

An appeal for establishment of a UN convention  
on older persons

29<sup>th</sup> July 2014

Japan Support Centre for Activity and Research for Old People

5-48-5-504, Chuo, Nakano-ku, Tokyo, 164-0011, Japan

TEL&FAX 03-3384-6654

## **An appeal for establishment of a UN convention on older persons**

Mr Ban Ki-moon, Secretary-General of the United Nations

We, as a NGO called Japan Support Centre for Activity and Research for Old People, profoundly ask you, the United Nations, to establish an international convention on rights of old people in keeping with critical situation in Japan of guarantee of old people's human rights.

### I Critical situation in Japan of guarantee of human rights of older persons.

Amongst aging population combined with the diminishing number of children in Japan, old people's human rights have been violated and deprived by increasing and deepening poverty, the 2011 Tohoku earthquake and tsunami, the Fukushima nuclear disaster, and government's spending cuts on social security.

These situations have caused violation of not only the International Covenants on Human Rights (International Covenant on Civil and Political Rights, International Covenant on Economic, Social and Cultural Rights) established in 1966 and subsequently ratified by Japan, but also the UN Principles for Older Persons adopted in 1991.

Above all, the situations contravene articles of the Constitution of Japan that guarantees basic human rights.

Although the constitution safeguards dignity of humanity (article 13), right of residence according to self-determination (article 22), right to life and live, right for health (article 25), and right to work (article 27), these rights are violated and deprived.

Specific violation and deprivation of human rights are as follows. (Please see also attached materials.)

## 1 Accidents and incidents surrounding older persons

①Suicide rate of older persons are high, and most of them committed suicide because of pain of sickness.

②The numbers of murders or double suicides of older persons committed by their own family members are increasing.

③Quite a few older persons die of starvation, usually in isolation, and lonely deaths (called Kodokushi) are not rare. In particular, the number of cases in which older persons die with their family (their spouse, children, brothers or sisters) isolated from society is further increasing than that of lonely deaths of older persons alone.

④Although the anti-elder abuse law was enforced in 2006, both the number of abuses to older persons is increasing both in their own home by their family members and in caring facilities.

⑤Fatal accidents are increasing in authorised care facilities, which are supposed to be safe resident for older persons. For example, in Ishikawa prefecture an accidental homicide by a caring personnel occurred in a group home for older persons.

⑥Exploitation of older persons who receive public assistance, so-called "poverty-capitalising business," is prevalent. Japanese government, in a deplorable manner, tolerate and even encourage low-quality residence for older persons. An extreme case is an unreported private residential home in Shibukawa city, Gunma prefecture, in which ten old persons burned to death in accidental fire. Among the victims, six were recipients of public income support who had sent to the home from

Sumida-ku, Tokyo, and they were deprived of “right of residence” by the local government and consequently died.

⑦On 14<sup>th</sup> April 2014, NHK (Japan Broadcasting Corporation) reported that almost ten thousands older persons suffering from dementia are missing from home, and the finding ignited a controversy. Most of the missing persons are living alone.

## 2 Background of incidents and accidents

These incidents and accidents of human rights violation and deprivation surrounding older persons occurred fundamentally in the context of increasing and deepening poverty caused by unemployment, diseases, accidents and expansion of low-wage workforce (nowadays in Japan one in three workers are employed irregularly); nevertheless, they were, in many case, results of inefficient social security and welfare service , in particular, of inadequate public assistance administration.

Budgetary cutbacks and commercialisation of social security started in 1980s. In the beginning of the 21<sup>st</sup> century political measures such as the Long-term Care Insurance Act accelerated the process. The Social Security Reform Act established in 2012 even provides that social security is based on self-help, mutual-aid and public aid, but such a position mitigates and exempts responsibility of the national government towards social security.

Comparing with history of public assistance in Japan, it could be said that this country relapsed into the era before the second world war, or even into the era of the rule of charity for poor (Jutsukyu Kisoku) established in 1874. In other words, the article 25 of the Constitution was virtually amended by the subordinate legislation.

