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Advocating for the Rights of All Women!

BEIJING PLUS 20 REVIEW:
THE SITUATION OF WOMEN AND GIRLS WITH DISABILITIES

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Beijing+20 is a process to assess how far Member States and other stakeholders have come in implementing the commitments made at the Fourth World Conference on Women in Beijing, China, in 1995. Since 1995, the Commission on the Status of Women has played a central role in monitoring, reviewing and appraising progress achieved and problems encountered in implementing the Beijing Declaration and Platform for Action – the most comprehensive global policy framework to achieve the goals of gender equality, development and peace, which world leaders committed to in 12 critical areas of concern. This review will take place at the 59th Session of the Commission on the Status of Women, to be held in March 2015. The inclusion of the rights of women and girls with disabilities, as enumerated in the Beijing Declaration, must have a prominent place in this review.

The inclusion of women and girls with disabilities in the Beijing + 20 review is provided for within the provisions of both the Convention on the Rights of Persons with Disabilities (CRPD),¹ and the Beijing Declaration² and Platform for Action, among other international and regional treaties, and including the pronouncements of the CRPD's treaty body.

INTRODUCTION - VOICES AND VISIONS OF DISABLED WOMEN AT BEIJING

At the Beijing 4th World Conference on Women, disabled women were actively engaged, among the non-government organizations. In the video “Disabled Women: Visions and Voices from the 4th World Conference on Women,” those attending tell their stories, describe their experiences and demonstrate their powerful presence engaging with governments and other NGOs.³

INTRODUCTION – THE CRPD

Several provisions of the CRPD explicitly address women and girls with disabilities: Articles 6 Women with Disabilities, 8 Awareness Raising, 16 Freedom from exploitation, violence and abuse, 17 Protecting the integrity of the person, 24 Education, 25 Health and 27 Work and Employment. Of course, all articles of the CRPD are relevant to women and girls especially Articles 7 Children, 11 - Situations of risk and humanitarian emergencies, 12 Equal recognition before the law, 13 Access to justice and 23 Respect for home and the family.

INTRODUCTION – THE BEIJING DECLARATION

Convention on the Rights of Persons with Disabilities, G.A. Res. 61/611, U.N. Doc. A/RES/61/611 (Dec. 6, 2006) available at <http://www.un.org/disabilities/convention/conventionfull.shtml> [hereinafter CRPD].

² Beijing Declaration and Platform for Action, Fourth World Conference on Women, A/CONF/177/20 (Sept. 15, 1995) available at <http://www.un.org/womenwatch/daw/beijing/platform/declar.htm>.

³ Disabled Women: Visions and Voices from the 4th World Conference on Women, Wide Vision Productions (1996),

<http://www.youtube.com/watch?v=adfHKfZdvzI> and a transcript is also available on this website.

Due to the vigorous engagement and strong presence of women and girls with disabilities at the Beijing Fourth World Conference on Women, several provisions of the Beijing Declaration reference women and girls with disabilities. The Beijing Declaration states:

“Strengthen and encourage the implementation of the recommendations contained in the Standard Rules on the Equalization of Opportunities for Persons with Disabilities, paying special attention to ensure non-discrimination and equal enjoyment of all human rights and fundamental freedoms by women and girls with disabilities, including their access to information and services in the field of violence against women, as well as their active participation in and economic contribution to all aspects of society.”⁴

Drawing on the disability-inclusive nature of the original Beijing Declaration itself, the 2000 Special Session of the United Nations General Assembly, reviewing the progress of the outcomes of the Fourth World Conference on Women, also addressed the concerns and role of women with disabilities by indicating that Governments should:

“Adopt and promote a holistic approach to respond to all forms of violence and abuse against girls and women of all ages, including girls and women with disabilities, as well as vulnerable and marginalized women and girls in order to address their diverse needs, including education, provision of appropriate health care and services and basic social services.”⁵

Furthermore, it also stated that Governments should:

“Design and implement policies and programmes to address fully specific needs of women and girls with disabilities, to ensure their equal access to education at all levels, including technical and vocational training and adequate rehabilitation programmes, health care and services and employment opportunities, to protect and promote their human rights and, where appropriate, to eliminate existing inequalities between women and men with disabilities.”⁶

The intersections of the provisions of the CRPD with the provisions of the Beijing Declaration are discussed below in detail to assist in the preparation of a Beijing + 20 Review by governments, non-government organizations and the UN Commission on the status of women as it prepares for the review at its 59th session in 2015.

To frame the specific relevant issues set forth in the Beijing Declaration, the following is a comparison between the Beijing Declaration and specific Articles of the UN Convention on the Rights of Persons with Disabilities. Provisions of the Beijing Declaration that specifically address women and girls with disabilities are reproduced below. If there is a similar provision in the U.N. Convention or G.A. Res. S23/3, it has also been included. The document is further organized thematically.

⁴ Beijing Declaration and Platform for Action, Fourth World Conference on Women, Para. 232(p), A/CONF/177/20 (Sept. 15, 1995) available at <http://www.un.org/womenwatch/daw/beijing/platform/declar.htm>.

⁵ G.A. Res. S-23/3, para. 69(j), U.N. Doc. A/RES/S-23/3 (Nov. 16, 2000).

⁶ G.A. Res. S-23/3, para. 83(d), U.N. Doc. A/RES/S-23/3 (Nov. 16, 2000).

