

# Woman sues over forced sterilisation

## Japan

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A Japanese woman who was forcibly sterilised at the age of 15 because of a mental disability has become the first of thousands of potential claimants to sue the government.

In the landmark case the woman, who is now in her sixties, is demanding 11 million yen (£71,000) in compensation for the violation of her human rights when her fallopian tubes were tied in 1972. The operation was one of tens of thousands carried out under Japan's eugenic protection law, which was repealed in 1996.

About 25,000 women and men were sterilised "in the public interest to prevent hereditary transmission of disease". They suffered from conditions as diverse as psychosis, epilepsy, muscular dystrophy, leprosy, haemophilia and mental illness or learning difficulties.

Sterilisations were carried out on children as young as nine, and about 16,500 operations were performed without the patient's consent.

"We've been through times of anguish," said the sister-in-law of the woman bringing the case, at the Sendai district court in northern Japan. "We stood up to make this society brighter. We stood up so that we can realise a society without discrimination against people with disabilities."

The woman, who has not been named, developed mental problems

after a childhood operation for a cleft palate. She had a mental disability diagnosed in 1972 when she was 15.

"In the third year of junior high school, without knowing what was going on, she endured the operation," her sister-in-law, who has also not been identified, said. It left a 13cm scar.

In her twenties, boyfriends expressed an interest in marrying her but they always left her after learning that she could not have children. In her thirties she had to have an ovary removed as a consequence of the operation.

"Thanks to the law my sister has really suffered, living her life hidden away," her sister-in-law said. "If she hadn't had the operation she might have got married and led a different life."

Most of the involuntary operations were performed on patients in psychiatric hospitals and institutions for the intellectually disabled, often as a condition of admission. According to Takashi Tsuchiya, of Osaka City University, an expert in medical ethics, women were often forced to have hysterectomies to make it easier to look after them.

In 2016 the United Nations committee on the elimination of discrimination against women urged Japan to compensate the victims of forced sterilisation, although the recommendation was not adopted. Germany and Sweden had similar laws but governments there have given the surviving victims compensation and apologised.

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