



タイトル Title	日本における高等教育の学費負担と機会保障(『奨学金問題対策全国会議』からみた日本の現状と課題)
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日本における高等教育の学費負担と機会保障

奨学金問題対策全国会議事務局次長・弁護士 西川 治

はじめに 日本の「奨学金」の特殊性 ― 誤解を防ぐために

日本では「奨学金」が「(教育機関で) 教育を受けることを助成するために、給与又は貸与される金員」という意味で用いられており、「給付制奨学金」(grant, scholarship, fellowship) と「貸与制奨学金」(student loan) の両方を「奨学金」と呼んでいる。

日本では、1943年の国による「奨学金」制度創設以来、「奨学金」と称される公的制度のほとんどが貸与制奨学金であることから、給付制奨学金と貸与制奨学金をともに「奨学金」と呼ぶ習慣はおおむね疑問なく受け入れられている。貸与制を含む日本語の「奨学金」を scholarship と訳してしまう例も多い。

I 「学費負担」のとらえ方

1 定義

- ・学校納付金 (Tuition Costs)
- ・学習費 (Education Costs) = 学校納付金 + 通学費・教科書代など
- ・学生生活費 (Total Costs) = 学習費 + 生活費 (Living Expenses)
- ・純負担 (Net Costs) = 学生生活費 - 給付型の経済援助 (Financial Aid)
- ・実負担 (Out-Of-Pocket Costs) = 純負担 - 貸与型の経済援助
- ・放棄所得 (Foregone Earnings)

2 検討

学校納付金が払えないと除籍されるが、学習費が負担できないと事実上高等教育から排除され、学生生活費が負担できなければ生活が破たんし、いずれ学校納付金が払えなくなる。他方、経済援助により純負担・実負担額が低減すれば負担可能性は高まるが、貸与型の場合は返還負担があるため、給付型と同じとはいえない。また、特に低所得の世帯では、放棄所得も無視できない。

Usher & Cervenak(2005)は、高等教育の進学可能性 (Affordability) につき、上記各指標を次のとおり総合して検討した。考慮割合の是非はともかくとして、このような視点は重要である。

10% - Educational Costs	10% - Total Costs
25% - Net Costs	15% - Net Costs After Tax Expenditures
25% - Out-of-Pocket Costs	
15% - Out-of-Pocket Costs After Tax Expenditures	

3 小括

単に学校納付金の額や奨学金等の経済援助の額等のみではなく、学生やその家族にとっての負担を総合的に検討する必要がある。

II 日本の若者／学生と高等教育の学費負担

1 高等教育からの積極的排除

(1) 進学 of 断念

- ・学費が負担できないため進学をあきらめて働く
- ・私立大学の学費が負担できず、国立大学に合格できないと進学をあきらめて働く
- ・学費が負担できないので高等教育進学ではなく職業訓練に進む

(2) 進学先の限定 (Access できても Choice はできない)

- ・私立大学は学費が高いため国公立大学しか受験できない
- ・大学は4年かかるので、短期間の短大や専門学校に入学する
- ・希望の大学ではなく、学費免除のあるより低レベルの大学に入学する
- ・希望の大学ではなく、自宅から通学可能な近くの大学に入学する

(3) 中退

- ・学費が負担できなくなり、大学を中退する
- ・日本では、大学中退者の復学は一般的ではない
- ・就労面では高校卒業時に就職する場合に比べてさえ不利であることが多い
(全国で1万人以上が経済的理由により退学・除籍となっている。小林ら 2016:175)

2 高等教育からの消極的排除

(1) アルバイト等

- ・アルバイトが相当時間に上り、十分な学習時間を確保できない
- ・アルバイトによる学習時間の不足、授業の遅刻・欠席等により、学習意欲を失い、退学に至る例も少なくない
- ・勤務先の労働条件が劣悪でも辞めることができない
(労働関係法の定める最低基準を満たさない、犯罪が横行する労働条件など)
- ・限られた時間で一定の収入を得るため、売春や売春に準じた業務に従事する