I. HUMAN RIGHTS AND FREEDOM

Beijing Declaration, Para. 32:

Intensify efforts to **ensure equal enjoyment of all human rights and fundamental freedoms for all women and girls who face multiple barriers to their empowerment and advancement** because of such factors as their race, age, language, ethnicity, culture, religion, or disability, or because they are indigenous people.⁷

Beijing Declaration, Platform for Action, Mission Statement, Para. 31 and Para. 225:

Many women face additional barriers to the enjoyment of their human rights because of such factors as their race, language, ethnicity, culture, religion, disability or **socio-economic class** or because they are indigenous people, migrants, including women migrant workers, displaced women or refugees. They may also be disadvantaged and marginalized by a general lack of knowledge and recognition of their human rights as well as by the obstacles they meet in gaining access to information and recourse mechanisms in cases of violation of their rights.⁸

These Provisions of the Beijing Declaration are Addressed in:

- Convention on the Rights of Persons with Disabilities, Art. 6:
Women with Disabilities
 1. States Parties recognize that **women and girls with disabilities are subject to multiple discrimination**, and in this regard shall take measures to **ensure the full and equal enjoyment by them of all human rights and fundamental freedoms**.
 2. States Parties shall take all appropriate measures to ensure the full development, advancement and empowerment of women, for the purpose of guaranteeing them the exercise and enjoyment of the human rights and fundamental freedoms set out in the present Convention.⁹
- Convention on the Rights of Persons with Disabilities, Preamble, Para. (y):
Convinced that a comprehensive and integral international convention to promote and protect the rights and dignity of persons with disabilities will make a significant contribution to redressing the **profound social disadvantage of persons with disabilities and promote their participation in the civil, political, economic, social and cultural spheres with equal opportunities**, in both developing and developed countries.¹⁰

II. CREATING EQUALITY

⁷ World Conference on Women, Sept. 4-15, 1995, *Beijing Declaration and Platform for Action*, ¶ 32, U.N. Doc. A/CONF.177/20, Annex I (Sept. 15, 1995).

⁸ World Conference on Women, Sept. 4-15, 1995, *Beijing Declaration and Platform for Action*, ¶ 31, U.N. Doc. A/CONF.177/20, Annex I (Sept. 15, 1995); World Conference on Women, Sept. 4-15, 1995, *Beijing Declaration and Platform for Action*, ¶ 225, U.N. Doc. A/CONF.177/20, Annex II (Sept. 15, 1995).

⁹ Convention on the Rights of Persons with Disabilities, G.A. Res. 61/106, Annex I, U.N. GAOR, 61st Sess. Supp. No. 49, U.N. Doc. A/RES/61/106, at 7 (Jan. 24, 2007).

¹⁰ Convention on the Rights of Persons with Disabilities, G.A. Res. 61/106, Annex I, U.N. GAOR, 61st Sess. Supp. No. 49, U.N. Doc. A/RES/61/106, at 4 (Jan. 24, 2007).

Beijing Declaration, Platform for Action, Strategic Objectives and Actions, Para. 46:

The Platform for Action recognizes that **women face barriers to full equality** and advancement **because of such factors as their race, age, language, ethnicity, culture, religion or disability, because they are indigenous women or because of other status.** Many women encounter specific obstacles related to their family status, particularly as single parents; and to their socio-economic status, including their living conditions in rural, isolated or impoverished areas. **Additional barriers also exist for refugee women, other displaced women, including internally displaced women as well as for immigrant women and migrant women, including women migrant workers. Many women are also particularly affected by environmental disasters, serious and infectious diseases and various forms of violence against women.**¹¹

Beijing Declaration, Platform for Action, Strategic Objectives and Actions, Para. 232(p):
By Governments:

(p) **Strengthen and encourage the implementation of the recommendations contained in the Standard Rules on the Equalization of Opportunities for Persons with Disabilities, 30/ paying special attention to ensure non-discrimination and equal enjoyment of all human rights and fundamental freedoms by women and girls with disabilities,** including their access to information and services in the field of violence against women, as well as their activities participation in and economic contribution to all aspects of society;¹²

This Provision of the Beijing Declaration is Addressed/Quoted in:

- Convention on the Rights of Persons with Disabilities, Preamble, Para. (e):
Recognizing that disability is an evolving concept and that disability results from the interaction between persons with impairments and attitudinal and environmental barriers that hinders their full and effective participation in society on an equal basis with others,¹³
- Convention on the Rights of Persons with Disabilities, Preamble, Para. (k):
Concerned that, despite these various instruments and undertakings, **persons with disabilities continue to face barriers in their participation as equal members of society** and violations of their human rights in all parts of the world.¹⁴
- Convention on the Rights of Persons with Disabilities, Preamble, Para. (q):
Recognizing that **women and girls with disabilities are often at greater risk, both within and outside the home, of violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation.**¹⁵

¹¹ World Conference on Women, Sept. 4-15, 1995, *Beijing Declaration and Platform for Action*, ¶ 46, U.N. Doc. A/CONF.177/20, Annex II (Sept. 15, 1995).

¹² World Conference on Women, Sept. 4-15, 1995, *Beijing Declaration and Platform for Action*, ¶ 232(p), U.N. Doc. A/CONF.177/20, Annex II (Sept. 15, 1995).

¹³ Convention on the Rights of Persons with Disabilities, G.A. Res. 61/106, Annex I, U.N. GAOR, 61st Sess. Supp. No. 49, U.N. Doc. A/RES/61/106, at 2 (Jan. 24, 2007).

¹⁴ Convention on the Rights of Persons with Disabilities, G.A. Res. 61/106, Annex I, U.N. GAOR, 61st Sess. Supp. No. 49, U.N. Doc. A/RES/61/106, at 3 (Jan. 24, 2007).

¹⁵ Convention on the Rights of Persons with Disabilities, G.A. Res. 61/106, Annex I, U.N. GAOR, 61st Sess. Supp. No. 49, U.N. Doc. A/RES/61/106, at 3 (Jan. 24, 2007).

