

## Japan Gender Country Profile 2021

### 1. Overview

Japan's gender gap is by far the largest among the world's advanced economies and has widened over the past year. It's a complex problem that has multiple repercussions, including, some experts say, contributing to the declining population of Japan.

As a depopulating country with a falling birth rate and aging population, Japan acknowledges that the realisation of a society in which all people, regardless of gender, can make meaningful contributions and freely express themselves regardless of gender while respecting each other's human rights is necessary. However, despite some government efforts to address the issue in recent years, progress remains very slow in many areas, notably in the workplace (e.g. wage gaps, lack of access to management positions, diverse forms of harassment, inflexible work schedules, and a lack of access to affordable childcare).

According to the World Economic Forum's Global Gender Gap Report, Japan ranks **120 out of 156 countries in 2021** (2020: 121). While Japan scores relatively well in the "health & survival" and "education attainment" components, it ranks near bottom for "economic participation & opportunity" and especially "political empowerment". Gender inequality persists with **very low levels of political representation for women** and widespread **discrimination in the labour market**. There is also inequality in the education system, such as gender discrimination in entrance exams for medical universities and public high schools.

While Japan has faced a declining birth rate / aging population dilemma in recent decades, **traditional gender roles remain entrenched in Japanese society and there are sociocultural and systematic barriers to realise gender equality**. The current tax system and social security system, designed during a period of high economic growth, are based on the idea that a married woman becomes a full-time housewife and protects her family with income from her husband, who is a full-time employee. This social system is becoming non-functional amid today's diversified lifestyles and family structures.

The Covid-19 pandemic has had a disproportionate impact on women economically and socially, widening the gender gap in Japan. The crisis has led to an increase in **sexual violence against women**, including **domestic violence**. It has hit them harder financially as many have lower-paid non-regular jobs in the most badly impacted sectors. Disproportional burdens on women for **non-paid work** have also widened. There has been **a surge in suicide among women**, particularly among unemployed women including housewives and pensioners, and high school girls. In 2020, 7,025 women committed suicide, a 15.3% increase over the previous year.

### 2. Policy Framework

#### 2.1 Institutional Framework

The national machinery for gender equality and women's empowerment in Japan is the **Headquarters for the Promotion of Gender Equality** in the Cabinet (since 1994), **headed by the Prime Minister**, which is complemented by **the Council for Gender Equality** established in the Prime Minister's Office in 2001, led by the Chief Cabinet Secretary and

composed of relevant Cabinet members, including the Minister of State for Gender Equality, and academic experts. **The Liaison Conference for the Promotion of Gender Equality** is held annually, which allows representatives from academia, business organisations, women's groups, educational bodies, media and local governments to exchange information and opinions and promote national measures. **The Gender Equality Bureau in the Cabinet Office** plays a secretariat role for the Headquarters, the Council and the Liaison Conference<sup>1</sup>. The Bureau has published annual white papers on gender equality since 2001.

By establishing the Headquarters and the Council for Gender Equality, Japan has clarified a framework for promoting gender equality and women's empowerment, and developing and strengthening measures to address a wide range of issues. **The Council for Gender Equality** is authorised to deal with matters related to the Basic Plan for Gender Equality, including studying and deliberating on basic policies, monitoring the implementation status of government measures, and providing recommendations to the Prime Minister and relevant Ministers. The Headquarters decides on the intensive policy in light of such recommendations and develops measures. Since 2015, the Headquarters has decided on **the Intensive Policy to Accelerate the Empowerment of Women** (usually around June each year) so that it can be reflected in the government's budgeting activities.

In April 2014, with the aim of addressing diplomatic challenges related to the promotion of women's participation and broadly reflecting a gender-equal perspective in diplomatic policies, **the Gender Mainstreaming Division** was established within the Foreign Policy Bureau of the Ministry of Foreign Affairs of Japan.

The Constitution of Japan provides for the principle of the separation of powers, whereby the three independent institutions of the legislature, government and judiciary oversee each other and maintain a balance to prevent the abuse of power and secure the rights and freedom of the people. Therefore, in Japan, there are some limitations on the government's power to make direct decisions concerning the activities of the parliament and political parties. Against this background, the Japanese government, and especially the Minister of State for Gender Equality, actively encourage political parties and other bodies to adopt effective positive actions to promote gender equality, rather than giving direct orders.