(2) 生活困窮・学業への影響

- ・食費や衣料費を削る、学生間の交流に加わることができない
- ・教科書の購入が困難、教科書を使用しない授業を選択する
- ・交通費・宿泊費等の支出を要する実習を回避する

(3) 奨学金 (後述)

(4) 休学

- ・休学して学習を中断し、貯金を目指す
- ・休学中でも授業料等の全部又は一部を徴収する大学が少なくない

3 高等教育後の問題

(1) 奨学金の返還 (後述)

(2) 特に大学院修了者の雇用の不安定

4 いくつかの事例から

Ⅲ 日本の「奨学金」

1 日本の公的「奨学金」制度

(1) 給付制奨学金制度

- ・2017年一部先行実施，2018年～実施
- ・採用：高校在学中に申し込み・採用され，大学等入学後に支給を受ける
- ・基準：経済基準と成績基準を両方満たす必要がある
 - (経済基準)
 - ①住民税非課税世帯・生活保護世帯
 - ②社会的養護を必要とする人
 - =児童養護施設に入所する者，里親に委託されている者など
 - (成績基準)
 - ・高校の定める要件を満たすこと。学業成績であれば評定4.0以上など
(1～5で各科目の評価を行い，その平均が4.0以上ということ)
 - ・各校の枠が限られており，枠を超えた場合は成績順の場合が多いとみられる
 - ・日本の高校は，入学試験の点数に応じて階層化されており，下位校で最も成績優秀な生徒と上位校で成績が劣悪な生徒を比較して前者の方が学力が高いとはいえない
- ・支給額
月額2～4万円
+入学時一時金：24万円(②のみ)

(2) 貸与制奨学金制度—貸与時

- ・採用：高校在学中又は大学等入学後に申し込み・採用
- ・基準：経済基準と成績基準を両方満たす必要がある
 - (経済基準) ※家族構成，申込時期等により異なる
 - ・高校在学中の申込み，3人世帯で給与収入のみの場合
657万円以下(無利子)，1009万円以下(有利子)
 - (成績基準)
 - ・高校の評定平均3.5以上(下記例外を除く無利子)
 - ・事実上基準なし(無利子・住民税非課税世帯，有利子)
- ・貸与額
無利子：3万円又は教育機関・自宅通学かどうかにより4.5～6.4万円の選択
有利子：3，5，8，10，12万円(一部は14，16万円)から選択
入学時に50万円(有利子)を追加で借りることができる
- ・返還
卒業の6か月後～最長20年かけて月に数千～数万円ずつ返還する
(期間・月額は借りた金額に応じて決まる)

(3) 貸与制奨学金制度—返還制度

(返還方法①＝定額返還方式：Mortgage Sytle)

- ・対象：2016年度以前の採用者全員，2017年度以降の②以外
- ・方法：最長20年間で月額数千～数万円ずつ，銀行口座から引き落としで払う
期間・月額は，借入額に応じて決まる

(返還方法②＝「所得連動返還方式」：‘Income Contingent Loan’)

- ・対象：2017年度以降の無利子奨学金採用者のうち，希望者
- ・方法：前年の住民税課税所得の9%÷12を毎月銀行口座から引き落としで払う
ただし，最低額は2000円/月（所得0でも最低額は返還する）
- ・注意：日本の「所得連動返還方式」は国際的には特殊
→2010年度から導入された当初の「所得連動返還方式」は，貸与時の親の年収が低い（300万円以下）場合，返還期限猶予の上限（10年）を無制限とするもの
→2017年度から導入された新「所得連動返還方式」も，源泉徴収ではなく，ベースも前年所得であり，所得0でも最低2000円の返還を要するなど，イギリス（イングランド）、オーストラリア、ニュージーランドの所得連動返還制度とは異なる点が多い

(返還時の負担軽減制度)