- G.A. Res. S-23/3, Para. 5:
The Platform for Action recognizes that women face barriers to full equality and advancement because of such factors as their race, age, language, ethnicity, culture, religion or disability, because they are indigenous women or of other status. Many women encounter specific obstacles related to their family status, particularly as single parents, and to their socio-economic status, including their living conditions in rural, isolated or impoverished areas. Additional barriers also exist for refugee women, other displaced women, including internally displaced women, as well as for immigrant women and migrant women, including women migrant workers. Many women are also particularly affected by environmental disasters, serious and infectious diseases and various forms of violence against women.¹⁶
- G.A. Res. S-23/3, Para. 27:
Obstacles. Gender discrimination and all other forms of discrimination, in particular racism, racial discrimination, xenophobia and related intolerance continue to cause threat to women's enjoyment of their human rights and fundamental freedoms. In situations of armed conflict and foreign occupation, human rights of women have been extensively violated. Even though a number of countries have ratified the Convention on the Elimination of All Forms of Discrimination against Women,⁸ the goal of universal ratification by the year 2000 has not been achieved, and there continue to be a large number of reservations to the Convention. **While there is an increasing acceptance of gender equality, many countries have not yet implemented fully the provisions of the Convention.** Discriminatory legislation as well as harmful traditional and customary practices and negative stereotyping of women and men still persist. Family, civil, penal, labour and commercial laws or codes, or administrative rules and regulations, still have not fully integrated a gender perspective. Legislative and regulatory gaps, as well as lack of implementation and enforcement of legislation and regulations, perpetuate de jure as well as de facto inequality and discrimination, and in a few cases, new laws discriminating against women have been introduced. In many countries, women have insufficient access to the law, resulting from illiteracy, lack of legal literacy, information and resources, insensitivity and gender bias, and lack of awareness of the human rights of women by law enforcement officials and the judiciary, who in many cases fail to respect the human rights of women and the dignity and worth of the human person. **There is insufficient recognition of women's and girls' reproductive rights, as well as barriers to their full enjoyment of those rights, which embrace certain human rights as defined in paragraph 95 of the Beijing Platform for Action. Some women and girls continue to encounter barriers to justice and the enjoyment of their human rights because of such factors as their race, language, ethnicity, culture, religion, disability or socio-economic class or because they are indigenous people, migrants, including women migrant workers, displaced women or refugees.**¹⁷

III. ORGANIZATIONS/GOVERNMENT PROGRAMS

¹⁶ G.A. Res. S-23/3, Annex, ¶ 5, U.N. Doc. A/RES/S-23/3/Rev.1 (Nov. 16, 2000).

¹⁷ G.A. Res. S-23/3, Annex, ¶ 27, U.N. Doc. A/RES/S-23/3/Rev.1 (Nov. 16, 2000).

Beijing Declaration, Platform for Action, Strategic Objections and Actions, Para. 60:

By national and international non-governmental organizations and women's groups:

- (a) All parties involved in the development process, including academic institutions, non-governmental organizations and grass-roots and women's groups, **mobilize to improve the effectiveness of anti-poverty programmes directed towards** the poorest and most disadvantaged groups of women, such as rural and indigenous women, female heads of households, young women and older women, refugees and migrant women and **women with disabilities**, recognizing that social development is primarily the responsibility of Governments;
- (b) Engage in lobbying and establish monitoring mechanisms, as appropriate, and other relevant activities to ensure implementation of the recommendations on poverty eradication outlined in the Platform for Action and aimed at ensuring accountability and transparency from the State and private sectors;
- (c) Include in their activities women with diverse needs; recognize that youth organizations are increasingly becoming effective partners in development programmes;
- (d) In cooperation with the Government and private sectors, participate in the development of a comprehensive national strategy for improving health, education and social services so that girls and women of all ages living in poverty have full access to such services. Seek funding to secure access to services with a gender perspective and to extend those services in order to reach the rural and remote areas that are not covered by government institutions;
- (e) In cooperation with Governments, employers, other social partners and relevant parties, contribute to the development of education and training and retraining policies to ensure that women can acquire a wide range of skills to meet new demands;
- (f) Mobilize to protect women's right to full and equal access to economic resources, including the right to inheritance and to ownership of land and other property, credit, natural resources and appropriate technologies.¹⁸

Beijing Declaration, Platform for Action, Strategic Objectives and Actions, Para. 175(d):

Support programmes that enhance the self-reliance of special groups of women, such as young women, women with disabilities, elderly women and women belonging to racial and ethnic minorities¹⁹

These Provisions of the Beijing Declaration are Addressed in:

- G.A. Res. S-23/3, Para. 63:
Girls and women of all ages with any form of disability are generally among the more vulnerable and marginalized of society. **There is therefore need to take into account and to address their concerns in all policy-making and programming.** Special measures are needed at all levels to integrate them into the mainstream of development.²⁰
- G.A. Res. S-23/3, Para. 69(j):

¹⁸ World Conference on Women, Sept. 4-15, 1995, *Beijing Declaration and Platform for Action*, ¶ 60, U.N. Doc. A/CONF.177/20, Annex II (Sept. 15, 1995).

¹⁹ World Conference on Women, Sept. 4-15, 1995, *Beijing Declaration and Platform for Action*, ¶ 175(d), U.N. Doc. A/CONF.177/20, Annex II (Sept. 15, 1995).

²⁰ G.A. Res. S-23/3, Annex, ¶ 63, U.N. Doc. A/RES/S-23/3/Rev.1 (Nov. 16, 2000).

Adopt and promote a holistic approach to respond to all forms of violence and abuse against **girls and women of all ages, including girls and women with disabilities**, as well as vulnerable and marginalized women and girls in order **to address their diverse needs, including education, provision of appropriate health care and services and basic social services**,²¹

- G.A. Res. S-23/3, Para. 83(d):
Design and implement policies and programmes to address fully specific needs of women and girls with disabilities, to ensure their equal access to education at all levels, including technical and vocational training and adequate rehabilitation programmes, health care and services and employment opportunities, to protect and promote their human rights and, where appropriate, to eliminate existing inequalities between women and men with disabilities.²²
- Convention on the Rights of Persons with Disabilities, Art. 28(2)(b):
States Parties recognize the right of persons with disabilities to social protection and to the enjoyment of that right without discrimination on the basis of disability, and shall take appropriate steps to safeguard and promote the realization of this right, including measures:
(b) **To ensure access by persons with disabilities, in particular women and girls with disabilities and older persons with disabilities, to social protection programmes and poverty reduction programmes**,²³

IV. EDUCATION

Beijing Declaration, Platform for Action, Strategic Objectives and Actions, Para. 80(a):

Advance the goal of **equal access to education by taking measures to eliminate discrimination in education at all levels on the basis of** gender, race, language, religion, national origin, age or **disability**, or any other form of discrimination and, as appropriate, consider establishing procedures to address grievances.²⁴

Beijing Declaration, Platform for Action, Strategic Objectives and Actions, Para. 81(a):

By governments, national, regional, and international bodies, bilateral and multilateral donors and non-governmental organizations:

- (a) **Reduce the female illiteracy rate to at least half its 1990 level, with emphasis on rural women, migrant, refugee and internally displaced women and women with disabilities**.²⁵

Beijing Declaration, Platform for Action, Strategic Objectives and Actions, Para. 82(k):

²¹ G.A. Res. S-23/3, Annex, ¶ 69(j), U.N. Doc. A/RES/S-23/3/Rev.1 (Nov. 16, 2000).