①Absence of guaranteed minimum pension and reduction of pension: In Japan, while basic pension to cover basic living cost has been introduced, guaranteed

minimum pension has not materialized. Under such situation, many people have to live with meagre pension (ranging from 40,000 to 50,000 yen a month) less than standard of public assistance. In 2013, even the standard was reduced by 2.4%. The reduction led to a record number (more than 120,000) of complaints filed by recipients.

②As for the care assurance for older persons, fixed amount out-of-pocket payment was introduced in 1983: After that, the out-of-pocket payment was changed to 10 percent fixed rate, and the government is now trying to increase the rate to 20 percent for some "late-stage elderly (Kouki Koureisha)".

③An act for assurance of community health and nursing care (established in 2014) severely rations provision of care. Due to the enforcement of the act, some people will have to pay 20 percent of cost as out-of-pocket payment, admission to nursing homes ("Toku-yo) will be restricted, additional provision of care will be tightened, and responsibility to provide elementary care will be transferred to municipalities from long-term care insurance.

④In the field of public assistance, in 2006 additional payment to old people was abolished and amount of assistance was reduced by almost 20 percent. In 2013, the standard of assistance was lowered by more than 10 percent, and the lowering will be conducted also in 2014 and 2015.

Lawsuits against the abolishment of the additional payment were filed in nine courts nationwide, and the number of requests for examination of lowering of the public income assistance standard reached almost 12,000.

⑤An amendment to the Public Assistant Act will be enforced in August 2014, accordingly, in the name of prevention of fraudulent receipt applicant's duty to work and their family members' obligation to support each other will be emphasised, and penalty will be strengthened.

⑥ Some people keep dying of starvation or in isolation as direct results of denial or abolishment of public assistance by local governments. Since more than 60 percent of the recipients of the assistance consisted from older persons-only household, older persons tend to be subjects of such administrative wrongdoing.

⑦ More than 60 percent of victims died in the Tohoku earthquake and tsunami on 11<sup>th</sup> March 2011 were older persons.

## II Necessity of a convention on older persons and our appeal to establish such a convention

In the context of such situations, it becomes much more important and a task of urgency to establish in the United Nation a convention on the rights of older persons in order to guarantee human rights of older persons in Japan. Japan has already ratified the International Covenants on Human Rights, the Convention on the Rights of the Child, the Convention on the Elimination of All Forms of Discrimination against Women, and the Convention on the Rights of Persons with Disabilities. Not only these conventions have had major impacts on Japanese legislature, administration and judiciary, but also they have contributed to development of assurance of human rights in Japan.

Such a convention on the rights of older persons is the last objective to achieve in the field of international guarantee of human rights for various people.

We sincerely ask you to establish the convention in order to advance further assurance of human rights of older persons and to give great strength and hope to older persons in Japan.

# ATTACHED MATERIALS

## Appendix: Human rights situation of older persons in Japan

I Suicide (Office for Policy of Suicide Prevention, Cabinet Office and Community Safety Planning Branch, Community Safety Bureau, National Police Agency, "Overview of Suicide in 2013," released on 13th March 2014)

1. Total Number: decreased 575 (2.1 percent) from the previous year, yet 27,283 people committed suicide in 2013, and among them 18,787 (68.9 percent) were male.

2. Suicides by age groups: the largest age group (4,716 cases, 17.3 percent) was persons in their 60s, the second largest (4,589 cases, 16.8 percent) was persons in their 40s, the third 4,484 cases, 16.4 percent) was in their 50s, and the fourth (3,785 cases, 13.9 percent) was in their 70s. One in three persons committed suicide was in their 60s or older.

3. Cause/motive of suicide: among suicides with apparent cause/motive, the most common cause/motive was "ill health" (13,680 cases.) The second major cause/motive was "financial and economic problems" (4,636 cases), the third was "family matters" (3,930 cases), and the fourth was "work/labour issues" (2,323 cases). As to persons in their 60s or older, most prominent cause/motive of suicides was "ill health."

