



This programme is funded
by the European Union



SERIES OF WEBINARS

A thousand ways to solve our problems: Preventing and responding to violence against women from an intersectional perspective

*Ending violence against women in the Western Balkans and Turkey:
Implementing Norms, Changing Minds*

WEBINAR 2: Intersectional solutions to eliminate violence against women and girls living with disabilities

On the occasion of the International Day of Persons with Disabilities

Date and time: 3rd December 2020, from 2:00 PM to 4:00 PM CET (GMT+1)

Background paper

This document aims to provide a snapshot of the situation of women and girls living with disabilities in the Western Balkans and Turkey, with an emphasis on issues related to violence against women and girls (VAWG) and domestic violence (DV) to inform and facilitate discussions to be held during the webinar “Intersectional solutions to eliminate violence against women and girls living with disabilities” on the 3rd of December on the International Day of Persons with Disabilities. This webinar is the second of the series of webinars “[A thousand ways to solve our problems: Preventing and responding to violence against women from an intersectional perspective](#)” organized by the European Union, the Council of Europe and UN Women, and designed to provide a space for knowledge sharing and discussion on how to prevent and respond to VAWG from an intersectional perspective, acknowledging and addressing the specific issues faced by minority and marginalized women in the Western Balkans and Turkey.

This document’s main sources of information are the Convention on the Elimination of all Forms of Discrimination against Women (CEDAW) national periodic reports; CEDAW Concluding Observations; the Convention on the Rights of Persons with Disabilities; Committee on the Rights of Persons with Disabilities Concluding Observations; and Group of Experts on Action against Violence against Women and Domestic Violence (GREVIO) baseline reports, when available. The document also relies on the research work undertaken within the EU-UN Women regional programme “[Ending violence against women and girls in the Western Balkans and Turkey: Implementing Norms, Changing Minds](#)” and research conducted by the United Nations Development Program (UNDP), the World Health Organization (WHO), the European Union and the Organization for Security and Co-operation in Europe (OSCE).

The document also highlights many obstacles and issues that prevent women and girls with disabilities from benefiting from quality and accessible services, enjoying decent economic benefits, and participating in decision-making arenas.

What is intersectionality?

The concept of intersectionality was first coined in 1989 by Black feminist activist and academic Professor Kimberlé Crenshaw. Crenshaw offered intersectionality as a tool to contextualize the specific ways African-American women were being subjected to both sex and race discrimination and the barriers they faced when trying to seek redress for this. Since then, the term 'intersectionality' has been used to understand women's experiences at the intersection of a number of simultaneous oppressions.¹

Intersectionality recognizes that individuals can experience discrimination on the basis of multiple and intersecting identities. Specifically, CEDAW and the Council of Europe Convention on preventing and combating violence against women and domestic violence (also known as the Istanbul Convention) have observed that ethnic minority women, elderly women, women living in rural or remote areas, disabled women, migrant women, women in prisons and women and girls on the street are particularly vulnerable to disadvantage and discrimination. Discrimination and violence faced by these women is characterized by a unique simultaneous combination of several factors, and not by the simple addition of these factors. Accordingly, intersectional feminism centers the voices of those experiencing overlapping, concurrent forms of oppression in order to understand the depths of the inequalities and the relationships among them in any given context. Intersectional feminism offers a lens through which we can better understand and address disparate impacts of the COVID-19 crisis in communities around the globe, but also international protests against racism and discrimination. Taking an intersectional feminist approach to the crises of today helps to seize the opportunity to rebuild better, stronger, more resilient, and more equal societies, by not only turning the tables on gender injustices, but rooting out all forms of oppression. It serves as a framework through which to build inclusive, robust movements that work to solve overlapping forms of discrimination, simultaneously.²

At an international level, CEDAW is committed to eliminating all forms of discrimination and achieving gender equality so that all women can exercise and enjoy their human rights. This implicitly includes a commitment to understanding and addressing intersectional discrimination. Under CEDAW, if sex and gender is one of the bases for discrimination, it is necessary to examine how other identities and factors contribute to discrimination. At a regional level, the legally-binding Istanbul Convention, which came into force on 1 August 2014, is considered a milestone in the fight against VAWG in Council of Europe countries. The Istanbul Convention likewise incorporates a theoretical framing of "intersectionality," as it recognizes the specific problems of women and girls exposed to multiple or intersectional discrimination and specifically urges parties to "take into account and address the specific needs of persons made vulnerable by particular circumstances" (Istanbul Convention, Article 12, part 3).

