



**International Disability and Development Consortium (IDDC) Submission to the Office of
the High Commissioner on Human Rights:
“Protection of the Rights of the Child and 2030 Agenda for Sustainable Development”**

14th October 2016

The International Disability and Development Consortium (IDDC¹) welcome this opportunity to provide input the OHCHR report on the Protection of the Rights of the Child and the 2030 Agenda for Sustainable Development. IDDC is a global consortium of 28 disability and development non-governmental organisations (NGOs), mainstream development NGOs and disabled people's organisations (DPOs) supporting disability and development work in more than 100 countries around the world. The aim of IDDC is to promote inclusive development, with a special focus on promoting the full and effective enjoyment of human rights by all persons with disabilities living in economically poor communities in lower and middle-income countries.

Within this submission, we wish to draw particular attention to the rights of children with disabilities. Globally, children with disabilities are less likely to attend school², and much more likely to experience violence and abuse³. They rarely have their voices heard in matters that affect them, whether at home or in the public realm⁴. These deprivations and violations of the human rights of children limit their opportunities and potential later in life, making them less likely to gain employment and more likely to be trapped in poverty.

Given our experience with children with disabilities, this submission is responding directly to the guidance questions 1 and 2a as outlined in the OHCHR call for inputs.⁵

1. What key lessons learned from the experience of implementing the Millennium Development Goals should be taken into account to ensure that the rights of the child are protected in the implementation of the 2030 Agenda for Sustainable Development?

As persons with disabilities were not referenced in the Millennium Development Goals (MDGs), children with disabilities were in practice excluded from important development initiatives and funding streams around the world. The focus on aggregate measurements, such as net school enrolment, masked important inequalities of access as well as learning outcomes. Consequently, there was a recognition that advances made towards the MDGs

¹ <http://www.iddcconsortium.net/>

² The International Commission on Financing Global Education Opportunity Report 2016: The Learning Generation: Investing in Education for a Changing World, http://report.educationcommission.org/wp-content/uploads/2016/09/Learning_Generation_Full_Report.pdf

³ Jones, L et.al (2012) Prevalence and Risk of Violence against Children with Disability, *The Lancet*, [http://www.thelancet.com/journals/lancet/article/PIIS0140-6736\(12\)60692-8/fulltext](http://www.thelancet.com/journals/lancet/article/PIIS0140-6736(12)60692-8/fulltext)

⁴ Africa Child Policy Forum (2009), *Missing Voices: Children with Disabilities in Africa*

⁵ https://docs.google.com/document/d/1wDYf_IJ7pVFrmAGHUZdcnwiGAsFxOIHxsf9yuZez0/mobilebasic?pli=1

were slowed by inequality, and that progress tended to bypass those who were most disadvantaged because of disability, age, sex or ethnicity⁶.

The exclusion of children with disabilities from the progress made towards the MDGs therefore resulted in deprivations of the rights of children with disabilities, as they did not benefit from crucial advancement made on education, health and poverty reduction.

This important lesson – the need to explicitly mention persons and children with disabilities – has been taken on board by the international community within the new Sustainable Development Goals. In addition to its overarching principle of “leave no one behind” which applies universally across all 169 targets across the 17 Goals; seven targets have an explicit reference to persons with disabilities.

2. What approaches to implementing the 2030 Agenda would ensure the protection of the rights of all children, and that no child is left behind? Please define your response in relation to the following areas:

At an overarching level, the core human rights principles affecting children with disabilities should be a central approach to implementing the 2030 Agenda. The core principles of the Convention on the Rights of the Child (CRC) include development, protection, participation and non-discrimination. Additionally, the best interests of the child should guide law, policy and practice when making decisions that affect children. The Convention on the Rights of Persons with Disabilities (CRPD) outlines the following additional core principles, respect for dignity and autonomy, inclusion, diversity, accessibility, and respect for the evolving capacities of children. For deeper analysis on specific goals and targets, the provisions of the CRC and CRPD and their respective General Comments provide considerable detail for SDG implementation. This will ensure that implementation of the 2030 agenda contributes to tackling the exclusion and inequality currently experienced by children with disabilities, and hence make great advances towards the realisation of their rights.

