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Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development

Albania,* Argentina, Australia,* Austria, Azerbaijan,* Belgium,* Bolivia (Plurinational State of), Bosnia and Herzegovina,* Bulgaria, Canada,* Chile,* Costa Rica,* Croatia,* Cyprus,* Czechia, Denmark, Ecuador,* Estonia,* Fiji, Finland,* France, Georgia,* Germany, Greece,* Iceland,* Ireland,* Israel,* Italy, Latvia,* Liechtenstein,* Lithuania,* Luxembourg,* Malta,* Mexico, Monaco,* Montenegro,* Netherlands, New Zealand,* North Macedonia,* Norway,* Paraguay,* Peru,* Philippines, Portugal,* Romania,* San Marino,* Serbia,* Slovenia,* Spain,* Sweden,* Switzerland,* Thailand,* Turkey,* Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America* and Uruguay: draft resolution

47/... Accelerating efforts to eliminate all forms of violence against women and girls: preventing and responding to all forms of violence against women and girls with disabilities

The Human Rights Council,

Reaffirming the obligation of all States to respect, protect and fulfil all human rights and fundamental freedoms, and reaffirming also the Charter of the United Nations, 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 Convention on the Rights of Persons with Disabilities, the Convention on the Rights of the Child and the International Convention on the Elimination of All Forms of Racial Discrimination,

Reaffirming also the Vienna Declaration and Programme of Action, the Declaration on the Elimination of Violence against Women, the Beijing Declaration and Platform for Action, the Programme of Action of the International Conference on Population and Development, and the outcomes of their review conferences, and the United Nations Declaration on the Rights of Indigenous Peoples,

Recalling all relevant resolutions of the Human Rights Council, the Commission on Human Rights, the General Assembly and the Security Council and the relevant resolutions and agreed conclusions of the Commission on the Status of Women, which, inter alia, affirmed that all forms of violence against women and girls must be prevented, condemned and eliminated and that women's and girls' access to justice and accountability for violations of their human rights must be ensured,

* State not a member of the Human Rights Council.



Recalling also the commitment to eliminate all forms of violence against all women and girls in the public and private spheres, including trafficking and sexual and other types of exploitation, contained in Sustainable Development Goal 5, in particular targets 5.2 and 5.3, and the commitment to promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels, contained in Sustainable Development Goal 16, and taking into account the commitment to leave no one behind,

Acknowledging the important role played by regional conventions, instruments, declarations and initiatives in preventing, responding to and eliminating violence against women and girls,

Welcoming the work and taking note with appreciation of the reports of the Special Rapporteur on violence against women, its causes and consequences, and of the Special Rapporteur on the rights of persons with disabilities,

Expressing deep concern at the continued prevalence of violence against women and girls, including women and girls with disabilities, and in all its different forms and manifestations worldwide, and re-emphasizing that violence against women and girls violates, abuses and impairs their human rights and, as such, is completely unacceptable,

Stressing that “violence against women and girls” means any act of gender-based violence that results in, or is likely to result in, physical, sexual, psychological, social or economic harm or suffering to women and girls, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or in private spheres, including in digital contexts and in the world of work,

Recognizing that violence against women and girls is a global phenomenon and a manifestation of historical and structural gender inequality and discrimination against women and girls, rooted in unequal power relations between women and men and in gender stereotypes, and that all forms of violence against women and girls, including harmful practices, such as child, early and forced marriage, female genital mutilation, forced sterilization, forced abortion and forced contraception, and conflict-related sexual violence and violence motivated by xenophobia, nullify the exercise and full enjoyment of human rights and fundamental freedoms by all women and girls,

Deeply concerned that women and girls with disabilities are subject to multiple and intersecting forms of discrimination and to violence, in the public and private spheres, including in the home, in families, in communities, in the world of work, in schools, in digital contexts and in institutions, and stressing the urgent need to address all forms of violence and discrimination against them,

Deeply concerned also that women and girls with disabilities face an increased risk of violence based on stereotypes that dehumanize, infantilize, objectify, exclude or isolate them,

Recognizing that older women experience disability more frequently as they age and that ageism contributes to the increased risk of violence faced by older women with disabilities, including physical violence, psychological, verbal and financial abuse and social isolation and exclusion,

Recognizing also that women and girls with disabilities belonging to minorities, including women and girls with disabilities of African and Asian descent, are subject to multiple and intersecting forms of discrimination and violence because of, inter alia, their race or ethnicity, gender and disability status combined,

Condemning the particularly high levels of violence faced by indigenous women and girls with disabilities, especially those living in rural and remote communities and those who are migrants, and recognizing the need to ensure their access to justice and support services on an equal basis with others,