## 2.2 Policy Framework and legislations

In 1947, the Japanese Constitution was enacted, which guaranteed equality between men and women. The Civil Code, which defined the family system that had constrained women, was radically revised. In 1985, **the Equal Employment Opportunity Law** was enacted, the first Japanese law to prohibit discrimination in employment.

Japan established **the Basic Act for Gender Equal Society** in 1999 in light of movements in and outside of Japan including the Beijing Declaration and Platform for Action. Japan now formulates **the Basic Plan for Gender Equality** every five years, based on the Basic Act for Gender Equal Society. The current plan is **the Fifth Basic Plan for Gender Equality**, approved by the Cabinet in December 2020, covering the period from FY2021 to FY2025<sup>2</sup>.

<sup>1</sup> Cabinet Office, [https://www.gender.go.jp/english\\_contents/about\\_danjo/prom/national\\_machinery.html](https://www.gender.go.jp/english_contents/about_danjo/prom/national_machinery.html)

<sup>2</sup> The Fifth Basic Plan focuses on the following 11 fields for accelerating progress for women and girls in Japan over the next five years: (1) Expansion of women's participation in policy decision-making processes, (2) Securing equal opportunities and treatment between women and men and work-life-balance, (3) Promotion of

Gender equality had rarely been an issue for political debate, but in recent years parliamentarians have started to more seriously acknowledge Japan's stagnant situation regarding the gender gap. The Diet has delivered and enacted some important gender-related bills over the past several years.

Prime minister, Shinzo Abe took a number of highly visible initiatives internationally to promote gender equality, such as the creation of the “World Assembly of Women” (WAW!) meeting annually in Tokyo, and ensuring its prominence in the 2016 Ise-Shima G7 Summit agenda. At home, his administration was active mostly in the field of women's participation in the workforce. In 2014, PM Abe set “**womenomics**” at the core of his government's growth strategy: the idea was to tap women's underutilised economic potential while addressing the shrinking and ageing population. The strategy aimed to not only increase the participation of women in the workforce, but also to boost **the ratio of women in managerial posts from 10% to 30% by 2020**.

To facilitate women's participation and advancement in the workplace, **the Act on the Promotion of Female Participation and Career Advancement in the Workplace** was enacted in 2015 and enforced from April 2016. Under the Act, the national and local governments, and large companies with more than 300 permanent employees, are required to develop and announce voluntary targets for appointing female managers and to visualise the achievements in the companies' financial reports. Given that almost all the employers required to prepare an action plan had fulfilled this requirement, the Act on Promotion of Female Participation and Career Advancement was revised in 2019 to further accelerate the efforts to facilitate the promotion of women in the workplace<sup>3</sup>.

In January 2017, **the revised Equal Employment Opportunity Act** took effect, making it a legal obligation for employers to implement measures to prevent harassment related to pregnancy, childbirth and parental leave. Furthermore, the Employment Environment and Equal Employment Subcommittee of the Labour Policy Council discussed and examined challenges concerning measures against workplace bullying, compiling a report entitled “**Promotion of Women's Professional Advancement and Anti-Harassment Measures in the Workplace**” in December 2018. Under the Act on the Promotion of Female Participation and Career Advancement, which was partially revised based on the report and promulgated in June 2019, revisions were made to various pieces of legislation, such as the Act on the Comprehensive Promotion of Labour Policies, the Equal Employment Opportunity Act and the Childcare and Family Care Leave Law, among others. Measures were put in place, including the establishment of an obligation on employers to take action to create an

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gender equality in the regional areas, (4) Gender equality in science and technology and academic fields, (5) Elimination of all forms of violence against women, (6) Offering support to tackle poverty and other livelihood difficulties from gender perspective, (7) Support for lifelong health, (8) Disaster prevention and reconstruction and environmental issues, (9) Consolidation of the social system, (10) Raising awareness and facilitating understanding through education and media, (11) International collaboration and contribution on gender equality

