

Joint Submission of Comments and Suggestions by Coalition of NGOs, Kyrgyzstan (NGOs: Asteria, Labrys, Positive Dialogue, Shah-Aiym, Tais Plus, The Global Health Research Center of Central Asia) working for and with LGBTI community, sex workers and women who use drugs.

To the Draft update of General Recommendation No. 19 on Violence Against Women by Committee on the Elimination of All Forms of Discrimination against Women (CEDAW)

This submission is aimed to articulate explicitly violence against women who face intersecting forms of discrimination: LGBTI community, sex workers and women who use drugs.

Scope

Paragraph 11.

Comments

We suggest to mention in the first sentence explicitly that sex workers and women who use drugs are those women who face specific and intersecting forms of discrimination.

Paragraph 12.

Comments

When listing the different spheres in which gender-based violence takes place we suggest to mention situations in which neutral laws and regulations are used discriminatorily against sex workers, women who use drugs and LGBTI community. These situations occur due to harmful stereotypes and traditions leading to high stigma and discrimination towards them and subsequently considering these groups of women in a criminal framework, positioning them as threat to public health or to traditional values. Unfair and arbitrary application of regulations mostly takes place in law enforcement and secondly in public health facilities.

Paragraph 14.

Comments

We suggest to include after the sentence "They also require, in accordance with articles 2 (f) and 5 (a) of the Convention, creation and implementation of measures to eradicate prejudices, stereotypes and practices that are the root cause of gender-based violence against women" one more sentence clarifying impact of historical discrimination on gender-based violence: *Historical discrimination towards women (sex workers, women who use drugs and LGBTI community) should be also addressed as it fuels violence against these women and creates hard to overcome barriers to redress human rights violations.*

Paragraph 14. Sub-paragraph b)

Comments

We support the statement in this para "States parties must also eliminate institutional practices and the conduct and behaviour of individual public officials that constitute gender-based violence against women or tolerate such violence and provide a context for lack of or negligent response" and would like to **emphasize** that institutional harmful practices by law enforcement greatly impact on lives of LGBTI

community, sex workers and women who use drugs. These practices are silently or actively supported by public and fueled by media and make these women an object to persecute by society. Impunity of perpetrators is common and not addressed properly. Women from above mentioned groups faced with violence are blamed and shamed by state and non-state actors which leads along with other factors to lack or even full absence of confidence in State Institutions supposed to protect people.

Arbitrary detention or/and threat of arbitrary detention of LGBTI, sex workers and women drug users is very common harmful institutional practice. Police using its power blackmails, extorts money, sexually and physically abuses, humiliates and threatens to disclose or actually discloses private information to relatives. Mass media participating in police raids shoots women and then shows on TV&on-line without their consent which leads to highly negative impact on women's lives. As longer women are in detention as risks of violence by law enforcement are higher.

Impunity of non-state actors/ private individuals for committing acts of violence against LGBTI, sex workers and women drug users is also common. This is directly linked with abuse of power by law enforcement agencies, when women are afraid to seek support in cases of violence from non-state actors/ private individuals.

Recommendations

Paragraph 15.

Comments

We would suggest to have a separate footnote clarifying which groups of women are considered as women who face with intersecting forms of discrimination. We suggest to include in this list LGBTI community, sex workers and women who use drugs.

Paragraph 15. Prevention. Sub-paragraph a)

To add by"

"... promoting access to non-discriminative health-care services based on stigma-free principles"