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**Follow-up to the Fourth World Conference on Women and
to the special session of the General Assembly entitled
“Women 2000: gender equality, development and peace for
the twenty-first century”: implementation of strategic
objectives and action in critical areas of concern and further
actions and initiatives**

Statement submitted by Comité Español de Representantes de Personas con Discapacidad, a non-governmental organization in consultative status with the Economic and Social Council

The Secretary-General has received the following statement, which is being circulated in accordance with paragraphs 36 and 37 of Economic and Social Council resolution 1996/31.



Statement

The Spanish Committee of Persons with Disabilities is the national umbrella organization representing the interests of more than 4 million women and men with disabilities and their families (10 per cent of the population) in Spain. The mission of the organization is to guarantee equal opportunities of women and men with disabilities and to protect their human rights, ensuring they are fully included in society.

The members of the organization include the main Spanish non-governmental organizations representing the different types of disabilities (physical, sensory, intellectual and mental disabilities), specialized organizations committed to disability issues and local umbrella organizations of persons with disabilities. All of them gather more than 6,000 associations. One of the priorities of the organization is to put forward measures and actions aimed at designing future policies to improve the situation of women with disabilities through their direct participation and implication.

As recognized by the United Nations, particular groups of women are especially prone to be targets of violence, including women belonging to minorities, immigrants, women in institutions or in detention, girls, girls and women with disabilities, older women, refugees and women in situations of armed conflict. Therefore, an integrated and inclusive design, development and monitoring of the policies and legislation on combating violence against women must take into account not only gender perspective but also the wide variety of factors that shape and reinforce women's experiences of discrimination and violence, particularly race, ethnicity, class, age, sexual orientation, disability, nationality, religion and culture.

General recommendation No. 27 of the Committee on the Elimination of Discrimination against Women recognizes that sex and disability make girls and women with disabilities particularly vulnerable to violence.

Article 16 of the Convention on the Rights of Persons with Disabilities, on protection against exploitation, violence and abuse, states that measures should be taken by States parties to protect persons with disabilities, from all forms of exploitation, violence and abuse, including their gender-based aspects.

The latest United Nations thematic study on the issue of violence against women and girls with disability recognizes that women and girls with disabilities experience violence in many ways, including in their homes or in institutions, at the hands of members of their immediate family, caregivers or strangers, in the community, in schools and in other public and private institutions. A report by the European Parliament states that almost 80 per cent of women with disabilities are victims of violence and they are four times more likely than other women to suffer sexual violence.

By its article 19, the Convention on the Rights of the Child requires States parties to take all appropriate legislative, administrative, social and educational measures to protect the child from all forms of physical or mental violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation, including sexual abuse. The Committee on the Rights of the Child recognized that children with disabilities, particularly girls, may be subject to particular forms of physical violence, such as forced sterilization and violence in the guise of treatment, for example,

electroconvulsive treatment and electric shocks used as “aversion treatment” to control children’s behaviour.

Violence against women may take the form of physical, sexual or psychological abuse, as well as financial exploitation or neglect, which can be perpetrated by family members or other caregivers.

Women with disabilities run a higher risk of greater poverty and therefore of experiencing violence, especially in those countries where pension schemes place women with disabilities who have been unable to work at a financial disadvantage.

The organization would like to highlight the importance of taking strategic action regarding the prevention and protection of girls and women with disabilities against violence, in the light of the 15-year review of the implementation of the Beijing Declaration and Platform for Action, focusing on the following:

(a) Taking appropriate measures in order to avoid all types of exploitation, violence and abuse against girls and women with disabilities, while ensuring the provision of adequate community-based assistance and support catering to their specific needs;

(b) Giving suitable training to girls and women with disabilities, their families and those closest to them, on ways to prevent, recognize and report cases of exploitation, violence and abuse, while placing comprehensible information regarding support services and existing legal measures to combat them at their disposal;

(c) Promoting training on the specificities and concrete needs of girls and women with disabilities for staff and professionals working in protection services to combat violence and sexual abuse, with a specific focus on their diversity and heterogeneity;

(d) Addressing disability-specific vulnerabilities, including by offering services and social support to girls and women with disabilities at the community level, as well as assistive devices in order to avoid isolation and confinement in their homes; ensuring adequate institutional oversight of institutions where they reside; and providing access to information on how to prevent violence;

(e) Ensuring that all services and programmes designed to assist girls and women with disabilities are effectively supervised by independent authorities;

(f) Establishing early detection systems to identify situations in which violence against women with disabilities who are institutionalized or in closed or segregated settings may occur, as well as protocols aimed at professionals and effective safeguards;

(g) Ensuring that testimonies and statements by girls and women with disabilities to report violence or sexual abuse are given due credibility and that there is no discrimination on the ground of disability, paying particular attention to the higher risks of violence or sexual abuse that women with intellectual disabilities or psychosocial disabilities may face;

(h) The unacceptability and urgent end to the sterilization of girls and women with mental and intellectual disabilities, the introduction of legal measures that make it obligatory to have the informed consent of women with disabilities to any medical procedure, and making the necessary legal adjustments so that forced sterilization of persons with disabilities does not continue to be legal;

(i) The revision by all public powers of the legal framework regulating forced sterilization, addressing the issues of “informed consent” and “legal capacity” in order to make the necessary accommodations and fulfil the spirit of the Convention on the Rights of Persons with Disabilities, which obliges signatories to introduce legal reforms acknowledging that respect for the home and family and the dignity and integrity of persons with disabilities are fundamental rights that may not be violated;

(j) Adopting effective legislation and policies, including focusing on girls and women, in order to ensure that cases of exploitation, violence and abuse against persons with disabilities are detected, investigated and, when appropriate, prosecuted.