²² G.A. Res. S-23/3, Annex, ¶ 83(d), U.N. Doc. A/RES/S-23/3/Rev.1 (Nov. 16, 2000).

²³ Convention on the Rights of Persons with Disabilities, G.A. Res. 61/106, Annex I, U.N. GAOR, 61st Sess. Supp. No. 49, U.N. Doc. A/RES/61/106, at 17 (Jan. 24, 2007).

²⁴ World Conference on Women, Sept. 4-15, 1995, *Beijing Declaration and Platform for Action*, ¶ 80(a), U.N. Doc. A/CONF.177/20, Annex II (Sept. 15, 1995).

²⁵ World Conference on Women, Sept. 4-15, 1995, *Beijing Declaration and Platform for Action*, ¶ 81(a), U.N. Doc. A/CONF.177/20, Annex II (Sept. 15, 1995).

Ensure **access to quality education and training at all appropriate levels** for adult women with little or no education, **for women with disabilities** and for documented migrant, refugee and displaced women **to improve their work opportunities**²⁶

These Provisions of the Beijing Declaration are Addressed in:

- Convention on the Rights of Persons with Disabilities, Art. 24:

Education

1. States Parties recognize the **right of persons with disabilities to education**. With a view to **realizing this right without discrimination and on the basis of equal opportunity**, States Parties shall ensure an inclusive education system at all levels and life long learning directed to:

- a. The full development of human potential and sense of dignity and self-worth, and the strengthening of respect for human rights, fundamental freedoms and human diversity;
- b. The development by persons with disabilities of their personality, talents and creativity, as well as their mental and physical abilities, to their fullest potential;
- c. Enabling persons with disabilities to participate effectively in a free society.

2. In realizing this right, States Parties shall ensure that:

- a. Persons with disabilities are not excluded from the general education system on the basis of disability, and that children with disabilities are not excluded from free and compulsory primary education, or from secondary education, on the basis of disability;
- b. **Persons with disabilities can access an inclusive, quality and free primary education and secondary education on an equal basis with others in the communities in which they live;**
- c. Reasonable accommodation of the individual's requirements is provided;
- d. Persons with disabilities receive the support required, within the general education system, to facilitate their effective education;
- e. Effective individualized support measures are provided in environments that **maximize academic and social development**, consistent with the goal of full inclusion.

3. States Parties shall **enable persons with disabilities to learn life and social development skills** to facilitate their full and equal participation in education and as members of the community. To this end, States Parties shall take appropriate measures, including:

- a. Facilitating the learning of Braille, alternative script, augmentative and alternative modes, means and formats of communication and orientation and mobility skills, and facilitating peer support and mentoring;
- b. Facilitating the learning of sign language and the promotion of the linguistic identity of the deaf community;
- c. Ensuring that the education of persons, and in particular children, who are blind, deaf or deafblind, is delivered in the most appropriate languages and modes and

²⁶ World Conference on Women, Sept. 4-15, 1995, *Beijing Declaration and Platform for Action*, ¶ 82(k), U.N. Doc. A/CONF.177/20, Annex II (Sept. 15, 1995).

means of communication for the individual, and in environments which maximize academic and social development.

4. In order to help ensure the realization of this right, States Parties shall take appropriate measures to employ teachers, including teachers with disabilities, who are qualified in sign language and/or Braille, and to train professionals and staff who work at all levels of education. Such training shall incorporate disability awareness and the use of appropriate augmentative and alternative modes, means and formats of communication, educational techniques and materials to support persons with disabilities.

5. States Parties shall ensure that persons with disabilities are able to access general tertiary education, vocational training, adult education and lifelong learning without discrimination and on an equal basis with others. To this end, States Parties shall ensure that reasonable accommodation is provided to persons with disabilities.²⁷

V. HEALTH

Beijing Declaration, Platform for Action, Strategic Objectives and Actions, Para. 101:

With the increase in life expectancy and the growing number of older women, their health concerns require particular attention. The long-term health prospects of women are influenced by changes at menopause, which, in combination with life-long conditions and other factors, such as poor nutrition and lack of physical activity, may increase the risk of cardiovascular disease and osteoporosis. Other diseases of ageing and **the interrelationships of ageing and disability among women also need particular attention.**²⁸

Beijing Declaration, Platform for Action, Strategic Objectives and Actions, Para. 106(c):

Design and implement, in cooperation with women and community-based organizations, gender-sensitive health programmes, including decentralized health services, that address the needs of women throughout their lives and take into account their multiple roles and responsibilities, the demands on their time, the special needs of rural women and women with disabilities and the diversity of women's needs arising from age and socio-economic and cultural differences, among others; include women, especially local and indigenous women, in the identification and planning of health-care priorities and programmes; and remove all barriers to women's health services and provide a broad range of health-care services²⁹

Beijing Declaration, Platform for Action, Strategic Objectives and Actions, Para. 106(o):

Ensure that girls and women of all ages with any form of disability receive supportive services³⁰

These Provisions of the Beijing Declaration are Addressed in:

²⁷ Convention on the Rights of Persons with Disabilities, G.A. Res. 61/106, Annex I, U.N. GAOR, 61st Sess. Supp. No. 49, U.N. Doc. A/RES/61/106, at 14-15 (Jan. 24, 2007).

²⁸ World Conference on Women, Sept. 4-15, 1995, *Beijing Declaration and Platform for Action*, ¶ 101, U.N. Doc. A/CONF.177/20, Annex II (Sept. 15, 1995).