SITUATION OF WOMEN LIVING WITH DISABILITIES IN THE WESTERN BALKANS AND TURKEY: AN INTRODUCTION

Worldwide, around 1 billion people live with some form of disability, and this number is expected to double by 2050, mainly due to demographic ageing.³ One in five women live with a disability (22.1 per cent), compared to one in seven men (13.8 per cent).⁴ Women living with disabilities form a diverse group, including refugee, migrant, and internally-displaced women; women in detention; women from different ethnic, religious and racial backgrounds; and lesbian, bisexual, transgender women. They

¹ [The value of intersectionality in understanding VAWG, UN Women, 2019](#), page 3

² [Intersectional feminism: what it means and why it matters right now, UN Women, 2020](#)

³ [Disability and health – Key facts, World Health Organization, 2018](#)

⁴ [Word report on disability, World Health Organization, World Bank, 2011](#), page 28

experience different kind of impairments ranging from physical, psychosocial, intellectual or sensory conditions⁵, and are more likely to live with disabilities.

Compared to men, women are more likely to become disabled throughout the course of their lives, as a result of increased exposure to gender-related risk factors such as VAWG, a lack of access to sexual and reproductive health services, and unequal intra-household distribution of resources. Women and girls with disabilities are subject to multiple discriminations given intersectional forms of discriminations against them as a result of a combination of specific and overlapping factors including disability, gender, place of residence, age, ethnicity, etc.⁶ Women with disabilities face intersectional forms of gender-based discrimination and violence in both public and private realms. They also encounter multiple inequalities and discriminations when seeking women's support services which are inadequate, inaccessible, or do not meet the standards outlined in relevant international conventions.

Persons living with disabilities (male and female) are estimated 145,000 in Albania⁷; 200,000 in Bosnia and Herzegovina⁸; 571,780 in Serbia⁹; 68,064 in Montenegro¹⁰; and 4,8 million in Turkey.¹¹ Data collection systems in the Western Balkans and Turkey rarely include special indicators and measures for persons with disabilities and do not include specific indicators for women with disabilities. Therefore, figures put forward are often obtained through estimations. Regarding the abovementioned disability prevalence rates, women living with disabilities constitute a significant part of the population living with disabilities in the Western Balkans and Turkey. Despite a lack of data on the prevalence of VAWG with disabilities, CEDAW, the Committee on the Rights of Persons with Disabilities and GREVIO highlight the heightened risk of violence that women with disabilities are exposed to (including sexual violence), and point out the lack of effective measures to prevent violence and monitor violence prevention in all settings. They also raise common concerns about women with disabilities' comparatively restricted access to women's support services, healthcare and reproductive services, inclusive education and work opportunities, general information and information on their rights to access such services; furthermore, they are disproportionately exposed to poverty and high unemployment and participate in political life at lower rates.

WOMEN WITH DISABILITIES ARE EXPOSED TO HIGH LEVELS OF VIOLENCE IN PRIVATE AND PUBLIC REALMS

Despite the ratification of the Istanbul Convention in the Western Balkans and Turkey (with the exception of Kosovo*, which recently amended its Constitution to include the Istanbul Convention in the list of directly applicable legal instruments for the protection of human rights), women living with disabilities in the Western Balkans and Turkey are exposed to higher levels of discrimination and violence occurring both in the private and public realms.

