



# **IDA's Compilation of CRPD Committee's Concluding Observations**

*Article 7 CRPD  
(Children with disabilities)*

October 2022

## 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.

**Bangladesh**  
**China**  
**Indonesia**  
**Japan**  
**Lao People's Democratic Republic**  
**New Zealand**  
**Republic of Korea**  
**Singapore**  
**Hungary**  
**Jamaica**  
**Mexico**  
**Switzerland**  
**Venezuela**  
**Djibouti**  
**France**  
**Estonia**  
**Albania**  
**Australia**  
**Ecuador**  
**El Salvador**  
**Greece**  
**India**  
**Iraq**  
**Kuwait**  
**Myanmar**  
**Cuba**  
**Niger**  
**Norway**  
**Rwanda**  
**Saudi Arabia**  
**Senegal**  
**Spain**  
**Turkey**  
**Vanuatu**  
**Algeria**  
**Bulgaria**  
**Malta**  
**Philippines**  
**Poland**  
**South Africa**  
**The Former Yugoslav Republic of Macedonia**  
**Haiti**  
**Nepal**  
**Oman**  
**Russian Federation**  
**Seychelles**  
**Slovenia**  
**Sudan**  
**Latvia**  
**Luxembourg**  
**Montenegro**  
**Morocco**  
**Panama**  
**United Kingdom of Great Britain and Northern Ireland**

**Armenia**  
**Bosnia and Herzegovina**  
**Canada**  
**Cyprus**  
**Honduras**  
**Iran (Islamic Republic of)**  
**Jordan**  
**Republic of Moldova**  
**Bolivia**  
**Colombia**  
**Ethiopia**  
**Guatemala**  
**Italy**  
**United Arab Emirates**  
**Uruguay**  
**Chile**  
**Lithuania**  
**Portugal**  
**Serbia**  
**Slovakia**  
**Thailand**  
**Uganda**  
**Brazil**  
**European Union**  
**Gabon**  
**Kenya**  
**Mauritius**  
**Qatar**  
**Ukraine**  
**Cook Islands**  
**Croatia**  
**Czech Republic**  
**Dominican Republic**  
**Germany**  
**Mongolia**  
**Turkmenistan**  
**New Zealand**  
**Denmark**  
**Belgium**  
**Ecuador**  
**Mexico**  
**Sweden**  
**Azerbaijan**  
**Costa Rica**  
**Australia**  
**Austria**  
**El Salvador**  
**Paraguay**  
**Argentina**  
**China**  
**Hong-Kong**  
**Hungary**  
**Peru**  
**Spain**

**Tunisia**

**Please note there are no recommendations on Article 7 in the first Concluding Observations on Republic of Korea.**

### **Bangladesh**

15. The Committee observes with concern:

- (a) Insufficient awareness about the laws and policies in place for the protection of children with disabilities, particularly the National Children Policy of 2011 and the Children Act of 2013 (amended in 2018);
- (b) The stigma, discrimination, negative attitudes, harmful practices and stereotypes that prevail against children with disabilities, including their lack of access to health care, education and other services, including corporal punishment against children, particularly children with disabilities and refugee children with disabilities.

**16. Recalling the joint statement of the Committee on the Rights of the Child and the Committee on the Rights of Persons with Disabilities on the rights of children with disabilities (2022), the Committee recommends that the State party:**

- (a) Develop a national strategy for the promotion and protection of the rights of children with disabilities, with sufficient budgetary allocations, human, technical and financial resources;
- (b) Adopt and implement necessary policy measures to address stigma, discrimination, negative attitudes, harmful practices and stereotypes against children with disabilities, and ensure their access to health care, education and other services without discrimination on an equal basis with other children, and prohibit all forms of corporal punishment against children, particularly children with disabilities.

### **China**

18. The Committee is concerned about the lack of strategies in place to ensure the inclusion of children with disabilities, particularly those in rural areas and from ethnic minorities, in all matters affecting their lives.

**19. With reference to the Committee on the Rights of the Child (CRC) and the Committee on the Rights of Persons with Disabilities (CRPD) Joint Statement on the Rights of Children with Disabilities (2022), the Committee recommends that the State party develop strategies to ensure the participation of children with disabilities in consultation processes for the implementation of the Convention that are inclusive, child-friendly, transparent and respectful of their rights to freedom of expression and thought.**

### **Indonesia**

14. The Committee observes with concern the absence of policies, mechanisms and processes to consult with children with disabilities, including in children's forums conducted under Law 35 of 2014, and to enable them to express their views in all matters concerning them.

**15. The Committee recalls the joint statement of the Committee on the Rights of the Child and the Committee on the Rights of Persons with Disabilities on the rights of children with disabilities (2022), and recommends that the State party establish policies, mechanisms and processes to facilitate the effective participation of children with disabilities within children's forums and in decision-making processes to ensure they can express their views freely on all matters affecting them on an equal basis with other children.**

### **Japan**

17. The Committee observes with concern the:

- (a) Early identification and rehabilitation system, as regulated by the Maternal and Child Health Act, directing children with disabilities, through their medical examination to their social segregation, hindering them from community and inclusive life prospects;
- (b) Lack of clear recognition of the right of children with disabilities to be heard, and to express their views freely on all matters affecting them in all relevant laws, including the Child Welfare Act;
- (c) Lack of full prohibition of corporal punishment of children, including children with disabilities, in home, alternative care and day care settings, as well as insufficient measures to prevent and protect children with disabilities against abuse and violence.

**18. With reference to the Joint Statement of the CRC and CRPD Committees on the rights of children with disabilities (2022), the Committee recommends that the State party:**

- (a) Review the existing legislation with the aim to recognize the right to full social inclusion of all children with disabilities and take all necessary measures, including universal design and reasonable accommodations, *inter alia*, alternative and augmentative methods of information and communication, to ensure their full enjoyment of the general childcare system from their earliest age on an equal basis with other children;
- (b) Recognize the right of children with disabilities to be heard, and to express their views freely on all matters affecting them on an equal basis with other children, including in judicial and administrative proceedings, and to be provided with disability and age-appropriate assistance and communication in accessible formats to realize that right;
- (c) Fully and explicitly prohibit the corporal punishment of children, including of those with disabilities, in all settings, and strengthen measures of prevention of and protection against abuse and violence of children with disabilities.

#### [\*\*Lao People's Democratic Republic\*\*](#)

**12. The Committee observes with concern:**

- (a) The multiple and intersectional discrimination against children with disabilities, particularly those affected by unexploded ordnance, children belonging to ethnic groups, children with intellectual and/or psychosocial disabilities, and autistic children;
- (b) The lack of support of children with disabilities in education and in terms of access to social services in the community, and their institutionalization in medical-social establishments;
- (c) The absence of mechanisms to consult with children with disabilities and to enable them to express their views in all matters concerning them.

**13. With reference to the Committee on the Rights of the Child (CRC) and the Committee on the Rights of Persons with Disabilities (CRPD) Joint Statement on the Rights of Children with Disabilities (2022), the Committee recommends that the State party:**

- (a) Ensure that law and policy on children's rights are inclusive of and protect all children with disabilities from all forms of discrimination, including those affected by unexploded ordnance, children belonging to ethnic groups, children with intellectual or psychosocial disabilities, and autistic children;
- (b) Ensure that all children with disabilities, including those in rural and remote areas, receive effective and appropriate protection, care and support, and are included in the community;
- (c) Establish a mechanism that respects the evolving capacities of children with disabilities to ensure that they can form their views and express them freely in all matters affecting them, and that these views are given due weight in accordance with the child's age and maturity.

#### [\*\*New Zealand\*\*](#)

**11. The Committee is concerned about:**

- (a) the lack of measures and standing mechanisms to ensure that children with disabilities, including Māori children with disabilities are able to express their views in legislative and policy development and decision-making processes;
- (b) The lack of disaggregated data collected on children with disabilities, including by the Ministry of Education and Oranga Tamariki (Ministry for Children) to inform implementation of national frameworks on children, such as the Child and Youth Wellbeing Strategy.

