

# **Gender, Disability, and Participation in Political and Public Life**

## ***Submission to the Special Rapporteur on the Rights of Persons with Disabilities***

31<sup>st</sup> October 2025

*(originally submitted to the CRPD Committee Day of General Discussion on Article 29, 15th February 2025)*

**Submitted by:** Advocacy for Women with Disabilities Initiative - Nigeria (AWWDI); Disabled Women in Africa; Humanity & Inclusion; Indonesia Mental Health Association; Nationwide Organization of Visually-Impaired Empowered Ladies – Philippines (NOVEL); Rising Flame; Transforming Communities for Inclusion; Triumph Mental Health Support; Women Enabled International; Women Gaining Ground; World Federation of the Deaf

The above organizations working to advance rights at the intersection of gender and disability nationally, regionally, and globally are thankful to the CRPD Committee for the opportunity to contribute to a new General Comment on Article 29: Participation in Political and Public Life.

### **1. Introduction**

Women with disabilities are 1 in 5 women around the world and are more than half of all people with disabilities.<sup>1</sup> As the CRPD Committee has emphasized, however, power imbalances and multiple and intersectional discrimination against women and girls with disabilities lead to fewer opportunities to participate in political and public life. As a result, they are disproportionately underrepresented in decision-making systems, which leads to the silencing of their voices in the political and public spheres.

In its recent General Recommendation No. 40 (GR40) on equal representation of women in decision-making systems, the Committee on the Elimination of Discrimination against Women (CEDAW Committee) highlights that intersectionality is a key component of ensuring full and equal representation in decision-making systems, noting that "To ensure truly inclusive decision-making systems, women in all their diversity need to be the leading forces in legislation, strategies, policies and programmes aimed at realizing this right."<sup>2</sup> Indeed, in order for women, girls, and gender diverse people with disabilities to fully and equally participate in public and political life, States and others must address the specific barriers they experience to inclusion—those at the intersection of gender and disability, amongst other identities.

The barriers they face include those directly related to participation in political systems and in public affairs, such as restrictions on voting, running for office, or forming organizations. There are, however, preconditions to full and equal participation in political and public life for women, girls, and gender diverse people with disabilities, including education, early access to their natural languages, including sign languages, health care, economic security, freedom from violence, legal capacity, and equality in family life. Their experiences are shaped by the intersection of ableism, sexism, audism, queerphobia,

casteism, racism, patriarchal norms, and other systems of oppression. These issues are also important for the Special Rapporteur on the Rights of Persons with Disabilities to consider.

This submission summarizes many of the barriers women, girls, and gender diverse people with disabilities experience that directly or indirectly impact their full and equal participation in political and public life. It also outlines some good practices towards facilitating that participation and summarizes other frameworks that the Special Rapporteur might find informative. The submission concludes with a series of recommendations for the Special Rapporteur to consider as she develops her report.

## **2. Preconditions to Full and Equal Participation of Women, Girls, and Gender Diverse People with Disabilities in Political and Public Life**

As the CEDAW Committee recognized in GR40, ensuring equality in political and public life requires a “transformative approach.” This transformative approach seeks to change gendered norms and stereotypes through:

“the structural transformation of gendered roles and responsibilities across the public and private spheres, fostering a context in which women and men can equally integrate professional duties and competencies and family and other care responsibilities, including through a new organization of work and a reconfiguration of the concepts of productivity, monetization and the care economy.”<sup>3</sup>

The CEDAW Committee calls on States to address, for instance, economic inequalities and inequality within families and communities. It further calls on States to ensure equal access to education, freedom from violence, and sexual and reproductive health and rights as means of ensuring that women can participate on an equal basis in decision-making systems.<sup>4</sup> The Committee also outlines that an intersectional approach to ensuring equality in decision-making spaces—one that factors in disability, among other intersectional identities—is imperative for ensuring that no one is left behind.<sup>5</sup>

In this way, GR40 recognizes that the equal representation of women in decision-making requires and is part of a broader shift in ensuring the rights and well-being of women. This shift must necessarily directly tackle the patriarchal norms that have prevented women from participating in political and public life on an equal basis with men.

A similar approach is needed to ensure the full and equal participation of persons with disabilities—including women, girls, and gender diverse people with disabilities—in political and public life. Beyond recognizing their right to full and equal participation, States also need to recognize their personhood, dignity, and their full range of rights.

With this in mind, it is imperative that States and others tackle the underlying ableist structures and human rights abuses that may indirectly but ultimately prevent people with disabilities from this full and equal participation, while also addressing patriarchy and other systems of oppression that may intersect with ableism and prevent people with

disabilities in all of their diversity from full and equal participation in public and political life.

### ***Impact of Poverty and Barriers to Employment and Education***

Many women, girls, and gender diverse people with disabilities experience poverty.<sup>6</sup> Although data disaggregated by sex and disability is scarce, studies identified a higher rate of poverty for women with disabilities as compared to both men with disabilities and nondisabled women in some countries.<sup>7</sup> In low resource households, girls and women with disabilities also are deprioritised in food, nutrition, and learning resources. In the “My Voice from Africa” 2024 survey, nearly 60% of 244 women with disabilities surveyed indicated that socio-economic status including living conditions was a significant factor hindering the full enjoyment of their rights.<sup>8</sup>

Women, girls, and gender diverse people with disabilities also face significant barriers to accessing education and employment, which are essential precursors for participation in public and political life.