<sup>3</sup> The revised Act has (i) expanded the scope of the employers required to prepare an action plan by including private enterprises with 101 or more permanent employees from those with 301 or more permanent employees, and (ii) expanded and strengthened the scope of the employers required to publish information on the promotion of women. The law includes provisions to treat favourably, for example in public procurement or subsidies, companies which adopt flexible working systems such as flexi-time and telework, but it is not accompanied by penalties. The revised Act took effect on 1 June 2020, and the expansion of scope of private enterprises will take effect on 1 April 2022.

employment environment enabling both male and female workers to continue working around periods of pregnancy, childbirth and childcare, and caring for family members, and to prevent workplace bullying as part of employment management and the enhancement of measures to prevent sexual and other forms of harassment.

In June 2019, Japan voted in favour of the International Labour Organization's groundbreaking Convention on Violence and Harassment after parliament enacted legislation in May that requires corporations to implement measures to prevent power harassment as early as April 2020 for large businesses, and April 2022 for medium-to-small businesses.

**The Act on Promotion of Gender Equality in the Political Field** was enacted in May 2018 to uphold the fundamental principle of aiming to make the numbers of male and female candidates as even as possible in elections for the House of Representatives, the House of Councillors and local councils. It also sets out the responsibilities of the State and local governments, as well as stipulating that political parties should endeavour to voluntarily work on these aims, including by setting a goal for the number of male and female party candidates selected to run for public office. So far, some improvement has been seen in the election of the members to the House of Councillors after the adoption of the Act, where the percentage of female candidates was 28.1% in 2019, increasing from 24.7% in 2016.

### 2.3 Gender data

Japan recognises that in order to promote gender equality and women's empowerment, it is important to enhance gender statistics to keep track of the circumstances and conditions surrounding men and women. While Japan's statistics are reliable, the Study Group of the Cabinet Office Gender Equality Council points out that existing statistics are not fully utilised or analysed in measuring gender equality and establishing gender-based policies.

The Fifth Basic Plan says that the Cabinet Office and the ministries will accordingly collect gender-specific data (i.e. by sex) whenever possible to enable comprehensive analysis of data by age and prefecture when conducting various surveys.

## 3. Political Setting

### 3.1 Political participation and decision-making

Women's representation in politics remains a major obstacle to crafting genuine reform initiatives. **Only 9.9% and 23.2% of members of the lower and upper houses in parliament respectively were women in 2020.**

According to a survey conducted by the Cabinet Office in 2020, the difficulty of balancing work with family life, the lack of confidence in one's abilities, and the harassment of candidates were the major barriers to political participation for women.

The Act on Promotion of Gender Equality in the Political Field, enacted in 2018, does not impose penalties even if political parties neglect to increase the number of female members. Under the Fifth Basic Plan for Gender Equality, the Japanese government has set a new target of a **35% quota for women political candidates by 2025** (HoR/2017:17.8%, HoC/2019:28.1%). The ruling conservative Liberal Democratic Party recognises the

importance of women's active roles in politics and society, and is making a pool of female candidates for future elections. However, the LDP opposes the introduction of a quota system for election candidates. It also opposes the idea of obliging political parties to set targets for the proportion of women candidates they field in elections, citing the difficulty in replacing many incumbent male lawmakers and local assembly members across the country with female candidates. The opposition party Nippon Ishin no Kai (Japan Innovation Party) also claims it would be difficult to make it obligatory to set such numerical targets. The revised Act on the Promotion of Gender Equality in the Political Field, enacted in June 2021, includes a clause for preventing sexual harassment against lawmakers, local assembly members and political candidates, but did not include a clause on numerical targets for female political candidates because of such opposition.

The Great East Japan Earthquake that occurred in March 2011 gave rise to a number of issues due to a failure to ensure adequate participation by women at various stages of decision-making processes. For example, the different needs of men and women were not sufficiently taken into consideration. Since social issues become more conspicuous during times of disaster as compared with normal times, it has become evident that disasters increase domestic burdens, and that this increase, in both domestic work and caregiving, flows only to women, reflecting the stereotypical assumptions about gender roles in ordinary times. Against such a backdrop, in 2013 the government established **the Guidelines for Disaster Planning, Response and Reconstruction from a Gender-equal Perspective**, setting actions to be taken by local governments at each stage of a disaster response. The government also recognises in the Fifth Basic Plan that women perform important roles in all areas of disaster prevention, emergency measures and reconstruction/recovery, taking actions to increase women's participation in policy formulation and at the actual site of disaster prevention.