²⁹ World Conference on Women, Sept. 4-15, 1995, *Beijing Declaration and Platform for Action*, ¶ 106(c), U.N. Doc. A/CONF.177/20, Annex II (Sept. 15, 1995).

³⁰ World Conference on Women, Sept. 4-15, 1995, *Beijing Declaration and Platform for Action*, ¶ 106(o), U.N. Doc. A/CONF.177/20, Annex II (Sept. 15, 1995).

- Convention on the Rights of Persons with Disabilities, Art. 25:

Health

States Parties recognize that **persons with disabilities have the right to the enjoyment of the highest attainable standard of health without discrimination on the basis of disability**. States Parties shall take all appropriate measures to ensure access for persons with disabilities to health services that are gender-sensitive, including health-related rehabilitation. In particular, States Parties shall:

- Provide persons with disabilities with the same range, quality and standard of free or affordable health care and programmes as provided to other persons, including in the area of sexual and reproductive health and population-based public health programmes;
 - Provide those health services needed by persons with disabilities specifically because of their disabilities, including early identification and intervention as appropriate, and services designed to minimize and prevent further disabilities, including among children and older persons;**
 - Provide these health services as close as possible to people's own communities, including in rural areas;**
 - Require health professionals to provide care of the same quality to persons with disabilities as to others, including on the basis of free and informed consent by, inter alia, raising awareness of the human rights, dignity, autonomy and needs of persons with disabilities through training and the promulgation of ethical standards for public and private health care;
 - Prohibit discrimination against persons with disabilities in the provision of health insurance, and life insurance where such insurance is permitted by national law, which shall be provided in a fair and reasonable manner;
 - Prevent discriminatory denial of health care or health services or food and fluids on the basis of disability.³¹
- Convention on the Rights of Persons with Disabilities, Art. 26:
Habilitation and Rehabilitation
1. **States Parties shall take effective and appropriate measures**, including through peer support, **to enable persons with disabilities to attain and maintain maximum independence, full physical, mental, social and vocational ability, and full inclusion and participation in all aspects of life**. To that end, States Parties shall organize, strengthen and extend comprehensive habilitation and rehabilitation services and programmes, particularly in the areas of health, employment, education and social services, in such a way that these services and programmes:
 - Begin at the earliest possible stage, and are based on the multidisciplinary assessment of individual needs and strengths;
 - Support participation and inclusion in the community and all aspects of society, are voluntary, and **are available to persons with disabilities as close as possible to their own communities, including in rural areas.**

³¹ Convention on the Rights of Persons with Disabilities, G.A. Res. 61/106, Annex I, U.N. GAOR, 61st Sess. Supp. No. 49, U.N. Doc. A/RES/61/106, at 15 (Jan. 24, 2007).

2. States Parties shall promote the development of initial and continuing training for professionals and staff working in habilitation and rehabilitation services.
3. States Parties shall promote the availability, knowledge and use of assistive devices and technologies, designed for persons with disabilities, as they relate to habilitation and rehabilitation.³²

VI. RESEARCH

Beijing Declaration, Platform for Action, Strategic Objectives and Actions, Para. 109(d): Increase financial and other support from all sources for preventive, appropriate biomedical, behavioural, epidemiological and health service research on women's health issues and for research on the social, economic and political causes of women's health problems, and their consequences, including the impact of gender and age inequalities, especially with respect to chronic and non-communicable diseases, particularly cardiovascular diseases and conditions, cancers, reproductive tract infections and injuries, HIV/AIDS and other sexually transmitted diseases, domestic violence, occupational health, disabilities, environmentally related health problems, tropical diseases and health aspects of ageing³³

VII. VIOLENCE

Beijing Declaration, Platform for Action, Strategic Objectives and Actions, Para. 116: Some groups of women, such as women belonging to minority groups, indigenous women, refugee women, women migrants, including women migrant workers, women in poverty living in rural or remote communities, destitute women, women in institutions or in detention, female children, **women with disabilities**, elderly women, displaced women, repatriated women, women living in poverty and women in situations of armed conflict, foreign occupation, wars of aggression, civil wars, terrorism, including hostage-taking, **are also particularly vulnerable to violence**³⁴

Beijing Declaration, Platform for Action, Strategic Objectives and Actions, 124(m): **Ensure that women with disabilities have access to information and services in the field of violence against women**³⁵

Beijing Declaration, Platform for Action, Strategic Objectives and Action, Para. 126(d): **Take special measures to eliminate violence against women, particularly those in vulnerable situations, such as young women, refugee, displaced and internally displaced women, women with disabilities and women migrant workers, including enforcing any**

³² Convention on the Rights of Persons with Disabilities, G.A. Res. 61/106, Annex I, U.N. GAOR, 61st Sess. Supp. No. 49, U.N. Doc. A/RES/61/106, at 15-16 (Jan. 24, 2007).

³³ World Conference on Women, Sept. 4-15, 1995, *Beijing Declaration and Platform for Action*, ¶ 109(d), U.N. Doc. A/CONF.177/20, Annex II (Sept. 15, 1995).

³⁴ World Conference on Women, Sept. 4-15, 1995, *Beijing Declaration and Platform for Action*, ¶ 116, U.N. Doc. A/CONF.177/20, Annex II (Sept. 15, 1995).

³⁵ World Conference on Women, Sept. 4-15, 1995, *Beijing Declaration and Platform for Action*, ¶ 124(m), U.N. Doc. A/CONF.177/20, Annex II (Sept. 15, 1995).

existing legislation and developing, as appropriate, new legislation for women migrant workers in both sending and receiving countries.³⁶

These Provisions of the Beijing Declaration are Addressed in:

- Convention on the Rights of Persons with Disabilities, Preamble, Para.(q):
Recognizing that **women and girls with disabilities are often at greater risk**, both within and outside the home, **of violence**, injury or abuse, neglect or negligent treatment, maltreatment or exploitation³⁷

- Convention on the Rights of Persons with Disabilities, Art. 16:
Freedom from Exploitation, Violence and Abuse
 1. **States Parties shall take all appropriate legislative, administrative, social, educational and other measures to protect persons with disabilities**, both within and outside the home, **from** all forms of exploitation, **violence** and abuse, including their gender-based aspects.