**12. The Committee recalls the Joint Statement of the Committee on the Rights of the Child and the Committee on the Rights of Persons with Disabilities on the rights of children with disabilities (2022), and recommends that the State party:**

- (a) Establish measures and standing mechanisms to ensure that children with disabilities, including Māori children with disabilities are able to express their views on an equal basis with other children;

**(b) Strengthen the collection of comprehensive disaggregated data on children with disabilities, including on Māori children with disabilities to inform effective early intervention, particularly in the fields of education, care and protection and youth justice.**

**Republic of Korea**

15. The Committee observes with concern:

- (a) The absence of mechanisms to consult with children with disabilities and to enable them to express their views in all matters concerning them;
- (b) The lack of access to general community-based services for children with disabilities;
- (c) That only 0.03 per cent of playgrounds are inclusive, which results in discrimination of children with disabilities and prevents them from enjoying their right to play on an equal basis with others.

**16. With reference to the joint statement of the Committee on the Rights of the Child and the Committee on the Rights of Persons with Disabilities on the rights of children with disabilities (2022), the Committee recommends that the State party:**

- (a) Establish a mechanism that respects the evolving capacity of children with disabilities to ensure that they can form their views and express them freely in all matters affecting them, and that these views are given due weight in accordance with the child's age and maturity;
- (b) Implement a policy on inclusion of children with disabilities in all areas of life, including family life and community life, by developing community-based rehabilitation programmes for children with disabilities;
- (c) Review the Children's Play Facility Safety Management Act to ensure that playgrounds are inclusive and accessible for all children with disabilities.

**Singapore**

13. The Committee observes with concern:

- (a) The lack of a comprehensive strategy to protect children with disabilities, in particular autistic children, children with intellectual disabilities and children with psychosocial disabilities, from stigma, discrimination, violence, ill-treatment and institutionalization;
- (b) That corporal punishment of children is legal, in violation of the fundamental right of all children to protection from corporal punishment and other cruel or degrading forms of punishment.
- (c) The absence of policies, mechanisms and processes to consult with children with disabilities, in which they can express their views in all matters concerning them.

**14. With reference to the Committee on the Rights of the Child (CRC) and the Committee on the Rights of Persons with Disabilities (CRPD) Joint Statement on the Rights of Children with Disabilities (2022), the Committee recommends that the State party:**

- (a) Adopt a comprehensive strategy to ensure that children with disabilities, including children with intellectual disabilities and children with psychosocial disabilities, are adequately protected from violence, exploitation and abuse, and mainstream a disability perspective in the Children and Young Persons Act and the National Youth Council;
- (b) Amend the Criminal Procedure Code 2010 and explicitly prohibit corporal punishment for children with disabilities without exception;
- (c) Ensure enforcement and monitoring of the protection of children with disabilities from violence, exploitation and abuse in all settings, including in schools, and promote positive, non-violent and participatory forms of child-rearing through awareness-raising campaigns and training programmes, in accessible formats;
- (d) Establish policies, mechanisms and processes to facilitate the effective participation of children with disabilities and ensure that they can express their views freely on all matters affecting them.

**Hungary**

14. The Committee observes with concern that:

- (a) The State party applies the concept of the best interests of the child by giving priority to the opinions of experts and to institutional care;
- (b) The State party's legislation discriminates against children with disabilities through section 7 (2) a of Act XXXI of 1997 concerning the protection of children and the placement of children under 12 years old in foster families, which exempts children with disabilities requiring higher levels of support, allegedly in their best interests, and thereby perpetuates their institutionalization;
- (c) There is a lack of access to general community-based services for children with disabilities, including as a consequence of the "individual development" measure, which results in discrimination against children with disabilities.

**15. With reference to the joint statement of the Committee on the Rights of the Child and the Committee on the Rights of Persons with Disabilities on the rights of children with disabilities (2022), the Committee recommends that the State party:**

- (a) Ensure that the concept of the best interests of the child is applied by taking into consideration the human rights model of disability, including the right of children with disabilities to express their views freely on all matters affecting them, as well as their right to a family life, including foster care;
- (b) Repeal provisions in the Child Protection Act that still allow for the institutional placement of children with disabilities and ensure the equality of children with disabilities with other children with respect to their right to a family life;
- (c) Ensure access to the general community-based social and educational services for all children with disabilities on an equal basis with other children by providing the necessary support and assistance to them.

#### **Jamaica**

14. The Committee observes with concern:

- (a) The absence of mechanisms to consult with children with disabilities and to enable them to express their views in all matters concerning them;
- (b) That despite the expansion of the Early Stimulation Programme available in 4 parishes out of 14 by creating three mobile units, the lack of access to these programmes island-wide due to lack of resources results in long waiting periods for assessment, early identification and intervention, in particular in rural areas;
- (c) That despite the fact that corporal punishment of children in Jamaica is unlawful in alternative care, in some day-care settings and in the penal system, it is not yet fully prohibited in the home, in day care for children aged 6 and over, and in schools, in violation of the fundamental right of all children to protection from corporal punishment and other cruel or degrading forms of punishment.

**15. The Committee recommends that the State party:**

- (a) Establish a mechanism that respects the evolving capacity of children with disabilities to ensure that they can form their views and express them freely in all matters affecting them, and that these views are given due weight in accordance with the child's age and maturity;
- (b) Expand the services of the Early Stimulation Programme by establishing more centres and mobile units to cover the requirements of children with disabilities island-wide;
- (c) Explicitly prohibit corporal punishment in all settings and ensure that the prohibition of corporal punishment is adequately monitored and enforced in all settings, including in schools and in relation to children with disabilities, and that positive, non-violent and participatory forms of child-rearing and discipline are promoted through awareness-raising campaigns and training programmes, in accessible formats.

#### **Mexico**

23. The Committee is concerned about:

- (a) The institutionalization of children with disabilities, and about the limited scope of specific measures taken to ensure that the rights of children with disabilities are protected, particularly in rural and remote areas, in indigenous communities and in migrant and refugee populations;

- (b) The lack of disaggregated data on children with disabilities, particularly on those living in institutions, on victims of violence and on those not attending school;
- (c) The insufficient measures adopted to ensure that children with disabilities can participate and express their views with respect to matters affecting them, such as legal proceedings, and the limited access to justice for children with disabilities, especially girls with disabilities who are victims of violence and abuse.

**24. The Committee recommends that the State party:**

- (a) Ensure that children with disabilities, especially those in rural and remote areas, in indigenous communities and in migrant and refugee populations, receive effective and appropriate protection, care and support, and are included in the community;
- (b) Compile disaggregated data on children with disabilities, particularly on those living in institutions, on victims of violence and on those not attending school;
- (c) Adopt measures allowing children with disabilities to express their views in all matters related to their lives, including in administrative and judicial proceedings.

**Switzerland**

15. The Committee notes with concern:

- (a) That the scope and application of the concept in the State party's legislation of "the good of the child" does not adhere to the principle and standard of the best interests of the child contained in the Convention, leading to inadequate decisions in matters concerning children with disabilities;
- (b) That children with disabilities face multiple and intersecting forms of discrimination;
- (c) The lack of accessible complaints and redress mechanisms for children with disabilities who have experienced discrimination, and that the planned ombudsman's office for children's rights, when established, may not have a mandate to receive and investigate complaints from children;
- (d) The insufficient measures to ensure that the views of children with disabilities are heard in all decisions affecting them, including in criminal and asylum proceedings.

**16. The Committee recommends that the State party:**

- (a) Strengthen the concept of "the good of the child" to ensure that it adheres to the standard of the best interests of the child under international law, develop guidelines for its application, and ensure that, in matters concerning children with disabilities, its application is in line with the human rights model of disability;
- (b) Ensure that law and policy on children's rights are inclusive of and protect all children with disabilities, including children with intellectual or psychosocial disabilities, autistic children, undocumented children with disabilities and migrant, refugee and asylum-seeking children with disabilities, from all forms of discrimination;
- (c) Adopt a strategy to ensure the inclusion of children with disabilities in all areas of life, and to foster a safe and nurturing environment that is respectful of the life and dignity of children with disabilities, on an equal basis with other children;
- (d) Establish the planned ombudsman's office for children's rights, and ensure that it is accessible to and inclusive of all children with disabilities and that it has a mandate to regularly monitor and evaluate progress at the federal, cantonal and municipal levels in the fulfilment of the rights of children with disabilities under the Convention and to receive, investigate and address complaints from children with disabilities;
- (e) Establish mechanisms that respect the evolving capacities of children with disabilities to ensure that they can form their own views and express them freely in all matters affecting them, including in criminal and asylum proceedings, and ensure that their views are given due weight in accordance with their age and maturity; and ensure that they receive disability- and age-appropriate support to realize their right to be heard.

