

<Questions>

1. How many cases of domestic violence perpetrated against women with disabilities are reported to public counseling services every year? What is the annual number of disabled women accepted in public DV shelters? What sorts of alternative communication is available for clients, other than telephoning? How many women are accepted yearly into public DV shelters, and what is the percentage of shelters that are able to ensure accessibility for disabled women in their facilities through efforts such as an organized personnel system, including interpreters and personal assistance? (Concluding Observations, CCPR.C.JPN.CO.6, paragraphs 32 and 52) (Reports of State Party, paragraph 42)
2. The questionnaire form titled “Survey on the Employment Situation of Persons with Disabilities,” which follows the Act on the Promotion of the Employment of Disabled Persons in Japan, does not ask respondents to indicate their gender, even though this has been pointed out by organizations including the Statistic Commission of the Cabinet Office. What is the timeline, and the method, for making this change? (Concluding Observations, CCPR.C.JPN.CO.6, paragraph 52) (Reports of State Party, paragraph 42)
3. How are the recommendations from the United Nations Human Rights Committee being implemented with respect to research on forced sterilization via the former Eugenic Protection Act, and compensation to victims? (Concluding Observations, CCPR.C.JPN.CO.6, paragraphs 50 and 52)

<Background>

While government policy plans have begun mentioning that women with disabilities face compounded difficulties (Reports of State Party, paragraph 128), specific measures and policies have yet to be drawn up. As a state party to the Convention on the Rights of Persons with Disabilities, Japan is urged to take appropriate measures by highlighting this issue.

1. Under the Act on the Prevention of Spousal Violence and the Protection of Victims, “equality with other persons” must be realized.
 - Although the act states, “Respect their human rights regardless of nationality or disability, etc.,” public DV counseling services are only accessible by telephone—meaning that clients with hearing and speech impairments find it difficult to get connected. Additionally, these public shelters have failed to design facilities for wheelchair users and disabled persons who need personal assistance.
2. The absence of a gender perspective within disability statistics is related to the government’s lack of policies in this regard.
 - Through the Act on the Promotion of the Employment of Disabled Persons—which was launched with the aim of advocating equality in employment among disabled persons—positive action is urged in order to avert an entrenchment of the wage gap between male and female employees with disabilities.
3. The government of Japan is urged to recognize as human rights violations the harms that were carried out under the former Eugenics Protection Law, and to conduct research and pay compensation accordingly.
 - In 1998, the UN Human Rights Committee stated as follows: “While acknowledging the abolition of forced sterilization of disabled women, (the committee) regrets that the law has not provided for a right of compensation to persons who were subjected to forced sterilization, and recommends that the necessary legal steps be taken”. This recommendation, however, has yet to be implemented still today.
 - Apologies and compensation have taken place in other countries where forced sterilization motivated by eugenics- was legitimized in the past. Concerning the Leprosy Prevention Act, which was abolished in 1996, the government of Japan has conducted research on the forced segregation of patients and violations of their reproductive rights, and subsequently apologized and paid compensation. The present case proves that a parallel response is again possible.
 - Even today, some women with disabilities are urged by medical institutions and family members to terminate their pregnancies and refrain from giving birth, and are refused treatment and hospitalization. They are also sometimes forced to receive care from attendants of the opposite sex in medical facilities and institutions, which for many is an uncomfortable experience. Furthermore, disabled persons are often discouraged from receiving appropriate sex education. In one case, unreasonable intervention by local assemblypersons resulted in the forced suspension of sex education for children with intellectual disabilities.