

## COMMEMORATING THE INTERNATIONAL DAY FOR THE ELIMINATION OF VIOLENCE AGAINST WOMEN

## AGAINST THE FORCED STERILISATION OF GIRLS AND WOMEN WITH DISABILITIES



**25th November 2009**

Today, 25th November, **International Day for the Elimination of Violence against Women**, the European Disability Forum (EDF) joins the struggle against all forms of gender violence, to which thousands of women in the European Union and worldwide fall victim.

In light of the *United Nations Convention on the Rights of Persons with Disabilities* (Article 12, *Equal recognition before the law*, Article 16, *Freedom from exploitation, violence and abuse*, Article 17, *Protecting the integrity of the person*, and Article 23, *Respect for home and the family*), EDF recognises that forced sterilisation is a form of violence that violates the rights of person with disabilities to form a family, decide on the number of children they wish to have, gain access to information on family planning and reproduction, and retain their fertility on an equal basis with others.

### **In light of the above, EDF declares:**

- In several countries in Europe there is clear evidence that forced sterilisation continues to be carried out on many persons with disabilities, above all on girls and women with intellectual or psychosocial disabilities and without their consent or their understanding the specific purpose of the medical operation, under the pretext of the wellbeing of the person with disabilities.
- For many girls and women with disabilities this experience, to which they are forced against their will, intimidated and pressured, is a denial of their right to access appropriate services. Their fundamental human rights, including the right to safeguard body integrity and maintain control over their reproductive health, are violated and removed, at times without their realising.
- The consent of the parents or person that represent a girl or woman with a disability, when requested because of her minor age or previous legal incapacitation, must in all cases be based on the respect of the human rights and will of the women or girl with a disability. It is also the responsibility of the relevant medical personnel to ensure that the woman or girl with a disability is adequately informed about the fact that the

surgery or medical intervention will lead to her being sterilised and the consequences of this for her future.

- Women and girls with disabilities have the same right to maternity as other women. Adequate services are the solution for ensuring that women in need of support can enjoy this right fully.

**In light of the above, EDF calls for:**

- All public powers to revise the legal framework regulating forced sterilisation, addressing the issues of “informed consent” and “legal capacity” in order to make the necessary accommodations and fulfil the spirit of, and obligations under, the Convention, which requires signatories to introduce legal reforms acknowledging that respect for the home and family and the dignity and integrity of persons with disabilities are fundamental rights which may not be violated.
- Studies to be undertaken to bring to light the reality of sterilisation in Europe in the case of persons with disabilities, such studies to include the perspectives of gender, age and type of disability and offer accurate statistical data on forced and therapeutic sterilisation.
- Necessary measures to be taken in terms of awareness, information and training aimed at both the families of girls and women with disabilities who are most vulnerable and at greatest risk of suffering forced sterilisation, and professionals, above all health care professionals and those involved in the legal field, to ensure they listen to the voices of girls and women with disabilities during legal investigations and proceedings. These measures shall be taken in close co-operation with representative organisations of persons with disabilities.
- Appropriate schemes must be developed with the objective to ensuring both that pregnant women and girls with disabilities get support in preparing for maternity and that mothers with disabilities in need of support to take care of their children have access to adequate assistance and services.

**LET'S JOIN FORCES TO PUT AN END TO GENDER VIOLENCE ONCE AND FOR ALL!**

**TOGETHER WE CAN!**