Regarding education, girls with disabilities are the most excluded group from all educational settings.<sup>9</sup> Global estimates indicate that only 41.7% of girls with disabilities have completed primary school, compared to 50.6% of boys with disabilities and 52.9% of girls without disabilities.<sup>10</sup> In 29 developing countries, only 69% of women with disabilities ever attended school.<sup>11</sup> In addition, in the European Union, young women with disabilities are more than twice as likely as other women to leave education and training with only a lower secondary education.<sup>12</sup>

Culturally girls with disabilities are seen as a burden in society and on families and there is very little investment done in their development and growth.<sup>13</sup> As a result, girls with disabilities are often not encouraged to study by their families due to an expectation for them to become caregivers and perform household chores, related to a stereotypical view of women’s role in a family.<sup>14</sup> Families, especially those living in poverty, frequently prioritize the education of boys with and without disabilities due to the prevailing assumption that a male child can contribute financially to the family.<sup>15</sup> When girls with disabilities require disability-related equipment or special transportation, families with limited resources may be even less likely to allocate resources to their education.<sup>16</sup>

Likewise, recent data collected by the World Bank “suggest that only one-quarter of economies worldwide explicitly protect and promote the rights of women with disabilities.”<sup>17</sup> Women and gender diverse people with disabilities are overrepresented in precarious employment, frequently outside of the formal work sector,<sup>18</sup> with incomes that are usually much lower than those in formal positions. They also receive unequal remuneration for work of equal value, are denied reasonable accommodation in the workplace, and experience higher unemployment rates.<sup>19</sup> A survey conducted in 51 countries showed unemployment rates of 80.4% for women with disabilities and 47.2% for men with disabilities.<sup>20</sup> Furthermore, women with disabilities experience sexual and psychological harassment and sometimes violence in the labour market. Even in formal work, their specific needs are rarely considered while drafting workplace policies, like

maternity leave, and infrastructure like work and meeting spaces. Similar to other women, they are not recognized for unpaid care and domestic work they perform, which reduces their chances of earning adequate remuneration for their work, and access to other employment assistance programs remains limited.<sup>21</sup>

### ***Violations of Rights Within the Family***

Women, girls, and gender diverse people with disabilities encounter numerous violations of their rights within the family, as outlined in Article 23 of the CRPD. For example:

- Women with disabilities in their diversities face legal, systemic and de facto discrimination in marriage, divorce, and inheritance. In Northern Uganda, the organization LIDDWA (Lira District Disabled Women Association) found that more than 8 out of 10 women with disabilities whose husbands die face eviction by their husband's relatives and are denied the right to occupy their customary land. In Nigeria, generally women don't get inheritance and that includes women with disabilities. In India, divorce laws specifically mention that a marriage can be annulled on the grounds of unsoundness of mind.
- Women with disabilities also experience negative stereotype that they cannot live up to the already-discriminatory gendered norms and expectations of being mothers and caregivers. For instance, in Kenya, COVAW and KEFEADO highlight that most women with disabilities, as a consequence of negative stereotypes in the communities, are not expected to marry or to have children and are also discriminated against in terms of property ownership and inheritance matters, although the related laws do not discriminate against them.
- Deaf women and girls are victims of language deprivation within their hearing families. Around 95% of deaf children are born from hearing parents who do not know sign languages and don't communicate with them within that early key period of language learning.<sup>22</sup>

This exclusion from family life, combined with their lower socio-economic standing and barriers to employment and education, means that women, girls, and gender diverse people with disabilities—distinct from men with disabilities and non-disabled women — may lack the familial support and the personal resources often required to fully and equally participate in political and public life.

### ***Violence, Exploitation, and Abuse***

Women, girls, and gender diverse people with disabilities also are at least three times more likely—and may be 10 times more likely—than other women to experience violence, exploitation, and abuse as prohibited by Article 16 of the CRPD.<sup>23</sup> This violence, which has both disability and gendered dimensions and is often the result of power imbalances between perpetrators and women, girls, and gender diverse people with disabilities, has a direct impact on how and whether women, girls, and gender diverse people with disabilities can interact with their communities and with the broader world. For instance, one form this violence can take is the withholding of medication and assistive devices

from women with disabilities, which prevents them from seeking redress from violence and also leads to social isolation.<sup>24</sup> Gender diverse persons with disabilities face violence from society because of the negative stereotypes around their gender identity or sexual orientation. They also face state violence and criminalisation in many countries; unfortunately the intersectionality of gender and disability heightens this violence.

Women, girls, gender diverse persons with disabilities, particularly with psychosocial and intellectual disabilities, are also regularly exposed to forced and coerced medical interventions, such as forced sterilization, forced abortions, forced hysterectomies, forced medications, if they conceive, their children are taken away, forced treatments like electroconvulsive therapy, psychosurgery etc. These coercive and involuntary practices are further exacerbated in institutions and closed-door settings.<sup>25</sup> As World Federation of the Deaf reports, deaf women and girls experience systemic violence, starting from the fact that they do not receive education and information about how to prevent gender-based violence in their natural and national sign languages. Therefore, deaf women and girls, especially those from rural areas, cannot even recognize violence and abuse and don't know where to go or how to communicate and ask for help.

### ***Deprivation of Legal Capacity and Forced Institutionalization***

Women have been prejudicially denied legal capacity throughout history, particularly upon marriage.<sup>26</sup> But when gender intersects with disability, the risk of facing both formal and informal restrictions on legal capacity deepens. Women with disabilities are denied the right to legal capacity more often than both men with disabilities and other women.<sup>27</sup> Even when women with disabilities are not formally denied their legal capacity, they are frequently denied personal and individual choices, which may lead to dependency, infantilization, and other factors that prevent their engagement in decision-making processes,<sup>28</sup> similar to what happens with women broadly in many countries. It is also common for women with disabilities to be presented with only limited choices, to lack access to accessible information, or to be under the control of families and/or caregivers who are acting as substitute decision-makers.<sup>29</sup> As professionals from HYPE Sri Lanka observed, the lack of empowerment of some women with disabilities and their resulting dependency on family members and lack of opportunities to exercise autonomy may lead family to unduly influence their political beliefs and decisions.<sup>30</sup>

### ***Barriers to Digital Accessibility and Access to Information and Technology***

A 2020 report by the GSM Association highlights that “women with disabilities have among the lowest rates of mobile and smartphone ownership.”<sup>31</sup> Women with disabilities have the lowest level of awareness of mobile internet, and the authors highlight that “in efforts to achieve the SDGs, stakeholders need to consider gender and disability perspectives to address inequalities in connectivity.” They conclude that “current approaches to digital inclusion risk overlooking the needs of women with disabilities, a particularly vulnerable and excluded group.”

