1. Describe any experience you have working on women’s rights and particularly any experience you have integrating women and girls with disabilities into your broader work on disability rights.

Answer:

The Brazilian Law for Inclusion of Persons with Disabilities (LBI), reported by me in the Chamber of Deputies and that has been in force since January 2016, expressly assured special protection for women and girls with disabilities against all forms of negligence, discrimination, exploitation, violence, torture, cruelty, oppression and inhuman or degrading treatment.

To illustrate this special protection, we guaranteed in the Law that the basic health units offer not only accessible equipment, such as mammographers and stretchers for women wheelchair users, but also Sign Language interpreters to provide service to the deaf persons.

When talking about prevention, it is essential that there is adequate information and accessible to everyone. This includes the population with disabilities, their families and caregivers, who also should have access on health, independence and quality of life.

The text of the LBI also ensures full attention to the health of the person with disability through the Brazilian Unified Health System, including the right to assisted fertilization. After all, every woman has the right, if she so wishes, to express her sexual, reproductive and civil rights, such as get married and have kids.

2. Do you think there are human rights abuses that disproportionately or uniquely affect women and girls with disabilities, as compared to men and boys with disabilities and non-disabled women and girls? If so, what do you think are the most urgent human rights issues disproportionately or uniquely affecting women and girls with disabilities?

Answer:

Approximately 10% of women in the world live with a disability. In Brazil, according to the 2010 Census of IBGE, about 25 million women have some type of disability — and almost one third of them are black. In other words, they carry multiple and intersecting forms of discrimination.

Studies of organizations that address the topic of women in the world show that 40% of women with disabilities are victims of abuse and 12% of rape. In Brazil, this reality is no different. Women
with disabilities are more vulnerable to violence in various forms: physical assault, legal compulsion, economic coercion, intimidation, psychological manipulation, fraud, negligence.

There is also veiled violence, whose origin is in the misinformation of society, which discredits in all forms the potential of women with disabilities. We still need to overturn several myths, such as that women in wheelchair cannot be mothers, that women with intellectual disabilities cannot date, that deaf women cannot work or that blind women are not able to occupy a certain position in society. In the labor market, for example, the disadvantage of women with disability is sovereign because they still make less money than the man with disability.

This citizen also has less access to health care and rehabilitation. This is best illustrated by the lack of accessible equipment in clinics for prenatal care or preventive exams against gynecological diseases and breast cancer.

The lack of sensitivity and proper training of the professionals also infringe rights concerning communication, for example. The story of a deaf woman, which communicated exclusively through Sign Language, evidences this unpreparedness. Without knowing she would give birth to twins, she stopped pushing after the birth of the first baby. The nurse, not knowing Sign Language, failed to tell her to continue pushing. The mother lost her second child.

3. What obligations do you think States have under the CRPD and other human rights treaties to ensure that persons with disabilities can exercise sexual and reproductive autonomy? Do you think States should be allowed to place any limitations on that autonomy, and if so, what limitations?

Answer:

The Convention is clear in ensuring persons with disabilities full legal capacity and autonomy to exercise their sexual and reproductive rights. So much so that, based on this understanding, one of the most emblematic changes made in Brazilian Law for Inclusion (LBI), of which, as already said, I was the rapporteur in the Chamber of Deputies, regards the possibility of the person with disability to marry without requiring judicial authorization, expressing its wish directly.

According to the LBI, the person with disability has the right to:
1. marry and constitute a common-law marriage;
2. exercise sexual and reproductive rights;
3. exercise the right to decide on the number of children and to have access to adequate information on reproduction and family planning;
4. keep her fertility, being prohibited the compulsory sterilization;
5. exercise the right to family and family and community living; and
6. exercise the right to custody, guardianship, curatorship and adoption, as adopter or adopted, in equal opportunities with other persons”.

