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Statement submitted by International Women’s Year Liaison Group, a non-governmental organization in consultative status with the Economic and Social Council*

The Secretary-General has received the following statement, which is being circulated in accordance with paragraphs 36 and 37 of Economic and Social Council resolution 1996/31.

* The present statement is issued without formal editing.



Statement

We believe the government policies of Japan to promote women's participation and advancement in society are not unconsciously biased but are conscious nudges to promote gendered society.

With the ratification of the United Nation's Convention on the Elimination of All Forms of Discrimination Against Women in 1985, we hoped that our motto, "No Peace Without Equality and No Equality Without Peace," would be well understood in our society. Legislation such as the *Basic Act to Promote Gender Equality Act 1991*, the *Equal Employment Opportunity Acts 1986, 1997, and 2007*, as well as legislation to promote women's participation and advancement in workplaces of 2016 and 2019, childcare leave, caregiver leave, and other measures for the welfare of workers caring for children or other family members of 1995, all indicated that our goal to overcome gender bias was not so far away.

In fact, almost all legislation at the moment are gender neutral, not just because it is written without using gender specific nouns and pronouns but because the texts are drafted in gender neutral manner. Yet people see gender neutral texts and read them as if they are written gender specifically, ignoring the intent of these statutes. Childcare leave is one glaring example of gender-specific reading 82.2 per cent of mothers take childcare leave after eight weeks mandatory maternity leaves whereas only 6.16 per cent of fathers take their childcare leave. The length of the leave are more telling. For 31.1 per cent of mothers who took childcare leave, the length was between 10 and 12 months, and 27.6 per cent took between 12 and 18 months, whereas for fathers, 56.9 per cent could only take less than five days and only two per cent took more than 12 months. Male applicants often indicate their justified fear of adverse treatments for exercising the right guaranteed by law. Employers are reading parental childcare leaves as maternal childcare leaves only applicable to mothers.

It is not just motherhood and childcare but also care to other members of closely related and not so close family, that discourages daughters, daughters-in-law and wives to continue working or encourages these people to retire early to look after and care for the elderly or for those who need someone to look after and care for, to the detriment of their economic securities. In short, the rapidly aging society and Japanese-style welfare expects women within family who earn less, to leave the workforce to shoulder the actual undertakings. The system is supported by ideas that people should not expect the State and public entities to support individuals in need, that family members are to care other family members and should bear the financial and physical burdens as moral obligation. Needless to say, the welfare system is structured with the expectation of unpaid care works by family members. By leaving the labour market, women forfeit significant income of their own and become dependent on their spouses. As spouses benefit from having dependent family members in terms of tax deduction, and dependent spouses are exempted from contributing to their own pension plans, a large percentage of women's pensions also becomes dependent upon the spouses' pension plans.

The choices women make, including what to study, when to start working, what to do next, are seemingly their own and only constricted by their own visions of their future and their unconscious bias. But we would like to emphasize that these innocent choices follow the systematic nudge of tax, inheritance, pension, and divorce law. The Government of Japan has wired the system so that unsuspecting men and women are gently pushed over to observe the norms of gendered society.

Today, more women participate in our labour market with less pay and less security.

In 2003, the Government of Japan announced that by the year 2020, it will do all it can to ensure women will occupy at least 30 per cent of policy and decision-making positions in various fields. In 2007, the Government of Japan, together with local governments, business community members and labour unions, promulgated the Charter for Work Life Balance. It was meant to change extremely long working hours for full-time male workers so that they will be able to share domestic responsibilities with female workers who were trapped in the double-shift of paid and unpaid work. In 2015, the diet passed the *Promotion of Women's Participation and Advancement in the Workplace*, to encourage more women to join the labour force. Even though the number and percentage of female workers increased between 2005 and 2015 from 20 million to 23.76 million or from 31.6 per cent to 46.7 per cent, the number of full-time female workers hardly changed from 13.68 million to 13.66 million and the percentage went down dramatically from 68.4 per cent to 53.3 per cent. It appears that women who were responsible for the unpaid work before, now work part-time and bear the burden of the unpaid work as well, doing the double-shift, being kept financially dependent upon their spouses for the main source of family income.

Women are disempowered when they feel they do not have the choice but to perform their gender roles, when they lose control of their financial resources and become dependent, or when they are deprived of their chance to contribute to society. To a casual observer, the choices that women make appear to reflect social expectation and deeply rooted unconscious gender bias within society. Yet these choices can be better explained as the most reasonable choice under the present tax, pension, inheritance and divorce laws. In other words, the Government of Japan has successfully engraved gender bias into our system and has not budged an inch in this changing world.

We have achieved much if we were to believe what were passed as law since 1995. But it is not enough to have legislation and systems written on paper. They have to function without gender bias, and they should not be thwarted by gender-biased interpretation.