Reiterating the need to intensify efforts at all levels and to engage with all stakeholders, including persons with disabilities and organizations of and led by them, as well as men and boys alongside women and girls as agents of change, to prevent and eliminate all forms of discrimination and violence against women and girls in the public and private

spheres, online and offline, including the need to address gender inequality, ableism and ageism and the stigma, socioeconomic inequality and negative social norms, attitudes and behaviours that underlie and perpetuate such violence,

Recognizing that poverty, discrimination and marginalization resulting from exclusion from social policies and from the benefits of lifelong education, health, international labour standards and social protection, sustainable development and humanitarian assistance can place women and girls with disabilities at increased risk of violence,

Concerned that persons with disabilities are disproportionately affected by homelessness, which can be driven by, inter alia, separation, abandonment, domestic violence, elder abuse and child abuse, and that homelessness can place women and girls with disabilities at increased risk of institutionalization and violence in that context,

Recognizing that women and girls with disabilities face barriers in reporting violence, including a lack of accessible information about the justice system and of procedural accommodation to ensure effective access to justice and remedies for women and girls with disabilities on an equal basis with others,

Deeply concerned about the negative impact of laws and practices that impede persons with disabilities or fail to provide them with adequate support in the exercise of their legal capacity on an equal basis with others, which has a negative impact on the enjoyment of equality and non-discrimination, and in some cases that deny them their right to effective access to justice on an equal basis with others or allow for their forced institutionalization on the basis of a real or perceived disability,

Expressing concern that forced institutionalization is a form of violence that deprives women and girls of liberty on the basis of disability and that in such situations they face an increased risk of further violations and abuses, including physical, psychological and sexual and gender-based violence,

Recognizing that women and girls with psychosocial or intellectual disabilities, in particular those using mental health services or living in institutional settings, face an increased risk of violence, abuse and deprivation of liberty on the basis of disability owing to discrimination, stereotyping and stigma associated with disability, and underscoring the need to take all appropriate measures to ensure timely access to age- and gender-responsive and survivor-centred mental health, psychosocial support and community services,

Recognizing also that women and girls with disabilities, in particular older women, are disproportionately affected by the coronavirus disease (COVID-19) pandemic, which has exacerbated pre-existing inequalities and systemic discrimination, stigmatization, violence and exclusion, disrupted social protection services and assistance, increased reliance on caregivers, limited access to adequate housing, education, justice and essential health-care services, including sexual and reproductive health-care services, and increased the risk of isolation, unemployment, poverty and violence, including sexual and gender-based violence, domestic violence and intimate partner violence, and violence in digital contexts and violence, abuse and neglect perpetrated in institutional settings, and recognizing further that persons with disabilities may continue to experience the same conditions and challenges, including in the response, recovery and rebuilding phase, as well as facing barriers and discrimination in accessing protection measures, appropriately designed personal protective equipment, medicines, vaccines, medical equipment, employment, education, public health information and health-care services,

Deeply concerned about the particular risk of segregation, exclusion, abuse and violence, including sexual and gender-based violence against persons with disabilities of all ages, especially in situations of risk, including situations of armed conflict, humanitarian emergencies and the occurrence of natural disasters,

Stressing that States shall take, in accordance with their obligations under international law, including international humanitarian law and international human rights law, all necessary measures to ensure the protection and safety of persons with disabilities in situations of risk and humanitarian emergencies,

Recognizing the adverse impacts of climate change on women and girls with disabilities, including increased risk of morbidity and mortality resulting from reduced access to emergency support and violence prevention and response services, and emphasizing the need for States to ensure the participation of women and girls with disabilities in disaster preparedness and response planning,

Deeply concerned that silence and stigma surrounding disability and menstruation mean that women and girls with disabilities often lack basic information and are excluded and stigmatized, a situation exacerbated by the lack of access to adequate water and sanitation services, including for menstrual health and hygiene management, especially in schools, workplaces, health centres and public facilities and buildings,

Reaffirming sexual and reproductive health and reproductive rights, free from coercion, discrimination and violence, including full respect for dignity, integrity and bodily autonomy,

Deeply concerned that women and girls with disabilities are disproportionately subjected to forced sterilization, which is a form of violence and violation and abuse of human rights that may constitute torture and other cruel, inhuman or degrading treatment and results in lifelong consequences for the physical and mental integrity of women and girls with disabilities,