- ・返還期限猶予：低収入の場合に，1年単位で返還を先送りするもの
→病気やケガなどでない単なる低所得の場合は，通常最大10年まで
→おおむね給与収入年300万円以下が目安
- ・減額返還：低収入の場合に返還月額を2分の1又は3分の1に減らすもの。
→代わりに完済が遅くなる
→基準は返還期限猶予と同程度
- ・返還免除制度
→本人が死亡又は重度の障害で働けなくなったときは免除されることがある
→破産すると本人は責任を免れる
→大学院の無利子奨学金に限り，優秀者に全部／一部免除が与えられる

(返還停止の場合)

- ・返還が停止した場合には，独立行政法人日本学生支援機構が回収を試みる
→信用情報機関に延滞者として登録する
→返還予定の全額を，裁判所を通じて請求する
→保証人（親の1人及び親以外の親戚1名）に請求する
→返還期限猶予や減額返還の対象者であっても，手続が行われない／遅延すると裁判所を通じた手続を行い，積極的にこれらの制度の周知をしない

2 奨学金制度の問題

(1) 共通

- ・家族（親）が学費を負担する前提の下、それを補完する制度としての位置づけ
→奨学金のみ（＋無理のないアルバイト収入）での修学が容易でない
- ・複雑な家庭への配慮がない
→離婚していない場合、両親の署名がないと給付制奨学金をもらえない
→親が振り込まれた奨学金を管理し、生活費や事業費等に流用する例がある
- ・留年や休学した場合のフォローがない
→「最短修業年限」（学部は通常4年、医学部などは6年）相当期間のみ対象
留年・休学の場合、廃止になることもあるし、少なくとも1年は支給が止まる
- ・多くの大学が、入学前に入学金や1年生前期の授業料納入を求めるのに対し、奨学金の入金は早くても入学後の4月となる
→民間機関（労働金庫）が奨学金入金までの融資を行っている

(2) 給付制奨学金

- ・公的奨学金は、ほとんどが貸与制であり、給付制は2016年度まで皆無
- ・規模（給付金額・対象人数とも）が足りない
- ・成績不良等の場合、給付額の返還を求められることがあるが、その基準が不明確

(3) 貸与制奨学金—貸与時

- ・無利子の貸与額が低い
→国立大の授業料を賄うには足りるが、学習費・生活費には足りない
→私立大の授業料は賄えない
→特に東京の家賃は高く、家賃を払えるかどうかという程度の金額にとどまる
- ・連帯保証人（親の1人）、保証人（両親以外の親戚）が必要となる
用意できない場合、最大5～6%を保証料として先払いする必要がある
- ・無利子については条件を満たしていても予算不足で採用されない例があるとの声が絶えない（政府の見解では、全員採用が可能な予算が確保されている）

(4) 貸与制奨学金—返還時

- ・貸与制奨学金は死亡などの例外を除き、全額返還が前提となっている
→大学を卒業すれば安定した雇用の得られた時代の制度のまま
- ・失業等で返済困難になった場合の救済制度が不十分である
- ・延滞になると救済制度の利用を拒否されることがある
- ・日本学生支援機構が救済制度を恣意的に運用している
- ・返還時に滞納に陥り、破産する例もあることが世間に広まり、特に低所得世帯で貸与制奨学金の利用を躊躇する場合が増えている
- ・奨学金を保証人に請求されることをおそれ、破産できない

3 奨学金問題対策全国会議の活動

(1) 日本での学費・奨学金問題に関する活動の流れ

- ・高等教育の学費負担についての社会の関心
 - これまで：経済的理由での進学断念や中退など
 - 学生や親、高校・大学の教員らが主な活動主体
 - 奨学金の会結成（2007.12）＝学生、高校教員、学者、学生支援機構労組
 - 2008：「苦学生」の再発見＝報道機関による注目
 - '00年代半ば～：労働組合が失職する等した返還困難者を支援
- ・奨学金問題対策全国会議の結成（2013）
 - 法律家のほか、労働組合、大学教員、高校教員など
 - 返還困難者対策の不十分さを指摘
 - 返還期限猶予の年数を5年→10年に延長（2014～）
 - 延滞金利率を10%→5%に軽減（2014～）