a. Equality and non-discrimination

Promoting inclusive education, in line with CRPD article 24

One area where children with disabilities face high levels of discrimination is within education. Reliable global data on access to education for children with disabilities are lacking, but the recent report from the Education Commission estimates that half of the estimated 65 million primary and lower secondary-school age children with disabilities in developing countries are out of school.⁷ A previous study by Plan International documents that children with disabilities may be ten times more likely not to attend school⁸. Overall, children with disabilities are less likely to start school than other children, and have lower

⁶ The Millennium Development Goals Report 2011 and 2012, <http://mdgs.un.org/unsd/mdg/Resources/Static/Products/Progress2012/English2012.pdf> and http://www.un.org/millenniumgoals/11_MDG%20Report_EN.pdf

⁷ The International Commission on Financing Global Education Opportunity Report 2016: The Learning Generation: Investing in Education for a Changing World, http://report.educationcommission.org/wp-content/uploads/2016/09/Learning_Generation_Full_Report.pdf

⁸ Plan International (2013) Include us! A study of disability amongst Plan International's sponsored children: Full Report.

rates of staying and advancing onto higher levels of education.⁹ This is due to barriers such as a lack of legislative and policy frameworks to support inclusive education, institutionalization, lack of training for teachers on inclusive teaching methodologies, stigma and inadequate understanding about the nature of disability on the part of teachers, parents and community members. Further, learning environments are often inaccessible and not designed according to the principles of universal design, transport may be unaffordable or inaccessible, students lack assistive devices, curricula has not been adapted to meet the needs of children with disabilities, and learning materials are often not accessible^{10 11}. Moreover, schools often do not give consideration to the reasonable accommodations¹² that could be made to support and include children with disabilities.

In order to ensure that no children are left behind in implementing the education goals of the 2030 agenda, we recommend the development of longer-term inclusive education plans at global, national, regional and local level, to ensure that all children, including children with disabilities and in particular children with deafblindness and multiple disabilities, and intellectual, psychosocial and developmental disabilities, are included within an inclusive mainstream educational system in line with CRPD provisions.

Such measures must also ensure free, and compulsory quality primary and secondary education; including access to quality early childhood education and equal access to affordable and quality technical, vocational, business and tertiary education, including university.¹³

Eliminating violence against children with disabilities

Globally, children with disabilities are more likely to experience violence and abuse than their peers without disabilities¹⁴. Further, children with disabilities face a high risk of being socially rejected by their family or communities¹⁵. The social isolation and stigma often faced by children with disabilities put them at considerable risk of violence and exploitation in their own homes, as well as in care centers, schools, institutions or in the community.

As outlined in the Convention on the Rights of the Child and further elaborated in CRC General Comment 13, violence against children includes “all forms of physical or mental violence, injury and abuse, neglect or negligent treatment, maltreatment or exploitation, including sexual abuse”¹⁶. Children with disabilities are at heightened risk of violence for a variety of reasons, ranging from deeply ingrained cultural prejudices and social stigma related to disability, to the specific emotional, physical, economic, and social needs of children with disabilities and the corresponding responsibilities experienced by his or her family or community¹⁷. Further, children with disabilities are often reluctant or unable to

⁹ World Bank and World health organization (2011). *World report on disability*. pp.206.

http://whqlibdoc.who.int/publications/2011/9789240685215_eng.pdf

¹⁰ World Report on Disability, WHO and World Bank, 2011, page 212-216

¹¹ Banks, L.M. & Zuurmond, M. (2015). Barriers and enablers to inclusion in education for children with disabilities in Malawi. Norwegian Association of Disabled: Oslo, Norway.

¹² CRPD General Comment No. 4, Article 24: Right to inclusive education, CRPD/C/GC/4, 2 September 2016.