Recognizing that sexual and reproductive health information and health-care services include, inter alia, accessible and inclusive family planning, safe and effective methods of modern contraception, emergency contraception, adolescent health-care services, maternal health-care services, such as skilled birth assistance and emergency obstetric care, including midwives for maternity services, perinatal care, safe abortion when not against national law, post-abortion care, and prevention and treatment of reproductive tract infections, sexually transmitted infections, HIV and reproductive cancers,

Concerned that denying access to sexual and reproductive health information and health-care services can violate, abuse or impair the right of everyone to the enjoyment of the highest attainable standard of physical and mental health, including sexual and reproductive health, and may constitute a form of violence against women and girls that can lead to maternal morbidity and mortality,

Underlining the need to promote the full, effective and meaningful participation and inclusion of women and girls with disabilities on an equal basis with others, including victims and survivors of all forms of violence, in decision-making processes and leadership roles and in the conceptualization, development and implementation of intersectional age- and gender-responsive policies, regulations and legislation designed to prevent and eliminate all forms of violence against women and girls,

Recognizing that information and communications technologies, including assistive technology and devices, have shown their potential to strengthen the exercise of human rights, and that they can create conditions enabling the full enjoyment by persons with disabilities of their human rights and can contribute to their social and digital inclusion and digital literacy, empowerment and autonomy, and allow them to live independently on an equal basis with others and to fully, effectively and meaningfully participate in society and in the world of work, while condemning all forms of violence against women and girls with disabilities in digital contexts, including new forms of violence such as cyberviolence, bullying and harassment, and their rising prevalence during the COVID-19 pandemic,

Recognizing also the major contribution made by civil society, including women's and girls' rights and community-based organizations, organizations of and led by persons with disabilities, older women, girls and youth, feminist groups, women and girl human rights defenders and disability inclusion advocates, and recognizing further the importance of having open, accessible, inclusive and transparent engagement with civil society in the development and implementation of measures promoting gender equality and the empowerment of all women and girls and of allowing civil society to operate freely and safely without fear of intimidation or reprisals,

Recognizing further the critical responsibility of families in eliminating all forms of violence against women and girls, including sexual harassment and domestic violence, by,

inter alia, providing for a supportive environment for the empowerment of all women and girls, including by raising awareness about the human rights of all women and girls, including women and girls with disabilities, and recognizing further that domestic violence is not a private family matter and must be eliminated,

Stressing the importance of collecting and analysing reliable data on persons with disabilities following existing guidelines on disability statistics, and their updates, encouraging ongoing efforts to improve data collection in order to disaggregate data with regard to persons with disabilities by sex, age and disability, and underlining the need for internationally comparable data,

1. *Expresses outrage* at the persistence and pervasiveness of all forms of violence against women and girls worldwide;

2. *Condemns in the strongest possible terms* all forms of violence against women and girls, including women and girls with disabilities, and in the context of lockdown measures and school closures in response to the COVID-19 pandemic;

3. *Expresses deep concern* that all forms of discrimination and violence impair or nullify the full enjoyment by women and girls of their human rights and fundamental freedoms, which hinders the full, effective and meaningful participation and inclusion of women and girls with disabilities on an equal basis with others in the economic, social, cultural, civil and political spheres, and is an impediment to achieving gender equality and the empowerment of all women and girls;

4. *Stresses* the need to strengthen efforts to empower women and girls with disabilities and enhance their participation and promote their leadership in society by taking measures to address all barriers that prevent or restrict their full and equal participation and inclusion in all spheres of life, including through the creation of enabling programmes, community outreach, mentoring and capacity-building programmes, ensure their access, on an equal basis with others, to economic and financial resources and disability-inclusive and accessible social infrastructure, transportation, justice mechanisms and services, in particular in relation to health and education, as well as productive employment and decent work for women with disabilities, and ensure that the priorities and rights of women and girls with disabilities are fully incorporated into policies and programmes and that they are closely consulted and actively involved in decision-making processes;

5. *Also stresses* the need to address multiple and intersecting forms of discrimination, which place women and girls at greater risk of exploitation, violence and abuse, and to implement measures to prevent and eliminate stereotypes based on disability, gender, age, race and xenophobia, ableism, stigma, negative social norms, attitudes and behaviours that cause or perpetuate discrimination and violence against women and girls;

6. *Recognizes* that a proactive multisectoral approach, working with all relevant stakeholders, including organizations of and led by persons with disabilities, is required to prevent, respond to and eliminate violence against women and girls with disabilities, including lifelong education, training and media campaigns that promote respect, dignity, accountability, equality, non-discrimination, inclusion and accessibility, as well as full and effective participation in political and public life and economic empowerment, social protection measures aimed at reducing poverty and financial dependence on other persons and measures aimed at deinstitutionalization and promotion of independent living;