(2) 奨学金問題対策全国会議の活動

- ・奨学金問題ホットラインの実施（弁護士、司法書士、労働組合など）
 - 返還困難者の実態を把握、返還困難者に対する法的アドバイス
 - 日弁連も奨学金問題に取り組む
- ・奨学金問題に関心を持つ学生と協働
 - 学生のアンケート調査などで学生の学費負担の実態を把握
- ・実態に基づいた政策提言を行う
 - 返還期限猶予の年数を5年→10年に延長（2014～）
 - 延滞金利率を10%→5%に軽減（2014～）
 - 給付型奨学金の創設（2017～）

IV 国際人権規約と日本の高等教育

1 国際人権規約13条2項(c)

日本では、授業料の高騰と貧弱な経済的支援制度のため、少なくとも「経済的状況にかかわらず」均等に機会が与えられるものとはいえない。

また、「無償教育の漸進的な導入」についての留保撤回（2012.9.11）以降も、実負担の軽減は多少前進したが、純負担の軽減は非常に限定的である。ただし、学費負担の増大には一定の歯止めがかかっている。

2 国際人権規約13条2項(e)

日本では、公的な給付制奨学金制度が2017.4まで存在しなかったから、政府が留保していなかった“an adequate fellowship system shall be established”には長年にわたって違反していた。

もっとも、”fellowship”を単に「奨学金」と訳したため、「奨学金」という用語を給付・貸与を区別せず用いる日本ではこの違反は長らく看過されている。

以上

The Burden of Higher Education Costs and Educational Opportunities in Japan

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January 28, 2018

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Introduction: The Peculiarity of the term “Scholarship” in Japan – To Avoid Misunderstanding

In Japan, “*shougakukin*” (奨学金) means “funds lent or granted to assist one in receiving education (at educational institutions)”, which includes both grants / scholarships / fellowships and student loans.

In Japan, since the national government established the “*shougakukin*” system of student loans in 1943, most people have developed a habit to call both grants / scholarships and student loans “*shougakukin*” without doubt because most public financial aids are student loans, which is called “*shougakukin*.” In addition, there are many examples that translate the Japanese term “*shougakukin*”, into “scholarships” even though they usually refer to student loans.

I. A Description of the Burden of Higher Education Costs

1. Definitions

- Tuition Costs (学校納付金)
- Education Costs (学習費) = Tuition Costs + Expenses for Transportation, Textbooks and so on
- Total Costs (学生生活費) = Education Costs + Living Expenses
- Net Costs (純負担) = Total Costs - Financial Aids by Benefits
- Out-of-Pocket Costs (実負担) = Net Costs - Financial Aids by Loans
- Foregone Earnings (放棄所得)

2. Point of Discussion

If a student cannot pay tuition costs, he/she will be expelled from school. If a student cannot bear education costs, he/she will be virtually excluded from higher education. If a student cannot bear his/her total costs, his/her life will fall apart, ending up in nonpayment of tuition costs anyway. On the other hand, if net costs and out-of-pocket costs are reduced by financial aids, the possibility to bear these costs will increase. However, since financial aids by loans retain the burden of repayment, it is not the same as financial aids by benefits. In

addition, especially in the case of low-income households, foregone earnings cannot be ignored.

As for the affordability of higher education, Usher & Cervenán (2005) gives a comprehensive consideration to the indicators above as follows. Even though the degree of influence may be argued, the perspectives that these factors give are very important.

10% - Educational Costs	10% - Total Costs
25% - Net Costs	15% - Net Costs after Tax Expenditures
25% - Out-of-Pocket Costs	
15% - Out-of-Pocket Costs after Tax Expenditures	

3. Short Summary

We need to comprehensively consider not only to the amount of tuition costs and financial aids by scholarships, but also to the higher education costs borne by parents and students.

II. Youths / Students in Japan and the Burden of Higher Education Costs

1. Active Exclusion from Higher Education

(1) Giving Up Attendance to University

Youths / students;

- work instead of attending university, being unable to bear the costs.
- work instead of attending university, being unable to pass the entrance examination to a national university and to bear the costs to attend a private university.
- go to vocational training and not to a higher educational institution, being unable to bear the costs.