**Venezuela**

12. The Committee is concerned about:

- (a) The lack of information on and monitoring and assessment of the situation of children with disabilities who were in institutions that were subsequently closed down;
- (b) The fact that children with disabilities, including those who are deaf, blind, deafblind or of short stature, are not specifically included, in a cross-cutting manner, in domestic legislation and that their opinions are not properly taken into account in matters that concern them, especially in indigenous communities and rural areas.

**13. The Committee recommends that the State party:**

- (a) **Conduct a census and gather statistics on children with disabilities who were in institutions that subsequently closed down and on any rights violations they may have suffered in a family setting or while living on the streets; and put in place programmes to ensure their inclusion in family life, either by placing them with their nuclear family, if they have one, or with a foster family, and provide such families with the support they need, both in kind and financial, to participate in community life;**
- (b) **Carry out any legislative reforms with the participation of organizations representing children with disabilities so that the protection of their rights is mainstreamed in them and establish effective mechanisms to enable them to participate actively in matters that concern them.**

**Djibouti**

11. The Committee observes with concern:

- (a) Limited access of children with disabilities to social and health-care services and education, particularly children with disabilities in rural areas and those in refugee camps;
- (b) Absence of safeguards and procedures to ensure that children with disabilities, particularly deaf children, children who are deafblind and children with intellectual or psychosocial disabilities, have the right to express their views freely on matters affecting them and to provide them with disability and age-appropriate assistance to realize this right;
- (c) Lack of information and measures on the protection of children with disabilities from abuse and violence, including corporal punishment at home and in schools;
- (d) Lack of information on the implementation of the annual action plan, signed in December 2020 with UNICEF, to promote and protect the rights of children with disabilities.

**12. The Committee recommends that:**

- (a) **Mainstream the principle of the best interests of the child and respect the evolving capacities of children with disabilities in strategies and programmes on the rights of the children, and ensure their access to social and health-care services and inclusive education, on an equal basis with other children;**
- (b) **Adopt measures to allow children with disabilities, particularly deaf children, children who are deafblind and children with intellectual or psychosocial disabilities, to express their views freely on matters affecting them and to provide them with disability and age appropriate assistance to realize this right;**
- (c) **Adopt legislation and policy measures to protect children with disabilities from exploitation, abuse and violence, including corporal punishment at home and in school, to provide them with support and redress and to hold perpetrators accountable, and to ensure the effective implementation, in consultations with organizations of persons with disabilities, of the annual action plan of 2020 to promote and protect the rights of children with disabilities.**

**France**

15. The Committee observes with concern:

- (a) That children with disabilities are exposed to multiple and intersecting forms of discrimination, including in education, access to social services in the community, institutionalisation in medico social establishments, ill-treatment, violence and abuse, including sexual violence, particularly in institutions;

(b) Practices compelling hard of hearing and deaf children with disabilities to be fitted with cochlear implants at the expense of the learning of sign languages and inclusion in deaf culture;

(c) The absence of mechanisms to consult with children with disabilities and to enable them to express their views in all matters concerning them.

**16. The Committee recommends that the State party:**

**(a) Ensure that legislation on the protection of children is inclusive of children with disabilities, and adopt a specific strategy with timelines and benchmarks to facilitate inclusion of children with disabilities in all areas of life, and to foster safe and nurturing children's environments, respectful of the life and dignity of children with disabilities, on an equal basis with other children;**

**(b) Set up mechanisms to ensure that children with disabilities are protected against being compelled to use cochlear implants and have the opportunity to learn sign languages and participate in deaf culture, and that information about the impact of cochlear implants is made available to them;**

**(c) Establish mechanisms that respect the evolving capacity of children with disabilities to ensure that they can form their views and express them freely in all matters affecting them, and that these views are given due weight in accordance with the child's age and maturity.**

**Estonia**

15. The Committee observes with concern:

(a) The higher prevalence of at-risk-of-poverty-rate affecting children with disabilities, and information about barriers for their access to mainstream social and educational services and facilities;

(b) The uneven protection at the local level of children with disabilities who have lost their disability status as a consequence of the reassessments implemented by the Social Insurance Board;

(c) That children with intellectual disabilities, children with autism, children with psychosocial disabilities, and children who are deaf blind face greater exclusion from quality early intervention services, technical aids, social rehabilitation and transportation;

(d) The lack of information about measures to ensure continuous access to inclusive services in the community for children with disabilities, once the support from European Structural Funds ends.

**16. The Committee recommends that the State party:**

**(a) Take measures to address poverty among children with disabilities, implement appropriate social protection programmes and support for them, and their families, and provide access to and availability of inclusive social and educational services and facilities on equal basis with other children;**

**(b) Adopt measures to redress children with disabilities who have been excluded from disability status, provide for reassessments, and ensure adequate social protection for them across municipalities;**

**(c) Ensure the availability, accessibility and quality of inclusive early intervention services, as well as access to mobility aids, devices, assistive technologies and transportation for all children with disabilities;**

**(d) Adopt measures, including earmarked budgets to ensure continuity and development of mainstream services in the community that are inclusive of children with disabilities in the community.**

**Albania**

15. The Committee is concerned that the National Agenda for Child Rights (2017-2020), which is currently at the implementation phase, refers to children with disabilities only with regard to health services and education, failing to take into account the respect of the rights of children with disabilities in all aspects of their life. The Committee is concerned about the lack of steps taken to improve available social and health care services, including early

intervention-related services for children with disabilities. It is also concerned about the lack of information on the health care and educational assessment procedures in place and that individualized support and accommodations are not consistently provided for children with disabilities in mainstream schools based on students' requirements of individualized support.

**16. The Committee recommends that the State party:**

- (a) **Include, in the National Agenda for Child Rights 2017-2020, measures to take into account the specific requirements of children with disabilities and that guarantee the respect of their rights in all spheres of life;**
- (b) **Provide all children with disabilities, regardless of their impairment, with sufficient social and health care services, including early intervention and development services, in cooperation with representative organizations of children with disabilities, including at the local level, and with a transparent roadmap to achieve progress;**
- (c) **Ensure that health care and educational assessment procedures are in line with the Convention and the human rights-based approach and include the involvement of experts from multiple disciplines;**
- (d) **Adopt a legally defined procedure for the provision of reasonable accommodation at all levels of education and allocate the resources necessary to guarantee reasonable accommodation according to individual requirements in consultation with the child concerned.**

**Australia**

13. The Committee is concerned about:

- (a) The lack of focus on the rights of children with disabilities in the national plan of action for the realization of the rights of the child;
- (b) The lack of access to early intervention mechanisms for children with disabilities;
- (c) The lack of disability- and age-appropriate assistance for children with disabilities to participate and express their views;
- (d) The lack of culturally suitable support for Aboriginal and Torres Strait Islander children with disabilities and their families;
- (e) The situation of refugee and asylum-seeking children with disabilities kept in detention facilities in the State party and offshore.

**14. The Committee recommends that the State party:**

- (a) **Include a focus on the rights of children with disabilities in any national plan of action for the realization of the rights of the child;**
- (b) **Ensure access for children with disabilities to quality and human rights-based early intervention mechanisms;**
- (c) **Amend all legislation to guarantee that children with disabilities are provided with age-appropriate support and accommodations to express their views in all matters that affect their rights or interests;**
- (d) **Fund and resource culturally suitable support for Aboriginal and Torres Strait Islander children with disabilities and their families, in the local community;**
- (e) **Urgently remove all refugee and asylum-seeking children, particularly children with disabilities and their families, from detention facilities, ensure the provision of individualized support and recognize the denial of reasonable accommodation as a form of discrimination.**

**Ecuador**

17. The Committee is concerned that:

- (a) The abandonment and institutionalization of children and adolescents with disabilities persist and that budgetary funds continue to be allocated for referral centres and shelters;
- (b) The lack of access to affordable universal health care for children with disabilities, particularly in the case of children with disabilities in indigenous communities and rural areas.

### **El Salvador**

14. The Committee is concerned that children with disabilities are institutionalized on the basis of impairment, and that the State party continues to invest in residential institutions, without taking measures to ensure deinstitutionalization or investing in programmes for independent living in the community. It is also concerned:

- (a) At the lack of information and disaggregated data on the number of children with disabilities living in rural and indigenous communities and on measures taken to combat poverty in rural and urban areas;
- (b) At the lack of measures taken by the State party to ensure that children with disabilities can express their views freely on all matters affecting them, and concerned that their views are given due weight in accordance with their evolving capacities, on an equal basis with other children, and also concerned at the lack of measures to closely consult with and actively involve organizations of persons with disabilities, including of children with disabilities;
- (c) At the lack of transparency in legal proceedings concerning children with disabilities.

