**Maryanne Diamond, IDA**

**Panel I, DGD**

We all in this room are the converted- some of us have participated in negotiating the CRPD, 18 of you are the honourable experts overseeing its implementation, and most likely all of us are actively working on its implementation in one way or another, whether it be in DPOs, national monitoring frameworks, governments, UN or international development agencies or academics. We can assume that we all believe in the paradigm shift which the CRPD brings: a new vision of society in which difference and diversity is a social good and everyone’s inclusion and participation is valued.

Inclusive education is the starting point of this vision and we should never underestimate what it means for all members of society to learn together- as children, adolescents and adults, throughout life- and the transformative impact it has on the community. And also that it has a transformative impact on the individual when their learning needs are met and their full learning potential reached in this environment.

Inclusive education is about both these aspects- ensuring inclusion within the community of learners and the wider community, and maximising the individual’s academic and social development. Sometimes this is seen as incompatible which is why today there is reluctance in many countries where competition drives education. Reluctance also arises due to lack of know how- and very commonly inclusive education is not implemented due to lack of coordination and failure to embrace an approach which acknowledges and permits tangible transformation.

I would like to speak very concretely about what approaches can and should be taken in the law and policy for this transformation.

First, even before we get to the law, there must be recognition that quality education *is* inclusive education and it benefits all children and all members of the community- both as a human right in and of itself, and as a tool for sustainable human development- covering all stages of education- primary, secondary, higher education and lifelong learning. Inclusive education is not about integration, or diminishing learning to a common denominator- it is about responding to the diversity of all learners, be they persons with disabilities across all constituencies, girls, boys, women, men, older persons, persons from diverse ethnic, indigenous and linguistic backgrounds as well as migrants, refugees or asylum seekers or other intersecting identities – so responding to a diversity of learners and within a diversity of environments- urban, rural and remote, humanitarian or conflict zones. The gender perspective and attention to intersecting identities is a key feature to ensure the effective inclusion and participation of each individual.

Second, in terms of legislation- a law must be in place which recognises the right to inclusive education and which is legally enforceable with immediate effect in terms of non-discrimination and the provision of reasonable accommodation. Schools should not be able to select the students they admit and students should be able to exercise their right to attend a mainstream school if that is their choice and to invoke this right before the courts if it is contested. Reasonable accommodation should be explicitly included in the law. In assessing reasonable accommodation, policy guidance must be given that considers measures in light of the State’s overall progress toward developing an inclusive education system, as well as in light of the body of resources of the State as a whole, and not restricted to the budget of a particular subdivision of the State.

Awareness raising and training and must also be carried out to ensure that these fundamental features of laws and polices are understood and operational from the highest levels of design and planning to the local authorities, schools and communities.

Further, legally enforceable remedies must be available and effective before the courts or an independent body subject to judicial review mandated to adjudicate complaints in a timely manner regarding decisions resulting in the denial of reasonable accommodation or related to placing children in segregated settings.

Third, general and individual measures of support must be made available, and accessibility of education must be inscribed in general accessibility action plans as well as those focused on education. This must address the content of school curricula and communications in national sign languages, Braille, augmentative and alternative modes; provision of assistive devices and ICTs, accessibility of environments including classrooms, libraries, recreational spaces, lavatories, libraries, and accessible public transport to and from school.

In terms of bilingual and multilingual education, students should be able to benefit from learning in an environment which responds to their linguistic needs. In particular, to have the choice of benefitting from learning in bilingual/multilingual schools and within sign language learning environments.

Fourth, training on inclusive education must be compulsory and figure as an integral part of core teacher training curricula in universities to ensure that the values and principles of inclusive education are infused at the outset of all teaching careers. In addition, the training of teachers with disabilities and their inclusion into mainstream schools should be supported to ensure native bilingual or multilingual teaching (for both deaf and hearing students, indigenous students). Inclusive education also means inclusion of a diversity of teachers who can serve as positive adult role models for students, in particular with whom students may more easily identify culturally and/or linguistically.

Fifth, public financing is a determinative factor for the implementation and success of inclusive education. The Committee has recognised the need for States to allocate more resources for the development of inclusive education systems and to reinvest resources from special schools to inclusive schools. Many challenges arise in changing the public system of financing which must be considered for effective implementation:

For example, under a special education system, allocation of resources is commonly ring-fenced within one budget holder, yet the holistic approach of inclusive education requires the engagement and resourcing of several authorities at the national and local levels to deliver the diversity of support required in terms of social protection, community based services and assistive devices, to name a few. Further, the lack of disaggregated data, including by gender, disability and other factors, impedes assessment of the existing situation to engage in effective planning, costing and resourcing of the changes required for inclusive education. These factors also make it difficult to measure progressive realisation and the use of maximum available resources. Concerted strategies are needed to permit sustainable transformation of the system.

And my last point which is also a first point is that effective reform requires the coordinated action of many stakeholders at all levels and across government departments, which should be led by the Ministry of Education. It requires concrete objectives and action matched with timelines, benchmarks and indicators in order to measure outcomes and progress. To this end, together with DPOs, an action plan or strategy on inclusive education should be devised and adopted to guide implementation in all its facets. This strategy would incorporate all points I’ve raised with timelines for concrete action.

I would like to inform you that further information on these points can be found in [IDA’s written submission](http://www.ohchr.org/Documents/HRBodies/CRPD/DGD/2015/IDA.doc).

A [second joint submission is also available which IDA made together with the Centre for Reproductive Rights on inclusive comprehensive sexuality education](http://www.ohchr.org/Documents/HRBodies/CRPD/DGD/2015/IDA_CRR.doc) which is an important and often neglected area when it comes to the education of girls and boys, adolescents and also adults with disabilities.

Finally, we are holding a [side event](https://www.youtube.com/watch?v=2JKkHjKp2RM&feature=em-share_video_user) today at lunchtime in Room XXII on the perspective of women and girls with disabilities and the right to education. We hope you can join us.

To conclude, I would like to express my gratitude to the Committee for so enthusiastically embracing this very challenging subject. There is a need for more understanding, more guidance, strategies and collaboration to uphold this right for all. And this is an urgent need and we cannot wait; as we, the converted, all know: “Education is not about life, education is life itself.”