



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

Distr.: General
13 September 2002

Original: English

**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**

Fifth periodic report 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, considered by the Committee at its seventh session. For the second periodic report submitted by the Government of Japan, see CEDAW/C/JPN/2, considered by the Committee at its thirteenth session. For the third periodic report submitted by the Government of Japan, see CEDAW/C/JPN/3, considered by the Committee at its thirteenth session. For the fourth periodic report submitted by the Government of Japan, see CEDAW/C/JPN/4.

Contents

Part One.....	8
General Introduction.....	9
1. Orientation of This Report	9
2. Current Situation of Women in Japan	10
(1) Population	10
(2) Education	10
(3) Employment.....	11
(4) Promotion of Policies Related to Gender Equality	12
(5) Enactment of and Amendments to Laws and Ordinances	12
Part Two	15
Report by Article.....	15
Article 2.....	15
1. Establishment and Reinforcement of the National Machinery, Institutions and Procedures	15
(1) Reinforcement of the National Machinery	15
a) Council for Gender Equality	15
b) Gender Equality Bureau.....	15
c) Minister for Gender Equality	16
d) Headquarters for the Promotion of Gender Equality	16
e) Liaison Conference for the Promotion of Gender Equality	16
(2) The Inauguration of the Equal Employment, Children and Families Bureau of the Ministry of Health, Labour and Welfare	16
2. Measures Taken to Overcome Remaining Obstacles for Women's Equal Participation in Political, Social, Economic, and Cultural Activities	17
(1) Promulgation and enforcement of the Basic Law for a Gender-equal Society	17
(2) Formulation of the Basic Plan for Gender Equality	18
(3) Measures taken by Local Governments.....	18
3. Availability and Effectiveness of Legal Assistance against Discrimination	19
(1) Measures for Handling Complaints.....	19
a) Provisions in the Basic Law for a Gender-equal Society	19
b) Study and deliberation by the Council for Gender Equality	19
(2) Support Services for Violation of Human Rights	20
a) The Human Rights Organs of the Ministry of Justice	20
b) Civil Legal Aid System.....	20
(3) Training for Personnel in the Justice Field.....	20
4. Information on Violence Against Women	21
(1) Current Legal System	21
a) Legal System to Protect Women From Violence.....	21
b) Law for Punishing Acts Related to Child Prostitution and Child Pornography, and for Protecting Children (promulgated on 26 May 1999)	22
c) Law to Make Partial Amendments to Law Concerning Regulation, Rationalization of Work, etc., of Entertainment-related Establishments, etc. (promulgated 20 June 2001)	22
d) Law for the Prevention of Spousal Violence and the Protection of Victims (promulgated on 13 April 2001)	22
e) Child Abuse Prevention Law (promulgated on 24 May 2000).....	22
(2) Current Situation Regarding Rape and Indecent Assault.....	22

(3) Support Services for the Victims.....	22
a) Appropriate Support for Victims	22
b) Prevention of Repeated Victimization.....	23
c) Measures to Prevent Concealed Damage.....	23
(4) Activities to Eliminate Violence	24
a) Considerations by National Machinery.....	24
b) Raising Social Awareness.....	24
c) Survey on Violence between Men and Women	25
(5) Prevention of Stalking	25
a) The Law on Proscribing Stalking Behavior and Assisting Victims (promulgated 24 May 2000).....	25
b) Current Situation.....	25
c) Support for Victims.....	25
(6) Sexual Harassment Prevention	25
a) Current Legal System.....	25
b) Prevention of Sexual Harassment in the General Workplace.....	26
c) Prevention of Sexual Harassment in Public Service Workplaces.....	26
d) Prevention of Sexual Harassment at Universities and Institutions under the Ministry of Education, Culture, Sports, Science and Technology (MEXT).....	27
5. Protecting Youth From Sexual and Violent Information.....	27
(1) Establishment of Guidelines and Ordinances.....	27
(2) Efforts in the Field of Education	28
6. The Issue Known as “Wartime Comfort Women”	28
(1) Government Measures	28
(2) Establishment of the Asian Women’s Fund (AWF).....	28
a) Fund-Raising for the AWF.....	28
b) Atonement Projects Overseas	29
c) Programs Underscoring the Lessons of History	30
d) Programs to Raise Social Awareness.....	30
(3) Efforts in the Field of Education	30
7. Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women.....	30
Article 3.....	31
1. Measures to Ensure the Full Development and Advancement of Women	31
(1) Measures for Women with Disabilities	31
a) Steady Promotion of the Government Action Plan for Persons With Disabilities	31
b) Disabled Person’s Week	31
(2) Measures for Elderly Women.....	32
a) Long-term Care Insurance System.....	32
Article 4.....	33
1. Women’s Participation in the Decision Making Process for Government Policies and Measures	33
(1) Provisions in the Basic Law for a Gender-equal Society.....	33
(2) Appointment as members of National Advisory Councils and Committees.....	33
(3) Recruitment and Promotion of National Public Officers	33
2. Women’s Participation in the Decision-making Process in Local Government.....	34
(1) Appointment as Members of Advisory Councils and Committees of Local Governments.....	34
(2) Recruitment and Promotion of Local Government Workers	34

3. Support for Measures Taken by Private Corporations, Educational and Research Institutions and Other Organizations and Groups	35
(1) Support for Female Workers	35
a) Positive Action in the Workplace	35
b) Appointment of University Faculty Members	35
(2) Support for Women Entrepreneurs	36
a) Preferential Treatment System for Financing	36
b) The Center for the Advancement for Working Women	36
c) Measures in the Area of Agriculture	36
Article 5	37
Article 5. (a)	37
1. Publicity and Enlightenment Activities for the Correction of Stereotyped Perceptions of Gender Roles	37
(1) Provisions in the Basic Law for a Gender-equal Society	37
(2) Measures taken by Headquarters for the Promotion of Gender Equality	37
(3) The Human Rights Organs of the Ministry of Justice	37
(4) Measures Taken by Local Governments	38
(5) One-month Campaign on Equal Employment Opportunity Between Men and Women	38
2. Research and Study	38
(1) Specialist Committee on Surveying Effects	38
Article 5. (b)	39
1. Measures for Promoting Gender Equality in the Family	39
(1) Education in the Home	39
(2) Support for the Balancing of Work and Family	39
2. Research and Study	39
(1) Research Committee on Family and Life Style	39
Article 6	41
1. Current Situation of Prostitution	41
(1) Prostitution-related Crimes	41
a) Identified Cases	41
b) Situation of Processing for Cases Received on Charges Filed by Citizens or Referred From Police at the Public Prosecutor's Office	41
(2) Prostitution and Prostitution-related Crimes by Non-Japanese Women	41
a) Situation of Illegal Entry	41
b) Illegally Working Non-Japanese Women Processed by the Immigration Bureau	41
(3) Diversifying Forms of Prostitution	42
2. The Scope of Prostitution and Sexual Exploitation and Measures to Protect Women who were Engaged in Prostitution, and Women Forced to Engage in Prostitution and Related Sexual Exploitation (including Penal Provisions, Prevention and Social Rehabilitation Measures) and the Effects of These Measures	43
(1) Prevention of Child Prostitution	43
a) Law for Punishing Acts Related to Child Prostitution and Child Pornography, and for Protecting Children	43
b) Hosting of the Second World Congress Against Commercial Sexual Exploitation of Children	43
(2) Preventing Prostitution by Non-Japanese Women	44
a) Current Legal System	44
b) Measures Taken by the Immigration Bureau	44
c) International Efforts Against Trafficking	45

(3) Prevention of Diversifying Forms of Prostitution.....	46
(4) Sex Tours to Developing Countries	46
3. Enlightenment Activities and Sex Education.....	47
4. Protection of Women Engaged in Prostitution.....	47
(1) Protection and Rehabilitation for Women in Need of Protection	47
(2) Support for Girls.....	47
(3) Protection of Non-Japanese Women	48
Article 7.....	49
1. Women's Participation in the Public Sector.....	49
(1) Provisions in the Basic Law for a Gender-equal Society	49
(2) Women Members of the Diet	49
(3) Women Ministers.....	49
(4) Women in the Judiciary	49
(5) Women National Public Officers	50
(6) Women Governors and Mayors in Local Governments	50
(7) Women Members in Local Assemblies.....	50
(8) Female Local Government Workers.....	50
a) Female Local Government Workers	50
b) Boards of Education.....	50
c) Police Officers.....	50
2. Measures to Disseminate the Periodic Report on Implementation of the Convention and Concluding Observations of the Committee	51
Article 8.....	52
1. Current Situation of Participation of Women in the Policy Decision Making in International Areas.....	52
(1) Provisions in the Basic Law for a Gender-equal Society.....	52
(2) Participation of Women in International Conferences	52
(3) Women Working Overseas	53
a) International Organizations.....	53
b) Ambassadors	53
c) Women Staff of Overseas Establishments of the Ministry of Foreign Affairs	53
d) Dispatch to Peace-keeping Operations (PKO)	53
(4) Women in Development (WID)	53
a) Measures for Official Development Assistance (ODA)	53
b) International Exchange and Cooperation in the Field of Education	54
c) Postal Savings for International Voluntary Aid.....	55
d) The Center for the Advancement of Working Women (CAWW).....	55
e) Japanese assistance to Women in Afghanistan.....	55
2. Participation in the Women 2000 Conference	55
3. Measures to Widely Disseminate Information on International Commitments of the Government that Have an Influence on Women and Official Documents Published by the International Forums.	56
Article 10.....	57
1. Improvement of Education and Learning to Promote Gender Equality	57
(1) Gender Equality in Education	57
(2) Promotion of Women's Studies and Studies for the Improvement of Women's Rights	57

(3) Social Education	57
a) Programs in Local Areas	57
b) Increasing Study Opportunities for Education in the Home	58
(4) Increasing Opportunities for Education and Learning	58
(5) Empowerment of Women	58
(6) Training for People with Education Related Profession	58
2. National Women's Education Center	59
(1) Training and Exchange Programs	59
(2) Research Programs	59
(3) Information Collection and Dissemination	59
3. Program for Educational Reform	60
4. Career and Vocational Guidance	60
Article 11	61
Article 11. 1	61
1. Promotion of Measures to Secure Equal Employment Opportunities	61
(1) Implementation of the Equal Employment Opportunity Law	61
(2) Raising Awareness for the Revised Equal Employment Opportunity Law	61
(3) Formulation of Basic Policy	62
a) Basic Policy on Measures for Equal Employment Opportunity	62
b) Basic Policy on Measures for Equal Employment Opportunity for Seafarers	62
(4) Support for the Realization of Equal Employment Opportunities	62
a) Administrative Guidance	62
b) Positive Action	63
c) Measures to Prevent Sexual Harassment	63
d) Resolution of Individual Disputes	63
e) Review on So-called Indirect Discrimination	64
2. Organization of Employment Conditions within the Diversifying Forms of Employment	64
(1) Part-time Workers	64
(2) Dispatch Worker	65
Article 11. 1. (c)	66
1. Policies to Enable Flexible Choice of Profession	66
(1) Development of Vocational Ability	66
(2) Career and Employment	66
a) Career and Vocational Guidance	66
b) Promotion and Cultivation of Work-related Consciousness and Awareness among Female Students	66
2. The Center for the Advancement of Working Women	67
Article 11. 1. (d)	68
1. Equal Remuneration in Respect of Work of Equal Value	68
2. Measurement and Quantification of Women's Unpaid Work in the Household	68
(1) Basic Survey Related to Time-Budget	68
(2) Valuation of Unpaid Work	69
Article 11. 2. (c)	70
1. Establishment of Systems for Child Care and Family Care	70
(1) Provisions in the Basic Law for a Gender-equal Society	70
(2) Revisions of the Child Care and Family Care Leave Law	70
(3) Revision of the Employment Insurance Law	71

(4) Support for Child Raising.....	71
a) Support Measures for the Balancing of Work and Child Raising	71
b) Diverse and High Quality Child Care Services	72
c) Development of Day-Care Centers	72
d) After-School Measures for Children	72
e) Support for Child Raising in Kindergarten.....	72
(5) Establishment of the Long-term Care Insurance System	73
(6) Support to Make Work Compatible With Nursing of Family Members.....	73
a) Developing an Environment Which Makes it Easier to Continue to Work While Nursing Family Members.....	73
b) Support for Re-employment	74
Article 12.....	75
1. Maintaining and Promoting the Health of Women Throughout Their Lives	75
(1) Overview of “Sukoyaka Family 21 Plan”	75
(2) Health Support Service	75
(3) Sex Education and Enlightenment.....	75
(4) Supporting the Health of Women Throughout Their Lives	76
a) Adolescents	76
b) Period of Pregnancy and Childbirth	76
c) Adulthood and Senility	77
2. Measures against Problems that Threaten the Health of Women	78
(1) Measures against HIV/AIDS, Sexually Transmitted Disease	78
(2) Education on and Understanding of HIV/AIDS.....	79
Article 13.....	80
Article 13. (b)	80
1. Measures for Fatherless Families and Widows.....	80
Article 14.....	81
1. Special Considerations for Rural Women.....	81
(1) Women Engaged in the Agriculture, Forestry and Fisheries Industry	81
(2) New Laws and Ordinances Enacted for the Creation of a Gender-equal Society in rural areas.....	81
(3) Reforming Consciousness and Behavior in All Places	81
(4) Creating an Environment Conducive to the Lives and Activities of Women.....	82
(5) Wages and Salary in Family Business.....	82
(6) Wages and Salary in Corporate Business.....	82
2. Ensuring the Participation of and Benefits to Women in the Development of Rural Areas	83
(1) Farmer’s Pension Fund.....	83
(2) Women Entrepreneurs	83
(3) Technical and Management Guidance in Agriculture, Forestry and Fisheries	83
(4) Financing for Women	84
(5) Overall Extension Service of Home Economics	84
Article 16.....	85
1. Study on Amendment to Civil Code	85
2. Domestic Violence	85
(1) Current Legal System	85
(2) Violence Among Spouses.....	86
a) Current Situation	86
b) Law for the Prevention of Spousal Violence and the Protection of Victims	86

c) Action to Eliminate Violence.....	86
d) Spousal Violence Counseling and Support Centers	87
e) Outline for Implementing Measures to Protect Women and Children	87
f) The Human Rights Organs of the Ministry of Justice.....	87
g) Civil Legal Aid System.....	87
(3) Prevention of Child Abuse	88
a) Child Abuse Prevention Law	88
b) Protection of Abused Children	88
c) Publicizing the Obligation to Notify Among People Involved in Education	88
d) The Human Rights Organs of the Ministry of Justice	88
(4) Discrimination Against Girl's Rights and Human Rights Infringement.....	89

Part One

General Introduction

1. Orientation of This Report

This is Japan's fifth 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 "Convention on the Elimination of Discrimination against Women" or "the Convention," which Japan ratified in 1985.

Up to this point, Japan has submitted four periodic reports. Japan submitted its First Periodic Report (CEDAW/C/5/Add.48) in March 1987, which was considered at the seventh session of the Committee on the Elimination of Discrimination against Women in February 1988. Its Second Periodic Report (CEDAW/C/JPN/2) was submitted in February 1992, and the Third Periodic Report (CEDAW/C/JPN/3) was submitted in October 1993, and they were considered collectively at the thirteenth session of the Committee in January 1994. The Fourth Periodic Report (CEDAW/C/JPN/4) was submitted in July 1998, and is yet to be considered.

The present report covers developments on the implementation of the Convention in Japan for a period of about four years from the completion of the Fourth Periodic Report in May 1998 up to April 2002.

Upon drafting the present report, taking note of the Concluding Observations of the Committee on the second and third periodic reports, a wide array of public opinions was collected so that these opinions could be reflected accordingly in the report. Concrete examples are as follows: Consultations regarding items to be incorporated into the Fifth Periodic Report and activities of related NGOs and other organizations were conducted in writing in August 2001 with leading bodies and eminent persons such as from local government offices, government-designated cities and gender equality declaration cities, women's groups as well as various kinds of groups, women members of the Diet, and members of the Council for Gender Equality; at the same time, further consultations were extended to the general public through using the Internet website of the Gender Equality Bureau of the Cabinet Office, which acts as the secretariat responsible for compiling this report; also, on 31 August 2001, 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 opinions of approximately 100 attendances from NGOs and others.

As a result, a total of 276 answers and opinions were submitted from NGOs, out of which 215 came from groups, 51 from individuals, and 10 were anonymous. In March 2002, a meeting for information and opinion exchange was held with the attendance of approximately 60 individuals from NGOs, local governments and others to follow up these opinions and to introduce major related measures taken by the Government. The opinions collected through these consultations were referred hereto upon compilation of this report.

As a party to the Convention, the Government of Japan commits itself to continuing its efforts to eliminate all forms of discrimination against women, and to realize a gender-equal society.

2. Current Situation of Women in Japan

(1) Population

As of 2000, the population of Japan was 126.93 million, of which women account for 64.82 million, or approximately 51% of the population.

The total fertility rate (which refers to the total of birth rates for women by age group in a given year) continued to decline, and after the historic low of 1.34 recorded in 1999, the rate in 2000 was 1.36, continuing the lowest levels in the post-war period. One of the main reasons for the declining birth rate is thought to be the results of the increasing rate of people who remain unmarried and a continued trend to marry at a later stage in life. The average age for first marriage is rising each year and now stands at 27.0 years for women and 28.8 years for men. In addition, out of women in their late twenties, who used to account for the highest birth rate, approximately half of them are unmarried. The percentage of women remaining unmarried in their thirties is also increasing. Moreover, the number of couples who remain childless is increasing and the average number of children for married woman is forecast to decline in the future, although the later figure has been assumed to remain stable at 2.2.

At the same time, life expectancy is rising, standing at the highest level in the world: 84.60 years for women and 77.72 years for men in 2000. The elderly population (the population aged 65 and above) comprised 22.01 million, and the aging rate (the proportion of elderly population to total population) stood at 17.3%. Of this number, women accounted for 12.78 million, which translates into 72.1 men for every 100 women.

Given the declining birth rate and the extension of the average life expectancy, it is forecast that a rapid conversion in the population demographic from a barrel shaped graph to an inverse pyramid will take place as a result of the increasing rate of population decrease, and the growing trend towards fewer children and the increase of the aged. According to future projections, the total population will reach a peak in 2006, after which it will begin to decline. It is forecast that by 2050 the population will have shrunk by more than 20% of its current level, and that the elderly population will continue to increase until 2043, with the elderly population growing by 60% of its current level in 2050. As a result, the aging rate continues to grow rapidly and it is forecast to rise to 28.7% in 2025 and 35.7% in 2050.

(2) Education

In 2001, the advancement rate in high schools (excluding those students advancing to correspondence courses in upper secondary schools) stood at 96.7% for girls (95.0% for boys), which has been higher than that for boys since 1969. The percentage of girls who advance to universities and junior colleges is also increasing: 48.5% (48.7% for boys) in 2001. In terms of the university (undergraduate) advancement rate, a gap between boys and girls still exists, but it is narrowing: 32.7% for girls and 46.9% for boys.

Taking a look at the proportion of women by each subject in the various departments of colleges and universities in 2001, the subjects where women occupy the majority were home economics (94.5%), arts (69.2%), humanities (67.2%) and education (59.6%). At the same time, the proportion of women is increasing in such subjects as social sciences (28.6%), agriculture (40.4%), science (25.3%) and engineering (10.3%), in which the proportion has historically been low.

(3) Employment

In 2000, the women labour force (the sum of the employed and the unemployed over the age of 15) was 27.53 million. This represents a consecutive decrease over two years, reflecting the decrease in younger population. Women account for 40.7% of the total labour force. 1.23 million of the women labour force were unemployed, resulting in an unemployment rate of 4.5% (the unemployment rate for men was 4.9%). These figures are at almost the same level as the previous year, in which the worst employment rate was recorded due to the economic downturn.

The women labour force participation rate (the percentage of the labour force in the population over 15 years of age) was 49.3%, a continuing decrease from the previous year (the men labour force participation rate was 76.4%). The women labour force participation rate by age groups formed an M-shaped curve, with the rates for women aged 20-24 (72.7%) and 45-49 (71.8%) at the peaks and that for women at the child bearing and raising aged 30-34 (57.1%) at the bottom. Compared to 1990, the women labour force participation rates have increased, with the exceptions of the 15-24 age group, who are increasingly receiving advanced education, and the over 65 age group. It should be noted that an upward trend in the middle-aged and older groups of 50-54 and 55-59 has been growing, in addition to a substantial rise in the 25-29 age group. With regard to the women labour force participation rates by marital status, the rate for the unmarried stood at 62.2%, showing an increase from the last report, 49.7% for those who are married, and 31.0% for the divorced and/or the widowed. Although approximately half of the married women participate in the labour force, the women labour force participation rate for women with children under the age of three still remains as low as 28.0%.

As for wages, scheduled salaries for women employees were 65.5% of those for men employees, if part-time workers are not included, in June 2000. Even though the wage difference between men and women is still high, there is some improvement compared to the 62.5% of 1995. This gap is caused by such factors as length of service, academic background, field of employment, rank at work, working hours and others, out of which length of service and rank at work play a large role. In 2000, the average length of service at one company for women was 8.8 years. Although the length had been extended compared with 7.9 years in 1995, it was still shorter than that of men at 13.3 years. Comparison of the wages of standard workers (workers who are employed upon graduating from educational institutions and continue to work under the same employers) between men and women, based on the same conditions in terms of length of service, age and academic background, shows the following. In 2000, among university or college graduates, the wage of women workers aged 20~24 make up 94.6 if that of men workers is put at 100, and likewise that for women workers aged 50~54 make up 82.2, marking the widest gender gap.

The number of part-time workers (non-agriculture and forestry employees whose working hours are less than 35 hours per week) has increased conspicuously in recent years. In 2001 women part-time workers accounted for 68.8% of the total part-time workers and 39.3% of the total women employees. Part-time workers play a large part in Japan's economy, however, compared to regular workers there are problems with employment stability and benefits.

Though the women labour force participation rate has been increasing over time, research on marital life shows that men spend substantially less time on housework than women even when both of them are working. Furthermore, when asked about the burdens women feel towards marriage, "burden of housework" and "burden of managing both housework and a job" accounted for nearly 40%. As is evident from this research, married women still bear a great burden of housework.

(4) Promotion of Policies Related to Gender Equality

“The Basic Law for a Gender-equal Society” was promulgated and enforced in June 1999. In December 2000 the Government approved the “Basic Plan for Gender Equality” as the first plan based on “the Basic Law for a Gender-equal Society.”

As part of the administrative reform of Central Government in January 2001, the Council for Gender Equality and the Gender Equality Bureau were established within the Cabinet Office. Through this reform Japan’s national machinery was reinforced.

Currently, under this strengthened system, the Government is comprehensively implementing measures based on “the Basic Law for a Gender-equal Society” and the “Basic Plan for Gender Equality.”

(5) Enactment of and Amendments to Laws and Ordinances

i) Law for Punishing Acts Related to Child Prostitution and Child Pornography, and for Protecting Children (promulgated on 26 May 1999)

This law, which came into effect in November 1999, prescribes punishments for acts related to child prostitution, intermediation and solicitation of child prostitution, sales, distribution and public display of child pornography as well as buying or selling a child for the purpose of making the child be a party to child prostitution. This Law also establishes measures including the provision of appropriate protection to children who have suffered physically and/or mentally from said acts. The Law came into force in January 1999.

ii) The Basic Law for a Gender-equal Society (promulgated on 23 June 1999)

The purpose of this Law is to promote the formation of a gender-equal society by laying out the basic principles, clarifying the responsibilities, and stipulating provisions to form the basis of policies. The Law came into force in June 1999.

iii) Law to Make Partial Amendments to Laws, etc. to Ensure Appropriate Management of Dispatch Undertakings and the Working Conditions of Dispatched Workers (promulgated on 7 July 1999)

This Law liberalizes allowable types of work in principle, on the premise that measures to protect the dispatched worker is strengthened, including the introductions of regulation on protection of personal information and measures to be taken by the dispatch undertakings. The Law came into force on 1 December 1999.

iv) The Basic Law on Food, Agriculture and Rural Areas (promulgated on 16 July 1999)

This Law sets a provision for women’s involvement in agriculture. It also stipulates that the State shall promote the creation of an environment in which women’s roles in farm management are fairly accessed and women can be provided with opportunities to become involved in farm management and other relevant activities on a voluntary basis. The Law came into force on 16 July 1999.

v) Law Concerning Partial Amendment to the Employment Insurance Law, etc. (promulgated on 12 May 2000)

In the wake of a drastic review of benefits and burdens of employees, the benefit rates for childcare leave and family care leave were raised from 25% to 40% of their wages before their leave. The law came into force on 1 January 2001.