**15. The Committee recommends that, in close consultation with organizations of persons with disabilities, including organizations of children with disabilities, the State party take immediate measures to deinstitutionalize children with disabilities living in residential centres, by developing and implementing comprehensive plans, with an adequate budget, for support services in the community, as well as social inclusion programmes. It also recommends that the State party:**

- (a) Strengthen the collection of disaggregated data on the number of children with disabilities living in rural and indigenous communities, with a view to designing adequate public policies to combat marginalization and poverty among children with disabilities and their families;
- (b) Ensure that all children with disabilities can express their views freely in all matters affecting them, and that their views are given due weight in accordance with their evolving capacities, on an equal basis with other children, and that it consult and actively involve organizations of children with disabilities;
- (c) Take all measures necessary in order to ensure that legal proceedings are transparent and give effect to the principle of the best interests of the child in decisions concerning children with disabilities.

### **Greece**

11. The Committee is concerned about:

- (a) The protracted nature of the deinstitutionalization of children with disabilities;
- (b) The scarcity of available information on accessible mechanisms and concrete measures taken to ensure that children with disabilities enjoy their right to be heard and to have their views taken into account in all matters affecting them.

**12. The Committee recommends that the State party give primary consideration to the best interests of the child and:**

- (a) Ensure the expeditious deinstitutionalization of children with disabilities and take effective measures to guarantee their right to be cared for by their parents, extended family, safe foster or adoptive family; provide children with disabilities with quality early intervention, as well as other health-care and educational services, equally available in all urban and rural areas, endowed with sufficient resources, and designed in close consultation with and the active involvement of children with disabilities and their parents, through their representative organizations;
- (b) Develop a comprehensive strategy and accessible services for the full and effective participation of children with disabilities in all decision-making processes affecting their lives, guaranteeing their right to have their views taken into account in all matters affecting them.

## **India**

16. The Committee is concerned about:

- (a) The exclusion of and disregard for children with disabilities from basic public services such as health care and education, particularly girls with disabilities, and the lack of early intervention and support programmes for children with disabilities;
- (b) The limited coverage of schemes to protect children with disabilities living in rural areas and to prevent abandonment on account of disability and poverty;
- (c) The lack of measures to ensure that children with disabilities can participate and express their views with respect to matters affecting them, such as legal proceedings or the provision of care and protection.

17. **The Committee recommends that the State party:**

- (a) Allocate financial resources to ensure the inclusion of all children with disabilities in basic public services and support, including in early childhood, ensuring accessible early development centres for all children;**
- (b) Ensure the effective protection of all children with disabilities under the Child Protection Scheme and other programmes, prioritizing children in rural areas and children who face a risk of abandonment and institutionalization and strengthening measures to provide support in the community, including in foster families;**
- (c) Adopt measures to enable children with disabilities to express their views in all matters related to their lives, including in administrative or judicial procedures.**

## **Iraq**

15. The Committee is concerned about:

- (a) The absence of information on whether the draft bill on the rights of the child and the national policy for the protection of children's rights reflect all the rights to which children with disabilities are entitled in line with the Convention;
- (b) The fact that a large number of children with disabilities, particularly children with disabilities living in regions of the State party affected by armed conflicts, children with disabilities who are internally displaced, children with psychosocial or intellectual disabilities and children with disabilities living in rural areas, face violations of their rights, such as lack of access to services and loss of educational opportunities;
- (c) The lack of information on mechanisms for children with disabilities to express their views regarding all matters affecting them.

16. **The Committee recommends that the State party:**

- (a) Mainstream disability rights in national legislation, strategies and action plans for children;**
- (b) Ensure that children with disabilities enjoy all the rights under the Convention and address stigma and discrimination against and stereotypes that are harmful to children with disabilities, particularly children with disabilities facing multiple and intersectional forms of discrimination;**
- (c) Promote the full participation of children with disabilities, through representative organizations of persons with disabilities, in consultations, decision-making processes and policy development efforts.**

## **Kuwait**

14. The Committee is concerned about:

- (a) The lack of specific protection for children with disabilities in legislation and policies, including Act No. 8/2010 and Act No. 21/2015;
- (b) The absence of a strategy to promote the exercise by girls and boys with disabilities of their freedoms and rights on an equal basis with other children and the lack of systematic information on measures taken and support available to enable children with disabilities reaching adulthood to start an independent life;

- (c) Discrimination in law and practice against children with disabilities, particularly those whose parents are Bidoon;
- (d) The absence of support measures enabling girls and boys with disabilities to express their views on all matters that concern them;
- (e) The absence of data about girls and boys with disabilities, including those whose parents are Bidoon;
- (f) The lack of capacity-building programmes on the rights of children with disabilities, in particular for personnel in the health, education and social services sectors.

**15. The Committee recommends that the State party take all steps necessary to promote the realization of the rights of the child for girls and boys with disabilities on an equal basis with others, including those who experience multiple and intersectional forms of discrimination, by:**

- (a) Introducing specific provisions protecting the rights of children with disabilities in Act No. 8/2010 and Act No. 21/2015;**
- (b) Mainstreaming the rights of children with disabilities, including the principle of the best interests of the child, into legislation, policies, plans and programmes regarding children and young persons and providing adequate support for girls and boys with disabilities to help them start an independent life when they reach adulthood;**
- (c) Eliminating all aspects of discrimination in relation to children with disabilities, including those whose parents are Bidoon;**
- (d) Establishing a mechanism that guarantees the full participation of children with disabilities in decision-making processes and policy development to guarantee that services provided to them meet their requirements and to raise the awareness of children with disabilities about their rights, including the right to express their views freely, recognizing the evolving capabilities of children, on all matters affecting them;**
- (e) Strengthening the collection of disaggregated data on children with disabilities, including Bidoon children with disabilities, with a view to developing appropriate public policies in all areas of the Convention;**
- (f) Building the capacity of personnel in the health, education and social service sectors, in particular on the rights of children with disabilities.**

#### **Myanmar**

15. The Committee is concerned about:

- (a) The absence of specific policies and programmes to protect and promote the rights of children with disabilities;
- (b) The prevalent stigma, discrimination and harmful stereotypes against children with disabilities, and the barriers that hinder their access to education, health and other services.

**16. The Committee recommends that the State party:**

- (a) Adopt and implement a comprehensive action plan and strategy for the promotion and protection of the rights of children with disabilities, allocating sufficient human, technical and financial resources for its implementation;**
- (b) Take measures to address stigma, discrimination and harmful stereotypes against children with disabilities, and ensure their access to education, health and other services without discrimination, on equal basis with other children.**

#### **Cuba**

17. The Committee is concerned about:

- (a) The absence of strategies in the National Action Plan for Children, Adolescents and their Families for the period of 2015 to 2020 to promote the best interests of the child and respect the evolving capacities of children with disabilities;
- (b) Reports of institutionalisation of children with disabilities and the lack of statistical data on the number of children affected by such measures;
- (c) Article 86 of the Family Code (1975) that allow for “moderate correction” of children, resulting in corporal punishment of children with disabilities;

- (d) The absence of measures to ensure that the views of children with disabilities are considered in all matters affecting their lives;
- (e) Allegations that the registration of newborn children with disabilities is delayed.

**18. The Committee recommends that the State party:**

- (a) Strengthen measures to uphold the rights of children with disabilities, by adopting a comprehensive strategy and action plan for the promotion and protection of the rights of children with disabilities, by allocating specific human, technical and financial resources, as well as by establishing monitoring mechanisms for assessing their implementation;
- (b) Adopt measures for the de-institutionalisation of children with disabilities by providing them with safe alternative care in family settings and inclusive services in the community;
- (c) Expedite the revision of the Family Code (1975) to explicitly prohibit corporal punishment of children in all settings, including at home and in institutions;
- (d) Take measures to develop and strengthen respect for the rights of children with disabilities in society, particularly children with disabilities living in rural areas, and enhance support for families of girls and boys with disabilities;
- (e) Set up protocols, guidelines and mechanisms in the judicial and administrative procedures and proceedings to ensure the right of children with disabilities to have their views taken into account on matters pertaining to them and their families;
- (f) Ensure that all children with disabilities are registered immediately at birth to ensure their right to have a name, to registration of their birth and to a nationality.