Although initiatives exist in countries to try and close the digital gender gap (Burundi, Kenya, Cameroon) as well as to promote the access of girls and young women to

Science, Technology, Engineering and Mathematics (STEM) related fields, none are seen as inclusive of women and girls with disabilities. As Rising Flame reports, for women and girls with disabilities with access to technology and internet, the barriers of the physical world perpetuate in that digital space. They face barriers due to web inaccessibility and online violence, bullying and trolling because of their gender and disability.

Technology-facilitated gender-based violence disproportionately affects women and girls through an intersectional lens, influenced by factors such as race, ethnicity, age, sexual orientation, religion, gender identity, socioeconomic status, disability, and refugee status. Those facing multiple forms of discrimination—including women with disabilities, women of color, migrant women, and LGBTIQ+ individuals—experience heightened and unequal impacts.<sup>32</sup>

### **3. Barriers to and Good Practices Around Participation in Political Life**

#### ***Financial, Accessibility, Cultural, and Structural Barriers to Political Participation***

The Beijing+30 report, *Powerful yet overlooked: African women with disabilities and the ongoing struggle for inclusion, 30 years after Beijing*<sup>33</sup> published in October 2024 by Disabled Women in Africa, Humanity & Inclusion, International Disability Alliance and the World Federation of the Deaf, highlights that women with disabilities face various barriers to participating in political life, whether as voters or candidates.

Women with disabilities face obstacles as voters such as inaccessible polling stations, lack of braille ballots, lack of magnifiers for visually impaired voters, and inadequate national sign language interpretation for deaf individuals. They often lack access to information and communication, including plain language, sign language and interpretation for deafblind women before, during and after each electoral process.

In addition, women with disabilities are frequently financially excluded from running for political office, as it may be more difficult for them to pay candidate nomination fees or campaign costs. In Kenya, elections are considered expensive, and many women with disabilities cannot afford to run for office. Similarly, in Nigeria, the cost of submitting nomination forms and of campaigning for political positions is very high, which has affected women with disabilities from taking leadership roles.

Cultural norms and structural biases continue to sideline women with disabilities from political and public life. Traditional gender roles in many societies frame women as primary caregivers, discouraging their pursuit of leadership positions. If there are political differences, women tend to keep their voting preferences hidden, in order to avoid being intimidated or bullied by their partners to vote for certain candidates. This is further exacerbated for women with disabilities who might face additional layers of control or influence.

Women with disabilities face additional discrimination due to cultural stigmas that perceive them as dependent or incapable of leadership. For instance, as Transforming Communities for Inclusion reports, stigma and discrimination associated with the identity of being a person with psychosocial disability, leads to families hiding away such

individuals when there is ongoing voter registration. Their personhood is not accepted formally by States Parties or bureaucratic processes in many countries rendering individuals instead as patients, persons with mental illness, persons with unsound mind etc. and excluding these individuals, via constitutional provisions, electoral laws to participation in political and public life. Indonesia Mental Health Association has also observed that stigma and prevailing assumptions perceive women with psychosocial disabilities as incapable of making decisions for themselves, unable to distinguish between right and wrong, and as potential dangers to society. As a result, they are deemed unfit to participate in social activities or the workforce. Political participation is seen as an impossibility, and women with psychosocial disabilities in Indonesia are effectively prohibited from engaging in political activities.

Accessibility and financial barriers to political participation have also occurred at the global level. For instance, visa restrictions often prevent their participation in international gatherings, further curtailing their influence in global decision-making. Notably during the 2021 Generation Equality Forums (GEF) - the most important global gathering for gender equality of the century so far—feminists with disabilities were largely excluded from decision-making and discussion spaces. The Inclusive Generation Equality Collective (IGEC), a global collective of disability rights activists and allies that raises the voices of feminists with disabilities in gender equality initiatives, advocated for the inclusion of feminists with disabilities in this process and raised awareness of the accessibility barriers faced during two forums: in Mexico City and Paris virtual forums. Following the Mexico City Forum, the IGEC called attention to the accessibility barriers faced in that Forum and made several requests to UN Women and the Government of France to ensure the accessibility of the subsequent Paris Forum. Despite these requests, feminists with disabilities were not adequately included in the preparations for and execution of the Paris Forum, and the virtual platform created for the Forum was designed without accessibility in mind.

### ***Lack of an Intersectional Approach to Gender Quotas for Political Participation***

In GR40, the CEDAW Committee sets a new baseline for the full and equal participation of women as a human rights imperative, calling for 50:50 gender parity in decision-making systems.<sup>34</sup> While ensuring gender parity in decision-making systems, States must specifically tackle and redress patriarchy and patriarchal norms that have historically led to gender inequality.<sup>35</sup> Furthermore, the CEDAW Committee makes explicit that efforts to ensure gender parity in decision-making systems are not “temporary special measures.” Rather, the Committee asserts that “Legislation guaranteeing parity is thus not intended to be removed once women’s historical disadvantages have been redressed but remains as a legal principle and permanent and universal feature of good governance.”<sup>36</sup>

Even before the adoption of GR40, the CEDAW Committee had called for temporary special measures to accelerate women’s participation in politics, such as reserved seat quotas or political party or candidate quotas. As of January 2024, in Africa, there were 34 countries out of 54 applying gender quotas,<sup>37</sup>. But the movement for gender quotas has not yet benefited women with disabilities: In fact, in Burundi, Cameroon, Kenya, Nigeria, Rwanda, and Uganda in 2022, no woman with disabilities was seated in Parliament

unless she had been nominated or elected through a disability-related scheme; none of them had benefited from a gender quota.