- vi) The Law on Proscribing Stalking Behavior and Assisting Victims (promulgated on 24 May 2000)

The Law provides administrative measures for dealing with stalking such as issuing of warnings and restraining orders as well as measures for arrests. It also stipulates that the police provide assistance to victims of stalking behavior and the like, as well as support from the Government, local public organizations, relevant businesses and local residents.

- vii) Child Abuse Prevention Law (promulgated on 24 May 2000)

The purpose of this Law is to promote the implementation of measures against child abuse (physical, psychological, sexual abuse and neglect). The law came into force on 20 November 2000.

- viii) Law Concerning Partial Amendments to the Child Allowance Law (promulgated on 26 May 2000)

The age limitation of children for whom child allowance is receivable was extended from the three years old to the end of the first fiscal year after the child becomes six years old (prior to the start of compulsory education). The law came into force on 1 June 2000.

- ix) Cabinet Ordinance of the Council for Gender Equality (promulgated on 7 June 2000)

The Cabinet Ordinance sets provisions on the organization, members and other staff of the Council for Gender Equality established in the Cabinet Office along with other necessary items related to the Council

- x) Law for the Prevention of Spousal Violence and the Protection of Victims (promulgated on 13 April 2001)

The Law stipulates the development of the Woman's Consulting Office functions as a Spousal Violence Counseling and Support Center, and introduces the protection order system. The law fully came into force on 1 April 2002.

- xi) Law to Make Partial Amendments to Law on Control and Improvement of Amusement and Entertainment Business (promulgated on 20 June 2001)

The Law stipulates the provisions to strengthen regulations on so-called telephone clubs and image transmitting type sex-related amusement special business.

- xii) Law on Promoting the Resolution of Individual Labour Disputes (promulgated on 11 July 2001)

The purpose of the Law is to facilitate prompt and appropriate settlement of disputes between workers and business owners concerning labour relations. The law came into force 1 October 2001.

- xiii) The Law to make a Partial Amendment to the Law Concerning the Welfare of Workers Who Take Care of Children or Other Family Members Including Child Care and Family Care Leave (promulgated on 16 November 2001)

The Law prohibits unfair treatment on the grounds of taking childcare leave, etc. and also establishes a right to claim exemptions from overtime work. The law fully came into force on 1 April 2001.

- xiv) Law Concerning Partial Amendment to the Child Welfare Law (promulgated on 30 November 2001)

The Law intends to strengthen the monitoring system of non-registered day-care facilities, to clarify the duties of Child Committee members and improve their quality. Although the strengthened monitoring

system and other related measures will be implemented on the day designated by a separate Cabinet Order, the revitalization of activities of the Child Committee members was implemented on 1 December 2001.

xv) Law Concerning Partial Amendment to the Law of Public Health Nurses, Midwives and Nurses (promulgated on 12 December 2001)

The Law intends to unify the titles for public health nurses, nurses, and assistant nurses, which used to be named differently according to their gender. In order to express their profession appropriately, gender neutral and professional titles were given. The law came into force on 1 March 2002.

Part Two

Report by Article

Article 2

1. Establishment and Reinforcement of the National Machinery, Institutions and Procedures

(1) Reinforcement of the National Machinery

As part of the measures to strengthen the Cabinet's functions on the occasion of the Central Government Reform in January 2001, the Cabinet office was newly established as the administrative body responsible for carrying out planning and overall coordination of policies among ministries from a higher position within the government structure. The Cabinet Office is responsible for "the promotion of the formation of a gender-equal society" as one of the most important issues of the Government. In the midst of the Central Government Reform, which primarily aimed at downsizing the entire government, the "Council for Gender Equality" and the "Gender Equality Bureau" were newly established in the Cabinet Office, and the enhanced structures were set in place to promote policies towards the realization of a gender-equal society.

a) Council for Gender Equality

As a result the Central Government Reform in January 2001, the Council for Gender Equality was established, which has taken over and expanded the functions of its predecessor organization bearing the same name, the former Council for Gender Equality. The Chief Cabinet Secretary is the chairperson of this Council and its membership comprises 12 Ministers designated by the Prime Minister and 12 persons of learning and experience appointed by the Prime Minister. The functions of the Council are as follows: In addition to surveying and deliberating on basic policies, measures and important issues concerned with promoting the formation of a gender-equal society, the Council monitors the implementation of government measures promoting the formation of a gender-equal society and surveys the effects of government measures on the formation of a gender-equal society.

As of April 2002, the following four specialist committees have been established under the Council to deliberate various issues relating to the formation of a gender-equal society:

- "The Specialist Committee on Basic Issues;"
- "The Specialist Committee on Violence against Women;"
- "The Specialist Committee on Monitoring and Handling Complaints;" and
- "The Specialist Committee on Surveying Effects."

So far, the Council for Gender Equality has approved the following comments:

- "Comments on the Policies on Support Measures for the Balancing of Work and Child Raising;" and
- "Comments towards Smooth Enforcement of the Law for the Prevention of Spousal Violence and the Protection of Victims."

b) Gender Equality Bureau

The Gender Equality Bureau of the Cabinet Office is tasked with the following:

- function as a secretariat to the Headquarters for the Promotion of Gender Equality and the Council for Gender Equality;
- formulation of plans and overall coordination within the government as a whole regarding the promotion of the formation of a gender-equal society, based on “the Basic Law for a Gender-equal Society” and the “Basic Plan for Gender Equality;”
- promotion of measures based on the “Basic Plan for Gender Equality;” and
- promotion of public awareness in a spirit of gender equality throughout the entire society, including efforts made through cooperation with local governments and private bodies.

c) Minister for Gender Equality

The “Minister for Gender Equality” was newly appointed as one of the “Ministers of State for Special Missions” in the Cabinet Office, which were created as part of measures to strengthen the Central Government Reform. For further effective and speedy policy coordination relating to gender-equality, the Chief Cabinet Secretary is also appointed as the Minister for Gender Equality.

d) Headquarters for the Promotion of Gender Equality

In order to enhance smooth and effective promotion of measures related to the formation of a gender-equal society, the Headquarters for the Promotion of Gender Equality (President: Prime Minister, Vice President: Chief Cabinet Secretary, Members: All Cabinet Ministers) was established within the Cabinet, in 1994. So far, the Headquarters for the Promotion of Gender Equality has made, among others, the following decisions:

- promotion of the appointment of women to national advisory councils and committees; and
- enlargement of the recruitment and promotion of female national public officers.

e) Liaison Conference for the Promotion of Gender Equality

In September 1996, the Liaison Conference for the Promotion of Gender Equality (Egalite network) was inaugurated in order to promote exchange of information and ideas with people in various fields of society, and to facilitate communication among NGOs. The Liaison Conference is composed of 16 intellectuals and a number of individuals representing various fields of society who accepted the offer from the Chief Cabinet Secretary to participate. This Conference is engaged in opinion and information exchange regarding important policy measures and international conferences, and also in the creation and distribution of pamphlets for publicity, among other activities.

(2) The Inauguration of the Equal Employment, Children and Families Bureau of the Ministry of Health, Labour and Welfare

On 1 April 2000, the Prefectural Labour Standards Offices, Prefectural Women’s and Young Workers’ Offices, Prefectural Employment Security Divisions and Employment Insurance Divisions, which had been the former Ministry of Labour’s subsidiary offices, were integrated into the Prefectural Labour Bureaus. At the same time, the Prefectural Women’s and Young Workers’ Offices became the Equal Employment Departments of the Prefectural Labour Bureaus, which took on the same responsibilities. This integration enabled the Prefectural Labour Bureaus to implement cross-field measures effectively, including labour standards administration and employment security administration, and to implement labour administration comprehensively and efficiently.

On 6 January 2001, on the occasion of the Central Government Reform, the Women's Bureau of the former Ministry of Labour and the Children and Families Bureau of the former Ministry of Health and Welfare were unified into the Equal Employment, Children and Families Bureau of the newly integrated Ministry of Health, Labour and Welfare. The Equal Employment, Children and Families Bureau, from the perspectives of both the "working parent" and "child," is now advancing comprehensive and unified measures, including enhancement of supportive measures for success in both career and family life, and childcare services.

2. Measures Taken to Overcome Remaining Obstacles for Women's Equal Participation in Political, Social, Economic, and Cultural Activities

(1) Promulgation and enforcement of the Basic Law for a Gender-equal Society

The Constitution of Japan stipulates respect for the individual and equality between the sexes, and steady progress had been made through legislative efforts toward the realization of gender-equality in line with developments in the international community. However, the necessity for a framework that comprehensively advances gender-equality had also been pointed out. Thus, a decision to advance the consideration on a basic law to actualize and advance a gender-equal society was incorporated into the domestic action plan, the "Plan for Gender Equality 2000," formulated in December 1996. Accordingly, in November 1998, the former Council for Gender Equality submitted the report "the Proposal for a Basic Law Designed to Promote a Gender-equal Society," in which the establishment of such a law was proposed by clarifying its necessity, basic principles and contents. Taking this report into consideration, the Government drafted the bill for "the Basic Law for a Gender-equal Society," which led to the promulgation and enforcement of the law in June 1999.

"The Basic Law for a Gender-equal Society" lists the basic principles relating to the formation of a gender-equal society as follows:

- i) respect for the human rights of women and men;
- ii) consideration of social systems or practices;
- iii) joint participation in planning and deciding policies, etc.;
- iv) managing activities in family life and other activities; and
- v) international cooperation.

Based on these basic principles, the law stipulates the roles of the State, local governments, and citizens as their respective responsibilities in the formation of a gender-equal society. At the same time, as basic policies to promote the formation of a gender-equal society, the law states that the Government is responsible for formulating the "Basic Plan for Gender Equality," which is the central framework for the comprehensive and systematic promotion of the formation of a gender-equal society and also that prefectures are obliged to create their own plans, taking into account the Government's Basic Plan. Furthermore, it stipulates consideration which shall be given to the formation of a gender-equal society when formulating policies, and handling complaints in regard to policies implemented by the Government, and support for local governments and private bodies.

In addition, on the occasion of the Central Government Reform in January 2001, the stipulations in Chapter 3 of the basic law that governed the former Council for Gender Equality were revised into those for the current Council for Gender Equality that is the successor of the former council.

As described above, the establishment of "the Basic Law for a Gender-equal Society" was a milestone in the history of the formation of a gender-equal society in Japan.

(2) Formulation of the Basic Plan for Gender Equality

In December 2000, the Cabinet made a decision to adopt the “Basic Plan for Gender Equality” as the first plan under “the Basic Law for a Gender-equal Society.”

This plan was based upon the “Plan for Gender Equality 2000” formulated by the Headquarters for the Promotion of Gender Equality in December 1996, also taking into account the former Council for Gender Equality’s reports “Basic Philosophy behind Formulation of a Basic Plan for Gender Equality” (September 2000) and “Basic Measures pertaining to Violence against Women” (July 2000). The outcome of the Special Session of the General Assembly “Women 2000” was also taken into consideration. At the same time, during this formulation process, opinions and requests were widely gathered from people in various fields of society, and efforts were made to reflect them into the plan as much as possible.

In this Basic Plan, 11 important objectives* were set out together with long-term policy directions up to the year 2010 and concrete measures to be implemented by the end of FY2005 for each of them.

Through increased cooperation with local governments and people from various sectors of society, the Government will ensure the formation of a gender-equal society by steadily implementing measures listed in this plan.

*11 Important Objectives

- i) Expand women’s participation in policy decision-making processes
- ii) Review social systems and practices and raise awareness from a gender-equal perspective
- iii) Secure equal opportunities and treatment in the field of employment
- iv) Build partnerships in agricultural, forestry and fishing villages
- v) Support efforts of women and men to manage their work with their family and community life
- vi) Develop conditions that allow senior citizens to live with peace of mind
- vii) Eliminate all forms of violence against women
- viii) Support lifelong health for women
- ix) Respect women’s human rights in the media
- x) Promote gender equality to facilitate diversity of choice through enrichment of education and learning
- xi) Contribute to the “equality, development and peace” of the global community

(3) Measures taken by Local Governments

“The Basic Law for a Gender-equal Society” stipulates that each prefecture shall formulate a Prefectural Plan for Gender-equality in accordance with the “Basic Plan for Gender Equality.” At the same time, municipalities are encouraged to formulate Municipal Plans for Gender-Equality, taking into consideration both the Basic Plan and the Prefectural Plans. As of April 2001, every prefecture had already formulated such a plan. As for municipalities, the rate of formulation remains at 19.4%.

Formulation of comprehensive plans is one of the effective measures to promote comprehensive and systematic advancement of a gender-equal society in the local communities. The Cabinet Office, therefore, provides necessary information to local governments. In particular, the Cabinet Office actively supports municipalities by creating and providing manuals in order to help them formulate their plans.

In addition, in prefectures and municipalities, formulation of the ordinances regulating basic measures to promote the formation of a gender-equal society has been advanced. 35 prefectures and 55 municipalities have the ordinances in effect, as of April 2002. In the process of making the ordinances, cooperation from NGOs has been seen.

As of April 2001, in 35 prefectures and 190 municipalities, a comprehensive facility for women and gender-equality has been established as a center for information and group activities. In addition, in order to cooperate with private bodies, local governments engage in supportive activities such as organizing private bodies, providing information, information and exchange activities through private organization networks by holding regular meetings and exchange events, publishing in-house magazines and pamphlets and so on.

3. Availability and Effectiveness of Legal Assistance against Discrimination

(1) Measures for Handling Complaints.

a) Provisions in the Basic Law for a Gender-equal Society

In Article 3 of “the Basic Law for a Gender-equal Society,” concerning respect for human rights of women and men it is provided, “Formation of a Gender-equal Society shall be promoted based on respect for the human rights of women and men, including: respect for the dignity of men and women as individuals; no gender-based discriminatory treatment of women or men; and the securing of opportunities for men and women to exercise their abilities as individuals.” In Article 17, it is also provided, “The State shall take necessary measures for handling complaints in regard to policies implemented by the Government which are related to promotion of formation of a Gender-equal Society or which are recognized as influencing formation of a Gender-equal Society, and necessary measures intended for relief of victims whose human rights have been infringed through factors impeding formation of a Gender-equal Society including gender-based discriminatory treatment.”

b) Study and deliberation by the Council for Gender Equality

As a part of its duties, the Specialist Committee on Monitoring and Handling Complaints established under the Council for Gender Equality has been conducting studies and deliberations regarding the handling of complaints related to the government’s policies and the relief of victims whose human rights have been infringed under “the Basic Law for a Gender-equal Society”.

The Specialist Committee on Monitoring and Handling Complaints has held hearings on the complaint processing system, counseling operations systems at women-related facilities in local governments, and on an administrative counseling system and the human rights protection system. In addition, in order to assess the current situation of the complaint processing systems in local governments, hearings were held in three locations in the nation by interviewing experts involved in the processing.

For the future, by also taking the results of deliberations into consideration, it is planned to utilize actively the existing administrative consulting system and human rights protection system. If necessary, consideration on the modalities of a new complaint processing system fitting for the actual situation in Japan will be undertaken.

(2) Support Services for Violation of Human Rights

a) The Human Rights Organs of the Ministry of Justice

The Human Rights Organs of the Ministry of Justice have actively addressed human rights problems relating to women, such as spousal or partner abuse, sexual harassment in the workplace, or stalking activities. In July 2000, with the intent to improve human rights counseling system, a counseling hotline called “Women’s Rights Hotline” was introduced in 50 Legal Affairs and District Legal Affairs Bureaus. In order to give women easier access to the service, arrangements have been made so that in principle, female Human Rights Volunteers or staff members of the above Bureaus as well as women’s rights experts serve as counselors.

In receiving human rights inquiries, the Human Rights Organs try to help resolve the problem of the inquirers. Depending on the case, they notify a relevant authority or agency of the case, refer the case to the Legal Aid Association, or give advice to the inquirers. When recognizing an incident of suspected human rights violation involving women such as spousal or partner abuse, sexual harassment in the workplace or stalking activities, the Human Rights Organs conduct prompt investigation into the case to determine the fact, and take steps appropriate for the case as well as educate the person involved about respect for human rights. Thus, they endeavor to provide redress for the victims and prevent human rights violations.

The Government submitted the Human Rights Protection Bill to the Diet in March 2002 in order to introduce a drastic reform of the current human rights protection system. The bill prohibits human rights violation such as discrimination or ill treatment including gender discrimination or sexual harassment, and provides for the establishment of the Human Rights Commission, an independent administrative commission, and a new human rights remedy system to be operated mainly by the Commission. The new mechanism is designed to provide proper and prompt redress for and effective prevention of damages caused by human rights violations.

b) Civil Legal Aid System

The Civil Legal Aid System, designed to provide assistance in litigation, etc., is operated by the Legal Aid Association, a designated nonprofit organization, with the aid of subsidies from the Government. A woman who has been victimized and who meets the following requirements is eligible for assistance such as temporary payment of legal representation when she brings an action for damages:

- i) she passes a means test;
- ii) she has, if anything, the prospect for winning a case; and
- iii) it is desirable in the interests of justice to grant her legal aid.

(3) Training for Personnel in the Justice Field

Public prosecutors, according to their years of experience, undertake training dealing with violence against women, victim protection and other related themes. In the Public Prosecutor’s Office, when exercising its punitive authority for domestic violence cases, due consideration has been given to the magnitude of the case and the effect that the punishment will have on the family together with the perspective of attempting to deal appropriately with each case based on its merits. In the normal situation senior partners provide guidance and supervision regarding these practices where appropriate.

As for judges, the Government recognizes as follows. As part of various training and seminars, lectures are provided, focusing mainly on international human rights agreements, domestic discrimination issues, and activities of the Council for Human Rights Promotion. Lectures concerning the prevention of sexual harassment are also conducted, and in the same manner as research into issues of juvenile delinquency and family affairs cases, protection and welfare curriculum relating to and including women's rights has been arranged. Lectures on Prevention of "Spousal Violence and the Protection of Victims Law" and lectures centered around a gender-equal society with reference to the eradication of violence toward women have also been held.

As for correctional officers, courses on constitutional and human rights, including gender-equality related issues, are provided in various training at Training Institute for Correctional Personnel and its branches. Training related to protection of women, including sexual harassment, is also being undertaken.

4. Information on Violence Against Women

(1) Current Legal System

a) Legal System to Protect Women From Violence

Laws punishing violence against women are those such as murder (Article 199 of the Penal Code: execution or life imprisonment or imprisonment with labour of more than three years), lethal assault (Article 205 of the Penal Code: penal servitude for at least two years), assault (Article 204 of the Penal Code: imprisonment of less than ten years or a fine of not more than ¥300,000 or a minor fine), battery (Article 208 of the Penal Code: imprisonment with labour of 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 of not more than two years or a fine of not more than ¥300,000), arrest and confinement (Article 220 of the Penal Code: imprisonment of more than three months and less than five years), indecent assault (Article 176 of the Penal Code: imprisonment with labour of not less than six months and not exceeding seven years), and rape (Article 177 of the Penal Code: imprisonment with labour of not less than two years) are prescribed and have been appropriately enforced.

Those who have been victimized in such ways may file a lawsuit. Formerly, rape, indecent assault and other sexual crimes had the same period of complaint as other crimes, which was within six months after the criminal was identified. The victims of sexual crimes, however, are likely to have difficulties in deciding whether to file suit or not due to the mental trauma and other various circumstances surrounding the case. Therefore, on 12 May 2000, the "Law to Amend the Civil Procedures Law and Inquest for Prosecution Law" eliminated the period of complaint concerning sexual crimes and extended the period of complaint until the statute of limitations for public action runs out.

Furthermore, to alleviate the mental burden borne by victimized women who testify in front of the defendant at the public trial on criminal cases, the law has introduced a system which allows a qualified personnel to be with the victim during the testimony, separates physically a witness from the defendant or designated spectators, and enables the witness in a different room to testify on a monitor by video link.

b) Law for Punishing Acts Related to Child Prostitution and Child Pornography, and for Protecting Children (promulgated on 26 May 1999)

As described in Article 6

c) Law to Make Partial Amendments to Law Concerning Regulation, Rationalization of Work, etc., of Entertainment-related Establishments, etc. (promulgated 20 June 2001)

As described in Article 6

d) Law for the Prevention of Spousal Violence and the Protection of Victims (promulgated on 13 April 2001)

As described in Article 16

e) Child Abuse Prevention Law (promulgated on 24 May 2000)

As described in Article 16

(2) Current Situation Regarding Rape and Indecent Assault

The number of reported cases of rape in 2001 was 2,228, less than half of the 4,862 cases reported in 1971. This transition indicated a continued downward trend from 1971 to 1990, and stabilized to more or less 1,500 from 1990 onward. From 1997, however, there is a gradually increasing trend.

The number of reported cases of indecent assault in 2001 was 9,326, indicating an increase of 280% in comparison with 3,374 cases in 1971. This transition indicated that the downward trend continued until 1986, and the subsequent upward trend started from 1987 with a huge increase in 1999. 2001 resulted in an increase of 30% in comparison with the previous year.

(3) Support Services for the Victims

a) Appropriate Support for Victims

For cases that need expert victim support, police personnel designated besides the investigator accompany the victim to the hospital and provide other forms of support to alleviate the victim's psychological trauma.

At the same time, upon request, police personnel with specialized knowledge and skill in counseling provide counseling for victims with psychological trauma inflicted by the crime. Psychiatrists and private counselors are introduced to victims who require long-term counseling. Such measures to alleviate the psychological traumas of victims are provided through cooperation with relevant organizations and agencies.

Further support is offered to the victim through the Victim Support Liaison Council, made up of local governments and judiciary officials, medical professionals and private organizations. This council responds to the various needs of victims, through active information exchange, building trust and

establishing channels of communication with relevant agencies and strengthening a system for cooperation with them.

In 1996, in order to alleviate the mental burden of the victim by taking appropriate measures in consideration of the victim's point of view, and also to promote more pertinent and more effective investigations into sexual crimes, "instructors on sexual-crimes investigation methods" and the "sexual-crimes investigation unit" were established at the police headquarter of each prefecture and other important sites. Measures were also taken to alleviate the victim's psychological trauma by having a policewoman undertake investigative interviews and activities. Also, a "sexual-crimes investigation evidence collection kit," that includes tools necessary for evidence collection and change of clothes in case the victim's clothes have to be kept as evidence is being distributed.

b) Prevention of Repeated Victimization

In order to prevent a woman being victimized by the same offender, the police have been taking preventive measures such as giving crime prevention lectures and keeping watch. To strengthen the preventive measures, an "Outline for the Prevention of Repeated Victimization" was established in August 2001. The provisions of this Outline include "designating the victims" requiring continued prevention measures as the objects of repeated victimization prevention, as well as strengthening liaisons with relevant legal agencies.

Furthermore, responding to the situation where the number of cases in which women or children are victimized by such crimes as murder, rape and indecent assault have been increasing. Along with a number of consultations regarding stalking and spousal abuse of women as well as attempted kidnapping and child abuse, the "Summary for Measures to Protect Women and Children" was established. In cooperation with volunteers, local governments, and others, measures to protect women and children are being promoted. Crime prevention equipment including personal alarms are provided as support for women and children who have been victims.

c) Measures to Prevent Concealed Damage

In order to provide easy access for the victimized women and encourage them to file or consult their cases, the police have been supporting them by providing appropriate information such as brochures giving explanations of criminal procedure and various relief systems in easy-to-understand terms, pertinent information of the investigation process and the situation of the suspect, and also by responding accurately to inquiries from the victim, while providing a consultant for the sexual crime such as the "Sex Crime Hotlines" installed in each prefectural police force.

