

To Committee on the Elimination of Discrimination against Women

August 22, 2024

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Japan Pensioners' Union (JPU)

Report of the Japan Pensioners' Union on the list of issues and questions No 22
from the CEDAW

In response to a questionnaire from the CEDAW, the Japanese government stated in its report in September 2021; "in the Law to Partially Amend the National Pension Law enacted in May 2020 to strengthen the functions of the pension system, the size of enterprises that should cover short-time workers by the Employee's Pension Insurance, which is now introduced more than 500 employees, will be expanded to include those with more than 100 employees in October 2022 and those with more than 50 employees in October 2024".

However, even if a short-time female worker becomes a newly insured under the amended law and then pays contributions for 10 years, the pension received the woman employee is only JPY 60,332 of the monthly pension, which is far from solving a low pension problem of women.

Lawsuit against uniform reduction of pension amounts

Nationwide 126,642 pensioners of the JPU filed an administrative appeal against the uniform 2.5% reduction of the pension under the Pension Revision Act of 2012. The action reveals the grave consequences of the cut on the lives of pensioners and their anger against it that carried out arbitrarily. However, our appeal to request to review was dismissed with a single notice without any hearing, on the grounds that our appeal was a mere statement of dissatisfaction and therefore it was inadequate as the administrative appeal. Our re-examination request against the dismissal was also turned down.

The JPU filed lawsuits against the pension cut with 39 district courts on behalf of 5,297 plaintiffs in 2015.

The Tokyo District Court on 23 September 2020 ruled that the pension reduction was reasonable on the grounds that the contribution rate for women was set lower, the starting age of benefit for women was earlier than men, and the government had taken into account the situation of women when decided to rise their starting age for it. However, even with these measures, the large gender gap in the pension remains.

After all claim of the ruling of the Tokyo District Court, the insurance premium rate has amended since November 1994 and now set at the same rate for both genders. Moreover, the starting age to receive the pension benefit has also been raised. The current situation is far from correcting the gap.

As the CESCR and the CEDAW call for redressing the gender gap in the pension

system, the government should consider it in the legislative process.

In the revision of the pension system, the government should have recognized the existing gender gap in the system and should have taken into consideration to the elimination of it during the legislative process, however the government did nothing. Even the government failed to examine for the actual condition of women pensioners and the consequence to the gender gap in the pension after the pension would be further reduced.

The uniform cut in the pension benefits has led to a further reduction of women's low pensions and a further gender gap in pension.

Indeed, the ruling of the Tokyo District Court insists justifiability on the basis of the fact that the government took measures without examining the extent to correct the gender pension gap by it and the impact of the actual situation of women pensioners by it. The ruling isn't reasonable.

Structural problem of women's low pensions in Japan

The public pension system in Japan is designed on "a standard family model" in which a husband works as a main income earner in its household, instead his wife stays home and takes on housework including childcare, nursing care and other unpaid work in their home. They pay pension contributions from age 20 to 60. This model causes the problems of women's low pensions.

Also, there has been many systems led to the low pension for women: an incentive system to pay money to women when they retired due to marriage or pregnancy, the National Pension System that was not compulsorily for wives, the part-time workers, majority of them are women, were excluded from the Employee's Pension System. In Japan, the type of pension system applicable to workers varies depending on the employment relationship, the length of work period and the working hours. The type of pension system produces a grave consequence to the amount of pension benefit.

Even if women continue to work as full-time employees, their wages remain at 60-70% of men's. However, the pension contributions are calculated based on wages. Women's low wages have affected their monthly pension contributions and, thus their benefits.

Especially, the serious problem for women in Japan is career interruptions due to childbirth and child-rearing. Once a woman leaves a labour market for marriage or childbirth, she can hardly return to full-time jobs but returns to precarious and low-paid jobs. This is also a reason of the women's low pensions.

Thus, the problem of women's low pensions can be attributed to the gender inequality that based on the feudalistic patriarchy system in Japan that imposes a stereotype gender role: a man works outside a home and a woman works at home as housewife.

Continued non-compliance with 2016 recommendations of CEDAW

(1) Average monthly pension

(i) The average amount of beneficiaries the Employee's Pension Insurance for the insured period 25 years or more is JPY 143,973 (including the basic pension), (JPY163,875 for men and JPY104,878 for women).

(ii) The average amount of the Employee's Pension Insurance for the insured period less than 25 years is JPY 63,061 (including the basic pension) (JPY71,681 for men and JPY60,332 for women).

(iii) The average amount of only the National Pension for the insured period 25 years or more is JPY 54,453 for men and JPY 50,788 for women, and that for the insured period less than 25 years is JPY 19,259 for men and JPY 18,883 for women.

The pension gap between men and women should be corrected.

(2) Gender wage gap leads to public pension disparity

The average monthly standard remuneration for the Employee's Pensions Insurance is JPY 365,000 for men and JPY 255,000 for women. The wage gap of JPY110,000 creates the pension gap in future.

The wage gap between men and women should be corrected.

(3) Too low women's pensions

(i) Among those receiving the benefits of the Employee's Pension Insurance (including the basic pension), 34.17% of men and 85.18% of women receive only less than JPY100,000 of the monthly benefits. The number of women with such low pensions is 2.5 times higher than that of men.

(ii) Among those receiving only the benefits of the National Pension for insurance period less than 25 years, 21.6% of men and 78.14% of women receive less than JPY 50,000 of the monthly benefits.

(by the Pension Bureau, MHLW, December 2023).

(iii)Therefore, the pension system needs to be reformed to guarantee a minimum standard of living.

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