

JAPAN

The Basic Law for a Gender-equal Society (Law No. 78 of 1999) (Tentative Translation in English)

Contents

The Preamble

[Chapter 1](#) General Provisions (Articles 1-12)

[Chapter 2](#) Basic Policies Related to Promotion of Formation of a Gender-equal Society (Articles 13-20)

[Chapter 3](#) The Council for Gender Equality (Articles 21-26)

Supplementary Provisions

Considering respect for individuals and equality under the law expressly stipulated under the Constitution, steady progress has been made in Japan through a number of efforts toward the realization of genuine equality between women and men together with efforts taken by the international community. However, even greater effort is required.

At the same time, to respond to the rapid changes occurring in Japan's socioeconomic situation, such as the trend toward fewer children, the aging of the population, and the maturation of domestic economic activities, it has become a matter of urgent importance to realize a Gender-equal Society in which men and women respect the other's human rights and share their responsibilities, and every citizen is able to fully exercise their individuality and abilities regardless of gender.

In light of this situation, it is vital to position the realization of a Gender-equal Society as a top-priority task in determining the framework of 21st-century Japan, and implement policies related to promotion of formation of a Gender-equal Society in all fields.

This law is hereby established in order to clarify the basic principles with regard to formation of a Gender-equal Society, to set a course to this end, and to promote efforts by the State and local governments and citizens with regard to formation of a Gender-equal Society comprehensively and systematically.

Chapter 1 General Provisions

(Purpose)

Article 1

In consideration of the urgency of realizing an affluent and dynamic society in which the human rights of both women and men are respected and which can respond to changes in socioeconomic circumstances, the purpose of this law is to comprehensively and systematically promote formation of a Gender-equal Society by laying out the basic principles in regard to formation of such a society, clarifying the responsibilities of the State and local governments and citizens, and also stipulating provisions to form the basis of policies related to promotion of formation of a Gender-equal Society.

(Definitions)

Article 2

Under this law, the following definitions shall apply:

(1) Formation of a Gender-equal Society: Formation of a society where both women and men shall be given equal opportunities to participate voluntarily in activities in all fields as equal partners in the society, and shall be able to enjoy political, economic, social and cultural benefits equally as well as to share responsibilities.

(2) Positive action: 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.

(Respect for the Human Rights of Women and Men)

Article 3

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.

(Consideration to Social Systems or Practices)

Article 4

In consideration that social systems or practices can become factors impeding formation of a Gender-equal Society by reflecting the stereotyped division of roles on the basis of gender, etc., thus having a non-neutral effect on the selection of social activities by

women and men, care should be taken so that social systems and practices have as neutral an impact as possible on this selection of social activities.

(Joint Participation in Planning and Deciding Policies, etc.)
Article 5

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.

(Compatibility of Activities in Family Life and Other Activities)
Article 6

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.

(International Cooperation)
Article 7

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.

(Responsibility of the State)
Article 8

The State is responsible for the comprehensive formulation and implementation of policies related to promotion of formation of a Gender-equal Society (including positive action. The same shall apply hereinafter.) pursuant to the basic principles on formation of a Gender-equal Society prescribed in Articles 3 to 7 (hereinafter referred to as the "basic principles").

(Responsibility of Local Governments)
Article 9

Local governments are responsible for the formulation and implementation of policies related to promotion of formation of a Gender-equal Society corresponding to national measures, and other policies in accordance with the nature of the areas of local governments, pursuant to the basic principles.

(Responsibility of Citizens)
Article 10

Citizens shall make efforts to contribute to formation of a Gender-equal Society in all areas of society, including workplaces, schools, the local community and the home, pursuant to the basic principles.

(Legislative Measures, etc.)
Article 11

The Government shall take legislative, financial and other measures required to implement the policies related to promotion of formation of a Gender-equal Society.

(Annual Reports, etc.)
Article 12

1. The Government shall submit annually to the Diet a report on the state of formation of a Gender-equal Society and the policies implemented by the Government related to promotion of formation of a Gender-equal Society.