II Abuses of older persons (Ministry of Health, Labour and Welfare, "Findings on responses and actions based on the Act on Prevention of Abuses of Older Persons and Support to Their Carers in 2012" released on 26<sup>th</sup> December 2013)

1. The number of Abuses: seven years have passed since the enforcement of the Act on Prevention of Abuses of Older Persons. Among acknowledged cases in 2013, 155 were committed by staff of care facilities or professional carers and 15,202 were committed by family members caring old age persons. While the former increased by



4 (2.6 percent) from the previous years, the latter decreased by 1,397 (8.4 percent). Among reported cases of abuses to municipality authorities, 736 cases were reported by staff of care facilities or professional carers and 23, 843 was by family members caring old age persons. It assumed that acknowledged cases were a tip of iceberg.

2. Perpetrators of abuses by age groups: while the largest group of perpetrators (3,859 persons, 22.7 percent) was in their 50s, the second largest (3,744 persons, 22.2 percent) was in the 70s or older. As to relation to victims, while most of the perpetrators in their 50s were old persons' sons (2,407 persons, 62.4 percent) or daughters (851 persons, 22.1 percent), the perpetrators in their 70s were victims' husbands (2,614 persons, 69.3 percent or wives (580 persons, 15.4 percent).

3. Usually perpetrators cohabit with victims: among all abuse cases, vast majority of perpetrators (13,505 persons, 86.5 percent) lived with their victims.

4. Generating factors of abuses: the most common factor was "disability or illness of perpetrators" (1,152 cases, 23.0 percent), the second was "fatigue or stress caused by caring" (1,1140 cases, 22.7 percent), and the third was "economic distress in their family" (826 cases, 16.5 percent). These factor sometimes led to murders or suicides.

5. It is apparent that insufficient social security and social welfare systems place heavy burdens of caring older persons onto the shoulders of their family, creating breeding ground of abuses. Family members, who bear responsibility of caring their own parents or husbands/wives, often suffer from their own illness or disability, and physical and mental pressure of caring tends to turn to a major cause of abuses. It could be said that so-called "elder-to-elder nursing(Ro-ro Kaigo)" and hollow idealism such as mutual aids by each family and community advocated by Japanese government were great factors fostering abuses.

III Murdering of older persons, suicides with family members: murdering of older persons by their family members and older persons' suicide with their family

continuously have happened. According to the National Police Agency, the reported number of older persons killed by family members who worn out from stress and strain of nursing reached 52 in 2009, 57 in 2010, 54 in 2011. Every year almost 300 cases of suicides of older persons with their family were reported. (Asahi Shinbun 9<sup>th</sup> July 2013)

IV Older persons who went missing (Community Safety Planning Branch, Community Safety Bureau, National Police Agency, "Overview of missing persons in 2013" released in June 2014)

In 2013, among all missing persons (83,948), 12.3 percent (10,322) were older persons suffering from dementia, and In 2013, among all missing older persons, 388 were found dead. (In the previous year, the number of missing older persons were 9,607.)

V Fatal accidents and incidents of older persons in caring facilities

Fatal fire and incidents at group homes

Fire

January 2006	"Yasuragi-no-sato," Omura, Nagasaki	Seven people died.
March 2013	"Mirai Tonden," Kita-ku, Sapporo	Seven people died.
February 2013	"Bell House	Five people died (One

	Higashiyamate," Nagasaki, Nagasaki	victim had lived in a housing quarter, and was not a resident of the facility)
--	---------------------------------------	--

#### Fatal incidents

February 2005	"Takamatsu," Kahoku, Ishikawa	Murder Victim: Female resident (84 years old)
July 2009	"Sukoyaka," Kitakata, Fukushima	Manslaughter Victim: Male resident (69 years old)

#### VI Died in Social Isolation.

The Ministry of Health, Labour and Welfare has never conducted a survey on the number of older persons who died in social isolation. In April 2011, the NLI Research Institute, a private think tank, published an estimate that each year 15,603 older persons die in isolation. It means that every day 42.7 older persons die.

