Discrimination Against Women in the People's Republic of China and Japan: A Comparative Analysis of the Implementation of the Beijing Platform for Action 1995–2010

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Abstract

This paper comparatively examines steps taken to further gender equality and end discrimination against women by Japan and the People's Republic of China (PRC) between 1995 and 2010. The theoretical framework is set by the Beijing Platform for Action, adopted at the United Nations "Fourth World Conference on Women" in 1995, which sought to encompass the full scope of discrimination against women in twelve critical areas of concern. Although universally agreed upon, the platform is not legally binding, which limits its applicability and impact in practice. The results of this analysis show that both states pursued a very similar approach in the implementation of the platform: they developed ambitious national plans and revised domestic laws while failing to address the root causes for gender-based discrimination. Both seem to have understood the document as a non-exhaustive list of suggested priority areas and have addressed important issues insufficiently or not at all. There is a lack of political will, which seems to partially result from cultural stereotypes common to both states. As a result, most women in the PRC and Japan have not benefitted from the selective measures taken in the framework of the platform's national implementation and continue to face discrimination.

Keywords: discrimination against women, Japan, China, Beijing Platform for Action, women's rights

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Introduction

As many as one in every three women worldwide has been beaten, coerced into sex, or abused in some other way—most often by someone she knows, including by her husband or another male family member; women aged 15–44 are more at risk of rape and domestic violence than of cancer, car accidents, war, and malaria combined. Violence against women has been called “the most pervasive yet least recognised human rights abuse in the world” and is inextricably linked to gender-based inequalities. Women continue to be under-represented in politics and at decision-making levels, are being discriminated on the job market, are being paid less than their male peers for the same job, and have to struggle with negative gender stereotypes (UNFPA 2012; Japan NGO Committee for CEDAW 2009).

Japan and the People’s Republic of China have both seen significant political change in the course of the 20th century. The Cultural Revolution (1966–1976) and Mao Zédōng’s (毛澤東) communist regime (1945–1976) promised China’s women ‘half of the sky’. The principle of gender equality is enshrined in the PRC’s Constitution as well as in the statute of the Communist Party (Lipinsky 2006a). Similarly, Japan’s pacifist, democratic Constitution of 1947 grants equal rights and status to women and men (verfassungen.net 2012b).

Nevertheless, both states show social structures characterised by patriarchal gender roles, which are partially rooted in Confucian morals that assign fixed roles to men and women, defining women’s social status as inferior to their father’s, husband’s, and son’s. This mindset is illustrated by the following Confucian saying:

When a son is born/ Let him sleep on the bed/ Clothe him with fine clothes/ And give him jade to play [...] When a daughter is born/ Let her sleep on the ground/ Wrap her in common wrappings/ And give her broken tiles to play [...] (Baculinao 2004).

Japan and the PRC have both signed and ratified the United Nations (UN) Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) and have therefore made a legally binding pledge to put an end to discrimination against women. Furthermore, the UN consensually adopted the Beijing Declaration and Platform for Action in 1995, a comprehensive document condemning discrimination against women and expressing commitment to end it. The platform seeks to encompass the full scope of discrimination against women in twelve critical areas of concern, provides strategic objectives, and suggests concrete measures (Lipinsky 2008, 2009; Human Rights Solidarity 2001; UNTC 2013).

This study takes a methodological approach to examine discrimination against women in the PRC and Japan, measuring it against the comprehensive framework provided by the Beijing Platform for Action. It compares respective efforts made to implement the platform between 1995 and 2010, taking into account the different political backgrounds as well as cultural similarities. The timeframe is marked by

the adoption of the platform in 1995 and its 15th anniversary and international review in 2010.

The research questions guiding this paper will be the following: *How are Japan and China implementing the Beijing Platform for Action and are there similarities? Did the different political systems influence the way the platform was implemented?* The underlying hypothesis assumes that despite the obvious political disparities, Japan and China face equal challenges in implementing the platform. I suspect that both states subject to this study share a patriarchal cultural background that can be, at least partially, attributed to Neo-Confucian morals; this background hampers efforts to empower women and realise a gender-equal society.

To find answers to these questions and verify/falsify the hypothesis, this study will first give a very short overview of the respective political systems and present the contents of the Beijing Platform for Action. Subsequently, it will examine steps taken by the PRC and Japan to implement the platform in twelve chapters reflecting the twelve critical areas of concern listed in the document. In a final analysis it will then compare the two case studies and draw conclusions.

This paper is largely based on country reports submitted to the Committee on the Elimination of Violence Against Women, i.e. the UN treaty body monitoring the implementation of CEDAW; country reports submitted in the framework of international Beijing review processes; reports and recommendations issued in response to these country reports; as well as shadow reports published by non-governmental organisations (NGOs). Scientific literature on the reception and implementation of the Beijing Platform for Action in Japan and China is rather scarce. In fact, the Beijing Platform for Action does not seem to be widely known outside the UN context. In the case of China, Astrid Lipinsky has published a number of articles on China's implementation efforts. However, she seems to be a pioneer. Accordingly, her publications feature prominently among the references. Other authors such as Guo Xiajuan and Zheng Yongnian (2008), Zhao Jing and Wenbin Hu (2007), and Bu Wei (2005) focus on women's rights in China more broadly. For Japan, Nakano Mami and Yatagawa Tomoe (2008), Meguro Yoriko (2001), Fujiwara Chisa (2009) and Andou Yuki (2004) have conducted valuable research on discrimination against women in Japan. Nevertheless, none of them show a particular focus on the Beijing Platform for Action in their work.

Theory and methods

Trying to define such a broad concept as 'discrimination', one encounters various difficulties. In fact, there does not seem to be a universally recognised definition. Consequently, international human rights documents tend to provide somewhat

narrower explanations in the first few paragraphs, depending on the subject matter. CEDAW defines the term ‘discrimination against women’ as

any distinction, exclusion or restriction made on the basis of sex which has the effect or purpose of impairing or nullifying the recognition, enjoyment or exercise by women, irrespective of their marital status, on a basis of equality of men and women, of human rights and fundamental freedoms in the political, economic, social, cultural, civil or any other field (CEDAW 1981).

This definition is apt for the purposes of the present study and any references to ‘discrimination against women’ hereinafter are to be understood accordingly.

In recent years, there have been a number of attempts to measure the degree of discrimination and allow for comparative examination. The UN Development Programme (UNDP) has come up with the Gender-related Development Index as well as the Gender Empowerment Measure, and more recently with the updated Gender Inequality Index, which seeks to combine both of the latter (UNDP 2013). The World Economic Forum has developed the Gender Gap Index, which is used in their annual “Global Gender Gap Report” (WEF 2013). In another attempt to measure gender-related inequalities, the Organisation for Economic Cooperation and Development presented its Social Institutions and Gender Index (OECD 2013). However, all of these indices show a focus on the linkages between discrimination and development, which made them unsuitable for the purpose of this study.

A more comprehensive list of the multiple levels of discrimination against women can be found in the Beijing Platform for Action (Beijing Platform for Action 1995). Furthermore, since the adoption of the platform in 1995, states have reported on the implementation of the platform in the framework of various international, regional, and national review processes. These country reports, combined with the progress reports states’ parties must regularly submit to CEDAW according to the convention, allow for a direct comparison of measures undertaken to tackle gender discrimination and implement the Beijing Platform for Action (UNTC 2013). Against this background, the platform will serve as the theoretical framework of the following analysis.

Political systems

China

The PRC commonly refers to itself as a socialist country (Lipinsky 2009). However, the Chinese mainland has de facto been a communist state ruled by the Chinese Communist Party (CCP) ever since the victory of Máo’s communist forces in 1949. The CCP does not tolerate any independently organised and established political

parties, effectively making the PRC a one-party state. The party authorises other minor political parties to exist and operate, but these remain under its leadership and are effectively powerless. The PRC's Constitution of 1981 is officially considered the highest law in the country and lays out a series of universally accepted principles, some of which suffer in implementation. Among noted examples are provisions setting up the relatively acquiescent, 3,000-member National People's Congress as the 'highest organ of state power'. In practice, the political power in the PRC lies with two vertically integrated, interlocking institutions: the CCP, headed by the Party Politburo and its Standing Committee; and the state government apparatus, managed by the State Council, a *de facto* cabinet headed by the premier. Party and government structures closely parallel one another, with representatives present not only in government agencies, but moreover in almost all organisations and institutions, including academia and the private sector. Control of the CCP collectively lies with its Standing Committee, whilst the general secretary is its nominal leader (verfassungen.net 2012a; Dumbaugh and Martin 2009).

Another key institution in Chinese politics is the People's Liberation Army (PLA). The distinction between civilian and military leadership is rather opaque and military policy and decisions again fall under the responsibility of both the state government and the CCP. The Central Military Commission, the organ exercising command and control over the PLA, is chaired by the party general secretary, demonstrating that leadership of the military is a party prerogative (china.org.cn 2014).

The complex diffusion of political power between the party and government can make it difficult to determine who has authority to set and/or implement specific policies. In addition, a growing dominance of economic players, a proliferation of research groups, and other actors in the political system pose further challenges when trying to retrace decision-making processes. Officially, the Politburo is the chief political decision-making body. Its relatively unwieldy size (the party's approximately two dozen most powerful senior members) and its lack of a known formalised meeting schedule have however suggested that the full body is involved in decision-making only when considering major policy shifts, dealing with matters of immediate urgency, or when a higher level of legitimisation is necessary. In addition, factional and bureaucratic politics are still a potent force in behind-the-scenes manoeuvring, contributing to the fluid nature of decision-making processes in the PRC and making it highly unpredictable to outsiders; there are also certain hierarchies among those involved in decision-making that contribute to the complexity of the process (china.org.cn 2014; Dumbaugh and Martin 2009).

Chinese politics is further complicated by other factors: due to the absence of a more formalised institutional infrastructure, personal affiliations play an important role in political decision-making processes, making them also more unpredictable. Finally, discipline between the different levels of party and government structure

can be tenuous, which often results in ineffective implementation of policies and a certain prevalence of corruption.

Regardless of these structural ambiguities, the PRC's Communist Party-led political system has proven very resilient to challenges. The CCP's firm commitment to remaining in power has on numerous occasions been illustrated by the party's readiness to make incremental compromises with other participants in the political process when it is pragmatic to do so (Dumbaugh and Martin 2009).