7. *Calls upon* States to take immediate and effective action to prevent and eliminate all forms of violence against women and girls by:

(a) Fostering respect for the rights and dignity of persons with disabilities, promoting empowering portrayals of women and girls with disabilities and awareness-raising campaigns of their capabilities and contributions, and refraining from supporting or funding campaigns that perpetuate stigmatization or stereotyping of women and girls with disabilities;

(b) Reviewing laws and policies that perpetuate the outdated understanding of disability present in charity and medical models and ableism, and incorporating a human rights-based approach to disability;

(c) Developing, reviewing and strengthening inclusive policies, including by allocating adequate resources to address the historical, structural and underlying causes and risk factors of violence against women and girls, including violence motivated by xenophobia and religious intolerance, and ensuring that laws and policies are harmonized to address all forms of violence against women and girls, are inclusive of and accessible to women and girls with disabilities and are implemented in compliance with States' international human rights obligations;

(d) Implementing and allocating adequate resources towards effective and evidence-based programmes and strategies with and for women and girls with disabilities, such as increasing access to assistive devices and technologies and community-based habilitation and rehabilitation services adapted to their requirements, in compliance with States' international human rights obligations;

(e) Ensuring the full, effective and meaningful participation and inclusion of women and girls, in their diverse contexts, including women and girls with disabilities on an equal basis with others, in decision-making processes and leadership roles and in the development and implementation of accessible and inclusive national policies, legislation, procedures, action plans, programmes, projects and strategies to prevent and eliminate violence against women and girls, and ensuring that such participation is conducted in a safe and accessible environment, including through support and capacity-building from organizations of and led by women, girls and other persons with disabilities, and through community outreach, mentoring and capacity-building programmes for women and girls with disabilities;

(f) Ensuring that services and programmes designed to prevent and eliminate violence against women and girls are inclusive of and accessible to women and girls with disabilities, including by ensuring that facilities, services and information are accessible and by providing age- and gender-responsive, disability-inclusive and trauma-informed education and training to professionals, paid care workers and unpaid caregivers working to address the specific requirements of women with disabilities, including older women, and girls with disabilities;

(g) Ensuring that social protection systems address the multiple, interrelated and complex causes of homelessness by preventing poverty, contributing to independent living in the community, health-related goals, gender and racial equality and decent work, and facilitating the inclusion of persons with disabilities;

(h) Taking all appropriate measures to prevent and eliminate all forms of discrimination and violence against women and girls in situations of risk, including situations of armed conflict, humanitarian emergencies and the occurrence of natural disasters, with particular attention to the risks faced by and the specific requirements of women and girls with disabilities;

(i) Developing and implementing educational programmes and teaching materials in accessible, affordable and alternative formats of communication, including easy to read and understand formats, that raise educators' and learners' awareness about violence against women and girls, including through evidence-based comprehensive sexuality education, consistent with the evolving capacities of the child, that explains consent, respect for boundaries, what constitutes unacceptable behaviour and how to report it, builds self-esteem and informed decision-making and communication skills, and promotes the development of respectful relationships based on gender equality, inclusion and human rights;

(j) Developing and implementing national criminal justice legislation, policies, procedures and programmes that take into account the specific requirements of women and girls with disabilities, and promoting age- and gender-responsive and disability-inclusive measures in crime prevention and protection policies, including capacity-building for those involved in crime prevention, the justice system and informal restorative justice processes;

(k) Supporting initiatives undertaken by, inter alia, international and non-governmental organizations, including women's and girls' rights organizations, organizations of and led by persons with disabilities, older women, girls and youth, civil society actors, the private sector, faith and community groups, religious leaders, politicians,

journalists and other media workers, human rights defenders, including women and girl human rights defenders, indigenous peoples, local communities and other relevant actors, as part of their efforts to develop targeted and accessible responses, programmes and policies, including by allocating adequate financial resources, aimed at promoting gender equality and inclusion and eliminating violence against women and girls;

8. *Also calls upon* States to take immediate and effective action to respond to all forms of violence against women and girls, and to support and protect all victims and survivors by:

(a) Holding perpetrators to account and eliminating impunity for all forms of violence against women and girls;

(b) Ensuring that legislation allows for the timely and effective investigation, prosecution, including *ex officio* prosecution, sanction and redress of violence against women and girls;

