



## **FACTS AND RECOMMENDATIONS ON WOMEN IN DISASTER-AFFECTED AREAS AND LGBT PEOPLE**

by ICESCR GENDER REPORT PROJECT / JAPAN and GAY JAPAN NEWS

### **RECOMMENDATION**

**The amount of the disaster-related benefits should be calculated on and paid to individuals in line with gender equality. Not depending on the deceased's annual income, not on the fact if she/he was a head of the household or not to heads of the households.**

### **FACTS**

- Disaster Condolence Allowance are paid to spouse (including spouse in marriage de facto,) child, parents, grandchild or grandparents and siblings of the deceased who shared living expenses on the basis of the Article 2(3) of the Act for the Payment of Solatia for Disaster and amounts are decided based on the subsequent government ordinance cabinet order of the Act.
- 5 million yen was paid when the deceased was a head of the household while the amount was 2.5 million yen for the deceased who were other family members. Spouses with annual income of 1.03 million yen who lost their partners were not entitled to the full allowance. This means that the government ordinance cabinet order of the Act treats people unequally depending on who the breadwinner was and who was not
- The allowance was paid to heads of the households which men account for 76.9%<sup>1</sup> of all households in Japan.

### **RECOMMENDATION**

**At least 30% of the members of the post-disaster reconstruction policymaking bodies at national, prefectural and municipal levels should be women and people of the vulnerable groups.**

### **FACTS**

- In post-disaster rebuilding committees in 43 municipalities in disaster-affected areas, there are 84 women among 751 committee members and there are no women in nine municipalities as of April 2012.
- At a prefectural level, there are two out of 19 committee members in Iwate Prefecture, one out of twelve in Miyagi Prefecture and one out of 23 in Fukushima Prefecture.

### **RECOMMENDATION**

**Amend existing discriminatory laws so that LGBT people can enjoy equal access to housing and social security benefits. Enact anti-discrimination legislation prohibiting discrimination on the basis of sexual orientation and gender identity in employment, housing, social security, health services and education.**

### **FACTS**

- Municipalities maintain the substantive exclusion of same-sex couples from public renting.
- Temporary housing built in municipalities which were affected by the Great East Japan was limited to "household." Same-sex partners were excluded from receiving disaster condolences when one lost his/her partner because Japan does not recognize same-sex partnership.
- Law concerning Special Provisions for Handling People with Gender Identity Disorder (GID) requires transgender people who wish to change their legal gender to undergo major surgical interventions, including genital surgery and sterilization.

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<sup>1</sup> Annual Population and Social Security Surveys (The National Survey on Household Changes.)  
The National Institute of Population and Social Security Research. June 2009.