

Response from the Government of Japan  
to the questionnaire on the rights of older persons (A/RES/65/182)  
2011.3.31

<Question 1>

Please provide information on the current situation of the human rights of older persons, including particular challenges and threats that may prevent the full realization of their rights.

<Answer>

In Japan, it is considered very important to prevent elder abuse, in order to maintain the dignity of our older citizens. To that end, the “Elder Abuse Prevention and Caregiver Support Act” was introduced by a Diet member and approved in 2005, entering into force in April 2006. (<http://www.mhlw.go.jp/english/wp/wp-hw3/dl/Part02-05.pdf>)

<Question 2>

Please provide information on existing legislation, policies and programmes to protect and promote the human rights of older persons.

<Answer>

Following the implementation of this law, efforts have been undertaken at the municipal level for early detection of and response to elder abuse, including establishing contact points for reporting abuse and responding to consultations and reports on this issue.

The Human Rights Organs of the Ministry of Justice, having adopted the slogan "Develop respect for elderly persons" as one of the full-year key issues for their awareness-raising campaigns, are conducting awareness-raising activities throughout the year based on this slogan, including various events such as lectures and training programs focusing on issues related to the human rights of older persons.

The Human Rights Organs of the Ministry of Justice offer human rights counseling services for various human rights issues including those concerning older persons at permanent counseling offices established at the Legal Affairs Bureau, the District Legal Affairs Bureau and their branches (in approximately 320 locations throughout the country) and at designated counseling offices established at welfare facilities for older people and other locations.

When a suspected case of human rights infringement is encountered through human rights counseling or other sources, the Human Rights Organs investigate the matter as a case of human rights infringement and take appropriate measures to provide relief for

the victim.

<Question 3>

Please provide information on existing legislation, policies and programmes to address discrimination against older persons, including measures to address multiple discrimination (e.g. discrimination based on age and gender).

<Answer>

Article 10 of the Employment Countermeasures Act stipulates that employers shall provide equal opportunities with regard to the recruitment and employment of workers to all persons, regardless of their age, pursuant to the provisions of the Ordinances of the Ministry of Health, Labour and Welfare, in such cases as are designated by the Ministry of Health, Labour and Welfare or cases in which such undertaking is deemed to be necessary for the effective realization of the capacities of workers.

<Question 4>

Please provide information on existing legislation, policies or programmes to address violence and abuse against older persons in the private and public spheres.

<Answer>

Please refer to the answers to questions 1 and 2.

As for cases regarding violence and abuse against older persons, charges for all relevant crimes stipulated in the Penal Code (e.g., assault, injury, injury causing death, abandonment by a person responsible for protection, abandonment causing death, etc.) shall be applied, taking into account the particular circumstances and results of violence and abuse, and such cases are appropriately investigated and prosecuted.

<Question 5>

Please provide information on existing legislation, policies and programmes addressing old age-sensitive services and facilities, such as those related to mobility, age-adequate design, long-term care, primary health care and adult and continuous education.

<Answer>

In 2000, the Government of Japan established the Long-Term Care Insurance System. This system, which is based on the principle of cooperation and solidarity among citizens, is aimed at providing benefits for necessary health and medical services and public welfare services, so that people who are in need of long-term care due to disease or other impediments resulting from physical or emotional changes caused by aging are able to maintain their dignity and an independent daily life according to each person's

individual level of abilities.

Please refer to the following website for a summary of the Long-Term Care Insurance system.

<http://www.mhlw.go.jp/english/topics/elderly/care/>

<Question 6>

Please provide information on existing legislation, policies and programmes concerning social protection measures as well as right to work and right to social security with regard to older persons.

<Answer>

Please refer to the answers to questions 1,2,3, and 5.

<Question 7>

Please provide information on existing legislation, policies and programmes to systematically collect, update and analyze information disaggregated by age.

<Answer>

In order to obtain the information necessary for planning and implementing health, labour and welfare measures, the Government of Japan periodically collects information disaggregated by age through the Vital Statistics Survey, the Comprehensive Survey of Living Conditions, and other relevant surveys.

Please refer to following website for details.

<http://www.mhlw.go.jp/english/database/index.html>

<Question 8>

Please provide information on existing legislation, policies and programmes to enhance participation and engagement of older men and women in community, political and cultural life.

<Answer>

Silver Human Resource Centers offer community-based temporary, short-term or light work as well as voluntary activities to retired employees who are looking for opportunities to participate in society. (As of 31 March 2010, there were 1,332 centers with 790 thousand members.)

<Question 9>

Please provide information on existing legislation, policies and programmes to ensure access to justice mandates of institutions such as national human rights institutions to

address their rights.

<Answer>

The Japan Legal Support Center (Hou-Terasu (JLSC)) offers information regarding the use of systems for the resolution of disputes in accordance with judicial decisions or other laws as well as information pertaining to the professional activities of attorneys at law, legal professional corporations and related legal experts for the use of the public. It also offers free legal consultations and grants loans to cover the expenses of trials or the costs of lawyers and judicial scriveners for citizens including older persons having limited financial resources.