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Participation of children with disabilities,
Gerison Lansdown

"We need to believe in ourselves and challenge negative opinions by showing how able we are."

"We need to be arguing for our own rights – not just rely on non-disabled adults to do this on our behalf."

"Disability is in the eyes of society. It is not in our eyes. If provided with opportunities, we can prove our worth."

(Quotes from children with disabilities in Nepal)

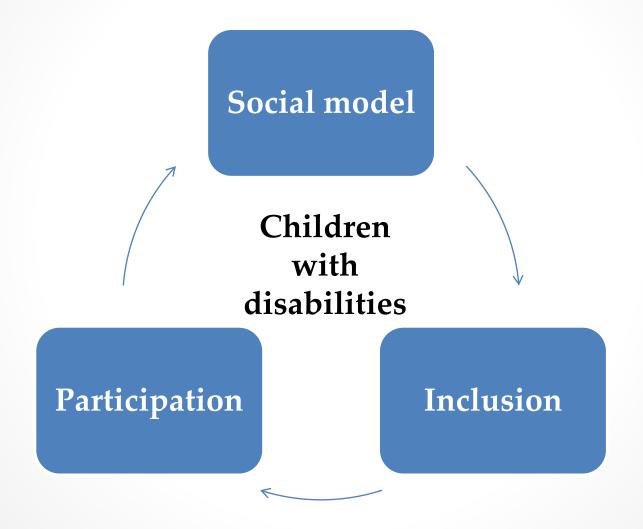
Overview

- Understanding CRC and CRPD on participation of children with disabilities
- Participation in practice
- Addressing the barriers
- Benchmarks for measuring the realisation of participation rights for children with disabilities

The context

- Inadequate data but estimates of between 100-150 million children with disabilities aged 0-18
- Many in institutions isolated and silenced
- Out of school where many opportunities for participation arise
- Infantilised and excluded from participation because of assumptions of incompetence
- Most initiatives exclude children with disabilities

A virtuous circle



What participation rights do children with disabilities have?

Right to participation

CRC	CRC General Comment: children with disabilities	CRPD
Article 12 establishes the right to express views	Children with disabilities must be entitled to	Article 7 requires provision of age and disability appropriate
General principle to be considered in the realisation	participate on the same basis as other	assistance to participate
of all other rights	children	Article 4 obliges governments to consult
Articles 13 -17 recognise children as active agents	They must be provided with practical measures	with children with disabilities when developing legislation and
Article 5 respects the evolving capacities of children	to make that possible	policies Article 2 requires respect
Article 23 – right of children with disabilities to participate fully		Article 3 requires respect for the evolving capacities of children with disabilities

Unpacking A12 CRC (A7 CRPD)

Applies to **all** matters of concern to them

Due weight must be given to their views

Every child, capable of forming a view, has a right to express their views freely

The right to be heard

Age and maturity must inform the weight given to the child's views

Why does participation matter?

Participation and the realisation of rights

General principles: non-discrimination, best interests, optimum development

Socio-economic rights: adequate standard of living, education, health, play

Participation

Protection rights:

from violence
economic
exploitation,
sexual exploitation

Civil rights: to information, freedom of expression, conscience, religion, association

Benefits of participation

Improved Citizenship outcomes

Strengthened accountability

Personal development

Enhanced protection

Social justice

Participation in practice

Approaches to participation

Participation as an end or a means?

Individual or group participation?

Separate or inclusive participation?

What level of participation?

Consultative participation

- Adult initiated
- Adult led
- Recognises the value of perspectives and experience of children with disabilities