⁵ [Committee on the Rights of Persons with Disabilities, General comment No.3 on women and girls living with disabilities, United Nations, 2016](#), paragraph 5

⁶ As recognized by the Convention on the Rights of Persons with Disabilities; the Committee on the Rights of Persons with disabilities through its general comment No.3; and the Committee on the elimination of discrimination against women notably through its general commendation No. 18, No. 23 and No. 25

⁷ [Committee on the Rights of Persons with Disabilities discusses the availability of sign language interpretation in dialogue with Albania, OHCHR, 2019](#)

⁸ [Committee on the Rights of Persons With Disabilities considers initial report of Bosnia and Herzegovina, OHCHR, 2017](#)

⁹ [Milan M. Markovic, 2011 Census of Population, Households and Dwellings in the Republic of Serbia: Persons with Disabilities in Serbia, Statistical Office of the Republic of Serbia, Belgrade, 2016.](#)

¹⁰ [Monstat, Census of Population, Households and Dwellings, 2011](#)

¹¹ [Türkiye İstatistik Kurumu, Nüfus ve Konut Arastirmasi III, Engellilik, 2011](#)

* For the European Union, this designation is without prejudice to positions on status, and is in line with UNSCR 1244/1999 and the ICJ Opinion on the Kosovo declaration of independence. For UN Women, references to Kosovo shall be understood to be in the context of UN Security Council Resolution 1244 (1999).

Multiple forms of discrimination faced by women and disabilities can be: i) direct, occurring when women with disabilities are treated less favorably than another person in a similar situation for a reason related to a prohibited ground; ii) indirect, referring to laws, policies or practices that appear neutral when taken at face value but that nonetheless have a disproportionately negative impact on women with disabilities; iii) by association, discriminating against persons on the basis of their association with a person with a disability; iv) denial of reasonable accommodation, occurring when necessary and appropriate modifications and adjustments are denied, despite being necessary for the fulfillment of the human rights of women with disabilities; v) structural or systemic, reflected in hidden or overt patterns of discriminatory institutional behaviour, discriminatory cultural traditions and discriminatory social norms and/or rules.¹²

Cases of VAWG with disabilities acknowledged by women's support services providers in Albania are mainly perpetrated by their family members and legal custodians since women with disabilities are dependent either financially and/or physically on them.¹³ Observed cases of violence against women with disabilities include but are not limited to preventing them from taking medication, isolating them at home when the wheelchair is broken or tying them up with a rope at home.¹⁴ Despite the absence of judicial statistics, women suffering from mental disabilities are particularly susceptible to sexual violence and abuse across the region. This disproportionate rate of violence, including digital violence, was exacerbated by the outbreak of COVID-19, as quarantine measures left women and girls with disabilities continuously exposed to violent partners or family members.

VAWG with disabilities also occurs in institutions, schools, and residential care centers, where many women have established their home. In Turkey, for instance, reports indicate that victims with disabilities who became pregnant as a result of rape have undergone forced abortion.¹⁵ Cases of forced contraception, sterilization and abortions performed on women and girls with intellectual or psychosocial disabilities were also observed in Serbia, where women with disabilities who reside in care institutions are particularly vulnerable to these practices, despite the Law on Patient Rights setting out the right of every patient to decide freely on all medical interventions, including sterilization and abortion, and that all medical procedures require the patient's consent.¹⁶ In most cases, women with disabilities' exposure to VAWG in institutions rarely leads to effective measures or remedies, such as compensation, rehabilitation and social reintegration.¹⁷ It was also observed in Serbia¹⁸ and North Macedonia¹⁹ that women with disabilities under guardianship, consent to undergo an abortion may be provided by the guardian on the assumption that this is in the best interest of the woman concerned. Plenary guardianship and the deprivation and restriction of the legal capacity of many women with disabilities also prevents them from marrying, forming a family, receiving justice and voting, and may even lead to forced institutionalization.