### 3.2 Civil Society

In order to realise gender equality and women's empowerment, Japan has given more weight to cooperation with representatives of civil society and various other stakeholders in recent years. **The Liaison Conference for the Promotion of Gender Equality** brings together more than 100 representatives of the economic, labour and educational sectors, the media, women's organizations, NPOs/NGOs and academia. It facilitates the exchange of views and information on gender equality and women's empowerment among people from all sectors and levels of society, thereby forming a liaison network.

Public voices are rising to improve gender equality in Japan. For instance, more than 6,000 public comments were submitted to the government for the formulation of the Fifth Basic Plan for Gender Equality, a doubling from the previous plan. Especially, the younger generation has proactively spoken up and advocated for gender equality in fields such as political participation, sexual and reproductive health and rights, and choice of family name after marriage. The wave of gender equality movement is rising again in Japan, and media pick up youth voices and SNS campaigns. But some youth activists are sceptical about politicians and corporates as to whether they take young voices seriously.

Also, a civil society organisation, specialised in women's reproductive health, has reported that they face difficulty in gaining political commitments from the ruling LDP on many gender issues. The LDP is traditionally supported by socially conservative forces who don't want the party to make compromises on gender-related issues.

## 4. Economic Situation

### 4.1 Employment

The Government was successful in bringing about 2.9 million extra women into the labour force between 2012 and 2018, reaching a total of around 30 million in 2018. Japan's female labour participation rate has significantly increased from 67.7% in 2012 to 77.4% in 2020 (for aged 25 to 44), and now compares well with figures in Western countries. However, the main source of this growth has been in non-regular and part-time fields. Women account for about 45% of the workforce, but while **22% of male employees work as non-regular workers, the ratio for women is as high as 54% in 2020**<sup>4</sup>. When it comes to the ratio of women in managerial posts at private companies, the Japanese government missed its target, to have at least 30% of leadership positions (at section chief level) occupied by women by the end of 2020, pushing the target date back to 2025<sup>5</sup>.

Keidanren, the Japan Business Federation, set a new target in November 2020 to raise the percentage of **women executives in Japan to at least 30% by 2030**. The Japanese business world understands the need of diversifying senior positions to stay competitive, but the target is ambitious given that women made up only 6.2% of executives at all listed Japanese companies in 2020.

One of the biggest reasons why women cannot take more active roles in the workplace is the **difficulty in making work compatible with child-rearing**. Long and inflexible working hours, a shortage of childcare facilities, the lack of reasonably priced domestic help and the large imbalance between men and women for time spent for unpaid work – housework and child rearing – are reasons that **nearly 50% of women take the decision to quit their jobs after the birth of their first child**. Once these women leave these jobs on permanent contracts, it is difficult for them to find another permanent job of similar standing, as labour mobility is still relatively low in Japan, especially for large companies concentrating on hiring university graduates. One positive, if inadequate, trend is that the rate of women who continued working after giving birth to the first child increased from 40.4% in 2005-2009 to 53.1% in 2010-2014.

Japan's **Work Style Reforms** have set various limits on working hours with the goal of improving Work-Life Balance and the general quality of life. In June 2018, the Japanese parliament passed the **Act on Arrangement of Related Acts to Promote Work Style Reform**. The legislation limits overtime work to 45 hours a month or 360 hours a year and requires companies to ensure that their employees take a minimum of five days of annual leave each year. In addition, it promotes the introduction of a work-interval system. With these initiatives, the government is promoting measures to reduce long working hours, but the effectiveness of the legislative efforts remains to be seen. Besides, despite having one of the best parental leave schemes for men in the world, too few men take advantage of it (7.48% in 2019), apparently fearful of the impact it could have on their careers. In order to encourage

<sup>4</sup> Cabinet Office, Gender Equality White Paper 2021

<sup>5</sup> The figure improved from 17% in 2015 to 21.3% in 2020 for section-chief-level positions, from 9.8% in 2012 to 11.5% in 2020 for director-level positions, and from 6.2% in 2015 to 8.5% in 2020 for manager-level positions (Cabinet Office, Gender Equality White Paper 2021)

men to take parental leave, in June 2021 a new bill was enacted to introduce a special parental leave system for men to take a total of four weeks off within eight weeks of childbirth (to be launched in October 2022).