**Niger**

11. The Committee is concerned that:

- (a) Many children with disabilities are engaged in forced child begging and child labour, including as guides to adults with disabilities;
- (b) Children with disabilities lack access to social and health care services and equal education opportunities, particularly inclusive education, and experience high levels of abuse and violence, including corporal punishment at home, in schools and residential institutions;
- (c) There is a lack of representation of children with disabilities in national public policy discourse and a lack of opportunities for them to express their views and measures to eliminate discrimination against children with disabilities are limited.

**12. The Committee recommends that the State party adhere to the Convention in the implementation of Sustainable Development Goal 16 (targets 16.2 and 16.7), and:**

- (a) Adopt legislation and measures for children with disabilities to enjoy their rights and adequately protect them from abuse, violence and exploitation, and sanction perpetrators;
- (b) Effectively implement the Framework Document for the Protection of the child (2013); develop a national plan for the care of children with disabilities; mainstream disability rights in children strategies and action plans; prohibit corporal punishment of children with disabilities in all settings; and implement awareness-raising campaigns and education, especially in schools and at the community level to eliminate discrimination against children with disabilities;
- (c) Establish a mechanism to consult children with disabilities, through their representative organizations.

**Norway**

11. The Committee is concerned about:

- (a) The insufficient recognition of the principle of the best interests of the child in the Education Act, beyond the Act's chapter on school environment and bullying, and in the Patient's and Users' Act;
- (b) The institutionalization of children with disabilities;
- (c) The unequal access to treatment, care and other opportunities for children with disabilities of migrant or refugee parents, children with disabilities with Sami background, children with disabilities belonging to national minorities, including Roma and Tater/Romani;

(d) The absence of accessible mechanisms to ensure the rights of children with disabilities to be heard, to have their views taken into account on matters pertaining to them, particularly in education, beyond the issue of school environment and bullying, to participate in decision-making processes affecting their lives, respecting their evolving capacities, as well as the lack of accessible complaints.

**12. The Committee recommends that the State party:**

- (a) Incorporate the principle of the best interests of the child in all legislation, and judicial and administrative decision-making procedures affecting children, including the Educational Act, beyond the Act's chapter on school environment and bullying, and the Patients' and Users' Act;
- (b) Take measures to ensure the right of children with disabilities to be cared for by family, alternative care within the wider family or within the community in a family setting;
- (c) Take account of all children with disabilities in legislation, policies and measures under the principle of equal opportunity and community inclusion, paying particular attention to children with disabilities of migrant or refugee parents, children with disabilities with Sami background, children with disabilities belonging to national minorities, including Roma and Tater/Romani;
- (d) Promote comprehensive strategies and accessible mechanisms for the full and effective participation of children with disabilities in decision-making processes affecting their lives, ensuring their right to have their views taken into account on matters pertaining to them, particularly in education, beyond the issue of school environment and bullying, respecting their evolving capacities and ensuring that they have access to accessible and child-friendly complaints mechanisms.

**Rwanda**

13. The Committee is concerned about:

- (a) The fact that legislation, including article 54 of the Law No. 54/2011 relating to the Rights and the Protection of the Child does not protect the rights of all children with disabilities;
- (b) Prevailing discrimination and social exclusion of children with disabilities, particularly in remote or rural areas;
- (c) Insufficient opportunities for children with disabilities to systematically participate in decision-making on matters that concern them;
- (d) Limited support services provided for children with disabilities and their families within the community;
- (e) Insufficient measures to promote inclusive alternative care in family settings for children with disabilities without parental care, and increasing separation of children with disabilities to live in segregated residential settings.

**14. The Committee recommends that the State party:**

- (a) Take measures to review its laws, in particular Law No. 54/2011 relating to the Rights and the Protection of the Child, to ensure protection for the rights of all children with disabilities in line with the Convention;
- (b) Step up its efforts to allocate all necessary resources to eliminate discrimination against and exclusion of children with disabilities, with a particular focus on children at risk of intersectional discrimination;
- (c) Establish policies and programmes to ensure the right of children with disabilities to express their views on all matters concerning them;
- (d) Take measures, including within the National Commission for Children, to ensure support services and facilities are available in the community for children with disabilities and their families to ensure their right to family life, in line with their best interests;
- (e) Adopt measures to support that children with disabilities live in family settings with appropriate support, including alternative care within the wider family or within the community in a family setting.

## Saudi Arabia

11. The Committee is concerned at:

- (a) The lack of specific protections for children with disabilities in legislation, implementing regulations and policies, including in the Child Protection Act and the Protection from Abuse Act;
- (b) Corporal punishment, discrimination, stereotypes against and marginalization of children with disabilities;
- (c) Lack of capacity building programmes on the rights of children with disabilities in health, educational and social services for providers of such services;
- (d) The absence of mechanisms to guarantee that children with disabilities have their views taken into account on matters pertaining to them and their families, including in protection mechanisms;
- (e) The absence of information on and the lack of meaningful consultations of families of deaf or hard of hearing children in the decision to undergo medical interventions with regard to cochlear implant procedures.

12. The Committee recommends that the State party:

- (a) Review the Child Protection Act and the Protection from Abuse Act to introduce specific provisions protecting the rights of children with disabilities, and mainstream the rights of children with disabilities, including the principle of the best interests of the child, in national policies, plans and programs regarding children and youth;
- (b) Prohibit violence against children with disabilities, including corporal punishment, take sanctions against perpetrators and adopt and implement a strategy to combat stereotypes and discrimination against children with disabilities;
- (c) Build the capacities of all providers of services, including health, educational and social services, to children with disabilities, on the rights of children with disabilities;
- (d) Develop and implement a mechanism that guarantees the full participation of children with disabilities, their families and representative organizations in decision-making processes and in policy development to guarantee that services provided to them respond to their requirements;
- (e) Ensure that families and children with disabilities have given their prior and informed consent before proceeding to invasive health procedures, such as cochlear implants by respecting their evolving capacities, and facilitate the learning of sign language.

## Senegal

11. The Committee is concerned about:

- (a) Barriers, including stigmatization against children with disabilities, to access social protection, health care services and an inclusive quality education system, on an equal basis with other children;
- (b) The absence of information, including statistical data, disaggregated by age and sex, on the situation of children with disabilities, including the number and proportion of those attending mainstream schools with adequate supports;
- (c) Reported cases of exploitation, violence and abuse against children with disabilities, including corporal punishment, in the home, in schools and in institutions and the exploitation of children with disabilities in begging;
- (d) The lack of effective representation of children with disabilities in national discourse, particularly in the Children's Parliament, and the opportunity to express their views and the weight attached to such views, regarding matters that concern them.

12. The Committee recommends that the State party take into account the Convention in its implementation of Sustainable Development Goal 16 (targets 16.2 and 16.7) and:

- (a) Adopt measures to combat stigmatization against children with disabilities and ensure they have access to social and health care services and an inclusive quality education system, on an equal basis with others;
- (b) Collect information, including statistical data, disaggregated by age and sex, on the situation of children with disabilities, including the number and proportion of children with

**disabilities attending mainstream schools with supports, with a view to better inform public policies on children;**

**(c) Repeal all provisions that authorize corporal punishment, including article 285 of the Family Code and adopt legislation and effective measures to ensure that children with disabilities are adequately protected from exploitation, violence, and abuse, including exploitation in begging and that perpetrators are sanctioned;**

**(d) Adopt a mechanism for conducting meaningful consultations with children with disabilities, through their representative organizations on matters that concern them and ensure their inclusion in the Children's Parliament and that full weight is given to their views, on an equal basis with other children.**

### **Spain**

**12. The Committee is concerned:**

**(a) That children with disabilities are institutionalized in the State party and that measures taken to ensure the comprehensive deinstitutionalization of all children with disabilities are still insufficient;**

**(b) About the lack of access to universal and accessible health care services for children with disabilities, particularly in rural areas;**

**(c) About the lack of measures aimed at enabling children with disabilities to freely express their views on all matters affecting them on equal basis with other children.**

**13. The Committee recommends that the State party:**

**(a) Take immediate measures to end the institutionalization of children with disabilities by, inter alia, developing and implementing a strategy to promote safe and supported family settings in the community, with specific timeframes and adequate allocated budget;**

**(b) Ensure universal access to primary health care services for all children with disabilities, including early intervention services;**

**(c) Ensure that all children with disabilities can express their views freely on all matters affecting them by, inter alia, ensuring disability and age-appropriate assistance.**

### **Turkey**

**15. The Committee is concerned about:**

**(a) Insufficient data and information about the implementation of the First Strategy Paper and Action Plan on the Rights of the Children (2013-2017) and the Coordination Strategy Document on the Child Protection Services (2014-2019) and on their impact on the inclusion and participation of children with disabilities in society, and in public decision-making processes;**

