Article 16: Illustrative indicators on freedom from exploitation, violence, and abuse

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Prevention of and protection against all forms of exploitation, violence, and abuse and provision of redress				
Attribute/type of indicator	**Domestic violence**	**Violence within public and private institutions**	**Violence within the community, including harmful practices**	**Trafficking in persons**
Structure	16.1: Legislation criminalizing, protecting against and preventing all forms of exploitation, violence and abuse inclusive of persons with disabilities,[a] with sanctions for perpetrators and effective remedies for victims 16.2: No provision in legislation that permits exemption from criminalization of non-consensual practices of any kind, including those based on the restriction or denial of legal capacity, or actual or perceived impairment of the victim and/or the determination of best interest by a third party 16.3: Adoption of national plan/policy to prevent, detect and combat violence, abuse and all forms of exploitation with explicit reference to persons with disabilities that addresses the particular needs of women, children and older persons, and persons with all types of impairment in private and public settings[b] 16.4: Programmes adopted for the recovery, rehabilitation and social reintegration of victims of exploitation, violence and abuse, including the provision of protection against retaliation and assistance services, including shelter and housing, that are culturally appropriate, non-discriminatory and inclusive of persons with disabilities[c] 16.5: Statutory requirement to collect data on complaints, investigations and convictions related to exploitation, violence and abuse of persons with disabilities, disaggregated by sex, age, disability, and form of exploitation, violence and abuse			
	16.6: Legislation enacted to criminalize rape and forced marriage, and for the elimination of all exemptions to the criminalization of any non-consensual practice on the basis of marital union	16.7: Measures taken to protect children and adults with disabilities who are still residing in institutions and residential settings from being exposed to exploitation, violence, abuse, neglect and other violations[d] 16.8: Appointment of independent authorities to conduct regular monitoring and inspections of all public and private facilities and programmes designed to serve persons with disabilities, with the competence to initiate legal proceedings for the enforcement of related legislation, including on preventing and combating violence 16.9: Legal recognition of the denial of reasonable accommodation within public and private institutions as disability-based discrimination, which may amount to a violation of the mental and/or physical integrity and dignity of the individual[e]	16.10: Legislation enacted to criminalize harmful practices commonly committed against persons with disabilities[f] 16.11: Legislation enacted to prohibit incitement to discrimination, hostility, violence and "hate speech" explicitly includes disability among protected grounds	16.12: Legislative provisions that criminalize trafficking in persons[g] and trafficking in body parts explicitly refer to persons with disabilities 16.13: Proportion of programmes to prevent and protect against trafficking and exploitation, including for the purpose of begging, that are inclusive of children and adults with disabilities
Process	16.14: Percentage of shelters and other accommodation and refuge centres for victims of violence that are fully accessible in terms of the physical environment and communication, by city and region 16.15: Percentage of social services and support programmes for victims of violence that are accessible in terms of the physical environment and communication, by city and region			

<table>
<tr><td></td><td colspan="4">16.16: Number of operating accessible hotlines and reporting mechanisms, and number of persons of disabilities who have gained access to hotlines and reporting mechanisms to seek assistance and report complaints of exploitation, violence and abuse
16.17: Proportion of population that feel safe walking alone around the area they live in (Sustainable Development Goal indicator 16.1.4), by sex, age and disability
16.18: Budget allocated to and spent on prevention and response to exploitation, violence and abuse directed at persons with disabilities, including consultations and monitoring of services
16.19: Number and proportion of staff working in law enforcement and criminal justice, education and health services, and social services for victims of violence, including at shelters and other centres, hotlines and reporting mechanisms who received training on the obligations to prevent, identify, investigate and sanction exploitation of, violence against and abuse of persons with disabilities, including combating disability-based discrimination and non-consensual, restrictive or coercive practices[h]
16.20: Number of awareness-raising campaigns and activities to eradicate exploitation of, violence against, abuse of, and harmful practices against persons with disabilities, including those combating negative stereotypes and making available information and programmes to educate persons with disabilities about their rights, how to seek protection, assistance, services and support in gaining access to justice, including the campaigns and activities integrated into school curricula and human rights education programmes; and proportion of population who gained access to those campaigns and activities, disaggregated by age, sex, disability and geographical location[i]
16.21: Proportion of population who think that abuse or violence against persons with disabilities is acceptable or tolerable
16.22: Number of consultation processes undertaken on the design, implementation and monitoring of laws, regulations, policies and programmes related to exploitation, violence and abuse, and proportion of persons with disabilities who participated in those processes, disaggregated by age, sex, disability and geographical location[j]
16.23: Proportion of victims of violence in the previous 12 months who reported their victimization to competent authorities or other officially recognized conflict resolution mechanisms (Sustainable Development Goal indicator 16.3.1), disaggregated by sex, age and disability
16.24: Proportion of complaints received alleging exploitation of, violence against and abuse of persons with disabilities that have been investigated and adjudicated; proportion of those found in favour of the complainant; and proportion of the latter that have been complied with by the Government and/or duty bearer; each disaggregated by type of mechanism</td></tr>
<tr><td>Outcome</td><td colspan="4">16.25: Proportion of population subjected to physical, psychological or sexual violence in the previous 12 months (Sustainable Development Goal indicator 16.1.3), by sex, age and disability.
16.26: Proportion of young women and men aged 18–29 years who experienced sexual violence by age 18 (Sustainable Development Goal indicator 16.2.3), by sex, age and disability.</td></tr>
<tr><td></td><td rowspan="2">16.27: Proportion of ever-partnered women and girls subjected to physical, sexual or psychological violence, abuse or exploitation by a current or former intimate partner in the previous 12 months, disaggregated by form of exploitation, violence or abuse, by age</td><td colspan="3">16.28: Proportion of women and girls subjected to sexual violence by persons other than an intimate partner in the previous 12 months, by age and place of occurrence (based on Sustainable Development Goal indicator 5.2.2) and disability</td></tr>
<tr><td></td><td>16.29: Number of reported cases of exploitation, violence and abuse within public and private institutions,[k] by sex, age and disability</td><td>16.32: Proportion of women who were married or in a union before 15 and 18 years of age (based on Sustainable</td><td>16.34: Number of victims of trafficking in persons per 100,000 population, by sex, age and form</td></tr>
</table>

