

Japan NGO Network for CEDAW (JNNC)
Alternative Report for the Follow-up Procedure
of the Committee on the Elimination of Discrimination against Women

III. contribution from: DPI Women's Network Japan

Paragraph 21 (d) of the Concluding Observation

Women with disabilities are subject daily to hate speech that is rooted in the multiple discrimination involving discrimination against people with disabilities and gender discrimination. For this reason, we believe that women with disabilities should be included in “other minority women” in paragraph 21(d) of CEDAW/C/JPN/CO/7-8, which reiterates the committee's previous recommendation (CEDAW/C/JPN/CO/6).

We believe that legal provisions prohibiting multiple discrimination against women with disabilities are necessary.

In July 2016, an incident occurred in Japan in which a man who was a former facility employee broke into a care facility for persons with intellectual disabilities managed by Kanagawa Prefecture, stabbing to death 19 of the residents. The man who perpetrated the incident made the statement that it was beneficial for society to kill persons with severe disabilities. After this incident, many people voiced the sentiment that they felt anxious about going outdoors. A woman with disabilities said after the incident that she felt terrified when someone said something degrading to her when she was using public transport.

In 2017, it became clear that there is a statement in the booklet commemorating the relocation of the hospital published by the Hyogo Prefectural Kobe Children's Hospital in March 2016, that the “movement to prevent the birth of unfortunate children” implemented by Hyogo Prefecture from 1966 to 1974 was said by the prefectural governor of the time to have been “a unique prefectural people's movement that was the first of its kind in Japan” and “was a matter of great pride to Hyogo Prefecture.”

In response, a group consisting mainly of persons with disabilities conducted protest activities. But Hyogo Prefecture replied that the statement contains historical material of the time and refused to offer an apology or create an opportunity for discussion.

Japan had a Eugenic Protection Act that, based on the concept of eugenics, governs the practice, for example, of eugenic operations such as forced sterilizations. About 16,500 people have been made to undergo sterilizations without consent under this act. Women account for roughly 70% of those who have been victims of forced sterilizations. A significant number of the victims were minors. The United Nations has in the past issued three recommendations regarding forced sterilizations, demanding apologies and compensation, but to the present day the Japanese government has indicated no intention of offering apologies or compensation, stating that the operations were legal at the time. In January this year (2018), a woman who was the victim of a forced sterilization under the Eugenic Protection Act has, for the first time, initiated a lawsuit against the government.

The fact that the Eugenic Protection Act existed in Japan until 1996 and the fact that language and deeds that negate the lives of persons with disabilities, as mentioned above, continues to this day, are inseparable elements of the same problem. To eradicate such language and deeds it is required that Japan face up squarely to the problems of the past eugenic policy, and as stated at the outset, that the prohibition of multiple discrimination including discriminative language against women with disabilities is clearly enshrined in Japanese law.

Full text:

http://tbinternet.ohchr.org/Treaties/CEDAW/Shared%20Documents/JPN/INT_CEDAW_NGS_JPN_30527_E.pdf