

## DPI Women's Network Japan

DPI Women's Network Japan is a network that brings together women with disabilities living in Japan. Established in 1986, our initial goals were to encourage independence of women with disabilities and to advocate for the repeal of the Eugenic Protection Act. The activity had been temporarily halted since 1996, when the Eugenic Protection Act has revised with the deletion of its eugenic clause and had its name changed to the Maternal Protection Act. However, responding a call for solidarity among women with disabilities at the 7th DPI World Assembly in Seoul, South Korea, in 2007, we resumed our activities. Since then, DPI Women's Network Japan is working on national and international challenges regarding laws, social systems, and policies relating to women with disabilities, and disseminating information.

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The gathering in Kyoto themed around the prevention of sexual violence.

## Our delegates

**Chinami Kawai (cerebral palsy)** 'I strive for a society where disabled persons keep on leading their own way of living, free from threats to their life.'

**Kumiko Fujiwara (low vision and a chronic disease)** 'Women with disabilities face many challenges throughout their life, and these are often complexed form of multiple social issues. A society where disabled women can live without burdens is the comfortable one for all! First and foremost, their voices must be fully heard.'

**Yumiko Minami (hard of hearing, single mother)** 'Drawing on my lived experience as a person with hearing loss, I am committed to creating a society where we can give birth to and raise our children with confidence and security, regardless of disability.'(living with hearing impairment, single mother)

The recommendations in the 2016 CEDAW review on the Japanese government served as a significant impetus, leading to a national compensation lawsuit in January 2018 for forced sterilization and other interventions under the Eugenic Protection Act. The Supreme Court ruled in favor of the plaintiffs in a complete victory judgment in July 2024. The CEDAW recommendations were quoted in the verdict!

Currently, the government is working on creating legislation and a compensation system aimed at a comprehensive resolution. However, independent, national human rights institution is yet to be established in Japan. Verification of these issues is necessary through a commission that includes third-party members, including those involved, as well as a national summary as a final report.

Ensuring sexual autonomy and Sexual and Reproductive Health Rights (SRHR) of women with disabilities is another big challenge. In Japan, in 2003, some politicians condemned a school for people children with intellectual disabilities because the teachers conducted sex education to the students. The implementation of inclusive education and comprehensive sex education is essential as recommended by the CRPD (Convention on the Rights of Persons with Disabilities).

## Our Voices

I was recommended to have an abortion when I got pregnant, after I had gotten my disability. (40s, visual impairment, chronic disease)

I sought advice at welfare office. A staff did not understand my wish to go to the park together with my child just like other parents without disabilities did. I have not yet received support for child-rearing when going out. (30s, physical disability)

'How can you give a birth with those legs?' That was the word by a female doctor, seeing that I could not climb up the examination table on my own. That was my first fertility treatment appointment, and I gathered all my courage to go there. (30s, physical disability)

A medical institution could not find pregnancy of a woman with intellectual disability who sought medical check, in spite of her complains in the health conditions such as breast pain. The woman gave birth without receiving the necessary assistance. (20s, intellectual disability)

## What do we want?

- Establish legislation and compensation systems for the complete resolution of issues, including compensation for victims who underwent forced sterilization or hysterectomies under the Eugenic Protection Act.
- Ensure reasonable accommodation for all children with disabilities to secure inclusive education and implement comprehensive sex education.



# To Eradicate Sexual Violence

The most common response to the Survey on the Reality of Multiple Discrimination conducted by DPI Women Network was “sexual violence” 31 out of 87 respondents (35%) had experienced it.

Sexual crimes, sexual violence, and domestic violence are deeply rooted in social prejudice, and they occur due to unfair social structures and environments. Women with disabilities have difficulties speaking up about their experiences and even recognizing that they are abused. Problems tend to be hidden under cover, and opportunities to report those abuse tend to be missed.

Women with disabilities are often placed in a socially vulnerable positions due to difficulty becoming economically and socially independent, and they are often forced to rely on their families and service facilities.