Women with disabilities are disproportionately exposed to all types of violence, yet they are often less protected. In Serbia, the offence primarily used by prosecutors and law enforcement agencies in cases of rape committed against a woman/girl with disabilities is an offence of sexual intercourse with a

¹² [Committee on the Rights of Persons with Disabilities, General comment No.3 on women and girls living with disabilities, United Nations, 2016](#), paragraph 29 paragraph 17

¹³ [Invisible violence: an overview on violence against women and girls with disabilities in Albania, UNDP, 2015](#), page 37

¹⁴ *Ibid*, page 34

¹⁵ [GREVIO report on Turkey, 2018](#), paragraph 19

¹⁶ [GREVIO report on Serbia, 2020](#), paragraph 196

¹⁷ [Concluding observations on the initial report of Albania, Committee on the Rights of Persons with Disabilities, 2019](#), paragraph 31

¹⁸ *Ibid*

¹⁹ [Committee on the Rights of Persons with Disabilities, Concluding observations on the initial report of the former Yugoslav Republic of Macedonia, 2018](#), paragraph 29

helpless person instead of a rape, sending the message that the violation of women with disabilities' decision-making and autonomy does not amount to rape.²⁰

Furthermore, although some provisions in national laws on domestic violence in the region acknowledge the need to pay special attention to women with disabilities, as it is stressed in Albania in the Law on Domestic Violence²¹ and in North Macedonia in the Law on Prevention of and Protection against Discrimination and the Law on Equal Opportunities for Women and Girls,²² policies and measures to prevent and combat VAWG with disabilities are not sufficiently mainstreamed. If in the case of Turkey, legal protective measures for combatting VAWG are also valid for women with disabilities, a tailored plan to prevent and eliminate VAWG with disabilities has not yet been developed.²³ In North Macedonia, national gender policies do not include a disability perspective, and disability is not mainstreamed in gender policies.²⁴ Globally, when public policies and laws working on achieving inclusive equality for women with disabilities exist, concrete indicators and mechanisms to measure their outcomes are lacking, as observed in Turkey,²⁵ or information and data on their concrete results are not communicated, as observed in Albania.²⁶

The low reporting rate of violence by women with disabilities is observed in all countries of the region. Barriers impeding women with disabilities to report violence range from a lack of available information on their rights to discrimination among service providers. This low reporting rate is one of the factors that prevents an accurate understanding of the prevalence and forms of VAWG towards this specific group. Another factor is the lack of in-depth study undertaken by government agencies on discrimination and VAWG with disabilities, despite Western Balkans countries' and Turkey's ratification of the Istanbul Convention (with the exception of Kosovo) and the Convention on the Rights of Persons with Disabilities, requiring the conduct of a baseline study to measure the situation of women with disabilities in their respective countries. Globally, there is a lack of data on the prevalence of VAWG with disabilities, and the Western Balkans and Turkey are not exceptions.²⁷

INSUFFICIENT AND INACCESSIBLE SERVICES FOR WOMEN LIVING WITH DISABILITIES COMPOUNDED BY A LACK OF INFORMATION ON THEIR RIGHTS

Women and girls with disabilities' limited access to and use of adequate general and specialist services fail to break the cycle of violence and contribute to a low reporting rate of violence. In some cases, women and girls with disabilities are not aware of available support services and/or their rights in case of experiencing violence. In Montenegro for instance, a domestic violence shelter adapted to the specific needs of women and children with disabilities reported that no women with disability has ever sought support from them.²⁸

The absence of inclusive services for women with disabilities guaranteed and funded by the state is observed with concerns in all countries of the region. As particularly observed in Serbia, most of the available specialist services for women victims of VAWG are provided by CSOs. In that respect, women's disability rights organizations play an important role within and outside institutions in

²⁰ [GREVIO report on Serbia, 2019](#), paragraph 185

²¹ [GREVIO report on Albania, 2017](#), paragraph 17

²² [Committee on the Rights of Persons with Disabilities, Concluding observations on the initial report of the former Yugoslav Republic of Macedonia, 2018](#), paragraph 11

²³ [United Nations Convention on the Rights of Persons with Disabilities Shadow Report Turkey, The Confederation of the Disabled of Turkey, 2018](#), paragraph 20

²⁴ [Committee on the Rights of Persons with Disabilities, Concluding observations on the initial report of the former Yugoslav Republic of Macedonia, 2018](#), paragraph 11.

