

## 5. Reproductive health and rights

- Among the women who responded to our survey, there were those who had been forced to undergo eugenic sterilization under the Eugenic Protection Law.
- The UN Human Rights Committee issued a recommendation to the Japanese government in 1998 calling for a law to provide fact-finding research, make an official apology, and compensate women with disabilities who had been subjected to forced sterilization.
- In June 2015, a woman, who underwent forced sterilization in 1963 (when she was 16 years old) without being informed, lodged an appeal for the restoration of her human rights with the Japan Federation of Bar Associations. She said that *“due to my mental disabilities, I was forced to have a sterilization operation without being informed. I had experienced a severe pain and fatigue during my periods. I do not want this unanswered. I demand an official apology from the government.”*

## Proposed Recommendations

CEDAW's 63<sup>rd</sup> Session, February 2016

### Paragraph 16: Health

#### Women with disabilities who have been subjected to forced sterilization

- Based on a recommendation from the United Nations Human Rights Committee, violations under the former Eugenic Protection Law should be immediately recognized as human rights violations, and investigated by a special commission, following which apologies should be offered and compensation paid.

### Paragraph 20: Disadvantaged groups of women "women with disabilities"

#### 1) Access by women with disabilities to all rights covered under the Convention

- In order to ensure access to all rights provided for in this Convention, the need to make efforts to address the issue of multiple forms of discrimination against women with disabilities should be clearly provided for in laws (in each of the basic laws as well as in the Act on the Elimination of Discrimination against Persons with Disabilities, the Act on the Prevention of Abuse of Persons with Disabilities, etc.) and in plans that should be formulated and implemented to make this a priority issue.
- With regard to all areas, including employment, where efforts are especially delayed, but also in

education, health, violence and so on, in order to gain an accurate understanding of the current situation of women with disabilities, statistics on persons with disabilities should be upgraded to provide gender statistics with the data so that the information gathered can be used to gain a true understanding of the situation by gender.

- Establish an environment where women with disabilities can work in a situation which provides reasonable accommodation for people with disabilities.
- In order to have the views of women with disabilities reflected in measures and policies, having first placed members related to work with persons with disabilities in the majority on committees and councils on persons with disabilities, the proportion of women among the members with disabilities should be at least 30%.
- In residential facilities and so on, same-gender assistance should be made standard practice, and education about multiple forms of discrimination against women with disabilities should be included in the training curricula for staff and employees providing educational, employment, medical, health and other services. This training should include that given to the staff and employees of consultation rooms that deal with abuse and violence.

## Voices

- *Before I had a disability, my mother and others told me that I should hurry and get married and have children. But as I became pregnant, my doctors and my mother recommended an abortion because they thought I was going to have a disabled baby and doubted whether I would be able to raise him/her.* (40's. Visually disabled and with Type 1 diabetes)
- *When I was diagnosed with a uterine fibroid, the doctor told me that I would be cured if the uterus were removed. When I said, "I want to have children," the doctor exclaimed, "What!!!" I sobbed my heart out when I heard that. I felt that as a woman I had been denied.* (40's. Physically disabled)
- *If you are a woman, then you should know about your own body, but no one would tell me. We're not taught about our bodies even in school. It should be changed. I want correct information.* (30's. Mentally disabled)

- Provide appropriate sex education and take necessary measures such as developing contraceptive methods and pelvic examination tables that are easy for persons with disabilities to use, and reform facility environments so as to make them barrier free, etc.

### 2) Sexual violence against women with disabilities

- The government should:
  - Gain an understanding of the actual situation regarding sexual violence against women with disabilities.
  - Make consultation contact points accessible for women with disabilities so that they can consult in a variety of different ways.
  - Create opportunities for women with disabilities to receive sex education, education for preventing sexual violence, and so on.
  - Create opportunities for the staff of welfare facilities and teachers as well as school staff to receive training to learn about and make efforts to prevent the multiple forms of discrimination, including sexual abuse, against women with disabilities.

### 3) Shelters for women with disabilities

- The government should:
  - Gather and maintain basic data on domestic violence against women with disabilities.
  - Carry out and make the necessary system adjustments to implement the elimination of barriers within facilities and provide appropriate personnel support for assistance and interpretation to make it possible for women with disabilities to use public shelters.



## NOTHING ABOUT US WITHOUT US!

### ONGOING MULTIPLE DISCRIMINATION TOWARD WOMEN WITH DISABILITIES



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"Report of a Survey on Difficulties in Life for Women with Disabilities" 2012

## DPI Women's Network Japan

- An organic network linking women with disabilities in Japan.
- Established in 1986 aiming to encourage autonomy of women with disabilities and to advocate for the repeal of the Eugenic Protection Act.
- After a temporary halt in 1996, when the Eugenic Protection Act was revised with the deletion of its eugenic clause and had its name changed to the Maternal Protection Act, resumed its activities in 2007 after a call for solidarity among women with disabilities at the DPI World Assembly in Korea.
- Currently engaged in advocacy work on various challenges regarding laws, policies, and measures faced by women with disabilities at the national and international levels.

## A Survey on Difficulties in Life for Women with Disabilities

- We conducted a survey on Difficulties in Life for Women with Disabilities in 2011.
- While there are very few official studies of or attention on the multiple difficulties experienced by women with disabilities, the purpose of the survey was to shed light on their everyday reality in order to raise awareness of the seriousness of their situation.
- 87 women with disabilities cooperated with the survey and 262 voices were collected. Some are included in this leaflet.
- Along with the survey, we also investigated official documents such as the Domestic Violence Prevention Program in all municipalities in Japan to discover whether or not they include policies regarding women with disabilities.