#### VII Background/Cause

##### 1. Commercialisation of nursing care facilities and home nursing care

Among various nursing care service providers, "for-profit organisation (enterprise)" was the largest group in the fields such as home-visit nursing care, home-visit bathing care, outpatient day care, specified nursing facilities providing daily care, rental service of care equipment, sales of specified care equipment, routine/on-demand home-visit nursing care, night-time home-visit care,

multifunctional nursing care provided in small group homes, communal living care for dementia patients, community-based specified nursing facilities providing daily care, and complexed care service (Ministry of Health, Labour and Welfare, "Outlook of surveys on social welfare facilities in 2012").

Among home-visit nursing care providers, ration of for-profit enterprises exceeded 55 percent in 2008 (Ministry of Health, Labour and Welfare, "Outlook of surveys of nursing care providers and facilities in 2008"). As to designated providers of preventive nursing care (community general support centres), majority (51.6 percent) was the "social welfare organisation". On the other hands, as to home-care support service providers, the largest group (45.6 percent) was comprised of "for-profit organisations (enterprises)".

While only a small fraction (3.4 percent) of nursing homes was managed by private enterprises, vast majority (87.6 percent) private residential home for older persons belonged to organisations including for-profit entities.

The number of group homes for older persons suffering from dementia was 675 in the year 2000, and thereafter it increased rapidly to 10,497 in the year 2012, but 53 percent of the facilities were operated by private for-profit entities. Since nursing care in general is only covered partially by the Long-term Care Insurance, it is virtually impossible for poor older persons to move into and live in such group homes.

As to housing for older persons with supporting services (HSS), only 30 buildings (994 rooms) were registered in November 2011, but the number increased rapidly to 4,714 buildings (151, 667 rooms) in June 2014.

Regulation on the HSS was introduced in 2011. Owners of the HSSs is recommended to register officially to local governments or other authorities. Guidance and inspection to HSSs are conducted by authorities. Since registration of the HSSs, which is valid only for five years, is not required by legislation, some owners do not register in order to avoid official inspections. Average monthly rent of

a HSS is 61,942 yen and HSSs are “basically for middle-income older persons,” so such a situation as low-income persons or public assistance recipients live in the housings is not supposed. As a result, “suspicious facilities” (“unregistered” and “out-of-law” facilities) such as “Seiyo-home Tamayura,” which were notorious for their quite inferior accommodation, are allowed to exist, and they turn to breeding ground of numerous older persons’ human rights violation.

For example, the number of facilities established without legal basis on social welfare legislation were 1,314, and in total 16,614 persons lived in such places. These numbers, however, only reflects situation over public assistance recipients.

There were following extremely inadequate cases of HSSs, which attracted attention of the Ministry of Health, Labour and Welfare: 1) a owner converted a company dormitory to a HSS and privacy of its residents were scarcely kept only by thin partition boards; 2) a service provider made homeless persons live in apartments in order to make them receive public assistance, and impose unfair fee for the poor services upon residents; 3) an owner of a facility confiscated bank books from residents, so the residents forced to live with meagre income of around 30,000 yen a month (according to a document published by Government Revitalisation Unit, Cabinet Office on 17<sup>th</sup> January 2012).

Many older persons cannot be admitted to public care facilities such as special nursing homes for the elderly (Tokubetu·Yogo Rojin·Home) and group homes since they are almost filled to capacity. As to private residential home for older persons, many people cannot move into them because of their expensive fees. Many older persons who have nowhere to go are forced to live in mean places such as renovated houses and multi-tenant building. In those places, living rooms are usually large, often shared by men and women, and there is no privacy at all. It is not unusual that only one staff is in charge of care for residents at night. Those rooms sometimes give offensive smell because of lack of proper hygiene management. Older persons pay 800 yen a day for such inferior accommodations. It could be said that greed service providers exploit poor older persons.

These preposterous practices exploiting the poor are hardly punished or virtually tolerated by authorities.