 2. **States Parties shall also take all appropriate measures to prevent all forms of exploitation, violence and abuse by ensuring, inter alia, appropriate forms of gender- and age-sensitive assistance and support for persons with disabilities** and their families and caregivers, including through the provision of information and education on how to avoid, recognize and report instances of exploitation, violence and abuse. States Parties shall ensure that protection services are age-, gender- and disability-sensitive.

 3. In order to prevent the occurrence of all forms of exploitation, violence and abuse, States Parties shall ensure that all facilities and programmes designed to serve persons with disabilities are effectively monitored by independent authorities.

 4. States Parties shall take all appropriate measures to promote the physical, cognitive and psychological recovery, rehabilitation and social reintegration of persons with disabilities who become victims of any form of exploitation, violence or abuse, including through the provision of protection services. Such recovery and reintegration shall take place in an environment that fosters the health, welfare, self-respect, dignity and autonomy of the person and takes into account gender- and age-specific needs.

 5. **States Parties shall put in place effective legislation and policies**, including women- and child-focused legislation and policies, **to ensure that instances of exploitation, violence and abuse against persons with disabilities are identified, investigated and, where appropriate, prosecuted.**³⁸

VIII. ARMED CONFLICT

³⁶ World Conference on Women, Sept. 4-15, 1995, *Beijing Declaration and Platform for Action*, ¶ 126(d), U.N. Doc. A/CONF.177/20, Annex II (Sept. 15, 1995).

³⁷ Convention on the Rights of Persons with Disabilities, G.A. Res. 61/106, Annex I, U.N. GAOR, 61st Sess. Supp. No. 49, U.N. Doc. A/RES/61/106, at 3 (Jan. 24, 2007).

³⁸ Convention on the Rights of Persons with Disabilities, G.A. Res. 61/106, Annex I, U.N. GAOR, 61st Sess. Supp. No. 49, U.N. Doc. A/RES/61/106, at 10-11 (Jan. 24, 2007).

Beijing Declaration, Platform for Action, Strategic Objectives and Actions, Para. 131:

An environment which maintains world peace and promotes and protects human rights, democracy and the peaceful settlement of disputes, in accordance with the principles of non-threat or use of force against territorial integrity or political independence and of respect for sovereignty as set forth in the United Nations Charter, is an important factor for the advancement of women. Peace is inextricably linked with equality between women and men and development. **Armed and other types of conflicts** and terrorism and hostage-taking still persist in many parts of the world. Aggression, foreign occupation, ethnic and other types of conflicts are an ongoing reality affecting women and men in nearly every region. Gross and systematic violations and situations that constitute serious obstacles to the full enjoyment of human rights continue to occur in different parts of the world. Such violations and obstacles include, as well as torture and cruel, inhuman and degrading treatment or punishment, summary and arbitrary executions, disappearances, arbitrary detentions, all forms of racism and racial discrimination, foreign occupation and alien domination, xenophobia, poverty, hunger and other denials of economic, social and cultural rights, religious intolerance, terrorism, discrimination against women and lack of the rule of law. **International humanitarian law, prohibiting attacks on civilian populations, as such, is at times systematically ignored and human rights are often violated in connection with situations of armed conflicts, affecting the civilian population, especially women, children, the elderly and the disabled.** Violations of the human rights of women in situations of armed conflicts are violations of the fundamental principles of international human rights and humanitarian law. Massive violations of human rights, especially in the form of genocide, "ethnic cleansing" as a strategy of war and its consequences, rape, including systematic rape of women in war situations, creating mass exodus of refugees and displaced persons, are abhorrent practices that are strongly condemned and must be immediately stopped, while perpetrators of such crimes must be punished. Some of these situations of armed conflict have their origin in the conquest or colonization of a country by another State and the perpetuation of that colonization through state and military repression.³⁹

This Provision of the Beijing Declaration is Addressed in:

- Convention on the Rights of Persons with Disabilities, Preamble, Para.(u): Bearing in mind that **conditions of peace and security based on full respect for the purposes and principles contained in the Charter of the United Nations and observance of applicable human rights instruments are indispensable for the full protection of persons with disabilities, in particular during armed conflicts and foreign occupation.**⁴⁰

IX. EMPLOYMENT AND JOBS

Beijing Declaration, Platform for Action, Strategic Objectives and Actions, Para. 178(f):

Implement and monitor positive public and private-sector employment, equity and positive action programmes to address systemic discrimination against women in the labour force, in particular women with disabilities and women belonging to other disadvantaged groups, with

³⁹ World Conference on Women, Sept. 4-15, 1995, *Beijing Declaration and Platform for Action*, ¶ 131, U.N. Doc. A/CONF.177/20, Annex II (Sept. 15, 1995).

⁴⁰ Convention on the Rights of Persons with Disabilities, G.A. Res. 61/106, Annex I, U.N. GAOR, 61st Sess. Supp. No. 49, U.N. Doc. A/RES/61/106, at 4 (Jan. 24, 2007).

respect to hiring, retention and promotion, and vocational training of women in all sectors⁴¹

Beijing Declaration, Platform for Action, Strategic Objectives and Actions, Para. 178(j):
Ensure access to and develop special programmes to enable women with disabilities to obtain and retain employment, and ensure access to education and training at all proper levels, in accordance with the Standard Rules on the Equalization of Opportunities for People with Disabilities 30 ; adjust, to the extent possible, working conditions in order to suit the needs of women with disabilities, who should be secured legal protection against unfounded job loss on account of their disabilities⁴²

Beijing Declaration, Platform for Action, Strategic Objectives and Actions, Para. 195(a):
Provide leadership and self-esteem training to assist women and girls, particularly those with special needs, women with disabilities and women belonging to racial and ethnic minorities to strengthen their self-esteem and to encourage them to take decision- making positions⁴³

These Provisions of the Beijing Declaration are Addressed in:

- Convention on the Rights of Persons with Disabilities, Art. 27:
Work and Employment
 1. States Parties recognize **the right of persons with disabilities to work, on an equal basis with others; this includes the right to the opportunity to gain a living by work freely chosen or accepted in a labour market and work environment that is open, inclusive and accessible to persons with disabilities.** States Parties shall safeguard and promote the realization of the right to work, including for those who acquire a disability during the course of employment, by taking appropriate steps, including through legislation, to, inter alia:
 - a. **Prohibit discrimination on the basis of disability with regard to all matters concerning all forms of employment, including conditions of recruitment, hiring and employment, continuance of employment, career advancement and safe and healthy working conditions;**
 - b. **Protect the rights of persons with disabilities, on an equal basis with others, to just and favourable conditions of work, including equal opportunities and equal remuneration for work of equal value, safe and healthy working conditions,** including protection from harassment, and the redress of grievances;
 - c. Ensure that persons with disabilities are able to exercise their labour and trade union rights on an equal basis with others;
 - d. **Enable persons with disabilities to have effective access to general technical and vocational guidance programmes, placement services and vocational and continuing training;**

⁴¹ World Conference on Women, Sept. 4-15, 1995, *Beijing Declaration and Platform for Action*, ¶ 178(f), U.N. Doc. A/CONF.177/20, Annex II (Sept. 15, 1995).

⁴² World Conference on Women, Sept. 4-15, 1995, *Beijing Declaration and Platform for Action*, ¶ 178(j), U.N. Doc. A/CONF.177/20, Annex II (Sept. 15, 1995).

⁴³ World Conference on Women, Sept. 4-15, 1995, *Beijing Declaration and Platform for Action*, ¶ 195(a), U.N. Doc. A/CONF.177/20, Annex II (Sept. 15, 1995).

- e. **Promote employment opportunities and career advancement for persons with disabilities in the labour market, as well as assistance in finding, obtaining, maintaining and returning to employment;**
 - f. Promote opportunities for self-employment, entrepreneurship, the development of cooperatives and starting one's own business;
 - g. Employ persons with disabilities in the public sector;
 - h. Promote the employment of persons with disabilities in the private sector through appropriate policies and measures, which may include affirmative action programmes, incentives and other measures;
 - i. **Ensure that reasonable accommodation is provided to persons with disabilities in the workplace;**
 - j. Promote the acquisition by persons with disabilities of work experience in the open labour market;
 - k. **Promote vocational and professional rehabilitation, job retention and return-to-work programmes for persons with disabilities.**
2. States Parties shall ensure that persons with disabilities are not held in slavery or in servitude, and are protected, on an equal basis with others, from forced or compulsory labour.⁴⁴

X. DATA COLLECTION

Beijing Declaration, Platform for Action, Strategic Objectives and Actions, Para. 206(k):
Improve concepts and methods of data collection on the participation of women and men with disabilities, including their access to resources.⁴⁵

This Provision of the Beijing Declaration is Address in:

- Convention on the Rights of Persons with Disabilities, Art. 31:
Statistics and Data Collection
 1. States Parties undertake to collect appropriate information, including statistical and research data, to enable them to formulate and implement policies to give effect to the present Convention. The process of collecting and maintaining this information shall:
 - a. Comply with legally established safeguards, including legislation on data protection, to ensure confidentiality and respect for the privacy of persons with disabilities;
 - b. Comply with internationally accepted norms to protect human rights and fundamental freedoms and ethical principles in the collection and use of statistics.
 2. The information collected in accordance with this article shall be disaggregated, as appropriate, and used to help assess the implementation of States Parties' obligations under the present Convention and to identify and address the barriers faced by persons with disabilities in exercising their rights.

⁴⁴ Convention on the Rights of Persons with Disabilities, G.A. Res. 61/106, Annex I, U.N. GAOR, 61st Sess. Supp. No. 49, U.N. Doc. A/RES/61/106, at 16-17 (Jan. 24, 2007).

⁴⁵ World Conference on Women, Sept. 4-15, 1995, *Beijing Declaration and Platform for Action*, ¶ 206(k), U.N. Doc. A/CONF.177/20, Annex II (Sept. 15, 1995).

3. States Parties shall assume responsibility for the dissemination of these statistics and ensure their accessibility to persons with disabilities and others.⁴⁶

XI. AVAILABILITY OF INFORMATION ON RIGHTS FOR THE DISABLED

Beijing Declaration, Para. 233(a):

By Governments and non-governmental organizations, the United Nations and other international organizations, as appropriate:

- (a) **Translate**, whenever possible, into local and indigenous languages and into alternative formats **appropriate for persons with disabilities** and persons at lower levels of literacy, **publicize and disseminate laws and information relating to the equal status and human rights of all women**, including the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights, the Convention on the Elimination of All Forms of Discrimination against Women, the International Convention on the Elimination of All Forms of Racial Discrimination³³, the Convention on the Rights of the Child, the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, the Declaration on the Right to Development³⁴ and the Declaration on the Elimination of Violence against Women, **as well as the outcomes of relevant United Nations conferences and summits and national reports to the Committee on the Elimination of Discrimination against Women**⁴⁷

Beijing Declaration, Platform for Action, Strategic Objectives and Actions, Para. 233(b):

Publicize and disseminate such information in easily understandable formats and alternative formats appropriate for persons with disabilities, and persons at low levels of literacy.⁴⁸

These Provisions of the Beijing Declaration are Addressed in:

- Convention on the Rights of Persons with Disabilities, Art. 1:
General Obligations
States Parties undertake to ensure and promote the full realization of all human rights and fundamental freedoms for all persons with disabilities without discrimination of any kind on the basis of disability. To this end, States Parties undertake:...
 - (g) **To undertake or promote research and development of, and to promote the availability and use of new technologies, including information and communications technologies, mobility aids, devices**

⁴⁶ Convention on the Rights of Persons with Disabilities, G.A. Res. 61/106, Annex I, U.N. GAOR, 61st Sess. Supp. No. 49, U.N. Doc. A/RES/61/106, at 19 (Jan. 24, 2007).

⁴⁷ World Conference on Women, Sept. 4-15, 1995, *Beijing Declaration and Platform for Action*, ¶ 233(a), U.N. Doc. A/CONF.177/20, Annex II (Sept. 15, 1995).