## 4.2 Income/Pay gap

The gender wage gap between men and women in Japan is 23.5% in 2019 and among the worst in OECD countries<sup>6</sup>. As a factor of the wage gap between men and women, it is said that due to the **higher average turnover or job change rate of women and shorter average years of service because of marriage and/or child-raising**, companies tend to assign women to relatively easy jobs with lower wages. **The different salary treatment between regular and non-regular employees and disadvantageous workplace practice to women** such as long-working hours or inflexible working patterns are other factors causing the gender pay gap. **The amended Act on Improvement of Personnel Management and Conversion of Employment Status for Part-Time Workers and Fixed-Term Workers** took effect from April 2020 for large companies, and April 2021 for SMEs, to realise equal pay for equal work and eliminate the disparity between regular and non-regular employees.

**The tax and social security code** is another major hindrance to women working more. Spouses of salaried workers who earn less than ¥1.03 million (€8,800) annually are exempt from paying income tax, and if they earn less than ¥1.3 million (€11,100) their social welfare premiums are covered by the payments made by the salaried workers. According to the welfare ministry data, 8.47 million spouses were covered by this exemption in 2018, or about 28% of women aged between 20 and 59. There is a strong argument especially among experts to abolish this tax and social security exemption. But the LDP-led government, fearing opposition from the large number of those who benefit from the system, took only the move of hiking the threshold for the salaried worker's spousal tax exemption to ¥1.5 million (in order to encourage spouses to work more hours in the face of the current labour shortage) rather than scrapping the system.

The lifetime wage gap between men and women also has a significant impact on the economic gap in retirement. There is a pressing issue of older women and poverty, as women tend to receive lower pension benefits. In Japan, the relative poverty rate of elderly women is higher than that of elderly men<sup>7</sup>.

## 4.3 Unpaid care work

Unpaid care work is considerably one of the most serious gender issues in Japan. Disproportional burdens are on women's shoulders. In Japan, **women's non-paid work hours are 5.5 times longer than men**. Regarding the weekly average housework/childcare-related time of couples with children under 6 years old, Japan is 8 hours 57 minutes, which is not particularly long compared to other countries. However, the average time spent for

<sup>6</sup> OECD, <https://data.oecd.org/earnwage/gender-wage-gap.htm>. Also, Cabinet Office reported that the gender gap in salary was 74.3 for female general workers, compared to 100 for male general workers in 2020.

<sup>7</sup> In 2018, the poverty rate for people aged 70 and older was 21.5% for women and 15.3% for men; the poverty rate for people aged 80 and older was 28.8% for women and 19.5% for men (<https://www5.cao.go.jp/keizai2/keizai-syakai/future2/20210324/shiryou1.pdf> page 4)

childcare is 4 hours and 34 minutes, which is significantly longer than other developed countries, with women's childcare time of 3 hours and 45 minutes<sup>8</sup>.

Under the seniority-based compensation system that tends to place emphasis on the length of employment, there still remains a male-oriented working style that presuppose work-styles mainly tailored to men, who are expected to accept long working hours and job transfers requiring relocations. These prevent both men and women who wish to continue to work and make a meaningful contribution while fulfilling other responsibilities such as parenting and caring for elderly parents from doing so. Furthermore, the burden women shoulder has grown because **men have not traditionally played significant roles in activities such as housework, parenting and caring for elderly parents**. Arguably, this has often made it difficult for women to utilize their skills and abilities in settings outside the home. Moreover, there are unresolved issues such as the impossibility of taking a job due to the problem of **wait-listed children caused by the lack of childcare facilities and people leaving work to care for their elderly parents**.

**The 2017 revision to the Childcare and Family Care Leave Law** enabled workers to extend their parental leave until their child turns 24 months old from the previous 18 months old if, for instance, a family is unable to obtain an offer of placement for the child in a childcare facility.

