



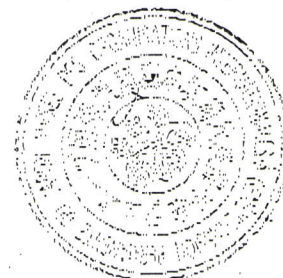
MISSION PERMANENTE DU JAPON
AUPRÈS DES ORGANISATIONS INTERNATIONALES
GENÈVE-SUISSE

MM/UN/034

The Permanent Mission of Japan to the United Nations and Other International Organizations in Geneva presents its compliments to the United Nations Office of the High Commissioner for Human Rights and, with reference to the latter's note verbal Reference: POVERTY 2009 ER dated 20 November 2009, has the honour to transmit herewith the information and materials in response from the Government of Japan to the questionnaire on social protection of older persons addressed by the Independent Expert on the question of human rights and extreme poverty following the Resolution No. 8/11 of 18 June 2008.

The Permanent Mission of Japan to the United Nations and Other International Organizations in Geneva avails itself of this opportunity to renew to the United Nations Office of the High Commissioner for Human Rights the assurances of its highest consideration.

Geneva, 18 January 2010



Enclosure mentioned.

OHCHR REGISTRY

19 JAN. 2010

Recipients :.....**SPD**.....
.....
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Reply to the Secretary-General on the issue of "Human rights and extreme poverty")

(The Government of Japan)

(i) The legal and institutional framework

1. Provide details of the legal framework by which the programme(s) is established:

(a) Please indicate the retirement age/eligibility age for the pension and if it takes into account the nature of the occupation (e.g. formal or informal employment) of the potential beneficiaries.

(Answer)

"The Old-Age Basic Pension"

- In principle, 65 years old.
- The insured can receive this benefit when he/she becomes 60 years old, but, in this case, the amount of pension benefit is reduced.
- The insured can delay the receipt of this benefit until he/she becomes 70 years old, and, in this case, the amount of pension benefit is increased.

"The Old-Age Employees' Pension"

- At present, the insured can receive the benefit of the "Specially Provided Old-Age Employees' Pension", composed of the remuneration-based and fixed-amount portions, when he or she becomes 60 years old, and of the "Old-Age Employees' Pension", which is remuneration-based, from 65 years old.
- The Amendment of 1994 has specified that the pensionable age for the fixed amount portion of the "Specially Provided Old-Age Employees' Pension" shall be upward to 65 years old according to the date of birth-based formula. This step is to be carried out from year 2001 till 2013 (for women, five years later).
- The Amendment of 2000 presents to propose that, after 2013, the pensionable age for the remuneration-based portion of the "Specially Provided Old-Age Employees' Pension" should be gradually raised to 65 years old from year 2013 till 2025 (for women, five years later.).

(b) Are there any restrictions, including a qualification period for receiving the pensions?

(Answer)

Qualifying condition for pension benefit: In principle, those with a participation period of 25 years or more in the National Pension are qualified for receiving Old-Age pension benefits.

(c) Please indicate whether it is a contributory or a non-contributory programme.

(Answer)

a contributory programme

2. In the event that programme is not established by law, please provide details of the administrative regulations or other relevant programmatic document available that are at the origin of its implementation.

(Answer)

N/A

3. Please describe the institutional framework used to implement the programmes:

(a) Please indicate which governmental authorities, structures and mechanisms, including those at the federal, state/provincial municipal and local level were involved in the design, implementation and monitoring of the programme(s).

(Answer)

- Ministry of Health, Labour and Welfare
- Ministry of Finance
- Ministry of Internal Affairs and Communications
- Ministry of Education, Culture, Sports, Science and Technology

(b) Were civil society organizations involved in the elaboration of the legal framework, the implementation and monitoring of the programme(s)? If yes, please describe their role.

(Answer)

N/A

(ii) programme costs and coverage

4. Please indicate the number of beneficiaries of the programme (annually)? If available, please provide details on their profile (e.g. sex, age, ethnically origin...).

