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Advocating for the Rights of All Women!

UN Commission on the Status of Women 57th Session
Violence Against Women & Girls with Disabilities
Statement on Government Due Diligence Obligations
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Statement of the Problem. As highlighted in the Report on Violence Against Women and Girls with Disabilities written by this author and Hope Lewis and the important report on the subject by Rashida Manjoo, UN Special Rapporteur on Violence Against Women, Its Causes and Consequences, clearly violence against women and girls with disabilities is pervasive worldwide and remains at shockingly high rates. This is the situation in both developed and developing countries, and for women in all identity and economic and social situations. The violence occurs in the home and the family, in institutions, in schools, in the workplace, in prisons, in the justice system, in the transnational sphere and so on and on. Although some actions have been taken internationally and domestically to recognize the problem and to prevent and eliminate the violence, it continues virtually unabated.

What Must the UN Commission on the Status of Women and UN Women Do? Today, International Women's Day, here at the United Nations Commission on the Status of Women (CSW), 57th Session, as women with disabilities, our ideas are beginning to be heard. At this High Level Side Event, I am pleased to join Michelle Bachelet, UN Women's Executive Director and other distinguished speakers. I welcome this opportunity to challenge UN Women and CSW to enhance this inclusion by taking a few simple additional steps for which Women Enabled has long advocated.

- Include a woman with a disability who is expert on our issues as a member of UN Women's Advisory Board.
- Employ women with disabilities who are expert on our issues to leadership and policy positions within UN Women.
- Include women and girls with disabilities and our Disabled Women's Organizations in UN "women funding programs.

- Ensure that a woman with a disability who is expert on our issues is part of the official Expert Group Meetings which prepare subject matter papers in advance of cSW sessions.
- Although some progress has been made, more substantially include issues of concern to women with disabilities in the Final Conclusions of CSW.

What Must Governments Do?

Article 4 (c and d) of the Declaration on the Elimination of Violence against Women requires States to “exercise due diligence to prevent, investigate and in accordance with national legislation punish acts of violence against women whether those actions are perpetrated by the State or private persons.” The Convention on the Elimination of All Forms of Discrimination against Women and the work of the Committee reiterates the need for states to take appropriate measures to ensure women are free from all forms of violence. Similar requirements are enumerated in the Convention on the Rights of Persons with Disabilities in Article 4(1)(a)-(c), (e) Article 6(2) and Article 16.

- Collect data, desegregated by disability status, as well as the forms of violence, ensuring that information is delineated by gender, age, etc.
- Ensure that women & girls with disabilities are included in National Action Plans on Violence Against Women & on UNSCR 1325, not that their needs are only addressed in Disability National Action Plans & that women with disabilities are part of their development.
- Evaluate the effectiveness of the implementation of such plans.
- Ensure the sufficient financial resources are allocated to establish & maintain accessible violence prevention, protection & prosecution programs.
- Ensure that the judicial system & legal processes are accessible & usable by women & girls with disabilities, including by law enforcement, prosecutors & lawyers & train such personnel.
- Take action to eliminate the combined effects of gender & disability stereotyping & their impacts on violence against women & girls with disabilities.
- Address root causes of violence, e.g., poverty, education, health care, etc.
- Ensure that protection measures are accessible to & usable by women & girls with disabilities, including hotlines, shelters legal assistance, & beyond.
- Hold perpetrators of violence to account for their actions & address failure of law enforcement officials to take allegations of violence against women & girls with disabilities seriously & to investigate such cases vigorously.
- Provide appropriate & necessary Reparations & remedies to transform the situations which contributed to the violence & involve women & girls with disabilities in the development & implementation of such processes.
- Promote the empowerment of women & girls with disabilities.
- Ratify the CEDAW & the CRPD.

- Support adoption of an International Convention on Violence Against Women & ensure inclusion of women with disabilities therein.
- Address violence against women & girls with disabilities in Government reports to the CEDAW & CRPD Committees.

Sources

CEDAW General Recommendation 19, ¶19, U.N. Doc. A/47/38 (1992).

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Yakin Ertürk, Special Rapporteur on Violence Against Women, The Due Diligence Standard as a Tool for the Elimination of Violence Against Women, ¶ 35, U.N. Doc. E/CN.4/2006/61 (2006).

Rashida Manjoo, Special Rapporteur on Violence Against Women, Reparations to Women Who Have Been Subjected to Violence, ¶ 17, U.N. Doc. A/HRC/14/22 (2010).

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).

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.