To achieve zero waiting-listed children for places at childcare facilities, the Japanese government announced in June 2017 **the Plan for Raising Children in a Peaceful Environment** to build childcare facilities to accommodate 320,000 children by the end of FY2020 in order to provide enough capacity, even when the employment rate of Japanese women aged 25 to 44 hits 80%, which is the same level as the U.S. and European countries.

In addition, to reduce parents' financial costs related to preschool education and childcare, **the Child and Child Care Support Act** was revised in May 2019, allowing children aged three to five, and children aged zero to two in households exempt from paying residential tax, to attend kindergarten, childcare facilities, certified childcare facilities (*nintei kodomo-en*) and other similar facilities free of charge.

To help ensure the payment of child support, the parliament passed a law to partially revise **the Civil Execution Act** in May 2019. The amendments included the establishment of new procedures for creditors to acquire from a third party (e.g. registry office, municipality or financial institution) via a court order information concerning the properties (e.g., land and buildings, salaries or money in deposits/savings) of an obligor who had failed to pay child support despite a final and binding judgement concerning its payment.

## 5. Socio-cultural context and gender equality issues

### 5.1 Social norms and stereotype

The percentage of people who oppose existing gender role attitudes has been on a long-term upward trend for both men and women in Japan. According to a survey conducted by the

<sup>8</sup> Cabinet Office, [https://www.gender.go.jp/kaigi/kento/covid-19/siryo/pdf/post\\_honbun.pdf](https://www.gender.go.jp/kaigi/kento/covid-19/siryo/pdf/post_honbun.pdf) (page 24)

Cabinet Office in 2019, 63.4% of women and 55.7% of men were opposed to the idea of gender roles. By age, the age groups with the highest percentage of those who disagree was 18-29 years old (69.4%), 50-59 years old (68.2%) and 60-69 years old (68.1%) for women, and 30-39 years old (70.2%), 18-29 years old (65.8%) and 50-59 years old (60.8%) for men. However, traditional gender roles remain entrenched in Japanese society and there are sociocultural and systematic barriers to realise gender equality. Traditional values remain stronger particularly in rural areas. Experts point out that Japanese society tends to expect women to be perfect in all manner of roles and responsibilities including housework and caring for children and elderly family members.

A recent pejorative statement made by a prominent Japanese political figure against women's leadership was heavily criticised domestically and internationally. It revealed the deep-rooted sexism in the Japanese society.

According to the Ministry of Justice, **Japan is the only country in the world to have a law forcing married couples to share a surname.** 96% of Japanese married couples use the husband's surname. The United Nations Committee for the Elimination of Discrimination against Women has recommended that Japan change the system. However, discussions in parliament have not progressed much since the members of the ruling LDP are divided over the issues. The fifth Basic Plan did not include the provision to revise the Civil Code to allow married couples to use separate surnames despite strong demand from citizens, especially young people. This is largely because of a violent backlash from conservative parliamentarians within the ruling party, who are opposed to any move that destructs what they perceive as "traditional family values and norms", arguing the change would have a negative impact on family unity and children. The Supreme Court's latest ruling on the constitutionality of a legal provision that requires married couples to register under the same surname has pushed back the hopes of many couples who want to use separate family names.

## 5.2 Gender-based violence

Domestic violence and stalking behaviour have become serious social issues in Japan. With the recent spread of social media and other new online tools of communication, forms of violence by partners, sexual crimes, prostitution, trafficking in persons and other forms of violence have become increasingly diversified, necessitating prompt and appropriate measures against these new forms of violence.

In response to a series of tragic cases involving online violence, **the Act on Prevention of Damage Caused by the Provision of Private Sexual Image Records ("Revenge Porn Prevention Act")** was enacted in November 2014 to punish the online distribution of sexual images without the consent of the person appearing in them.

