Women Enabled International Questionnaire for 2018 CRPD Committee Candidates: Women and Girls with Disabilities

Name of Candidate: Jonas Ruškūs
State Party Nominating Candidate: Lithuania

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: Being a member of the CRPD during my first mandate, I have constantly raised the issues of women and girls with disabilities during the consultations with the organizations of persons with disabilities and constructive dialogs with the representatives of the State Parties. The issue of women with disabilities has been also continually present in my professional work and life with adult persons with intellectual disabilities as well as in my teaching on human rights and rights of persons with disabilities at my university. Recently I have publicly on social media urged on the necessity to ratify the Council of Europe Istanbul Convention On preventing and combating violence against women and domestic violence, to which my country Lithuania is not still a State Party. This Convention is particularly necessary for the prevention of violence against women and girls with disabilities and the implementation of their rights in ensuring the non-discrimination and equality at all levels.

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: Yes, there are significant human rights abuses that disproportionally and uniquely affect women and girls with disabilities. The States usually address very poorly the right to sexual and reproductive health of women and girls with disabilities, plus health services/clinics, designed for sexual and reproductive health often are inaccessible or low quality or limited number. It relates to barriers faced by women with disabilities in accessing services for safe abortion, including the lack of access to information on it. Women and girls with disabilities, in particular indigenous women and women with psychosocial and/or intellectual disabilities, face different forms of women-specific violence, including female genital mutilation, forced sterilization, sexual abuse and human trafficking. Women are also particularly critically affected by other forms of discrimination, such as lack of support for maternity and parenting as well as lower levels of educational achievement, unemployment of lower level of wages, also lack of access to justice. It must be said repeatedly, that women with disabilities face multiple and intersectional discrimination on the grounds of gender and other factors and this is one of the most serious violations of human rights among all other human rights.

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 rights?
autonomy? Do you think States should be allowed to place any limitations on that autonomy, and if so, what limitations?

Answer: The States Parties under the obligations of the CRPD, alongside with CEDAW (Committee on the Elimination of Discrimination against Women) must pay a particular attention to women and girls with disabilities. Under the obligations of article 5 of the CRPD (including its General Comment No 6), the State Parties must address multiple and intersecting forms of discrimination through legislation and public policies, including through affirmative action programs for women and girls with disabilities, further, including the provision of reasonable accommodation at work, education, health services. Article 6 of the CRPD specifically targets rights of women and girls with disabilities, while inviting the States Parties to take all appropriate measures to ensure the full development, advancement and empowerment of women. It also includes the political and economic empowerment of women with disabilities through legislation and public policies on gender equality. Article 25 of the CRPD is also very much related to the rights of women with disabilities, because it designates the obligation of the States Parties to provide persons with disabilities with the same range, quality and standard of free or affordable health care and programmes as provided to other persons, including in the area of sexual and reproductive health, that particularly concern women with disabilities. With regard to exercise of sexual and reproductive autonomy, the recognition of the importance for persons with disabilities of their individual autonomy and independence, including the freedom to make their own choices, is primordial, as it is stressed in the preamble of the CRPD. The principle of individual autonomy including the freedom to make one's own choices is one of the fundamental principles of the CRPD, as it is defined in article 3 of the CRPD. So, any limitations should be imposed to women and girls with disabilities by the States Parties what regard their sexual and reproductive autonomy. On the contrary, the support to enjoy their sexual and reproductive autonomy, including accessibility to mainstream health services, to women and girls with disabilities must be provided by the States Parties.

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: The States must be guided by the CRPD and CEDAW in addressing gender-based violence; firstly, to give effect to the universal human rights principles such as dignity, individual autonomy, equality and non-discrimination; secondly, to provide effective mechanisms for protecting women and girls with disabilities against any domestic, institutional and structural violence, including mechanisms of support of victims and prosecution of perpetrators; thirdly, adopt a twin-track approach by mainstreaming the rights of women with disabilities across all national action plans and strategies concerning women’s rights in general and equality between women and men. The States have obligations under the CRPD but also CEDAW, both having role to broaden the understanding of the concept of human rights, which include policies and measures for combatting discrimination and violence against women and to create the just, equal and participative societies. So, the combat with discrimination and violence against women must also include the empowerment, social participation, access to inclusive education, provision of decent and inclusive job opportunities for all women and girls with disabilities, including women and girls from indigenous communities, also those living in remote and rural areas, autistic women and
girls and those with intellectual and/or psychosocial disabilities who are the most marginalized. The CRPD Committee, also using its General Comment No 3 on article 6 of the CRPD, must address the issue of rights of women and girls with disabilities at every consideration of the States Parties’ reports, including dialogs with representative organizations of persons with disabilities and with representatives of the States Parties. The issue of rights of women and girls with disabilities must be also taken also into account when preparing any statements and comments on the rights of persons with disabilities, calling the States Parties to adopt measures for combating with multiple and intersectoral discrimination of women and girls with disabilities and for providing them with protective, supportive and empowering measures. The CRPD Committee also must to continue to recommend to the States members of the Council of Europe to ratify and implement the Istanbul Convention On preventing and combating violence against women and domestic 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: The CRPD Committee has to encourage the representative organizations of women and girls with disabilities to actively participate in its activities, including in its reviews of the States Parties’ reports. The Committee needs to receive the lived experiences by women and girls with disabilities from the ground, to collect authentic information on the situation of women and girls with disabilities in the State Party, including disaggregated data and statistic. The information provided by women and girls with disabilities to the Committee helps the Committee to develop credible and explicit recommendations to the State Parties in regard to the implementation of the rights of women and girls with disabilities. The CRPD Committee has also to recommend to the States Parties to encourage and support the organizations of women and girls with disabilities, also to involve them into decision-making processes on the matters that affect them. The Committee already calls all organizations of persons with disabilities, including of women and girls with disabilities, to participate at the process of elaboration of General Comments by providing with their proposals. The Committee is actually elaborating the General Comment No 7 on articles 4.3. and 33.3. of the CRPD where the participation of organizations of women and girls with disabilities at all levels is emphasized in order that the voice of women and girls with disabilities should be taken into account and included in all regulatory measures by the CRPD Committee.

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 Committee have to strengthen the collaboration with the CEDAW Committee in order to promote rights of women and girls with disabilities through CEDAW work and its recommendations to the State Parties, especially in regard of anti-discriminatory policies and measures, protection and support, sexual and reproductive rights, social participation (in relation with articles 5, 6, 24, 25, 27 of the CRPD). The collaboration also has to be developed with the CRC (Committee on the Rights of Child), in order to include rights of girls with disabilities into the recommendations to the States Parties and its other jurisprudence, especially in regard of inclusive education, seclusion and institutionalization, right to family and full prohibition of
corporal punishment (in relation with articles 7, 23, 24 of the CRPD). The collaboration with the Committee Against Torture also could be elaborated to make more visible women and girls with disabilities as objects of torture, especially in regard of forced sterilization, coercive treatment and forced institutionalization (in relation with articles 14, 15, 17 of the CRPD). The interaction between the CRPD Committee and the Third Committee of the General Assembly is needed to make more visible and to promote rights of women and girls with disabilities.