LBI's innovative wording preaches the role of the person with disability, a change that will result before the Justice a new look at the issue of autonomy of this citizen. According to the new
legislation, the person with disability must be assisted by the curator, in the case of custodianship, and supported, in the case of supported decision making.

The decision, in itself, however, is solely and exclusively of the person with disability, which should have preserved rights to decide about her marriage, her sexual and reproductive life, her thoughts and opinions. That is, the person's disability does not affect her full legal capacity. This does not mean that, when necessary, the assistance of the curator should not exist, as, for example, on equity issues.

Although Brazil is a signatory to the UN Convention on the Rights of Persons with Disabilities since 2008, it was still a recurring practice to assign to the curator of a person with disability its civilian life decisions and acts of civil nature, without taking into account the real capacity and will of the person under the care of the curator. A common conduct practiced by the Justice and, often, by lack of information, corroborated by the family itself.

Therefore, it is the duty of the State, society and family to provide the person with disability, as a priority, the implementation of rights related to life, such as access to health, sexuality, paternity and maternity, family and community co-existence, among others expressed in the Convention on the Rights of Persons with Disabilities.

It is the duty of all, also, to communicate to the relevant authority any form of threat or violation of such rights. If, in the exercise of their functions, the judges and the courts become aware of facts that characterize the violations provided by Law, they shall submit the information to the relevant authorities for appropriate action.

4. What do you believe are States’ obligations to address gender-based violence under the CRPD and other human rights treaties? Are there ways you think the CRPD Committee could do more to address this issue with States?

Answer:

It is essential that we unite our capacities, experiences and, fundamentally, attitudes, in order to ensure that the rights established by the legislation have their full implementation guaranteed. Gender-based discrimination is the result of a sexist society, with traces of misogyny, that has a lot to evolve. Gender-based violence, which can culminate in femicide, is absolutely unacceptable, and when it is directed specifically at women with disabilities, it portrays the most noxious and lagging side of a society. In this way, it is necessary to bring the theme to light in debates dealing with gender and human rights issues and strengthening mechanisms for denouncing and fighting violence.

5. What steps could the CRPD Committee take to better ensure the participation of organizations of women and/or girls with disabilities in its activities, including in its reviews of States and the adoption of General Comments?

Answer:
I am fully convinced that, with the union of the forces of the States, through its Executive, Legislative and sometimes Judiciary branches, and of the civil society in general, we can seek better solutions to face public issues. With policies for women and girls with disabilities, it could not fail to be different. After all, "nothing about us without us", but with everyone.

The Convention on the Rights of Persons with Disabilities is proof of the success of the union of efforts, by contemplating the participation of civil society in its construction process and being one of the fastest processing conventions of the United Nations. In Brazil, I had the opportunity to build, with the civil society, the Brazilian Law for Inclusion of Persons with Disabilities, having my parliamentary mandate as an instrument for performing the desires of society.

In the Committee, when faced with gender issues, we must seek to give voice to the organizations of women and/or girls with disabilities, whether by promoting public hearings with these collectives, whether through consultation with them directed by comments concerning their field of defense, whether in receiving specific reports of their authorship.

6. **Do you think the CRPD Committee should be working with other UN treaty monitoring bodies and human rights mechanisms to advance the rights of women and girls with disabilities? If so, with which bodies and mechanisms and on what issues?**

Answer:

The articulation of the UN Treaty Bodies and human rights mechanisms is a challenge to be overcome in all lines of action of the CRPD in order to avoid misinformation and dislocated and sometimes diametrically opposed guidance to the States Parties from different instances and structure of the United Nations and mitigate the high costs of monitoring.

With regard to the rights of women and girls with disabilities, it is essential the articulate and joint action of the CRPD with: the Committee on the Elimination of Discrimination Against Women (CEDAW), the Committee on the Rights of the Child (CRC), the Special Rapporteur on violence against women, its causes and consequences (SR Violence Against Women), United Nations Development Fund for Women (UNIFEM) and United Nations Children’s Fund (UNICEF).