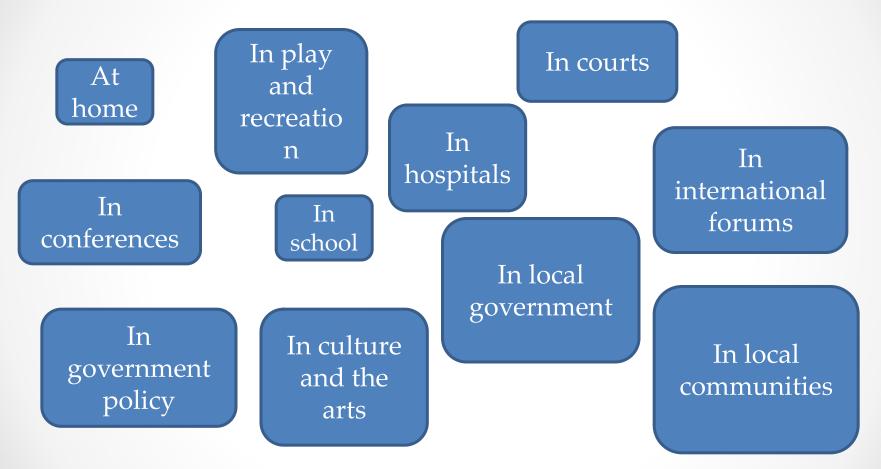
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- Adult initiated
- Involving partnership with children with disabilities
- Empowering children with disabilities to influence process and outcomes
- Allows for increasing levels of self directed action over time

Collaborative participation

- Child led participation
- Issues of concern identified by children with disabilities themselves
- Adults serve as facilitators rather than leaders
- Children have control over the process

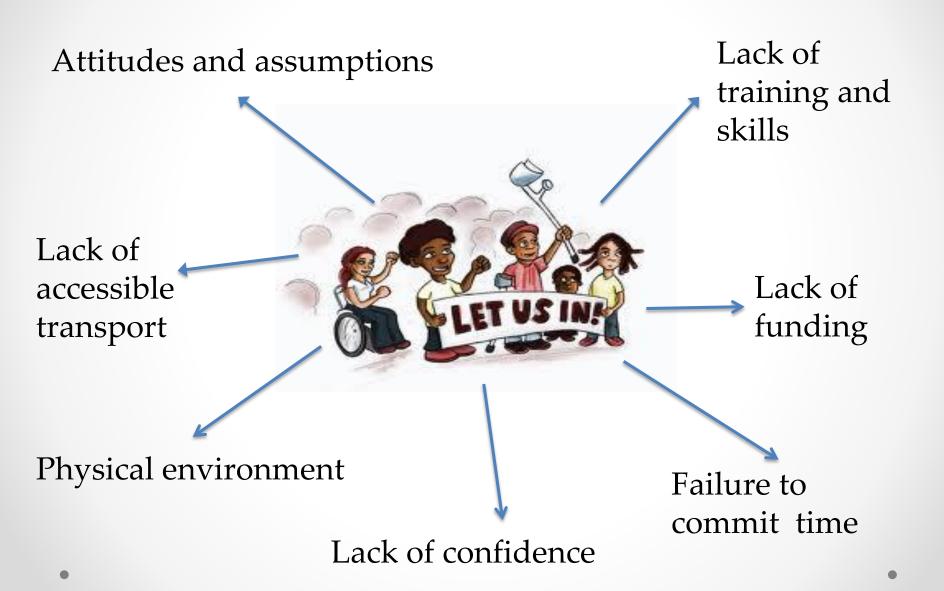
Where should participation take place?



In other words, at all levels of society and in all settings

Addressing the barriers

What are the barriers facing children with disabilities?



The invisibility of children with disabilities

- Children with disabilities are often hidden from view
- Necessary to reach out to find them:
 - ➤ Disabled People's Organisations (DPOs)
 - >Children's organisations
 - >Community mapping
 - Situation analyses, research and surveys
 - >Community-based services and institutions

Involving parents and caregivers

Allay fears Recognise as Engage as experts advocates

Benchmarks for measuring the realisation of participation rights

Moving towards entitlement

Participation as a legal right; Introducing a legal and policy recognition of evolving capacities; framework complaints, remedies and redress Training on participation for all professionals working with Raising adult awareness children with disabilities, as well as sensitization for parents Opportunities to influence Creating opportunities for government policies at local political engagement and national levels Information on rights and how to Access to information access them, access to different sources of information Opportunities to influence Involvement in family life, matters in day to day life education, health care, community issues etc

Conclusion

The right to be heard extends to every child, including children with disabilities



It will not happen unless explicit measures are taken to remove the barriers

It must be understood as an entitlement not a privilege



All duty bearers must take action to ensure its full realisation

Participation is fundamental to the dignity and humanity of every child with a disability



Represents a WIN-WIN for each child and the society s/he lives in





Instituto de Derechos Humanos "Bartolomé de las Casas"



COMITÉ ESPAÑOL DE REPRESENTANTES DE PERSONAS CON DISCAPACIDAD