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Dear Members of the Committee on the Elimination
of Discrimination against Women

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Follow-up Report

Presented by

mNet-Information Network for Amending the Civil Code

CEDAW Follow-up on Paragraph 18

Amendment of the Civil Code

“mNet-Information Network for Amending the Civil Code” is a NGO which sends specialized information about amendment of the Civil Code argument and gender equality in Japan. We have been working toward enforcement of Convention on the Elimination of All Forms of Discrimination against Women. We have joined in JNNC, Japan NGO Network for CEDAW. mNet is submitting a report in order to complement the follow-up report submitted by JNNC.

I Discriminatory Legislation: Paragraph 18

1 . Movement after the 2011 Follow-Up Report

Please refer to the JNNC Report

2 . NGO Appraisal

Since 2002, the Ministry of Justice has disseminated the contents of the significance of the system of allowing a husband and wife to adopt separate surnames of their own accord through its websites, etc. However, it is difficult to access those websites and many citizens are unaware that such contents are disseminated on the websites. This problem was strongly indicated by the Specialist Committee on Monitoring, which is supervised by the Council for Gender Equality, and NGOs. As a result, the Ministry of Justice was forced to revise its dissemination methods from October 2012.

In the first place, pressure from opposing Diet members has prevented the Ministry of Justice from actively disseminating information. In particular, conservative Diet members have showed fierce opposition to implementing the system of allowing a husband and wife to adopt separate surnames of their own accord. Such conditions have made it difficult for the Council for Gender Equality and the Ministry of Justice to actively work for legal revisions. The greatest blame is incurred by Diet members who have interfered with submission of a draft to revise the Civil Code and who have even bashed proponents of the draft.

The Government must make further efforts to ensure that lawmakers understand the serious conditions for which the Committee on the Elimination of Discrimination against Women has made repeated recommendations.

Although the Government has twice received recommendations in the form of a follow-up report from the Committee on the Elimination of Discrimination against Women, the Government has taken almost no specific action for legal revision.

The Follow-up System was newly established by the committee in 2008 in order to ensure implementation of recommendations. However, the Japanese Government has ignored the recommendations twice. If the government does not conform to recommendations, then there is the danger that the Follow-up System itself will become meaningless.

It is unacceptable to demean recommendations and systems even while advocating that more importance be placed on the United Nations.

Furthermore, in a trial to determine the unconstitutionality of legislation which requires the same surnames for both husband and wife, as well as to determine violations of the Convention on the Elimination of All Forms of Discrimination against Women, the government is asserting that “it cannot be said that Article 750 of the Civil Code is a violation of the Convention on the Elimination of All Forms of Discrimination against Women.”