote "positive actions" by business corporations, support the training of mentors, and provide active support for networking, so that women can pursue their career with high motivation..

These kinds of structural problems cannot be overcome in a short period of time. This is all the more reason why steady and proactive efforts are needed. In 2009, marking the tenth anniversary since Japan's Basic Act for Gender-Equal Society was enacted, we will reaffirm the recognition of the Basic Act that the realization of a gender-equal society is a top-priority task in determining the framework of the 21st-century Japan, and we will maximize our efforts for realizing such a gender-equal society.

Next, I will introduce the progress that Japan has made in our gender equality policies since the last consideration, focusing on the matters that were raised in the Committee's recommendations.

Second Basic Plan for Gender Equality

In light of the last consideration by the Committee on the Elimination of Discrimination against Women, discussions were held at the Council for Gender Equality, and the Second Basic Plan for Gender Equality was formulated in 2005. As with the First Basic Plan, this Plan is based on the Beijing Platform for Action. Since formulating the Plan, we have made revisions to our laws and systems have been revised to aim at realizing a gender-equal society, and the Government has formulated and implemented new measures in each field.

Participation of women in policy decision-making processes

Under the Second Basic Plan for Gender Equality, in particular, it was decided to promote efforts for the expansion of women's participation in policy decision-making processes in each field, and a specific numerical target was set, that is, "increasing the share of women in leadership positions to at least 30% by 2020 in all fields in society."

For example, with regard to promoting the appointment of female members to national advisory, councils and committees the Government advanced deliberate efforts aimed at achieving the target that had been determined by the Headquarters for the Promotion of Gender Equality in 2000, namely, "to endeavor to achieve 30 percent as soon as possible before the end of fiscal year 2005"; and it achieved this goal six months ahead of the target date. In light of this achievement, in 2006, the Headquarters for the Promotion of Gender Equality decided on new targets, including "to endeavor to reach a situation by 2020 where male and female members each account for no less than 40 percent of the total number of members."

With regard to researchers, both the Second Basic Plan for Gender Equality and the Third Science & Technology Basic Plan, specify a target figure for the employment of female researchers, namely, "25 percent of all natural science researchers." In response to these plans, the government supports universities and research institutes making good efforts to support the balancing of research activities with childbirth and childcare. In addition, the government supports universities and research institutes to proactively hire female researchers in the fields of science, engineering, and agriculture in which the proportion of the employment of female researchers is particularly low.

Furthermore, with an aim of achieving the 30-percent target by 2020, in 2008, the Headquarters for the Promotion of Gender Equality formulated the Program for Acceleration Women's Social Participation. The Program sets forth a package of three basic policies for the measures to be implemented: realization of a work-life balance; measures to support for women's effort to build their capacity and fulfill their potential; and awareness-raising. As well as working on establishing a solid foundation for the participation of women in all fields, the Program also promotes efforts, designating the three occupations of doctors, researchers and public employees as priority fields in which the participation of women remains low despite high expectations.

Of these occupations, the Program sets a target of raising the percentage of female national public employees at the managerial level from the 1.7 percent recorded in fiscal year 2005 to around 5 percent of all government workers by the end of fiscal year 2010. Meanwhile, the percentage of female national public employees recruits who passed the Clerical Work Division (administration/law/economy) of the Level I examination in fiscal year 2009 is expected to surpass the 30-percent target. The Government will continue to advance this positive approach.

Securing of equal opportunity and treatment between men and women in employment

In the field of employment, with the Equal Employment Opportunity Act having been revised twice since its enactment, the idea of gender equality in employment is now broadly accepted as a matter of course in the attitude of society in general, and corporations have proceeded to revise their employment management. However, while cases of explicit gender discrimination have decreased, at the same time, cases of gender discrimination tend to be more complex and difficult. Also, there has been an increase in the number of cases of disadvantageous treatment, including dismissal, reassignment, and rejection of the renewal of a labor contract, due to reasons such as pregnancy and childbirth against women who request continuous employment. Furthermore, the number of requests for advice regarding sexual harassment is increasing.

Amid such circumstances, in 2006, the Equal Employment Opportunity Act was revised. The revised Act includes provisions prohibiting indirect discrimination, and expands the scope of gender discrimination prohibitions. Also, dismissal or other disadvantageous treatment due to such reasons as pregnancy and childbirth were prohibited, and as a measure to prevent sexual harassment, obligations of employers to implement necessary measures in terms of employment management were enhanced.

At present, in addition to the steady enforcement of the Equal Employment Opportunity Act, the Government is focusing efforts on measures to encourage companies to take “positive actions,” including running “the Corporation Award for the Promotion of Gender Equality” which is presented to best companies taking action to promote gender equality and a work-life balance, and providing companies with information about other companies’ advanced “positive action” measures via websites. The purpose of the “positive action” is to eliminate the existing gender gap which is caused by the gender discriminative employment management of the past and the deep-rooted stereotyped perception for gender roles that still remains in workplaces, and to achieve substantive gender equality..