(c) Adopting, strengthening and implementing legislation that expressly prohibits violence and provides adequate protection for all women and girls, including women and girls with disabilities, against all forms of violence, in public and private spheres, *inter alia*, violence perpetrated online and offline by support providers, health-care providers, transportation providers and others in positions of authority, and caregivers, sexual harassment, domestic violence, intimate partner violence and gender-related killings of women and girls, and ends impunity and adequately penalizes offences involving physical, sexual, psychological and economic violence occurring in families, in institutions, in digital contexts, in the world of work, in communities and carried out by support providers;

(d) Guaranteeing equal recognition before the law of persons with disabilities, *inter alia* older women with disabilities, persons with disabilities belonging to minorities, including persons with disabilities of African and Asian descent, migrants with disabilities and indigenous persons with disabilities, and ensuring that they have the opportunity to exercise their legal capacity on an equal basis with others in all aspects of life, as recognized in article 12 of the Convention on the Rights of Persons with Disabilities;

(e) Ensuring access to justice and accountability mechanisms and timely and effective remedies for the effective implementation and enforcement of laws aimed at preventing and eliminating all forms of discrimination and gender-based violence, including by informing women and girls about their rights under relevant laws in an accessible way, providing procedural accommodation for women and girls with disabilities, improving legal infrastructure and mainstreaming age- and gender-responsive and disability-inclusive training into justice systems to ensure equality before the law and equal protection of women and girls with disabilities by the law;

(f) Providing victims and survivors of violence with effective remedies, including victim- and survivor-centred and age- and gender-responsive legal, medical, psychological and confidential counselling services and legal protection that avoid revictimization and retraumatization and are inclusive of and accessible to women and girls with disabilities, and providing support services, information and education in accessible formats, including on how to prevent, recognize and report instances of exploitation, violence and abuse in any setting;

(g) Fully integrating a human rights perspective into mental health, psychosocial support and community services, and adopting, implementing, updating, strengthening or monitoring, as appropriate, existing laws, policies and practices with a view to protecting the personal integrity of persons with disabilities and eliminating all forms of discrimination, stigma, stereotypes, prejudice, violence, abuse, social exclusion, segregation, unlawful or arbitrary deprivation of liberty on the basis of disability and institutionalization, and overmedicalization within that context, and promoting the right of persons with psychosocial disabilities to live independently, to full inclusion and effective participation in society, to decide upon matters affecting them and to have their dignity respected on an equal basis with others;

(h) Ensuring that sexual and reproductive health and reproductive rights are fully realized, including for victims and survivors of sexual and gender-based violence, by

addressing the social and other determinants of health, removing barriers, developing and enforcing policies, good practices and legal frameworks, and strengthening health systems that make quality comprehensive sexual and reproductive health-care services, information and education universally accessible and available and inclusive;

(i) Repealing legislation and regulatory provisions that restrict legal capacity or permit forced sterilization, forced abortion and forced contraception and ensuring that any medical procedure or intervention is performed with due regard for the right to respect for physical and mental integrity on an equal basis with others and to bodily autonomy and is not performed without the free and informed consent of women and girls with disabilities;

(j) Strengthening or establishing systems to regularly collect, analyse and publish statistical data disaggregated by sex, age, disability and other relevant characteristics on all forms of violence against women and girls, and using these data to inform more effective efforts across all sectors to prevent and respond to violence, while respecting human rights principles, including participation, transparency, privacy and accountability;

9. *Urges* States to prevent and respond to the increase in violence against women and girls, including those with disabilities, amid the COVID-19 pandemic by integrating accessible and inclusive prevention, response and protection systems into any pandemic response and recovery plans, including through strengthened law enforcement, justice and social protection measures for victims and survivors of violence, designating and expanding the accessibility and capacity of shelters, services and safe spaces for victims and survivors of violence as essential services and increasing resources for them, in collaboration with civil society, including organizations of and led by women and girls with disabilities, and communities, promoting deinstitutionalization and preventing institutionalization, strengthening age- and gender-responsive and disability-inclusive advocacy and awareness-raising campaigns to address violence against women and girls, including during lockdowns, providing safe and equitable access to vaccination for women and girls with disabilities and ensuring their participation in the development and implementation of pandemic response and recovery plans;

10. *Welcomes* the annual full-day discussion on the human rights of women, and requests the Office of the United Nations High Commissioner for Human Rights to prepare a summary report in accessible formats on the annual discussion held during its forty-seventh session and to present the report at its fiftieth session, to prepare a summary report in accessible formats on the annual discussion to be held at its fiftieth session and to present the report at its fifty-third session, and to make the annual discussion on the human rights of women fully accessible to persons with disabilities;

11. *Decides* to continue its consideration of the issue of the elimination of all forms of violence against women and girls as a matter of high priority, in conformity with its programme of work, at its fifty-third session.