In addition, to ensure smooth counseling, further improvements have been made to the facilities and equipment, such as the refurbishment of the lighting, interior, and furniture of the counseling rooms, procurement of "specially-equipped vehicles" for interviewing the victims on the site where they request, while protecting their privacy.

(4) Activities to Eliminate Violence

a) Considerations by National Machinery

(i) Establishment of the “Specialist Committee on Violence Against Women”

The Specialist Committee on Violence Against Women under the Council for Gender Equality is mandated to conduct studies and deliberations on possible future measures while taking into consideration such fields as spousal violence, sexual crimes, prostitution, sexual harassment and stalking behavior as listed in the “Basic Plan for Gender Equality.”

The committee compiled a report entitled “Toward Smooth Enforcement of the Law for the Prevention of Spousal Violence and the Protection of Victims” and reported it to the Council for Gender Equality on 3 October 2001 and 2 April 2002.

(ii) Establishment of the “Special Committee of Managers from Ministries and Agencies Concerned Relating to Violence Against Women”

On 8 August 2000, the “Special Committee of Managers from Ministries and Agencies Concerned Relating to Violence Against Women” was established under the Headquarters for the Promotion of Gender Equality. Through close cooperation among relevant administrative organs, this committee intends to actively advance measures relating to violence against women.

b) Raising Social Awareness

(i) “Movements to Eliminate Violence Against Women”

While recognizing the fact that violence from husbands or partners, sexual crimes, prostitution, sexual harassment, stalking behavior are grave violations of women’s human rights, it was decided that every year, two weeks from 12 November to 25 November, which is the “United Nation’s International Day for the Elimination of Violence Against Women,” are designated as the period for the “Movement to Eliminate Violence Against Women” (decision made on 5 June 2001 by the Headquarters for the Promotion of Gender Equality).

This movement aims to further strengthen the measures against violence against women including social awareness-raising activities, conducted in cooperation and collaboration with local governments, women’s groups and other related organizations. The movement is also aimed at increasing awareness and improving education for the respect of women’s human rights.

(ii) “Symposium on Violence Against Women”

Every year since 1998, the Cabinet Office holds a symposium on violence against women. The Cabinet Office invites experts and intellectuals to give keynote addresses and panel discussions to raise social consciousness of violence against women.

c) Survey on Violence between Men and Women

From September to October of 1999, the Government conducted a national survey on violence between the two sexes for the first time. The questionnaire included variables such as national awareness, modalities and extent of violence experienced, and reasons why many of these cases went unreported. Nationwide, 4,500 males and females of over 20 years of age were asked to take part in this survey. As a result, 0.5 % of males (approximately 1 in 200) said that they had ever been subject to such violence by their spouse or partner as to make them fear for their life, whereas 4.6% of females (approximately 1 in 20) responded likewise.

(5) Prevention of Stalking

a) The Law on Proscribing Stalking Behavior and Assisting Victims (promulgated 24 May 2000)

Stalking is defined as recurrent and persistent act of ‘pursuing’ a specific individual, while, in turn, pursuing is defined as physically following the person, intruding or hanging around the home, demanding relationships, making silent phone calls, and other acts to “satisfy love or other favorable feelings towards the person,” or to “work off grudges resulting from the failure to satisfy these feelings.” Criminal punishments have been established for “stalking,” and the police shall warn, restrict and implement other administrative measures to individuals who are conducting the act of “pursuing.” The victims of stalking can also receive prevention support from the police.

b) Current Situation

During the first 13 months after the implementation of the law restricting stalking and similar acts, there were 988 warnings, 38 restrictive orders and 799 cases of prevention support and 164 cases of arrest. There were also 1,025 stalker cases that led to arrests made by the application of other laws, including 190 arrests for assault, 163 arrests for intimidation, 140 arrests for breaking and entering, and 110 arrests for destruction of property.

c) Support for Victims

In the Law Concerning Regulations etc., on Stalking Activities and similar Acts, there are provisions that when the victims wish to take prevention measures on their own, the police commissioner and others may take steps for prevention support measures if specific conditions are fulfilled. Specifically, instruction in self-prevention measures and lending of personal alarms, equipping of portable automatic notification devices and other forms of support may be given. In addition, through cooperation with relevant administrative organs and organizations, effective victim support is being promoted.

(6) Sexual Harassment Prevention

a) Current Legal System

Penal provisions are applicable to sexual harassment in the workplace. Examples include battery, intimidation, compulsion (Article 223 of the Penal Code: imprisonment with labour of not more than 3 years), defamation (Item 1 of Article 230 of the Penal Code: imprisonment with or without labour of not more than 3 years or a fine of not more than ¥500,000) and insult (Article 231 of the Penal Code:

penal detention or a minor fine). These penal provisions have been appropriately enforced in accordance with individual cases.

b) Prevention of Sexual Harassment in the General Workplace

Under the Law on Securing, Etc. of Equal Opportunity and Treatment between Men and Women in Employment (the Equal Employment Opportunity Law), it is an obligation for those in charge of employment management to give consideration to the prevention of sexual harassment in the workplace. The guideline set under this law requires the employer to give considerations to: (i) establishing a clear policy on sexual harassment, making the said policy known to employees, and providing related education; (ii) responding to consultations and complaints, and (iii) making a prompt and appropriate response to a sexual harassment case, once it has occurred.

According to a 1999 survey conducted on private corporations, 49.0% of them have “clear policies that do not tolerate sexual harassment, and have made efforts to make the said policy known to employees,” 34.3% have established “contact points for consulting and complaints,” 36.8% say they have determined “how to respond to sexual harassment cases once they occur.”

Comparing corporations by scale, the larger the corporation, the better prepared it is to implement each of these measures. The percentage of corporations that have adopted all of these three measures is also higher among larger corporations.

Among the complaints relating to the Equal Employment Opportunity Law lodged to the Equal Opportunity Employment office of Prefectural Labour Bureaus in FY2000, the complaints related to sexual harassment amount to 8,614, or large in number than any other type of complaints.

To ensure that corporations will implement effective sexual harassment prevention measures, the Government strives to raise awareness on the Equal Employment Opportunity Law and its guidelines. Government officers visit companies regularly and give administrative guidance to employers who do not implement sexual harassment prevention measures in the workplace.

For small and medium companies, the Government provides employers and those in charge of personnel and labour affairs with information on specific efforts to be made as well as consultations and other services.

Furthermore, since FY1999, expert sexual harassment counselors have been stationed in the Equal Opportunity Employment office of each Prefecture’s Labour Bureau in order to address the needs of women workers who are suffering emotional distress due to sexual harassment in the workplace.

c) Prevention of Sexual Harassment in Public Service Workplaces

On 1 April 1999, in order to prevent sexual harassment in public service workplaces, the National Personnel Authority enforced National Personnel Authority Rule 10-10 (concerning the prevention and other measures against sexual harassment). Under this Rule, the head of each ministry and agency is obliged to work for the prevention of sexual harassment and respond promptly and appropriately to cases that occur, while officers are required to be mindful of not committing sexual harassment. As specific prevention measures, the Rule also requires making of guidelines for personnel, training of personnel and a complaint consultation system.

Following the Rule, the Ministries and Agencies (including the Cabinet Office) are making efforts to prevent sexual harassment by providing internal regulations, establishing a complaint and consultation system, and raising awareness through training of its personnel.

On the other hand, the National Personnel Authority holds workshops for related personnel from Ministries and Agencies. In order to prevent sexual harassment in a more organized and effective manner, every year the week from 4 to 10 December is designated as the “Week for the Prevention of Public Officers from Sexual Harassment.” During this period, “Symposiums” are held and the “Sexual Harassment Hotline (one-day, specially installed)” are established. Through these efforts, awareness of the sexual harassment issue and the necessity for a prevention plan are being highlighted.

The National Personnel Authority conducted a “Survey on National Public Officers and Sexual Harassment” in 1997 – before the Rule was enforced – and another one in 2000 after its enforcement. These surveys were addressed to regular service employees under NPA Pay Schemes. By comparing the results of these two surveys, it is apparent that the disparity between men and women in understanding the concept of sexual harassment has become much less, due particularly to increased awareness among men. Also, the number of perceived experiences of sexual harassment has generally decreased after the enforcement of the Rule.

d) Prevention of Sexual Harassment at Universities and Institutions under the Ministry of Education, Culture, Sports, Science and Technology (MEXT)

In March of 1999, the Ministry of Education, Culture, Sports, Science and Technology (MEXT) formulated “Regulations to Prevent Sexual Harassment in the MEXT,” and it was enforced in April 1999. MEXT notified this regulation to national, public and private universities and institutions under MEXT. They were urged to work vigorously to prevent sexual harassment through developing a consultation system and other means. Based on the MEXT regulation, schools including national universities and institutions under MEXT have established their own regulations for the prevention of sexual harassment, provided counselors, and carried out activities to promote awareness of sexual harassment among their academic and administrative staff and students.

Furthermore, the Boards of Education have developed regulations to prevent sexual harassment, set up contact points for consultation and are working towards increased awareness among school staff and students.

5. Protecting Youth From Sexual and Violent Information

(1) Establishment of Guidelines and Ordinances

Since images portraying sex and violence have a negative influence on the sound nurturing of young people, the Government is taking various measures to deal with exposure of youth to information containing such images through various types of media. Specifically, the Government established “Guidelines for the Improvement of Environments Surrounding Youth” on 19 October 2001, which incorporated (i) action items for the national government; (ii) the national government’s requests to local governments; and (iii) the Government’s requests to relevant industry organizations, and has been promoting the measures based on the Guidelines.

In addition, 46 Prefectures have passed ordinances according to the local situation regarding protection and nurturing of youth and have restricted the sales of “harmful books” including video material that depicts sexual and violent imagery.

(2) Efforts in the Field of Education

The Government has made the following efforts concerning the media depiction of sexual and violent information and other issues of harmful content in the environment surrounding youth:

- i) requests from the Minister of Education, Culture, Sports, Sciences and Technology and the director of the ministry’s section responsible for this matter to the relevant industries and other parties regarding thorough implementation of self-regulation;
- ii) support for PTA monitoring of television programs that youth watch; and
- iii) survey and research on advanced efforts made by overseas non-profit organizations (NPOs) and other parties (FY2001).

6. The Issue Known as “Wartime Comfort Women”

(1) Government Measures

The issue known as “wartime comfort women” has no direct bearing on this Convention, and the Government of Japan has faithfully executed its duties concerning reparations and claims after WWII, stipulated in the San Francisco Peace Treaty, bilateral peace treaties and other related treaties. However, 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, a description of the measures taken by the Government of Japan concerning this issue shall be given herein.

The Government of Japan has been conducting a thorough fact-finding study on the issue known as “wartime comfort women” since December 1991 and announced its results in July 1992 and in August 1993. The Government of Japan has also expressed its apologies and remorse to the former “wartime comfort women” on many occasions.

(2) Establishment of the Asian Women’s Fund (AWF)

To show its sincere apologies and remorse, the Government of Japan in cooperation with the people of Japan created the Asian Women's Fund (AWF) in July 1995. Japan has been providing all possible assistance to the AWF, including bearing the total operational costs of the AWF and money required for its projects, as well as assisting in fund-raising. Specifically:

a) Fund-Raising for the AWF

The Government of Japan has been making utmost efforts to raise public awareness and gain a better understanding on the issue known as “wartime comfort women.” The Government has provided all possible assistance to the AWF in its fund-raising to express Japanese people’s atonement to the former “wartime comfort women.”

As a result, a wide range of people including individuals, private enterprises, labour unions, political parties and Cabinet Ministers have shown their support for the AWF in the form of more than ¥560 million contribution (as of the end of April 2002).

b) Atonement Projects Overseas

(i) Project in the Philippines, the Republic of Korea and Taiwan

Since July 1996, the AWF has been providing ¥2 million (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 the end of April 2002, a total of 234 people have received atonement money from the AWF.

On behalf of the Government of Japan, the Prime Minister sends a letter expressing apologies and remorse directly to the former “wartime comfort women” together with the atonement money that has been donated by the Japanese people to the AWF. Along with these, messages from the Japanese contributors are also conveyed to each victim.

In order to discharge its moral responsibility, the Government of Japan has, as of the end of April 2002, disbursed about ¥470 million from the national budget for 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 the improvement of housing, nursing services and assistance in the provision of medical service and medicines are being carried out with the actual circumstances and wishes of each of the former “wartime comfort women” being taken fully into account).

As of 12 August 2001, applications for these projects in the Philippines are no longer accepted. Applications in the Republic of Korea and Taiwan will end on 1 May 2002.

(ii) Project in Indonesia

In 1997, the AWF exchanged a memorandum with the Government of Indonesia and began its project. This project, rather than targeting “wartime comfort women,” individually focuses on advancing social welfare for the elderly (i.e. development of a facility for the elderly who are disabled, sick or without family) as suggested by the Government of Indonesia. With the donation from the Government of Japan, the AWF will spend a total of ¥380 million for support over ten years. Those who claim to be former “wartime comfort women” are given priority for entering the facilities. In addition, these facilities are mainly established in areas where many former “wartime comfort women” are thought to live. So far 16 facilities have been constructed with 152 elderly residing within them.

(iii) Project in the Netherlands

The AWF exchanged a memorandum with the Project Implementation Committee in the Netherlands (PICN) and began its project in 1998. This project provided medical and welfare goods and services to improve living conditions, while taking into consideration the individual women’s situation and wishes. With the donation from the Government of Japan, the AWF provided PICN with necessary funds totaling ¥241.5 million (including administrative expenses). This project helped 78 people and was successfully concluded on 14 July 2001.

c) Programs Underscoring the Lessons of History

The AWF recognizes that the facts in this issue should be accurately conveyed to the future generations as a lesson of history in order to ensure that such an issue never arises again. As a pillar of its activities, the AWF collects and publishes documents and materials relating to the issue of “wartime comfort women.”

d) Programs to Raise Social Awareness

The Government of Japan is aggressively pursuing solutions to contemporary issues on women, such as violence against women, and is providing financial and other assistance to the AWF for its activities toward the solution of such issues. Examples of these activities include: organizing international fora; supporting the activities of NGOs; and research and fact-finding projects.

(3) Efforts in the Field of Education

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

7. Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women

The Government of Japan considers that the system of receiving communications from individuals or groups of individuals set forth in the Optional Protocol is noteworthy in that it aims to effectively secure implementation of the Convention. However, the Government has not yet concluded the Optional Protocol as concerns have been pointed out that it may cause problems in relation to Japanese judicial system, including the independence of the judiciary and so careful examination should be given to such points. The Government is continuing to conduct serious and careful consideration on whether or not to conclude the Optional Protocol.

Article 3

1. Measures to Ensure the Full Development and Advancement of Women

(1) Measures for Women with Disabilities

a) Steady Promotion of the Government Action Plan for Persons With Disabilities

In March 1993, the Government of Japan formulated the “New Long Term Program for Government Measures for Disabled Persons”, in line with the “Asian-Pacific Decade of Disabled Persons” by the United Nations Economic and Social Commission for Asia and the Pacific (ESCAP). Furthermore, in December 1995, the Government formulated the “Government Action Plan for Persons with Disabilities - a 7-Year Normalization Strategy” as an implementation plan for important measures to proceed toward the realization of the Long-Term Program. The Action Plan is a 7-year plan covering FY1996 to FY2002 incorporating concrete targets to be achieved, including numerical targets. In accordance with this, comprehensive measures for women with disabilities as well as for men with disabilities have been promoted to create a society in which every individual can actively participate. As the concrete measures, government authorities have been working toward the achievement of the numerical targets within the planned period in various fields such as: securing residence (group homes, welfare homes); securing places for work (sheltered workshops, welfare factories, designation of employment support centers 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); and promotion of a barrier-free society.

FY2002 is the final year of the ongoing “Government Action Plan for Persons with Disabilities.” By FY2000, among the projects for which numerical targets had been set, rehabilitation facilities for persons with intellectual disabilities have already achieved the targets. In addition, 97% of psychiatric day care facilities, 93% of institutions for physically disabled persons, 83% of training programs for social rehabilitation for people with mental disabilities, and 84% of home nursing helpers projects have achieved 80% of their respective numerical targets. Thus the Government considers that the Plan has been proceeding smoothly.

b) Disabled Person’s Week

Since FY1995, the week from December 3 to 9 has been designated as “Disabled Person’s Week” to campaign for enhancing the willingness of both men and women with disabilities to be independent and to participate in society, as well as for increasing the level of understanding and recognition by the nation as a whole with regard to disability and disabled people. To help persons with disabilities be independent and promote their participation in society and deepen the understanding and recognition by the nation as a whole about disability and persons with disabilities, the Government conducts public relations and education activities through the mass media such as television and newspapers. At the same time, the “Disabled Person’s Day, Gathering for Anniversary” takes place every year on December 9, the day designated as the “Main Event in Disabled Person’s Week” and “Disabled Person’s Day.”

In addition to these government efforts, various exchange projects and hands-on activities are conducted sponsored by local governments and persons with disabilities-related organizations.

(2) Measures for Elderly Women

Building an environment for better conditions responding to an aging society poses an urgent challenge to the formation of a gender-equal society. The share of women among the elderly population is high, and in reality a burden of nursing care is mainly carried by women. Therefore, solving the problems of the elderly leads to the solution of the problems facing women. At the same time, in order to make an aging society affluent and vibrant, it is crucial to eliminate the fixed concepts and biased views based on the age alone, without simply placing the elderly on the side to be supported, and consider positively the role of the elderly, as an important member that underpins the society, together with other generations.

Therefore, in accordance with the “Basic Plan for Gender Equality,” which was formulated in December 2000, the Government works towards improving the elderly nursing system with a view to supporting the elderly by the entire society. At the same time, the Government implements various measures with the aim of expanding opportunities for participation in society by the elderly, and securing economic independence of the elderly.

a) Long-term Care Insurance System

As described in Article 11.2 (3).

Article 4

1. Women's Participation in the Decision Making Process for Government Policies and Measures

(1) Provisions in the Basic Law for a Gender-equal Society

As a basic principle of ensuring gender equality, "the Basic Law for a Gender-equal Society" sets forth the "joint participation in planning and deciding policies, etc." Furthermore, it stipulates that the State is responsible for the comprehensive formulation and implementation of policies based on the basic principles. The policies include Positive Action. In Article 2.2 of "the Basic Law for a Gender-equal Society," Positive Action is defined as "positive provision of the opportunities stipulated in the preceding item to either women or men within the necessary limits in order to redress gender disparities in terms of such opportunities." Article 8 stipulates that the introduction of Positive Action is the responsibility of the State, and Article 9 stipulates that this is also the responsibility of local governments corresponding to national measures.

(2) Appointment as members of National Advisory Councils and Committees

With regard to ratio of women members of national advisory councils and committees, the Headquarters for the Promotion of Gender Equality decided the target, which is "to achieve the target ratio of 20% of women members of national advisory councils and committees by the earliest possible time before the end of FY2000," on May 1996. With efforts being made, this ratio rose to 20.4% in March 2000, which was a year earlier than the given period, thus achieving the target.

Currently, based on the "Promotion of the appointment of women to national advisory councils and committees," which was decided by the Headquarters for the Promotion of Gender Equality on 15 August 2000, the new target, which is "to achieve the target ratio of 30% by the earliest possible time before the end of FY2005," was set to be achieved. The ratio of the women members as of the end of September 2001 is 24.7%, showing a dramatic increase as compared with 17.4% as of September 1997 as reported in the Fourth Periodic Report.

(3) Recruitment and Promotion of National Public Officers

The enlargement of women's participation in decision-making processes of national policies and measures serves as a base of the formation of a gender-equal society, and is recognized as one of the important objectives of the "Basic Plan for Gender Equality," formulated in December 2000.

It is necessary for the Government to take the lead in enlarging the recruitment and promotion of female national public officers, therefore the "Guidelines concerning the enlargement of the recruitment and promotion of female national public officers" was formulated and notified to Ministries and Agencies by the National Personnel Authority in May 2001, based upon "the Basic Law for a Gender-equal Society" and "the Basic Plan for Gender Equality."

The Guidelines aim to enlarge the recruitment and promotion of women national public officers, through "Positive Action," taken by Ministries and Agencies and to eliminate the gender gap systematically. Based on the Guidelines, each Ministry and Agency is requested to formulate a Plan for the "Enlargement of the Recruitment and the Promotion of Female National Public Officers," which laid out the targets to be achieved by FY2005 together with concrete measures for achieving these

targets, after grasping and analyzing the current situation, thereby realizing gender equality on public administration.

In June 2001, responding to the Guidelines, the Headquarters for the Promotion of Gender Equality decided on “Enlargement of the Recruitment and the Promotion of Female National Public Officers” in order to promote comprehensive and systematic measures taken by the government as a whole.

Furthermore, to expand the ratio of women among the people who pass the recruitment examination systematically, the National Personnel Authority has been proactively engaged in recruiting activities from 2000, such as holding the “Seminar by Female Public Officers for Female Students,” etc.

2. Women’s Participation in the Decision-making Process in Local Government

(1) Appointment as Members of Advisory Councils and Committees of Local Governments

Prefectures and government-designated cities are making efforts to promote the appointment of women in their advisory councils and committees by setting target ratios and dates for achievement.

The ratio of women members of advisory bodies to which the targets had been set by local governments is 22.8% (17.3% as of March 1998). Also, the ratio of women members of advisory bodies in local governments established by the Local Autonomy Law is 16.6% as of March 2001 (12.9% as of March 1998), showing a gradual increase.

To promote the participation of women, local governments are taking various measures such as: creating a list of women human resources; conducting programs to enhance women’s abilities; and accepting candidates of advisory bodies from the general public. Some local governments have introduced a system to have prior consultations with sections responsible for gender-equality when they select members of advisory bodies.

(2) Recruitment and Promotion of Local Government Workers

Local governments make efforts to enhance the recruitment and promotion of women by setting targets for the appointment of women in managerial positions and conducting training for women in managerial positions.

The Ministry of Public Management, Home Affairs, Posts and Telecommunications communicates to local governments the “Guidelines Concerning the Enlargement of the Recruitment and Promotion of Female National Public Officers” formulated by the National Personnel Authority and summaries of the Plans for the Enlargement of the Recruitment and Promotion of Female National Public Officers formulated by Ministries and Agencies, based on the Guidelines. At the same time, the Ministry also conducts research on measures for the appointment of female local government workers and expansion of job categories and provides information on its results.

The research shows certain positive results, for example, about half of local governments are either working on or considering formulating plans for the improvement of recruitment and promotion of female workers. The Ministry will continue its efforts to request and advise on the expansion of recruitment and promotion of female local government workers.

3. Support for Measures Taken by Private Corporations, Educational and Research Institutions and Other Organizations and Groups

(1) Support for Female Workers

a) Positive Action in the Workplace

The Revised Equal Employment Opportunity Law, which came into effect in April 1999, stipulates that the Government may offer support to the private corporations applying positive action to eliminate the existing gap between men and women workers, caused by rigid views about the role of men and women.

In addition, in the “Basic Plan for Gender Equality” in December 2000, concerning Positive Action by corporations, it was stipulated that the “creation of national momentum” and the “promotion Positive Action for corporations” would be achieved, based on “the Basic Law for a Gender-equal Society.”

According to the Basic Survey on Women Workers’ Employment Management, implemented by the Ministry of Health, Labour and Welfare in FY2000, the ratio of corporations that “are already taking Positive Action” is 26.3% and the ratio of corporations that “are planning to take Positive Action in the future” is 13.0%. At the same time, looking at the ratio of corporations that “are already taking Positive Action” by size, bigger corporations have higher ratio and the ratio of corporations with 5,000 employees or more is 67.7%.

In order to support specific efforts made by companies, such measures as top seminars, industry-classified conferences for employers, and seminars for the dissemination and promotion of Positive Action are conducted. Furthermore, measures that are difficult to be implemented by individual companies are also implemented, such as employee training aimed at women candidates for managerial positions and female workers in middle-managerial positions as well as compilation of an industry-classified manual.

It is vital to enhance awareness of top management to promote Positive Action in corporations, and therefore Positive Action Promotion Council was established in FY2001, with coordination with employer’s associations and other organizations. A basic guideline for measures will be decided by the Council, and the member companies will be encouraged to take measures for Positive Action.

