



The situation of women with disabilities in Colombia **Information for the CEDAW Committee on its 72th Sessions 18 Feb - 08 March 2019**

This document summarizes the human rights abuses that women and girls with disabilities experience in Colombia, as discussed in the shadow report submitted by **La Liga Colombiana de Autismo, Asdown Colombia, Programa de Acción por la Igualdad y la Inclusión Social, Profamilia, and Women Enabled International**. It also includes key questions and recommendations for the State. Please note that the full submission, submitted in Spanish, includes more detailed recommendations for strengthening the rights of women and girls with disabilities in Colombia.

I. Deprivation of legal capacity results in women with disabilities being unequal before the law and exposes them to heightened risk of other fundamental human rights violations. The Guardianship Act No. 1306/2009 allows courts to restrict legal capacity of persons with disabilities, denying persons with disabilities the ability to make autonomous decisions about their lives and instead delegating this power to a third party, violating the right of women and girls with disabilities to equality under the law (CEDAW, Art. 15). This Act affects disproportionately women and girls with disabilities; substituted decision-making leads to forced sterilizations, which are performed on women with disabilities at higher rates than men and can prevent women with disabilities who are victims of sexual violence to access to justice.

Question: What measures is the State taking to fully recognize the legal capacity of every person, including women with disabilities, on an equal basis with others?

Recommendation: Repeal Act 1306 that restricts legal capacity of persons with disabilities, prioritize approval and implementation of Bill No. 27/2017.

II. Women with disabilities experience higher rates and unique forms of gender-based violence. Women with disabilities are twice as likely to be victims of sexual violence than men with disabilities, and poverty and social exclusion can exacerbate the risk of violence. Harmful stereotypes—including among law enforcement agents and justice officials—low self-esteem and disempowerment of women with disabilities, the lack of accessible comprehensive sexual education, and guardianship laws contribute to the elevated risk of violence. While Colombia has adopted regulatory frameworks and protocols on violence against women in general, it has failed to develop and implement protocols to address the unique forms of violence that affect women with disabilities.

Questions: What are the State's plans to address the heightened rates of violence experienced by women and girls with disabilities? What targeted measures does the State propose to take to address both the root causes of violence against women with disabilities, as well as the legal and practical barriers they face in accessing justice?

Recommendations: Take measures to address the root causes of violence against women with disabilities. Adopt and implement protocols addressing the specific forms of violence against women with disabilities and ensure their availability in accessible formats. Train law enforcement and judicial officers on how to recognize and respond to violence against women with disabilities. Ensure that violence prevention, protection, and rehabilitation services are accessible to women with disabilities.

III. Women with disabilities face discrimination in access to sexual and reproductive rights and experience high rates of forced sterilization. Barriers to sexual and reproductive rights include a lack of trained medical providers, harmful stereotypes about women with disabilities (e.g., that they are either asexual or hypersexual, that they lack the capacity to parent), and inaccessible sexual and reproductive health information, goods, and services. Despite Ministry Resolution 1904/17 stating that informed consent is a requirement for all sexual and reproductive health treatments, forced sterilizations are still legal in Colombia under Act No. 1412/2010, and women with disabilities are subjected to forced sterilizations at much higher rates than men with disabilities.

Questions: What specific measures is the State taking to guarantee the right of free and informed consent of women with disabilities regarding their sexual and reproductive rights, including to ensure the full and effective implementation

of Ministry Resolution 1904/17? What steps is the State taking to ensure the accessibility of sexual and reproductive health information, goods, and services for women with disabilities?

Recommendations: Guarantee access to sexual and reproductive health information, goods and services for women and girls with disabilities. Guarantee that free and informed consent of women with disabilities is required in all sexual and reproductive procedures through the effective implementation of the Ministry Resolution No. 1904/17, regardless of whether the person is under guardianship. Repeal Art. 6 of Act No. 1412/10.