²⁵ [Committee on the Rights of Persons with Disabilities, Concluding observations on the initial report of Turkey, 2019](#), paragraph 13

²⁶ [Committee on the Rights of Persons with Disabilities, Concluding observations on the initial report of Albania, 2019](#), paragraph 31

²⁷ [Women's rights in Western Balkans, European Parliament, 2019](#), page 48

²⁸ [GREVIO report on Montenegro, 2018](#), paragraph 19

advocating for inclusive approaches to service provision and support and protection for women and girls with disabilities.²⁹

When these services are made available, they are often not adapted to the specific needs of women and girls living with disabilities. Many facilities for instance are still lacking wheelchair access and adequate technical equipment such as hydraulic gynecology chairs.³⁰ Moreover, relevant professional groups, such as social workers, teaching staff, medical staff and members of the judiciary, are insufficiently trained in the prevention of VAWG with disabilities.³¹ In Serbia, information on specific measures and protocols to provide procedural, gender and age-appropriate accommodation in judicial proceedings, including the provision of sign-language interpretation for persons with hearing impairments and accessible formats for communication for persons with both hearing and visual impairments, persons with intellectual disabilities and persons with psychosocial disabilities are lacking, particularly in civil cases.³² Available transparent funding and employment-related measures tailored to the needs of women with disabilities are not sufficient, and programmes and measures aiming to providing services to persons with disabilities are implemented without any consultation of women with disabilities.³³

In certain cases, women and girls with disabilities cannot benefit from services on an equal basis with others. In Turkey for instance, interventions of the violence prevention and monitoring centers (Şönim) are limited to following up on emergency barring, restraining or protection orders in cases of VAWG with disabilities. Moreover, women and girls with disabilities victims of violence are redirected to the institutions affiliated with the Directorate General of Services for the Elderly and Disabled, which are not specialist services for victims of violence. Regarding services provided by shelters, victims with disabilities and/or victims with children who are disabled do not have access to them,³⁴ and in Serbia, though the majority of shelters have some accessibility features, none of them fully applies the principles of universal design that would enable virtually every victim, regardless of their level of ability or disability, to use them.

Women and girls with disabilities also experience unequal access to sexual and reproductive health services, worsening their physical, psychological and mental situation. As mentioned previously, lack of women's access to these services contributes to women's increased exposure to disability throughout the course of their life. Also, women with disabilities lack information in accessible formats on their sexual and reproductive rights. As a result, they are frequently deprived of fulfillment of their sexual and reproductive rights, including after experiencing sexual violence.³⁵ In Montenegro, information on whether the sterilization of persons with disabilities without their consent is fully prohibited is lacking.³⁶ Women with disabilities are frequently deprived of parenthood and may have their children taken away, as observed in Montenegro,³⁷ Serbia³⁸ and Bosnia and Herzegovina.³⁹

Barriers impeding women with disabilities' access to support services have become more prominent since the outbreak of the COVID-19 pandemic in the region and the transfer of services online and by phone. Containment measures and transfer of work from offices to home have prevented CSOs

²⁹ [GREVIO report on Serbia, 2019](#), paragraph 33

³⁰ [Women's rights in Western Balkans, European Parliament, 2019](#), page 82

³¹ [Committee on the Rights of Persons with Disabilities, Concluding observations on the initial report of Montenegro, 2017](#), paragraph 32

³² [Committee on the Rights of Persons with Disabilities, Concluding observations on the initial report of Serbia, 2016](#), paragraph 23

³³ [GREVIO report on Serbia, 2019](#), paragraph 11

³⁴ [GREVIO report on Turkey](#), 2018, paragraph 20

³⁵ *Ibid*, paragraph 121

³⁶ [Committee on the Rights of Persons with Disabilities, Concluding observations on the initial report of Montenegro, 2017](#), paragraph 46

³⁷ [CEDAW, Concluding observations on the second periodic report of Montenegro, 2017](#), paragraph 40