Furthermore, to raise the efforts of companies that promote the use of women worker’s abilities and take positive measures to utilize them, and also to widely disseminate their efforts to the nation and contribute to the promotion of the use of women worker’s abilities and skills, the “Corporation Award for the Promotion of Gender Equality” has been established since FY2000. Four companies and three companies were given the award for their efforts by the Minister of Health, Labour and Welfare, respectively in FY2000 and FY2001.

b) Appointment of University Faculty Members

Basically, each university should implement personnel affairs of its faculty members appropriately under its own responsibilities. However, the University Council’s report has also pointed out the necessity of considering positive recruitment of female faculty members. The Association of National Universities, whose membership constitutes the national universities of Japan, also suggests that “it is

appropriate to set targets for achievement to increase the ratio of female faculty members at national universities to 20% by 2010.” Under these circumstances, the ratio of female faculty members in national universities was 8.5% in May 1998, but shifted to 9.5% in May 2001.

(2) Support for Women Entrepreneurs

a) Preferential Treatment System for Financing

The Ministry of Economy, Trade and Industry (METI) implements a loan system with low interest rates for women entrepreneurs, in order to promote entrepreneurship that capitalizes on the female perspective and improves national economic vitality.

b) The Center for the Advancement for Working Women

At the Center for the Advancement of Working Women (CAWW), which was opened in January 2000, assistance projects such as career advancement seminars, consultation sessions, and information exchange are conducted for women who wish to start their own businesses. In addition, the Center for the Advancement of Working Women received 2,216 consultations in FY2000, 4.4% of which were related to the initiation of their own business.

c) Measures in the Area of Agriculture

As described in Article 14.

Article 5

Article 5. (a)

1. Publicity and Enlightenment Activities for the Correction of Stereotyped Perceptions of Gender Roles

(1) Provisions in the Basic Law for a Gender-equal Society

The stereotyped perception for gender roles that has been developed and standardized over a long time in the minds of the people has been the major obstacles in the formation of a gender-equal society.

In Article 16 of “the Basic Law for a Gender-equal Society,” it is stipulated, “the State and local governments shall take appropriate measures through public relations activities, etc., to increase understanding of citizens on the basic principles.” Following such premise, publicity and enlightenment activities for the correction of stereotyped perception of gender roles shall be promoted.

(2) Measures taken by Headquarters for the Promotion of Gender Equality

The Government designated the week from 23 to 29 June every year as “Gender Equality Week” in 2001 (decided by the Headquarters for the Promotion of Gender Equality on 26 December 2000), with the aim of increasing citizens’ understanding of the goals and basic philosophy behind “the Basic Law for a Gender-equal Society,” and stirring up in all levels and spheres of society the movement to undertake various measures towards the formation of a gender-equal society.

In the course of “Gender Equality Week,” with the cooperation of local governments, women’s groups and other related organizations, the government holds a “National Conference on the Creation of a Gender-equal Society” and conducts publicity and enlightenment activities such as the creation and distribution of PR posters.

Furthermore, for the purpose of making publications issued by public organizations appropriate by checking from the standpoint of gender equality, the Government has decided to formulate a guideline, which is now under consideration.

Further, in addition to publishing the bimonthly Headquarters for the Promotion of Gender Equality News “Egalite,” which introduces various measures and activities to formulate a gender-equal society, the Government has been actively engaged in publicity through newspapers, magazines, television, radio and other types of media. Since 1998 the Government has been broadly disseminating information at home and abroad on measures and policies to promote gender equality by the means of a website. The latest information and topics on this website and movements regarding the gender-equal society are provided to a wide range of citizens through e-mail.

(3) The Human Rights Organs of the Ministry of Justice

The stereotypes of gender roles still remain deeply rooted in society and they have been a major cause of gender discrimination at home and workplace. In addition, violence from husbands or partners and sexual harassment are another matter of serious concern related to women’s rights.

The Human Rights Organs of the Ministry of Justice are carrying out enlightenment activities to ensure the protection of women's rights, such as holding lectures or discussion meeting on women's rights issue, conducting information campaigns through television, radio, newspaper, magazines, etc., producing and distributing posters and leaflets, and organizing various events.

Every year during the Human Rights Week, running from 4 to 10 December, which is "Human Rights Day," the Legal Affairs Bureaus, District Legal Affairs Bureaus and Human Rights Volunteers, in collaboration with related agencies and organizations, carry out intensive information activities to promote and raise human rights consciousness among the public. Among the awareness raising activities conducted during the week, an emphasis has been placed on the campaigns under the slogan of "Raise the status of women" since 1975 in order to appeal to the public for an improvement of the status of women.

(4) Measures Taken by Local Governments

In order to gain further understanding and cooperation of the citizens for the creation of a gender-equal society, since FY2000, the Government, prefectures and government-designated cities have been jointly holding the "Gender Equality Forum" with the aim of promoting regional activities and developing an atmosphere conducive to the promotion of such activities.

By FY2001, the Government has held the "Program for Encouraging Gender Equality Declaration Cities" jointly with 45 municipalities, which encourages local authorities to announce their cities as "Gender Equality Declaration Cities" where municipalities take various measures to create a gender-equal society.

At the same time, local governments have also been implementing various publicity and enlightenment activities based on their own initiative, such as holding commissions, conferences, forums and symposiums, conducting human resource development programs and enlightenment lectures. In addition to producing homepages, publishing PR brochures, and providing TV programs, they have formulated a guideline on publicity from the standpoint of gender equality. Furthermore, in order to raise awareness of the personnel of local government, lectures and training programs focused on gender equality and women's issues have been implemented as well as lectures on gender equality and women's issues during training sessions for newly appointed personnel and managerial staff.

(5) One-month Campaign on Equal Employment Opportunity Between Men and Women

As described in Article 11.1.

2. Research and Study

(1) Specialist Committee on Surveying Effects

The "Specialist Committee on Surveying Effects," under the Council for Gender Equality has been conducting studies and deliberations on various systems affecting women's choice of their lifestyle from the viewpoint of reflecting the gender equal perspective in every social system, including measures taken by the Government.

Article 5. (b)

1. Measures for Promoting Gender Equality in the Family

(1) Education in the Home

It is often pointed out that education in the home tends to be entrusted to mothers, while the presence of fathers tends to be barely felt. Since FY1999, the Ministry of Education, Culture, Sports, Science and Technology (MEXT) has prepared the “Handbook of Education in the Home” and the “Notebook of Education in the Home,” noting the “cooperation between husband and wife in child rearing,” and has been distributing them to parents with infants and/or students of elementary and junior high school.

Further, to enhance the participation of fathers in education in the home, MEXT has supported local governments in holding forums under the theme of “Father,” and the municipal authorities in organizing “Children’s Visits to Fathers’ Workplaces” through which the children see their own fathers work, and also has rendered support for a project to set up lectures at the workplace to educate fathers on the importance of education in the home.

In addition, the Government has been holding the “Education in the Home Forum” twice a year, as an opportunity for parents and the people concerned with Education in the Home to realize the importance of the collaboration of father and mother in conducting Education in the Home.

Education on personality building, which aims at nurturing mutual respect, understanding and cooperation between men and women has been given to citizens on such occasions as courses for parents, courses for newly-wed couples and courses for couples expecting a baby. Also, how to promote gender equality in family life is often taken up as a theme for women’s class. Ministry of Education, Culture, Sports, Science and Technology subsidizes pioneering or model projects selected from such classes or lecture meetings held by local governments. In addition, in July 2001, the administration system for social education toward the improvement of education skills in the household was developed by partially amending the Social Education Law. The amended law stipulates the responsibility of the Board of Education to support and hold lectures on home education.

(2) Support for the Balancing of Work and Family

Various measures have been actively promoted to support the efforts to manage work and family life so that both men and women employees can lead fruitful working lives, while fulfilling their roles as members of the family such as child care and family care. (See Article 11.2 (c) for more detail).

2. Research and Study

(1) Research Committee on Family and Life Style

From March 2001 through June 2001, the Cabinet Office held the “Research Committee on Family and Lifestyle.”

The relationship of husband and wife in Japan so far has been based on the division of gender roles, namely, “a husband goes to work, and a wife does the housework and child rearing,” which was formulated during the high economic growth period. However, in the current circumstances, where the

prospects for future economic and employment situations remain uncertain, complete dependence on the income of the male household member brings a huge risk to family budgets.

The Research Committee presented a new image of family where both men and women participate in society and engage in revenue raising activities, thus mental and emotional dependence becomes more important than the function of the family itself, and the roles are shared by each family member regardless of gender differences. The Research Committee also made a proposal on a policy response in order to ensure neutrality in lifestyle and present larger choices in lifestyle.

Article 6

1. Current Situation of Prostitution

(1) Prostitution-related Crimes

a) Identified Cases

Crimes related to prostitution are regulated by laws including the Anti-Prostitution Law, Child Welfare Law, Employment Security Law, and the Law for Punishing Acts Related to Child Prostitution and Child Pornography. The situation for identified cases relating to prostitution for the past five years is as listed in Statistical Annex 47. In terms of violations by law, 84.3% of identified persons and 76.4% of identified persons were under the Anti-Prostitution Law. In terms of the types of cases, “procurement” is the most frequent reason for identification, followed by “contract” and “solicitation.” In terms of the number of identified persons, “procurement” is the most frequent reason, followed by “solicitation,” and “providing facilities.”

b) Situation of Processing for Cases Received on Charges Filed by Citizens or Referred From Police at the Public Prosecutor’s Office

Prostitution and child prostitution cases received at the Public Prosecutor’s Office are as listed in Statistical Annexes 48 and 49.

(2) Prostitution and Prostitution-related Crimes by Non-Japanese Women

a) Situation of Illegal Entry

The situation of non-Japanese women involved in criminal offenses relating to prostitution over the past five years are as listed in Statistical Annex 50. These non-Japanese women entered Japan with the status of “Temporary Visitor” or “Entertainer” or with false passports, worked at restaurants and other places, and engaged in prostitution. Classified by nationality, the largest part were Chinese women followed by Thai, Taiwanese, and Korean women. As for their place of operation, 217 people who accounted for 45.9% of the total were found in the entertainment business and so on (restaurants, bars and others).

Of these women, there are women who are sexually exploited into forced prostitution by brokers and owners of entertainment businesses and so on. These women are burdened with outrageous fees and interest rates as a cost for illegal immigration and have their passports confiscated by the brokers and owners. During 2001, there were 65 identified victims: 39 women were from Thailand (60% of the victims), followed by women from the Philippines, Taiwan, Indonesia, and Columbia. During 2001, 19 cases were exposed relating to sexual exploitation of non-Japanese women who engaged in or were forced to engage in prostitution, in the entertainment business, forty people including brokers and owners of entertainment businesses and so on were arrested and 65 women victims were identified.

b) Illegally Working Non-Japanese Women Processed by the Immigration Bureau

Of the illegally working non-Japanese women against whom Japan took deportation procedures in 2001, 347 were involved in prostitution (See Statistical Annex 51).

<Case 1> On 4 March 2001, a woman from country B entered Japan using a forged passport of country A. She was asked by her friend if she wanted to “work in Japan as a baby-sitter or in a factory since salaries are high in Japan.” She accepted this invitation and came to Japan, but as soon as she entered Japan illegally, she was taken to an apartment in Saitama Prefecture and was coerced into prostitution under the control of a member of an organized crime group. With the excuse that she was not feeling well, she was taken to a hospital. On her way, she found her chance to run from the guard and sought help from country B’s Embassy. Having received a provisional passport for departure, she reported to the Narita Airport District Immigration Office of the Tokyo Regional Immigration Bureau, accompanied by staff of the Embassy of country B.

<Case 2> On 7 June 2001, a woman from country C landed at Narita airport and attempted to enter Japan with a different person’s passport issued by country C. The immigration inspector found that the picture in the passport was not hers and handed her over to the enforcement division for suspicion of illegal entry.

From her testimony, it was found that a Japanese man who the Narita Airport District Immigration Office of the Tokyo Regional Immigration Bureau had long suspected to be a broker for illegal entry had been involved in the case. This information was shared with the Chiba Prefectural New Tokyo International Airport Police Station, and the Chiba Prefectural Police Headquarters and the New Tokyo International Airport Police investigated the case. On 23 August, the Japanese man was arrested for the violation of the Immigration Control Act (the offence of assisting illegal entry for profit). He told investigators that he would help women from country C to enter Japan and sell them to bars in Ibaraki Prefecture for ¥2.3 million. He would receive a commission of ¥200,000 and transportation fees of ¥30,000. He admitted that the bars would burden the women with ¥4.5 million of debt and force them to repay it by prostitution.

(3) Diversifying Forms of Prostitution

Forms of prostitution are diversified into various kinds. Dispatch style prostitution services such as and including “date clubs” which induce customers through “pink bills” in payphone booths are seen all throughout Japan. Other types of cases are prostitution disguised as various kinds of “services” in adult entertainment business facilities, prostitution of non-Japanese women carried out while working in restaurants as “hostesses,” and conventional “on the street” prostitution.

Recently, advertisements on the Internet and so-called “Deai-kei (meet a mate)” sites using cell phones have been used to solicit prostitution and related crimes.

“Enjo-Kosai (Patronage Dating)” originally meant receiving money in return for sexual favors. In these days, however, this term has come to mean the kind of act conducted especially by young girls. Sexual acts committed in the name of “Enjo-Kosai” have drastically increased in number, which also indicates a lowering trend in the age of girls.

Cases charged with distribution of obscene material and others in the last five years are as shown in Statistical Annex 52 and 53.

With regard to crimes pertaining to the distribution of obscene material, the criminal offense of selling obscene videotapes at video shops, and by means of distributing pamphlets, and using delivery methods including the Post Office’s payment on delivery system have become noticeable. Recently, however,

new forms of criminal offenses such as transmitting obscene images using the Internet and sales through Internet auctions of obscene videos are increasing.

2. The Scope of Prostitution and Sexual Exploitation and Measures to Protect Women who were Engaged in Prostitution, and Women Forced to Engage in Prostitution and Related Sexual Exploitation (including Penal Provisions, Prevention and Social Rehabilitation Measures) and the Effects of These Measures

(1) Prevention of Child Prostitution

a) Law for Punishing Acts Related to Child Prostitution and Child Pornography, and for Protecting Children

The Convention on the Rights of the Child ratified by Japan in 1994 stipulates the protection of children from all forms of sexual exploitation and abuse. Taking heed of the ethos of this convention, the Law for Punishing Acts Related to Child Prostitution and Child Pornography and for Protecting Children (hereinafter referred to as the “Law Banning Child Prostitution and Child Pornography”) was promulgated in May 1999 and went into effect in November 1999. Under this law a child is defined as a person under the age of 18. This law prescribes punishments for persons engaging in child prostitution, persons brokering child prostitution, persons distributing, selling or displaying public child pornography, and trading, etc., children for the purpose of child prostitution. This law also stipulates measures for the protection of children who have suffered psychologically and physically from these activities. Engagement in prostitution and child pornography with a girl could possibly have a bad influence on her subsequent sound development. Therefore, this law and other related laws and ordinances by local governments currently in place are being fully utilized to crack down on this type of activity.

For crimes relating to child prostitution committed overseas by Japanese nationals, international cooperation in the area of investigation is enhanced together with foreign law enforcement authorities in order to build a case. As of the end of 2001, since the implementation of the said law, nine individuals were arrested for three cases. Furthermore, workshops focused on strengthening international investigation cooperation were held at the “Second World Congress Against Commercial Sexual Exploitation of Children,” which was held in Yokohama in December of 2001. Subsequently, in January 2002, the national investigation committee relating to investigation of overseas crimes was held.

Cooperation with foreign law enforcement authorities is also being undertaken to crack down on child pornography cases using the Internet.

b) Hosting of the Second World Congress Against Commercial Sexual Exploitation of Children

For the purpose of promoting measures in the international community towards the eradication of child prostitution, child pornography, and other forms of commercial sexual exploitation, the Government of Japan hosted the “Second World Congress against Commercial Sexual Exploitation of Children” (co-sponsored by the United Nations Children’s Fund (UNICEF), ECPAT International, and the NGO Group for the Convention on the Rights of the Child) from 17 to 20 December 2001, in Yokohama, Japan.

The Congress consisted of general debate (statements by governments, international organizations, etc.), three panel discussions, 107 workshops organized by NGOs, and the “children/youth roundtable.”

136 governments (including 52 cabinet-level representatives), 148 NGOs from abroad, 135 Japanese NGOs and 23 international organizations attended. In total, 3,050 persons, including 90 children/youth from all over the world participated in lively debates, exchange of information and opinions related to the six main themes of the Congress, “Child Pornography,” “Prevention,” “Protection and Recovery of Children from Sexual Exploitation,” “Trafficking in Children,” “Role and Involvement of the Private Sector,” “Legislation and Law Enforcement” and “The Profile of the Sex Exploiter.”

On the last day of the Congress, the children/youth issued a final appeal and the participants adopted by consensus “The Yokohama Global Commitment 2001,” which calls on the international community to promote further their actions towards the eradication of the commercial sexual exploitation of children.

As the first large-scale international conference on children in the 21st century, this Congress drew a high degree of attention from all over the world as an important opportunity to promote actions by the international community for the protection of children from sexual exploitation, and to ensure the dignity and happiness of children, who will bear the future of humankind. Furthermore, the foremost character of this Congress was that it was co-organized by a government, an international organization, and two NGO groups, allowing for the active and substantive participation of international organizations and NGOs from all over the world. Moreover, this Congress created a forum in which governments, international organizations and NGOs could promote cooperation and build networks among all the parties concerned.

The Government of Japan signed the “Optional Protocol on the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography” on 10 May 2002, and demonstrated to the international community its active stance to protect and promote the rights of children.

(2) Preventing Prostitution by Non-Japanese Women

a) Current Legal System

For cases of sexual exploitation against non-Japanese women, the Immigration Control and Refugee Recognition Act, Employment Security Law, Anti-Prostitution Law and other relevant laws are applied to international criminal organizations which act as broker organizations. Intense crackdowns on entertainment businesses and so on and stores that accept these workers have been underway.

b) Measures Taken by the Immigration Bureau

From an immigration administration perspective, to fight so-called human trafficking and forced prostitution (managed prostitution), there are few ways to approach this type of crime except for by tracking down the heinous brokers by following the violators of the Immigration Control Act. Through tighter immigration examinations, the Immigration Bureau restricts the illegal entry of those who plan to engage in illegal work including prostitution. The Immigration Bureau also makes efforts to investigate the background of cases involving brokers who help illegal entrants and through cooperation with the law enforcement authorities including the police, works for early detection of and stringent measures to deal with crimes including forced prostitution and human trade typical of human trafficking. The Immigration Bureau, in concerted operations with the police or other enforcement authorities, rigorously promotes the seizure of illegal foreigners and investigation of the background of cases involving illegal entrants led by brokers.

When information concerning human trafficking, forced prostitution or other human rights violations is obtained during the deportation process, the officers of the Immigration Bureau, having no authority to act as judicial police, report the case to the law enforcement authorities including the police to cooperate in pressing charges against heinous brokers involved.

If it is evident in the deportation process that deportees have not received wages or have industrial injuries the Immigration Bureau gives consideration to the fact and helps them, to the extent possible, to have a proper remedy by contacting the employer or reporting the case to the Labour Standards Inspection Office.

c) International Efforts Against Trafficking

A Senior Experts' Group on Transnational Organized Crime, the so-called Lyon Group that was established at the Halifax Summit of June 1995, discussed wide-ranging topics to fight against transnational organized crime. The "Guiding Principles and Plan of Action to Combat the Smuggling of and Trafficking in Human Beings," which was formulated by the sub-group under the Lyon Group, was endorsed at the Justice and Interior Ministerial Conference of the G8 countries on "Combating Transnational Organized Crimes" held in Moscow in October 1999.

On the other hand, in December 1998, based on a Resolution by the United Nations General Assembly, an ad hoc committee was established to elaborate a comprehensive international convention against transnational organized crime. As a part of this endeavor, the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime was deliberated. Japan has proactively participated in this ad hoc committee at the United Nations in order that an effective convention could be agreed upon promptly.

In November 2000, the United Nations Convention against Transnational Organized Crime was adopted by the United Nations General Assembly. Japan signed this convention (it has not entered into force yet). Of the three protocols, the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, Supplementing the United Nations Convention Against Transnational Organized Crime was also adopted by the General Assembly in November 2000. Japan is currently studying this protocol in relation to domestic laws.

Regarding human-trafficking, Japan is a destination country rather than a country of origin. Japan, however, has advanced cooperation for prevention and investigation with law enforcement and immigration authorities of countries of origin and transit countries of human trafficking in the Asia-Pacific Region. For example, seminars for opinion exchange on issues regarding investigation of international organized crime were held in order to improve the capacities of law enforcement authorities in Asian nations. Japan has also contributed in the area of equipment provision and dispatch of investigative-technique experts.

In this context, in January 2000, the Ministry of Foreign Affairs held the Asia-Pacific Symposium on Trafficking in Persons, in Tokyo, at which lively discussion was undertaken.

In February of 2002, the "Regional Ministerial Conference on People Smuggling, Trafficking in Persons and Related Transnational Crimes" was held in Indonesia. From Japan, Senior Vice-Minister for Foreign Affairs Seiken Sugiura attended this meeting and participated actively in the discussions.

(3) Prevention of Diversifying Forms of Prostitution

In Japan, in the first half of the 1980's, new types of businesses that are "selling sex" emerged one after another having an enormous amount of negative influence on the good morals of society and sound development of the juvenile. Responding to the situation, the Entertainment and Amusement Trade Control Law (which has been superseded by the "Law on Control and Improvement of Amusement and Entertainment Business") was amended in 1984 to significantly strengthen regulations over such trade by defining five kinds of adult entertainment business (see Statistical Annex 56), introducing the notification system, prohibiting various acts concerning juveniles and brokers for sex-related businesses, and providing restrictions on advertisements, publicity and business hours in addition to the regulation on areas where business is prohibited. In April 1998, in consideration of the current situation with the trend of diversified forms of prostitution (such as non-store type sex-related amusement special businesses involved, and image transmitting type sex-related amusement special businesses), partial amendment of the Law on Control and Improvement of Amusement and Entertainment Business was undertaken.

Furthermore, the amendments made to this law, which was promulgated on 20 June 2001, were to reinforce provisions for so-called telephone clubs and to enhance regulations concerning image transmitting type sex-related amusement special businesses. The regulation for telephone clubs was implemented on 1 April 2002 (the other regulations have already gone into effect). For so-called "Enjo-Kosai (Patronage dating)," strict control of adults involved in "Enjo-Kosai (Patronage dating)," appropriate regulation against telephone clubs that have become hotbeds for this kind of activity, and continuous guidance and other supports for the victimized girls have been strengthened through the partial amendment of this law. Recently, because "Deai-kei (meet a mate)" sites have become hotbeds for these kinds of acts, the National Police Agency has conducted public relations and advocacy activities to ensure people will not be victimized in these cases.

Businesses that are "selling sex" such as services to prostitute oneself that are not regulated by measures against special sex entertainment businesses stipulated in the revised Law on Control and Improvement of Amusement and Entertainment Business are strictly regulated under the Anti-Prostitution Law and others.

(4) Sex Tours to Developing Countries

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

In November 1999, the "Law for Punishing Acts Related to Child Prostitution and Child Pornography and for Protecting Children" was implemented. In response to this, by issuing a notification requesting the travel industry to publicize and provide information concerning this law. The Government of Japan has been working to raise awareness in the industry. The Association of Travel Agents has also been working to enhance social awareness by educating agents' employees, distributing pamphlets, and carrying articles in public relations magazines. Japan National Tourist Organization has also been engaged in social awareness-raising activities through its homepage, fax services and other services.

3. Enlightenment Activities and Sex Education

As described in Article 12

4. Protection of Women Engaged in Prostitution

(1) Protection and Rehabilitation for Women in Need of Protection

The Anti-Prostitution Law has provisions on protection and rehabilitation for women who could possibly engage in prostitution in light of their conduct and environments (women in need of protection). Specifically, the establishment of women's consultation offices, women's counselors and women's protective institutions were stipulated in the Law.