2. The Government shall make and submit annually to the Diet a document explaining the policies the Government is going to implement related to promotion of formation of a Gender-equal Society, considering the state of formation of the society described in the report in the preceding paragraph.

Chapter 2 Basic Policies Related to Promotion of Formation of a Gender-equal Society

(Basic Plan for Gender Equality)
Article 13

1. The Government shall establish a basic plan with regard to the promotion of formation of a Gender-equal Society (hereinafter referred to as "Basic Plan for Gender Equality"), in order to comprehensively and systematically implement policies related to promotion of formation of a Gender-equal Society.

2. The Basic Plan for Gender Equality shall stipulate the following items:

(1) The outline of the policies which should be implemented comprehensively and over the long term related to promotion of formation of a Gender-equal Society.

(2) Besides the preceding item, matters required to comprehensively and systematically implement policies related to promotion of formation of a Gender-equal Society.

3. The Prime Minister of Japan shall formulate a draft of the Basic Plan for Gender Equality and ask the Cabinet for its decision, after hearing the opinion of the Council for Gender Equality.

4. The Prime Minister shall announce the Basic Plan for Gender Equality without delay, when the Cabinet has made its decision in accordance with the preceding paragraph.

5. The preceding two paragraphs shall apply mutatis mutandis to changes of the Basic Plan for Gender Equality.

(Prefectural Plans for Gender Equality, etc.)

Article 14

1. Taking into consideration the Basic Plan for Gender Equality, the prefectures shall establish basic plans with regard to policies related to the promotion of formation of a Gender-equal Society within the areas of the prefectures (hereinafter referred to as "Prefectural Plans for Gender Equality").

2. Prefectural Plans for Gender Equality shall stipulate the following items:

(1) The outline of the policies which should be implemented comprehensively and over the long term related to promotion of formation of a Gender-equal Society within the areas of the prefectures.

(2) Besides the preceding item, matters required to comprehensively and systematically implement policies related to promotion of formation of a Gender-equal Society within the areas of the prefectures.

3. Taking into consideration the Basic Plan for Gender Equality and Prefectural Plans for Gender Equality, the municipalities shall make efforts to establish basic plans with regard to policies related to the promotion of formation of a Gender-equal Society within the areas of the municipalities (hereinafter referred to as "Municipal Plans for Gender Equality").

4. When the prefectures or the municipalities establish or modify their Prefectural Plans for Gender Equality, or their Municipal Plans for Gender Equality, they shall announce them without delay.

(Consideration in Formulation of Policies, etc.)

Article 15

When formulating and implementing policies recognized as influencing formation of a Gender-equal Society, the State and local governments shall consider formation of a Gender-equal Society.

(Measures to Increase Understanding of Citizens)

Article 16

The State and local governments shall take appropriate measures through public relations activities, etc., to increase understanding of citizens on the basic principles.

(Handling Complaints, etc.)
Article 17

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.

(Study and Research)
Article 18

The State shall make efforts to promote necessary study and research for the formulation of policies related to promotion of formation of a Gender-equal Society, including study and research for the effect of social systems and practices on formation of a Gender-equal Society.

(Measures for International Cooperation)
Article 19

To promote formation of a Gender-equal Society based on international cooperation, the State shall make efforts to take necessary measures for exchanges of information with foreign governments and international institutions, and the smooth promotion of international mutual cooperation related to formation of a Gender-equal Society.

(Support for Local Governments and Private Bodies)
Article 20

To support policies implemented by local governments related to promotion of formation of a Gender-equal Society and the activities taken by private bodies with regard to promotion of formation of a Gender-equal Society, the State shall make efforts to take necessary measures, including providing information.

Chapter 3 Council for Gender Equality

(Council for Gender Equality)
Article 21

1. There is hereby established a Council for Gender Equality (hereinafter referred to as the "Council") in the Prime Minister's Office.
2. The Council shall be in charge of the following tasks:
 - (1) To handle the tasks stipulated in Article 13 Paragraph 3 with regard to the Basic Plan for Gender Equality.