⁴⁸ World Conference on Women, Sept. 4-15, 1995, *Beijing Declaration and Platform for Action*, ¶ 233(b), U.N. Doc. A/CONF.177/20, Annex II (Sept. 15, 1995).

and assistive technologies, suitable for persons with disabilities, giving priority to technologies at an affordable cost;⁴⁹

XII. CHILDREN

Beijing Declaration, Platform for Action, Strategic Objectives and Actions, Para. 259:

The Convention on the Rights of the Child recognizes that "States Parties shall respect and ensure the rights set forth in the present Convention to each child within their jurisdiction without discrimination of any kind, irrespective of the child's or his or her parent's or legal guardian's race, colour, sex, language, religion, political or other opinion, national, ethnic or social origin, property, **disability, birth or status" (article 2, par. 1). However, in many countries available indicators show that the girl child is discriminated against from the earliest stages of life, through her childhood and into adulthood. In some areas of the world, men outnumber women by 5 in every 100. The reasons for the discrepancy include, among other things, harmful attitudes and practices, such as female genital mutilation, son preference - which results in female infanticide and prenatal sex selection - early marriage, including child marriage, violence against women, sexual exploitation, sexual abuse, discrimination against girls in food allocation and other practices related to health and well-being. As a result, fewer girls than boys survive into adulthood.**⁵⁰

Beijing Declaration, Platform for Action, Strategic Objectives and Actions, Para. 270:

The girl child with disabilities faces additional barriers and needs to be ensured non-discrimination and equal enjoyment of all human rights and fundamental freedoms in accordance with the United Nations Standard Rules on the Equalization of Opportunities for Persons with Disabilities.⁵¹

Beijing Declaration, Platform for Action, Strategic Objectives and Actions, Para. 278(d):

Facilitate the equal provision of appropriate services and devices to girls with disabilities and provide their families with related support services, as appropriate.⁵²

Beijing Declaration, Platform for Action, Strategic Objectives and Actions, Para. 280(c):

Ensure access to appropriate education and skills-training for girl children with disabilities for their full participation in life⁵³

These Provisions of the Beijing Declaration are Addressed in:

- Convention on the Rights of Person with Disabilities, Preamble, Para. (r):

⁴⁹ Convention on the Rights of Persons with Disabilities, G.A. Res. 61/106, Annex I, U.N. GAOR, 61st Sess. Supp. No. 49, U.N. Doc. A/RES/61/106, at 4 (Jan. 24, 2007).

⁵⁰ World Conference on Women, Sept. 4-15, 1995, *Beijing Declaration and Platform for Action*, ¶ 259, U.N. Doc. A/CONF.177/20, Annex II (Sept. 15, 1995).

⁵¹ World Conference on Women, Sept. 4-15, 1995, *Beijing Declaration and Platform for Action*, ¶ 270, U.N. Doc. A/CONF.177/20, Annex II (Sept. 15, 1995).

⁵² World Conference on Women, Sept. 4-15, 1995, *Beijing Declaration and Platform for Action*, ¶ 278(d), U.N. Doc. A/CONF.177/20, Annex II (Sept. 15, 1995).

⁵³ World Conference on Women, Sept. 4-15, 1995, *Beijing Declaration and Platform for Action*, ¶ 280(c), U.N. Doc. A/CONF.177/20, Annex II (Sept. 15, 1995).

Recognizing that children with disabilities should have full enjoyment of all human rights and fundamental freedoms on an equal basis with other children, and recalling obligations to that end undertaken by States Parties to the Convention on the Rights of the Child.⁵⁴

- Convention on the Rights of Persons with Disabilities, Art. 7:
Children with Disabilities
 1. **States Parties shall take all necessary measures to ensure the full enjoyment by children with disabilities of all human rights and fundamental freedoms on an equal basis with other children.**
 2. In all actions concerning children with disabilities, the best interests of the child shall be a primary consideration.
 3. **States Parties shall ensure that children with disabilities have the right to express their views freely on all matters affecting them, their views being given due weight in accordance with their age and maturity, on an equal basis with other children, and to be provided with disability and age-appropriate assistance to realize that right.**⁵⁵

- G.A. Res. S-23/3, Para. 63:
Girls and women of all ages with any form of disability are generally among the more vulnerable and marginalized of society. There is therefore need to take into account and to address their concerns in all policy-making and programming. Special measures are needed at all levels to integrate them into the mainstream of development.⁵⁶

- G.A. Res. S-23/3, Para. 69(j):
Adopt and promote a holistic approach to respond to all forms of violence and abuse against girls and women of all ages, including girls and women with disabilities, as well as vulnerable and marginalized women and girls in order to address their diverse needs, including education, provision of appropriate health care and services and basic social services,⁵⁷

- G.A. Res. S-23/3, Para. 83(d):
Design and implement policies and programmes to address fully specific needs of women and girls with disabilities, to ensure their equal access to education at all levels, including technical and vocational training and adequate rehabilitation programmes, health care and services and employment opportunities, to protect and

⁵⁴ Convention on the Rights of Persons with Disabilities, G.A. Res. 61/106, Annex I, U.N. GAOR, 61st Sess. Supp. No. 49, U.N. Doc. A/RES/61/106, at 3 (Jan. 24, 2007).

⁵⁵ Convention on the Rights of Persons with Disabilities, G.A. Res. 61/106, Annex I, U.N. GAOR, 61st Sess. Supp. No. 49, U.N. Doc. A/RES/61/106, at 7 (Jan. 24, 2007).

⁵⁶ G.A. Res. S-23/3, Annex, ¶ 63, U.N. Doc. A/RES/S-23/3/Rev.1 (Nov. 16, 2000).

⁵⁷ G.A. Res. S-23/3, Annex, ¶ 69(j), U.N. Doc. A/RES/S-23/3/Rev.1 (Nov. 16, 2000).

promote their human rights and, where appropriate, to eliminate existing inequalities between women and men with disabilities.⁵⁸

⁵⁸ G.A. Res. S-23/3, Annex, ¶ 83(d), U.N. Doc. A/RES/S-23/3/Rev.1 (Nov. 16, 2000).

