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Advocating for the Rights of All Women!

Harmful Traditional Practices & Violence Against Women & Girls with Disabilities  
UN Commission on the Status of Women, 57<sup>th</sup> Session - 8 March 2013  
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Good afternoon. My name is Stephanie Ortoleva and I am the President of Women Enabled. I regret that I cannot join you in person for this important panel and thank Rebecca Levin for agreeing to read my statement. The support of the Government of Germany, the Women's UN Report Network and other sponsors of this informative panel have made this strong contribution to CSW57 possible. As we discuss the impact of harmful traditional practices and violence against women and girls, I implore you to include our forgotten sisters, women and girls with disabilities. We are women too!

The 2012 report of Rashida Manjoo, UN Special rapporteur on Violence Against Women, focused on gender-related killings of women and pointedly states: "Rather than a new form of violence, gender-related killings are the extreme manifestation of existing forms of violence against women. Culturally and socially embedded, these manifestations continue to be accepted, tolerated or justified — with impunity as the norm." Additionally, in her 2011 Report Ms. Manjoo highlighted the impact of the multiple and intersecting dimensions of women's lives on violence and discrimination.

Caution is required, as some parties have been referencing "traditional values" to justify harmful practices and thereby legitimize violations of women's human rights. This undermines the fundamental principle of universality of human rights through promoting cultural relativity. On the other hand, some traditional values may be vehicles for promoting and implementing human rights. For example, dignity, sometimes described as a "traditional value," is also a concept in human rights law, defining dignity as an inherent aspect of being human, directly linked with equality and respect. This concept is part of CEDAW and also is in the Convention on the Rights of Persons with Disabilities, as dignity is linked to autonomy as a core principle.

Many human rights violations, justified by traditional, cultural or religious values, are targeted against minority or disenfranchised groups, including women and girls with disabilities. In light of the myriad impacts of some traditional myths and cultural views of disability, combined with attitudes toward women in general, women and girls with disabilities are in a double bind. These linkages must be addressed from a gender-sensitive, disability-inclusive approach.

The notion that disability is a “curse” and that people with disabilities are “possessed” or “evil” and the societal views of women as “witches” or “demonic,” persists today, with origins dating from 1485 and earlier. Murder of women and girls with disabilities as witches is highlighted as a human rights violation by Philip Alston, Former UN Special rapporteur on extrajudicial, summary or arbitrary executions in his 2009 Report. The medieval notion that one can identify a “witch” by the fact that her offspring are children with disabilities still persists. Further, having an offspring with a disability is seen as a curse on the woman herself for some wrongdoing or breach of a societal taboo.

Women who challenge accepted socio-cultural norms, traditions, perceptions and stereotypes about femininity and the role, behavior and status of women in society are often labeled with psychosocial disabilities. As a mechanism of control, they frequently are subjected to forced psychiatric interventions that are harmful and deprive them of legal capacity and autonomy, resulting in the erasure of personhood.

Professor Nora Groce focuses on the persistent misguided myth that sex with a woman or girl with a disability, because of the assumption that she is a virgin, can cure HIV/AIDS, resulting in rapes of women and girls with disabilities and increased risk of HIV-infection. Special Rapporteur Alston notes that women and children with albinism are hunted and killed based on superstitious beliefs that their skin or body parts transmit magical powers which bring good health or prosperity. In other cases, they are killed based on the belief that they are evil or cursed.

Other violations also cross borders and cultures based on traditional values regarding the value of the lives of women and girls with disabilities. Neglect, through starvation or ill-treatment often results in severe injury, health impacts and sometimes even death. Parents may refuse to register the births of girls with disabilities or, even worse, kill them because of the family’s view that it lacks the capacity or willingness to nurture, support and care for a girl child who they and the community consider useless and a burden.