(2) In addition to the task referred to in the preceding item, to study and deliberate on basic and comprehensive policies and important matters with regard to promotion of formation of a Gender-equal Society in response to the consultation by the Prime Minister or other respective Ministers concerned.

3. The Council may submit its opinions to the Prime Minister or other respective Ministers concerned with regard to the matters stipulated in the preceding paragraph.

(Organization)
Article 22

1. The Council shall be composed of no more than 25 members.
2. Each number of women and men members of the Council may not fall below 40 percent of the total number of the members.

(Council Members)
Article 23

1. The Council members shall be appointed by the Prime Minister from among persons of learning and experience.
2. The Council members shall serve a term of two years. However, members who have stepped in as substitutes shall serve the amount of time remaining of the original member's term.
3. The Council members can be re-appointed.
4. The Council members shall serve on a part-time basis.

(Council Chairperson)
Article 24

1. The Council shall be headed by a Chairperson elected by the Council members from among the Council members.
2. The Chairperson shall preside over Council affairs and represent the Council.
3. When the Chairperson meets with an accident, a Council member designated beforehand by the Chairperson shall act as proxy Chairperson.

(Submission of Materials and Other Cooperation)
Article 25

1. The Council may seek necessary cooperation from the heads of related administrative institutions including the submission of materials, statements of views, and explanations where this is recognized as necessary in the Council's execution of its duties.

2. The Council may also seek necessary cooperation from persons other than those stipulated in the preceding paragraph, where this is recognized as especially necessary in the Council's execution of its duties.

(Stipulation by Cabinet Ordinance)
Article 26

Any necessary Council-related provisions which are not stipulated in this Chapter shall be stipulated by Cabinet ordinance.

Supplementary Provisions

(Date of Enforcement)
Article 1

This law shall enter into force on the day of promulgation.

(Abrogation of the Establishment Law of the Council for Gender Equality)
Article 2

The Establishment Law of the Council for Gender Equality (Law No. 7 of 1997) shall be abrogated.

(Transitional Measures)
Article 3

1. The Council for Gender Equality established under Article 1 of the Establishment Law of the Council for Gender Equality (hereinafter referred to as "the old Council Establishment Law"), which existed before the abrogation stipulated in the preceding article, shall become the body entitled Council for Gender Equality as established under Article 21 Paragraph 1, and shall continue to exist as the one and the same entity.

2. When this Basic Law enters into force, those members appointed to the Council under the provisions in Article 4 Paragraph 1 of the old Council Establishment Law shall be regarded as having been appointed as members of the Council for Gender Equality under the provisions of Article 23 Paragraph 1 as of the date this law enters into force. In this case, regardless of the provision in Article 23 Paragraph 2, the term of service for those persons considered to have been appointed as above shall be the same as the term remaining as of the date this law enters into force for those members appointed to the Council according to the provisions in Article 4 Paragraph 2 of the old Council Establishment Law.

3. When this Law enters into force, the Chairperson of the Council as determined in the provisions of Article 5 Paragraph 1 in the old Council Establishment Law, or the Council member designated in the provisions of Article 5 Paragraph 3, shall be stipulated as the Chairperson as of the date this law enters into force according to the provisions of Article 24 Paragraph 1 in the case of the former, or, in the case of the latter, be regarded as having been designated as the Council member carrying out the Chairperson's duties on behalf of the Chairperson under the provisions in Article 24 Paragraph 3.

(Partial Amendment of the Establishment Law of the Prime Minister's Office)
Article 4

The Establishment Law of the Prime Minister's Office (Law No. 127 of 1949) shall be partially amended as follows.

The following item shall be added after Article 4 (4):

(4-2) The draft of the Basic Plan for Gender Equality stipulated in Article 13 Paragraph 1 shall be formulated based on the provisions in Article 13 Paragraph 3 of the Basic Law for a Gender-equal Society (Law No. 78 of 1999).

The English language version of this law is a translation of an original document produced in Japanese. Any questions that may arise about the interpretation of the law shall be resolved with regard to the original Japanese document.