Japan

Since the end of World War 2 and the adoption of its pacifist Constitution of 1947, Japan has been a democratic, constitutional monarchy with a parliamentary government, headed by a prime minister. Japan maintains an Imperial Family with the Emperor being 'the symbol of the State and unity of the people' (Web Japan 2014), but his de facto power is largely limited to serving as a ceremonial figurehead (Department of Foreign Affairs and Trade 2014; *verfassungen.net* 2012b).

Japan's parliament, the Diet, is comprised of a House of Representatives (Lower House) and a House of Councillors (Upper House). The Lower House has 480 members who are elected for four-year terms, although political conditions frequently see the House dissolved earlier. The Upper House consists of 242 members who are elected for six-year terms (Vogel 2014).

Executive power in Japan is vested in the Cabinet, comprised of the prime minister—selected from among members of parliament through a vote by both houses of the Diet—and ministers of state. The prime minister reports to the Diet on domestic and foreign issues, submits bills to the Diet, and has the responsibility of supervising and controlling administration. Although the Japanese Constitution specifies that the majority of Cabinet members must be elected members of parliament, the prime minister can appoint non-politicians to the Cabinet and as special ministers of state. There is no term limit for prime ministers (Department of Foreign Affairs and Trade 2014).

Traditionally the Japanese political system has been dominated by one party, the conservative Liberal Democratic Party (LDP). Since its founding in 1955, it has almost always been in power, with only two brief interruptions: a short-lived coalition government formed from opposition parties for 11 months in 1993 and the recent three-year period between August 2009 and December 2012 under the rule of the social liberal Democratic Party of Japan (DPJ). In the election of December 2012, the LDP regained the majority in a landslide victory. The DPJ is the main opposition party and was formed in 1998 from a merger of four previously independent parties that were opposed to the ruling LDP. Another party that should be

mentioned in this brief overview is the New Kōmeitō (公明党), which usually allies itself with the LDP (Web Japan 2014).

The dominance of the LDP has profoundly shaped the nature of politics in Japan. Given the fact that for a long time there was effectively no scope for changing the party in power, conflicts have been more within the LDP rather than between political parties. This resulted in the establishment of an elaborate and all-pervasive system of factions within the LDP. These factions are generally based on individuals as much as on policies. In comparison, the DPJ does have some factions or 'groups', as they are more commonly called, but the party is not nearly as factionalised as the LDP (Department of Foreign Affairs and Trade 2014).

Power in Japanese society is often perceived to be wielded less by politicians and more by civil servants and industrialists. This triumvirate of politicians, bureaucrats, and big business is known as the 'Iron Triangle'. Some observers felt that the power shift of August 2009 had fundamentally changed things, but the return of the LDP seems to have brought the Japanese political system back to its historic norm (Vogel 2014).

Another notable feature of Japanese politics is the influence of family connections. Many of the members of parliament are the child or grandchild of former (usually LDP) members of the Diet (*ibid.*).

The Beijing Platform for Action

In 1995, the UN convened "The Fourth World Conference on Women: Action for Equality, Development and Peace", attracting representatives of 189 governments and 1200 NGOs (IMOW 2012). The outcome document of the conference, consensually adopted by the 189 governments present, including the PRC and Japan, was the Beijing Declaration, containing the Platform for Action. In Article I, the platform states that it aims at empowering women and

[...] removing all obstacles to women's active participation in all spheres of public and private life through a full and equal share in economic, social, cultural and political decision-making (Beijing Platform for Action 1995).

It further underscores that

equality between women and men is a matter of human rights and a condition for social justice and is also a necessary and fundamental prerequisite for equality, development and peace (*ibid.*).

Moreover, it emphasises that 'a sustained long-term commitment is essential' (*ibid.*).

The document lays out twelve critical areas of concern in an attempt to comprehensively address all levels of discrimination against women. It appeals to govern-

ments, the UN system, as well as civil society and provides them with strategic objectives and incentives for concrete steps that need to be undertaken for each of the twelve critical areas of concern. The primary responsibility for implementation, however, lies with national governments. The Declaration and Platform for Action are not legally binding and do not provide a means for enforcement or for redress of wrongs. However, by adopting the Declaration and Platform for Action, states have pledged to develop policies and action plans for national implementation and to regularly report on their progress in voluntary review processes. In addition, civil society organisations may submit shadow reports (*ibid.*).

Categories of analysis

The Beijing Platform for Action sets out the following twelve critical areas of concern, which will be used as categories of analysis in this study (Beijing Platform for Action 1995; The Advocates for Human Rights 1996).

1. Women and poverty: The majority of the one billion plus people who live in poverty are female. Hence, macroeconomic policies focussing on the formal economic sector should be updated and reformulated to more adequately address women's needs. The number of women living in poverty has in fact increased disproportionately over the past decade, particularly in developing countries. The feminisation of poverty can be attributed to women's limited access to power, education, and resources; the rigidity of socially ascribed gender roles and stereotypes; and the disproportionate burden of labour that women tend to bear. Policies designed to eradicate poverty need to include a gender perspective. The *strategic objectives* under this first critical area of concern urge all relevant actors to: (a) review, adopt, and maintain macroeconomic policies and development strategies that address the needs and efforts of women in poverty; (b) revise laws and administrative practices to ensure women's equal rights and access to economic resources; (c) provide women with access to savings and credit mechanisms and institutions; and (d) develop gender-based methodologies and conduct research to address the feminisation of poverty.
2. Education and training for women: Education is a human right and a prerequisite for the achievement of equality, development, and peace. Ensuring women's literacy will improve their health, nutrition, and education and enable them to participate fully at all levels of decision-making. However, more than 60 million girls remain without access to primary education. Women make up for more than two-thirds of the world's illiterate adults. Customary attitudes, inadequate and gender-biased teaching and educational

material, sexual harassment, early marriages and pregnancies, a lack of accessible schools, as well as insufficient resources are the main reasons for discrimination in girls' access to education. The *strategic objectives* in this section encourage governments, national, international, and regional bodies, and NGOs as well as all relevant actors to: (a) ensure equal access to education; (b) eradicate illiteracy among women; (c) improve women's access to vocational training, science, technology, and continuing education; (d) develop non-discriminatory education and training; (e) allocate sufficient resources for and monitor the implementation of educational reform; and (f) promote lifelong education and training for girls and women.

3. **Women and health:** Women have the right to enjoy the highest attainable standard of physical and mental health. This is crucial to women's lives and well-being as well as to their ability to participate in all areas of public and private life. Inequality constitutes a major barrier for women and prevents them from achieving this right. Poverty, violence, discrimination, negative attitudes towards women and girls, lack of access to health services, inadequate research on women's health, the limited power many women have over their sexual and reproductive lives, and the lack of influence in decision-making show direct effects on women's health. The human rights of women include their right to have control over and decide freely and responsibly on matters related to their sexuality and to be free of coercion, discrimination, and violence. The *strategic objectives* call for collective action to: (a) increase, throughout the life cycle, women's access to appropriate, affordable, and quality health care, information, and related services; (b) strengthen preventive programmes that promote women's health; (c) undertake gender-sensitive initiatives that address sexually transmitted diseases, HIV/AIDS, and sexual and reproductive issues; (d) promote research and disseminate information on women's health; and (e) increase resources and monitor follow-ups for women's health.
4. **Violence against women:** Violence against women constitutes a clear violation of women's human rights and fundamental freedoms. It is defined as any act of physical, sexual, or psychological violence against women on the basis of gender. It includes battering, dowry-related violence, female infanticide, prenatal sex selection, forced abortion, harmful traditional practices including female genital mutilation, rape, sexual harassment and intimidation in the workplace and in educational institutions, trafficking of women and girls and forced prostitution, and violence against women and girls in armed conflict such as murder, systematic rape, and sexual slavery. Violence against women cuts across class, income, and culture and affects

women and girls in their homes as well as their communities. Women and girls also suffer gender-based violence perpetrated or condoned by the state. Refugee, displaced and migrant women, women in situations of conflict or foreign occupation as well as those belonging to a minority, elderly, and indigenous groups of women, and women with disabilities face an increased vulnerability to violence. Violence against women is rooted in historically unequal power relations between women and men and is a crucial social mechanism to force women into subordinate positions. It is abetted by a lack of laws to prohibit violence and inadequate enforcement, absence of education about the causes of violence, inadequate statistics, an increased toleration of violence against women due to violent images in the mass media, and women's lack of access to legal information and assistance. The *strategic objectives* under this critical area of concern call upon all actors to: (a) take integrated measures to prevent and eliminate violence against women; (b) study the causes and consequences of violence against women and the effectiveness of preventive measures; and (c) eliminate trafficking of women and assist victims of violence due to prostitution and trafficking.

5. Women and armed conflict: Equality between men and women is a precondition for peace and development. Women bear the brunt of armed conflict. They suffer human rights violations, torture, rape, ethnic cleansing, family separation and displacement, terrorism and disappearance, and often lifelong social and psychological traumas. Women and children make up 80 percent of the world's refugees and displaced persons. There is need for the swift implementation of cooperative approaches to peace and security. Women must be empowered economically and politically, fully included at all levels of decision-making and play an equal part in securing and maintaining peace. Maintaining peace and national security is essential for development and economic growth as well as for the empowerment of women. The *strategic objectives* in this chapter call for: (a) an increase in the participation of women in conflict resolution at decision-making levels and the protection of women living in situations of armed conflict and other conflict or under foreign occupation; (b) the reduction of excessive military expenditures and control of the availability of armaments; (c) the promotion of non-violent forms of conflict resolution and reduction of the incidence of human rights abuse in conflict situations; (d) the promotion of women's contribution to fostering a culture of peace; (e) protection, assistance, and training for refugee women, other displaced women in need of international protection, and internally displaced women; and (f) assistance to the women of the colonies and non-self governing territories.