	(based on Sustainable Development Goal indicator 5.2.1.) and disability		Development Goal indicator 5.3.1), by disability 16.33: Proportion of girls and women who have undergone female genital mutilation/cutting, by age (based on Sustainable Development Goal indicator 5.3.2) and disability	of exploitation (Sustainable Development Goal indicator 16.2.2) and disability
	16.30: Proportion of children aged 1–17 years who experienced any physical punishment and/or psychological aggression by caregivers[l] in the past month (Sustainable Development Goal indicator 16.2.1), by sex and disability			
	16.31: Proportion of persons who were victims of physical or sexual harassment in the previous 12 months, by sex, age, disability status and place of occurrence (based on Sustainable Development Goal indicator 11.7.2)			

[a] Including rape; domestic violence; intimate-partner violence; trafficking in persons; harmful practices, including child, early and forced marriage, female genital mutilation, accusations of witchcraft, and confinement and concealment of persons with disabilities; non-consensual treatment, including non-consensual psychiatric interventions, other disability-specific non-consensual medical or social interventions, forced abortion and forced contraception; and physical, psychological, economic and sexual abuse, with particular attention paid to target groups, namely, women, children, older persons, persons of all sexual orientation and gender identities, and members of cultural minorities, indigenous persons with disabilities and persons with specific types of impairment, among others.

[b] For example, at home or school, or in boarding schools, community settings or social care institutions (e.g. orphanages and residential institutions), health facilities (e.g. psychiatric hospitals), nursing homes, prayer camps, prisons or work environments.

[c] With specific measures for women, children and older persons.

[d] "Institutions" include institutional settings of both a temporary or short-term nature, such as psychiatric wards, and long-term institutions.

[e] For example, the denial of reasonable accommodation in prison, which may lead to substandard conditions of detention that are incompatible with the right to physical and mental integrity on an equal basis with others.

[f] For example, child and forced marriage, female genital mutilation, accusations of witchcraft, confinement and concealment of persons with disabilities, and non-consensual treatment, including non-consensual psychiatric interventions, forced abortion and forced contraception. See joint general recommendation No. 31 of the Committee on the Elimination of Discrimination against Women/general comment No. 18 of the Committee on the Rights of the Child on harmful practices (2014) (paras. 15–16).

[g] For general guidance, see *Model Law against Trafficking in Persons* (United Nations publication, 2009).

[h] Training should also include:

- The human rights-based approach to disability
- Communication with persons with disabilities, including on alternative means and modes of communication
- The obligation to provide reasonable accommodation

[i] In particular for women, children, older persons, persons with psychosocial disabilities, persons with intellectual disabilities, persons living with HIV/AIDS and persons with albinism.

[j] This indicator requires verifying concrete activities undertaken by public authorities to involve persons with disabilities in decision-making processes related to issues that directly or indirectly affect them in line with article 4 (3) of the Convention on the Rights of Persons with Disabilities and general comment No. 7 (2018) of the Committee on the Rights of Persons with Disabilities, including consultation meetings, technical briefings, online consultation surveys, and calls for comments on draft legislation and policies, among other methods and mechanisms of participation. In this regard, States must:

- Ensure that consultation processes are transparent and accessible
- Ensure the provision of appropriate and accessible information
- Not withhold information or condition or prevent representatives of persons with disabilities from freely expressing their opinions
- Include both registered and unregistered organizations
- Ensure early and continuous involvement of persons with disabilities
- Cover related expenses of participants

[k] Including schools, health and social services, and prisons and other institutions.

[l] This may include a provider of a health service or an education service, among others.