Data from UN Women on political representation in Asia and the Pacific region confirms the same trends; in 2017, in 14 out of 18 countries surveyed in Asia and the Pacific region, there was no female parliamentarian with disabilities in the national legislative body. In the other four countries, the share of women parliamentarians with disabilities ranged from 0.3 to 6.3 percent, well below their broader representation in society.<sup>38</sup> The Asia-Pacific Declaration of Women and Girls with Disabilities, with contributions from 35 organisations and drafted by Rising Flame, highlights the underrepresentation of women with disabilities in parliamentary positions.

Globally, there are gender quotas in 94 over 193 countries (either reserved seats or candidate quotas<sup>39</sup>), but women with disabilities remain largely underrepresented in parliaments.

According to 75% of women with disabilities (185 out of 244 respondents) who participated in the “My Voice from Africa” survey in 2024, no progress has been made to promote power and decision-making of women with disabilities in the past 5 years, in their countries.<sup>39</sup> Among the responses, only a few women mentioned having some representation of women with disabilities either at national level (Uganda, Zimbabwe) or at local level (Uganda, Senegal).

In Nigeria, the National Gender Policy formulated in 2006 and revised for the period 2021-2026 includes a 35% Affirmative Action (AA) provision. This policy mandates that 35% of women should participate in all governance processes, including elected and appointed positions in government. Women with disabilities are calling for 5% of the 35%, as they are part of the women's population. Currently in Nigeria, only 6% of parliamentarians are women, out of which there is no representation for women with disabilities.

### ***Violence in politics***

Participation in political life is not just a question of access but also of physical safety. The real and perceived threat of gender-based violence is a key factor that deters women from seeking political positions. Women with disabilities are at higher risk of violence, including political violence. A 2021 study published by the African Parliamentary Union highlighted the intersectional nature of violence against women parliamentarians: 100% of women parliamentarians with disabilities interviewed declared having experienced psychological violence and are the most exposed to physical and economic violence.<sup>40</sup>

In Nigeria, violence is very common during elections. There is no extra protection for women with disabilities; this community generally is largely overlooked and these have overwhelming impact on the participation of women with disabilities in politics. Furthermore, many political parties in Nigeria hold their meetings in the late evenings and at night, which pose additional security issues for women, including women with disabilities, while some communities in Nigeria do not allow women generally to be out of the house at these late hours.

There have been incidents in Bangladesh, where women with disabilities have suffered serious injuries, permanent disabilities, and sexual violence following elections. This violence deters their political participation and civic engagement, reinforcing systemic barriers to their involvement in governance.<sup>41</sup> Women with disabilities engaged in online activism also face targeted harassment and discrimination. In Kenya, a politician with albinism was subjected to racist and ableist abuse online, reflecting the challenges faced in digital political spaces.<sup>42</sup>

### ***Legal Capacity and Mental Health Requirements***

Formal deprivation of legal capacity can limit the ability of women and gender diverse people with disabilities from participating in political life in a number of ways. For example, in Kenya, Uganda, and Cameroon, many women with intellectual and psychosocial disabilities are unable to obtain national identification, preventing them from voting, while in other jurisdictions, laws depriving individuals of legal capacity also prohibit them from voting in elections.<sup>43</sup>

The Indonesia Mental Health Association has found that, for people with psychosocial disabilities:

- This stigma is further reinforced by laws that explicitly state that individuals with psychosocial disabilities lack legal capacity and must be placed under guardianship. In Indonesia the law on legal capacity/guardianship is in the Civil Code, Article 433. The denial of legal capacity effectively eliminates any opportunity for women with psychosocial disabilities to participate in political life as in any other aspects of their life.
- These legal and societal barriers manifest in Indonesia through the mandatory requirement of a mental health certificate for those seeking employment, public office, or candidacy in elections. This certificate is obtained through rigorous psychiatric evaluations conducted by psychiatrists.
- The Electoral Law No. 7 of 2017 contains discriminatory provisions requiring candidates for all electoral bodies, presidential and vice-presidential candidates, and legislative candidates to be physically and mentally capable.<sup>44</sup> In the lead-up to elections, psychiatrists in Indonesia are occupied with administering psychiatric assessments to thousands of prospective legislative candidates. Those who fail these evaluations are disqualified from running for office.

### ***Good Practices Towards Gender and Disability Inclusion in Political Life***

While women with disabilities face significant barriers to political participation, there are some notable good practices from various countries.<sup>45</sup>

Zimbabwe is one of the few African countries that has legislated quotas to ensure women with disabilities have political representation: for instance, 60 seats in the 280-member National Assembly are allocated to women candidates, elected under List Proportional Representation (List PR). Each list of candidates must include at least ten women under

the age of 35, women with disabilities, and young women with disabilities. The Constitution of Zimbabwe Amendment (No. 2) Act (2021) ensures that women with disabilities are represented in party lists under the 60-seat quota for four national chambers. The Act also mandates representation of women with disabilities in provincial and metropolitan councils. The Senate has two reserved seats (one male, one female) for persons with disabilities. While these measures are commendable, disability advocates argue that the number of reserved seats is still too low to significantly influence policy changes and foster broader inclusion<sup>46</sup>.