6. Women and the economy: Women are virtually absent from formulation of financial, monetary, business, tax, and employment policies. Their share in the labour force continues to rise, albeit in unpaid and temporary work. Opportunities for women's employment are regularly limited to low pay and poor working conditions. These factors, combined with social barriers, inflexible working conditions, and inadequate sharing of family responsibilities pose severe obstacles to women's economic opportunities and autonomy. In addition, they experience discrimination in education, training, hiring, promotion, and pay. Women migrant workers contribute to economies, but face higher levels of unemployment than men. Legal and customary barriers to ownership of land and capital impede women's economic progress. Their unremunerated work in food production, agriculture, and community work is under valued and under recorded. Making the type, extent, and distribution of this unpaid work fully visible would result in better sharing of responsibilities. The *strategic objectives* in this section urge all actors to: (a) promote women's economic rights and independence, including access to employment and appropriate working conditions and control over economic resources; (b) facilitate women's access to resources, employment, markets, and trade; (c) provide business services, training, and access to market information, and technology, particularly to low-income women; (d) strengthen women's economic capacity and commercial networks; (e) eliminate occupational segregation and all forms of employment discrimination; and (f) Promote harmonisation of work and family responsibilities for women and men.
7. Women in power and decision-making: Women's empowerment and autonomy, and the improvement of their social, economic, and political status are a requirement for transparent and accountable governments and administrative structures and sustainable development. Unfair power relations at many levels of society, from the most personal to the highly public, impede women from leading fulfilling lives. They continue to be under represented at most levels of government. Even though women constitute over half of the electorate in almost all countries, only ten percent of legislators worldwide are women, and an even smaller share hold ministerial positions. Negative stereotyping, including through the media, reinforce the tendency for political decision-making to remain in the hands of men. Discriminatory attitudes and practices within the family exacerbate unequal power relations in the public sector. Women must be fairly represented at all levels of economic and political decision-makers, including in transnational corporations. The *strategic objectives* call for collective action to: (a) take measure to ensure women's equal access to and full participation in power structures

and decision-making; and (b) increase women's capacity to participate in decision-making and leadership.

8. Institutional mechanisms for the advancement of women: Almost every UN member state has established a national institutional framework for the advancement of women. In addition there are a number of regional and international mechanisms. However, these mechanisms are often marginalised in national government structures and have unclear mandates. They are understaffed and often lack adequately trained personnel, data, resources, and support from political leaders. Similar problems have manifested themselves at the international level. Very few governments and international bodies have utilised existing methodologies for effectively incorporating women's concerns in policies and programmes. The *strategic objectives* in this section urge all actors to: (a) create or strengthen national machineries and other governmental bodies; (b) integrate gender perspectives in legislation, public policies, programmes, and projects; and (c) generate and disseminate gender-aggregated data for planning and evaluation.
9. Human rights of women: Human rights and fundamental freedoms are a universal birthright and their protection and promotion is the first responsibility of governments. All human rights, including the right to development, are interrelated. Women's rights are an inalienable and integral part of universal human rights. Reservations to international human rights documents, discrepancies between national laws and international norms, lack of recourse mechanisms, and ineffective enforcement pose obstacles to women's enjoyment of their human rights. Women must be made aware of their rights and how to exercise them. Their human rights must be protected and enforced; governments must not violate them under any circumstances. Women's human rights must be mainstreamed into all UN human rights activities. Women engaged in defending human rights and those who defend the human rights of women, including women's organisations and feminist groups, have to be protected. Violence against women constitutes a breach of their human rights and fundamental freedoms. Gender-based violence includes domestic violence, sexual abuse, sexual slavery, trafficking in women and children, sexual harassment, and pornography. Women face increased risks to become victims of violence in times of armed conflict and often suffer violence as a result of cultural and racial prejudice, ethnic cleansing, foreign occupation, harmful traditional practices, religious and anti-religious extremism, terrorism, and xenophobia. Governments need to take action to put an end to violence against women in private and public life. The *strategic objectives* in this chapter call for: (a) the promotion and

protection of the human rights of women through the implementation of human rights documents, especially CEDAW; (b) ensuring equality and non-discrimination under the law and in practice; and (c) the achievement of legal literacy.

10. Women and the media: Advances in information technology have led to the establishment of a global communications network that has shown effects on public policy as well as private attitudes and behaviour, including of children. It is therefore important that the media provide a balanced picture of women's lives and contributions. Violent or degrading programming and programmes reinforcing women's traditional roles negatively affect women's equal participation in society. The majority of women, especially in developing countries, do not have access to electronic information super-highways and hence cannot establish networks that would allow them to access alternative sources of information. The *strategic objectives* encourage all actors to: (a) to increase women's participation in and access to expression and decision-making in and through the media and new communication technologies; and (b) promote a balanced and non-stereotyped portrayal of women in media.
11. Women and the environment: The increasingly unsustainable pattern of consumption and production, particularly in industrialised countries, is the major cause of continuing deterioration of the global environment and is aggravating poverty and social imbalances. Women are the main victims of environmental degradation. It affects their health, well-being, and quality of life. Women play an important role in sustainable development—as consumers, producers, and caretakers. The global community must value and learn from their experiences and make their environmental knowledge systems central to the agenda for the 21st century. Women have made important contributions in environmental management, including through grass-roots efforts to reduce resource use and to promote environmental awareness. Sustainable development policies that exclude women will not be successful. The *strategic objectives* in this section of the platform seek to: (a) involve women actively in environmental decision-making at all levels; (b) integrate gender concerns and perspectives in policies and programmes for sustainable development; and (c) strengthen or establish mechanisms at all levels to assess the impact of development and environmental policies on women.
12. The girl child: The girl child is discriminated against from the earliest stages of life and throughout childhood in many countries around the globe. Girls

are often taught to put themselves last, which undermines their self-esteem, and are treated as inferior in many societies. They suffer from educational bias and inequalities in family life, health services, and decision-making. Early marriage and childbearing threaten their lives and hinder them from equal access to education and employment opportunities. In addition, girls face a disproportionate risk of malnutrition, sexually transmitted diseases, AIDS, and sexual violence. Girls with disabilities, and girls who are homeless, displaced, or those belonging to an ethnic or racial minority, experience increased vulnerability. The *strategic objectives* listed under this last critical area of concern call on all relevant actors to: (a) eliminate all forms of discrimination against the girl child; (b) eliminate negative cultural attitudes and practices against girls; (c) promote and protect the rights of the girl child and increase awareness of her needs and potential; (d) eliminate discrimination against girls in education and in skills and development training; (e) eliminate discrimination against girls in health and nutrition; (f) eliminate economic exploitation of child labour and protect young girls at work; (g) eradicate violence against the girl child; (h) promote girls' awareness of and participation in social, economic, and political life; and (i) strengthen the role of the family in improving the role of the girl child.

Analysis

By adopting the Beijing Declaration and Platform for Action, both the PRC and Japan have pledged to implement the document at the national level (UNTC 2013).

The PRC, being the host country to "The Fourth World Conference on Women", had already adopted a Programmes for the Development of Chinese Women 1995–2000 preceding the conference. This has since been followed by two more of these programmes, covering the periods of 2001–10 and 2011–20 respectively. However, the PRC has made it a habit to choose the focus of its national implementation programmes at its own discretion, which resulted in areas such as women's human rights or the girl child remaining entirely unaddressed. Furthermore, the PRC has never disseminated the actual text of the Declaration and Platform for Action in any Chinese language (Lipinsky 2005b, 2006c).

Similarly, Japan established the Headquarters for the Promotion of Gender Equality and the Council for Gender Equality in 1994, also in the run-up to "The Fourth World Conference on Women". After the conclusion of the conference, the Council submitted a report, which served as the basis for the drafting of the Plan for Gender Equality 2000, published in 1996. In 2000, the government introduced the Basic Plan for Gender Equality, which was followed by another Basic Plan in 2010. Unlike the PRC, Japan has chosen to shift its focus from empowering women to

advancing gender equality and has increasingly introduced men's issues in its national plans. It has failed to (adequately) address important points such as women's human rights, the girl child, women in armed conflict, as well as women and the environment in any of these plans (Gender Equality Bureau 2012b).

This section will comparatively examine the steps taken by the governments of the PRC and Japan to nationally implement the Beijing Platform for Action between 1995 and 2010. It will examine the critical areas of concern one by one to verify whether the strategic objectives have been addressed or achieved.

Category 1: Women and poverty

The first strategic objective (*review, adopt, and maintain macroeconomic policies and development strategies that address the needs and efforts of women in poverty*) was included in both the PRC's and Japan's national implementation plans.

The All-China Women's Federation and its various regional branches started campaigns and projects to eradicate poverty through training and education, especially in the field of food production and technology, in 1989. In addition, the government designed a number of 'food-for-work' programmes to cover the basic needs of the poor (Bayefsky.com 2012a).

While Japan did not address poverty in its first national implementation programmes, the topic seemed to gain relevance again in recent years and has been included in the latest basic plan. In 2003, the Ministry of Health, Labour, and Welfare started offering women support for childcare and job seeking. It also offers advice for single mothers, advanced training seminars, and special loan programmes. However, the government has not set up a comprehensive strategy or undertaken meaningful steps on a larger scale (Japan NGO Network for CEDAW 2009).

The PRC has addressed the second strategic objective (*revise laws and administrative practices to ensure women's equal rights and access to economic resources*) by granting women the right to become independent partners and signatories in the acquisition of land and productive resources in the 1980s. By introducing the principle of gender equality into China's Rural Land Contracting Law, the government officially removed the last legal barrier to women's equal access to economic resources (Bayefsky.com 2012b).

Japan reacted to this objective by revising a number of relevant laws, inter alia on pensioners, widows, and single mothers. All of these groups were deemed as particularly vulnerable to poverty and the revisions aimed at guaranteeing them better access to resources (un.org 2005).

The All-China Women's Federation was also the driving force behind progress made to achieve the third strategic objective (*provide women with access to savings*

and credit mechanisms and institutions) by setting up programmes to facilitate women's access to financial services (china.org.cn 2005).

Similarly, Japan does not foresee any distinction in access to financial services between women and men. Single mothers are entitled to receive the aforementioned special credits (un.org 2005).

The last strategic objective under this section (*develop gender-based methodologies and conduct research to address the feminisation of poverty*) has remained virtually unaddressed by both the PRC and Japan. The data published by the All-China Women's Federation are generally criticised as biased and unreliable by institutions such as Human Rights in China and a number of authors (Wong et al. 2005; Human Rights in China 2006).

In Japan, a committee of experts under the Council for Gender Equality conducts research on the challenges faced by marginalised groups (e.g. single parents, victims of violence, older persons, immigrants, and those facing job insecurity) (Gender Equality Bureau 2009). The feminisation of poverty has not been addressed so far, but there have been a number of studies dealing with increasing levels of poverty among young men in recent years (Fujiwara 2009).

