

Double discrimination

Over 650 million people worldwide live with a disability. They are all at greater risk of marginalisation and exclusion from society, but this is especially egregious for girls and women with disabilities.

In today's session, panel co-chair Littler Mendelson PC's Phillip Berkowitz argues disability rights should be treated as human rights. Too often disability discrimination is not viewed as a human rights issue. "It is important that disabled people are treated with the same rights and dignities," Berkowitz explains.

According to Berkowitz, session speakers will focus specifically on disability discrimination as it affects young girls and women. Females with disabilities are often victims of 'double discrimination', he tells the IBA Daily News.

"Worldwide, women have less educational opportunities than men," he says. "When it comes to accessing an education, disabled girls and women can face discrimination on the basis of their gender, as well as their disability."

In the face of a myriad of

social, cultural and economic obstacles, coping with disability can be very challenging for women and young girls, says session co-chair Regina Glaser, from the German law firm Heuking Kühn Lüer Wojtek. "It is particularly difficult for disabled women to combine a career with a family," she says.

The crux of the issue concerns its implementation at the local level

"The prospect of motherhood alone is extremely daunting."

Cultural stereotyping is also particularly relevant. In some countries, disabled girls and women are more likely to face institutionalisation. Once inside, they are more vulnerable to physical and sexual abuse.

Cultural beliefs regarding HIV/AIDS and virginal rape, as well as the perception of disabled women as asexual beings, can compound this.

The gravity of the issues faced by disabled girls and women vary from country to country. As Glaser explains, 80% of disabled people live in a developing country and women in such countries are often victims of abuse. "It is very challenging," she says.

In developed countries the protections tend to be more advanced but they are limited to the employment sphere. Today's session, Berkowitz explains, will reach out beyond employment to focus on a broader cross-section of issues.

The UN response

The United Nations has enacted legislation to address a myriad of issues relating to disability discrimination. These include the Convention on the Rights of Persons with Disabilities as well as the Convention to Eliminate All Forms of Discrimination against Women.

And yet, Glaser argues,

legislation alone is not fully effective in the fight against disability discrimination for girls and women. "Legislation is one thing but it is only useful if authorities make provisions for its take up," she says.

The crux of the issue concerns its implementation at the local level, Berkowitz says. "The real issue is how these laws can be brought into practice in a way that ensures opportunities at a more granular, local level," he says.

What's next?

There are a number of cultural barriers to overcome. But national change must start with the introduction of legislation; this then drills down into a country's culture. But Berkowitz and Glaser warn this is a process that takes some time.

"Some cultures – even in advanced economies like Germany and the US – took years to bring about the necessary changes and even then problems remain," says Glaser. "In other cultures, it is going to be an even bigger challenge".

SESSION NAME

International disability discrimination: a special focus on the challenges facing women and girls

PLACE/TIME

**Wednesday 9th October
2.30pm-5.30pm
Room 313, Third level**

Key takeaways

- Over 650 million people worldwide live with a disability. They are all at greater risk of marginalisation and exclusion from society, but this is especially egregious for young girls and women with disabilities.
- In fact, females with disabilities are often victims of 'double discrimination'.
- This afternoon's session will outline why disability rights should be treated as human rights and assess how to effectively fight against disability discrimination for girls and women.