

# Women and girls with disabilities experience higher rates of sexual violence and greater obstacles to accessing justice

*Governments must strengthen legal protections and ensure better access to support and justice for women and girls subjected to sexual and gender-based violence.*

NEW YORK, NEW YORK, UNITED STATES, December 6, 2023 /EINPresswire.com/ -- 16 Days of

“

In most cases, women with disabilities are repeatedly abused. The abuser feels impunity and takes advantage of their vulnerable situation.”

*Lira Ismailova, Bir-Duino Kyrgyzstan Human Rights Movement (BDK)*

Activism is a global initiative to combat violence against women and girls. Worldwide, around one in five women are living with a disability and they are estimated to be up to [ten times](#) more likely to experience gender-based violence in their lifetime than those without a disability. To address this, governments need to strengthen legal protections and ensure better access to support and justice for survivors.

ISOLATION AND HARMFUL STEREOTYPES PREVENT ACCESS TO JUSTICE FOR RAPE SURVIVORS

Between 40 to 68 per cent of girls with disabilities experience sexual violence before the age of eighteen, and especially vulnerable are girls with mental disabilities, reports UNFPA.

In Kyrgyzstan and countries across Eurasia, this is exacerbated by insufficient protections in sexual violence laws, stigmatization of survivors, and discriminatory procedures applied in instances when the victim has a disability.

A 2023 study, [Sexual Violence and Disability in Kyrgyzstan: Law, Policy, Practice, and Access to Justice](#), identifies and analyzes legal, procedural, and socio-cultural barriers that leave women and girls with disabilities in Kyrgyzstan more vulnerable to sexual violence and makes it harder for survivors to attain justice within the criminal justice system.

The report was produced jointly by international women’s rights organization Equality Now and two Kyrgyzstan non-governmental organizations, Union of Persons with Disabilities Ravenstvo (Equality) and Bir-Duino Kyrgyzstan Human Rights Movement (BDK).

## OBSTACLES FACING WOMEN AND GIRLS WITH DISABILITIES SUBJECTED TO SEXUAL VIOLENCE

In Kyrgyzstan, few cases of sexual violence make it to court, and women and girls with disabilities face even greater obstacles in reporting abuse and accessing justice.

Challenges include harmful stereotypes that frame them as unreliable witnesses and imperfect victims, and police and legal professionals without adequate training.

Law enforcement personnel are often reluctant to open cases involving women and girls with disabilities, which may partly be due to a lack of knowledge on how to obtain witness statements. Survivors also experience practical barriers such as no wheelchair-accessible entrances at police stations and courts.

A major reason for low rates of reporting and prosecution of sexual crimes is the existing culture of shame. Survivors are frequently subjected to considerable pressure from family members to keep abuse secret due to “uyat” - the idea that one must not bring shame on relatives. Law enforcement commonly fails to protect survivors from these coercive forces.

As with many countries, Kyrgyzstan has a [limited definition of rape based on the use of force](#). In the overwhelming majority of cases, sexual violence crimes are prosecuted only when physical injuries are found on the victim’s body, as well as biological materials associated with a sexual act.

If a forensic examination does not provide such evidence, like when a long time has passed since the abuse occurred, a victim’s testimony may not be believed. This is especially so if she has a mental disability, even if that disability does not affect her being able to comprehend what has happened to her.

Kyrgyz law also requires that victims with disabilities undergo a psychological assessment to determine their capacity to give testimony – a practice that goes against human rights standards and often leads to cases being dismissed, thereby enabling perpetrators to go unpunished.



Credit: Equality Now, Tatiana Zelenskaya

Local experts warn that women and girls in residential institutions and hospitals are particularly vulnerable to sexual violence, including from staff and others providing services. As there are no confidential complaint mechanisms, cell phones are forbidden, and patients can only make calls in the presence of caregivers, violations can occur with widespread impunity.

Lira Ismailova, National Coordinator of Human Rights at Bir-Duino Kyrgyzstan Human Rights Movement (BDK), explains, “Persons with disabilities based on mental illness or mental impairment are among the most vulnerable. In most cases, women with disabilities are repeatedly abused. The abuser feels impunity and takes advantage of their vulnerable situation.

“Often, women with disabilities cannot report violence committed against them due to their isolation, lack of knowledge of their rights, helplessness, and dependence. Unfortunately, in many cases, it is the caregivers or relatives themselves who are the abusers.”

## STRENGTHENING THE HANDLING OF SEXUAL VIOLENCE CASES

It is important to note that Kyrgyzstan has introduced some helpful measures to strengthen access to justice for women and girls with disabilities, and Janette Akhilgova, a co-author of the report and Russia and Central Asia Consultant at Equality Now, says it is inspiring to see the political will to bring positive change.

Akhilgova also reflects, “Kyrgyzstan has an obligation to address sexual violence and provide access to justice for all survivors according to the international conventions it has ratified. This includes giving adequate and accessible support for women and girls with disabilities. There are many challenges within systems of prevention, reporting, and prosecution and these impediments must be removed.”

Gulmira Kazakunova, director of the Union of Persons with Disabilities Ravenstvo, adds, “The legislation of Kyrgyzstan lacks the acceptance that women with disabilities are subject to double discrimination, as well as the concept of direct and indirect discrimination based on disability and gender. There is a need for an appropriate, competent body or committee to monitor the process of including the principle of non-discrimination in all legislative acts.”

To support Kyrgyzstan in further strengthening its responses to sexual and gender-based violence, the report provides various recommendations to the government.

First and foremost, survivors need comprehensive support from the state, including access to safe and suitable accommodation.

Criminal justice professionals - investigators, prosecutors, judges, lawyers, and forensic experts - require sufficient gender-sensitive training on best practices in handling cases, and a proactive

system for detecting violence and abuse has to be implemented. This entails families of women and girls with disabilities receiving regular visits by social services with the purpose of, among others, detecting instances of abuse and neglect.

In addition, Kyrgyz law states that free legal aid is available to individuals with physical and psycho-social disabilities, but in practice, victims are often not informed about this right. That needs to change.

The legal definition of rape should be amended so that the law is based on a lack of genuine and voluntary consent rather than requiring the use of force, and burdensome standards of evidence to prove rape should be eliminated.

Victim-centred guidelines about what consent entails, including in relation to women and girls with disabilities, need to be established and implemented, and this should be accompanied by campaigns to debunk rape myths and harmful stereotypes about people with disabilities.

The statute of limitations specifying the amount of time a victim has to report sexual abuse before prosecution is no longer possible should be extended. This would take account of the many reasons why it may take a victim a long while to report a crime and would send an important message that rape is a serious offense that should never escape punishment.

Tara Carey  
Equality Now  
+44 7971 556340

[email us here](#)

Visit us on social media:

[Facebook](#)

[Twitter](#)

[LinkedIn](#)

[Instagram](#)

[YouTube](#)

[Other](#)

---

This press release can be viewed online at: <https://www.einpresswire.com/article/672609415>

EIN Presswire's priority is source transparency. We do not allow opaque clients, and our editors try to be careful about weeding out false and misleading content. As a user, if you see something we have missed, please do bring it to our attention. Your help is welcome. EIN Presswire, Everyone's Internet News Presswire™, tries to define some of the boundaries that are reasonable in today's world. Please see our Editorial Guidelines for more information.

© 1995-2023 Newsmatics Inc. All Right Reserved.