In Rwanda, although there is strong representation of women overall (61%), no woman with disabilities had been elected to Parliament as of February 2023. For the first time, after general elections of July 2024, one woman with disabilities, Olivia Mbabazi, secured a seat in parliament to represent persons with disabilities. It is the first time a woman is representing persons with disabilities in the Rwandan parliament.

In Indonesia, in 2016, the Indonesia Mental Health Association successfully pursued a judicial review at the Constitutional Court, challenging the Regional Election Law that prohibited individuals classified as "people with unsound mind" from being registered as voters. The Constitutional Court's ruling granted all individuals with psychosocial disabilities the right to be registered as voters in elections. However, this decision was limited to voting rights. The right to be elected, however, remains denied.

#### **4. Barriers to and Good Practices Around Participation in Public Life**

As the CEDAW Committee highlights in GR40, full and equal participation of women in public life requires "an expansive approach to women's representation... across all fields of life" and "at all levels."<sup>47</sup> The Committee further notes that "[e]qual and inclusive representation in decision-making ... means revaluing and prioritizing issues, as well as ensuring parity across issues."<sup>48</sup>

Women, girls, and gender diverse people with disabilities face significant barriers to participation and leadership in both organizations of persons with disabilities (OPDs) and gender equality, feminist, and women's rights organizations.

##### ***Participation and Leadership in OPDs***

Men with disabilities dominate leadership positions in organizations of persons with disabilities, further marginalizing women, girls, and gender diverse people with disabilities within advocacy spaces.

In 2022, Disability Rights Fund and Women Enabled International conducted a series of focus groups with women and gender diverse people with disabilities involved in the disability rights and justice movements.<sup>49</sup> Their testimonies identify the range of factors that prevent and intersectional disability and gender perspective in the disability rights spaces and highlight the exclusion of women and gender diverse people with disabilities from leadership roles. These include barriers to education, entrenched patriarchal norms, and attitudinal barriers that devalue women and gender minorities with disabilities, among others. For instance:

- A focus group participant from Kenya shared, "Systematic exclusion has ensured women with disabilities remain vulnerable and without relevant skills or capacity to navigate the development sector on an equal basis with other organizations. We are then expected to be thankful for the token."<sup>50</sup>
- A focus group participant from the Pacific reported that there is a persistent belief across the region that women and girls with disabilities should not speak in public. Such misbelief may lead to low participation in disability decision-making systems.<sup>51</sup>

A 2020 survey by the World Federation of the Deaf among the more than 130 national associations of deaf members showed that only 23% of these associations have deaf women leaders.<sup>52</sup>

These barriers are also evident in many specific national contexts. For instance, in Nigeria, it is very difficult for women with disabilities to be at the decision-making table. This lack of visibility of women with disabilities is at all levels—from the family setting, to community and even within the space of organizations of persons with disabilities (OPDs) where men with disabilities mostly make the decision because they occupy key leadership positions. Related to the COVID-19 pandemic, women with disabilities in Nigeria complained that they were largely left out of the discourse within OPDs. According to a brief published by UN Women, women with disabilities in Nigeria “consistently raised that men from within OPDs, and more broadly, were often not willing to give space for their opinions.”<sup>53</sup>

As the CRPD Committee underscores, women with disabilities should be part of the leadership of organizations of persons with disabilities on an equal basis with men with disabilities and be given space and power to lead and engage in decisions through parity representation, women's committees, empowerment programs, and other mechanisms.<sup>54</sup>

### ***Participation and Leadership in Gender Equality, Women’s Rights, and Feminist Organizations***

Feminist and women’s rights movements often overlook women with disabilities, treating gender and disability as separate issues rather than intersecting identities. Women with disabilities struggle to participate in these movements and to have their voices heard and even to ensure their views are considered and respected.

A series of focus groups in 2022 with 109 women and gender diverse people with disabilities from 37 countries, conducted by a group of feminists with disabilities and allies called the Inclusive Generation Equality Collective, revealed that disability-related accessibility barriers and financial barriers pose a significant challenge to women and gender diverse people with disabilities participating in gender equality spaces and movements on an equal basis with others.<sup>55</sup> Women and gender diverse people with disabilities are also often not recognized within the gender-rights movement as stakeholder, which means their concerns and issues are not seen as part of the feminist movement’s priorities.<sup>56</sup>

## ***Participation in Climate Action***

Persons with disabilities are disproportionately affected by climate change. As well, women and girls face disproportionate impacts from climate crisis. An estimated 4 out of 5 people displaced by the impacts of climate change are women and girls.<sup>57</sup> At the intersection of disability and gender, women with disabilities are at heightened risk of experiencing negative impacts of climate change. Climate-related emergencies place “persons with disabilities, in particular women and girls [with disabilities] at heightened risk of violence, including sexual violence, exploitation or abuse, during emergencies, especially in emergency shelters”.<sup>58</sup> In humanitarian situations persons with disabilities are among the least able to access emergency support. As well climate change does negatively affect the enjoyment of all human rights, exacerbates the preexisting inequalities and impacts disproportionately those facing intersectional discrimination.