**The Comprehensive Legal Support Act** was revised in May 2016 (fully enforced in January 2018), and the Japan Legal Support Centre has started to provide legal consultation to victims of domestic violence, stalking and child abuse. **The revised Anti-Stalking Act** came into force in 2017 to speed up action against perpetrators. The police established a cross-functional system, aiming to better deal with domestic violence and stalking and to improve the safety of victims. Under the revised Act, sending messages via social media and writing comments on the victim's personal webpages such as blogs were added to regulated acts such as "shadowing." The law was amended again in May 2021 (full enforcement in

August 2021) to regulate the act of attaching GPS equipment to vehicles and other items without their owners' permission or consent. The revised Act will also ban obtaining location information of people's smartphones through apps without their authorization.

In light of the reality of sex crimes in recent years, **an Amendment of the Penal Code** was made in 2017 to deal with sex crimes more harshly in light of current prevailing circumstances. Through an amendment, the minimum penalty for rape was raised to five years imprisonment and it is now possible to prosecute rape and other relevant crimes without a complaint. It also amended elements constituting the crime of rape and its statutory penalty and replacing it with the crime of forcible sexual intercourse. Furthermore, it newly stipulated the crimes of indecency and sexual intercourse by an individual who has custody of a person under the age of 18 (i.e. a guardian against a minor) by taking advantage of his or her influential position. The National Police Agency in August 2017 introduced **a nationwide telephone hotline number (#8103)** that connects to a consultation support service at each prefectural police force in order to make it easier for victims of sex crimes to ask for assistance. The service was made available 24 hours a day in all prefectures in April 2019 and became toll-free in July the same year. In June 2020, the Ministry of Justice established a working group to review potential other reforms to the rape law.

According to a survey conducted by the Cabinet Office in 2020, **around 23% of women have been a victim of domestic violence. Approximately one woman in 14 has experienced forcible sexual intercourse.** Japan's Fifth Basic Plan aims at strengthening efforts to eliminate all forms of violence against women, including through increased awareness raising and strengthening competences of Domestic Violence Counselling and Support Centres. Training is also provided to civil servants of local governments in order to support victims of sexual violence.

During the COVID-19 pandemic, sexual crimes and violence against women and girls, including domestic violence, are the most urgent and pressing issues. Like in other countries, the current coronavirus outbreak and the requests by the Japanese authorities for the public to refrain from going out have brought concerns about increased cases of domestic violence and child abuse. Experts and NGOs are calling on the government to avoid shutting down or curtailing consultation services throughout the quarantine period, and some government effort is being observed. Recently, Japan has taken measures addressing violence against women, and the COVID-19 strategy has particularly taken into consideration the situation of women, who are disproportionately affected.

Japan's current state as regards to child sexual exploitation is serious. There has been an increase in the number of children victimized in criminal cases involving child pornography, sexual exploitation linked to the use of social media, and the emergence of new forms of businesses exploiting child sexuality, including so-called "JK businesses" (in which the word "JK" comes from "*joshi-kosei*," meaning female high school students). To protect children, **the Act on Regulation and Punishment of Acts Relating to Child Prostitution and Child Pornography and the Protection of Children ("Act Banning Child Prostitution and Child Pornography")** was revised in June 2014 to criminalize the simple possession of child pornography. Also, **the Basic Plan on Measures against Child Sexual Exploitation** was formulated in April 2017 to address problems of sexual violence primarily targeting youth. Furthermore, since sexual violence against young women, including the issue of coercion of young women into appearing in pornographic videos, constitutes a serious infringement of human rights that can cause severe psychological and physical damage to the victims, an

inter-ministerial council formulated a plan in May 2017 entitled **Subsequent Measures to Address the Issue of So-called forced appearance in pornographic materials, the “JK Business” Issue and Other Issues. The Act on the Prevention of Spousal Violence and the Protection of Victims (“Spousal Violence prevention Act”)** was also revised in June 2019 to enhance measures to prevent child abuse and protect victims of spousal violence, as well as to add Child Guidance Centres to the list of concerned organisations that should cooperate to protect victims. A new law was approved in June 2021 to prevent teachers who have been dismissed for sexual misconduct towards students from returning to the profession.