Forced sterilization and imposed contraception and abortion are based on cultural attitudes about the value of the lives of women and girls with disabilities, as well as their right to self determination, are often sought by parents or guardians and with the support of the legal system. Australia was called to task for sanctioning such practices by both the CEDAW Committee and the Human rights Council and France has been sued by five women before the European Court of Human Rights.

Women and girls with disabilities, like all women and girls, are subjected to harmful practices such as female genital mutilation, forced marriage, and rape (including rape by a spouse. Forced marriage is based on misguided ideas that the daughter with a disability will need someone to care for and financially support her or that if she does not marry, her siblings will not be viewed as eligible for marriage by the community or the young woman with a disability is forced to marry a man who has “disgraced family honor.” Women and girls with disabilities are subjected to gender-specific and disability-specific harmful traditional practices, and therefore are more discriminated against, violated, marginalized and exploited.

The role of human rights education, focusing on core human rights principles and traditional values that coincide with those principles is an important tool for change. States are responsible for taking systematic action to modify or eliminate stereotypes and negative, harmful and discriminatory practices justified by traditional values. Both approaches are required under the CEDAW and the CRPD. Additionally, to ensure that the rights of women and girls with

disabilities are included as we embark on this discussion, the international women's rights movement must include our sisters with disabilities in analysis and advocacy. If you would like to explore these ideas further, please contact me at [President@WomenEnabled.org](mailto:President@WomenEnabled.org). Thank you.

### Resources:

Stephanie Ortoleva & Hope Lewis: "Forgotten Sisters - A Report on Violence against Women with Disabilities: & Overview of Its Nature, Scope, Causes & Consequences," available at: [http://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=2133332](http://papers.ssrn.com/sol3/papers.cfm?abstract_id=2133332).

Rashida Manjoo, Special Rapporteur on Violence Against Women, Report of the Special Rapporteur on Violence Against Women, Its Causes and Consequences, Report on Violence Against Women with Disabilities, U.N. Doc. A/67/227 (August 3, 2012), available at: [http://www.un.org/ga/search/view\\_doc.asp?symbol=A%2F67%2F227+&Submit=Search&Lang=E](http://www.un.org/ga/search/view_doc.asp?symbol=A%2F67%2F227+&Submit=Search&Lang=E)

Rashida Manjoo, UN Special Rapporteur on Violence Against Women, Report to the Human Rights Council: Gender-Related Killings of Women, 23 May 2012, A/HRC/20/16, available at: [http://www.ohchr.org/Documents/Issues/Women/A.HRC.20.16\\_En.pdf](http://www.ohchr.org/Documents/Issues/Women/A.HRC.20.16_En.pdf)

Rashida Manjoo, Special Rapporteur on Violence against Women, Report of the Special Rapporteur on Violence against Women, its Causes and Consequences, (considering multiple and intersecting forms of discrimination) U.N. Doc. A/HRC/17/26 (May 2, 2011), available at <http://www2.ohchr.org/english/bodies/hrcouncil/docs/17session/A-HRC-17-26.pdf>

Philip Alston, UN Special Rapporteur on extrajudicial, summary or arbitrary executions, REPORT TO THE Human Rights council, 27 May 2009, A/HRC/11/27, available at: <http://www2.ohchr.org/english/bodies/hrcouncil/docs/.../A.HRC.11.2.pdf>.

U.N. High Comm'r for Human Rights, Women's Rights and Gender Section, Responses to the Note Verbale on Human Rights Council Resolution 17/11: "Violence against women and girls and disability," <http://www2.ohchr.org/english/issues/women/docs/A.HRC.20.5.pdf>.

Convention on the Elimination of All Forms of Discrimination against Women, G.A. Res. 34/180, U.N. Doc. A/RES/34/180 (Dec. 18, 1979), available at <http://www.unhcr.org/refworld/docid/3ae6b3970.html>.

Convention on the Rights of Persons with Disabilities, G.A. Res. 61/106, U.N. Doc. A/RES/61/106 (Dec. 13, 2006), available at <http://www.unhcr.org/refworld/docid/45f973632.html>.