The commitment to the inclusion of persons with disabilities in climate action is reinforced by the Sustainable Development Goals; the Paris Agreement; the Sendai Framework for Disaster Risk Reduction.<sup>59</sup> The central importance of public awareness, access to information knowledge and public participation has been developed and enriched over the years since the adoption of the United Nations Framework Convention on Climate Change (UNFCCC) in Rio in 2006. Stakeholders consistently agree Organisations of Persons with Disabilities have a critical role to play at all stages of disaster risk reduction. CRPD Article 11 of the CRPD reinforces and specifies States’ obligations to ensure the protection and safety of persons with disabilities in situations of risk, including climate emergencies and other disasters caused by natural hazards. Despite being among the most affected by climate crisis, women with disabilities remain largely invisible in climate action. A review by the European Disability Forum of Disability-Inclusive Climate Change Related Provisions in International and European Frameworks in 13 countries concludes that “there are no references to the intersectional risks and combined effects of climate change that girls and women with disabilities will face. Their specific situation is not even acknowledged.”<sup>60</sup>

## ***Good Practices Towards Participation in Public Life***

### ***The Feminist Accessibility Protocol***

In December 2022, the Inclusive Generation Equality Collective published the Feminist Accessibility Protocol, a set of commitments aimed at gender equality and feminist organizations, philanthropic donors, States, and United Nations agencies to ensure that gender equality discussions and decision-making spaces are fully accessible to and inclusive of women and gender minorities with disabilities. It contains 13 disability-related accessibility pledges for gender equality decision-making spaces held by all actors who seek to advance gender equality at the local, national, regional, and/or global levels.

The Protocol aims to accelerate progress towards a world where women and gender diverse people in all their identity intersections can participate and lead in the feminist movement and in other movements on an equal basis with others, where their accessibility and accommodations needs are fully met, and where discussions and

decisions made in these spaces reflect the priorities and lived realities of those who experience structural exclusion at the intersection of gender and disability. To this end, the Protocol is intended to guide the work of all actors who seek to advance gender equality at the local, national, regional, and/or global levels. To date, the Protocol has more than 250 signatories from diverse civil society and philanthropic organizations.<sup>61</sup>

The Feminist Accessibility Protocol was put into action during two recent global feminist gatherings: the Women Deliver 2023 Conference and the 2024 AWID Forum. From the beginning, Women Deliver and AWID included women and gender diverse people with disabilities in their conference planning and adopted accessibility as a key goal for their conferences. As a result of their efforts to adhere to the Protocol, both organizations were able to create a largely inclusive and welcoming space for women and gender diverse people with disabilities alongside other feminists advocating for gender equality and gender-related rights.

### *The Protocol on the Rights of Persons with Disabilities to the African Charter on Human and Peoples' Rights*

The Protocol to the African Charter on Human and Peoples' Rights on the Rights of Persons with Disabilities, adopted in 2018, offers a progressive and inclusive gender perspective on disability, prioritising women and girls with disabilities. Article 27 of the Protocol devotes extensive content to the rights of women with disabilities, calling on States to ensure their participation in social, economic and political decision-making and activities. It entails the need for further inclusion of women with disabilities in mainstream women's organizations and programs, the equal participation of women with disabilities in sports and culture, and promotes the integration of Disability inclusive Gender perspectives in policies, legislation, plans, programs, budgets, and activities in all spheres that affect women with disabilities. The Protocol Article 27 contains provisions that address the precursors to participation, such as access to information, communication and technology, access to employment, the issue of social and economic isolation, as well as the protection against violence.<sup>62</sup>

## **5. Recommendations to the Special Rapporteur on the Rights of Persons with Disabilities**

In order for women, girls, and gender diverse people with disabilities to fully and equally participate in public and political life, States and others must address the specific barriers they experience to inclusion—those at the intersection of gender and disability, amongst other identities. States and others must also recognize and directly seek to address broader systems of oppression—ableism, audism, patriarchy, sexism, and others—including how those systems intersect with each other to prevent women, girls, and gender diverse people with disabilities from having their voices heard and exercising their leadership. It is essential that, alongside directly promoting their participation in public and political life, States and others also work to ensure the preconditions to full and equal participation for women, girls, and gender diverse people with disabilities. It is only by addressing these issues holistically and with an intersectional lens that States and other

will be able to ensure the full and equal participation of persons with disabilities, in all of their diversity, in public and political life.

### **1. Preconditions to Full and Equal Participation in Political and Public Life**

- Include a broad understanding of States obligations that establishes that States must ensure the necessary preconditions to this participation for all persons with disabilities, with a particular focus on women, girls, and gender diverse people with disabilities.
- Recognize that, in order to ensure the right to full and equal participation in public and political life, States and others must also address underlying systems of oppression such as ableism, audism, and sexism, and how these systems intersect in order to impact multi-marginalized people with disabilities.
- Encourage the CRPD Committee to include specific questions to States in their reporting cycle to clarify the need for gender-sensitive measures in all aspects related to Article 29.
- Encourage States to address barriers to employment, education, early access to their natural and minoritized languages, social protection, and healthcare; ensure freedom from violence; recognize and support legal capacity/agency; ensure access to information, communications, and technology; and ensure that the broader physical and communications infrastructure of public participation is accessible, as a means of ensuring the preconditions for participation in public and political life
- Encourage States to raise awareness about and address negative stereotypes aimed at women with disabilities that may inhibit their participation in public and political life, including those that are based on their gender and disability status such as that they are incapable or child-like, or that their primary role in society is to serve as mothers and caregivers.

### **2. Full and Equal Participation in Political Life**

- Establish that States and other decision-making bodies have an obligation to adopt a permanent 50% gender quota for public elected office and public service, aligned with the CEDAW Committee's GR40, at all decision-making levels, including local, national, regional, and global levels.
- Establish that States and other decision-making bodies should reserve a proportionate share of seats and positions (20% of gender seats; 50% of seats for persons with disabilities) for women and gender diverse people with disabilities.
- Establish that States and other decision-making bodies concerning youth and children including student councils and youth councils should reserve a proportionate share of seats and positions (20% of gender seats; 50% of seats for persons with disabilities) for young women, girls, and gender-diverse children with disabilities.

