Parliamentary Assembly
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COUNCIL OF EUROPE
CONSEIL DE L'EUROPE

Resolution 2514 (2023)[1]

Preventing and combating violence against women with disabilities

Parliamentary Assembly

1. The issue of disability, which encompasses a multitude of realities, is universal in scope. One in five people in the world will experience a disability at some point in their lives. The inclusion of persons with disabilities in society, the main objective of the United Nations Convention on the Rights of Persons with Disabilities, has made significant progress in recent years. However, it has not yet been fully achieved in Council of Europe member States.

2. The Covid-19 pandemic has led to greater isolation and increased dependence among persons with disabilities. Opportunities for all to participate in social, economic and political life remain limited, and there are many obstacles to achieving inclusion. Persons with disabilities, in all their diversity, remain particularly vulnerable to violence and discrimination.

3. Gender-based violence against women and girls originates in deeply entrenched gender inequalities. The invisibilisation of women with disabilities and continued economic and social dependence create a context of heightened vulnerability that compounds these inequalities. In addition, violence against women with disabilities, whether physical, sexual, psychological, structural or economic, remains a taboo subject, despite the general increase in awareness of the urgent need to prevent and combat sexual violence thanks to the #MeToo movement.

4. The Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (CETS No. 210, the "Istanbul Convention") states in Article 4.3 that the protection and support provided under the convention are to be accessible to all women without discrimination, including with respect to age, disability, marital status, belonging to a national minority group, migrant or refugee status, gender identity or sexual orientation. The Parliamentary Assembly reiterates its unwavering support for the Istanbul Convention and Assembly Resolution 2479 (2023) "The Istanbul Convention: progress and challenges". Preventing and combating violence against women with disabilities must become a political priority. The accessibility of prevention campaigns, information for survivors, legal aid and shelters must be guaranteed. The Assembly recognises furthermore that there is an intersectional dimension to violence against women and girls with disabilities. Due account must be taken of the intersection of disability with gender, origin, sexual orientation, gender identity, gender expression, sex characteristics, migration status or religion.

5. Society infantilises women with disabilities by not allowing them to make informed choices about their lives, including their sexual and reproductive health and rights. Forced sterilisations, which are still happening in Europe, are a reflection of society's validation of the "able-bodied" person as the social norm and of the pre-eminence of the patriarchal system, and they increase the risk of sexual violence. They are one of the forms of violence condemned by the Istanbul Convention. The Assembly refers to its Resolution 1945 (2013) "Putting an end to coerced sterilisations and castrations" and reiterates its call for these practices to be banned.

1. *Assembly debate* on 11 October 2023 (22nd sitting) (see Doc. 15828, report of the Committee on Equality and Non-Discrimination, rapporteur: Ms Béatrice Fresko-Rolfo). *Text adopted by the Assembly* on 11 October 2023 (22nd sitting).

6. A society that isolates persons with disabilities is neither fully democratic nor inclusive. The Assembly regrets the lack of prioritisation of policies to support the inclusion of persons with disabilities. The Assembly refers to its Resolution 2431 (2022) "Deinstitutionalisation of persons with disabilities", Resolution 2291 (2019) "Ending coercion in mental health: the need for a human rights-based approach" and Resolution 2258 (2019) "For a disability-inclusive workforce". It reiterates its call for the deinstitutionalisation of persons with disabilities and stresses that their participation in the social, economic and political life of our countries is beneficial on multiple levels. It calls for systemic change to achieve effective inclusion and prevent violence against persons with disabilities, in all their diversity.