**(b) The lack of effective mechanisms to support children with disabilities in the community, including children living in rural areas and for children with disabilities to lodge complaints about violation of their rights;**

**(c) The reports indicating that allowances for families of children with disabilities are subject to a degree of impairment assessed over 40 percent.**

**16. The Committee recommends that the State party:**

**(a) Establish a transparent mechanism to monitor the impact of relevant policies and strategies on the rights of children with disabilities, in close consultation and with the direct involvement of organizations of children with disabilities, including children with intellectual disabilities;**

**(b) Improve early childhood development programmes for children with disabilities and develop community-based support for children with disabilities and their families, particularly children living in rural areas;**

**(c) Introduce a mechanism enabling children with disabilities to lodge complaints in a confidential way before public authorities, in cases of violation of their rights, particularly in the family, school, in institutions;**

**(d) Extend the coverage and implementation of child care allowances to families of all children with disabilities ensuring that single parents can also access this type of entitlements.**

**Vanuatu**

14. The Committee is concerned at:

- (a) The absence of information on the measures taken to improve access to early identification and intervention programs by children with disabilities and the expiration of the National Disabilities Policy and Plan of Action (2008-2015), which has not been renewed;
- (b) The lack of participation of children with disabilities in awareness raising events due to discrimination against them.

**15. The Committee recommends that the State party:**

- (a) Take the necessary measures to renew the National Disabilities Policy and Plan of Action (2008-2015) and ensure its implementation, especially to provide children with disabilities and their families with adequate assistance and support, including early identification and intervention programs, as foreseen in the Policy and Plan of Action;**
- (b) Adopt measure to combat discrimination against children with disabilities as well as strengthen its efforts to raise awareness among children with disabilities, their parents, families and the community, on the rights of children with disabilities.**

**Algeria**

16. The Committee is concerned that:

- (a) Disability is not mainstreamed within national laws, policies and strategies on childhood;
- (b) Children with disabilities reportedly experience high levels of violence and neglect, including in the home, in schools, and in alternative care residential institutions;
- (c) There is an insufficient quantity of trained child care assistants, teachers and other professionals to carry out a policy of inclusive development and empowerment of children with disabilities;
- (d) Children with disabilities do not benefit from the required support to enjoy their rights on an equal basis with others, notably their right to access healthcare services, social protection, and inclusive education;
- (e) A large number of children with disabilities, particularly children with psychosocial and intellectual disabilities, are still living in residential alternative care institutions.

**17. In line with the Convention and target 16.2 of the Sustainable Development Goals, the Committee recommends that the State party:**

- (a) Mainstream disability into national legislation, policies and strategies on childhood;**
- (b) Adopt legislation and implement specific measures to protect children with disabilities from abuse and neglect and to investigate and sanction perpetrators;**
- (c) Provide continuous quality training for all staff working with children on the rights of children with disabilities;**
- (d) Increase resources to ensure that children with disabilities receive the support they require to enjoy their rights on an equal basis with others;**
- (e) Encourage alternative care in family settings for children with disabilities and, in the meantime, ensure that residential alternative care facilities have adequately trained staff and sufficient financial resources to ensure the realization of the rights of children with disabilities in those facilities.**

**Bulgaria**

19. The Committee is concerned by the fact that girls and boys with disabilities still live in homes for "children with mental retardation", and homes for medical and social care for children, (CRPD/C/BGR/1 para. 256). The Committee is further concerned that children with disabilities, in particular children with intellectual disabilities are not involved in matters affecting them.

**20. The Committee recommends that the State party:**

- (a) Ensure full deinstitutionalization of girls and boys with disabilities , and their right to live in a safe family environment, including foster families;
- (b) Increase further the resources allocated to development of inclusive support service network in local communities, and empowerment of families with children with disabilities in light of the Committee's General comment No. 5 (2017) on living independently and being included in the community;
- (c) Increase awareness, strengthen the capacity, and accountability mechanisms at the municipal level to implement and finance support for inclusion of children with disabilities in the community;
- (d) Adopt regulations and programs to ensure that children with disabilities can express their views and opinions on all matters affecting them in family, schools, and in society, and in particular children who remain under institutionalization, in close consultation with representative organizations of children with disabilities.

**Malta**

11. The Committee is concerned about the institutionalisation of some children with disabilities whose families have been identified as being "unable" to take care for their children as per a Care Order issued under the Civil Code (Cap. 16). It is also concerned about the lack of information on the involvement of children with disabilities in measures taken by the Commissioner for Children to hear the views of children on the matters that concern them, such as the Council for Children convened by the Commissioner as per article 12 of the Commissioner for Children Act (Cap. 462).

**12. The Committee recommends that the State party:**

- (a) Reintegrate children with disabilities into communities who are currently institutionalized based on a Care Order under the Civil Code (Cap. 16) as expeditiously as possible, so that they can enjoy living in a family setting and access to education and other services within the community, on an equal basis with others;
- (b) Adopt measures to fulfil the right of children with disabilities to be consulted on all matters that affect them, and to guarantee that they have disability- and age-appropriate support to realize that right, including in measures taken by the Commissioner for Children.

**Philippines**

16. The Committee is concerned about:

- (a) The lack of information about measures to ensure inclusion of children with disabilities in society although the estimation of about 3.3 million of children with disabilities representing about 8 percent of the population in the State party;
- (b) The absence of strategies to promote the best interests of the child in actions concerning children with disabilities;
- (c) The institutionalization of children with disabilities and separation of children with disabilities from their families in rural areas while they are taken to schools;
- (d) The absence of measures to ensure that children with disabilities views and opinions are considered in all matters affecting their lives.

**17. The Committee recommends that the State party:**

- (a) Adopt a comprehensive strategy and action plan for the promotion and protection of the rights of children with disabilities, and allocating specific human, technical and financial resources as well as monitoring mechanisms for assessing their implementation;
- (b) Take measures to develop and strengthen respect for the rights of children with disabilities at home, and enhance support for families of girls and boys with disabilities, including early childhood programmes, in accordance with the standards set under international human rights law, in particular the Convention on the Rights of the Child. The State party should pay particular attention towards children with disabilities living in rural areas and children belonging to ethnic and religious minorities as well as migrant, refugee and asylum seeking children;

- (c) Take measures to make mainstream schools accessible, so that children with disabilities in rural areas can attend schools while living with their families;
- (d) Strengthen and ensure national coverage of referral systems, including community-based rehabilitation for children with disabilities across the country;
- (e) Set up protocols and guidelines aimed at consulting with children with disabilities through their representative organizations, ensuring support according to their age and disability, in relation to issues affecting them.

#### [Poland](#)

11. The Committee is concerned about:

- (a) The institutionalization of children with disabilities in social care homes, including together with adults;
- (b) Attitudes towards children with disabilities as being reliant on others and their lack of opportunities to express their opinion on matters pertaining to them directly;
- (c) Lack of disaggregated data on children with disabilities.

**12. The Committee recommends the State Party to:**

- (a) Expedite the deinstitutionalization of children with disabilities by providing them with safe alternative care in family settings and inclusive services in the community;
- (b) Take effective measures to support the empowerment of children with disabilities and create platforms for them to express their own views on all matters that concern them;
- (c) Collect disaggregated data and carry out participatory researches on the social condition of all children with disabilities.

#### [South Africa](#)

12. The Committee is concerned about:

- (a) The lack of legislation to give full effect to the right to inclusive education for all children with disabilities, in line with general comment No. 4 (2016) on the right to inclusive education, and as outlined in the recommendations from the Committee on the Rights of the Child (CRC/C/ZAF/CO/2, paras. 43-45).
- (b) The high number of reported cases of corporal punishment, violence, abuse, neglect and inequality involving children with disabilities, especially autistic children and children with psychosocial and/or intellectual disabilities, by teachers and peers. The Committee is further concerned about reported cases of abuse of children with disabilities at schools and school hostels, with teachers allegedly being the perpetrators in most cases.
- (c) The large number of children with disabilities, nearly 600,000, who are out of school or studying in specialized schools or classes, in particular children with psychosocial disabilities, and children with disabilities placed in child centres or less regulated special service centres, all of which are based on long-term institutionalization, often located far from their families and communities, in isolation, and lack properly trained staff.