³⁸ [Committee on the Rights of Persons with Disabilities, Concluding observations on the initial report of Serbia, 2016](#), paragraph 45

³⁹ [Committee on the Rights of persons with disabilities, Concluding observations on the initial report of Bosnia and Herzegovina 2017](#), paragraph 40

providing support services to women with disabilities from using appropriate technologies and methods of service delivery suitable for women with different sensory disabilities.⁴⁰

WOMEN WITH DISABILITIES MORE LIKELY TO BE EXPOSED TO POVERTY

As observed across the region, women with disabilities are disproportionately exposed to poverty due to a combination of factors. Firstly, school attendance levels of girls and women with disabilities are low, and accessible educational opportunities are lacking or insufficient.⁴¹ In a regional study, women with only primary education or less (20%) were also more likely to be severely limited by a disability or illness than those with tertiary education (3%), reflecting barriers to access in the education system for women and girls with disabilities.⁴² In Serbia, it is observed with concern that girls with disabilities are less involved in inclusive education than boys with disabilities.⁴³ Furthermore, as observed in Bosnia and Herzegovina, children whose parents are living with disabilities are particularly vulnerable to school dropout.⁴⁴

In addition, women with disabilities in the region are particularly affected by unemployment due to discrimination and inequalities in employment, especially in public service, on the basis of disability and working conditions which are not appropriate to them.⁴⁵ For example, the labour force participation rate of women with at least one disability is only 12.5% in Turkey.⁴⁶ In Serbia, even within disabled people's organizations and women's CSOs, women with disabilities only make up 3 per cent of management positions.⁴⁷ Unemployed women with disabilities are also more likely to experience VAWG, including psychological violence, physical and/or sexual violence, and stalking, by both an intimate and non-intimate partner.⁴⁸

Both women with disabilities and public and private employers are not fully aware of the rights and opportunities for employment in the open labour market, preventing a higher participation of women with disabilities in the formal sector. When women with disabilities are working, legal provisions do not specifically oblige employers to provide reasonable accommodation to persons with disabilities, as is the case in North Macedonia with the Law on Labour Relations.⁴⁹ Furthermore, there is a lack of data on efficient protection of employees with disabilities, as well as a lack of data on the situation of women with disabilities in terms of employment in the public sector.⁵⁰

Disability pension received by women with disabilities hardly covers basic expenses and in certain cases is lower than the pension received by men with disabilities.⁵¹ Women with disabilities' earnings and/or benefits are also more likely to be frequently shared with or entirely used by their families, as observed

⁴⁰ [Impact of the COVID-19 on specialist services for victims and survivors of violence in the Western Balkans and Turkey: a proposal for addressing their needs, UN Women Europe and Central Asia, 2020](#), page 15

⁴¹ [Concluding observations on the seventh periodic report of Turkey, CEDAW, 2016](#), paragraph 43

⁴² [OSCE-led survey on violence against women – Well-being and safety of women, Experiences of disadvantaged women thematic report, 2019](#), page 95

⁴³ [CEDAW, Concluding observations on the fourth periodic report of Serbia, 2019](#), paragraph 33

⁴⁴ [Women's rights in Western Balkans, European Parliament, 2019](#), page 30

⁴⁵ [Committee on the Rights of Persons with Disabilities, Concluding observations on the initial report of Bosnia and Herzegovina, 2017](#), paragraph 45

⁴⁶ Population and Housing Census, 2011 Turkey

⁴⁷ [Baseline Mapping of Women and Girls with Disabilities in top management positions within disabled people's organisations \(DPOs\) and women's civil society organisations \(WCSOs\) in Serbia, 2019](#)

⁴⁸ [OSCE-led survey on violence against women – main report, OSCE, 2019](#), page 123

⁴⁹ [Committee on the Rights of Persons with Disabilities, Concluding observations on the initial report of the former Yugoslav Republic of Macedonia, 2018](#), paragraph 45