Category 2: Education and training for women

The PRC grants women the equal right to education in Article 46 of its Constitution. It states that education is a basic right and duty. In addition China's laws on education, compulsory schooling and professional training all reaffirm the equal access to education for women and men (china.org.cn 2005). On paper, the PRC has therefore fulfilled the first strategic objective (*ensure equal access to education*) under this second category. However, in reality high tuition fees result in the fact that poorer families, especially in rural areas, cannot afford to send all their children to school. Consequently, girls are often deprived of their right to education for monetary reasons while their brothers are sent to school. The Human Rights in China (2006) organisation and Mark Bray (2003) criticise the lack of political will to tackle this problem as well as the fact that the government does not spend six percent of its Gross Domestic Product (GDP) on education, a standard set out by United Nations Educational, Scientific and Cultural Organization (UNESCO).

The Japanese educational system has been virtually egalitarian since 1946. Japan's Constitution and the Basic Law on Education guarantee boys and girls the same right to education and uphold the principle of coeducation (Meguro 2001). Almost 100 percent of the Japanese population, women and men equally, have graduated from high school. In fact female high school graduates even outnumber their male peers (tradeconomics.com 2012). This ratio shifts in tertiary education: Japan is one of the very few countries in the world where close to 100 percent of

women complete secondary education, but are under-represented in tertiary education (worldmapper.org 2006).

The PRC is facing difficulties in achieving the second strategic objective in this section—*eradicate illiteracy among women*. The number of illiterates rose from 30 million to 116 million in five years, between 2001 and 2006. The majority of these illiterates are female. After a number of successful, but short-term, national campaigns that specifically targeted rural areas, a large number of people ‘relapsed’ once the campaigns came to an end. Young people often choose simple work that does not require literacy but allows them to make a living rather than going to school (focus.de 2007; Human Rights in China 2006).

Japan in contrast does not see the need to further address illiteracy given the aforementioned rates of high school graduates that are close to 100 percent (Gender Equality Bureau 2009, 2012a, 2012c; un.org 2005).

The All-China Women's Federation has greatly contributed to bringing the PRC closer to the achievement of strategic objective number three, to *improve women's access to vocational training, science, technology, and continuing education*. Women make up for 50 percent of students in evening schools and tertiary distance learning. In 2005, 45.7 percent of students at regular universities were female and in urban areas women's level of education is starting to surpass average levels among men (china.org.cn 2005; Xi 2012).

Japan has undertaken a number of efforts to encourage women to move on to tertiary education after graduating from high school and has included such targets in its Basic Plans. However, the government has failed to launch successful programmes for career advice and many talented women still choose to attend short-term junior colleges only, which do not allow for meaningful careers later on. Women are also still under-represented in natural sciences (Japan NGO Network for CEDAW 2009).

The PRC has not yet accomplished the fourth strategic objective under this category, to *develop non-discriminatory education and training*. Although legally entitled to the same right to education as boys, girls, especially those belonging to ethnic minorities, marginalised groups, or those with disabilities, often remain excluded from the educational system (Bray 2003).

Japan revised its Basic Law on Education in 2006 and removed the article referencing gender equality in the educational system (Committee on the Elimination of Discrimination Against Women 2009). Similarly, the principle of coeducation was removed from the text. Disregarding public opposition, chapters on gender issues were deleted from textbooks in the course of broader reforms in 2006 (Japan NGO Network for CEDAW 2009). The latest Basic Plan adopted in 2010 however, gives hope for a change in public policy (Gender Equality Bureau 2012c).

China did not fulfil strategic objective number five—*allocate sufficient resources for and monitor the implementation of educational reform*. As already mentioned, it does not reach the six-percent UNESCO target on educational expenditures; in fact,

measured against the GDP, the figure even decreased between 1999 and 2003 (Human Rights in China 2006). Zhao and Wenbin agree that there is a clear lack of funds to successfully undertake reforms in the educational sector or to collect relevant data (2007).

Japan attaches great importance to education and allocates sufficient financial means to the educational sector. Slow progress in reforms can be attributed to conservative political leadership and rigid traditional values (Japan NGO Network for CEDAW 2009).

The sixth strategic objective, *promote lifelong education and training for girls and women*, has been addressed by both states subject to this study. In the PRC, the All-China Women's Federation has undertaken efforts to encourage women to participate in lifelong education programmes. The average number of years spent in education has come close to that among men, and women make up for 50 percent of students in evening schools and tertiary distance learning (china.org.cn 2005).

Japan has declared lifelong learning to be one of the key aspects in its educational policy. In cooperation with civic centres, schools, and universities, the national government has striven to design a number of seminars and programmes that specifically target women, inter alia helping mothers to re-enter the work force after childbirth (Gender Equality Bureau 2009).

Category 3: Women and health

With regard to the first strategic objective under this third chapter of the Beijing Platform for Action—*increase women's access throughout the life cycle to appropriate, affordable, and quality health care, information, and related services*—China has focused on the sexual and reproductive health, HIV/AIDS, and preventive medical check-ups. Topics such as health among older persons or psychological health have remained virtually unaddressed. Indeed, Lipinsky (2010) voices concern that the PRC is increasingly introducing a two-class medical system (chinadaily.com.cn 2008).

Japan included the concept of health throughout the lifecycle into its first Plan for Gender Equality. Similar to the PRC, there has been a strong focus on reproductive health, with campaigns targeting even primary schools. At the same time, the government undertook steps to facilitate access to preventive medical examinations and treatments (bayefsky.com 2012c). Japanese women have the highest life expectancy in the world (McCurry 2009). The Japan NGO Network for CEDAW criticise, however, the fact that health insurance costs rise dramatically when women reach the age of 75 and that patients have to cover the costs for a number of basic medical procedures out of their own pockets (Japan NGO Network for CEDAW 2009).

The PRC also focuses its efforts on reproductive health regarding the second strategic objective, to *strengthen preventive programmes that promote women's health*. As a result the prevalence of cervical cancer has decreased significantly (UNESCAP 2010).

Japan tackled the issue by mostly facilitating access to routine medical check-ups. In addition, it has developed campaigns encouraging women to undergo preventive examinations (e.g. cancer or osteoporosis) (bayefsky.com 2012c).

The PRC attributes great importance to the role of women as mothers. Against this background, efforts to achieve strategic objective number three—*undertake gender-sensitive initiatives that address sexually transmitted diseases, HIV/AIDS, and sexual and reproductive health issues*—have been advanced with particular diligence. The government has established a special committee on the issue of HIV/AIDS and developed a long-term plan for the prevention and control of HIV/AIDS as well as an action plan to reduce the prevalence of HIV/AIDS. These plans call upon all levels of governments, as well as the broader public, to actively participate in efforts and push forward implementation of the plans at the local level (chinadaily.com.cn 2008). The World Health Organisation (WHO 2006, 2009a) however criticises these efforts for the lack of a gender perspective and states that the dangers of infection through prostitution and human trafficking are not being adequately addressed.

Japan adopted the Law on Infectious Diseases as well as Guidelines for the Prevention of Infectious Diseases, HIV/AIDS and Sexually Transmitted Diseases. In addition, the government took steps to raise awareness in schools (un.org 2005). Nevertheless, there has been an increase in HIV/AIDS infections, especially among young women. This might result from persisting taboos regarding contraception (bayefsky.com 2012c; un.org 2005).

Both the PRC and Japan have refrained from reporting on the progress made regarding strategic objective number four under this section—*promote research and disseminate information on women's health*—in any of their CEDAW or Beijing review reports. Human Rights in China states that the central government has intentionally avoided a comprehensive public discussion on hepatitis B, tuberculosis, and HIV/AIDS. The focus was put on women's health during pregnancy and the reduction of maternal deaths as well as infant mortality. Maternal health is commonly measured by the number of babies delivered in hospitals (Human Rights in China 2006; Lipinsky 2010).

Information campaigns in Japan are also largely limited to maternal and infant health. In addition, a number of initiatives warn of the consequences of excessive tobacco and alcohol consumption. The government does not promote research regarding gender-specific medicine (bayefsky.com 2012c; Japan NGO Network for CEDAW 2009).

The PRC undertook efforts to achieve the fifth strategic objective—*increase resources and monitor follow-ups for women's health*—by improving and extending the public health sector and relevant networks in rural areas. The government invested in the development and renovation of health infrastructure in rural areas and in projects to combat maternal deaths and to promote tetanus shots for new-borns (Cui 2007).

Japan on the other hand has long been struggling with recession and has hence adopted a number of austerity programmes, which have affected the health sector. The government has not increased the national budget in a number of years (Japan NGO Network for CEDAW 2009).

Category 4: Violence against women

A major challenge to the realisation of strategic objective number one—*take integrated measures to prevent and eliminate violence against women*—is posed by patriarchal traditional social structures that can be, at least partially, attributed to the Confucian background common to Japan and the PRC. Domestic violence is prevalent, as well as largely unreported, in both states subject to this study. China first addressed violence in marriages in its Marriage Act in 2001. In the same year, the government launched a programme that aimed at creating equality between women and men in family life. In 2003, China's political leadership introduced another national movement to end the practice of aborting female foetuses (Lipinsky 2003, 2007a). In 2005, the Law on the Protection of Rights and Interests of Women was revised to include regulations on sexual harassment and domestic violence (bayefsky.com 2012b). Chinese experts have since criticised national laws aimed at protecting women from (domestic) violence as 'powerless', and violations hence often remain unpunished (news.xinhuanet.com 2001).

Japan established an expert committee under the Council for Gender Equality, which deals with combatting violence against women. The government adopted amendments to the Law for the Prevention of Spousal Violence and the Protection of Victims to further strengthen it in 2008. In addition, women's shelters, hotlines, and service centres for victims of violence were established (Gender Equality Bureau 2009). Japan shows a worrying prevalence of sexual crimes. This is aggravated by the fact that the Japanese Penal Code does not properly criminalise domestic violence or sexual harassment (Nakano and Yatagawa 2008). Besides persistent traditional patriarchal structures, Human Rights Solidarity, Equality Now, and the Committee on the Elimination of Discrimination Against Women see another factor abetting violence against women and girls in the frequent portrayal of such violence in the media. Increased exposure to violent content raises tolerance towards violence

(Human Rights Solidarity 2001; Committee on the Elimination of Discrimination Against Women 2009).

The PRC left the second strategic objective in this section, *study the causes and consequences of violence against women and the effectiveness of preventive measures*, largely unaddressed. There is no clear data; the government has not published statistics or undertaken studies. Furthermore the psychological consequences experienced by victims of violence are often considered a ‘Western phenomenon’, especially in rural areas (WHO 2009b).

