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Japan Support Center for Activity and Research for Older People

**Social protection and social security**

1.

The Constitution recognizes rights to minimum standard of living for all citizens. The legal foundation includes the National Pension Act, the Employees’ Pension Insurance Act, the Health Insurance Act, the National Health Insurance Act, the Act on Assurance of Medical Care for Elderly People, the Long-Term Care Insurance Act, the Employment Insurance Act, the Industrial Accident Compensation Insurance Act, and the Public Assistance Act as the last safety net.

2.

Japan has a universal public pension system that covers every citizen. All persons aged 20 and over are required to join national pension system. Employees also join employees’ pension insurance plan. Pension is provided for persons 65 years and older who have paid into the plan for more than 10 years. For retirees, employees’ pension is paid in proportion to the individual’s income. Low income persons can apply to be exempt from having to pay into the plan. All persons have the right to receive public assistance if pension and other benefits cannot satisfy the minimum standard of living.

3.

The universal health insurance is for all citizens. Employees and their dependents are enrolled in the Employees’ Health Insurance, while those who are not employed join the National Health Insurance. Those aged 75 and above join the medical insurance for the advanced elderly. In principle, each program provides medical treatment benefits for the insured person on an equal basis. Any person aged 40 and over joins the Long-Term Care Insurance. Those aged 65 and over are eligible for care benefits.

Sanctions, such as return of one’s insurance card, can be imposed on nonpayment of the premium, even those who can’t afford to pay. It deprives their rights to medicine and long-term care substantially.

4.

Basic pension benefits cover most of the elderly households’ income. The level of pension payout in the average household (with a working husband and a housewife) is supposed to be maintained at 50 percent or more of the income level of the working population. Pension payout is automatically adjusted every year according to changes in commodity price and wages.

Some problems that have been encountered; 1) basic pension benefits are even lower than public assistance standard, 2) not all older persons are equally paid full pension amount. If the insured had been exempted from paying premium, pension benefits are reduced. 3) The average household model no longer represents the current situation, and 4) further cuts of pension benefits be expected in the future as benefits are automatically adjusted according to demographic conditions.

Public assistance standard is calculated based on living expenditure of the whole population. Livelihood assistance is about 66% of the living cost in a general household. Additional benefit for older persons to meet the demands specific to older age was abolished since 2004. In 2013 the public assistance was cut by 6.5% on average. In 2018 it was further reduced for single elderly household etc. A collective lawsuit involving more than 1,000 plaintiffs is ongoing stating their right to minimum standard of living has been violated.

Medical Insurance covers 70 to 90 % of medical expenses. The copayment ratio is set 30% for insured aged under 70, 20% for those between 70 and 74, and 10% for those aged 75 and over (30% for those with an income equivalent to the current working population). The Long-term Care Insurance in principle payouts 90 % of the care service cost while the users pays 10 % of the cost. The upper limit is set for monthly copayment amount for the users.

However, out-of-pocket payment by older persons for medical and ling-term care continues to rise, making those with low income refrain from using necessary care services. It causes violating their rights of access to medical and long-term care.

6.

The Basic Law on Measures for the Aging Society intends to secure opportunities for all people to participate in various social activities and to be respected as an important part of society throughout their lives. However, participation of the elderly is not institutionalized in national policy making. In fact, the elderly do not fully participate in such processes. At the local level, the Law requires municipal governments to take measures to reflect the opinions of the insured when making plans for long-term care services, but no other system guarantees participation of the elderly.

7.

Discrimination by nationality toward who have been living in Japan with permanent resident status due to the Pacific War (including naturalized Japanese), including Koreans, Chinese and Taiwanese, still exists in national pension system, leaving those elderly without any pension coverage.

9.

Older persons can seek for an administrative review (to be processed within the administrative body) and legal remedy by a court. Judicial and legal aids are in place to support low-income earners to cover the cost of lawsuit and legal fees.