As the other area we focus on in employment, female non-regular workers have been increasing in these days, thus one of the challenges facing Japan is a fair treatment of non-regular workers and the development of employment environments in which they can exhibit their abilities. To this end, the Act on Improvement, etc. of Employment Management for Part-Time Workers was partially revised, and has been in force since 2008. Efforts are being made to secure the employment conditions of part-time workers, which is well-balanced with regular workers according to part-time workers’ actual working styles, and to encourage conversion to regular workers.

Furthermore, with an aim of achieving economic independence for rural women, the Government provides support for new business start-ups, such as the processing of local agricultural and marine products and direct-selling to consumers in farmers' markets.. These activities are increasing every year.

Support for the balancing of work and family/community life

Next, as touched upon earlier, is the important issue of creating environments where workers can balance both work and their family. As well as publicizing child care leave, family care leave, the system for sick/injured child care leave, the system for limitation on overtime work, the system for limitation on late night work, and measures such as the shortening of working hours (as prescribed in the Child Care and Family Care Leave Act), the Government also methodically visits business premises to confirm that necessary systems have been put in place as per the rules of employment, and to provide rigorous guidance in cases where there is a violation of the Act.

As a result of these efforts, the systems are becoming firmly entrenched. For instance, the percentage of female employees who took child care leave reached about 90 percent in fiscal year 2007. However, many women are still quitting their jobs by reason of childbirth, and the percentage of male employees who took child care leave is only 1.56 percent. In light of the existing circumstances, in 2004, the Government revised the Child Care and Family Care Leave Act, and implemented enhancements, such as including fixed-term workers within the coverage of the systems. The Act was revised again this June. Systems were enhanced, and further progress was made in creating an environment where both male and female workers can balance their work and family lives: (i) employers were obliged to set up a system of shorter working hours and to make exemptions from overtime work for workers with children under three years of age; (ii) in order to encourage males to take child care leave, the allowable period of leave was increased in cases where both parents take child care leave ("bonus dual-carer childcare leave"); and (iii) sick/injured child care leave was expanded, and a new system of short-term leave for family care was created.

It is not good enough for systems to be just developed – they actually have to be used. The Government has also encouraged the private sector to take a positive approach to this. Under the Act for Measures to Support the Development of the Next Generation, which came into effect in 2003, a business with at least 301 permanently employed workers is required to formulate a "general business owner action plan," which describes the business's initiatives for support for its workers to balance work and child-rearing, and the business is then required to submit this to the Minister of Health, Labour and Welfare. The Act was partially revised in 2008, resulting in the scope of

employers required to formulate and submit a “general business owner action plan” being expanded to include businesses with at least 101 workers. Employers are now also required to publish their plans, allowing citizens and other businesses to access their initiatives supporting work-life balance. The aim of this is to further advance the efforts.

More than just providing support for employees to balance work with child-rearing, it is important to promote work-life balance that enables all people to balance their diverse life and working styles. In 2007, a council comprised of relevant cabinet ministers and representatives of business community, labor circle and local governments, decided on Charter for Work-Life Balance and the Action Policy for Promoting Work-Life Balance. The Charter sets forth the fundamental policies on work-life balance, and supposes that the ideal society is: (i) a society where people can achieve economic independence through work; (ii) a society where people have time to lead healthy, affluent lives; and (iii) a society where people can choose from a variety of working and life styles. For the purpose of realizing this kind of society, numerical targets relating to such measures as working hours and the percentage of male employees taking child care leave have been set under the Action Policy, and initiatives are being implemented, including the development of systems, the promotion of workplace culture where workers can easily access to the systems, and the creation of social mood.

Violence against women

The Government recognizes that violence against women – including spousal violence, sex crimes, prostitution, trafficking in persons, sexual harassment, and stalking – is a flagrant violation of women’s human rights, and represents a serious problem that must be overcome as part of the process of forming a gender-equal society.

In 2004, statutory penalties were strengthened for such crimes as rape, forcible indecency, rape causing death or injury, homicide, injury causing death, and injury. In addition, the government newly established the crimes of gang rape and gang rape causing death or injury, so that a statutory penalty heavier than that applied to ordinary cases of rape or rape causing death may be applied, if two or more persons at a certain location jointly to commit rape, or if such an attack leads to the victim’s death or injury.

The Headquarters for the Promotion of Gender Equality has identified the two-week period leading up to the International Day for the Elimination of Violence against Women on November 25 as the period for the Campaign for Eliminating Violence against Women, and it advances various public information and awareness-raising activities aimed at eradicating violence against women.

During last year's campaign, the Prime Minister and all other cabinet ministers who are members of the Headquarters for the Promotion of Gender Equality signed UNIFEM (United Nations Development Fund for Women) 's "Say NO to Violence against Women" petition, and the Government appealed for citizens as well to sign the petition.