- Encourage entities including National Bureaus of Statistics to collect, analyse and disseminate gender and disability disaggregated data on barriers to participation in political participation, including accessibility and financial barriers to voting and running for/serving in office, violence in the political sphere, and other similar issues.
- Encourage States to reform laws and policies that strip people with disabilities of legal capacity and often also their right to vote or run for political office. Replace substituted decision-making regimes with systems of support for persons with disabilities, with particular provisions that support their right to participate in political life.

### 3. Full and Equal Participation in Public Life

- Encourage States to ensure local and national governance systems for climate action are gender sensitive and disability inclusive as part of the human-rights based approach to climate action.
- Implement measures to actively solicit and include submissions from women-led Organizations of Persons with Disabilities (OPDs) during the reporting process to the CRPD Committee.
- Recognize that, due to patriarchy, sexism, and other systems of oppression, women, girls, and gender diverse persons with disabilities may have limited opportunities for leadership in civil society organizations, including OPDs. Encourage States and other entities to provide training and opportunities for feminist disabled leadership at all levels of public life.
- Encourage States and other entities to consult directly with women, girls, and gender-diverse people with disabilities in the formation of laws, policies, and practices on gender, disability, and any other topic that may impact their lives, and include individuals and organizations led by women, girls, and gender diverse people with disabilities in the implementation, monitoring, and evaluation of government efforts.
- Encourage States to allot adequate resources to implement gender-transformative and CRPD-compliant budgeting in the promotion and provision of support for the meaningful participation of women, girls, and gender-diverse people with disabilities and establish monitoring and evaluation systems to monitor progress.

---

<sup>1</sup> World Health Organization (WHO) and World Bank, [World Report on Disability](#) 232 (2011),

<sup>2</sup> CEDAW Committee, *General Recommendation No. 40 on the equal and inclusive representation of women in decision-making systems*, ¶ 17, U.N. Doc. CEDAW/C/GC/40 (2024).

<sup>3</sup> *Id.*, ¶ 20.

<sup>4</sup> *Id.*

<sup>5</sup> *Id.*

<sup>6</sup> United Nations Department of Economic and Social Affairs, [Disability and Development Report - Realizing the Sustainable Development Goals by, for and with persons with disabilities](#) 100 (2018) [hereinafter UNDESA, Disability and Development Report 2018].

<sup>7</sup> *Id.* at 99

- 
- <sup>8</sup> Disabled Women in Africa, Humanity & Inclusion, International Disability Alliance and the World Federation for the Deaf: *My Voice from Africa survey targeting women with disabilities in all their diversities*, disseminated from April to August 2024 in French, English, Portuguese and Sign - 244 respondents, 23 African countries – see results in Beijing+30 Parallel Report, *supra* note 35.
- <sup>9</sup> Women Enabled International, [The Right to Education for Women and Girls with Disabilities](#) 1 (2019).
- <sup>10</sup> WHO & World Bank, *World Report on Disability*, *supra* note 1 at 206.
- <sup>11</sup> Human Rights Council, *Relationship between the realization of the right to work and the enjoyment of all human rights by persons with disabilities - Report of the United Nations High Commissioner for Human Rights*, ¶ 8, U.N. Doc. A/HRC/46/47 (2021).
- <sup>12</sup> European Parliament, [Discrimination and access to employment for female workers with disabilities](#) 45 (2017).
- <sup>13</sup> Humanity & Inclusion, *Factsheet 2025: Beyond Access, Ensuring the continuity of education for adolescent girls with disabilities* (Jan. 2025).
- <sup>14</sup> Their World, [13 reasons why girls are not in school on International Day of the Girl Child](#) (2017).
- <sup>15</sup> WHO & World Bank, *World Report on Disability*, *supra* note 1 at 232.
- <sup>16</sup> *Id.*
- <sup>17</sup> World Bank, *The Importance of Designing Gender and Disability Inclusive Laws: A Survey of Legislation in 190 Economies*, Global Indicators Briefs 11 (Sept. 2022).
- <sup>18</sup> Lena Morgon Banks, Calum Davey, Tom Shakespeare, et al, *Disability-inclusive responses to COVID-19: Lessons learnt from research on social protection in low- and middle-income countries*, 137 *World Development* 1, 1-2 (2020).
- <sup>19</sup> Arthur O'Rilley, [The right to decent work of persons with disabilities – ILO working paper no. 14](#), 11 (2003).
- <sup>20</sup> WHO & World Bank, *World Report on Disability*, *supra* note 1 at 237.
- <sup>21</sup> An intersectional assessment on economic exclusion conducted by the civil society organization COVAW in the informal settlements in Nairobi, Kenya, showed that gender, disability and ethnicity are key discriminating factors intersecting to create severe obstacles for women to access entrepreneurship programs and micro-finance services, including access to opportunities such as the Women Enterprise Fund. In COVAW, *Intersectional assessment of the Economic Exclusion of Women Involved in the Business Sector in Informal Settlements of Nairobi County, Kenya* (Feb. 2023).
- <sup>22</sup> Janet DesGeorges, [Avoiding Assumptions: Communication Decisions Made by Hearing Parents of Deaf Children](#), in *AMA Journal of Ethics Viewpoint* (Apr. 2016).
- <sup>23</sup> See, e.g., U.N. General Assembly, *Report of the Special Rapporteur on violence against women, its causes and consequences*, ¶¶ 21, 31, 68, U.N. Doc. A/67/227 (2012).
- <sup>24</sup> See, e.g., *General Comment No. 3 (2016) on women and girls with disabilities*, U.N. Doc. CRPD/C/GC/3 (2016).
- <sup>25</sup> See, e.g., Women Enabled International, [Fact Sheet: Sexual and Reproductive Health and Rights of Women and Girls with Disabilities](#) (2018).
- <sup>26</sup> CRPD Committee, *General Comment No. 1: Article 12 (Equal Recognition Before the Law)*, ¶ 8, U.N. Doc. CRPD/C/GC/1 (2014).
- <sup>27</sup> CRPD Committee, *General Comment No. 3 (2016) on women and girls with disabilities*, ¶ 51, U.N. Doc. CRPD/C/GC/3 (2016).
- <sup>28</sup> CRPD Committee, *General Comment No. 5 on living independently and being included in the community*, ¶ 10, U.N. Doc. CRPD/C/GC/5 (2017).
- <sup>29</sup> *Id.*, ¶¶ 26-27.
- <sup>30</sup> HYPE Sri Lanka held consultations with women with disabilities in September and October 2021 to discuss activism, gender, youth, and disability to inform a submission to the UN Working Group on Discrimination Against Women and Girls on girls' and young women's activism in October 2021.
- <sup>31</sup> GSM Association, [The Digital Exclusion of Women with Disabilities - A Study of Seven Low- and Middle-Income Countries](#) (June 2020).
- <sup>32</sup> United Nations Regional Information Center for Western Europe, [How Technology-Facilitated Gender-Based Violence Impacts Women and Girls](#).
- <sup>33</sup> R. Mkutumula, M. Nthenge, S. Pecourt, A-C. Rossignol, P. Vulimu. *Powerful yet overlooked: African women with disabilities and the ongoing struggle for inclusion, 30 years after Beijing*. Lyon: Humanity & Inclusion (Oct. 2024).