Similarly, Japan has not reacted to the repeated calls by the Committee on the Elimination of Discrimination Against Women to collect and publish data on the circumstances conducive to violent crimes against women and their consequences (Committee on the Elimination of Discrimination Against Women 2009).

The PRC has not undertaken any meaningful measures to achieve strategic objective number three, to *eliminate trafficking in women and assist victims of violence due to prostitution and trafficking*. Given that prostitution is illegal in the PRC, female victims of trafficking who have been forced into prostitution are often sent to penal camps instead of receiving assistance (Lipinsky 1995; Human Rights in China 2006).

Japan has actively combatted trafficking of persons. In 2005, the government adopted the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children and there is an Inter-Ministerial Liaison Committee (task force) on the issue, situated in the Cabinet. Japan is furthermore state party to the UN Convention Against Transnational Organized Crime and has amended its Penal Code to better reflect challenges arising from human trafficking. It also developed strategies to improve assistance to victims (Gender Equality Bureau 2009).

Category 5: Women and armed conflict

Both the PRC and Japan have refrained from taking up the Beijing Platform for Action's fifth critical area of concern in their national implementation plans. Consequently, there is no reporting on the first strategic objective—*increase the participation of women in conflict resolution at decision-making levels and protect women living in situations of armed conflict and other conflict or foreign occupation*—from either of their governments. China does not address women's role in conflict resolution on the national or international level (International League for Human Rights 2012). Similarly, the protection of women in conflict situations does not feature in any of the Programmes for the Development of Chinese Women. Human rights organisations have reported on grave human rights violations in the conflict areas of Tibet and Xīnjiāng (新疆) (Brandt 2011; Wolff 2011).

Japan has shown efforts to promote the security and participation of women in conflict resolution processes in Afghanistan. In 2002 the government established an advisory committee to support Afghan women, which strives to develop strategies to effectively implement foreign aid (un.org 2005).

The PRC also does not undertake any measures to achieve the second strategic objective of this chapter—*reduce excessive military expenditures and control the availability of armaments*. Liang Guanglie, the incumbent minister of defence in 2010, announced that the Chinese military would take steps to prepare for a possible military conflict ‘in every direction’ (Foster 2010). The military budget was raised accordingly (ibid.).

Japan, in contrast, does not have a military. Its pacifist Constitution, entered into force after World War 2, only allows for Japan to have ‘self-defence forces’, whose scope of action is limited to defensive manoeuvres and peace missions only. Military expenditures are low by international standards (Ministry of Defence 2012).

Similarly, the remaining four strategic objectives—*promote non-violent forms of conflict resolution and reduce the incidence of human rights abuse in conflict situations; promote women’s contribution to fostering a culture of peace; provide protection, assistance, and training to refugee women, other displaced women in need of international protection, and internally displaced women; and provide assistance to women of the colonies and non-self-governing territories*—have all remained unaddressed by both states subject to this study in their national implementation plans for the Beijing Platform for Action. China has on the contrary repeatedly come under attack for the violent and often armed suppression of internal conflicts (International League for Human Rights 2012).

In the framework of the UN, Japan has been promoting the concept of ‘human security’ in recent years. This includes provisions on women’s empowerment and their protection, inter alia in armed conflicts (Gender Equality Bureau 2009). Furthermore, Japan’s Self-defence Forces have cooperated with a number of international institutions to deliver humanitarian aid, including the UN office of the High Commissioner for Refugees (UNHCR) and the UN Children’s Fund (UNICEF).

Category 6: Women and the economy

China has been working on the fulfilment of the first strategic objective under this critical area of concern—*promote women’s economic rights and independence, including access to employment and appropriate working conditions and control over economic resources*—since the Máo regime. Máo successfully abolished the image of the full-time housewife. A new Law on the Protection of Female Workers and Employees was supposed to protect women against discrimination at employment and the workplace. Yet, ultimately the law weakened women’s position on the

job market by granting them a number of privileges (during their menstrual period, pregnancy, and after childbirth). The Programmes for the Development of Chinese Women contain claims to create job opportunities for women and call for adequate and equal remuneration, improved working conditions, and compliance with national laws. The revised Rural Land Contracting Law of 2003 introduced equality for women with regard to productive resources by granting them the right to become independent partners, contractors, and signatories in the acquisition of land and productive resources (china.org.cn 2012a; Lipinsky 2006b; UNESCAP 2012a). In addition, the government lifted constrictions that limited employment opportunities for the rural population in urban areas. This has allowed women to move to the city to receive better education, earn better wages, and consequently gain independence (Lipinsky 2009).

Japan introduced the Law on Securing of Equal Opportunity and Treatment Between Men and Women in Employment in 1986. Nevertheless, the income gap in Japan remains a major challenge. In 2007, women earned around 66.9 percent of their male peers' salary. Women are often forced into part-time employment. Japan has consequently dedicated a full chapter to the issue in every one of its Plans for Gender Equality. The government has comprehensively revised the Labour Standards Law and the Law on Securing of Equal Opportunity and Treatment Between Men and Women in Employment and included provisions on indirect discrimination (i.e. discriminating employment standards, dismissals under false pretexts because of pregnancy, etc.). It also overhauled standards on part-time employment in an attempt to improve their working conditions (Japan NGO Network for CEDAW 2009; Gender Equality Bureau 2012b, 2012c; bayefsky.com 2012c). According to a study conducted by the UN in 2006, all of these reforms have failed to bring about much improvement. In an international ranking, Japan still ranked last among industrialised countries (Fackler 2007).

The PRC addressed strategic objectives two and three under this section—*facilitate women's access to resources, employment, markets, and trade and provide business services, training, and access to markets, information, and technology, particularly to low-income women*—by granting women comparative advantages when founding enterprises, through tax benefits, by subsidising their professional education, and by granting micro loans to women. Moreover, the government undertook several efforts to ease women's way into professional life, inter alia through the creation of special job boards and seminars or stricter controls to avoid employment discrimination. There are also a number of services available to support women seeking employment (china.org.cn 2012a; UNESCAP 2012a).

Japan adopted the Law on Securing of Equal Opportunity and Treatment Between Men and Women in Employment in 1986, long before "The Fourth World Conference on Women". In its several Plans for Gender Equality, the government announced measures to tackle discrimination against women on the job market and

the persisting income gap as well as to help women (re-)enter the labour force. The plans also state that women should receive special attention and support throughout their professional lives and that discrimination against part-time workers should come to an end (Gender Equality Bureau 2012b, 2012c). Despite comprehensive reforms of the Labour Standards Law and the Law on Securing of Equal Opportunity and Treatment Between Men and Women in Employment in 2006, the Japanese government once again admits in its CEDAW report of 2008 that women continue to face discrimination (bayefsky.com 2012c).

To meet the fourth strategic objective—*strengthen women's economic capacity and commercial networks*—the Chinese government is cooperating with international organisations such as the UNDP and the International Labour Organization (ILO) to further gender mainstreaming in the areas of employment and work and to enhance women's qualification (ibid. 2012b).

Japanese women remain under-represented in the natural sciences and other fields of study that would allow for good careers. The government has therefore encouraged schools and universities to offer career advice to female students and encourage them to pursue less 'cliché female' studies. In addition, a centre for the promotion of working women was established, which aims to assist women at making higher professional achievements (bayefsky.com 2012c; un.org 2005). According to recent studies, it seems that women increasingly experience comparative advantages resulting from the fact that they are considered 'cheaper labour' (Die Presse 2012).

The PRC has undertaken visible efforts to promote the role of women in the economy and to meet the fifth strategic objective under this critical area of concern, to *eliminate occupational segregation and all forms of employment discrimination*. However, challenges remain, and the income gap in fact widened by seven percent between 1990 and 2000 (Tatlow 2010). Women are often employed in small and medium-sized enterprises, which do not provide for any kind of social security. While there are a number of laws prohibiting discrimination at employment, in reality many work contracts nevertheless contain special regulations that allow for employers to dismiss female workers when they become pregnant. In most cases women lack the financial means to claim their legitimate rights in court. Unions often cannot provide any help either (Lipinsky 2006b). Many Chinese companies still prefer to hire men; even women with excellent university degrees experience difficulties when seeking employment (Bork 2009).

In Japan, women hold only 10.7 percent of the top-ranking positions in business and politics combined. Women generally remain excluded from promising career paths and often only find employment in clerical or similar positions. According to a study conducted by Goldman Sachs, 70 percent of Japanese women leave their jobs when their first child is born and very few manage to re-enter at the same level. This can be attributed inter alia to the lack of (affordable) day care options as well as

inflexible working hours. The percentage of women who hold a university degree on the Japanese job market is approximately 15 percent below the average in industrialised countries (Fackler 2007). The ILO states that there is no record of meaningful measures taken by the government to tackle the income gap and that necessary research has not been conducted. It further criticises that the revised Law on Securing of Equal Opportunity and Treatment Between Men and Women in Employment contains a number of loopholes, which could allow for indirect discrimination (Japan NGO Network for CEDAW 2009).

The final strategic objective of this section—*promote harmonisation of work and family responsibilities for women and men*—does not receive any attention in the PRC's Programmes for the Development of Chinese Women. While Máo acknowledged the additional workload women faced due to childbearing, household chores, and care of the elderly, Chinese women nowadays again experience the same challenges. As mentioned before, pregnancy still remains a common reason for sackings (Lipinsky 2006b).

Japan on the other hand established a council specifically dealing with the harmonisation of work and family life. The council prepared a charter and action policy to promote the concept and make suggestions on how to implement it in practice and thus foster a modern, gender-equal society. Moreover, the government launched awareness raising campaigns targeted at business companies encouraging them to adopt modern day care options, introduce egalitarian models for parental leave, and improve the general working environment (Gender Equality Bureau 2009).

Category 7: Women in power and decision-making

China specifically addressed the first strategic objective of this chapter—*take measures to ensure women's equal access to and full participation in power structures and decision-making*—in all of its Programmes for the Development of Chinese Women. The Law on the Protection of Rights and Interests of Women grants women equal political participation and the Election Law foresees quota for women at all political levels and states that these numbers should be gradually increased (china.org.cn 2005; Guo and Zheng 2008). In addition, guidelines on the appointment of civil servants have regularly been updated to better reflect gender equality (Guo and Zheng 2008). However, women remain under-represented in top positions. This can be partially attributed to prejudices among the largely male political leadership. Traditional patriarchal stereotypes work both ways and increasing the number of women in leading positions has not been a priority in the PRC's national implementation of the Beijing Platform for Action. Moreover, the PRC is not collecting any meaningful gender-aggregated data on the issue (china.org.cn 2012b; UNESCAP 2012b).