In response to recent changes in the socio-economic conditions, and from the standpoint of prevention, the scope of protection and support is extended to women who are facing problems causing difficulties in their social life such as the breakup of families, poverty and victimization by sex crime, in addition to women who have experience of prostituting themselves. The Government protects and supports these women to ensure that they will not engage in prostitution.

In the women's consultation offices, various types of consultations are given as well as necessary research, determination, and other services. For women in need of protection, temporary protection (until she can move to a women's protective institution) in the annexed temporary protective station has been given. In the case where short-term rehabilitation guidance is needed, temporary admittance to protection facilities will be provided.

The women's counselors, commissioned by Prefectural governors and mayors, are placed at women's consultation offices and other welfare offices for women who need protection, and provide guidance and support services.

The women's protective institutions established at 51 locations in the nation provide vocational and other training to the inmates. These inmates will leave the institutions when they commence employment, start their own business, return home, return to their parent's home or transfer to other organizations or facilities.

(2) Support for Girls

In order to create a society that does not tolerate child prostitution, cooperation is being undertaken with relevant organs to conduct public relations activities for the protection of the rights of children.

At the same time, in order to prevent the cases from being concealed, an environment and system to ensure that the girls feel neither afraid nor intimidated when consulting with or reporting to the police has been established. A system by which expert staff will provide continuous support including a counseling service are also being arranged with the aim of facilitating alleviation of the mental damage of victimized girls to ensure an early recovery. When girls who are not mentally and physically mature suffer sexual abuse and other related crimes, the damage that the child receives is far greater than the damage an adult would receive, and it may have a negative impact on her future. Thus, to facilitate the recovery of girls, support in mental and environmental aspects is continuously extended, through adjustment of surrounding environments including family relations, and appropriate advice, instruction

and counseling. These support activities are promoted primarily by youth protection and guidance personnel and youth consultation specialists with the cooperation of external experts such as “victim youth counseling advisors” and “victim youth supporters” and other regional volunteers.

(3) Protection of Non-Japanese Women

With regard to non-Japanese women who are being sexually exploited including forced prostitution, the police have been keeping contact with relevant organs and NGOs that undertake support and protection activity for such women.

Article 7

1. Women's Participation in the Public Sector

Women's participation in decision-making processes for policies and administrative measures is not only the request of democracy but is also indispensable to reflect women's concerns in various policies. However, it has long been pointed out that in women's participation in decision-making processes in the public sector as well as in the private sector, there remains much to be improved. The Government of Japan notes the current situation in the "FY2001 Annual Report on the State of Formation of Gender-equal Society" by quoting statistics from the Human Development Index (HDI), Gender Development Index (GDI) and Gender Empowerment Measurement (GEM) of the United Nations Development Programme (UNDP), in which Japan ranks 9th by HDI and 11th by GDI, but falls to 31st by GEM. This is due to the fact that Japan is faced with the situation whereby the "percentage of seats in parliament held by women" and the "percentage of female administrators and managers" are lower than those of other developed countries that are ranked highly by GEM. The Government is trying to raise awareness on this situation, and is taking various measures to further promote women's participation in the decision-making processes for policies and administrative measures.

(1) Provisions in the Basic Law for a Gender-equal Society

Article 5 of "the Basic Law for a Gender-equal Society" stipulates that the "Formation of a Gender-equal Society shall be promoted based on securing opportunities for women and men to participate jointly as equal partners in the society in planning and deciding policies of the State or local governments, or policies of private bodies."

(2) Women Members of the Diet

The number and ratio of women members of the Diet, after the 42nd General Election (as of June 2000), is 35 and 7.3% in the House of Representatives (23 and 4.6% after the 41st General Election (as of October 1996)). Meanwhile, 38 and 15.4% respectively in the House of Councilors after the 19th General Election (as of July 2001) (43 and 17.1% after the 18th General Election (as of July 1998).)

(3) Women Ministers

Eight women ministers and eleven women parliamentary vice-ministers (The position changed to senior vice-minister and parliamentary secretary after the Central Government Reform in January 2001) were appointed after the presentation of the fourth periodic report (in October 1998). The number and ratio of women ministers were 1 and 4.2% respectively in January 1999, but the number and ratio increased to 5 and 22.7% respectively in February 2002.

(4) Women in the Judiciary

As reported in the fourth periodic report, the first female Justice of the Supreme Court was appointed in February 1994 and served until September 1997. The second female Justice of the Supreme Court was appointed in December 2001. Also, there are six female presidents of court as of April 2002. The ratio of female judges or public prosecutors has continued to increase since the presentation of the fourth periodic report. The ratio of women who passed the National Bar Examination has also been increasing and has shifted to a level of 20% in recent years. (See Statistical Annex 63, 64, and 65)

(5) Women National Public Officers

The number and ratio of women national public officers at managerial level are still low, 122 and 1.3% respectively as of the end of FY2000. However, the number and ratio of these women were 94 and 1.0% at the end of FY1996, thus demonstrating an upward trend. On the other hand, the number and ratio of women among the total national public officers have been flat in recent years. (See Statistical Annex 66 and 67)

(6) Women Governors and Mayors in Local Governments

There are three women governors of prefectures, three city mayors and four town and village mayors as of the end of FY2001.

(7) Women Members in Local Assemblies

The ratio of women members in local assemblies has gradually been increasing and it accounts for 6.8% of all the members of prefectural, city, special district, town and village assemblies, namely 58,492 as of December 2001 (4.9% as of December 1998). As regards town and village assemblies, according to a research on the actual situation, which was conducted for the first time in 2001, it was found that there were municipalities in which women's participation in politics was at a low level. For instance, about half of municipal assemblies did not have women members.

(8) Female Local Government Workers

a) Female Local Government Workers

The ratio of women among the total local government workers (in general administrative service) is 24.1%. The ratio of women among the total workers in local governments is 14.4% at chief manager level and above, and 3.6 % at director level and above (As of 1 April 2001. Research conducted by the Ministry of Public Management, Home Affairs, Posts and Telecommunications.) Compared to the previous year, the proportion of women, at chief manager and director and above levels, is increasing.

b) Boards of Education

The number and ratio of women members in Boards of Education, which are an executive body of local governments, are 2,959 and 17.6% respectively as of May 2001 (11.5 % as of May 1996) (figures in an interim report of research conducted by Ministry of Education, Culture, Sports, Science and Technology), which show an increasing trend. In June 2001, a part of the "Law Concerning Organization and Functions of Local Educational Administration" was amended and the provisions were developed to avoid any significant gender bias in the appointment of Board of Education members by heads of local governments.

c) Police Officers

In order to respond appropriately to the emerging security issues such as stalking, domestic violence, child abuse, and sex crimes, as well as to enhance measures to deal with victims, it is vital to use effectively the abilities and characteristics of women police officers. Taking the basic philosophy for a gender-equal society into consideration, the police force has actively been recruiting women police officers and expanding job categories for them.

The total number of prefectural women police officers is about 8,800 as of 1 April 2000 and has doubled over the previous ten years (3.8% of the total police officers). The job categories of women police officers are also becoming more diversified to include various fields such as criminal investigation, identification activities, escorting and protection of VIPs. As more women are expected to play an active role in various fields of police organizations nationwide, the police force is actively working to develop a better job environment for women, such as the spread of a “babysitter system,” which is contracted with private companies.

2. Measures to Disseminate the Periodic Report on Implementation of the Convention and Concluding Observations of the Committee

The Cabinet Office and the Ministry of Foreign Affairs of Japan introduced on their Websites the Fourth Periodic Report on Implementation of the Convention on the Elimination of All Forms of Discrimination against Women, submitted in July 1998 (provisional translation in Japanese). The Ministry of Foreign Affairs of Japan also introduced Concluding Observations of the Committee on the Elimination of Discrimination against Women on the consideration of combined Second and Third Periodic Reports on Implementation of Convention on the Elimination of Discrimination against Women on its Websites (original text in English and provisional translation in Japanese).

In compiling the fifth periodic report, a wide array of public opinions were collected on the items to be incorporated into this report, through the Website of the Cabinet Office, newspapers and other media. At the same time, “A hearing on items to be incorporated in the fifth periodic report” was held on 31 August 2001, and furthermore, “information and opinion exchange” was held on 27 March 2002 to introduce the major measures taken by the Government, in relation to the opinions submitted.

Article 8

1. Current Situation of Participation of Women in the Policy Decision Making in International Areas

(1) Provisions in the Basic Law for a Gender-equal Society

Article 7 of “the Basic Law for a Gender-equal Society” stipulates that “in consideration of the close relationship between internal promotion of formation of a Gender-equal Society and efforts by the international community, formation of a Gender-equal Society shall be promoted based on international cooperation.”

(2) Participation of Women in International Conferences

The number of women members officially delegated to international conferences has been gradually increasing. There are 129 official delegations to international conferences in which representatives, alternates and advisors were appointed by the Cabinet since September 1997, out of which women representatives were appointed by Cabinet Decision for the 27 international conferences listed below. This corresponds with approximately 20% of the total for the above-mentioned official delegations to international conferences.

- The 52nd Session of the United Nations General Assembly (Alternate)
- The 53rd Session of the United Nations General Assembly (Alternate and Adviser)
- APEC Ministerial Meeting on Women (Representative)
- G8 Labour Ministers Conference (Alternate)
- The 87th Session of the International Labour Conference (Representative)
- The 22nd Universal Postal Congress (Representative)
- The 54th Session of the United Nations General Assembly (Alternate and Adviser)
- The 30th UNESCO General Conference (Adviser)
- The Fifth Session of the Conference of the Parties to the United Nations Framework Convention on Climate Change (COP5) (Representative)
- The 10th United Nations Congress on the Prevention of Crime (Adviser)
- The 88th Session of the International Labour Conference (Representative)
- The Special Session of the United Nations General Assembly entitled “Women 2000: Gender Equality, Development and Peace for the Twenty-first Century” (Representative and Alternate)
- The Special Session of the United Nations General Assembly on Social Development (Alternate)
- The 55th Session of the United Nations General Assembly (Representative and Adviser)
- The 44th General Conference of the International Atomic Energy Agency (Adviser)
- G8 Labour Ministers Conference (Alternate)
- The Sixth Session of the Conference of the Parties to the United Nations Framework Convention on Climate Change (COP6) (Representative)
- United Nations Convention against Transnational Organized Crimes (Alternate)
- The 89th Session of the International Labour Conference (Adviser)
- The Resumed Sixth Session of the Conference of the Parties to the United Nations Framework Convention on Climate Change (COP6) (Representative)
- The World Conference Against Racism, Racial Discrimination, Xenophobia and Related Intolerance (Representative)
- The 56th Session of the United Nations General Assembly (Representative and Alternate)
- The 14th General Assembly of the World Tourism Organization (WTO) (Representative)
- The 31st UNESCO General Conference (Representative)

- The Seventh Session of the Conference of the Parties to the United Nations Framework Convention on Climate Change (COP7) (Representative)
- Negotiation on the conclusion of a treaty on extradition between Japan and the Republic of Korea (Representative)
- G8 Labour Ministers Conference (Representative)

(3) Women Working Overseas

a) International Organizations

The ratio of women among Japanese staff in the United Nations Secretariat shifted from 57.5% at the end of June 1997 to 57.3% at the end of 2001.

Also, the number of women Japanese staff engaged in professional posts in major international organizations including the United Nations was 180 in 1994, but the number increased to 283 in 2001. As for Japanese women working actively in senior management positions, as of the end of April 2002, there are Director of Bureau for Field Coordination (BFC) of the United Nations Educational, Scientific and Cultural Organization (UNESCO), Deputy Executive Secretary of Economic and Social Commission for Asia and the Pacific (ESCAP), and Executive Secretary of the Secretariat of the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and Their Disposal. Furthermore, a Japanese woman was elected to be an ad litem judge of the International Criminal Tribunal for the former Yugoslavia at the United Nations General Assembly in June 2001. This was the first time that Japanese woman was elected as an international judge.

b) Ambassadors

There have been eight Japanese women ambassadors since the first woman ambassador was appointed for the first time in 1980. As of 15 April 2002, two Japanese women were serving as ambassadors, one as Ambassador to Uzbekistan and the other as Ambassador and Permanent Representative of the Delegation of Japan to the Conference on Disarmament, which was equivalent to about 1.8% of the total number of Japanese ambassadors.

c) Women Staff of Overseas Establishments of the Ministry of Foreign Affairs

As of 15 April 2002, 1,071 women staff were working in the Ministry of Foreign Affairs of Japan (the Ministry of Foreign Affairs in Japan and overseas establishments) and their ratio among the total staff was approximately 19%. The number of women staff of overseas establishments was 403, accounting for about 13% of the total staff of overseas establishments.

d) Dispatch to Peace-keeping Operations (PKO)

Seven female SDF personnel were dispatched to a PKO mission for the first time in the SDF contingent for peace-keeping operations (PKO) in East Timor in April 2002 to engage in sanitation, communication and other activities.

(4) Women in Development (WID)

a) Measures for Official Development Assistance (ODA)

The Government specifies the concept of active participation of women in development in the Official Development Assistance Charter, which was adopted by the Cabinet in 1992 and also launched the Initiative on Women in Development (WID) at the Fourth World Conference on Women (Beijing Conference) to present the measures to be taken in the WID area. The Initiative puts emphasis on

assistance to the following three areas: education, health, and participation in economic and social activities in order to facilitate empowerment of women and gender equality in development assistance.

Furthermore, the Government formulated the “Medium-term Policy on Official Development Assistance” in 1999, which covers gender as one of the priority issues in the support for poverty reduction and social development. The Government also expresses in the Medium-term Policy that it actively promotes assistance to women in the health and education sectors, and the economic independence of women, and endeavors to utilize monitoring and evaluation results regarding gender.

The Medium-term Policy also states that of the 1.3 billion people living in conditions of poverty throughout the world, 70% are women and that many women are placed in a vulnerable position in terms of education, employment and health. In addition, it places emphasis on the perspective of assistance for women in developing countries, considering the need to promote the equal participation of men and women in development as well as the distribution of the benefits derived from it in achieving balanced and sustainable economic development. Specifically, Japan is actively providing assistance to health and education for women (“Girl’s Education Program in Guatemala”), family planning (“Maternal and Child Health Improvement Project in Brazil,” and the “Project for Improving the Health of Mothers and Children in Indonesia” and other projects), micro-financing for promoting the economic independence of women (yen loan to “Grameen Bank in Bangladesh” and “Training on Enhancing Women’s Economic Participation in Rural Area Through Scaling-up of Micro Enterprises to Small and Medium Scale Enterprises”), job training (grant aid and dispatch of experts to the “Technical Education and Skills Development Authority (TESDA) Women’s Center in the Philippine”), and the improvement of the work environment (the dispatch of experts for the implementation of the “Greenery Promotion Plan,” the “Karey-Gorou Green Promotion Cooperation Project” and other projects). Furthermore, the Government assists developing countries in improving policy formulation capabilities in these fields (“Project on Strengthening Sulawesi Rural Community Development to Support Poverty Alleviation Programmes in Indonesia”)

Japan International Cooperation Agency (JICA), the executing agency for technical cooperation, has been considering gender perspectives in the final evaluation of each project since the establishment of the Aid Study Committee by Sector (WID) in 1990. Thematic evaluation has been conducted for the purpose of drawing lessons to incorporate gender perspectives more effectively into its projects in the future. With regard to projects in Sri Lanka which cover five areas (agriculture and rural development, industry-technical training, health and medical improvement, education and poverty alleviation), the research was conducted to identify the degree to which the gender issue is considered and its effectiveness, as well as ex-post facto evaluation to investigate the degree to which the gender issue is considered by other aid agencies in implementing their projects.

b) International Exchange and Cooperation in the Field of Education

In order to achieve the goals set forth by the Dakar Framework for Action, Japan is providing the following support.

i) Japan contributes to the dissemination of literacy education in the Asia-pacific region by funds-in-trust to the United Nations Educational Scientific and Cultural Organization (UNESCO).

ii) Asia/Pacific Cultural Centre for UNESCO (ACCU) actively cooperates to disseminate education for women through the establishment of the “Literacy Resource Centres for Girls and Women (LRC),” development of literacy materials and so on.

iii) In order to contribute to the formation of a gender-equal society on an international level, the National Women’s Education Center, an independent administrative institution, has implemented the

“International Training Course on Processing Women’s Information” and the “Seminar on the Promotion of Education for Girls and Women” for overseas governmental organizations concerned with women’s education and leaders of NGOs since FY2001.

c) Postal Savings for International Voluntary Aid

The Ministry of Public Management, Home Affairs, Posts and Telecommunications contributes accrued interest on “postal savings for international voluntary aid” accounts to NGO aid programs in developing countries and areas. Part of these contributions are used to assist women’s independence by conducting training classes to help them acquire professional skills and holding seminars designed to improve their literacy, sanitation, nutrition and etc.

d) The Center for the Advancement of Working Women (CAWW)

As one of its projects, the “Center for the Advancement of Working Women” dispatches and invites people concerned with women’s labour issues to and from developing countries to promote exchanges among those people. The Center has also conducted “Women Labour Exchange Project,” where information is exchanged on measures and know-how of both countries for specific themes such as information technology (IT), to promote international exchanges of women and deepen mutual understanding.

e) Japanese assistance to Women in Afghanistan

The International Conference on Reconstruction Assistance to Afghanistan was held in Japan in January 2002. The Co-chairs’ Summary of Conclusions states that women’s rights and gender issues should be fully reflected in the reconstruction process and the “empowerment of women” was highlighted as a key priority area for Japan’s assistance to Afghanistan. Responding to these developments, the “Advisory Council on Assistance to Women in Afghanistan,” as a council organized by the Chief Cabinet Secretary has been held since February 2002. The Council conducts research on the current situation of women in Afghanistan and deliberates the ways of assistance, taking the needs of women into consideration.

2. Participation in the Women 2000 Conference

The Special Session of the United Nations General Assembly entitled “Women 2000: Gender Equality, Development and Peace for the Twenty-first Century” was held at the United Nations Headquarters in New York from 5 June to 10 June 2000. The delegation from Japan headed by Dr. Sumiko Iwao, Chairperson of the former Council for Gender Equality was comprised of four members of NGOs including Dr. Iwao, five members of the House of Councillors, and 39 members (28 out of which were women) from the Ministry of Foreign Affairs, the National Personnel Authority, the Prime Minister’s Office (currently the Cabinet Office), the Ministry of Education, Science, Sports and Culture (currently the Ministry of Education, Culture, Sports, Science and Technology), the Ministry of Health and Welfare (currently the Ministry of Health, Labour and Welfare), the Ministry of Agriculture, Forestry and Fisheries, and the Ministry of Labour (currently the Ministry of Health, Labour and Welfare).

With regard to “Further Actions and Initiatives” for the promotion of implementation of the Beijing Platform for Action, it can be evaluated that further progress has been made from the Beijing Platform for Action, including: a) the improvement of measures to tackle violence against women, b) the active participation of women in the process of decision making of policies for development and achievement of peace, and c) the improvement of employment of women through education and training in the area of information technology.

In the consultations for compiling the Initiatives, Japan endeavored to incorporate its matters of concern and interest into the outcome document, including the development of data aggregated by sex, enhancement of education, and advancement of the status of women in rural areas.

In the Special Session of the General Assembly, consultations on the outcome document were hampered due to the conflict concerning the above matters, and it was feared that the outcome document would not be adopted at the Session. Against this backdrop, Japan endeavored to promote the consultations through having Representative Iwao attending bilateral meetings with 11 countries and approaching the Association of South-east Asian Nations (ASEAN) countries.

Furthermore, Japan presided over the drafting group as vice-chairman of the preparatory committee and contributed to the promotion of agreement on the conflicting issues.

In the statement of the head of the delegation, Japan introduced its domestic measures for the realization of a gender-equal society and announced that it would host the “Second World Congress Against Commercial and Other Forms of Sexual Exploitation of Children” in December 2001, attracting from each country strong interest in this Congress.

During the period of the Special Session of the General Assembly, Japan held briefings on the progress of consultations with NGOs three times and made efforts to keep in close contact with them.

3. Measures to Widely Disseminate Information on International Commitments of the Government that Have an Influence on Women and Official Documents Published by the International Forums.

On the occasion of the Fourth World Conference on Women, the Special Session of the General Assembly entitled “Women 2000: Gender Equality, Development and Peace for the Twenty-first Century” and other conferences, the Government is making efforts to disseminate information on outcome documents, national reports, and statements through the briefing meetings in their preparatory stages and after the conferences, various publications and websites.

Furthermore, the Cabinet Office, with the participation of the Ministry of Foreign Affairs and the Ministry of Environment as observers held opinion and information exchange in December 2001 on the themes of poverty and the environment, which are closely related to the themes of the United Nations Commission on the Status of Women (CSW), among 12 critical areas of concern in the Beijing Platform for Action. About 40 participants including NGOs participated in this meeting.

Article 10

1. Improvement of Education and Learning to Promote Gender Equality

(1) Gender Equality in Education

The Ministry of Education, Culture, Sports, Science and Technology (former Ministry of Education, Science, Sports and Culture) provides prefectural Boards of Education and related organizations with information, guidance and assistance in order to promote guidance throughout school education about the respect for human rights, gender equality, and mutual cooperation and understanding, giving due consideration to textbooks and educational materials used at school, and improve training of teachers.

Further, new Courses of Study start at elementary and lower secondary schools from FY2002 (amended in 1998) and at the upper secondary schools from FY2003 (amended in 1999). The new Courses of Study emphasize the importance of mutual understanding and cooperation between men and women and aims for thorough implementation of their principles.

In some textbooks on social studies and home economics descriptions are made about the Convention on the Elimination of All Forms of Discrimination against Women. Mainly in the textbooks on home economics, there are descriptions made based on diverse images of family, the importance of gender equality, and mutual understanding and cooperation.

(2) Promotion of Women's Studies and Studies for the Improvement of Women's Rights

Women's studies seeking to reconstruct the conventional system of learning from women's point of view are promoted further at institutions of higher education, keeping in mind the fostering of male scholars of women's studies. Efforts are also being made to make them attentive to gender in education and research activities.

According to a FY1999 research, universities that offer classes related to women's studies and the improvement of women's rights were: 45 national universities, 25 public universities, 146 private universities which amounts to 216 universities. Compared to a FY1998 research (39 national universities, 14 public universities, 140 private universities which amounts to 193 universities), there was an increase of 23 universities.

As for the class curricula, various kinds of classes related to women's studies are offered in interdisciplinary courses ranging over education, culture, legal system and other disciplines. "Women's Issues" offered at Ochanomizu University, "Women's Studies" offered at Osaka Women's University, "Women and Society" at Aichi Shukutoku University, and "Frontier of Women's Studies" and Women's Career and Workplace offered at Mukogawa Women's University are some examples of classes to list but a few.

(3) Social Education

a) Programs in Local Areas

The Ministry of Education, Culture, Sports, Science and Technology (former Ministry of Education, Science, Sports and Culture) has aided the establishment of classes and lectures on contemporary issues

such as the creation of gender-equal society and lectures on women's issues offered by the municipal offices, and the training of Gender-Equality Promotion Advisors by the prefectural governments.

As mentioned in the fourth periodic report, the "Gender Equality Seminars for Youth" designed for young people were held until FY2000 by commissioning the implementation to related organizations outside the government. In FY2000, the report was prepared to disseminate the results of the program.

Further, since FY2000, research studies have been conducted from the standpoint of gender equality to promote an educational system that values individuality from infancy and eliminates unreasonable stereotypes for gender roles both at home and in the local communities.

b) Increasing Study Opportunities for Education in the Home

As described in Article 5 (b).

(4) Increasing Opportunities for Education and Learning

Japan is promoting measures such as the expansion of the lifelong learning system, promotion of recurrent education, and expansion of the University of the Air 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. These measures also have great significance for women to participate in any area of society as men do.

(5) Empowerment of Women

In 1999, the Ministry of Education, Culture, Sports, Science and Technology (former Ministry of Education, Science, Sports and Culture), bearing in mind the current state of the local communities, started hosting the "Gender Equality Learning for Empowerment of Women," in line with the 11 major objectives of the "Basic Plan for Gender Equality" to promote the empowerment of women while sustaining partnership with men.