## 2. Low-level personnel allocation

Although poor equipping in the caring facilities or older persons' houses, such as lack of water sprinklers for extinguishments, are often singled out as a cause of fatal accidents, fundamental cause lies in low-level personnel allocation in nursing care overall. A fatal incident occurred at a group home in Kahoku, Ishikawa symbolises the problem: in the home a night-time staff alone was in the care of 18 residents, and the 2006 ruling of Nagoya Court of Appeal on the case pointed out the insufficient personnel allocation in both quality and quantity at the facility.

We call for the Eradication of Poverty and Inequality in older Persons

# Humanly Life is Possible on Winning the Human Rights Lawsuit

10<sup>th</sup> July 2014

National Association for Supporting Human Rights Lawsuit

Kato Building 3F  
5-12-5, Shinjuku, Shinjuku-ku, Tokyo,  
160-0022 Japan

Tel 81-3-3354-7431

Fax 81-3-3354-7435

E-mail : [seizon25@onyx.ocn.ne.jp](mailto:seizon25@onyx.ocn.ne.jp)

In Japan, the aim of public assistance system is to "provides necessary protection, guaranteeing the minimum standards of livelihood and promote the independence," based on the Article 25 of the constitution which provides that "All people should have the right to maintain the minimum standards of wholesome and cultured living."

The government, however, made a reduction and abolished the additional allowance in April in 2004. Against this abolishment, the class action lawsuits have been filed in nine prefectures (Aomori, Akita, Nigata, Tokyo, Kyoto, Hyogo, Hiroshima, Fukuoka and Kumamoto) and 130 people have become plaintiffs of the cases.

Meanwhile the complainants have made strong appeals speaking up about their strenuous lives and peoples' support have expanded. There also occurred the change of the government In Autumn 2009. Because of these changes of the political situation, the additional allowance for the mother-and-child families was restored in December 2009 and the complainants made a basic mutual agreement with the Government in April 2010. The additional allowance for the old people with public assistance, however, was not restored.

The additional old-age allowance, provided for the old people age 70 and over who receive the public assistance, is not a mere additional allowance. The Government itself acknowledged "special necessity" of older persons because they "need special food of good quality, nourishing and digestive, because of weakened chewing power, compared to the people of other age group." Therefore the Government provided it for as long as forty-five years, acknowledging that the allowance was necessary to fulfill the minimum standards of wholesome and cultured living for older persons

The old people's families which were cut off the additional allowance now receive public assistance reduced by 20 percent, so that the situation is very serious. They can't take three meals a day, they are taking ill-balanced nourishment, they have never bought clothes and shoes for years, they can't live in sanitary houses, they are likely to stay home going nowhere, they have poor health, they cannot take part in communities' events like weddings and funerals and therefore, they are likely to be isolated socially.

Furthermore, the reduction of the standard of public assistance due to political measures such as cutting off the additional allowance is connected with the reduction of the standard applicable to minimum wages, taxable amount of pension, with the standard applicable to educational assistance, and consequently with the national levels of people's lives.

So far, 8 district courts, 6 appeal courts and the Supreme Court (twice) have decided on the cases, but the plaintiffs of the lawsuits have lost all cases except one at the Fukuoka Appeal Courts.

Regardless of the unfair judgments the plaintiffs have not despaired, saying, "We keep on fighting until we win or we die." Average age of them, however, approaches to 80 and the number of the plaintiffs decreased to 66 as of July 2014 because some of them died in these years.

The plaintiffs and the National Association supporting them have asked courts to protect human rights of older persons, to guarantee their rights to maintain wholesome and cultured living, and, to ensure dignified treatment of them, arguing as follow:



①Abolishment of the additional old-age allowance of the public assistance violates the article 11 of the International Covenant on Economic, Social and Cultural Rights

②The Abolishment contravenes recommendation issued by the Committee on Economic, Social and Cultural Rights to Japanese government.