Japan included provisions on the promotion of women in power and decision-making in all of its Plans for Gender Equality, focussing on improving women's role in politics. Japan's Basic Law for a Gender-equal Society of 1999 states that men and women shall have equal say in decisions concerning national politics (Gender Equality Bureau 2012b, 2012c). In 2001, the government adopted guidelines to increase the number of women civil servants, which also call on public offices and ministries to independently develop plans to promote women. Following this decision, the ministries pledged to raise the number of women civil servants to 30 percent by 2010. Progress was evaluated annually. In 2008, as a reaction to a continuing lack of tangible results, the Headquarters for the Promotion of Gender Equality adopted a more comprehensive programme which aimed at improving women's role as stakeholders at all levels of society (ibid. 2009). Despite these efforts and a number of additional awareness raising campaigns, the Japan NGO Network for CEDAW observed in its 2009 report that the number of women in top positions in civil service stagnated at 1.7 percent. The UN Human Rights Council furthermore suggests that the numeric targets Japan has set are too low and that sanctions mechanisms should be introduced (Japan NGO Network for CEDAW 2009).

The second strategic objective—*increase women's capacity to participate in decision-making and leadership*—was addressed in the PRC's Reform Programme for Cadre and Personnel 2001–10. The programme lays out the various challenges faced by women and calls for special support and training so that more women can find their way into politics. The All-China Women's Federation inter alia offered training courses for women politicians and engaged in their promotion (china.org.cn 2005; Guo and Zheng 2008).

In 2006 the Japanese government issued a decree in the name of the minister for gender equality urging the private sector as well as local governments, universities, and public institutions to take affirmative action to ease women's way into politics and decision-making. To this end, the government established a council of experts on the issue consisting of executive staff from the private sector. Companies showing efforts to promote and further include women are regularly being awarded special prizes. In addition, a website allowing companies to gather information on successful measures undertaken by others and share their experiences was created (bayefsky.com 2012c; Gender Equality Bureau 2009).

Category 8: Institutional mechanisms for the advancement of women

The PRC addressed the first strategic objective under this category—*create or strengthen national machineries and other governmental bodies*—through the strengthening of the All-China Women's Federation, an organisation founded to represent and safeguard the rights and interests of women and to promote gender

equality in 1949. According to the federation's statute, its main goal is to bring national and party politics to the 'female masses'. Following "The Fourth World Conference on Women", the federation experienced a massive increase in resources and expanded its operational structures and network. In addition, women's committees were created in several of the government's institutions and the federation started publishing a women's newspaper, magazines, as well as a number of smaller publications. The development, implementation, and monitoring of the Programmes for the Development of Chinese Women however was put in the hands of the National Working Committee for Children and Women under the State Council. It provides personnel, funds, and material and has the lead on the implementation of the Beijing Platform, promoting and monitoring steps on the local level (Lipinsky 1998; Lipinsky 2006a; Yihong 2001: 123-125).

Japan established the Headquarters for the Promotion of Gender Equality, situated in the Cabinet, in the run-up to "The Fourth World Conference on Women". In addition, the government ordered the creation of a Council for Gender Equality reporting to the prime minister. The Council designed the outline for the national implementation of the Beijing Platform for Action following the conference (Gender Equality Bureau 2000, 2012b). In 2001, the system for the promotion of gender equality underwent a structural reform resulting in the creation of a Liaison Office, established to assist the Council and the Headquarters in efforts to implement the Plans for Gender Equality (Gender Equality Bureau 2012a; un.org 2005). The work of these three entities is coordinated and documented by the Gender Equality Bureau. In 2005, Japan created the post of a minister for gender equality (Committee on the Elimination of Discrimination Against Women 2009). The Japan NGO Network for CEDAW (2009) criticised—in the context of the institutionalisation of the promotion of women in its 2009 report—that Japan still did not have a national human rights institution.

Lipinsky points to the fact that the PRC has not addressed strategic objective number two—*integrate gender perspectives in legislation, public policies, programmes, and projects*—and has failed to include a call for comprehensive gender mainstreaming in its Programmes for the Development of Chinese Women (Lipinsky 2005b).

Japan's Basic Law for a Gender-equal Society contains five principles for the development of an egalitarian society and stipulates respect for human rights and an equal division of competencies between women and men. Nevertheless, it does not contain provisions on the consistent integration of a gender perspective, as is also the case for Japan's Plans for Gender Equality (un.org 2005; Gender Equality Bureau 2012a). Gender mainstreaming efforts have therefore progressed sluggishly and national legislation that openly discriminates against women continues to persist (Japan NGO Network for CEDAW 2009).

The last strategic objective in this chapter—*generate and disseminate gender-disaggregated data for planning and evaluation*—has been partially implemented in the PRC through the creation of national institutions collecting data and monitoring efforts in the framework of the Beijing Platform for Action and the Programmes for the Development of Chinese Women. Networks to this end have been created in all provinces and autonomous areas and cities (china.org.cn 2005). The Human Rights in China organisation criticises China's efforts on this strategic objective stating that the process of gathering data is often not transparent, which undermines the informative value (Human Rights in China 2006).

Compared to the PRC, Japan has shown less interest in collecting relevant data. This would fall under the competencies of the Gender Equality Bureau, which regularly issues white papers and conducts research and should therefore publish statistics. The Committee for the Elimination of Discrimination Against Women observes that the Bureau's mandate is vague, which weakens it considerably (Japan NGO Network for CEDAW 2009; Gender Equality Bureau 2012a).

Category 9: Human rights of women

China ratified CEDAW in the 1980s, to achieve the first strategic objective in this chapter, to *promote and protect the human rights of women, by implementing human rights instruments, especially the Women's Treaty*. Nevertheless, the promotion of human rights of women was not made a priority in any of its Programmes for the Development of Chinese Women (Lipinsky 2009). According to official statements on the matter, this results from the fact that the CCP commits itself to gender equality and the liberation of women in its statute and that the Constitution of the PRC is based on the principle of gender equality. The repeatedly revised Law on the Protection of Rights and Interests of Women as well as the Marriage Act are designed to provide for sufficient protection of women's rights. In practice, women, especially rural women, continue to experience grave violations of their human rights. The West has a history of criticising the PRC for continuing reports of human rights violations. At the same time, China has ended bilateral human rights dialogues and prohibits investigations on the ground by neutral international organisations (bayefsky.com 2012a; Lipinsky 2008).

Similarly, Japan has also refrained from specifically taking up the issue of human rights in its Plans for Gender Equality. Judging by its country reports on the implementation of CEDAW as well as the Beijing Platform, there seems to be a certain unwillingness to document the situation of women's human rights in Japan. The Committee on the Elimination of Discrimination Against Women has repeatedly expressed concern on the issue in its concluding recommendations reacting to Japan's CEDAW report (Committee on the Elimination of Discrimination Against

Women 2009). Women's human rights are protected in Japan's Constitution and legislation, inter alia through the Basic Law for a Gender-equal Society (Human Rights Council 2008; *verfassungen.net* 2012b).

The PRC's efforts to achieve the second strategic objective—*ensure equality and non-discrimination under the law and in practice*—are in line with the above analysis on the first objective under this section: *de jure*, Chinese women are granted equality and the protection of their rights. Their actual situation nevertheless often looks strikingly different. Lawyers criticise the Law on the Protection of Rights and Interests of Women for its vague formulations, which make its enforcement difficult in practice (Lipinsky 2005a, 2009).

Similarly, there are a number of laws protecting women and their (human) rights in Japan and the Constitution grants women and men equal status. Nevertheless, Japan has refrained from implementing provisions under CEDAW into its national legislation, creating a national human rights institution, and developing comprehensive national strategies to promote human rights. Moreover, there is no legal basis in Japan's legislation stating that if a law does not give equal rights to women and men, it has to be considered discriminatory. This lack of definition results in a number of *de facto* discriminative laws (Japan NGO Network for CEDAW 2009; Committee on the Elimination of Discrimination Against Women 2009).

In preparation of "The Fourth World Conference on Women" and during its immediate aftermath, the All-China Women's Federation undertook a number of efforts to fulfil strategic objective number three—*achieve legal literacy*—and published comprehensive information brochures and material to inform women of their rights. Lay assessors from women's associations are allowed to attend and participate in civil suits regarding women's issues. The government has furthermore taken steps to integrate a gender perspective into the formation of judiciary personnel, to increase the number of women among them, and to raise awareness of their important role in protecting women's rights. It has also run campaigns aimed at disseminating knowledge on women's rights and the respective national laws (*china.org.cn* 2005; Lipinsky 2008). Lipinsky observes that while these efforts have shown results in urban areas, they often do not reach remote and rural regions which results in significant discrepancies throughout the PRC. In addition, she is concerned about the fact that China never published the actual text of the Beijing Platform for Action (Lipinsky 2008).

Japan has not taken any meaningful steps to promote and spread knowledge on women's (human) rights. To date, national courts have dismissed several complaints on breaches of women's rights according to CEDAW. The Japan Federation of Bar Associations has taken measures to propagate CEDAW and organised a number of training sessions for judicial personnel. However judges, lawyers, etc. often lack the knowledge of the actual legal content and consequences (Committee on the Elimination of Discrimination Against Women 2009). Japan indicates in its 2008 CEDAW

report that the government has undertaken efforts to introduce human rights education in schools and that it has therefore adopted a basic plan on human rights education and promotion (bayefsky.com 2012c). However, further information on content and concrete steps has never been provided in any other official documents or reports (bayefsky.com 2012c; Japan NGO Network for CEDAW 2009; Law Library of Congress 2012).

Category 10: Women and the media

The PRC's reaction to the first strategic objective under this chapter—*increase women's participation in and access to expression and decision-making in and through the media and new communication technologies*—was to assign the task to the All-China Women's Federation. The federation publishes the only nationwide newspaper, *China Women's News*. Bu stated in 2005 that in fact little had changed since "The Fourth World Conference on Women": control over the media had remained in the hands of the government and the majority of the—almost exclusively male—leadership had not shown any interest in gender issues (2005).

Japan has repeatedly committed itself to taking steps to increase women's participation in media production and decision-making in the Plans for Gender Equality. Nevertheless, the Japan NGO Network for CEDAW (2009) states that the government has not undertaken any meaningful steps. Efforts with regard to women's role in the media are largely limited to youth protection (un.org 2005; Gender Equality Bureau 2009).

