

Bulletin Insert:

Women with Disabilities: From Invisible to Visible Citizens

On Friday, the government of South Africa and the UN Development Fund for Women (UNIFEM) hosted a luncheon briefing titled "**Women with Disabilities: Opportunities and challenges for women's rights activists in the development of a Convention on the human rights of people with disabilities.**" The briefing, moderated by Sebenzile Matsebula, Director of the Office on the Status of Disabled Persons in the Presidency of South Africa, emphasized the need for the explicit equality of women with disabilities within the context of any human rights framework.

The meeting, organized by Landmine Survivors Network, highlighted the need for a paradigm shift: women with disabilities must be viewed as visible citizens, not, as they often have been in the past, invisible entities. The panel of experts, including: Theresia Degener, co-author of the OHCHR report "Human Rights and Disability; Charlotte Bunch, Executive Director, Center for the Women's Global Leadership; and Charlotte McClain, Commissioner, Human Rights Commission in South Africa, addressed the current position of women with disabilities, one of the most marginalized groups - both in the women's movement and within the disability rights movement itself.

The Current Status of Women

Roxanna Carrillo, Advisor to the Executive Director on Human Rights at UNIFEM, welcomed participants to the meeting, and Prof. Degener introduced the issue of women with disabilities in a human rights context by reviewing their status in existing UN human rights policy. Until 1985, women with disabilities were invisible in UN human rights policy and it was not until the Nairobi World Conference on Women that women with disabilities became more visible. Although the 1993 UN Standard Rules on the Equalization of Opportunities for Persons with Disabilities explicitly mentions women with disabilities, the 1983 ILO Convention No. 159, is the only binding international treaty mentioning them (Recommendation No. 168 also refers to them but is non-binding). In addition, there is no mention of women with disabilities in the text of the 1979 UN Convention on the Elimination of Discrimination of Women (CEDAW), the sole UN human rights instrument dealing with women. While women with disabilities do not appear in the treaty text, they are included in General Recommendation 18 where CEDAW's monitoring body asks state's parties to report on women with disabilities. According to Prof. Degener, "If states fail to mention women with disabilities in their reports then monitoring bodies often will not ask about them."

Sebenzile Matsebula discussed discrimination against women with disabilities in a cultural context, citing that in many African countries women are expected to serve their family and often women with disabilities are seen as incapable of fulfilling the duties of a "proper wife," denying them both their rights and their dignity. Charlotte

McClain went on to note that in many countries, especially developing ones, there is a feminization of poverty in relation to women with disabilities, who are marginalized within an already marginalized group; of women in poverty, those with disabilities are frequently the poorest. In addition, Ms. McClain urged that specific issues related to women with disabilities need to be addressed, including: violence in the private sphere, armed conflict, and HIV/AIDS. "In order for a convention to address the issues," Ms. McClain explained, "you need to know what the issues are."

What Must Be Done

Sebenzile Matsebula made clear the need for a unified representation of women with disabilities within the UN. Even though there is a good representation of such women in leading position within disability organizations, "there is no single NGO devoted to the rights of women with disabilities accredited at the UN and that leads to exclusion" in the UN human rights framework. She also underscored the need to strengthen the voice of women with disabilities by increasing advocacy efforts, including asking UN organizations mandated to address women's issues specifically how they will engage the issue of disability.

Charlotte Bunch spoke strongly about the need to make a convention on disability rights gender sensitive from the very beginning, thereby bringing women with disabilities to the forefront of the human rights framework and empowering them to become visible citizens. Ultimately, this requires a shift in thinking - from the treatment of disability as a social welfare issue to that of a human rights issue. Prof. Bunch explained that "treaties become part of the struggle in realizing our rights," and enable society to "change the conditions that victimize certain people," rather than to perpetuate the view of those victims as "people needing protection."

In order for this shift to occur, the convention process must successfully adapt to incorporate the rights of this marginalized group. How do we ensure that the legislation we develop addresses all the violations it should? Prof. Bunch advised that tribunals or hearings could provide a useful forum in which women can speak out and catalog the particular issues that need to be addressed. She stressed that we "need to mainstream women's disabilities and keep it on the agenda" and added that, "Every time a group of women describes the particular situation they're in, [the women's movement] grows richer."

Ms. McClain closed the meeting, reiterating the need to strengthen the intersection between gender and disability discrimination to ensure protection of victims of dual or multiple discrimination. She also emphasized that a convention must be comprehensive enough to influence both the public and private spheres and universal enough to function at local, national, and international levels. It is essential to maintain and strengthen NGO-government partnerships through panel presentations, informal discussions, and open dialogue, which are vital to any treaty drafting effort. In the end, Ms. McClain emphasized, "Women with disabilities need to be part of the decision making process."

Towards an Inclusive Disability Convention

In an effort to make a future disability convention gender sensitive, Prof. Degener insists that women with disabilities need to be included in any equality/non-

discrimination clause and explicitly mentioned in areas of concern such as education, employment, violence, eugenic health programs and practices and access to health services and family life.

In informal discussions after the luncheon several suggestions were made. It was recommended that any treaty drafting effort - NGO or state driven - proactively approach women's rights organizations, such as International Women Rights Action Watch, to learn from their experiences with advocating for women's rights in UN bodies and forums.

Additionally, NGOs interested in ensuring the inclusion of the rights of women with disabilities in any draft document can approach the CEDAW experts, who will meet next week to examine state's report, for guidance and feedback on how issues related to women's rights can be systematically included in a Convention on Disability.

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