

International Disability Alliance (IDA) and International Disability and Development Consortium (IDDC) Inputs for the PGA High-level event on “Contributions of women, the young and civil society to the post-2015 development agenda”

PGA questions over youth:

- 1. What barriers exist to the full and effective participation of young people in the development of policies and programmes that affect their lives, including the post-2015 agenda?*
- 2. What can be done to better equip young people to meet the needs of today's labour market, such as the role of ICTs to support their development, inclusion and full participation in societies?*
- 3. What provisions, policies and measures could most effectively address the high levels of child poverty, which are prevalent across many regions and the specific impact of inequalities on children's survival, growth and development from earliest years of life, in the context of the Post-2015 Development Agenda?*
- 4. How can the voices, views, priorities and best interests of children, including adolescents and children from the most marginalized groups, be systematically and fully taken into account in the design and implementation by Member States of the new Development Agenda?*

According to the findings of the Report on Disabilities - published by the World Health Organization and the World Bank -, over one 1 billion persons in the world are estimated to have a disability out of which 130 million are young people. The report further states, that persons with disabilities frequently face barriers to participation in society worldwide -- such as in accessing development programmes and funds, education, employment, health care and transportation.

In all societies, for young adults starting an independent livelihood is not easy and even more difficult for youth with disabilities because they frequently remain invisible to employment, educational and youth transition policies.

Evidence shows young people with disabilities are less likely to be in school than their peers without disabilities. This pattern is more pronounced in poorer countries. So, despite improvements in recent decades, children and youth with disabilities are less likely to start school or attend school than other children. They also have lower transition rates to higher levels of

education. A lack of education at an early age has a significant impact on poverty in adulthood.

Further, market-oriented transitions and large public sector reforms in many countries have excluded youth in general and young people with disabilities in particular from their nation's social and economic development.

In addition, family members who care for children and youth with disabilities - usually mothers or grandmothers, particularly in developing countries - often have to make a choice between supporting the inclusion of the child with a disability (for example, take them to school) and making a living. This creates an increased financial burden on the family and child with a disability.

The adolescents and youth of today are central to realizing development that is sustainable and equitable. Greater investments in their education, health and labour market opportunities can shape the well-being of tomorrow's adults and, in the process, ultimately narrow the gaps between countries with regard to human development.

CRPD:

"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" (Article 7, para 1).

"With regard to economic, social and cultural rights, each State Party undertakes to take measures to the maximum of its available resources and, where needed, within the framework of international cooperation, with a view to achieving progressively the full realization of these rights, without prejudice to those obligations contained in the present Convention that are immediately applicable according to international law" (Article 7, para 2).

"In the development and implementation of legislation and policies to implement the present Convention, and in other decision-making processes concerning issues relating to persons with disabilities, States Parties shall closely consult with and actively involve persons with disabilities, **including children with disabilities**, through their representative organizations" (Article 7, para 3).

Recommendations

Specific recommendations for voices, views, priorities and best interests of young persons with disabilities in general and **young women with disabilities in particular** from the most marginalized groups need to be systematically and fully taken into account in the design and implementation by Member States in the new development agenda.

- 1) Promote participation of young people with disabilities in youth collectives and in decision-making to reinforce accountability and transparency in reporting against targets
- 2) Affirmative action to encourage and support young people with disabilities and their representative organisations, in particular young people and women with disabilities, to take part in local, national and international forums in the monitoring and evaluation of post-2015 actions
- 3) Ensure that all plans for implementing the post-2015 framework are made in direct consultation with young people with disabilities and their representative organisations
- 4) Legal and human rights frameworks, as well as the provision of services, need to be examined with the specific experiences of young people with disabilities in mind to combat exclusion on the all levels. Data collection likewise poses problems for understanding marginalization, as aggregation can often mask the particular experiences of young people with disabilities. Disaggregated data and statistics must be bolstered to identify gaps, and to highlight the areas where youth have been left behind.
- 5) Projects implemented by UN agencies must be designed with regards to effective strategies of youth inclusion and empowerment. By building mechanisms for their participation in decision-making at all levels, the UN can increase the self-representation of young people with disabilities in political processes. Continued conversation on these topics, as well as increased research on and visibility of the issue of youth marginalization, is necessary to encourage action and institutional reform.
- 6) Ensure that goals and measures adopted by the Post-2015 development framework promote and protect the rights of all youth and are inclusive of youth with disabilities.
- 7) Support inclusive education which not only refers to accessible buildings and mainstreaming children into schools, but also ensuring quality through training of teachers and available materials; access to vocational training; and policies to encourage the private sector to employ young persons with disabilities.

PGA questions over women and girls:

5. *Recognizing that many structural gender inequalities affecting women and girls are embedded in discriminatory social norms, practices and stereotypes, what transformative strategies or approaches (in addition to legislation, and including at the household decision-making level) could effectively overcome the deeply-rooted discrimination that*

prevents women and girls from both enjoying the full spectrum of their human rights, and from living a life free of poverty?

