Submission from Civil Society to the CEDAW Committee for comments

on draft update of General Recommendation No. 19

- Gender-based violence against women

by the

Philippine Alliance of Women with Disabilities

***Suggested revisions to draft***

Marginalized and disadvantaged sectors of women in society are several magnitudes more vulnerable to the various forms of violence and abuse, including women and girls with disabilities.

*Paragraph 6*

For women and girls with disabilities, denial of *reasonable accommodation[[1]](#footnote-2)* may constitute violence and discrimination.

*Paragraph 7.e*

In addition, according *legal capacity[[2]](#footnote-3)* on an equal basis with others, including the recognition of the *evolving capacities of children with disabilities[[3]](#footnote-4)*. This includes appropriate measures to provide access by persons with disabilities to the *support they may require in exercising their legal capacity[[4]](#footnote-5)*.

*Paragraph 24.c*

It would be noteworthy to revisit the Committee’s General Recommendation No. 18 here (on Disabled Women) and for States parties to report this information.

*Paragraph 24.i*

Such complaints procedures and remedies must be *accessible to[[5]](#footnote-6),* and *inclusive* of women and girls with disabilities.

*Paragraph 24.k.*

This should include support needed by women and girls with disabilities in *exercising their legal capacity[[6]](#footnote-7)*.

*Paragraph 24.u*

Intersectionality of gender-based violence on different and cross-cutting bases such as age, disability, ethnicity, and others, is emerging also an important underlying framework for data gathering. Compounded stereotyping because of various status, urban / rural location, sexual orientation and gender identity, and others, affect women and girls to different degrees in different ways.

It would be significant to note here as well that disability may result from, as well as cause, or aggravate violence.

***Other points for the consideration of the Committee for inclusion into the draft:***

1. Emerging forms of violence among women and girls with disabilities include:
   1. the use of, in the infliction of bodily harm, or the deprivation of, assistive devices or aids such as wheelchairs, crutches, canes, and others;
   2. economic abuse may include deliberate deprivation, deception of access to bank transactions, use of ATMs, or handling of bills or coins, particularly for the blind or low vision women and girls;
   3. electric shock treatment, forced medication, and physical restraints specially of women in mental health facilities;
   4. ICT-related violence including paraphilia, devoteeism, and fetishism with amputees;

2. Integration of mechanisms to monitor effectiveness of specific duty-bearers such as constitutional bodies for women, children, and persons with disabilities;

3. The imperative to the State to closely consult with, and actively involve women and girls with disabilities themselves in all aspects of planning, implementation and monitoring of programs and services in the elimination of violence; and

4. A specific directive to amend, repeal or abolish discriminatory legislation that worsen or increase violence against women and girls, including those with disabilities.

*About the organisations involved in this submission*

The Philippine Alliance of Women with Disabilities (PAWID) is a subset of member organizations of the Philippine Coalition on the U.N. Convention on the Rights of Persons with Disabilities. The PAWID advocates specifically for the rights of women and girls with disabilities.

* Nationwide Organization of Visually-Impaired Empowered Ladies
* Philippine Alliance of Persons with Chronic Illness
* Philippine Federation of the Deaf
* Philippine Deaf Resource Center / Deaf Resources Philippines
* Filipino Deaf Women’s Health and Crisis Center
* Transforming Communities for Inclusion of Persons with Psychosocial Disabilities-Philippines
* Women’s Leap Toward Economic and Social Progress

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1. Article 2 of the Convention on the Rights of Persons with Disabilities defines *reasonable accommodation* as: necessary and appropriate modification and adjustments not imposing a disproportionate or undue burden, where needed in a particular case, to ensure to persons with disabilities the enjoyment or exercise on an equal basis with others of all human rights and fundamental freedoms. [↑](#footnote-ref-2)
2. Convention on the Rights of Persons with Disabilities, Article 12.2 [↑](#footnote-ref-3)
3. Convention on the Rights of Persons with Disabilities, Article 3.h [↑](#footnote-ref-4)
4. Convention on the Rights of Persons with Disabilities, Article 12.3 [↑](#footnote-ref-5)
5. Convention on the Rights of Persons with Disabilities, Article 9 [↑](#footnote-ref-6)
6. Convention on the Rights of Persons with Disabilities, Article 12.3 [↑](#footnote-ref-7)