With respect to spousal violence, the government enacted the Act on the Prevention of Spousal Violence and the Protection of Victims in 2001. Following two revisions, the term "spousal violence" was broadened beyond just bodily harm. It now includes words and behavior that cause equivalent psychological or physical harm, as well as violence, words and behavior that a person continues to be subjected to by a former spouse following a divorce. Moreover, in addition to the protection order system being expanded – including the creation of orders prohibiting phone calls or other behavior, and orders prohibiting any approach to children or to a victim's relatives – the Act strengthened the role of municipalities. Provisions have been included for municipalities to establish Spousal Violence Counseling and Support Centers, and they are now required to endeavor to establish their own basic plans.

Based on the Act on the Prevention of Spousal Violence and the Protection of Victims, 185 Spousal Violence Counseling and Support Centers have been established as of June this year, providing services including consultations on spousal violence, temporary protection and support for self-reliance. Also, the Government established "Telephone Guidance Service on Organizations Offering Consultation to Spousal Violence Victims (abbreviation: DV Consultation Navi)" to assist victims who are not sure where they should go to ask advice on spousal violence in January this year. Telephone Guidance Service uses an interactive voice response system to direct victims to their closest consultation center. There are plans to further enhance the functions of the DV Consultation Navi in order to make it easier for victims to use.

At consultation desks located in police headquarters and police stations, efforts are being made to improve convenience for victims and develop an environment in which it is easier for victims to seek advice and report cases. At Women's Consulting Offices that provide temporary protection for victims, organizational enhancements have been made, including the assignment of advisors to handle children who accompany victims, and the permanent assignment of staff in charge of psychotherapy. Efforts are also being made to enhance the support given to victims once they have left the Women's Protecting Institutions.

Trafficking in persons

Trafficking in persons is a serious crime, and is a grave violation of human rights and the dignity

of individuals. Female victims suffer serious physical and psychological damage, and their recovery is not easy. Therefore, prompt and appropriate responses are needed. Cognizant of these implications, in 2004, the Government established the Inter-Ministerial Liaison Committee (Task Force) regarding measures to combat trafficking in persons within the Cabinet, and formulated the Action Plan of Measures to Combat Trafficking in Persons as a comprehensive set of measures that include the prevention and eradication of trafficking in persons and the protection of trafficked victims. Since the formulation of the Action Plan, the relevant Ministries and Agencies have collaboratively striven to steadily advance the measures through follow-up evaluation on the progress made in the Inter-Ministerial Liaison Committee. In July this year, a review was begun aimed at revising the Action Plan.

In 2005, the Diet approved the conclusion of the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime, and a law partially revising the Penal Code came into force, which included establishing crimes of buying or selling of human beings, etc.

In 2005, several revisions were made to the Immigration Control and Refugee Recognition Act, including the establishment of a provision defining “trafficking in persons”; clarification that victims of trafficking in persons may be granted special permission for landing and special permission to stay in Japan; and exclusion of victims of trafficking in persons from being subject to deportation by reason of having engaged in activities other than those authorized or engaged in business connected to prostitution.

Women facing difficulties in life

Although not as noticeable in the past, the issue – that women are more liable to experience difficulties in life – is being brought to light by economic and social changes. We recognize that, the underlying reason for the difficulties faced by women in life is – among other challenges – the problem that we are only halfway toward developing gender equality, as can be seen in the gender disparities in employment and work.

Since 2008, the Council for Gender Equality has examined the issue of how the circumstances of people faced with difficulties in life –single-parent families, including single-mother families, victims of domestic violence, people with unstable employment, and foreigners living in Japan – are becoming more diverse and more critical as a result of the current dramatic shifts in economic and social environments. The Council is examining what measures should be taken to stabilize work and employment, and to support parents and children who are faced with difficulties in life.

The “Policy Package to Address Economic Crisis” approved by the government and the ruling coalition parties in April 2009, includes measures to support single mothers in acquiring qualifications and support for working from home, as part of efforts designed to enhance support to single-parent families..

Optional Protocol

Lastly, I will speak about the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women. Based on the fact that considering the possibility of concluding the Optional Protocol was stated in the Second Basic Plan for Gender Equality, the Government has been diligently conducting studies. Also, bearing in mind that this year marks the 30th anniversary of the adoption of the Convention and the tenth anniversary of the adoption of the Optional Protocol, political parties have also been engaged in discussions. However, there are currently a range of different views and opinions; therefore, Japan will continue to give consideration to this matter.

Conclusion

The Japanese Government plans to formulate a new Basic Plan for Gender Equality next year,, and the Government has initiated a review to this end. The Government recognizes that the actual process of formulating a new Basic Plan provides an opportunity to advance Japan’s gender equality to the next step. The Government recognizes that international perspectives are an important factor in the review, and it is fortunate that Ms. Yoko Hayashi – a member of the Committee on the Elimination of Discrimination against Women from Japan – is also participating in the Council for Gender Equality’s specialist committee in charge of formulating the Plan. I hope that, through constructive dialogue with all the members here today, we can garner valuable advice which the Government can utilize in formulating the new Basic Plan.

Thank you very much.