

Committee on the Rights of Persons with Disabilities (CRPD)

Human Rights Treaties Division (HRTD)
Human Rights Treaties Branch Human Rights Council and Treaty Mechanisms
Division (CTMD)
Office of the United Nations High Commissioner for Human Rights (OHCHR)
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Re: Lists of Issues for Georgia for the 13th Pre-sessional Working Group of the Committee on the Rights of Persons with Disabilities (30 March - 3 April 2020)

7 February 2020

Dear Distinguished Committee Members,

We respectfully submit this letter in advance to the 13th Pre-sessional working group of the Committee on the Rights of Persons with Disabilities for consideration of the List of Issues in relation to Georgia.

Equality Now is an international human rights NGO with the mission to achieve legal and systemic change that addresses violence and discrimination against women and girls around the world. Founded in 1992, Equality Now has offices in London, New York, Nairobi and Beirut, as well as consultants based in various parts of the world. Ending sexual violence, ending sex trafficking, ending harmful practices and achieving legal equality are the main areas of Equality Now's work. This submission is in reference to Equality Now's 2019 report, "Roadblocks to Justice: How the Law is Failing Survivors of Sexual Violence in Eurasia"¹ which identified gaps in the law, thereby allowing for actual and potential impunity for perpetrators of sexual violence crimes.

Around the world, women and girls with disabilities are particularly vulnerable to various forms of gender-based violence, including domestic and sexual violence. They face intersecting forms of discrimination based on their gender and disability and are often denied access to justice and protection mechanisms.

¹ https://www.equalitynow.org/roadblocks_to_justice

Women and girls with disabilities, particularly with psycho-social needs, face a number of barriers in accessing justice for different forms of violence, including domestic and sexual violence. The barriers include the lack of sufficient means (including technical) to report violence to the authorities; the lack of knowledge of law enforcement on how to obtain witness statements from women with disabilities (including from women with psycho-social needs); and the intersection of disability and gender-related prejudices through the process that many times leads to the impunity of perpetrators.²

Based on the above, in line with Georgia's obligations under the Convention on the Rights of Persons with Disabilities (CRPD) and specifically with reference to Article 13 (Access to Justice) and Article 16 (Freedom from exploitation, violence and abuse), and taking into account the information the Government of Georgia has provided in the initial report submitted under Article 35 of the Convention,³ we respectfully ask the Committee to request further information from Georgia on the following list of issues:

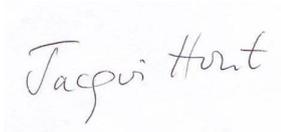
1. What is the reporting rate of domestic and sexual violence against women and girls with disabilities and what is the percentage of reported cases that result in the conviction of the perpetrator? Please, provide disaggregated information based on the form of violence (for example, domestic or sexual) and the age of the survivor;
2. In what ways do the authorities provide women with disabilities with gender and age sensitive information on how to avoid, recognise and report violence and abuse?
3. What mechanisms are there in place to remove barriers for women and girls with disabilities to be able to come forward and report violence to the police?
4. What are the specific assistance and support mechanisms available to women with disabilities after they report violence?
5. What are the safeguards that the authorities have in place to make sure that women with disabilities who are victims of gender-based violence do not face discrimination during criminal proceedings and are not denied justice based on their status?
6. What are the measures in place to provide protection and support for women victims of domestic and sexual violence throughout the criminal proceedings?
7. Do the authorities have a specific protocol to investigate violence against women and girls with disabilities, in particular sexual violence, including methodologies for interviewing the survivors and witnesses?
8. Do investigators, prosecutors and judges receive trainings about examining cases of violence, in particular sexual violence, involving female victims with disabilities?
9. What are physical, cognitive and psychological recovery, rehabilitation and social integration services available for women with disabilities who become victims of violence, in particular of sexual violence?

² See *Roadblocks to Justice: How the Law is Failing Survivors of Sexual Violence in Eurasia*, 2019, p. 30-31.

³ The state report was due in 2016, but had been received by the Committee on 19 July 2018.

Thank you very much for your kind attention and please do not hesitate to contact us if you require further information.

Sincerely,

A handwritten signature in cursive script that reads "Jacquie Hunt". The signature is written in dark ink on a light-colored, slightly textured background.

Jacqui Hunt
Director Europe/Eurasia