From FY2002, the Ministry will set up learning programs to support the management of family and local activities to create a gender-equal society by transforming the workplace-oriented mentality and life style of men.

(6) Training for People with Education Related Profession

In order to promote gender equality in school environments, lectures on gender-equal society are given at central training courses for teachers, in order to develop an understanding and further expand the consciousness of the principles of gender equality among the school principals and other teachers.

Reference materials aimed at expanding the understanding of gender equality and violence against women have been prepared and distributed to social education instructors.

The National Women's Education Center, an independent administrative institution, has hosted the "Seminar on Gender Equality Education for Teachers" so that participants may obtain knowledge needed to advance their understanding of the importance of gender equality among them.

2. National Women's Education Center

The National Women's Education Center (an independent administrative institution since April 2001) was established to promote women's education through the training of women's education instructors and other people with women's education related professions along with conducting a specialized research and study on women's education so that the formation of Gender-Equal Society may be facilitated. The Ministry of Education, Culture, Sports, Science and Technology (former Ministry of Education, Science, Sports and Culture) is supporting various kinds of activities organized by the National Women's Education Center and other public and private women's education facilities nationwide.

As the only national center of women's education in Japan, the National Women's Education Center offers programs such as practical training and specialized research for women's education instructors and others nationwide, conducts domestic and international exchange programs, and collects and supplies information such as creating women's information networks both within and outside of Japan by providing various types of databases to the public.

(1) Training and Exchange Programs

The "Seminar for Staff of Women-related Facilities," "Seminar on Support for Women's Empowerment," "Seminar on Gender Equality Education for Teachers," "Seminar on Child-Raising by the Community and Family," "NWECC National Exchange Festival 2001" and "Forum on Home Education" were conducted as national scale training and exchange programs.

By joint sponsorship with four other lifelong learning related facilities, the National Women's Education Center conducted "Forums to Promote Gender Equality Learning." In FY2000, as a supplement to the Conference on Women 2000, it hosted the "International Forum on Women's and Gender Studies."

(2) Research Programs

As for specialized research programs, the National Women's Education Center conducted "Research on Gender Equality Learning in an Aging Society" from FY1999 and "Research on Gender Statistics" and "Comparative International Research on Women's Interest in Learning and their Learning Behavior" from FY2001, and those results have been reflected in various kinds of programs.

(3) Information Collection and Dissemination

The Information Center for Women's Education of the National Women's Education Center have produced and distributed resource materials on the provision of various types of database on women and the family, reference and photocopying service, viewing, lending and exhibiting of information resource, information training program, and "NWECC Newsletter" which provides information to the "WINET information system" and overseas.

Since March 2000, the Center has established and offered a cross search system (WinetCASS) which enables the user to make simultaneous access and search not only to the database of the Information Center for Women's Education but also to websites both domestic and foreign, and databases provided by other outside organizations.

The acquisition of skills and the creation of an information network have been advanced by establishing a learning system TICT (Training in Information Communication Technology) so as to acquire the information communication skills through a woman's perspective and by providing information, a place for communication and manuals for computers and the Internet necessary to effectively use the information and knowledge related to women.

Furthermore, the UN Economic and Social Commission for Asia and the Pacific (ESCAP) regards the Information Center for Women's Education as an important focal point in the Women's Information Network for Asia and the Pacific (WINAP), therefore the center strives to enhance its activities, serving as the base of women's information network for related organs, facilities, organizations, groups and individuals both at home and abroad.

3. Program for Educational Reform

The "Program for Education Reform" formulated in January 1997 by then Ministry of Education, Science, Sports and Culture to engage in educational reform concretely and actively was amended in September 1999.

One of the items of this "Program for Educational Reform" is to enhance education and learning to promote gender equality. For the purpose of eliminating the stereotyped notions for gender roles, and promoting gender equality based on the respect for human rights in order to create a gender-equal society where men and women can participate in all areas of activities as equal members of society, the Ministry of Education, Culture, Sports, Science and Technology enhances education and learning to promote gender equality through holding seminars, improving training for personnel concerned with education, developing teaching materials and taking other measures in school and social education.

4. Career and Vocational Guidance

As described in Article 11 1 (c).

Article 11

Article 11. 1

1. Promotion of Measures to Secure Equal Employment Opportunities

(1) Implementation of the Equal Employment Opportunity Law

The revised Equal Employment Opportunity Law came into force in April 1999. In accordance with this law, discrimination against women at all the stages of employment management, from recruitment, hiring to retirement were prohibited. Equal treatment between men and women has steadily permeated into companies' employment management. Under the negative influence of the severe employment situation today, however, female students in the hiring process still face disadvantages. Also, it is observed that improvements in the actual situation has been delayed. For instance, the ratio of women who are in managerial positions is still low and has been at a standstill in recent years. There are also cases which show dismissals due to pregnancy and childbirth, as well as different treatment of women in comparison to men at retirement and in dismissals.

The Equal Employment Department of the Prefectural Labour Bureau that is the regional bureau of the Ministry of Health, Labour and Welfare receives over 20,000 consultations concerning the Equal Employment Opportunity Law per year from companies and female workers. Requests of assistance for individual dispute settlement made by female workers concerning gender-equal treatment have been increasing in recent years. Reflecting the severe employment situation, the requests related to forced retirement, dismissal and other ill treatment due to gender, pregnancy and childbirth have been increasing. The Equal Employment Department provides approximately 6,500 corrective guidance a year against those who violate the Equal Employment Opportunity Law and has been offering administrative guidance for proactive measures related to Positive Action to remove the de facto gaps that arise between male and female workers.

As for mediation, the Revision to the Equal Employment Opportunity Law enabled a petition from one of the parties concerned alone to commence the mediation process. This has resulted in an increase in mediation petitions.

(2) Raising Awareness for the Revised Equal Employment Opportunity Law

The Government has been conducting public relations activities to raise awareness for the Equal Employment Opportunity Law, especially during the "One Month Campaign on Equal Employment Opportunity between Men and Women," implemented every year in June toward the realization of company employment management in accordance with the Equal Employment Opportunity Law.

Especially during FY1999, the first year of the enforcement of the "Revised Equal Employment Opportunity Law," the Ministry actively held group briefings and so forth in order to raise awareness among small and medium-sized companies as well as micro companies where the law had not permeated significantly. Through cooperation with employer's associations, the Ministry also put emphasis on running public awareness campaigns for industries where legal penetration is thought to be low.

Furthermore, the Ministry requested newspaper publishing companies, classified advertising related corporations, and classified magazine-publishing corporations to cooperate in raising public awareness regarding the “Revised Equal Employment Opportunity Law” and in publishing classified advertisements in line with the said Law.

In December 1999, the Worker Dispatch Law was revised so that the employers to whom workers were dispatched would be put under the obligation to pay due diligence for the prevention of sexual harassment, and to implement measures regarding maternity health management. Together with the explanation on the “Revised Equal Employment Opportunity Law,” the Ministry disseminated information on them.

(3) Formulation of Basic Policy

Through proactive administrative guidance, the Government has been working to secure the implementation of the Equal Employment Opportunity Law. The Government has also been actively taking measures to promote Positive Action taken by companies so as to realize the practical gender-equality.

a) Basic Policy on Measures for Equal Employment Opportunity

Based on Article 4 of the Equal Employment Opportunity Law, Basic Policy on measures for Equal Employment Opportunity was formulated in July 2000. Taking into account the changing working environment surrounding women workers and the progress made in related measures, this policy clarifies the issues concerning the work-life of women workers and presents a basic direction toward ensuring equal opportunity and treatment between men and women in employment.

b) Basic Policy on Measures for Equal Employment Opportunity for Seafarers

To ensure equal employment opportunity for seafarers, the “Basic Policy Regarding Equal Employment Opportunity Measures for Seafarers” was also formulated in February 2002.

(4) Support for the Realization of Equal Employment Opportunities

a) Administrative Guidance

Administrative Guidance has been actively implemented in accordance with the actual situation of the industries in terms of type and size, after grasping thoroughly the implementation of the Equal Employment Opportunity Law, and the situation of hiring, assignment and the promotion of both men and women. For treatment that violates the “Equal Employment Opportunity Law,” correctional guidance is given. For companies that have huge gaps in hiring, assignment and promotion between men and women, advice for concrete measures such as clarifying standards for hiring and promotion as well as advice for analyzing and defining problems are also provided to improve the situation.

In FY1999, the first year of the implementation of the “Revised Equal Employment Opportunity Law,” administrative guidance focused on recruitment and hiring was conducted to eliminate gender classified recruitment. As a result, in most cases recruitment has switched to a system in which gender is no longer a criterion.

In addition, as for the employment management system differentiated by career courses, the Government gives guidance to companies that have introduced the system based on the “Important Notice Concerning Employment Management Differentiated by Career Courses” established in June

2000 so that they would conduct employment management in line with the Notice, taking into account the systems' contents and situations of their actual operation.

Furthermore, concerning the employment problem for female students, situations of corporate recruitment and hiring, and the job-hunting activities of female students were looked into. For violations of the "Equal Employment Opportunity Law," correctional guidance is given. The Ministry produced the "Rulebook for Equal Recruitment of Males and Females" in FY 2001, and has been providing enlightening guidance to those in charge of personnel affairs and interviews in the companies to thoroughly secure the gender equal hiring rules that adhere to the Equal Employment Opportunity Law.

b) Positive Action

As described in Article 4

c) Measures to Prevent Sexual Harassment

As described in Article 2

d) Resolution of Individual Disputes

(i) Dispute Settlement Support Based Upon the Equal Employment Opportunity Law

To facilitate the settlements of disputes between women workers and business owners relating to the equal treatment, the Director-General, Prefectural Labour Bureau actively gives advice, guidance and recommendations. The Disputes Adjustment Commission (the Equal Opportunity Mediation Commission was reorganized through the enforcement of the "Law on Promoting the Resolution of Individual Labour Disputes" in October 2001) also proactively undertakes mediation of resolution of disputes.

As a reflection of the severe employment situation, there are many individual disputes between women workers and business owners related to retirement suggestions and dismissal. Especially, cases of forced retirement or dismissals due to pregnancy and childbirth have been increasing. Most of the cases for individual dispute settlement assistance have been solved by the assistance of the Director-General, Prefectural Labour Bureau.

As for mediation, led by the Amendment to the Equal Employment Opportunity Law, which stipulates that with a petition from one of the parties to the dispute mediation may start, the number of petitions for mediation has increased. The contents of mediation requests were placement, promotion and layoff. For FY2001, the cases of individual dispute settlement composed of 107 cases of assistance provided by the Directors of the Labour Department of Prefectural Offices and five cases of application filed to the mediation.

(ii) Dispute Resolution Assistance Based on Law on Promoting the Resolution of Individual Labour Disputes

To promote the prompt and appropriate resolution of disputes between individual workers and business owners concerning labour relations, "Law on Promoting the Resolution of Individual Labour Disputes" came into force on 1 October 2001.

As for individual disputes related to sexual harassment, etc., they will not fall into the scope of advice, guidance and recommendation by the Director-General, Prefectural Labour Bureau and mediation by the Disputes Adjustment Commission based upon the Equal Employment Opportunity Law. Instead, resolution of such disputes is sought through advice and guidance by the Director-General, Prefectural Labour Bureau or through conciliation by Disputes Adjustment Commission based upon “Law on Promoting the Resolution of Individual Labour Disputes.”

e) Review on So-called Indirect Discrimination

Regarding so-called “indirect discrimination,” a social consensus on its definition has not been established yet. The scope of problems vary from person to person. Therefore, discussion needs to be exhausted to form a consensus on what sort of cases constitute discrimination. The Ministry of Health, Labour and Welfare has been collecting information about measures, precedents and cases from other countries and will continue to review this matter. A forum for deliberation will be established in 2002.

2. Organization of Employment Conditions within the Diversifying Forms of Employment

Although the issue does not directly fall under this paragraph, because the majority of part-time workers and dispatch workers are held by female workers, the measures taken relating to these forms are reported as reference.

(1) Part-time Workers

In recent years, part-time labour has increased and become an indispensable part of Japan’s economy. Amidst this situation, making part-time work a satisfactory form of employment is an important issue to promote the exertion of women’s abilities.

To improve labour management of part-time workers, based on the “Law Concerning the Improvement of Employment Management, etc., of Part-time Workers” (hereinafter referred to as the “Part-Time Work Law”), the Ministry of Health, Labour and Welfare is advancing measures to raise thorough awareness of this said law and guidelines for employers. Subsidies for employers to support their efforts to follow this law are also provided. Practically, in relation to labour management of part-time workers, Article 3 of the Part-Time Work Law provides due consideration for the balance between part-time workers and regular employees. To this end, voluntary initiatives are promoted while the Ministry provides information to workers and employees concerning the concept of personnel management that considers the balance with regular employees.

As for the modalities of part-time labour policies for the future, from March 2001, a study group was established to review the issue. Also, as for the fair and balanced treatment, etc., of part-time workers befitting the ways they work, from the standpoint of advancing work sharing, government, workers and employers are considering the issue.

Previously, the Employment Insurance System was applied to part-time workers who met all the following three requirements: (i) those who have a chance of renewal of employment contract; (ii) those who have more than 20 hours per week of predetermined working hours; and (iii) those who are expected to earn more than ¥900,000 in a year. The Government has been making efforts to expand the application of the system by abolishing the third requirement from April 2000.

(2) Dispatch Worker

The number of dispatch workers in FY2000 was approximately 1.39 million. In 1999, women accounted for 69.7% of this population.

To ensure workers' proper employment opportunities, responding to the shift in the socio-economic situation in recent years and the needs to secure the diversity of choices for workers, various measures have been implemented based on the "Law for Securing the Proper Operation of Worker Dispatching Undertakings and the Improved Working Conditions for Dispatched Workers." Through the Amendment to this Law in 1999, as a prerequisite for liberalization of applicable types of work in principle, worker protection measures (measures that should be taken by the employers of dispatch workers, such as protection of personal information, notification of enrollment status of social insurance and labour insurance to the companies where the workers are dispatched) were enhanced, and the Ministry has been making efforts to further ensure appropriate working conditions for dispatch workers.

Previously, the Employment Insurance System had been applied to registered type dispatch workers meeting all the following four requirements: (i) those who have a chance of renewal of employment contract; (ii) those who have more than 20 hours per week of predetermined working hours; (iii) those whose predetermined working days for one month are more than 11 days; and (iv) those who are expected to earn more than ¥900,000 in a year. From April 2001, requirements (iii) and (iv) were abolished in an effort to expand the system's application.

Article 11. 1. (c)

1. Policies to Enable Flexible Choice of Profession

(1) Development of Vocational Ability

In order to take appropriate measures to respond to the diversifying forms of labour while promoting individuality, the Ministry of Health, Labour, and Welfare is proactively advancing measures including: (i) Development of a career development support system in accordance with vocational life planning; (ii) reinforcement and upgrading of information collection and provision systems related to vocational ability development; (iii) development of an appropriate vocational ability evaluation system through government and private cooperation; and (iv) securing of various educational training opportunities necessary for vocational ability development.

The Study and Training Benefits System was established in December 1998 as a part of the Employment Insurance Benefits System aimed at supporting the voluntary initiatives of the workers to develop their vocational abilities and promote employment stability and re-employment. In 2000, 136,837 men and 133,300 women received this benefit. Of those who received this benefit through the 308 public vocational training facilities in 2000, 49% were men and 51% were women.

(2) Career and Employment

a) Career and Vocational Guidance

Recognizing that women tend to take up clerical work and major in humanities at university or college more often than men, the Government has been implementing various measures to further improve and enhance the vocational guidance at school so that every student, regardless of gender, can acquire the ability and attitude to think about his or her own way of life and to decide their future career subjectively.

The Government calls on universities and colleges to hold career guidance for students, and since FY 1995 it has been conducting “National Vocational Guidance” meetings where employment counselors at universities and company staffs in charge of recruitment can exchange views and information. At the same time, it has been taking measures to promptly provide employment-related information to students, promote vocational guidance for female students through the dispatch of employment counselors to universities; and request each business organization and others to cooperate to ensure equal employment opportunity to female students.

b) Promotion and Cultivation of Work-related Consciousness and Awareness among Female Students

The female student employment problem is partly caused by their making choices of career and profession based on a stereotyped way of thinking and mentality as is shown by the mismatch of job description that arises partly from the female students’ still strong inclination to obtain clerical jobs even though back-office sections within companies are shrinking.

The Ministry of Health, Labour and Welfare, therefore, has made efforts to enhance education for the cultivation of awareness of gender-equality and vocation from the early stages of school education and

to encourage female students to make appropriate choices and choices of career and profession by providing opportunities to think about life-long vocational plans in accordance with their “life plans” and providing various vocation-related information on future industry, choice of profession and other information relating to employment. Relevant information is also provided to guidance counselors and others to support their guidance.

Beginning in FY2000, through cooperation with high schools, support projects to formulate gender-free vocational consciousness are also being implemented.

2. The Center for the Advancement of Working Women

As a base facility that comprehensively and proactively implements measures to support working women, the “Center for the Advancement of Working Women (CAWW)” was established in January 2000. This Center displays the history, current situation and future of Japan’s working women. The Center conducts various support measures including holding seminars and consultations for the full utilization of women’s potential, supporting female entrepreneurs, providing information for female students to choose an appropriate profession and providing other information related to working women.

Article 11. 1. (d)

1. Equal Remuneration in Respect of Work of Equal Value

Article 4 of the Labour Standards Law prohibits discriminatory treatment in wages solely based on gender. As to the gap in average wages between men and women workers (excluding part-time workers), the average wage of women workers was 65.5% of men workers in 2000, and the gap has been gradually narrowing. It is thought that this gap stems largely from the difference in type and rank of job and from the fact that the women's length of working years is shorter than that of men.

As for measures to eliminate the difference between men and women in terms of the field of work, the Ministry of Health, Labour and Welfare has been endeavoring to ensure through proactive administrative guidance the implementation of the "Revised Equal Employment Opportunity Law," which prohibits such acts as the discrimination against women in recruitment/hiring, assignment and promotion, or the practice of employment of "women only" or with "preferential treatment of women" with a recognizable effect on fixing the women's field of work and separating men's duties from women's. The Ministry also supports the spread of Positive Action to close the existing gap between men and women workers.

As for measures to eliminate the difference between men and women in the length of service, the Ministry of Health, Labour and Welfare is actively promoting measures to manage working life and family life and to shorten working hours so that both men and women can continue to work while playing their roles as a member of family, including caring for children and other family members.

At the same time, in order to eliminate these differences between men and women, it is important to correct the rigid way of thinking about abilities and roles of men and women, underlying such differences. To this end, the Ministry has been conducting public awareness activities continuously.

Furthermore, the Ministry has been providing correctional guidance for violations of these provisions under the Labour Standards Law.

The Ministry of Health, Labour and Welfare has established a study group between FY2001 to FY2002 to analyze the causes of the wage gap between men and women and to assess the effects of corporate wages and benefits systems and others on the wage gap.

2. Measurement and Quantification of Women's Unpaid Work in the Household

(1) Basic Survey Related to Time-Budget

The Ministry of Public Management, Home Affairs, Posts and Telecommunications conducted the Survey on Time Use and Leisure Activities with the objective of clarifying the national time-budget activities, as of 20 October 2001. In this survey, it was intended to enrich basic data contributing to the quantitative understanding of unpaid work at home including housework while keeping the items of the previous questionnaire.

(2) Valuation of Unpaid Work

In May 1997, the Cabinet Office (the former Economic Planning Agency) published its estimate of monetary value of housework, social activities and other unpaid work.

This report shows that the monetary value (in terms of Opportunity Cost Method*) of unpaid work in 1996 totaled ¥116 trillion, accounting for 23% of the GDP. Unpaid work done by women was estimated at ¥98 trillion, or 85% of the total.

The result of the study of Elderly Care and Childcare Satellite Accounting was publicized in June 2000. Elderly Care and Childcare Satellite Accounting aims at grasping the monetary value of society-wide costs of production and spending activities in relation to “elderly care and childcare service,” thereby contributing to understanding and analyzing the economic aspect of elderly care and childcare services. Here “elderly care and childcare services” include the services provided by the Government as social welfare services, paid services provided by enterprises and the services provided by family members free of charge which are not usually monetarily valued. Particularly, the monetary value of the “elderly care and childcare services done by family members” was calculated by applying the above-mentioned opportunity cost method. The result shows that the production value of family services is the largest among the sectors with elderly care at ¥1.7 trillion (37% of the entire elderly care service production value) and childcare at ¥7.3 trillion (74% of the entire childcare service production value).

Breaking down this production value of family services, it becomes evident that women and mothers accounted for an extremely high percentage: for elderly care divided by gender, women accounted for 82%; and for childcare divided by father, mother, grandfather and grandmother, mothers made up 86%.

*Opportunity Cost Method is obtained by evaluating lost profits incurred by a person who gives up providing his/her labour on the market in order to engage in unpaid work.

Article 11. 2. (c)

1. Establishment of Systems for Child Care and Family Care

(1) Provisions in the Basic Law for a Gender-equal Society

Article 6 of “the Basic Law for a Gender-equal Society” stipulates, “Formation of a Gender-equal Society shall be promoted so that women and men can perform their roles smoothly as household members in home-related activities, including child-raising and nursing of family members through mutual cooperation and social support, and can thus perform activities other than these.”

(2) Revisions of the Child Care and Family Care Leave Law

The “Law to Amend the Child Care Leave Law” (law No.107 for 1995) has been fully enforced since April 1999, and the family care leave system, etc., has uniformly become a responsibility of the employer. This law allows men and women workers to take up to three months off on request for care of family members by applying to the employer.

In 1997, along with the removal of restrictions on late-night work by women workers, the Child Care and Family Care Leave Law was revised to establish the system of limitation on late night work for men and women workers engaged in childcare or family care. This revision has been enforced since April 1999.

Furthermore, the Law regarding the “Partial Revision of Law Concerning the Welfare of Workers who Take Care of Children or other Family Members Including Child Care and Family Care Leave,” including in its content the prohibition of unfavorable treatment by reason of childcare leave, etc., as well as the establishment of the right to request exemptions from overtime, was established on 9 November 2001 and was promulgated on 16 November 2001.

The outline of the Law is as follows.

i) Prohibition of Unfavorable Treatment by Reason of Child Care Leave

An employer shall not dismiss or apply other unfavorable treatment on a worker by reason of a worker applying for or taking childcare or family care leave.

ii) Restrictions on Overtime Work

Those who care for children who have not yet reached school age or those who need to take care of family members who require nursing care, can request exemption from overtime work exceeding 24 hours a month or 150 hours a year.

iii) Raising the Age of Children to Whom are Applied Measures to Shorten Working Hours, etc.

The age limit of the children to whom are applied compulsory measures for employers to shorten working hours, etc., has been raised from below one year of age to below three years of age.

iv) Responsibilities for Employers to Make an Effort to Give Leave to Those Caring for Sick or Injured Children

Employers shall make efforts to take measures for employees with children who have not yet reached school age to take leave for taking care of sick or injured children.

v) Considerations for Job Transfers

Employers who transfer employees to a position with a change in location shall consider the employee's childcare and nursing care situation, such as understanding the situation and making allowances for his/her intention.

vi) Awareness Cultivation by the Government

The Government shall take necessary measures including public relations activities to deepen among employers, employees and the rest of the national public the understanding of management of life at work and family life by workers who take care of children and other family members.

vii) Date of Enforcement

1 April 2002. However, i) and vi) came into force on the day of promulgation (16 November 2001).

In FY1999, the former Ministry of Labour (currently the Ministry of Health, Labour and Welfare) conducted the "Basic Survey on Women Worker's Employment Management." According to this survey, 56.4% of women who delivered children took child care leave, and 0.42% of men with spouses who delivered children took child care leave. Compared with the corresponding figures of 49.1% (women) and 0.12% (men) in FY1996 (survey was conducted for employees of corporations that had child care leave systems in FY1996), there is a steady increase in both men and women who take child care leave. For FY1999, the ratio of men and women who took child care leave was 97.6% for women and 2.4% for men. Compared to the FY1996 ratio of 99.4% for women and 0.6% for men, FY1999 figures show an increase in the rate of men though it still remains at a low level.