The final comment, made by the Committee on 17<sup>th</sup> May 2013, noted with concern that “significant cuts to budget allocations for social assistance have negatively impacted the enjoyment of economic and social rights, in particular for disadvantaged and marginalised groups of the population.” (Article 9)

The Committee was also concerned “at the incidence of poverty among older persons in the State party, especially among those who do not receive pensions and low-income pensioners,” and particularly “concerned that poverty affects primarily older women whose pension contribution did not meet the eligibility criteria and that stigma discourages older persons from applying for public welfare benefits.” It is notable that the Committee expressed further concern over “the changes introduced in the Act on Partial Revision of the National Pension Act to Support Securing of Income for Those Later in Life through National Pension and Corporate Pension (E/C.12/JPN/CO/36) leave many older persons without pension benefits.” (Art. 9)

In addition, the Committee reiterated “previous recommendation calling on the State party to introduce a minimum guaranteed pension in the national pension system. The Committee also calls on the State party to take measures to simplify the procedures for applying for public welfare benefits and to ensure that applicants are treated with dignity,” and “also recommends that the State party educate the population with a view to eliminate the stigma attached to public welfare benefits. (Art.22)

③The abolishment violates the first clause of the Article 25 of the Constitution.

The first clause provides that "All people should have the right to maintain the minimum standards of wholesome and cultured living." The abolishment deprives older persons of the right to maintain wholesome and cultured living

④The abolishment violates the second clause of the Article 25 of the Constitution.

The second clause provides that “In all spheres of life, the State shall use its endeavours for the promotion and extension of social welfare and security, and of public health.” The abolishment reduces significantly the standard of public assistance and amounts to negligence of the state’s duty for “the promotion and extension.”

⑤The abolishment violates the article 1 and 3 of the Livelihood Protection Act.

The article 1 of the Livelihood Protection Act provides that the legislation was based on the principle prescribed in the article 25 of the Constitution and “The purpose of this Act is for the State to guarantee a minimum standard of living as well as to promote self-support for all citizens who are in living in poverty by providing the necessary public assistance according to the level of poverty.” The article 3 provides that the minimum standard “shall be where a person is able to maintain a wholesome and cultured standard of living.”

Amongst nation-widely deepening Poverty and expanding disparity, the class actions for restoration of the additional old-age allowance are nor only lawsuits demanding guarantee older persons’ human rights but also struggles to pursuit human life for all people. The actions represent great significance in Japan and worldwide.

If the United Nations adopted a convention on the rights of older persons, the convention will have major impacts on Japanese legislature, administration and judiciary and it will persuade courts in Japan to make fair decision to promote old persons’ human rights.

We sincerely ask you, the United Nations, again to establish such a convention.

## Information note from Japan Pensioners' Union

July 2014, Tokyo

Executive summary of the ILO “**World Social Protection Report 2013/14**” issued in June 2014 states the present world pension situation under the subheading of “Old-age pensions: A state responsibility,” which is as follows:

*“The right to income security in old age, as grounded in human rights instruments and international labour standards, includes the right to an adequate pension. However, nearly half (48 per cent) of all people over pensionable age do not receive a pension. For many of those who do receive a pension, pension levels are not adequate. As a result, the majority of the world's older women and men have no income security, have no right to retire and have to continue working as long as they can - often badly paid and in precarious conditions. Under existing laws and regulations, only 42 per cent of people of working age today can expect to receive social security pensions in the future, and effective coverage is expected to be even lower. This gap will have to be filled also by an expansion of non-contributory provisions.*

*“At the same time, countries undertaking fiscal consolidation are reforming their pension systems to make cost savings, by such means as raising the retirement age, reducing benefits and increasing contribution rates. These adjustments are reducing state responsibility for guaranteeing income security in old age and shifting large parts of the economic risks associated with pension provision on to individuals, thereby undermining the adequacy of pension systems and reducing their ability to prevent poverty in old age. Future pensioners will receive lower pensions in at least 14 countries of Europe.”*

Description of the report gets to the point and fits most Japanese people over pensionable age. In case of Japan, however, the situation is more merciless because the country has not a minimum pension system with no-contributory provisions despite that the UN Committee on Social, Economic and Cultural Rights has repeatedly made recommendations to the Japanese government to do introduce it.