(Answer)

The number of public pension beneficiaries (as of 31 March 2008): 34.8 million persons

5. Which geographical areas are covered by the programme in the country (national, regional, local)?

(Answer)

It covers nation-wide throughout Japan.

6. What is the annual budget of the programme(s)? What is the percentage of the GDP does this continue?

(Answer)

As for the budget: 49.7trillion yen (FY2009 budget)

7. Please give details and indicate the sources of funding utilized for the programme(s) and the main costs involved at the various stages of implementation. In particular, is the programme operated with national, regional, local public resources? Are external resources used for this programmes?

(Answer)

- Premium income from the entire public pension system (based on the FY2009 budget): 32 trillion yen
- The amount funded by the national subsidy from the entire public pension system (based on the FY2009 budget): 10.8 trillion yen
- Benefits from the Public Pensions (as of 31 March FY2009): 49.7 trillion yen
- Reserve (The National Pension and the Employees' Pension Insurance) (based on the current value at the end of FY2008: 124 trillion yen)

8. Please indicate approximately how many potential beneficiaries were not reached by the programme. Have studies been undertaken to assess the reasons for coverage gaps? Please provide details of their profile (e.g. sex, age, ethnically origin...) if available.

(Answer)

N/A

9. What is the average amount of the pensions in relation with the national average income or minimum salary? How is the pension calculated?

(Answer)

Amount of the Old-Age Pension benefit (as of April 2009)

- Self-employed persons (amount for a Category-1 insured person of 40 years of enrollment period): 66,008 yen per month
- Retired salaried workers and spouses Total of the Employees' Pension Insurance of Category-2 insured person (average income for 40 years of enrollment period) and of the Basic Pension (40 years of enrollment period) for a husband & wife couple: 232,592 yen per month

(iii) Implementation procedures**10. What procedures are utilized in order to pay the beneficiaries?**

(Answer)

The right to receive insurance benefits shall be decided by the Minister of Health, Labour and Welfare at the claim of a person having the right thereto.

11. What procedures are utilized in order to inform beneficiaries about the programme? Is information made available in more than language?

(Answer)

- By website, etc.
- The website has booklets in foreign languages.

12. Were other serviced (such as social work, subsidised services) provided to the beneficiaries in connection to the pension? If yes, please describe them.

(Answer)

N/A

13. Do beneficiaries of the programme access other public services at special conditions, in particular for health services?

(Answer)

N/A

(iv) Monitoring mechanisms and complaints procedures**14. Please describe the monitoring procedures utilized in order to oversee the implementation of the programme(s) and the entities responsible for monitoring.**

(Answer)

N/A

15. Are there any complaints mechanism or procedures attached to the programme, which are available to beneficiaries? If yes, please describe them.

(Answer)

There are appeal procedures against public administration based on Act on Social Examiners and the Examination Committee of Social Insurance.

16. Have there been instances when any legal action was taken against the programme or those responsible for its implementation? If yes, what were the

circumstances of the legal action and the basis for the complaint(s)?

(Answer)

Yes. (The Government of Japan finds it difficult to answer each circumstance.)

(v) Exiting studies and evaluations of old age pensions

17. Please provide any studies, in particular needs assessments, utilized in order to develop the programme(s).

(Answer)

A survey of public opinion about public pension system (Cabinet Office, Government of Japan, 1993.8, 2003.9)

18. Please provide any studies, in particular impact assessments, developed to assess the implementations of the programme(s).

(Answer)

N/A

(vi) Other available social protection schemes that benefit older persons

The Expert would welcome information pertaining to other social protection schemes that benefit older persons, in particular in-kind benefits such as user fee exemptions and subsidised services. Please provide information about exiting schemes guaranteeing that older persons have access to health services and essential drugs, housing support including access to water and sanitation, life-long education, social work and care services.

(Answer)

N/A