⁵⁰ [Committee on the Rights of Persons with Disabilities, Concluding observations on the initial report of Bosnia and Herzegovina, 2017](#), paragraph 45

⁵¹ [Committee on the Rights of Persons with Disabilities, Concluding observations on the initial report of Turkey, 2019](#), paragraph 54

in Montenegro.⁵² In the same country, it is also observed with concern cases of women with disabilities abandoned by their husbands, thus increasing their risk of poverty.⁵³

Despite women with disabilities' exposure to poverty, inclusive accommodation at a reasonable price is lacking in Bosnia and Herzegovina⁵⁴ and North Macedonia, especially for women with psychosocial or intellectual disabilities.⁵⁵

PARTICIPATION OF WOMEN WITH DISABILITIES IN PUBLIC LIFE

Deprivation of legal capacity and plenary guardianship mentioned above impede women with disabilities from exercising their civil rights, including voting, as observed in Albania where legal provision restrict the rights of persons with disabilities to vote.⁵⁶ When able to vote, women with disabilities face difficulties during all stages of the electoral process, including to access the polling stations and voting materials. In Bosnia and Herzegovina, the lack of legislation on effective and transparent measures for providing accessible voting materials and information nurture such difficulties.⁵⁷

The limited amount of public information accessible to persons with disabilities considerably limits their comprehension and participation in public life. The lack of legislation on effective and transparent measures for providing accessible voting materials and information, as well as the lack of standardization, recognition and implementation of sign language as an official language, impede women with disabilities' participation but also political representation.⁵⁸ In the case of Bosnia and Herzegovina, it is observed with concern that there is almost no record of political participation of women with disabilities.⁵⁹

The lack of consultation at all levels of women with disabilities, as well as the absence of special measures to promote their political representation in all spheres of life and positions and processes in public and private organizations reinforce this *status quo* and prevent women with disabilities from advocating for inclusive measures and policies that could touch upon all issues mentioned above.

AREAS OF RECOMMENDATIONS BY CEDAW AND GREVIO

To address and prevent gender-based discrimination and VAWG with disabilities:

- Release regular information about VAWG with disabilities, promote awareness raising and training from peers and from organizations of women with disabilities about situations of risk and violence, and allow the establishment of community networks that provide women and girls with disabilities with mechanisms for reporting violence;
- Increase human, technical and financial resources allocated for accessibility of shelters and, in consultation with CSOs, including organizations of women with disabilities, improve information available and identify remaining attitudinal, procedural and physical barriers to

⁵² [CEDAW, Concluding observations on the second periodic report of Montenegro, 2017](#), paragraph 50

⁵³ *Ibid*

⁵⁴ [CEDAW, Concluding observations on the sixth periodic report of Bosnia and Herzegovina, 2019](#), paragraph 43

⁵⁵ [Committee on the Rights of Persons with Disabilities, Concluding observations on the initial report of the former Yugoslav Republic of Macedonia, 2018](#), paragraph 11

⁵⁶ [Committee on the Rights of Persons with Disabilities, Concluding observations on the initial report of Albania, 2019](#), paragraph 47

⁵⁷ [Committee on the Rights of Persons with Disabilities, Concluding observations on the initial report of Bosnia and Herzegovina, 2017](#), paragraph 51

⁵⁸ [Committee on the Rights of Persons with Disabilities, Concluding observations on the initial report of the former Yugoslav Republic of Macedonia, 2018](#), paragraph 35

⁵⁹ [Committee on the Rights of Persons with Disabilities, Concluding observations on the initial report of Bosnia and Herzegovina, 2017](#), paragraph 12

accessibility of shelters by women and girls with disabilities at risk or victims of different forms of VAW;

- Revise the monitoring and inspection of social care homes and psychiatric institutions to prevent violence against and abuse of persons with disabilities and children with disabilities, in particular those still living therein;
- Ensure that persons deprived of liberty have access to independent complaints mechanisms and that they provide appropriate remedies to victims of abuse, such as redress and adequate compensation, including rehabilitation.