### 5.3 Sexual and reproductive health and rights

According to the NGOs and experts, sexual and reproductive health options are limited and there is no comprehensive education on gender equality and sexual and reproductive health in Japan. Choices of contraceptives are extremely limited. Only 2.9% of women aged 15-49 were estimated to use oral contraceptives in 2019<sup>9</sup>. Emergency contraceptives can only be obtained with a prescription after visiting a clinic. And only in 2020 was telemedicine prescription authorized, due to the COVID-19 pandemic. Choices of abortion methods are also very limited. While the WHO no longer recommends surgery for abortion, it is still the common practice in Japan and pills are hardly used in the case of abortion (abortion pill is not approved by the Japanese authority). Japan enacted a law in 1948 to legalise abortion under certain conditions, but it had required the consent of the patient and spouse in order for doctors to perform surgery (otherwise criminalised). CEDAW recommended Japan eliminate the need for spousal consent in 2016. Only recently, with the increase of unwanted pregnancies because of domestic violence, has the Japanese Health Ministry clarified the national policy that consent is not required if a woman is suffering domestic violence from her male partner. Besides, while Japan has a well-established national health-insurance system, the cost of contraceptives, pregnancy, childbirth, or abortion are not covered under the system. Menstrual poverty, where women and girls are unable to purchase sanitary products due to economic reasons, has recently received much attention.

The legal age of consent is 13 years old, which is one of the lowest in the world.

## 6. Multilateral Cooperation

Since 2014, the Japanese government has held the World Assembly for Women (“WAW!”), at which leaders in various fields gather from countries and organisations around the world to discuss challenges in and outside of Japan relating to gender equality and women’s empowerment (held five times so far).

The 2016 G7 Ise-Shima Summit, chaired by Japan, adopted the “G7 Guiding Principles for Capacity Building of Women and Girls” and the “Women’s Initiative in Developing STEM Career.” In addition, at the 2019 G20 Osaka Summit, Japan specified efforts for promoting women’s empowerment in the Leaders’ Declaration and held the Leaders’ Special Event on Women’s Empowerment.

<sup>9</sup> UN DESA,

[https://www.un.org/development/desa/pd/sites/www.un.org.development.desa.pd/files/files/documents/2020/Jan/un\\_2019\\_contraceptiveusebymethod\\_databooklet.pdf](https://www.un.org/development/desa/pd/sites/www.un.org.development.desa.pd/files/files/documents/2020/Jan/un_2019_contraceptiveusebymethod_databooklet.pdf)

Japan has completed its first National Action Plan (NAP) in 2013 to implement United Nations Security Council Resolution 1325, and made the second edition for 2019-2022 in March 2019<sup>10</sup>. In accordance with the NAP, Japan has implemented Women, Peace and Security (WPS) agenda through bilateral cooperation by the Japan International Cooperation Agency (JICA), and with UN agencies and other international organizations, such as UN Women, UNFPA, UNICEF and UNHCR. Japan also encourages women's participation in UN PKO by co-funding training courses for female military officers from various countries. Japan has partnered with Sri Lanka to work on the G7 WPS Partnerships Initiative to build peace and security through the implementation of UNSCR 1325 and related WPS Resolutions. The Japanese government has compiled a monitoring report on its implementation of the NAP. Based on the report, an annual report has been produced by external experts with evaluations every year.

With respect to the relationship with UN Women, Japan, as one of its top donors, has strengthened coordination with the organization. Japan's priority areas of cooperation focus on the projects tackling violence against women. Then PM Abe was selected as one of the 10 Head of State IMPACT champions of UN Women's "HeForShe" campaign in 2015.

Japan has strengthened collaboration with the Office of the Special Representative of the Secretary-General on Sexual Violence in Conflict, and since 2016, the country has provided financial aid for the Office to help address sexual violence in conflict in Middle Eastern and African countries, including the Democratic Republic of the Congo and the Central African Republic.

The Ministry of Defence has so far dispatched about 530 female personnel to engage in activities such as UN PKO missions, international disaster relief activities, and humanitarian and reconstruction assistance in Iraq.

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<sup>10</sup> The revised NAP set measures under five pillars: 1) Participation, 2) Conflict prevention, 3) Protection, 4) Humanitarian Relief, Recovery and Reconstruction assistance and 5) Framework for monitoring and evaluation and revision. Ministry of Foreign Affairs, <https://www.mofa.go.jp/files/000521395.pdf>