# 1. Nothing about us without us!

*"I am a woman with a speech impediment. Nobody ever asked me how I wanted to live my life. But I don't give up."*

- Only two women with disabilities are among the 28 members of the Commission on Policy for Persons with Disabilities. Also, there are no women with disabilities on the Commission on Policy for Women.
- The participation of women with disabilities is essential because their voices have to be reflected in policy. Nothing about us without us!

The Convention on the Rights of Persons with Disabilities (CRPD) prohibits all forms of discrimination on the basis of disability, including the denial of reasonable accommodation.

A woman with a visual impairment was discriminated against as she was denied hospital admittance for childbirth. The hospital she was then referred to asked the woman about the inconveniences she faced, and provided reasonable accommodation by, for example, assigning her a room close to the lavatory, ensuring that it was easy for her to walk along the corridor by keeping it clear, and having a nurse explain the positions of eating utensils and menus' contents at mealtimes.

An understanding of the principle and content of CRPD in all sectors of society is indispensable for the resolution of multiple discrimination.

1

Women x Disability  
Let society be a place  
where we can live  
just the way we are.  
Mami Goibuchi  
(CP)



2

We need "gender statistics" for solving the issues faced by persons with disabilities!  
Hitomi Yoshida  
(Hearing disabled)



3

Let's change Japan's policies in Geneva and create a solidarity among women with disabilities all over the world.  
Sadako Sasaki  
(Visually disabled)



4

I sparkle!  
We are all radiant!  
Our participation makes a difference!  
Kumiko Fujiwara  
(Visually disabled and with Type 1 diabetes)



## 2. Gender statistics on persons with disabilities and employment

- While the government's statistics pay attention to the type and level of disability, in most cases they do not include statistical data on persons with disabilities by gender.
- In particular, the survey on the Employment Situation of Persons with Disabilities does not ask about gender. So it is impossible to discern the situation of 420,000 employees with disabilities by gender.
- All statistics, including on employment, education, health, and violence, should be compiled to include data on gender so that realities become visible and appropriate measures can be taken.

## Voices

- *At a job interview, I was told, "I tell you what, we do not need disabled people. I would rather hire a man with invisible disabilities."* (30's. Physically disabled)
- *I became disabled after a traffic accident. My loss of earnings calculated was much lower than what a man would have been receiving because it was based on the current employment situation and average wages which already have a gender gap.* (20's. Physically disabled)
- *I was told by my doctor, "It's a good thing you are a woman, isn't it? Your family and spouse will take care of you if you are disabled." The idea that a woman doesn't work and is looked after by her family is completely unacceptable to me.* (20's. Mentally disabled)

## 3. Sexual assault, violence and abuse

- Among responses to the survey, the dominant response was about sexual assault, with 35% stating that they had experienced sexual violence.
- They experience violence at school and at home, in welfare facilities and healthcare settings, and in their workplace. Since this tends to occur behind doors and there are usually power relations involved, it is difficult for women to speak out.
- In order to make consultations and shelters accessible for women with disabilities, we need to remove the information gap and physical barriers and provide reasonable accommodation for women, including the provision of interpretation services and personal assistance.
- It is necessary to create opportunities for the staff of welfare facilities and consultation desks to receive training to learn about multiple forms of discrimination against women with disabilities.

## Voices

- *I was sexually molested by my mom's boyfriend. While he was assisting me during my bath time, he touched my breasts and other parts of my body. It was horrible. I told my mom but she did not believe me. That was even worse.* (30's. Physically disabled)
- *I was sexually molested at elementary school. You need to communicate to get help. I was not able to call out for help because of my hearing disability. The same person molested me again when I was a junior high school student.* (20's. Hearing disabled)
- *I somehow managed to get a job, but, my boss asked me to go out for a drink. I got drunk and fell asleep. He then took me to a hotel and raped me. Afterwards, he repeatedly forced me to have sex with him.* (30's. Physically disabled)

## 4. Access for all social services

- All medical, healthcare and welfare services where women without disabilities have access should be accessible for women with disabilities.
- Pregnancy, birth and child rearing by women with disabilities are almost totally neglected. Some women with disabilities have been forced to have an abortion.
- Many women with disabilities have to accept male caregivers for their bathing and toilet assistance. They face a high risk of sexual violence. Same-gender assistance should be standardized.
- There is a widespread idea that a child with disabilities is a burden on women. We envision the enhancement of social services that do not depend on family members to create a society where all lives including those of women with and without disabilities are respected.

## Voices

- *When I was hospitalized in a national hospital, the women's bathing and toilet assistance, and the changing of sanitary pads was performed by men. All the women patients disliked this intensely and demanded same-gender assistance, but we were told that women are not strong enough to do this work. Assistance was given with the curtains open and in full view of the corridor.* (50's. Physically disabled with muscular dystrophy)
- *The household helper's hours were cut back. I wanted more help with cooking and so on, but I was told, "You're a woman, so do it yourself."* (50's. Mentally disabled)
- *I was worried about raising children because I was receiving insufficient assistance for my daily life. If there were assistance for children I might have been able to have my own children.* (40's. Physically disabled)