(3) Revision of the Employment Insurance Law

To improve support for managing life at work and family level, and to support and promote smooth continuation of the former, the Employment Insurance Law was revised, and since January 2001, the benefit rate of child-care and nursing care was raised from 25% to 40% of the wages prior to the leave.

(4) Support for Child Raising

a) Support Measures for the Balancing of Work and Child Raising

Support for managing life at work and child raising has been an important and urgent issue for the formation of a gender-equal society in Japan, therefore, in January 2001, the "Specialist Committee on Support Measures for the Balancing of Work and Child Raising" was established under the Council for Gender Equality. Based on the final report from this committee, the "Comments on the Policies on Support Measures for the Balancing of Work and Child Raising" were approved by the Council, in June 2001. Based on the Comments, the "Policy on Support Measures for the Balancing of Work and Child Raising" was approved by the Cabinet. This policy provides numerical targets and deadline for measures including a strategy for no children waiting lists for day-care centers and the establishment of after-school measures for children.

The strategy for no children waiting lists for day-care centers and the establishment of after-school measures for children have been incorporated into both the "Reform Work Schedule," which indicates the direction of Japanese structural reforms, and the "Front-Loaded Reform Program" included therein, which contains measures requiring implementation with particular urgency.

b) Diverse and High Quality Child Care Services

In 1999, the Government adopted the “Concrete Plan to Implement a Priority Measures for the Declining Birth Rate (New Angel Plan)” to meet diversifying demands for nursing, brought about as a result of an increase in the number of working women and change in working pattern, and to support management of work and child care. Based on this plan, since FY2000, the Government has been promoting measures such as the acceptance of infants (0 to 2 year olds) with the highest demand for care was expanded, childcare hours were extended (in general later than 6pm), and temporary childcare and others have been advanced.

c) Development of Day-Care Centers

As of 1 April 2001, there are 22,218 childcare or day-care centers with 1,828,312 children enrolled.

In order for local governments to flexibly respond to challenges including no children waiting lists for day-care centers through deregulation related to certified day-care facilities that meet the Child Welfare Facilities Minimum Standard, a series of deregulations, including abolishment of limitation of establishment entity, were implemented in March 2000.

In order to promote the no children waiting lists for day-care centers incorporated in the “Policy on Support Measures for the Balancing of Work and Child Raising” (Cabinet decision on 6 July 2001), which was formulated based on comments of the Council for Gender Equality, efforts are being made to develop necessary facilities to accommodate the increase of 150,000 children by FY2004.

As the first child care facility in Kasumigaseki, which is the government office district, the “Kasumigaseki Nursery” was established by the mutual aid society of the Ministry of Education, Culture, Sports, Science and Technology in October 2001. In consideration for the working situation in Kasumigaseki, child care hours were set until 10 p.m. in an attempt to develop an environment which supports working parents taking care of their children.

d) After-School Measures for Children

The Ministry of Health, Labour and Welfare is making efforts to provide school children in the lower grades whose parents are not at home in the afternoon due to work and other reasons with fora for playing and living after-school through utilizing child welfare facilities, etc., (after-school children’s clubs). As of 1 May 2001, this has been implemented in 11,803 locations with 452,135 registered children.

In accordance with the “Policy on Support Measures for the Balancing of Work and Child Raising” (Cabinet decision on 6 July 2001), the acceptance system of after-school children including after-school children’s clubs will be expanded to 15,000 locations by FY2004.

e) Support for Child Raising in Kindergarten

To meet the diversifying needs of the kindergarteners’ parents, “day care,” which is the care service provided prior to and after four hours of curricular activities and during vacations, is being advanced. Whereas in 1997 approximately 30% of Japan’s kindergartens provided this service, in 2001 more than 50% provided it.

(5) Establishment of the Long-term Care Insurance System

In order to establish a system whereby society as a whole supports those who are facing the need of long-term care in the aging society, the Long-term Care Insurance Law passed the Diet in December 1997. After the subsequent preparatory period, the system was enacted in April 2000. Under this system, elderly persons aged 65 or over who are bed-ridden and/or with senile dementia and people from 40 to 64 years of age who are in need of long-term care due to specific age-related diseases are provided with long-term care services covering both in-home service and institutional services for their comprehensive use. This system aims at supporting the elderly and their families.

As of June 2001, there were 802,191 men and 1,898,350 women who were certified as requiring support or care; women made up approximately 70% of the total. With regard to the gender of principal care-givers, the number of women was larger than that of men; women made up 72.2% and men made up 19.5% in 2000. The rate of female care-givers has been decreasing compared to the rate of 85.1% in 1995, when the long-term care insurance had not yet been introduced.

The funds for insurance payments come from public funds and the insurance premium which people aged 40 or over pay. 10% of the costs to which insurance is applied are borne by the user. After the introduction of the system, a steady increase has been identified in the number of service users and the amount of use showed a steady increase compared to the respective corresponding figures before its implementation, demonstrating the expected effect. This system has generally had a favorable start.

In December 1999, taking into account the implementation of the Long-term Care Insurance System, the Gold Plan 21 was formulated (Five Year Strategy to Promote Health Care and Welfare for the Elderly). Based on this plan, infrastructure development measures have been qualitatively and quantitatively promoted.

(6) Support to Make Work Compatible With Nursing of Family Members

a) Developing an Environment Which Makes it Easier to Continue to Work While Nursing Family Members

From FY2000, "Child Care Leave Substitute Personnel Securing Subsidy" is provided for those employers who have secured substitute personnel during an employee's child care leave and returns the employee to the former job or an equivalent position, after stipulating the treatment of workers who take child leave in their rules and regulations; that is in principle those shall be returned to the former job or equivalent position.

Family Support Center projects which conduct community based mutual support activities by 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 needs for child care that the existing day-care centers can not cope with such as a sudden need to work overtime. Since FY2001, this project has been enhanced comprehensively by taking such measures as promoting their establishment in large cities, strengthening their cooperation with childcare facilities and increasing the number of their locations. The establishment of facilities has been promoted toward enhancement of child-raising support in the community, in FY2002 (286 locations by FY2002).

b) Support for Re-employment

The “Re-employment Support Project” has been provided to support those who quit their jobs for childcare and nursing care but wish to be reemployed in the future. This project has been gradually expanding its implementation areas, and from FY2002, services are available in all 47 prefectures.

Furthermore, in the Public Employment Security Office (Compatible Support Hello Work) that undertakes support for managing life at work and family life, reemployment support services are given to those who want to be newly employed but have childcare, housework and nursing care constraints, by providing detailed employment consultations, employment introductions and other services.

Article 12

1. Maintaining and Promoting the Health of Women Throughout Their Lives

(1) Overview of “Sukoyaka Family 21 Plan”

In 1998, “Study Group on the Health Support Project for Women Throughout Their Lives” was established under the supervision of the Director of Children and Families Bureau of the Ministry of Health and Welfare (currently the Ministry of Health, Labour and Welfare). The group studied the present situation of women’s health, evaluated the policies implemented and considered the future directions of women’s health policy. In 1999, the group filed and published its evaluation results.

In November 2001, “Sukoyaka Family 21 Plan” was adopted to propose a vision for the principal measures for maternal and child health in the 21st century. The plan is characterized as a national campaign promoted jointly by all the parties concerned such as the Government, local governments, medical institutions and citizens. It has set the objectives that should be achieved by 2010 in the following fields: (i) stepping up health care measures and health care education for adolescents; (ii) assuring safety and comfort during pregnancy and childbirth, and supporting infertile couples; (iii) improving the environment for maintaining and improving the standards of child health care and medical service; and (iv) promoting peaceful mental development of children and alleviating anxiety about child rearing.

Since FY2000, special training on maternal and child health services, reproductive health/rights and other related subjects have been implemented as a new measure to educate people with professional skills working in maternal and child health care; such as public health nurses and midwives.

In response to the need for an environment appropriate for the development of future generations, in FY2001, the National Center for Child Health and Development was established to promote comprehensive health care that includes infantile health care and maternal/paternal health care.

(2) Health Support Service

In FY2000, the services supporting the health of women throughout their lives were implemented in 27 prefectures and designated cities accounting for 31% of the total. Specifically, improvement was made by extending consultation and health education services provided by public health nurses and others concerning health problems peculiar to women throughout their lives (such as gynecological problems, menopausal disorders, pregnancy, contraception, childbirth concerns, infertility, etc). Further, training sessions for consultation advisers were continuously organized.

A research study on supporting the health of women throughout their lives was conducted along with a research study identifying the cause and exploring a cure for diseases common to women (such as osteoporosis). From 2002, a research focused on the menopausal disorder will be organized.

(3) Sex Education and Enlightenment

As for school education, efforts have been made to further improve and enhance guidance on sex through classes such as “physical exercise,” “health and physical education,” “science,” “home economics,” “moral education” and “special activities.” Through this guidance, students, depending on

their developmental stage, are expected to acquire a scientific knowledge about sex and reproduction, to understand the value of life, base their view for the other gender on respect for human rights and equality between men and women and behave themselves appropriately. To this end, various policies have been promoted by way of creating teaching materials and guidelines for teachers and holding training sessions.

Further, junior high school students are given instructions about such matters as requires appropriate response to and treatment of sex related information or choice of action. Senior high school students are given instructions about fertilization, pregnancy, childbirth and their subsequent health problems along with the physical and mental effects caused by artificial abortion so that they will understand the need for making appropriate decisions and taking appropriate actions, including an appropriate response to and treatment of sex related information.

Regarding social education, prefectures and municipalities are encouraged to establish lectures and seminars dedicated to issues including sex and women's health problems, which are differentiated according to their purposes and audience.

(4) Supporting the Health of Women Throughout Their Lives

a) Adolescents

As an objective to be achieved by 2010, "Sukoyaka Family 21 Plan" advocates generating a downward trend in the rate of artificial abortion and sexually transmitted disease among the teenage population.

Statistics have shown that undesired pregnancy cases in the teenage population were 7.0 (out of 1000 females) in 1996 and rose to 12.1 (out of 1000 females) in 2000, demonstrating an increasing trend. To prevent this trend, in 2000, the Government has set the basic guideline "Enactment of a handbook of adolescent sex and health" and has notified each government of the guideline so that the local government will prepare its handbook for adolescents regarding adolescent sexual behavior and health. This guideline, taking into consideration reproductive health and rights is intended for adolescents to deepen understanding of the importance of sex education, contraception, the effects of artificial abortion, sexually transmitted disease and other matters. It also intended for them to respect the human rights of the partner and refrain from sexual behavior which is not based on the equal relationship with the partner.

b) Period of Pregnancy and Childbirth

i) Providing maternal and child health services throughout pregnancy until childbirth

As an objective to be achieved by the year 2010, "Sukoyaka Family 21 Plan" is promoting measures to decrease the maternal mortality rate and increase the ratio of people satisfied with their pregnancy and childbirth.

Further, "Sukoyaka Family 21 Plan" is also encouraging medical institutions to provide information so that the users can select pregnancy and childbirth medical service. At the same time, regarding obstetric techniques, considerations are made to respond appropriately to different risk levels and review are to be made in the practice of Evidence Based Medicine (EBM) as a measure to achieve Quality of Life (QOL) and effective medical service.

In 2001, the content of the Maternal and Child Health Handbook was modified to newly include a clause that identifies the importance of the father's participation in childrearing, and a clause that enhances the policy for maternal leave and other pregnancy and childrearing related support measures that will allow working parents to manage both their profession and childrearing. It has been in effect since April 2002.

ii) Enrichment of Consultation on Infertility and Other Services

“Sukoyaka Family 21 Plan” considers support for tackling infertility as one of its objectives, therefore, in FY2000, services were extended by establishing centers for consultation on infertility in 18 locations in prefectures and designated cities.

iii) Enrichment of Perinatal Medical Service

Maternal mortality and perinatal mortality rates in Japan have experienced a scarce change over the past few years. In 2000, the number of maternal deaths was 78 and the maternal mortality rate was 6.3 per 100,000 births. The infant mortality rate was 3.2 per 1,000 births; and the neonatal mortality rate was 1.8 per 1,000 births, which accounted for 55.0% of infant mortality. While the perinatal mortality rate (the number of fetal deaths at 22 weeks and over the gestation period, plus the number of early neonatal deaths, divided by the number of births plus the number of fetal death at 22 weeks and over the gestation period, which was multiplied by 1,000) was 5.8%. All these figures are on the decline year by year.

“Sukoyaka Family 21 Plan” advocates the reduction of the maternal death rate by half and the maintenance of its world highest standard of low perinatal mortality rate as its objective to be achieved by 2010.

The number of babies each woman gives birth to is on the decline, while the number of women becoming pregnant at the age of 35 and older and the number of premature babies weighing less than 1,500 grams are on the increase. Against this background, the Government is promoting improvement of perinatal intensive care units (PICU) and neonatal intensive care units (NICU) across the country to provide advanced health care services for pregnancy, childbirth and infancy as a part of its efforts to create an environment where people can give birth to babies and bring them up in peace. Since 1996, the Government has been promoting the establishment of a medical system for pregnant women and newborn infants in the prefectures.

iv) Environment and Conditions for Women's Contraception

Low dosage pills were approved for use in 1999 and the female condom and other contraceptive devices in 2000.

In 2000, the Maternal and Child Health Law was partially amended, to extend the deadline, by which the Reproductive Health Advisor, such as a midwife, can sell medication and use devices necessary for birth control, from 2000 to 2005.

c) Adulthood and Senility

Osteoporosis is a disease of bone fracture and others, and in a progressively aging society, it is expected to become more common. Thus, early diagnosis of people with decreasing bone density and prevention of osteoporosis is needed.

For this purpose, since 1995, a checkup for osteoporosis for females in their 40's or 50's, or those shortly before or after menopause, has been included in the overall health examination under the Health and Medical Service Law for the Aged. Moreover, since 2000, as part of the Elderly Health and Medical Service 4th Plan, efforts have been made to achieve early diagnosis and prevent osteoporosis, by separating checkups for osteoporosis from others for easier access along with providing health education and consultation on osteoporosis (prevention of falling down). Municipalities are in charge of implementing these services, and the national, prefectural and municipal governments each pay a third of the expenses.

2. Measures against Problems that Threaten the Health of Women

(1) Measures against HIV/AIDS, Sexually Transmitted Disease

As of 2001, the number of human immunodeficiency virus (HIV) infected people reported was 534 males and 87 females and as for the acquired immunodeficiency syndrome (AIDS) patients, 282 males and 50 females. The number of AIDS patients is now the highest ever and the infection is still increasing (As of December 30, 2001).

Comprehensive measures including the prevention of and medical service concerning HIV/AIDS are to be implemented through the cooperation among the Government, local governments, and NGOs including medical service groups and patient groups in accordance with the principles of the "Principles in Prevention of Specified Infectious Disease in Relation to Acquired Immunodeficiency Syndrome" that was formulated in 1999, based on Article 11 Section 1 of the "Law Concerning the Prevention of Infectious Diseases and Medical Care for Patients Suffering Infectious Diseases" (law number 114 of 1998).

Further, in relation to targeted groups who are epidemiologically concerned about having the risk of infection and are thus in need of special care, such as adolescents, foreigners in Japan, homosexuals as well as employees and customers of the sex industry, the Government is to implement additionally effective measures in the highest consideration of their human rights and social backgrounds.

Further, to reduce the risk of infection, a system is to be established to support awareness raising and information disseminating projects meeting the demands of those who need individualized guidelines such as females and pregnant women.

The measures defined by the "Principles in Prevention of Specified Infectious Disease in Relation to Acquired Immunodeficiency Syndrome" are as follows:

- i) investigation into the cause, prevention of outbreak and spread;
- ii) providing medical services;
- iii) promotion of research development;
- iv) international cooperation;
- v) respect for human rights, awareness raising and information dissemination, education, renewed cooperation with related agencies; and
- vi) promotion of measures against HIV/AIDS by prefectural governments and other public agencies.

(2) Education on and Understanding of HIV/AIDS

In view of the importance of education in deepening correct understanding of HIV/AIDS and eradicating prejudices and discrimination against people suffering from or infected with HIV/AIDS, the Government has been enhancing HIV/AIDS education by taking the following measures: (i) producing and distributing textbooks on AIDS to elementary, junior and senior high schools since FY1992; (ii) preparing and distributing teaching materials for teachers since FY1992; (iii) conducting training of teaching staff since FY1993; and (iv) conducting practical research in areas designated as AIDS education promotion areas since FY1993, inaugurating a project to establish an HIV/AIDS education information network in FY1995 to disseminate and utilize HIV/AIDS information nation-wide.

As for social education, HIV/AIDS and other related matters have been taken up in community based learning activities.

Article 13

Article 13. (b)

1. Measures for Fatherless Families and Widows

Mothers of fatherless families, including unmarried mothers and widows are often in an unstable condition financially and mentally as they are financially responsible for their family and at the same time have to bring up their children. The Government therefore has been promoting various measures for such mothers to bring stability to their life and encourage them to become independent, based mainly on the Law for the Welfare of Mothers with Dependents and Widows (Law for the Welfare of Fatherless Families and Widows) and the Child Rearing Allowance Law in close cooperation with relevant policies. Specifically, the Government extends low-interest or interest-free loans to start a business, offers opportunities to consult experts, including lawyers, to such women having legal problems and difficulties in running a business and provides childrearing allowance.

Currently, in the midst of the increasing divorce rate, fundamental review is considered to be made on the measures intended for mothers of fatherless families including unmarried mothers and widows to bring stability to their life and enhance their independence. While enhancing measures for supporting childrearing, consideration is also being given to develop comprehensive measures such as strengthening of the consultation system and promoting measures to assist in taking jobs.

Article 14

1. Special Considerations for Rural Women

(1) Women Engaged in the Agriculture, Forestry and Fisheries Industry

In Japan, the number of women engaged in agriculture in Japan is 2,171,000 (as of 2000), which accounts for 55.8% of the total population engaged in agriculture. As for forestry, the number is 10,000 (as of 2000), accounting for 14.3% of the total population engaged in forestry, and for fisheries, the number is 46,000 (as of 1999), accounting for 17.0% of the total population engaged in fisheries.

Hence, in Japan, women play an important role in sustaining agriculture, forestry and fisheries including their major role in management. Moreover, they have greatly contributed to the management of life in rural areas and maintenance and vitalization of the local community; therefore, there is a great anticipation for women's participation in the society.

(2) New Laws and Ordinances Enacted for the Creation of a Gender-equal Society in rural areas

In June 1999, "the Basic Law for a Gender-equal Society" was formulated, and in July of the same year, the "Basic Law on Food, Agriculture and Rural Areas" was enacted, which appropriately evaluates the roles and works of women in farm management and stipulates Japan's commitment to creating an environment to ensure opportunities for women to voluntarily participate in farm management and other related activities. The Basic Plan formulated based on this basic law was formulated in 2000.

In the "Basic Law on Fisheries Policy," which was enacted in 2001, the advancement of women's participation in society is stipulated. Also, the Basic Plan formulated based on the "Basic Law on Forest and Forestry" enacted in the same year stipulates the promotion of women's participation. Thus, legal framework for the participation of women in agriculture, forestry and fisheries is being established.

In line with the basic plans formulated based on the basic laws, comprehensive measures will be taken for the creation of a gender equal society in rural areas.

In May 2001, in the development of the legal framework, the Ministry of Agriculture, Forestry and Fisheries established the Headquarters for the Promotion of Gender Equality with the senior vice-minister of the ministry as the president. To make the efforts genuinely fruitful, the Ministry has been holding local conferences, collecting proposals from the public and conducting related activities for women engaging in agriculture, forestry and fisheries.

(3) Reforming Consciousness and Behavior in All Places

To advance women's participation in agriculture, forestry and fisheries, since 1997, the Government has been implementing measures by promoting awareness of local communities and family members including men, setting targets for women's participation, such as increasing the ratio of women to the total number of board of directors at agricultural cooperatives, and taking other measures.

Looking at women's participation in decision-making processes for policies and plans, the ratio of female members in agricultural committees increased from 0.74% (as of 1997) to 1.64% (as of 1999), the ratio of individual female regular members of the agricultural cooperatives rose from 13.52% (as of

1997) to 13.99% (as of 1999) and the ratio of female officials in agricultural cooperatives rose from 0.29% (as of 1997) to 0.44% (as of 1999). For the fishing industry, the ratio of female members increased from 5.55% (as of 1997) to 5.72% (as of 1998) for individual regular members of the fishery cooperatives and from 0.18% (as of 1997) to 0.23% (as of 1998) for officials of the fishery cooperatives. Although the ratio of female participation is still at a low level, there has been a trend of incremental upward change in recent years.

(4) Creating an Environment Conducive to the Lives and Activities of Women

In rural areas, facing decreasing youth population and progressive aging society, it is crucial to promote settlement of the young generation and to create an environment in which all generations and especially women feel comfortable to live and work.

In order to support activities such as the processing of agricultural, forestry and fishery products and other activities managed by women, the Government is promoting measures such as construction of facilities equipped with childrearing spaces to create an attractive living environment by encouraging equal participation of men and women in local communities, including improvement of social and daily customs, and by utilizing the characteristics of the area.

(5) Wages and Salary in Family Business

Whether women receive fair amount of wages or salary for their work is one of the measurements to determine the degree of advancement of the economic status of women.

According to 1999 research, 77% of women engaged in agriculture are receiving wages and salary, out of which 43% receive a fixed amount every month. 23% of the women do not receive any wage or salary. In the age group younger than 30, 84% receive wages and salary, out of which 63% receive a fixed amount every month. 16% of the women do not receive any wage or salary. It is now becoming a standard that the younger age group of women engaged in agriculture receive a fixed amount of wages and salary.

As an effective measure to promote the advancement of financial status and the clarification of functions in Family Farm Management, the Government advocates concluding family business agreements and establishing corporations. The family business agreement is an arrangement concerning working conditions such as salary and days off and on work sharing, decided after discussions among family members engaged in farm management. The number of families which have concluded such agreements is increasing yearly. In 2000, such families amounted to approximately 17,000.

(6) Wages and Salary in Corporate Business

Research conducted in 2001 targeting female executives in farming corporations reveals that 32% of female executives receive a salary (average salary per month) of “between ¥100,000 and ¥200,000,” 25% receive “between ¥200,000 and ¥300,000,” 14% receive “between ¥300,000 and ¥500,000,” 14% receive “above ¥500,000” and 14% receive “between ¥50,000 and ¥100,000.” Women receiving more than ¥200,000 every month constitute the majority. This shows that the consolidation of women’s status in management and improvement of their financial status have been steadily underway.

2. Ensuring the Participation of and Benefits to Women in the Development of Rural Areas

(1) Farmer's Pension Fund

Previously, only those farmers who had their own farmland were able to join the Farmer's Pension Scheme. However, as a result of the revision of the Farmer's Pension Fund Law in April 1996, women who do not have their own farmland can be enrolled in the pension scheme if they conclude Family Business Agreements and meet certain pension scheme requirements including that they are engaged in farm management.

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

Moreover, a new scheme will start in 2002, by which anybody who belongs to the National Pension primary group insured, engages in agriculture and is under the age 60, now qualifies for the Farmer's Pension Fund.

Further, spouses and successors who conclude Family Business Agreements with certified farmers and participate in management will be regarded as a target of the aid policy and eligible to receive the Government's subsidy for their insurance expenses.

(2) Women Entrepreneurs

Income-generating activities such as morning markets and processing and selling of local products have played a major role in improving the financial status of women and in activating the local community and its economy. Further development of these activities is anticipated to stimulate more complex and diversified management and contribute to the increased and stable income of each business. Women groups that proactively participate in farm management are conducting various voluntary activities, and agriculture-related income generating activities run by women have been increasing year by year, reaching 6,824 cases in 2001.

(3) Technical and Management Guidance in Agriculture, Forestry and Fisheries

Extension staff stationed in regional agricultural extension offices are conducting comprehensive and systematic activities through contacting those who engage in agriculture, forestry and fisheries by offering advice on technology and management, providing information, setting up fields of display, and holding seminars and training courses.

They are conducting support activities for women, for instance, providing information on technology, management, finance and others necessary for women, and conducting consultations, supporting women's group planning to start income-generating activities by providing a wide-range of information and management guidance, giving advice on how to make entries in job journals and account books, and analyzing their business based on bookkeeping results, offering support toward the improvement of employment conditions, and so on.