The organizers of this year’s gathering in Kumamoto 2024 →

## Our Voices

A male prosthetist have been touching my genital area and buttocks on and off when he is taking the molds for my prosthetic limbs. I don’t like it but there’s nothing I can do about it. Also, every time I meet the male prosthetist for an adjustment, he tells me that I've gained weight or that I’m too fat. It makes me sad. (30s, physical disability)

I was sexually abused by my mother’s partner. When the person helped me take a bath, the person touched my breasts and other parts of my body, which was very painful. I told my mother about it, but she didn't believe me, which was the worst. (30s, physical disability)



## What do we want?

- Establish social services networks where professionals have knowledge of multiple discrimination.
- Establish a “one-stop service” where women with disabilities can also get all the support without having to go to different offices.
- Train supporters who understand multiple discrimination faced by women with disabilities.
- Promote and encourage peer counseling system where women with disabilities have opportunity to empower other women with disabilities.
- Place peer counselors who are women with disabilities should also be placed at hotlines for sexual violence survivors in various locations in Japan.



# To Problematize and Prevent Caregiving by Opposite Sex Caregivers Against Our Wills

Caregiving by opposite sex caregivers happens daily in institutions such as hospitals and facilities for people with disabilities. It should even be recognized as “sexual abuse” if women with disabilities feel distressed and humiliated by opposite-sex caregiving, and should be prevented.



Kimie Nagumo A member of DWNJ DPI is making a speech of sterilization and other interventions under the Eugenic Protection Act.

## Our Voices

Even though I said I could get on and off the bus by myself when going to the vocational facility, a male caregiver touched me every day and assisted me. (40s, mental and intellectual disabilities)

Female users meet male caregivers daily when we are hospitalized. The hospital staff did not listen to us when we demanded female caregivers when it comes to bathing, going to the bathroom, and caregiving at night. The hospital told us that they could not give us the care unless we agreed to have male caregivers. (From the survey on opposite sex caregivers)

My teacher told me to take off my clothes. I didn't have a choice because it was my teacher's order. Someone found us just before I was about to be raped. I thought it was strange and I didn't want to do it, but I have a disability and I could resist or cry out for help. I had been taught to obey teachers' orders. (10s, intellectual disability)

## What do we want?

- Recognize that there are many women with disabilities who feel uncomfortable or scared because they have to rely on opposite-sex caregiving against their wills. Those women feel also humiliated because their concerns about their sexuality as women are not respected and understood.
- Spread the awareness that these extremely despicable sexual abuse can happen anywhere and has actually happened. Such acts tend to take place in closed spaces such as hospitals, and they are not single random incidents.



# To Eliminate and Prevent Multiple Discrimination

Women with disabilities face many barriers to the social participation. Understanding of multiple discrimination against women with disabilities is not enough in juridical and social systems. Statistics based on intersectional data, such as women and people with disabilities, must be carried out to fully understand and eliminate all kinds of discrimination.

The concluding observations by UN Committee on the Rights of Persons with Disabilities (CRPD) issued at the 2022 review of Japan pointed out the need to eliminate multiple discrimination against women with disabilities in many areas of their social lives.



Meeting with committee member of CEDAW/2016

## Our Voices

When I returned to work after giving birth, I was encouraged to go from full-time to part-time and become economically dependent on my husband. A woman at my workplace who did not have any disabilities gave birth a half year later. She was able to return to full-time work. (40s, visual impairment, incurable disease)

The first psychiatrist I went to told me, “It’s good that you’re a woman. Even if you have disabilities, your family and spouse will support you.” I can’t accept the idea that women don’t work and that their families will take care of them. (20s, mental disability)

Someone told me once “you are deaf and female, so you cannot get a job at a university. The only place you can get a job is at a research institute.” (Age unknown, hearing impairment)

I want information in the way that I can understand when there is a new system (30s, intellectual disability)

## What do we want?

- Promote gender equality in disability-related legislation based on the CRPD recommendations, and promote the rights of women and girls with disabilities in gender equality legislation.
- Provide gender cross-tabulations in basic statistics related to the lives, employment, and education of people with disabilities, in order to clarify the issues of multiple discrimination against women with disabilities. Examples of those statistics are the Comprehensive Survey of Living Conditions, School Basic Survey, and statistics based on the Act on Promotion of Employment of Persons with Disabilities.
- Establish a human rights institution independent of the government to prevent discrimination, with third-party members including people with disabilities.