(2) Limitation of the Courses after the Graduation - Accessibility with No Choice

Youths / students;

- take entrance examinations only to national or public universities and not to private universities, for it is too expensive to pay the costs.
- enter a two-year college (a junior college) or a technical college, since it takes four years in a university to graduate.
- enter a low-rank university on purpose to get merit-based scholarships.
- enter a university near the parent's home on purpose to reduce the costs.

(3) Dropout

- Students dropout, being unable to bear the costs.
- It is uncommon that university dropouts return to school in Japan.
- It is often disadvantageous to apply for jobs in comparison with the case of applying for jobs at the time of graduation from a high school.

(More than 10 thousand students dropped out or are expelled because of economic reason all over Japan. (Kobayashi et al., 2016:175))

2. Passive Exclusion from Higher Education

(1) Jobs

- Students are unable to secure sufficient time for learning because of (part-time) jobs
- There are a considerable number of examples where students lose their will to learn and drop out, being unable to have time or being late for or absent from the class due to (part-time) jobs.
- Students cannot their quit (part-time) jobs even if working conditions are poor (such as illegal conditions under the Labor Standard Law).
- Students engage in prostitution or engage in businesses related to prostitution to earn a regular income in a limited time.

(2) Financial Difficulties for Living and Its Effect on Academic Life

Students;

- cut costs for food and clothes, and cannot participate in interaction with other students.
- choose classes which do not require them to buy textbooks.
- avoid practical classes which require expenditure on transportation and accommodation costs.

(3) *Shougakukin* (explained below)

(4) Leave of Absence from School

- Students discontinue learning by registering absence from school, and earn money to save.
- There are many universities that charge the full amount or a part of the tuition fee even during the period of leave of absence.

3. Problems after the Graduation from Higher Education

(1) Student loan repayments (explained below)

(2) Unstable employment especially after completion of Graduate School

4. Some Examples

III. “*Shougakukin*” in Japan

1. The Public “*Shougakukin*” System in Japan

(1) Scholarships / Grants

- Part of the program is carried out in advance in 2017. Full implementation starts from 2018.
- Confirmation: Application and confirmation happen during high school years. Students receive funds after entering the university or other schools.
- Standard: students are required to meet both economical and academic standards.

(Economic Standards)

- ① Households exempted from resident tax or those receiving welfare benefits.
- ② Person in need of social care

= A person in an orphanage or in a foster family, etc.

(Academic Standards)

- High schools establish the requirements, such as average grade of 4.0 and over (grading each subject according to a 1-5 level grading system).
- Each school has their own limit, and they usually make decision based on the academic achievements of the students when the number of applicants exceeds the limit.
- Japanese high schools are stratified according to the scores of the entrance examination. It is not certain that whether the most excellent student from a low-rank school is academically more superior to an inferior student from a high-ranked school.

• Amount of Funds

¥20,000 ~ ¥40,000 / month + a temporal entrance fee of ¥240,000 (only for ②).

(2) Student Loans: at the Time of Lending

- Confirmation: application and confirmation happen during high school years, or application and confirmation after the entrance to a university or other schools.
- Standard: both economically and academically selective.

(Economic Standards) *It depends on the family structure and the application period.

- In the case of application during high school years by a household consists of 3 people only with earned income

No more than ¥6.57 million (for interest-free loans) or no more than ¥10.09 million (for interest-bearing loans)

(Academic Standards)

- The average grade is 3.5 and over at high school (for interest-free loans, excluding the exceptions below).
- There is no standard virtually (for interest-free loans to households exempted from resident tax, and for interest-bearing loans)

• Amount of loans

Non-interest bearing: choosing from ¥30,000 or ¥45,000 to ¥64,000 / month depending on the type of school and the mode of travelling to school.