¹³ In line with CRPD Article 24

¹⁴ Jones, L. et al. (2012) ‘Prevalence and Risk of Violence against Children with Disabilities, The Lancet.

[http://www.thelancet.com/journals/lancet/article/PIIS0140-6736\(12\)60692-8/abstract](http://www.thelancet.com/journals/lancet/article/PIIS0140-6736(12)60692-8/abstract)

¹⁵ Handicap International and Save the Children (2011). *Out from the shadows. Sexual violence against children with disabilities*. http://www.savethechildren.org.uk/sites/default/files/docs/out_of_the_shadows_3.pdf

¹⁶ UN Convention on the Rights of the Child, article 19

¹⁷ United Nations/ Paulo Sérgio Pinheiro (2006). *World report on violence against children*. pp.68.

http://www.crin.org/docs/UNVAC_World_Report_on_Violence_against_Children.pdf

disclose and report abuse, due to lack of information about what constitutes violence and how to report it, as well as inaccessible child protection systems and negative attitudes towards persons and children with disabilities¹⁸. In addition, the isolation and social exclusion of children with disabilities results in abuse that often takes place outside of public spaces, making it difficult to witness or identify.

Violence against children with disabilities is a grave human rights violation in itself, and it becomes a barrier to realizing other rights and overall progress towards the 2030 agenda. For example, a recent study from Uganda showed that 84% children with disabilities in school experienced violence in school every week – perpetrated by their teachers and fellow students¹⁹. Violence in school thus becomes a barrier to inclusive education, as parents and caregivers become reluctant to send children with disabilities to school, and children with disabilities who are in school become more likely to drop out as a result of violence. Further, the school environment becomes less conducive to learning and development for children with disabilities.

Facilitating inclusive participation of children and youth with disabilities

Persons with disabilities are agents and beneficiaries of development, and the value of their contribution to the general well-being, progress and diversity of society has likewise been acknowledged at the highest level.²⁰ To ensure that progress on the 2030 agenda does not leave anyone behind, persons with disabilities and their representative organisations must be included in all phases of implementation, including planning, design, monitoring, evaluation and follow-up processes.

This is particularly important in the case of children and youth with disabilities, as they are often left out of consultative processes – they become excluded from consultations with persons with disabilities due to their age, and excluded from child and youth consultations due to lack of accessibility and equal opportunities. Overall, general channels through which children can have their voices heard, such as school councils and children’s parliaments, other consultative processes as well as judicial proceedings, often exclude children with disabilities, and do not acknowledge their capacities for participation.²¹ As disability is defined according to the CRPD as the interaction between individual impairments and barriers in society, children and youth are best placed to identify the barriers that hinder their full and effective participation within society and consequently also their inclusion within the 2030 Agenda. Facilitation of the participation of children with disabilities within consultations on SDG implementation is therefore of vital importance. This requires the provision of accessible information, assistive devices, communication aids and interpreters.²² In addition, training and sensitization is also needed among parents and professionals to strengthen their awareness of the obligation to listen to children with disabilities, give due consideration to their voices, and respond to their concerns.

¹⁸ Kuper et.al (2016) Protect Us! Inclusion of children with disabilities in child protection: Full Report. Plan International. Available at www.plan-international.org/protect-us

¹⁹ Kuper et.al (2016) Protect Us! Inclusion of children with disabilities in child protection: Full Report. Plan International. Available at www.plan-international.org/protect-us

²⁰ 'Outcome document of the high-level meeting of the General Assembly on the realization of the Millennium Development Goals and other internationally agreed development goals for Persons with disabilities: the way forward, a disability-inclusive development agenda towards 2015 and beyond', UN General Assembly resolution, 17 September 2013, A/68/L.1

²¹ Committee on the Rights of the Child; General Comment No. 9, The Rights of Children with Disabilities, CRC/C/GC/9, Feb 2007

²² Resolution of the General Assembly, Rights of the Child, A/Res/64/146, Mar 2010