## **JAPAN: Endless reduction of pension benefits and people's objection**

### **Is 2.5% cut-down of pension reasonable?**

Public pension recipients in Japan are 39.42 million as of December 2013. Their pensions are now on the way of reduction by 2.5% in three years: minus 1% from October 2013, same from April 2014 and 0.5% from April 2015. The reason for that was the pension was not reduced exceptionally despite the consumer prices had reduced in the period from 1999 to 2001, the Government has explained. This is unjust reduction failing to give due consideration to the living of the old-aged.

We, Japan Pensioners' Union, in December 2013 launched an unprecedented campaign of 100,000-pensioner application for reviewing the administrative disposition of 1% reduction of pension benefit, and succeeded it organizing 126,641 applications! This is a clear expression of strong anger among broader pensioners and elderly people.

### **The Government rejects the right to income security in old age, including the right to an adequate pension**

"Fairness between generations" is the government's favorite phrase, but future pensioners will receive also lower pensions. The pension reduction will not be over with the 2.5% reduction, but continue to lower the old-age pension by introducing unfair devices called macroeconomics slide. This is a mechanism that will curtail the pension for certain period in accordance with the progress of declining birthrate and aging, i.e., to curtail future pension benefit increases around 0.2%, an amount calculated by taking the annual rate of increase in real wages (1.3%) and subtracting amounts equivalent to the decrease in the labor force (0.6%) and the increase in average life expectancy (0.3%). The macroeconomic slide will also be applied to price indexing of existing pensions, allowing a drop in actual pension benefits if prices decline.

### **Increasing poverty in the aged**

Nearly half of the whole pensioners receive less than 100,000 yen a month. Those who receive only basic pension are 10.47 pensioners, of which average monthly benefit stands at 50,000 yen, and their widest bracket get 30,000 to 40,000 yen. In particular, old women, many of whom are living alone with low pension, are forced to live in severe conditions.

UN Committee on Economic, Social and Cultural Rights met in 29 April-17 May 2013 has made public its concluding observations on the third periodic report of Japanese government. It expresses its concern about “the incidence of poverty among older persons in the State party, especially among those who do not receive pensions and low-income pensioners. The Committee is particularly concerned that poverty affects primarily older women whose pension contribution did not meet the eligibility criteria and that stigma discourages older persons from applying for public welfare benefits.” The Committee also “reiterates its previous recommendation calling on the State party to introduce a minimum guaranteed pension in the national pension system.

### **For a world common practice in Japan too**

We are making utmost effort to create a larger and intensified campaign for the end of pension reduction and scrapping “macroeconomics slid” mechanism and for the establishment of a minimum guaranteed pension system.

H.E. Mr. Ban Ki-moon

Secretary-General

United Nations

## **Japan Support Centre for Activity and Research for Old People**

All Japan Construction, Transport and General Workers  
Union(KENKOUROU)

### The state of employment and job offering for aged people in Japan

As of 2012, the population over 65-years-old is 30 million (13.18 million male and 17.62 million female) in Japan. It is estimated that it will reach to 34.62 million in 2060. At that time, 26.9% of the population will be over 75-years-old, which means Japan will be super aged society with more than quarter of the people are over 75<sup>i</sup>.

The Japanese government and the business promote to make use of aged people and women in precarious employment and even volunteer work, as mid and long term strategy to supplement labor shortage due to population decline.

In 2013, legal retirement age was changed to 65. However, many aged workers experienced dismissal before that age or precarious employment, under the name of redundancy of surplus in labor force particularly in big companies. They have to

work in low-wage precarious employment to fill the gap between retirement age and already poor pension eligible age.

There are strong demands by healthy and capable aged workforce, but the government drives them into low-wage, no OSH insurance and no pension precarious employment as a policy for motivation for life, not as employment policy. In fact, there is almost no stable and secured job for them.

We demand the government to create a public policy project for employment. Also, it is necessary to provide support and subsidy for independent organization promoting employment for aged. It should be noted that this issue is not limited to aged, but also for young unemployed. We do believe that employment is the rights for aged, and it is one of the protections of human rights.

---

<sup>i</sup> It is based on the Cabinet Office, Government of Japan: Annual Report on the Aging Society: 2013