China first addressed the second strategic objective—*promote a balanced and non-stereotyped portrayal of women in media*—in the second instalment of the Programmes for the Development of Chinese Women. Subsequently, a number of state press officials underwent training seminars and China Central Television started broadcasting a TV show dealing with gender sensitive content to familiarise the broader public with these issues. Upon request by the PRC, UNDP established gender-training groups for gender-related media experts (Bu 2005). Katherine Toland Frith and Kavita Karan state however, that stereotypes continue to prevail in Chinese media; even programmes specifically developed for a female audience show gender-stereotyped content (2008: 12).

Japan's Plans for Gender Equality collectively condemn negative stereotyping of women in the media. Nevertheless the government seems to systematically ignore the issue and has not shown any efforts to abolish out-dated role models (Japan NGO Network for CEDAW 2009).

Category 11: Women and the environment

The PRC has undertaken a number of successful measures to achieve strategic objective number one under this category, to *involve women actively in environmental decision-making at all levels*. Women make up 38 percent of employees in the Ministry of Environmental Protection, 30 percent of which are in legal execution and monitoring (UNRIC 2000; china.org.cn 2005). These efforts are put into perspective by the fact that China has not attached great importance to environmental protection during the first decade of the 21st century (Lipinsky 2007b).

Japan first addressed the issue in its third Basic Plan for Gender Equality adopted in 2010. The plan sets out clear numeric targets to increase women's participation in environmental politics (Gender Equality Bureau 2012b, 2012c).

Women have always been exceedingly responsible when it comes to the protection of the environment. The All-China Women's Federation has been an important actor on the issue. In 1994, the outcome document of the first "Chinese Women's Conference on the Environment" ascribed women the 'moral responsibility to sustainably safeguard the environment'. Nonetheless, China is far from having achieved the second strategic objective—*integrate gender concerns and perspectives in policies and programmes or sustainable development*—mostly due to the fact that environmental protection has increasingly been de-politicised and privatised (Lipinsky 2007b).

In Japan, the issue first gained importance under Koike Yuriko (小池百合子), who served as minister of the environment from 2003 to 2007 (Koike 2012). She established "The Environmental Businesswomen's Meeting on a Virtuous Cycle for the Environment and Economy in Japan", which served as a platform to study the linkages between economy and environment. The experiences of the participating women showed direct influence on environmental policies (Ministry of the Environment 2012).

The third and last strategic objective in this chapter—*strengthen or establish mechanisms at all levels to assess the impact of development and environmental policies on women*—has not been addressed by the PRC. The focus of national policies lies on researching alternative and sustainable sources of energy, which are expected to show positive effects on China's economic performance (Lipinsky 2007b).

Similarly, Japan has not established mechanisms to evaluate the impact of environmental policies. Moreover, the government prioritises its economic recovery to the effect that environmental pollution continues to increase. Calls for a shift away from nuclear energy as the primary source of energy remain unheeded (New Japan Women's Association 2012).

Category 12: The girl child

Being state party to CEDAW, as well as the UN Convention on the Rights of the Child (CRC), the PRC has pledged to meet the goal set out in the first of nine strategic objectives in this last chapter—*eliminate all forms of discrimination against the girl child*. In its Programmes for the Development of Chinese Women, the subject area ‘girl child’ is not addressed separately. Although China has undertaken a number of reforms and has repeatedly revised national legislation, girls continue to face severe discrimination on a number of levels (e.g. abortion of female foetuses, discrimination regarding education, nutrition, and medical care, little value attached to daughters, etc.) (china.org.cn 2012a; UNESCAP 2012a).

Likewise, Japan, also a state party to CEDAW and the CRC, refrained from addressing girls separately in its Plans for Gender Equality. According to these international obligations, the government is bound to implement provisions contained in the conventions into its national legislation (Law Library of Congress 2012). In practice, Japan generally chooses to adopt measures aimed at children in general rather than targeted measures to specifically protect girls and their rights (Gender Equality Bureau 2012b, 2012c). Gender stereotypes discriminating girls prevail, especially in education (Japan NGO Network for CEDAW 2009).

The PRC officially condemns prejudices against women and girls and has pledged to actively promote a different image. At the same time, the state contributes to persisting challenges regarding the second strategic objective—*eliminate negative cultural attitudes and practices against girls*—by maintaining its one-child policy (bayefsky.com 2012a, 2012b).

Similarly, Japanese girls have to struggle with negative and degrading gender stereotypes. The sexualisation and fetishisation of schoolgirls for example can be considered as worrisome in many ways (Andou 2004; Human Rights Solidarity 2001). As the girl child does not feature prominently in Japan’s Plans for Gender Equality, there is no record on meaningful measures taken by the government to achieve the second strategic objective. In its country reports, the only reference made to the elimination of negative cultural attitudes and practices speaks of efforts to include human rights education in school’s curricula (bayefsky.com 2012c; Japan NGO Network for CEDAW 2009).

In the aftermath of “The Fourth World Conference on Women”, China revised a number of laws to achieve the third strategic objective, to *promote and protect the rights of the girl child and increase awareness of her needs and potential*. However, the government is far from fulfilling its pledges (bayefsky.com 2012a, 2012b).

The same can be said about Japan’s efforts. Again, measures taken by the government are generally aimed at children and not at girls in particular (Japan NGO Network for CEDAW 2009).

The PRC addressed the fourth strategic objective—*eliminate discrimination against girls in education, skills, and development training*—through legislative reforms, inter alia revising law on compulsory education and professional training. Girls and boys enjoy the same rights on paper, but continue to face discrimination in practice due to persistent cultural and social prejudices (Human Rights in China 2012).

Japan has repeatedly pledged to abolish stereotypes with regard to education and to develop career advice programmes to promote girls. In practice, however, girls graduating from high school are often advised to continue to short-term universities and thus pushed into less promising careers. There is no record of meaningful steps being taken to change these patterns (Japan NGO Network for CEDAW 2009; bayefsky.com 2012c).

China has not been able to meet the goals set out by the fifth strategic objective, to *eliminate discrimination against girls in health and nutrition*. Lipinsky points out that girls' vulnerability in this regard is dramatically increased if they have brothers. She also draws attention to the strong differences observed between rural and urban areas (Lipinsky 2008).

Unlike in the PRC, nothing points to the fact that girls generally face discrimination with regard to nutrition and health in Japan (un.org 2005).

China adopted regulations on the prohibition of child labour in 1991 and thus undertook measures to meet the goals set out in the sixth strategic objective—*eliminate economic exploitation of child labour and protect young girls at work*—well before hosting “The Fourth World Conference on Women”. The Labour Law furthermore bans employers from hiring minors. Data collected to monitor the implementation are however not available to the public which makes assessments on the actual extent of child labour in the PRC very difficult (Congressional Executive Commission on China 2012).

Japan is state party to a number of international treaties against child labour (Law Library of Congress 2012). In its country reports, Japan mostly speaks of child labour in the context of child prostitution and child pornography, a topic that has received increased attention in recent years. To this end, the government has revised its Law for Punishing Acts Related to Child Prostitution and Child Pornography, and for Protecting Children (Gender Equality Bureau 2009; bayefsky.com 2012c). In addition, Japan has adopted a national action plan to fight the commercial sexual exploitation of children, and hosted “The Second World Congress Against Commercial Sexual Exploitation of Children” in 2001 as well as “The International Symposium on Trafficking of Children” in 2003 (un.org 2005).

China faces great challenges in achieving the seventh strategic objective under this section, to *eradicate violence against the girl child*. Negative social and cultural attitudes, particularly pervasive in rural areas, attribute an inferior social status to girls. Violence against girls starts as early as during pregnancy. It is a common

practice to abort female fetuses. In more remote rural areas there are also a number of reports of female infanticide. To avoid financial hardship, families sometimes decide to sell their daughters, which in most cases ends in prostitution. Despite a number of laws that are aimed at protecting women and girls from violence, girls in the PRC continue to experience high levels of violence. As mentioned before, the state aggravates problems through its one-child policy (Lipinsky 2003, 2008).

In Japan, the revised Child Abuse Prevention Law containing a more comprehensive definition of the term ‘child abuse’ entered into force in 2004. It also re-divided responsibilities among the central and local governments, broadened the spectrum of cases that require reporting, and regulated visits by formerly abusive parents. In addition, it contains provisions aimed at supporting victims, in particular if their experiences affect their achievements at school. Japan further undertook measures to optimise and facilitate police procedures, to train personnel, and regulate criteria for foster families (bayefsky.com 2012c). The revised Law for Punishing Acts Related to Child Prostitution and Child Pornography, and for Protecting Children is criticised by human rights experts for its vague formulations. According to the Human Rights Solidarity (2001) organisation and Andou (2004), it does not impose a comprehensive ban on child pornography, allowing the publication of questionable content and violent depictions. Again, most measures the government has taken aim at children more broadly rather than at girls specifically.

The PRC has launched a number of awareness-raising campaigns and projects in an effort to achieve strategic goal number eight, to *promote girls’ awareness of and participation in social, economic, and political life*. However, negative cultural attitudes and prejudices against girls remain a great challenge (china.org.cn 2005; Lipinsky 2008; Cui 2007).

There is no record of programmes for the promotion of the girl child in Japan in any of its CEDAW or Beijing country reports. The latest Basic Plan, adopted in 2010 only references the issue vaguely by stating that ‘an environment that allows them to grow up healthy, in security and trust’ has to be created for all children (Gender Equality Bureau 2012c).

China worked towards the achievement of the last strategic objective of the Beijing Platform for Action—*strengthen the role of the family in improving the status of the girl child*—by actively participating in the “International Conference on the Family” and hosting the first “World Family Summit” in 2004. The role of daughters within the family and the need to enhance their status were, however, not taken up as priority issues. On the contrary, the concept of the family runs the risk of being used by conservative forces to support out-dated patriarchal structures (china.org.cn 2005; bayefsky.com 2012a, 2012b; UNESCAP 2010).

In Japan the family is widely considered to be the ‘traditional form of existence’ and plays an important role in society. As a consequence, children born out of

wedlock and their mothers often face severe discrimination and are discriminated in Japan's Inheritance Law (Japan NGO Network for CEDAW 2009).

Conclusions

This concluding section summarises and compares the empirical findings of all categories and tries to provide answers to the research questions as well as to verify/falsify the underlying hypothesis.

