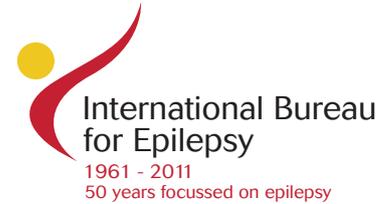




INTERNATIONAL BUREAU FOR EPILEPSY

NGO in Special Consultative Status with the Economic and Social Council of the United Nations and in official relations with WHO



Honorable Mr Kiyohiro Araki
Chair, Committee of Judicial Affairs
House of Councillors, Tokyo, Japan

25th September 2013

Dear Honourable Mr Araki,

Law concerning penalty for acts causing death or injury to other persons by driving a motor vehicle
The International Bureau for Epilepsy (IBE) is an international federation of lay associations whose focus is on the social issues faced by people with epilepsy and their carers. IBE is represented in 98 countries around the world and is particularly concerned with issues related to discrimination, inequality, stigma and social exclusion. As such, IBE was concerned to learn that, on 19th June 2013, the Government of Japan had submitted to the Committee of Judicial Affairs, House of Councilors a 'Law concerning penalty for acts causing death or injury to other persons by driving a motor vehicle'. IBE has been advised that this law relates to six different diseases, of which epilepsy is one, and that those affected will be considered as potential criminals through dangerous driving causing injury or death to others, as detailed in Section 3, No. 2 of the bill.

The right to hold a driving licence, for people with epilepsy whose seizures are controlled, is one of the rights for which IBE has been campaigning over many years. In Europe our campaign has led to a Directive of the European Union that regulates this fairly for people with epilepsy across Europe. It is important to note that research has shown that, contrary to perception, people with epilepsy who meet the criteria to have a driving licence are involved in fewer accidents than those who do not have the disease. We believe that the statistics included in the Japanese official statistics on traffic accidents also confirm this.

As an international organisation working for equality and social rights, IBE believes that the proposed law will have an adverse affect in reducing the stigma related to epilepsy and will further increase the discrimination faced by people with epilepsy. I would hasten to add that IBE does not condone the action of a person with uncontrolled epilepsy who hides their condition in order to obtain a driving licence. However, IBE believes there should be fair legislation in place to allow people with controlled seizures obtain a licence to drive a private vehicle.

IBE therefore respectfully requests that:

- provisions related to specific diseases be deleted from the "Law concerning penalty for acts causing death or injury to other persons by driving a motor vehicle"
- steps be taken to conduct methodologically sound studies on the relation between diseases and traffic accidents.

IBE thanks you for your attention and is happy to provide any further information that you might require.

Yours faithfully

Dr Athanasios Covanis
President, International Bureau for Epilepsy

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