- 6. Both within and outside of the political arena, where are the important or emerging sites for women and girls to actively participate in local, national, regional and international advocacy and action; and within these sites, what are the priority areas where new and concerted policy measures and interventions can achieve gender equality through the post-2015 development agenda?*

Overall Recommendation¹

1: Ensure that goals and measures adopted by the post-2015 development framework to support gender equality recognize the intersectionality between gender and disability.

The policy narrative on the post-2015 sustainable development agenda, has so far acknowledged the limitations of current development goals with respect to gender equality, and commitments have been given to ensure that the next global framework for development builds a society where all women and girls are able to realize their full potential. Women and girls with disabilities make up a significant percentage of the world's female population; yet their issues, which are mostly similar to issues faced by all women and girls, have traditionally remained invisible from both disability and gender policies. In fact, some international human rights lawyers go so far as to suggest that women and girls with disabilities have failed to be afforded, or benefit from provisions in international, regional and national laws, standards and agreements. Aside from the law, from a policy perspective women and girls with disabilities do not receive sufficient attention, and when they do, it's usually within the context of vulnerable populations, or as 'special concerns' or at the end of a list of marginalized groups. This lack of prioritization of women and girls with disabilities has resulted in the current global development goals failing to address the barriers they face.

Furthermore, the UN resolution 65/186, point 9 ***Calls upon Governments to enable persons with disabilities to participate as agents and beneficiaries of development***, in particular in all efforts aimed at achieving the Millennium Development Goals, ***by ensuring that programmes and policies***, namely on eradicating extreme poverty and hunger, achieving universal primary education, ***promoting gender equality and the empowerment of women***, reducing child mortality, improving maternal health, combating HIV/AIDS, malaria and other diseases, ensuring environmental sustainability and developing a global partnership for

¹ For further information: <http://www.worldwewant2015.org/node/422479>

development, **are inclusive of and accessible to persons with disabilities.**

Gender and disability are inextricably linked, yet the intersection between the two remains disconnected

It is acknowledged that disability and gender in the developing world are inextricably linked. Studies show that gender can be considered a risk for acquiring a disability. The World Health Organization (WHO) estimates that more than 30 women every minute are seriously injured or disabled during labor, thus rendering vast numbers of women in the developing world physically and socially disabled. For every woman who dies from pregnancy-related complications, between 30 and 100 more live with painful and debilitating consequences. Equally, women with disabilities are excluded from the majority of development interventions due to the fact they are disabled and indeed, as a woman, they are also more vulnerable to poverty. For example the UN has stated, "the combination of male preference in many cultures and the universal devaluation of disability can be deadly for disabled females". However, despite this interconnectedness disability and gender are generally viewed separately (in their own silos) from both a legal and policy perspective, and issues that crossover both are responded to uniquely rather than taking a common approach.

Overall Recommendation

2: Ensure that goals adopted by the post-2015 development framework to promote and protect the rights of women and girls are inclusive of women and girls with disabilities.

Empowerment for women and girls with disabilities through human rights protection

In order for the new sustainable development vision to be truly transformative for all women and girls, including those with disabilities, it must ensure that human rights and equality and non-discrimination are recognized as core values. The Convention on the Rights of Persons with Disabilities (CRPD) adopted by the UN General Assembly in 2006 and ratified by over 138 countries provides a normative framework, which promotes and protects the rights of women and girls with disabilities. So also do the Convention on the Elimination of Discrimination against Women (CEDAW), and the Convention on the Rights of the Child (CRC). The CRPD takes a twin track approach in protecting women and girls with disabilities, ensuring that Articles in the Convention take account of issues specific to gender equality (Article 5, 8, 16 and 24), while also providing specific protection for women with disabilities (Article 6) and children with disabilities (Article 7). The Committee monitoring the CRPD has formed a working group to provide a General Comment on women and girls with disabilities to ensure a thorough understanding of the issue.

Women and girls with disabilities – the key issues

This section outlines five key issues and makes a number of recommendations on how to include women and girls with disabilities in the post-2015 sustainable development framework.

1. Exclusion from participating in a sustainable inclusive economy

It is acknowledged that women and girls with disabilities face barriers in accessing traditional routes used to escape poverty, including education and employment. While precise data remains limited, it is generally accepted that women and girls with disabilities have less access to education, social services and employment opportunities than non-disabled women and disabled men. **With respect to education**, statistics from the World Report on Disability highlight that 50.6% of males with disability have completed primary school, compared with 61.3% of males without a disability. For **females with disability the report notes that 41.7% completed primary school compared to 52.9% of females without a disability**. Furthermore the UNDP reports the literacy rate for women with disabilities may be as low as 1% and UNICEF reports that women and children with disabilities receive 20% less rehabilitation services. However with appropriate access and support women and girls with disabilities are eager to take up education.

In terms of employment opportunities, the World Report on Disability (highlighting findings from the World Health Survey) states that results for 51 countries gives **employment rates of 52.8% for men with disability and 19.6% for women with disability and 19.6% for women with disability, compared with 64.9% for non-disabled men, and 29.9% for non-disabled women**. This lack of access to employment opportunities becomes more acute for women with disabilities in rural areas, where research has found that more than 80% of women with disabilities have no independent means of livelihood, and are totally dependent on others for their very existence. Yet, there is some positive news with progress being made in areas such as entrepreneurship for women with disabilities and decent work for women with disabilities.