- 
- <sup>34</sup> CEDAW Committee, *General Recommendation No. 40 on the equal and inclusive representation of women in decision-making systems*, ¶¶ 14-15, U.N. Doc, CEDAW/C/GC/40 (2024).
- <sup>35</sup> *Id.*, ¶ 12.
- <sup>36</sup> *Id.*, ¶ 15.
- <sup>37</sup> United Nations, [The Gender Quota Portal: Quota Analysis](#).
- <sup>38</sup> UNDESA, Disability and Development Report 2018.
- <sup>39</sup> Disabled Women in Africa, Humanity & Inclusion, International Disability Alliance and the World Federation for the Deaf: *My Voice from Africa survey targeting women with disabilities in all their diversities*, supra note 8.
- <sup>40</sup> African Parliamentary Union, [Sexism, harassment and violence against women in parliaments in Africa](#), IPU/APU Issue Brief (2021).
- <sup>41</sup> Women Gaining Ground, [Written Submission on the draft of General Recommendation no. 40 on the Equal and Inclusive Representation of Women in Decision-making systems – with a focus on young women and women with disabilities, for Discussion and Adoption at the 89th session of CEDAW](#) (2023).
- <sup>42</sup> *Id.*
- <sup>43</sup> See, e.g., CRPD Committee, *Concluding Observations: India*, U.N.Doc. CRPD/C/IND/CO/1 (2019).
- <sup>44</sup> Electoral Law No. 7 of 2017 (Indonesia), articles 21, 72, 117, 169, and 182.
- <sup>45</sup> R. Mkutumula, M. Nthenge, S. Pecourt, A-C. Rossignol, P. Vulimu, *Powerful yet overlooked: African women with disabilities and the ongoing struggle for inclusion, 30 years after Beijing*, Lyon: Humanity & Inclusion (Oct. 2024).
- <sup>46</sup> ALIGN, Deaf Women Included, & Local Development Research and Advocacy Trust, [Briefing note, “Local Governance In Zimbabwe: Inclusion and participation of women with disabilities”](#) (Sept. 2023).
- <sup>47</sup> CEDAW Committee, *General Recommendation No. 40 on the equal and inclusive representation of women in decision-making systems*, ¶¶ 18-19, U.N. Doc, CEDAW/C/GC/40 (2024).
- <sup>48</sup> *Id.*, ¶ 19.
- <sup>49</sup> Women Enabled International and Disability Rights Fund, [Strengthening Gender Inclusion in Disability Rights Spaces](#) (2022).
- <sup>50</sup> *Id.*
- <sup>51</sup> *Id.*
- <sup>52</sup> World Federation of the Deaf, 2020
- <sup>53</sup> UN Women, [Experiences of women with disabilities in Nigeria during COVID-19](#) (2021).
- <sup>54</sup> CRPD Committee, *General Comment No. 7 on the participation of persons with disabilities in the implementation and monitoring of the Convention*, ¶ 73, U.N. Doc. CRPD/C/GC/7 (2018).
- <sup>55</sup> Inclusive Generation Equality Collective, *Submission to the CEDAW Committee on Equal and Inclusive Representation of Women in Decision-Making Systems* (2023).
- <sup>56</sup> *Id.*
- <sup>57</sup> United Nations Climate Action, [Why women are key to climate action](#).
- <sup>58</sup> United Nations Office of the High Commissioner for Human Rights, *Analytical study on the promotion and protection of the rights of persons with disabilities in the context of climate change*, U.N. Doc. A/HRC/44/30 (2020).
- <sup>59</sup> Ms. Catalina Devandas Aguilar, Special Rapporteur on the rights of persons with disabilities, [Statement to the Human Rights Council panel discussion on the rights of persons with disabilities in the context of climate change](#) (2020).
- <sup>60</sup> European Disability Forum, *Mapping disability inclusive climate action in Europe*, European Disability Forum Report (Dec. 2024).
- <sup>61</sup> Inclusive Generation Equality Collective, [The Feminist Accessibility Protocol](#) (2022).
- <sup>62</sup> COVAW, FIDA Kenya, United Disabled Persons of Kenya, Humanity & Inclusion, [“What’s new for African Women and Girls with Disabilities.”](#)