

## The situation of Women and Girls with Disabilities in Portugal

This short report was prepared by the **Disability and Human Rights Observatory** of the School for Social and Political Sciences / University of Lisbon in partnership with **241 Portuguese disability organizations**. This report was extracted from the larger Parallel Report submitted by the Portuguese civil society to the Committee on the Rights of Persons with Disabilities on June 2015. While we invite you to read the full report<sup>1</sup>, this paper highlights the most relevant obstacles specifically related to women and girls with disabilities:

### *Current Situation in Portugal*

1. The legal framework for the protection and promotion of the rights of persons with disabilities has undergone positive changes in recent years, namely with the approval of the Law that prohibits and punishes discrimination on the basis of disability and the Basic Law for Prevention, Rehabilitation and Integration of Persons with Disabilities. However, legal and programmatic gaps persist in relation to gender issues within the field of disability. In relation to these shortcomings, it is important to highlight:
  - a. **The non-recognition in the Portuguese legislation of the risk for multiple discrimination facing women and girls with disabilities.** The gender perspective has been absent from disability legislation and public policy in Portugal. The V Plan for Gender Equality, Citizenship and Non-discrimination 2014-2017 comprises one single measure focused on this issue, which calls for awareness-raising actions. This measure is clearly insufficient. The available data reveal that girls and women with disabilities have lower levels of education and employment than boys and men with disabilities as well as lower access to social support and rehabilitation services (Pinto, 2011; DRPI, 2012). These differences have implications for the well-being, inclusion and social participation of girls and women with disabilities, signalling important inequalities that must be addressed. The table below shows differences in access to social benefits between women and men with disabilities in 2013:
  - b. **Weak protection for violence against women and girls with disabilities.** Due to the heightened social and economic vulnerability, girls and women with disabilities are more exposed to gender-based violence than boys and men with disabilities. The lack of attention to the phenomenon of violence against women and girls with disabilities at the public policy level contributes to silencing this reality, facilitating its perpetuation. In the monitoring study carried out by the

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<sup>1</sup> Available at <http://oddh.iscsp.utl.pt/index.php/en/training-programmes/parallel-report/item/189-july-2015-|-oddh-coordinated-the-%E2%80%98parallel-report%E2%80%9D-about-the-convention-on-the-rights-of-persons-with-disabilities>

Observatory (Pinto et al., 2014) of the 31 interviewed women, 16 reported at least one instance of physical, verbal, psychological, sexual or economic violence or abuse (the incidence in the male group was only 6 in 29). The following testimony was one of those collected in the study:

**Table 1 - Beneficiaries of Disability-Related Social Benefits by Sex, Year 2013**

| Type of Social Benefit                       | Men     | Women   |
|--|---------|---------|
| Invalidity Pension                           | 138 121 | 128 759 |
| Disability Supplement                        | 51 146  | 32 037  |
| Special Education Allowance                  | 8 688   | 4 839   |
| Allowance for care provided by a third party | 7 449   | 5 761   |
| Living Allowance                             | 6 940   | 6 410   |

Source: Social Security Statistics

*My cousin has been living here for four years ... it seems he's been living here for a lifetime ... he doesn't make a move for anything: he doesn't rent a room, he doesn't find a wife. He said to me: "If I wanted women I could have many, I don't need you at all!" and he used me like one uses an old rag, do you understand me, young lady? (Sofia, 55 years old)*

- Poor visibility of issues linked to the sexual and reproductive rights of women with disabilities in the national normative framework.** Sexual and reproductive rights are human rights. However, in the national disability legal and policy framework these rights have received little attention – accessible information on these topics is scarce, there is a lack of training on these issues for technical staff, health professionals, families and persons with disabilities and the services and needed supports to enable girls and women with disabilities to experience an healthy sexual and reproductive life are practically non-existent. While forced sterilisation of women with disabilities is not allowed by the Medical Code of Ethics, except under court decision, the absence of legal regulations and the insufficiency of concrete actions in this domain compromise the exercise of human rights in a fundamental area for human expression and fulfilment.

### *Recommendations*

- To address the issue of multiple discrimination faced by girls and women with disabilities in the Portuguese legal and policy framework;
- To strengthen research and intervention in order to combat violence against persons with disabilities, namely domestic violence;

3. To strengthen policies, programmes and support services related to the promotion of the sexual and reproductive rights of women with disabilities;
4. To promote the training of sexual and reproductive health practitioners on disability-related issues.