Articles 24 (Education) and 27 (Work and Employment) of the CRPD protect the rights of women and girls with disabilities to access education, vocational and employment opportunities. Women and girls with disabilities are also protected by Article 10 (Education) and Article 11 (Employment) of CEDAW.

Specific recommendation

Inclusive growth strategies must address the barriers facing women and girls with disabilities in accessing education, employment and income opportunities.

2. Increased risk of violence and abuse

Women and girls with disability, by virtue of being a woman as well as having a disability, are at an increased risk of violence¹⁷. While women and girls with disabilities face similar experiences to non-disabled women with respect to gender-based violence, they also face unique issues as a result of their disability. For example women and girls with disabilities can be at risk of violence and abuse by a caregiver, who is also responsible for providing them with assistance and support with daily living. Also women and girls with disabilities institutionalized as a result of their disability are at an increased risk of violence and abuse, due to the closed nature of their living space¹⁸. Not only do women and girls with disabilities face an increased risk of violence and abuse in all spheres of life, they also face barriers in accessing the vital support services to recover and escape from violence. For example, a study by the UNDP found that women with disabilities were less likely to access support, refuge or legal redress than their peers without disabilities.

Articles 15 and 16 of the CRPD protect the rights of women and girls with disabilities from torture or cruel, inhuman or degrading treatment or punishment, and from exploitation, violence and abuse, with Article 17 protecting the integrity of women and girls with disabilities. CEDAW also provides protection for women and girls with disabilities.

Specific recommendation

Responses to gender based violence must address the unique aspects of violence against women and girls with disabilities, including their access to vital support and recovery services.

3. Lack of access to justice

Both the CEDAW and the CRPD protect the rights of women and girls with disabilities. However in **practice many barriers exist for women and girls with disabilities in seeking justice, particularly in the area of redress for violence and abuse and control over their own bodies**²². For example, in some instances there is a perception that woman with disabilities (particularly those with an intellectual disability) are not seen as 'credible witnesses'. A study by Human Rights Watch in Uganda in 2010 **reported that women and girls with disabilities they interviewed had tried to seek redress for sexual violence but failed**. Also some court rulings have violated the rights of women and girls by enforcing sterilization.

Other barriers to women and girls accessing justice include weak implementation of laws on disability, low levels of knowledge about law and the process of participating in the formal justice system by women and girls with disabilities and finally a lack of resources to promote laws that protect the rights of persons with disabilities.

Article 12 (Equal recognition before the law) and Article 13 (Access to justice) of the CRPD and Article 15 (Law) of CEDAW protect the rights of women and girls with disabilities in accessing justice.

Recommendation

Measures to improve women's access to justice must address the barriers faced by women and girls with disabilities from legal, medical and police systems and in particular include a range of measures to build capacity and knowledge of women and girls with disabilities of their rights.

4. Prejudice and discriminatory attitudes in sexual health, reproductive rights and in the right to family life

Society generally views women with disabilities as "asexual, dependent, recipients of care rather than caregivers, and generally incapable of looking after children"²⁵. This prejudicial view of women and girls with disabilities impacts negatively on their rights to access information and programs on sexual and reproductive rights and can also manifest itself in **decisions about reproduction and family planning being made by a third party in the 'best interests of women with disabilities', and in some circumstances without the consent of the woman or girl with a disability**²⁶. Additional to the barriers faced by women and girls with disabilities in accessing information enabling them to make informed choices, they also face numerous barriers due to inaccessible clinics, programs that are not inclusive of their specific needs, and the negative attitudes of staff working in this area.

Article 17 (Protecting the integrity), Article 23 (Respect for home and family) and Article 25 (Health) of the CRPD protect the rights of women and girls with disabilities to the necessary support and services related to their sexual health and also their right to have a family. Article 16 (Marriage and family life) of CEDAW also protects women and girls with disabilities.

Recommendation

Measures to support the rights of women in exercising control over their own bodies and family planning must be inclusive of women with disabilities.

5. Minimal participation in political and public life

Women with disabilities, much like non-disabled women, face challenges in participating in political and public life. **While non-disabled women's political participation rates are low, disabled women's participation rates are low to non-existent.** More often than not, women with disabilities are invisible during consultations and decision making processes

and are under represented in civil society organizations, which represent disability, and also organizations that represent women's issues. With respect to women with disabilities holding public office **additional barriers are faced which include, legal capacity (being considered not capable to vote or to hold office due to having specific disabilities, e.g. intellectual and psychosocial), lack of access to polling stations and inaccessible voting material.**

Article 29 (Participation in political and public life) of the CRPD and Article 7 (Political and public life) of the CEDAW protect the rights of women and girls with disabilities to access political and public life.

Recommendation

Action taken to improve women's participation in political and public life must include women and girls with disabilities.