**13. The Committee recommends that the State party:**

- (a) In line with target 16.2 of the Sustainable Development Goals, develop, adopt and implement legislation and concrete measures to ensure that children with disabilities, including autistic children, those with albinism and children with psychosocial and/or intellectual disabilities, are adequately protected from violence, abuse, including corporal punishment, and that sanctions are imposed against perpetrators; and that the Children's Act is amended without delay to explicitly prohibit all forms of corporal punishment in all settings;
- (b) Enact legislation giving full effect to the right to inclusive education for all children with disabilities, as outlined in the recommendations from the Committee on the Rights of the Child (CRC/C/ZAF/CO/2, paras. 43-45), review the Education White Paper 6: Special Needs Education: Building an Inclusive Education and Training System (2001) with a view to further developing a legal and policy framework for inclusive education, and the inclusion of children with disabilities into mainstream schools;

- (c) Adopt a time-bound plan of action to address the high levels of physical, sexual, verbal and emotional abuse in special education schools, including special education school hostels. This plan must include a monitoring framework and process with a comprehensive vetting procedure, including for criminal records, for all teachers and officials working with children before recruitment, and ensure that the National Sexual Offenders Register and National Child Protection Register be adequately maintained;
- (d) Develop and adopt effective implementation plans for prevention and early intervention programmes in communities to enable early identification and support to children and adults with disabilities in family and community settings with adequate budget allocations, including training and continuous professional development of care workers and parents of children with disabilities, increased public awareness raising programmes to understand the importance of family and community based provisions instead of institutionalization.

#### [The Former Yugoslav Republic of Macedonia](#)

15. The Committee is concerned about:

- (a) The absence of specific legislation in regards to the rights of children with disabilities in the State Party;
- (b) The lack of criminalization of violence against children with disabilities, including corporal punishment and sexual violence, in all settings;
- (c) The expiration of the National Strategy for Equality and Non Discrimination 2005-2015 and the non-inclusion the rights of children with disabilities, including the principle of the best interest of the child, in national policies, plans and programs for children;
- (d) The prevalent stigma, discrimination and harmful stereotypes against children with disabilities, and the enduring approach to seclusion and institutionalisation;
- (e) The lack of early assistance and provision of services for independent living;
- (f) The absence of mechanisms to ensure the participation of children with disabilities in decision-making processes affecting their lives, in particular the lack of mechanisms to ensure the right of children with disabilities to have their views taken into account on matters pertaining to them and their families, including participation in all protection mechanisms.

16. **The Committee recommends that the State party:**

- (a) Adopt specific legislation in regards to the rights of children with disabilities;
- (b) Criminalize violence against children with disabilities, including corporal punishment and sexual violence, in all settings and adopt and implement measures for sanctioning the perpetrators;
- (c) Adopt a new National Strategy for Equality and Non Discrimination that would provide for specific measures for the protection of rights of children with disabilities, based on sex, age, gender and ethnicity;
- (d) Mainstream the rights of children with disabilities including the principle of the best interest of the child in national policies, plans, programs, and compliance frameworks that apply to children and young people in general;
- (e) Adopt measures to address stigma, discrimination and harmful stereotypes against children with disabilities;
- (f) Provide continuous support for the child from early assistance to independent living;
- (g) Promote comprehensive strategies and mechanisms for full participation in consultations, decision-making processes and policy development through representative organisation to promote adequate choice of services that best fit the needs of the child taking into consideration the evolving capacities of the child.

#### [Haiti](#)

12. The Committee is seriously concerned by the abandonment and neglect of and violence against children with disabilities, including ill treatment and corporal punishment, within the family, at schools and in residential alternative care facilities. It is particularly concerned about:

(a) The lack of consultation with the Office of the Secretary of State for the Integration of Persons with Disabilities during the development of the national strategy for the protection of the child;

(b) Children with disabilities and their families not benefitting from social, health care, education, and economic services and support on an equal basis with others;

(c) Insufficient resources, including adequately trained personnel and accessible facilities in residential alternative care facilities.

**13. The Committee recommends that the State party take concrete legal and other measures to ensure the protection of children with disabilities from abandonment, neglect and abuse, including explicitly prohibiting corporal punishment in all settings. It also recommends that the State party collect and analyse disaggregated data on the situation of children with disabilities, including child abandonment and neglect, with a view to designing appropriate policy responses. In particular the Committee recommends that the State party:**

**(a) Ensure the inclusion of children with disabilities in the national strategy for the protection of the child;**

**(b) Increase resources for parents and families with children with disabilities and ensure they benefit from the same social, education, health care, education, and economic services and support on an equal basis with others;**

**(c) Encourage alternative care in family settings for children with disabilities and, in the meantime, ensure residential alternative care facilities have adequately trained staff and sufficient financial resources to ensure the rights of children with disabilities in those facilities.**

#### **Nepal**

13. The Committee is concerned about the absence of clear linkages between intended policies and actual implementation of policies such as the Ten-Year Children's National Action Plan or the Thirteenth Plan (2013–2016) aimed at protecting children. More specifically, the Committee is concerned about the absence of specific measures for supporting children with disabilities and their families, and also about the inadequacy of inclusive education for children, particularly those from rural areas, marginalized ethnic minority and indigenous communities. The Committee is also concerned at reports of abandonment of children with disabilities who as a result are exposed to exploitation and abuse.

**14. The Committee recommends that the State party take steps, which should include consultations with representative organizations of persons with disabilities and relevant ethnic minorities and indigenous groups to ensure overall improvement in increasing enrolment of children with disabilities for primary school education, implementing inclusive early childhood education, opportunities for vocational training for youth with disabilities, and undertake measures for the prevention of violence, abuse, exploitation and abandonment of children with disabilities. In doing so, the State party should pay particular attention towards marginalized groups of children with disabilities in rural and mountainous areas, in particular children with intellectual and/or psychosocial disabilities and those from indigenous groups.**

#### **Oman**

15. The Committee is concerned that:

(a) Both de jure and de facto discrimination of children with disabilities, especially with respect to access to social and health services and equal education opportunities, continues to be problematic in the State party;

(b) Boys and girls with disabilities in the State party reportedly experience high levels of abuse and violence, including corporal punishment, in the home, in schools, in institutions and in alternative and day care settings;

(c) There is a lack of effective representation of children with disabilities in national discourse, in particular in the Child First Association, the Children's Parliament, and the opportunity to express their views, especially regarding matters that concern them.

**16. The Committee recommends that the State party:**

- (a) Ensure that all children with disabilities enjoy their rights under the Convention and in line with the best interest of the child principle, both de jure and de facto, including through the amendment of the Child Act of 2014 to explicitly prohibit corporal punishment of children in all settings, and that it intensify efforts to ensure the effective elimination of any form of discrimination against children with disabilities, through awareness-raising programmes, including campaigns and education, especially in the schools and at the community level;
- (b) In line with the Convention and Sustainable Development Goal 16 (target 16.2), adopt legislation and concrete measures to ensure that children with disabilities are adequately protected from abuse and violence, and that perpetrators are sanctioned;
- (c) Mainstream disability rights in national strategies and action plans for children, including the adoption and implementation of a national plan for the care of children with disabilities, including in cooperation with UNICEF;
- (d) In line with the Convention and Sustainable Development Goal 16 (target 16.7), adopt a mechanism for conducting effective consultation with children with disabilities, through their representative organizations and their full inclusion in the Child First Association and Children's Parliament and that full weight be given to the views of such children on an equal basis with other children.

**Russian Federation**

17. The Committee is deeply concerned by the large numbers of boys and girls with disabilities living in some institutions, referred to in paragraph 65 of written replies (CRPD/C/ RUS /Q/1/Add.1) to the list of issues prepared by the Committee.

**18. The Committee recommends that the State Party adopt a strategy for deinstitutionalisation of boys and girls with disabilities with a set time frame and resources allocated to development of support service network in local communities and empowerment of families with children with disabilities and their further needs in light of the General Comment No. 5.**

**Seychelles**

10. The Committee is concerned about:

- (a) The lack of an explicit and comprehensive prohibition of corporal punishment of children in all settings in the State party and the absence of specific measures to address violence against children with disabilities;
- (b) The insufficient coordination of the provision of the necessary services for children with disabilities, among all responsible actors;
- (c) The lack of early assistance and placement of children with disabilities in residential treatment institutions;
- (d) The absence of mechanisms to ensure the participation of children with disabilities in decision-making processes affecting their lives, in particular the lack of mechanisms to ensure the right of children with disabilities to have their views taken into account on matters pertaining to them and their families, including their participation in all protection mechanisms.