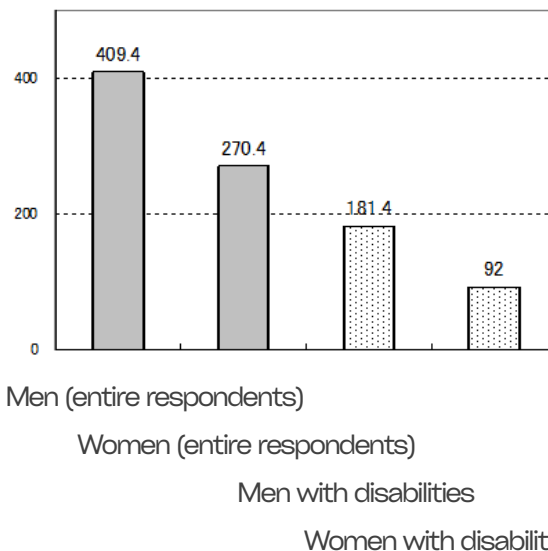
## Reports related to the Survey on the Living Conditions of People with Disabilities (2008)

If the annual income of all male single households is set at 100, the income of all women becomes 66, that of men with disabilities is 44, and that of women with disabilities is 22.

\*From the Survey on the Living Conditions of People with Disabilities (※1)

Respondents who answered “I have a job” were about 90% of men without disabilities, little over 60% of women without disabilities, little over 40% of men with disabilities, and little under 30% of women with disabilities. According to those limited data, we can see significant gender gap even among people with disabilities. Measures to support women with disabilities who are in even more vulnerable position is urgently needed as low employment rates and economic difficulties also prevent them from fleeing from abuse and sexual abuse.

Annual income of a single-person household Unit: 10,000 JPY



(Source: Katsumata Sachiko et al., 2008, “Research on income security and policy for independence support for people with disabilities,” p. 81, Table 18)

### What do we want?

- Ensure and expand the participation of women with disabilities in national and local councils, committees, and review committees, which is currently very limited.
- Promote empowerment through our own participation in the society.
- Collect data from statistics that can lead to eliminate discrimination.

## Reference materials

■ Recommendations from the Committee on the Rights of Persons with Disabilities (excerpts from the concluding observations on the initial report of Japan, released on September 9, 2022)

### **Women/girl with disabilities (Article 6)**

16(a) Adopt effective and specific measures to ensure equality and prevent multiple and intersectional forms of discrimination against women and girls with disabilities in gender equality policies and include a gender perspective into disability legislation.

16(b) Take measures so that women and girls with disabilities can develop autonomy for empowerment. This includes that all human rights and fundamental freedoms of women and girls with disabilities should be guaranteed, and their effective participation should be secured when planning and implementation of such measures are discussed.

### **Freedom from Exploitation, Violence and Abuse (Article 16)**

36 (a) Carry out fact-finding investigation research on sexual and domestic violence against girls and women with disabilities and strengthen measures to address all forms of violence against children and women with disabilities, providing accessible information on complaint and support systems for survivors, and ensure that such acts are promptly investigated, perpetrators prosecuted and punished, and victims provided with support.

### **Protecting the integrity of the person (Article 17)**

38(b). Explicitly prohibit forced sterilization, including hysterectomy, and coerced abortion of women with disabilities, raising awareness that coercive medical interventions are harmful practices, and ensuring that informed consent of persons with disabilities is given prior to any medical or surgical treatment.

### **Health (Article 25)**

54(a). Ensure quality and gender-sensitive health services for all persons with disabilities, including by implementing accessibility standards and ensuring the provision of reasonable accommodation by public and private health care providers.

### **Statistics and data collection (Article 31)**

66. (...) the Committee recommends that the State party develop data collection system on persons with disabilities in all fields of activity, disaggregated by various factors such as age, sex, type of impairment, type of assistance required, sexual orientation and gender identity, socio-economic status, ethnicity, place of residence, including residential institutions and psychiatric hospitals.

### **National implementation and monitoring (Article 33)**

70. (...) strengthen the formal capacity of the Commission on Disability Policy be strengthened to monitor the implementation of the Convention, ensuring its independence, disability diversity and gender-equal representation among its members.