To ensure that legal frameworks are non-discriminatory and guarantee access to justice to women and girls with disabilities:

- Adopt a harmonized human rights-based concept of disability in accordance with the Convention; have the State party review its existing and draft laws in regular consultation with organizations of persons with disabilities;
- Adopt effective measures to provide women with disabilities access to the support they may require to exercise their legal capacity, to give their free and informed consent and to take decisions about their own lives;
- Adopt clear legal and administrative safeguards and non-discriminatory measures to address all forms of VAWG with disabilities, including sexual violence and domestic violence;
- Ensure that the specific needs of women and girls with disabilities are systematically taken into consideration, for example through impact assessments, in the formulation and implementation of laws and policies to promote gender equality and equality for persons with disabilities;
- Take all necessary measures, including legislative measures, to ensure that the right to alimony of women with disabilities who are deserted by their husband is duly enforced and that, if these women are destitute, they receive adequate social benefits;
- Review the procedures by which women with disabilities are declared unfit mothers on the basis of disability and fully restore their rights to have a home and found a family, ensuring that they have the support necessary to make these rights effective.

To guarantee women and girls with disabilities' access to education:

- Address the causes of the low enrolment rate of girls and women with disabilities and ensure adequate educational opportunities for women and girls with disabilities;
- Adopt and implement a coherent strategy on inclusive education in the mainstream educational system;
- Ensure the accessibility of school environments, including through the provision of reasonable accommodation, accessible and adapted materials and inclusive curricula;
- Allocate effective and sufficient financial, material and adequately trained human resources that include persons with disabilities.

To guarantee women and girls with disabilities' access to services, including sexual and healthcare services:

- Make accessible sexual and reproductive health services and information to persons with disabilities, including by increasing the number of accessible gynaecological chairs and ensuring that adequate information is provided in accessible formats and alternative methods of communication to all women and girls with disabilities concerning their sexual and reproductive rights;

- Ensure that women with disabilities have the right to choose the number and spacing of their children, as well as the right to have control over and decide freely and responsibly on matters related to their sexuality, including sexual and reproductive health, free of coercion, discrimination and violence;
- Ensure that children are not taken away from their mother on the basis of the mother's disability and that, if needed, community services are provided to assist the mother in child-rearing;
- Take effective legal and administrative measures to prohibit the practices of involuntary commitment or hospitalization, and forced medical treatment and, in particular, forced psychiatric treatment on the basis of impairment, and that it provides sufficient community-based alternatives.

To guarantee and promote women and girls with disabilities' social and economic rights and representation in public life:

- Raise awareness about the importance of economic autonomy for women with disabilities, establish appropriate procedures enabling women with disabilities to claim their earnings and/or benefits in case these are taken away from them by family members, and ensure that benefits are directly transferred to women with disabilities rather than to their family members;
- Further promote employment in the open labour market, in both the public and private sectors, with a particular emphasis on women, in close consultation with persons with disabilities and their representative organizations, including women's organizations;
- Ensure effective participation of and consultation with organizations of persons with disabilities, including those representing women with disabilities, children with disabilities, persons with hearing impairments and the deaf, and persons with psychosocial and/or intellectual disabilities at the national and local levels through transparent frameworks in relation to law and policymaking;
- Repeal any law or policy that prevents women with disabilities from effectively and fully participating in political and public life on an equal basis with others, including in respect of the right to form and join organizations and networks of women in general and of women with disabilities in particular.

All rights reserved. No part of this background paper may be reproduced, stored in a retrieval system or transmitted, in any form or by means, electronic, mechanical, photocopying, recording or otherwise, without prior permission.

This background paper was produced with the financial support of the European Union. Its contents are the sole responsibility of the Regional Programme on Ending Violence Against Women in the Western Balkans and Turkey "Implementing Norms, Changing Minds" and do not necessarily reflect the views of the European Union. The content of this publication does not necessarily reflect the views of UN Women, its Executive Board or the United Nations Member States. The designations in this publication do not imply an opinion on the legal status of any country or territory, or its authorities, or the delimitation of frontiers.