

Recommendations by the Disability Section for CEDAW Draft General Recommendation 19 – Violence against women

References to Girls

It is recommended that references to girls be further strengthened throughout the General Recommendation. Paragraph 9 recognizes that gender-based violence affects women throughout their life cycle and accordingly references to women in this document include girls. While this reference to girls is noted and welcomed, having girls highlighted here and only in a small number of other sections, reduces the visibility of girls, diminishes the importance of ensuring that violence against them is eliminated and reduces the likelihood that gender-based violence interventions are adapted to be age appropriate for girls. It is therefore recommended that girls be included explicitly and consistently throughout the General Recommendation. It should be noted that the Convention on the Rights of Persons with Disabilities (CRPD) General Comment 3 on Women with Disabilities has been modified and is now titled, “Women and Girls with Disabilities” with “women and girls” being used consistently throughout.

Women and Girls with Disabilities

The reference to disability in paragraph 11 is very much welcomed. This paragraph refers to women belonging to certain groups being subject to specific and intersecting forms of discrimination. It is recommended that the General Recommendation unpack the particular vulnerabilities and discrimination girls and women with disabilities face based on the intersection of gender, disability and poverty, and how this can lead to increased risk of violence. For example, General Comment 3 of the CRPD includes the following, “Women represent a disproportionate percentage of the world's poor as a consequence of discrimination, leading to a lack of choice and opportunities, especially formal employment income. Poverty is both a compounding factor and the result of multiple discrimination (paragraph 59, CRPD General Comment 3). Women with disabilities may be targeted for economic exploitation because of their impairment, which can in turn expose them to further violence (paragraph 34, CRPD General Comment 3)”. The intersection of age, disability and gender can similarly be further expanded. For example, “The often preferential care and treatment of boys means that violence against girls with disabilities is more prevalent when compared to boys with disabilities or the broader population of girls (paragraph 35, CRPD General Comment 3).”

It is further recommended that this section be strengthened by referring to the specific types of violence suffered by girls and women from certain groups, such as women and girls with disabilities. General Comment 3 of the CRPD related to Article 6 on Women and girls with disabilities explicitly mentions “certain types of violence, exploitation or abuse... breaching a number of international human rights treaties. Among these are forced, coerced and otherwise involuntary pregnancy or sterilization, as well as any other medical procedure or intervention performed without free and informed consent, including those related to contraception and abortion...” (paragraph 32 of CRPD General Comment 3). Given the very specific and grave nature of this type of violence experienced by women and girls with disabilities, it is recommended that this type of violence is explicitly mentioned in General Recommendation 19.

The General Recommendation notes that gender-based violence occurs in all spheres, including in the context of conflict, civil unrest, natural disasters and the movement of people (paragraph 12). This could be strengthened with reference to certain groups being particularly vulnerable in humanitarian

contexts, for example women and girls with disabilities are exposed to a higher risk of violence and/or abuse than their peers,¹ especially in situations in which they are separated from parents or extended family.² (WHO and UNICEF, 2012).

Footnote 17 – please change the reference to “disabled women” to “women with disability” to align with the agreed language of the CRPD.

Access to information for women and girls with disabilities

Under *Recommendations – Protection and redress, paragraph d*, the reference to women with disabilities in terms of dissemination of accessible information is very much welcomed. The production and dissemination of accessible information is critical to the protection of women and girls with disabilities. It is recommended that this paragraph be amended to read “*Develop and disseminate accessible information...*” to reflect that information needs to be modified for women and girls with different types of disabilities in order to accessible to all.

Access to services for women and girls with disabilities

The access of women and girls with disabilities is critical not only to information, but also to services. Services need to be modified and adapted in order to be accessible for women and girls with disabilities. It is therefore recommended that specific mention of disability is made to the section on measures to protect and assist women (*Recommendations – Protection and redress, section a, paragraph iii*). The recommendation currently reads “These services should be available in the whole territory of the State party, and accessible to all women, in particular to those affected by intersecting forms of discrimination, and take account of any specific needs of their children.” It is recommended that additional language is added on accessibility of services. The following is suggested which draws on the language of the CRPD General Comment 3 on Women and Girls with Disabilities (Section V. National Implementation, Paragraph 62, ii) “States Parties should ensure that services for victims/survivors of violence are fully accessible³ for women with disabilities as informed by other treaty bodies, such as CRPD Article 9 (on accessibility) and related General Comment, and that public and private service providers are trained and educated to provide appropriate attention, support and assistance to women with disabilities.”

Data collection and monitoring

The General Recommendation refers to disaggregation of data (*Data collection and monitoring section b*) - “Data should also be disaggregated in relation to intersecting forms of discrimination against women.” It is recommended that specific mention is made of disaggregation by age and disability.

¹ Children with disabilities are 3– 4 times more likely than children without disabilities to be victims of any sort of violence. Reference: Hughes et al., (2012), “*Prevalence and risk of violence against adults with disabilities: a systematic review and meta-analysis of observational studies.*” *Lancet* 2012; doi:10.1016/S0410-6736(11)61851-5.

² Reference: WHO and UNICEF (2012) *Early Childhood Development and Disability: A discussion paper*. WHO.

³ Fully accessible entails: physical access to facilities/buildings (such as ramps, adequate door width, signage with Braille, etc.), access to information in accessible formats (such as sign language, Braille, print, audio and electronic formats as well as simplified language), access to information and communication technologies, including the Internet, and awareness raising and training for service providers (CRPD, Article 9).