Interest-bearing: choosing from ¥30,000, ¥50,000, ¥80,000, ¥100,000, ¥120,000, (¥140,000 or ¥160,000 for some students) / month. It is possible to borrow additional ¥500,000 (with interest) at the time of the entrance.

• Repayment

The loans have a grace period of six months after leaving school and maximum repayment period of 20 years. The amount of repayment is about from ¥6,000 to ¥45,000 / month.

(The period and the amount of monthly repayment depend on each students' total amount of indebtedness.)

(3) Student Loans: the Repayment System

(Repayment Method ①: Mortgage Style)

- Target: all the recipients before 2016, and the recipients after 2017 excluding ②
- Method: The loan must be repaid within a maximum period of 20 years from a bank account. The amount of refund is about from ¥6,000 to ¥45,000 / month. The period and the amount of monthly repayment depend on the total amount of indebtedness.

(Repayment Method: “Income Contingent Loan”)

- Targets: Applicants who wish to apply from the recipients of the non-interest bearing loans after 2017
- Method: 9% of the taxable income for residence tax in the previous year is charged from a bank account (divided by twelfth to be paid every month). However, the minimum amount of repayment is ¥2,000 / month (even if income is ¥0).
- Notes: “income contingent loan” in Japan is peculiar in the world.
 - The original “income contingent loan” implemented in 2010 abolished the maximum grace period of 10 years, when the parent’s annual income is low (¥3 million and below) at the time of lending to no set time limit. The others are the same as normal mortgage style.
 - The new “income contingent loan” implemented in 2017 is based on the income of the previous year, and not on withholding tax. The minimum repayment of ¥2,000 is required even if the income is ¥0. Thus it is different from the income contingent loan systems in the UK (England), Australia and New Zealand.

(The System to Reduce the Burden at the Time of Repayment)

- Grace period: the system allows 1 year’s grace for repayment for low-income earners.
 - Maximum 10 years for those who stay low-income and are not sick or injured, although there is no time limit for those who stay low-income because he/she is sick or injured.
 - Annual income is approximately below ¥3 million.
- Reduction of the amount of monthly repayment: reducing the amount of monthly repayment to half or 1/3 for low-income earners.
 - It delays full repayment instead.
 - The standard is the same as that for a grace period for repayments.
- Exemption from Repayment
 - If the borrower dies or cannot work because of a severe disorder, the repayment can be exempted.
 - Personal bankruptcy exempts the borrower from repayment.
 - Only the student loans for graduate students can be fully or partially exempted from repayment on the basis of academic excellence.

(In the Case of Nonpayment)

- In the case of nonpayment, the JASSO attempts to collect funds.
The JASSO;

- registers the person as a delinquent person in credit information organizations.
- demands the full repayment through court.
- directs repayments demands to the guarantor (a parent and a relative)
- Even if the borrower is eligible for a grace period or an exemption from repayment, the JASSO does not give information about these systems actively. Legal procedures are conducted if there is no action or repayment by a borrower.

2. The Problems of the *Shougakukin* System

(1) Common Problems

- The system is regarded as an addition to a family's (parent's) burden on the costs.
 - It is not easy to earn a degree only with *shougakukin* (+ moderate part-time jobs).
- There is no concern for complex families.
 - If parents are not divorced, students cannot receive a benefit scholarship without signatures from both parents.
 - There are some cases that parents divert the *shougakukin* to use as living costs or business expenses.
- There is no help for students who require an extra year before completion or who register absence from school.
 - Students are eligible only during “the minimum academic period” (4 years for under graduates, 6 years for students in a medical department and the like)
 - In the case of a student who needs extra year or who register absence, transfer of the *shougakukin* stops at least for a year, or gets abolished.
- Although most universities require payments for entrance fees and also tuition fee for the first semester before commencement, transfer of the *shougakukin* only starts after entrance to the school in April at the earliest.
 - Borrow from private institutions (the Labour Bank) to finance that period.

(2) Benefit Scholarship

- Most of the public *shougakukin* are loans. There was no public scholarships / grants for Japanese students at all until 2016.
- The scale is too small (regarding both the amount of funds and the number of eligible students)
- The standards for disqualification, such as poor academic achievements, are unclear.
- Students may have to repay the amount of scholarship that is transferred when he/she is disqualified.

