

Minority Women [Article 1,2,3,4,7,8,11,12,15,16] Women with Disabilities

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[concern/problem] The section on “Measures for Women with Disabilities” within the government’s report actually contains nothing at all dealing with women with disabilities. In fact, it is difficult to find any policy at all. Article 6 of the Convention on the Rights of Persons with Disabilities, expresses a clear recognition that women and girls with disabilities are subject to multiple discrimination and calls for appropriate measures to guarantee them the exercise and enjoyment of the human rights. The situation in Japan is far from this ideal. [recommendation] The Japanese government should implement policies to recognize the multiple discrimination faced by women with disability. In particular, it should work to eliminate domestic violence against them and provide compensation for forced sterilization. To do this, it must conduct surveys of persons with disabilities and compile statistics disaggregated by gender.

The Japanese government’s surveys on the situation of persons with disabilities do not separate statistics by gender. As a result, the government cannot grasp the problems of women with disabilities, and cannot implement needed policies. In 1991, the UN Committee on the Elimination of Discrimination against Women recommended that signatory countries provide information on women with disabilities and on measures taken to deal with their particular situation (General Recommendation 18). In 2003, the Committee, in its recommendation (A/58/38(SUPP)) to the Japanese government, following Japan’s fourth and fifth periodic reports, called on it to collect and analyze data disaggregated by gender and age. However, the Japanese government has yet to comply.

No progress has been made in preventing domestic violence against women with disabilities, grasping the reality to protect victims and make physical and psychological recovery possible, and making consultations and refuge facilities accessible to persons with disabilities. Nothing has been done to provide women who have disabilities with educational, work, and income opportunities to gain independence, which is necessary to the prevention of and recovery from abuse.

The Eugenic Protection Law, which was in force until 1996, included provisions for the sterilization of people with disabilities without consent, and 16,520 people were subjected to this provision by 1994, 68% of them women. It is possible that illegal sterilization still happens today. The UN Human Rights Committee issued a recommendation to the Japanese government in 1998 calling for the provision through law of the right to compensation for women with disabilities who had been subjected to forced sterilization (Concluding Observations, CCPR/C/79/Add.102, paragraph 31). However, the government failed to adopt the required legal measures, and has neither carried out investigations nor provided compensation.