7. In the light of these considerations, the Assembly calls on Council of Europe member States as well as observer States and all States whose parliaments enjoy observer or partner for democracy status, to:

7.1. ratify and implement, if they have not already done so, the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence;

7.2. prohibit, if they have not already done so, forced sterilisations and forced abortions and ensure that those who have suffered violence of this type receive compensation;

7.3. implement Recommendation CM/Rec(2012)6 of the Committee of Ministers to member States on the protection and promotion of the rights of women and girls with disabilities, which calls on them to put in place appropriate measures to improve access to justice for women with disabilities and to protect them from violence;

7.4. implement the United Nations Convention on the Rights of Persons with Disabilities and continue the process of deinstitutionalisation of persons with disabilities, or initiate this process if it has not yet started;

7.5. carry out disability-sensitive data collection on gender-based violence and support research into gender-based violence against women with disabilities.

8. With regard to preventing violence against women with disabilities, the Assembly calls on these States to:

8.1. make the inclusion of persons with disabilities a priority by supporting their access to education, employment and culture, investing in accessibility and promoting their participation in economic, cultural, political and public life, and supporting in particular the empowerment of women with disabilities;

8.2. disregard the spouse's income in determining eligibility for disability allowance, thus reducing the financial dependence of persons with disabilities;

8.3. adopt inclusive national strategies or action plans aimed at preventing and combating gender-based violence, taking into account disability and the intersections between gender, age, origin, sexual orientation, gender identity, gender expression, sex characteristics, migration status and disability, and ensuring the participation of members of organisations representing persons with disabilities in the development of such strategies or plans;

8.4. include a gender dimension in national disability policies;

8.5. run campaigns to prevent gender-based violence that are inclusive and accessible to persons with disabilities, and conduct specific initiatives to prevent violence in facilities for persons with disabilities;

8.6. provide healthcare professionals and social workers with training on the rights, dignity, autonomy and needs of women with disabilities, in all their diversity;

8.7. step up the monitoring of facilities for persons with disabilities by independent bodies and ensure the protection of staff members in such establishments who report cases of violence;

8.8. raise awareness of the issue of forced marriage concerning women with disabilities, particularly in times of conflict;

8.9. provide information on sexual and reproductive rights in accessible formats;

8.10. carry out awareness-raising campaigns on the issue of violence within the family in order to prevent incest, in particular against girls with disabilities, and support families and parents financially and emotionally in their work to support girls and women with disabilities;

8.11. run campaigns to combat stereotypes of persons with disabilities, taking into account the diversity of disability.

9. With regard to support for survivors of gender-based violence with disabilities, the Assembly calls on these States to:

9.1. provide inclusive and accessible information on assistance and support services for survivors of violence;

9.2. provide training on disability mainstreaming and inclusion for staff working in specialist services for survivors of gender-based violence, and ensure that these structures, as well as helplines, are accessible;

9.3. provide training for the police, prosecutors and judges on the specific features of disability and international standards on the protection of the rights of persons with disabilities, and ensure that communication tools geared to persons with disabilities are made available;

9.4. take the necessary measures to eliminate the obstacles to access to justice faced by women with disabilities, ensuring the provision of disability-appropriate procedures and arrangements, as well as accessibility of all procedures;

9.5. ensure access to post-trauma care, including long-term psychological support, for all survivors of gender-based violence, taking into account the specific needs of survivors of sexual violence with disabilities in times of conflict;

9.6. offer free legal aid, including primary and secondary specialised legal aid, to all women with disabilities who are survivors of violence, so that they can have access to well-trained, specialised lawyers;

9.7. ensure that all legal remedies are put in place to guarantee access to compensation mechanisms for women with disabilities who have been subjected to violence.

10. The Assembly encourages member States to provide financial support to non-governmental organisations working to promote the inclusion of persons with disabilities, prevent and combat gender-based violence and support survivors.

11. The Assembly calls on national parliaments to ensure that their structures and proceedings are accessible to persons with disabilities, if this is not already the case, and on political parties to encourage the participation of women with disabilities in political life.

12. The Assembly calls on its members to hold debates in their national parliaments on progress and challenges in achieving the inclusion of persons with disabilities and on preventing and combating violence against women with disabilities.