(3) Student Loan: at the Time of Lending

- The amount of the non-interest bearing loans is small
 - It can cover the tuition for a national university, but cannot cover education costs and living expenses.

→It cannot cover the tuition for a private university.

→It is not enough for paying rent, especially in Tokyo.

- A student needs a joint surety (a parent) and a guarantor (a relative).
If a student can't get those people, he/she needs to pay the maximum 5~6% as a guaranty money.
- As for the non-interest bearing loans, there are many examples that an eligible student was not selected due to a shortage in budget. (According to the government opinion, the budget is enough for paying the loan to all the applicants.)

(4) Student Loans: at the Time of Repayment

- Full repayment is a precondition, except in the case of the borrower's death or severe disorder.
→The system is designed based on the belief of the time when students could find a stable job after graduation from a university.
- The relief system for repayment in difficult cases, such as unemployment, is not sufficient.
- The use of the relief system may be refused in the case of non-payment.
- The JASSO is arbitrary in enforcing the relief system.
- More students, especially those from low-income households, are hesitant to use scholarship loans as there are cases that are spreading in society of those who went personal bankrupt due to non-payment.
- Students cannot go bankrupt, being afraid of getting claimed for the loans by the guarantor.

3. Actions Taken by the National Conference on *Shougakukin* Problems

(1) The Sequences of Actions on Higher Education Costs and Scholarship Problems

- The Social Concern on the Burden of Higher Education Costs
→Up to now: give up going to university or dropout for the economic reasons.
→Actions taken by students, parents and teachers of high schools and universities.
→The establishment of the Society for *Shougakukin* (Dec. 2007), consisting of students, high school teachers, scholars and the Labor Union in the JASSO.
→2008: rediscovering the issue of "working students" = focused by news media
→Mid-2000s: labor unions supported borrowers who face difficulty in repayment due to unemployment.
- The National Conference on *Shougakukin* Problems was established (2013).
→Consist of lawyers, labor unions, teachers of high schools and universities.
→Pointed out the insufficiency of measures taken for borrowers facing difficulty in repayment.
→A grace period was extended from 5 years to 10 years (2014~).

→The interest rate of arrears was reduced from 10% to 5% (2014~).

(2) Actions Taken by the National Conference on *Shougakukin* Problems

- The hotline for *shougakukin* problems was set up (by lawyers, judicial scriveners and labor unions).

→Grasping the actual situations of borrowers who are facing difficulty in repayment, and providing legal advices

→The Japan Federation of Bar Associations also addresses *shougakukin* problems.

- Cooperation with students who are concerned with *shougakukin* problems.

→Grasping the actual situations of students' burden of higher education costs through a questionnaire surveys.

- Making policy recommendations based on the actual situation.

→A grace period was extended from 5 years to 10 years (2014~).

→The interest rate of arrears was reduced from 10% to 5% (2014~).

→A Benefit Scholarship was established (2017~)

IV. International Covenants on Human Rights and Higher Education in Japan

1. The Article 13, 2(b)(c) of the International Covenant on Economic, Social and Cultural Rights

In Japan, due to the rising fee of tuition and the poor economic support system, it is difficult to say that the higher education is equally accessible to all “regardless of their economic situation”.

In addition, even after the withdrawal from the reservation about “the progressive introduction of free education” (2012/9/11), while the reduction of out-of-pocket costs advanced to a certain degree, the reduction of net costs is very limited. However, it has put a brake on the increase of the burden of the costs at a certain level.

2. The Article 13, 2(e) of the International Covenant on Economic, Social and Cultural Rights

In Japan, since there had been no public financial aids by benefits before April 2017, the government had been violating the provision which states that “an adequate fellowship system shall be established”.

It must, however, be added that, since “fellowship” was translated into “*shougakukin*” in Japan, this violation has been performed unnoticed as the term was used without distinction between benefits and loans.

End.