

International Alternative Care Conference

Geneva, 3 to October 2016



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Hosts



Partners



The New Paradigm established by the Convention on the Rights of Persons with Disabilities

Article 7 - Children with disabilities

1. States Parties shall take all necessary measures to ensure the full enjoyment by children with disabilities of all human rights and fundamental freedoms on an equal basis with other children.
2. In all actions concerning children with disabilities, the best interests of the child shall be a primary consideration.
3. States Parties shall ensure that children with disabilities have the right to express their views freely on all matters affecting them, their views being given due weight in accordance with their age and maturity, on an equal basis with other children, and to be provided with disability and age-appropriate assistance to realize that right.

It is necessary:

- To consider children with disabilities in all services offered for children in general
- To consider children with disabilities in disability policies
- To consider the best interest of the child
- Children with disabilities should be able to express their opinion

Other references in the articles

- Preamble
- Article 3. General Principles
- Article 4. General Obligations
- Article 6. Women with disabilities
- Article 8. Awareness raising
- Article 16 - Freedom from exploitation, violence and abuse
- Article 18 - Liberty of movement and nationality
- Article 23 - Respect for home and the family
- Article 24. Education
- Article 25. Health
- Article 28. Adequate standard of living and social protection
- Article 30. Participation in cultural life, recreation, leisure and sport

Other relevant Articles for children with disabilities

- Article 9. Accessibility
- Artículo 10. Right to life
- Article 11. Situations of risk and humanitarian emergencies
- Article 12. Equal recognition before the law
- Article 31. Statistics and data collection
- Article 32. International Cooperation

Sustainable Development Goals

- Goal 1: End poverty in all its forms everywhere
- Goal 2: End hunger, achieve food security and improved nutrition and promote sustainable agriculture
- Goal 3: Ensure healthy lives and promote well-being for all at all ages
- Goal 4: Ensure inclusive and quality education for all and promote lifelong learning
- Goal 5: Achieve gender equality and empower all women and girls
- Goal 6: Ensure access to water and sanitation for all
- Article 32. International Cooperation

Reports

- The Committee has expressed concern about:
 - The lack of national programmes for children with disabilities
 - Existing programmes are limited solely to the prevention and early detection of disability
 - The lack of involvement of children with disabilities in decisions that affect their lives
 - Inadequate resources for implementation of public policies on inclusion of children with disabilities
 - The greater vulnerability of children with disabilities living in poverty to abandonment or placement in institutional care
 - The lack of information on children with disabilities who are at risk of ill-treatment and abuse, including indigenous children with disabilities.

General Comments

- General Comment on Article 6 Women and Girls with Disabilities
- General Comment on Article 9 Accessibility
- General Comment on Article 12 Equal recognition before the Law
- General Comment on Article 24 the Right to Inclusive Education

Recommendations

a) Combat multiple discrimination through inter alia:

- i. Repealing discriminatory laws, policies and practices that prevent children with disabilities from enjoying all the rights of the Convention; outlawing gender, age and disability-based discrimination and its intersectional forms; criminalizing sexual violence against boys and girls with disabilities; prohibiting all forms of forced sterilization;
- ii. Adopting appropriate laws, policies and actions to ensure the rights of children with disabilities are included in all policies, especially in policies related to children in general, as well as in policies on disability.
- iii. Addressing all barriers that prevent or restrict the participation of children with disabilities and ensuring that children with disabilities as well as the views and opinions, through their representative organizations, are included in the design, implementation and monitoring of all programmes which have an impact on their lives;
- iv. Collecting and analysing data on the situation of children with disabilities in all areas relevant to them in consultation with organizations of persons with disabilities with a view to guiding policy planning for the implementation of article 7, and eliminating all forms of discrimination, especially multiple and intersectional discrimination and improving data collection systems for adequate monitoring and evaluation.
- v. Ensuring that all international cooperation is disability, age and gender sensitive and inclusive, and including data and statistics on children with disabilities in the implementation of Agenda 2030 and the Sustainable Development Goals, targets and indicators, as well as other international frameworks.

b) Take all appropriate measures to ensure the development, advancement and empowerment of children with disabilities through, inter alia:

- i. The adoption of affirmative action measures
- ii. Support and promotion of the creation of organizations and networks of children with disabilities
- iii. The promotion of specific research on the situation of children with disabilities; the consideration of children with disabilities in data collection relating to persons with disabilities as well as to the broader population of children; involving children with disabilities and their representative organisations in the design, implementation, monitoring and evaluation of, and training for, data collection for improved public policies and practices.
- iv. Support and promotion of international cooperation and assistance to the full development of children with disabilities in their communities

The recommendations of the relevant United Nations bodies dealing with children shall be taken into account by all States parties and applied to children with disabilities.