The first category looks at measures to tackle *women and poverty*. The topic is addressed in both the PRC's as well as Japan's national plans to implement the Beijing Platform for Action. China first granted women the right to acquire land and productive resources in the 1980s by introducing the principle of gender equality in its Rural Land Contracting Law. In addition, the All-China Women's Federation has engaged in a number of campaigns to help women gain access to financial services, to which they are legally entitled (bayefksy.com 2012a, 2012b; china.org.cn 2005). Japan on the other hand addressed women's vulnerability to poverty by focussing on supportive measures for single mothers, widows, or older women, inter alia offering them easier access to cheap loans (un.org 2005; Japan NGO Network for CEDAW 2009). Both states subject to this study have acknowledged the need to address women's increased risk to poverty, but have chosen to treat symptoms rather than root causes. Consequently, the number of people living in poverty in the PRC has actually increased and unemployment rates in rural areas are rising (Human Rights in China 2006). In Japan women continue to struggle to make a living from their part-time job salaries and more and more older women are threatened by poverty (Japan NGO Network for CEDAW 2009).

In the PRC there are great disparities between rural and urban areas when it comes to discrimination against *women in education*. By law, boys and girls enjoy an equal right to education; however, in poorer regions families often refrain from sending their daughters to school. Moreover, China's expenditures on education do not reach the OECD target of six percent of the GDP (Zhao and Wenbin 2007). In Japan in contrast, the rates of women graduating from high school are at almost 100 percent and the principle of equality is enshrined in relevant laws. However women are under-represented in tertiary education and social barriers and stereotypes generally push them towards short-term universities, which do not allow for successful careers (Meguro 2001; Japan NGO Network for CEDAW 2009).

The issue of improving *women's health* is equally addressed in both Japan's and the PRC's national implementation plans. China has put the focus on women's role as mothers and reproductive health, while leaving older women and psychological health unmentioned. In addition, China's one-child policy continues to push women towards aborting female fetuses and illegal abortions (Lipinsky 2010; chi-

nadaily.com.cn 2008). Japan's women enjoy the longest life expectancy in the world and Japan has embraced the notion of lifelong health in all of its Plans for Gender Equality. Critical voices note the significant rise of health insurance costs for women of 75 years of age and above as well as the fact that the Japanese Penal Code continues to criminalise abortions (McCurry 2009; Japan NGO Network for CEDAW 2009).

There are great similarities in the way the PRC and Japan chose to deal with the issue of *violence against women* in their efforts to implement the Beijing Platform for Action. The issue features prominently in all of their national plans; both states undertook legal reforms and have repeatedly pledged to address it as a matter of urgency (Gender Equality Bureau 2009; Lipinsky 2003, 2007a). Regardless, experts have criticised laws aimed at protecting women from violence as vague and powerless or for containing loopholes, and domestic violence in particular continues to be considered a trivial offence (Human Rights Solidarity 2001; Committee on the Elimination of Discrimination Against Women 2009).

Women and armed conflict does not feature in any of Japan's or China's national implementation plans. In this context, the PRC regularly comes under attack by NGOs and international organisations for the continued use of armed violence in the conflicts in Xinjiang and Tibet. In 2010, the government even announced that it would raise military expenditures to prepare for armed conflict 'in every direction' (Foster 2010; International League for Human Rights 2012). The mandate of Japan's Self-defence Forces is limited to defensive activities and peace missions and Japan has been a long-standing promoter of the concept of 'human security' within the UN (Gender Equality Bureau 2009).

Both Japan and China have pledged to promote *women's role in the economy*. However, women continue to face challenges on the job market and a significant income gap in both states subject to this study. While the PRC seems to have at least partially freed women of negative stereotypes in this regard, particularly in urban areas, Japan has continuously failed to comprehensively and strategically address inequalities and a number of laws still indirectly discriminate women (Japan NGO Network for CEDAW 2009; Lipinsky 2006b).

The situation with regard to *women in power and decision-making* is quite similar. China has undertaken a number of measures to promote women's role at decision-making levels and has repeatedly addressed the issue in its Programmes for the Development of Chinese Women (china.org.cn 2005; Guo and Zheng 2008). Japan too has attached great importance to fostering women's participation, at least in official documents (Japan NGO Network for CEDAW 2009). In reality, however, women remain under-represented at all decision-making levels, in particular at top positions, in both states, and there seems to be a clear lack of political will to bring about change (UNESCAP 2012b; Japan NGO Network for CEDAW 2009).

The *institutional mechanisms* trusted with monitoring the implementation of the Beijing Platform for Action differ quite significantly. While the All-China Women's Federation is a centralised mass organisation, which lacks the necessary independence to successfully promote women's interests, the mandate of the Japanese apparatus is effectively weakened by its strikingly vague mandate (Japan NGO Network for CEDAW 2009; cf. Lipinsky 1998, 2006b).

With regard to *women's human rights*, this study has shown that there are significant parallels in Japan's and the PRC's approach to achieving the objectives of the Beijing Platform for Action. Neither of them addressed women's human rights in their national plans and both are states parties to CEDAW and have adopted laws that should provide for comprehensive protection. Nevertheless, women continue to experience severe human rights violations and often do not have the necessary knowledge, means, or support to effectively enforce their legitimate rights (Japan NGO Network for CEDAW 2009; Committee on the Elimination of Discrimination Against Women 2009; Lipinsky 2005a, 2009).

There are similarities with regard to the portrayal of women and their role in society in the *media*. Patriarchal, stereotypical, humiliating, or even violent images prevail. Experts express special concern about violent content in Japanese manga and erotic publications (un.org 2005; Gender Equality Bureau 2009). In addition, both states have not undertaken relevant steps to promote women's participation in media production (Bu 2005; Japan NGO Network for CEDAW 2009).

Similar to the previous ten categories, both Japan and China have pledged to undertake measures to increase women's participation with regard to matters of *environmental protection and policy-making*. A number of initiatives were planned and in Japan, Koike, who served as minister of the environment from 2003 to 2007, brought about some progress on the subject during her tenure (Ministry of the Environment 2012). However, both states show a clear lack of political will and do not treat the topic as a matter of priority (Lipinsky 2007b; Japan NGO Network for CEDAW 2009).

Neither Japan nor the PRC has given any attention to *the girl child* in their national plans to implement the Beijing Platform for Action. China is struggling with the traditionally 'lower value' attributed to daughters and girls continue to face discrimination starting in their mothers' wombs. Despite admitting that these problems prevail, the government has not shown any serious efforts to change negative attitudes and even aggravates discrimination by maintaining its one-child policy (bayefsky.com 2012a, 2012b). Japan, in contrast, has not directed any measures at the girl child specifically but tends to address children more broadly (Japan NGO Network for CEDAW 2009; Gender Equality Bureau 2012b, 2012c). Both the PRC and Japan are states parties to CRC as well as CEDAW and have revised a number of relevant laws, inter alia aimed at protecting children; however, neither has committed to comprehensive strategies or to efforts to tackle negative cultural attitudes

and stereotypes, and both states have shown a clear lack of political will in this regard.

Against this background, the answer to the first research question (*How are Japan and China implementing the Beijing Platform for Action and are there similarities?*) has already been provided in the preceding discussion: there are indeed unexpected similarities. Both states have drafted national plans that are even quite ambitious in some areas and have undertaken a number of legislative reforms. However, when it comes to realising pledges and enforcing laws, they have shown a clear lack of political will. On paper, women enjoy equal rights in almost all areas, but reality paints a different picture. In addition, in the case of China, a striking divergence between rural and urban areas seems to divide the country. With regard to the second research question (*Did the different political systems influence the way the platform was implemented?*), it is difficult to give a clear answer. The respective political systems and resulting differences in political decision-making have without a doubt influenced the PRC's and Japan's approaches to implementing the platform; at the same time, they have not had much effect on the actual implementation. In both cases, patriarchal structures, cultural barriers, negative attitudes, stereotyped gender roles, a common set of values that puts women in a weaker social position, and ultimately an overarching lack of political will and prioritising have hampered efforts. These common structures have proven to show much more influence on the implementation of the platform than the actual political systems. This in turn suggests that the underlying hypothesis can be considered as verified.

The Beijing Platform for Action contains powerful language—language that has set standards that the UN nowadays faces difficulties maintaining when women's rights-related documents are being negotiated. The actual impact of these standards on the ground is, however, weakened by the fact that the Declaration and Platform for Action are not legally binding and thus do not provide a means for enforcement or for redress of wrongs. This is indeed a reoccurring problem within the UN context, as evidenced by several of its outcome documents.

Women continue to be under-represented at every level of decision-making around the globe, including when it comes to shaping national policies. At the same time, analysing the measures taken by the PRC and Japan towards the implementation of the Beijing Platform for Action, this study has shown that lack of political will is one of the key elements preventing progress towards gender-equal societies. This suggests the conclusion that real change will remain elusive until women gain decision-making power, contribute to the elaboration of relevant policies, and thereby themselves contribute to creating the necessary political will.

LIST OF ABBREVIATIONS

AIDS	acquired immune deficiency syndrome
CCP	Chinese Communist Party
CEDAW	Convention on the Elimination of All Forms of Discrimination Against Women
CRC	Convention on the Rights of the Child
DPJ	Democratic Party of Japan
GDP	gross domestic product
HIV	human immunodeficiency virus
ILO	International Labour Organization
IMOW	International Museum of Women
LDP	Liberal Democratic Party
NGO	non-governmental organisation
OECD	Organisation for Economic Cooperation and Development
PLA	People's Liberation Army
PRC	People's Republic of China
UN	United Nations
UNDP	United Nations Development Programme
UNESCAP	United Nations Economic and Social Commission for Asia and the Pacific
UNESCO	United Nations Educational, Scientific and Cultural Organization
UNFPA	United Nations Population Fund
UNHCR	United Nations High Commissioner for Refugees
UNICEF	United Nations Children's Fund
UNRIC	United Nations Regional Information Centre
UNTC	United Nations Treaty Collection
WEF	World Economic Forum
WHO	World Health Organization

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GLOSSARY

Koike Yuriko
Máo Zédōng

小池百合子
毛澤東

New Kōmeitō
Xīnjiāng

公明党
新疆

minister of the environment (2003–06)
Chinese Communist revolutionary and
founder of the People's Republic of China
(1893–1976)
New Clean Government Party
Xinjiang Uyghur Autonomous Region in
the northwest of China