(4) Financing for Women

The Government provides information on management and supports income-generating activities such as processing of agricultural products so that rural women group can run their businesses stably. The Government also extends interest-free loans to support the activities of women and the aged groups who engage in agriculture and coastal fisheries.

(5) Overall Extension Service of Home Economics

In Japan, the extension service of home economics has produced considerable results. It is now providing services, focusing on daily-life issues more closely related to the production scene and to the community as a whole, such as improvement of agricultural work, coordination of farming and living plans, and revitalization of communities.

Article 16

1. Study on Amendment to Civil Code

The Legislative Council, an advisory organ to the Minister of Justice, as a result of its review of the provisions of the Civil Code pertaining to marriage etc. since January 1991, submitted an “Outline of a Bill to Revise a Part of the Civil Code” to the Minister in February 1996. Of the revisions mentioned in the outline, those pertaining to gender equality are listed below.

Public opinion on these proposed revisions is divided. According to the results of a “public opinion poll on the Family Law” conducted by the Prime Minister’s Office in June 1996, it is still difficult to conclude that amendments to the Civil Code gains majority support, and thus the trend of public opinion is currently under a close watch. However, as regards the below item iii) Surnames of Married Couples, according to the results of a “public opinion poll on the introduction of a system to allow married couples to assume separate surnames” conducted by the Cabinet Office in May 2001, the proportion of people who support the introduction of the system exceeds that of people who oppose it, indicating that public understanding about the system is growing. Meanwhile, the Specialist Committee on Basic Issues under the Council for Gender Equality compiled an interim report on the issue, in which the committee expressed its hope for the introduction of the system. Therefore, with regard to this issue, efforts are being made toward introducing the new system.

i) 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 setting the minimum age at 18 for both men and women.

ii) Period Required for Women to Remarry After Divorce or Cancellation of Former Marriage

The current law requires six months. The Outline calls for setting such a period at 100days, the minimum period required to avoid confusion about the paternity of children born after the re-marriage.

iii) Surnames of Married Couples

The current law states that a married couple has to adopt either one of their surnames as their common surname. The Outline calls for allowing married couples to assume their respective surnames separately as well as either one of their surnames as a common surname by their choice at the time of marriage.

2. Domestic Violence

(1) Current Legal System

Violence and sexual abuse, even if committed within a family, are not immune from application of penal provisions such as criminal homicide, causing death through bodily injury, bodily injury, battery, false arrest and imprisonment, indecent assault and rape, and these penal provisions have been appropriately enforced. In addition, as regards violence among spouses, penal provisions for a protection order violation are established in the “Law for the Prevention of Spousal Violence and the Protection of Victims” (Article 29: individuals who violate a protection order shall be subjected to imprisonment with labour of up to one year or a fine of no more than ¥1 million).

Moreover, the Child Abuse Prevention Law (Law No. 82 of 2000) promulgated on 24 May 2000 clarifies the definition of “child abuse” and stipulates that “in disciplining a child, a person who exercises parental authority shall care for its appropriate exercise.”

(2) Violence Among Spouses

a) Current Situation

During 2000, the number of arrest cases of husbands who exercised violence against wives was 134 for homicide, 838 for bodily injury and 124 for battery. The total of these numbers was 1,096, showing a great increase from the previous year's 516, which indicates that the number of cases almost doubled.

b) Law for the Prevention of Spousal Violence and the Protection of Victims

The Law for the Prevention of Spousal Violence and the Protection of Victims was enacted in April 2001. This is the first law in Japan that stipulates overall provisions on the issues of spousal violence. It stipulates the function of Spousal Violence Counseling and Support Centers that provide victims with consultations, counseling, temporary protection and various information. The Law also has provision on protection orders to be issued by the court against the perpetrator on the petition of the victims. Two types of protection orders can be provided: the "Order to Prohibit Approach," which prohibits the spouse from approaching the victim for a six-month period; and the "Order to Vacate" which requires the spouse to vacate the domicile that the spouse shares as the main home with the victim for a two-week period. Individuals who violate these protection orders shall be subject to imprisonment with labour of up to one year or a fine of not more than ¥1 million. This is a new system in that the court's orders issued in response to requests from private individuals are secured by penal provisions, which had not been adopted in Japan.

Other stipulations include:

- i) notification, etc. by those who detect cases of spousal violence;
- ii) training and education among relevant officials;
- iii) education and enlightenment;
- iv) promotion of study and research; and
- v) support to private bodies.

c) Action to Eliminate Violence

The Government has been promoting a wide range of measures regarding violence against women including violence inflicted by their husbands or partners, based on the "Basic Plan for Gender Equality." The Council for Gender Equality in the Cabinet Office made considerations toward the smooth enforcement of the "Law for the Prevention of Spousal Violence and the Protection of Victims," and expressed its opinions to concerned Ministries and Agencies in October 2001 and April 2002. Concerned Ministries and Agencies are promoting various measures based on these opinions.

Principal measures taken by the Cabinet Office are as follows:

- i) implementation of training and creation of training materials for relevant officials;
- ii) implementation of "Action to Eliminate Violence Against Women" and holding symposiums as a part of this Action;
- iii) creation of publicity videos and promotion of education and enlightenment activities through various media including newspapers and televisions; and
- iv) implementation of a survey into the actual situation of spousal violence.

The Cabinet Offices has also launched "Information on Assistance in Incidents of Spousal Violence," which gathers information on concerned organizations dealing with victims of spousal violence and provides the information to concerned officials through the internet and other channels. It aims at helping officials dealing with spousal violence to acquire necessary information and facilitate cooperation among concerned organizations.

d) Spousal Violence Counseling and Support Centers

Of the consultations with people who visited the Women's Counseling Offices (47 offices throughout the nation) and Women's Consultants in FY2000, "violence by husband or partner" accounted for 9,176 cases or approximately 17% of consulted cases, and ranks first among major complaints. The protection of victims of spousal violence has been implemented under the framework of activities for the protection of women by the Women's Counseling Offices, Women's Consultants, Women's Protection Facilities and other. However, the Law for the Prevention of Spousal Violence and the Protection of Victims has established the stipulation for temporary protection referral, which include the Spousal Violence Counseling and Support Centers established by prefectural governments and private shelters as the destination for referrals.

The Spousal Violence Counseling and Support Centers (Women's Counseling Offices etc.) provides such assistance as consultations, referral to other consultation facilities, medical and psychological guidance, temporary protection of victims and their families, provision of information on self-dependent life, the protection order system and the use of shelters.

e) Outline for Implementing Measures to Protect Women and Children

Pursuant to the "Outline for Implementing Measures to Protect Women and Children," the police make arrests or take other proper measures for incidents that violate criminal laws and/or similar bylaws which carry penalties. As regards incidents that do not violate such laws or bylaws, the crime-prevention guidance and referral to relevant organizations are provided, and, depending on the case, directions and/or warnings are given to the perpetrators, if necessary.

Taking into consideration the spirit of the Law for the Prevention of Spousal Violence and the Protection of Victims which has come into effect, the police continue to promote appropriate measures standing on the victim's side while taking full account of their physical and psychological conditions, and closely work with relevant organizations.

f) The Human Rights Organs of the Ministry of Justice

Since the enforcement of the "Law for the Prevention of Spousal Violence and the Protection of Victims," the Human Rights Organs of the Ministry of Justice have been making efforts to further strengthen cooperation with related organizations and to help victims in accordance with the Law. In particular, because domestic violence such as husbands' violence against wives tends to be kept latent, the Organs actively offer guidance and suggestions not only in the reported cases of spousal violence but also in marital problems as well, when they are contacted, for example, through a counseling hotline called "Women's Rights Hotline," which is a special telephone consultation service on various human rights issues surrounding women.

Furthermore, a special TV program on domestic violence was produced and broadcast in FY2001 to raise human rights consciousness.

g) Civil Legal Aid System

The Civil Legal Aid System is utilized for the petition for protection order against court, which is stipulated in the "Law for the Prevention of Spousal Violence and the Protection of Victims" enforced in October 2001. Aid is also provided when possible divorce cases are brought into divorce arbitration or divorce lawsuit. The number of cases to which civil legal aid was made available based on the decision by the Legal Aid Association totaled 20,261 in FY2000, of which 2,873 involved divorce. In a considerable number of these divorce cases spousal violence is thought to be one of the primary causes

for such cases, and the Civil Legal Aid System plays a role in providing legally effective solutions to cases in which serious domestic violence of husbands is observed.

(3) Prevention of Child Abuse

a) Child Abuse Prevention Law

In May 2000, the “Child Abuse Prevention Law” was enacted with the aim of promoting measures against child abuse, and was enforced in November of the same year.

Child abuse covered by this Law includes physical and mental abuse, sexual abuse and neglect. Child abuse cases handled by Child Guidance Centers (174 centers throughout the nation) in FY2000 totaled 17,725, of which 754 or 4.3% were cases of sexual abuse.

In dealing with child abuse, efforts are being made to promote various measures, such as strengthening consultation functions of Child Guidance Centers and establishing networks in local communities, so that the Child Guidance Centers, in close cooperation with relevant organizations of welfare, health, medical care, police, education and so on can deal with child abuse in an appropriate manner at each of stage of the problem, namely prevention, early identification, quick response and care for abused children at the facilities and so on.

b) Protection of Abused Children

Child abuse is a serious issue which could severely affect a child, who is in the period of personality development, both mentally and physically. Therefore, the police, taking the spirit of the “Child Abuse Prevention Law” into consideration, have been making efforts to protect abused children properly by early identification and reporting of child abuse, proper assistance to spot inspections by the superintendents or other staff of Child Guidance Centers, proper prosecution and assistance for children, while trying to maintain cooperation with relevant organizations.

c) Publicizing the Obligation to Notify Among People Involved in Education

The Ministry of Education, Culture, Sports, Science and Technology (the Ministry of Education) publicizes the obligation to notify child abuse to the Child Guidance Centers to people engaged in school and social education through local governments. Since the enforcement of the “Child Abuse Prevention Law” in November 2000, it has imposed an obligation to make efforts toward early detection of child abuse cases on those who are in the position to be able to detect child abuse relatively easily because of the nature of their professions, such as school teachers and staff, staff of child welfare facilities, medical doctors, public health nurses, lawyers and others. With this in mind, the Ministry of Education, Culture, Sports, Science and Technology (the Ministry of Education) has been repeatedly publicizing to those involved in school and social education the intent and purpose of the Law such as the obligation to identify child abuse early and obligation to notify child abuse to the Child Guidance Center.

d) The Human Rights Organs of the Ministry of Justice

The Human Rights Organs of the Ministry of Justice have considered “child abuse” as a serious human rights issue that cannot be overlooked, and have made efforts to eliminate it. With the enforcement of the “Child Abuse Prevention Law,” the Organs have been making efforts to further strengthen cooperation with related organizations. They are also further reinforcing efforts to help abused children by, for example, enlightening people concerned on the respect for human rights.

In FY2001, to raise human rights consciousness, the Human Rights Organs of the Ministry of Justice produced a movie on child abuse, and distributed it to The Legal Affairs Bureaus and District Legal Affairs Bureaus throughout Japan.

(4) Discrimination Against Girl's Rights and Human Rights Infringement

The Human Rights Organs of the Ministry of Justice have been working on improvement of the counseling system on human rights. For example, a counseling hotline called "Children's Rights Hotline," has been introduced to help resolve the human rights problem relating to children, including girls, such as bullying, corporal punishment or child abuse.

When recognizing a suspected case of human rights violations involving children such as bullying, corporal punishment or child abuse, in the course of their consultations on human rights and so on, the Human Rights Organs conduct prompt investigation into the case as a human rights violation incident to find the facts, take steps appropriate for the case, and educate the persons in the case about respect for human rights. In this manner, they endeavor to prevent human rights violations and take remedial actions for the victims of human rights violations.

ENGLISH

STATISTICAL ANNEX

(SITUATION OF JAPANESE WOMAN)

1. POPULATION
2. ELDERLY POPULATION (POPULATION AGED 65 AND OVER)
3. PERCENTAGE DISTRIBUTION OF HOUSEHOLDS OF SINGLE WOMEN AGED 60 AND OVER BY AGE GROUP
4. LIFE EXPECTANCY
5. NUMBER OF DEATHS AND DEATH RATES
6. NUMBER OF LIVE BIRTHS, LIVE BIRTH RATES AND TOTAL FERTILITY RATES
7. NUMBER OF MARRIAGES AND MARRIAGE RATES
8. MEAN AGE AT MARRIAGE
9. NUMBER OF DIVORCES AND DIVORCE RATES
10. AVERAGE NUMBER OF PERSONS PER HOUSEHOLD AND PERCENTAGE DISTRIBUTION BY TYPE OF HOUSEHOLD STRUCTURE
11. NUMBER AND RATE OF MATERNAL DEATH
12. NUMBERS AND RATES OF INFANT MORTALITY / NEONATAL MORTALITY / PERINATAL MORTALITY
13. NUMBER OF AIDS AND HIV POSITIVE CASES
14. NUMBER OF PERSONS WITH DISABILITIES
15. NUMBER OF STUDENTS BY TYPES OF INSTITUTIONS
16. ADVANCEMENT RATE TO HIGHER EDUCATION
17. ENROLLMENT IN UNIVERSITIES AND JUNIOR COLLEGES
18. STUDENTS BY FIELD OF STUDY (UNIVERSITY-UNDERGRADUATE COURSES)
19. FULL-TIME FEMALE TEACHERS BY TYPE OF POSITION
20. EMPLOYMENT RATE OF NEW GRADUATES
21. LABOUR FORCE POPULATION AND EMPLOYED POPULATION
22. LABOUR FORCE POPULATION RATES BY AGE GROUP
23. FEMALE LABOUR FORCE POPULATION RATES BY MARITAL STATUS
24. DISTRIBUTION OF WORKERS BY EMPLOYMENT STATUS
25. DISTRIBUTION OF WORKERS BY INDUSTRIAL CLASSIFICATION
26. DISTRIBUTION OF FEMALE EMPLOYEES BY TYPE OF INDUSTRY
27. EMPLOYEES BY OCCUPATION
28. AVERAGE LENGTH OF SERVICE
29. MONTHLY CONTRACTUAL CASH EARNINGS AND SCHEDULED CASH EARNINGS
30. DIFFERENTIALS BETWEEN SEXES OF SCHEDULED CASH EARNINGS OF THE STANDARD EMPLOYEE BY AGE GROUP
31. STARTING SALARY FOR NEW GRADUATES
32. AVERAGE MONTHLY WORKING HOURS PER REGULAR EMPLOYEE
33. TRADE UNION MEMBERS AND ESTIMATED RATES OF UNIONIZATION
34. PART-TIME WORKERS (NON-AGRICULTURAL SECTOR)
35. DISTRIBUTION OF WORKERS WHO ARE ENGAGED IN AGRICULTURE AND FORESTRY BY EMPLOYMENT STATUS
36. WOMEN'S PARTICIPATION RATE IN AGRICULTURE
37. PARTICIPATION OF WOMEN IN AGRICULTURAL COMMITTEES, AGRICULTURAL COOPERATIVES, AND FISHERIES COOPERATIVES

38. PUBLIC OPINION SURVEY ON GENDER EQUALITY (SENSE OF EQUALITY FOR THE STATUS)
39. PUBLIC OPINION SURVEY ON A GENDER-EQUAL SOCIETY (REGARDING THE CONCEPT OF "MEN AT WORK AND WOMEN AT HOME")

(RELATED TO ARTICLE 2)

40. MEMBERS OF HUMAN RIGHTS VOLUNTEERS
41. RAPE AND INDECENT ASSAULT CASES KNOWN TO THE POLICE
42. ACCEPTANCE AND DISPOSITION OF PENAL CODE CRIME CASES (INDECENT ASSAULT AND RAPE)
43. TOTAL NUMBER OF THE ACCUSED ADJUDICATED BY TRIAL COURTS OF GENERAL JURISDICTION (BY OFFENSE AND SEX) -DISTRICT COURT-
44. NUMBER OF THE CONVICTED SENTENCED TO IMPRISONMENT WITH LABOUR BY TRIAL COURTS OF GENERAL JURISDICTION-DISTRICT COURT-

(RELATED TO ARTICLE 4)

45. WOMEN'S PARTICIPATION IN NATIONAL ADVISORY COUNCILS AND COMMITTEES
46. WOMEN'S PARTICIPATION IN ADVISORY COUNCILS AND COMMITTEES OF LOCAL GOVERNMENTS

(RELATED TO ARTICLE 6)

47. PROSTITUTION-RELATED OFFENSES CLEARED BY APPLIED PROVISIONS (NUMBER OF CASES, NUMBER OF PERSONS)
48. ACCEPTANCE AND DISPOSITION OF ANTI-PROSTITUTION LAW CASES
49. ACCEPTANCE AND DISPOSITION OF CHILD PROSTITUTION CASES
50. FOREIGN WOMEN'S NATIONALITY AND WORKPLACE RELATED TO PROSTITUTION CASES
51. NUMBER OF PERSONS ENGAGED IN PROSTITUTION AMONG DEPORTEES WORKING ILLEGALLY IN JAPAN
52. CLEARANCE OF OFFENDERS FOR DISTRIBUTION OF OBSCENE MATERIALS
53. CLEARANCE OF OFFENDERS FOR DISTRIBUTION OF OBSCENE MATERIALS USING COMPUTER NETWORKS (NUMBER OF CASES)
54. SCHOOL / EMPLOYMENT STATUS OF THE JUVENILES GUIDED AND PROTECTED FROM SEXUAL MISCONDUCT OR DAMAGE
55. THE LAW BANNING CHILD PROSTITUTION AND CHILD PORNOGRAPHY VIOLATIONS
56. NUMBERS OF PLACES FOR ADULT ENTERTAINMENT BUSINESSES (SPECIAL BUSINESS OF SEXUAL ENTERTAINMENT) ACCORDING TO LAW REGULATING ADULT ENTERTAINMENT BUSINESSES, ETC.
57. STATISTICS ON WOMEN'S CONSULTATIVE OFFICES AND WOMEN'S CONSULTANTS
 - 1) NUMBER OF WOMEN'S CONSULTATIVE OFFICES, WOMEN'S CONSULTANTS AND WOMEN'S PROTECTIVE INSTITUTIONS
 - 2) NUMBER OF CASES RECEIVED IN WOMEN'S CONSULTATIVE OFFICES AND WOMEN'S CONSULTANTS (BY NUMBER OF VISITS ACCORDING TO FIRST VISIT, SECOND VISIT OR LATER)
 - 3) NUMBER AND SITUATION OF WOMEN IN WOMEN'S PROTECTION INSTITUTIONS (INCLUDING VOCATIONAL TRAINING)

(RELATED TO ARTICLE 7)

58. WOMEN'S PARTICIPATION IN ELECTIONS FOR THE HOUSE OF REPRESENTATIVES AND HOUSE OF COUNCILORS
59. NUMBER OF FEMALE DIET MEMBERS
60. WOMEN'S PARTICIPATION IN POLITICAL PARTIES (AS OF MARCH 2001)
61. WOMEN MINISTERS (SUCCESSIVE WOMEN MINISTERS)
62. WOMEN SENIOR VICE MINISTERS AND PARLIAMENTARY SECRETARIES (PRIOR TO 6 JAN 2001 WAS PARLIAMENTARY VICE MINISTERS) (SINCE 1996)
63. NUMBER OF FEMALE JUDGES
64. NUMBER OF FEMALE PUBLIC PROSECUTORS
65. CANDIDATES WHO PASSED THE NATIONAL BAR EXAMINATION
66. RATIO OF FEMALES AMONG THE INCUMBENT NATIONAL PUBLIC OFFICERS
67. FEMALE PARTICIPATION IN SENIOR POSTS IN THE NATIONAL PUBLIC SERVICE (DIRECTOR LEVEL AND HIGHER)
68. VOTING RATES IN UNIFIED LOCAL ELECTIONS
69. NUMBER OF FEMALE MEMBERS IN LOCAL ASSEMBLIES
70. WOMEN GOVERNORS AND MAYORS IN LOCAL GOVERNMENTS
71. NUMBER OF WOMEN VICE-GOVERNORS OF PREFECTURES AND WOMEN DEPUTY MAYORS OF GOVERNMENT-DESIGNATED CITIES
72. DISTRIBUTION OF WOMEN IN SENIOR POSTS IN LOCAL GOVERNMENTS (GENERAL ADMINISTRATIVE SERVICE)

(RELATED TO ARTICLE 8)

73. JAPANESE WOMEN IN INTERNATIONAL ORGANIZATIONS

(RELATED TO ARTICLE 10)

74. RATIO OF FEMALE TEACHING STAFF (PRIMARY AND SECONDARY EDUCATION)
75. RATIO OF FEMALE TEACHING STAFF (HIGHER EDUCATION)
76. INSTITUTIONS FOR SOCIAL EDUCATION
77. STUDENTS OF AND GRADUATES FROM THE UNIVERSITY OF THE AIR
78. CLASSES AND LECTURE COURSES IN SOCIAL EDUCATION BY BOARDS OF EDUCATION
79. NUMBER OF WOMEN'S EDUCATION CENTERS BY TYPE OF ESTABLISHING BODY

(RELATED TO ARTICLE 11)

80. RATIO OF ENTERPRISES CITING ISSUES CONCERNING UTILIZATION OF WOMEN IN THE WORKFORCE
81. APPOINTMENT OF EQUALITY PROMOTERS
82. NUMBER OF PUBLIC VOCATIONAL TRAINING FACILITIES AND PERCENTAGE DISTRIBUTION OF STUDENTS BY GENDER
83. RATIO OF THOSE TAKING PARENTAL LEAVE BY GENDER
84. NUMBER AND CAPACITY OF DAY CARE CENTERS

(RELATED TO ARTICLE 12)

85. NUMBER AND RATE OF ABORTIONS (PER 1,000 WOMEN)
86. NUMBER OF PREGNANT WOMEN WHO RECEIVED HEALTH CHECKS
87. HEALTH GUIDANCE FOR PREGNANT WOMEN

88. REPORT ON HEALTH SERVICE FOR THE AGED

- 1) CANCER OF THE CERVIX
- 2) CANCER OF THE UTERUS
- 3) BREAST CANCER
- 4) OSTEOPOROSIS

89. CUMULATIVE NUMBER OF AIDS CASES AND HIV POSITIVES BY CAUSES OF TRANSMISSION

(RELATED TO ARTICLE 13)

90. STATISTICS ON FATHERLESS FAMILIES

- 1) NUMBERS AND RATIO OF FATHERLESS FAMILIES BY CAUSE
- 2) EMPLOYMENT SITUATION FOR MOTHERS
- 3) EMPLOYMENT SITUATION FOR MOTHERS AND THEIR REQUEST FOR CHANGING JOB
- 4) ANNUAL INCOME IN 1997
- 5) SITUATION FOR MONIES RECEIVED AFTER A DIVORCE FOR CHILDREARING EXPENSES
- 6) WORRIES ABOUT CHILDREN
- 7) WORRIES IN GENERAL

91. STATISTICS ON MOTHERLESS FAMILIES

- 1) NUMBERS AND RATIO OF MOTHERLESS FAMILIES BY THE CAUSE
- 2) CONDITION OF EMPLOYMENT OF FATHERS
- 3) ANNUAL INCOME SITUATION OF 1997
- 4) WORRIES ABOUT CHILDREN
- 5) WORRIES IN GENERAL

(RELATED TO ARTICLE 16)

92. TOTAL NUMBER OF DISPOSITION OF MARITAL RELATION CASES AND THE NUMBER OF MARITAL RELATION CASES FILED BY WIVES FOR REASONS OF VIOLENCE AND MENTAL ABUSE BY HUSBANDS

93. TOTAL NUMBER OF DISPOSITION OF DIVORCE CASES AND THE NUMBER OF DIVORCE CASES FILED BY WIVES FOR REASONS OF VIOLENCE AND MENTAL ABUSE BY HUSBANDS

94. MOTIVES FOR APPLICATION OF MARITAL RELATION CASES BY AGE GROUP OF THE APPLICANT