**11. The Committee recalls the concluding observations adopted by the Committee on the Rights of the Child (see CRC/C/SVN/CO/3-4, para. 38), and recommends that the State party:**

- (a) Explicitly prohibit any kind of corporal punishment of children in all settings, including alternative care institutions, and adopt a strategy to monitor the situation of children with disabilities in alternative care aimed at identifying all instances of violence against children with disabilities. The State party should ensure non-violent and participatory forms of child-rearing that include families with children with disabilities;
- (b) Ensure the effective coordination among different actors involved in child protection;
- (c) Adopt a national strategy with benchmarks and human technical and financial resources, aimed at ensuring full inclusion of children with disabilities in society, paying attention to the development of inclusive settings in early assistance, education, housing, health and all

**community services. The State party should ensure quality and independent monitoring of the living conditions of children with disabilities;**

**(d) Adopt measures to fulfil the right of children with disabilities to express their opinion on all matters that affect them, and to guarantee that they have disability- and age-appropriate support to realize such right, including in judicial, administrative and policy-making procedures.**

#### **Slovenia**

**10. The Committee is concerned about:**

- (a) The lack of an explicit and comprehensive prohibition of corporal punishment of children in all settings in the State party and the absence of specific measures to address violence against children with disabilities;**
- (b) The insufficient coordination of the provision of the necessary services for children with disabilities, among all responsible actors;**
- (c) The lack of early assistance and placement of children with disabilities in residential treatment institutions;**
- (d) The absence of mechanisms to ensure the participation of children with disabilities in decision-making processes affecting their lives, in particular the lack of mechanisms to ensure the right of children with disabilities to have their views taken into account on matters pertaining to them and their families, including their participation in all protection mechanisms.**

**11. The Committee recalls the concluding observations adopted by the Committee on the Rights of the Child (see CRC/C/SVN/CO/3-4, para. 38), and recommends that the State party:**

- (a) Explicitly prohibit any kind of corporal punishment of children in all settings, including alternative care institutions, and adopt a strategy to monitor the situation of children with disabilities in alternative care aimed at identifying all instances of violence against children with disabilities. The State party should ensure non-violent and participatory forms of child-rearing that include families with children with disabilities;**
- (b) Ensure the effective coordination among different actors involved in child protection;**
- (c) Adopt a national strategy with benchmarks and human technical and financial resources, aimed at ensuring full inclusion of children with disabilities in society, paying attention to the development of inclusive settings in early assistance, education, housing, health and all community services. The State party should ensure quality and independent monitoring of the living conditions of children with disabilities;**
- (d) Adopt measures to fulfil the right of children with disabilities to express their opinion on all matters that affect them, and to guarantee that they have disability- and age-appropriate support to realize such right, including in judicial, administrative and policy-making procedures.**

#### **Sudan**

**15. The Committee is concerned about:**

- (a) The lack of measures taken to criminalize violence against children with disabilities, including corporal punishment and sexual violence, in all settings and under all circumstances;**
- (b) The absence of the rights of children with disabilities in national policies, plans and programs for children;**
- (c) The prevalent stigma, discrimination and harmful stereotypes against children with disabilities, and the enduring approach to seclusion and institutionalisation.**

**16. The Committee recommends that the State party:**

- (a) Criminalize violence against children with disabilities, including corporal punishment and sexual violence, under all circumstances and in all settings, including by amending the Children's Act of 2010 and the Criminal Code, and adopt and implement measures for sanctioning perpetrators;**

- (b) Mainstream the rights of children with disabilities in national policies, plans and programs for children;**
- (c) Take measures to combat stigma and stereotyping of children with disabilities within families and in society; and implement strategies to prevent abandonment, neglect, seclusion and institutionalization of children with disabilities.**

#### **Latvia**

12. The Committee is concerned about:

- (a)The continued institutionalization of children with disabilities in long-term care owing to the limited provision of family and community-based services for children of all ages and impairments, as well as for their families;
- (b)The lack of access to mainstream, inclusive, quality education;
- (c)The allegedly high rate of domestic violence perpetrated against children with disabilities;
- (d)The charity and "cure" approach to children with disabilities that is perpetuated through television fundraising campaigns.

**13. The Committee recommends that the State party:**

- (a)Reinforce support services for children with disabilities and their families in local communities, foster deinstitutionalization, prevent any new institutionalization and promote social inclusion and access to mainstream, inclusive, quality education;**
- (b)Investigate allegations of domestic violence against children with disabilities and ensure that the perpetrators are prosecuted under criminal law;**
- (c)Prevent and sanction any public campaigns that promote a charity and "cure" approach to children with disabilities.**

#### **Luxembourg**

16.The Committee is concerned that some children with disabilities, particularly those with high support requirements, may not have lived with their families or have the access to education and other services within the community, on an equal basis with others, and may sometimes live in residential institutions abroad. It is also concerned that children with disabilities do not participate systematically in decision-making that affects their lives and that they lack opportunities to express their opinion on matters pertaining to them directly, including administrative and judicial procedures.

**17. The Committee recommends that the State party:**

- (a) Adopt measures to appropriately respond to the requirements of children with disabilities at the local, regional and national levels and ensure the equal rights of children with disabilities to life with their families, and have access to education and other services within the community;**
- (b) Adopt measures to fulfil the right of children with disabilities to be consulted on all matters that affect them, and to guarantee that they have disability- and age-appropriate support to realize that right, including in judicial and administrative procedures.**

#### **Montenegro**

14.The Committee notes with concern that children with disabilities are not sufficiently included in decisions that affect their lives. It also notes with concern that:

- (a)Discrimination and social exclusion of children with disabilities is prevalent;
- (b)Data collected on the situation of children with disabilities is insufficient;
- (c)Despite the prohibition against placing children with disabilities under 3 years of age in institutions, children with disabilities are frequently institutionalized, including in so-called day-care centres, and furthermore, the institutions are divided based on impairment;
- (d)Early identification and intervention services are largely insufficient, particularly at the local level, and mostly follow the medical model;
- (e) Support provided to parents of children with disabilities is insufficient.

**15. The Committee recommends that the State party step up its efforts to allocate all necessary resources to eliminate discrimination against and exclusion of children with**

**disabilities, with a particular focus on children at risk of intersectional discrimination. It also recommends that the State party:**

- (a) Establish policies and programmes that will ensure the right of children with disabilities to express their views on all matters concerning them;
- (b) Take swift measures aiming at the deinstitutionalization of children and allocate all necessary resources to ensure that they have access to all necessary services in the context of community care instead of in the context of day-care centres or any other segregated settings;
- (c) Provide all children with disabilities, regardless of their impairment, with sufficient early childhood intervention and development services in cooperation with representative organizations of parents of children with disabilities, including at the local level, in compliance with the Convention;
- (d) Develop effective quality community-based support services for parents caring for children with disabilities.

#### **Morocco**

16. The Committee is concerned about reported violence against, abuse of and use of corporal punishment on children with disabilities, including abandoned children with disabilities, in the home, in alternative care and day-care settings and in schools.

**17. The Committee recommends that the State party adopt legislation and concrete measures to ensure that children with disabilities, including abandoned children with disabilities, are adequately protected from violence, exploitation and abuse, including corporal punishment, and that perpetrators are sanctioned.**

18. The Committee is concerned about the lack of effective representation of children with disabilities in national discourse, especially in the national parliament and congresses, and the lack of opportunity to express their views, especially on matters that concern them.

**19. The Committee recommends that the State party adopt a mechanism for conducting effective consultation with children with disabilities through their representative organizations, and that it ensure the full inclusion of children with disabilities in the national forum of children, the children's parliament and children's governorate and municipal councils, on an equal basis with other children.**

#### **Panama**

20. The Committee is concerned that children with disabilities are exposed to inequalities and subjected to discrimination, violence, abandonment, ill-treatment and institutionalization, and it notes that indigenous and Afrodescendent children with disabilities are particularly vulnerable. It is also concerned at the lack of legislation setting forth measures to protect children with disabilities from ill-treatment, abuse and exploitation and to prevent the abandonment, neglect and institutionalization of children with disabilities.

**21. The Committee recommends that the State party:**

**(a) Draw up and adopt legislation that sets forth measures to protect children with disabilities from ill-treatment, abuse and exploitation and to prevent the abandonment, neglect and institutionalization of children with disabilities and that it provides adequate resources for the effective implementation thereof;**

**(b) Adopt measures to ensure that children with disabilities have access to community services and programmes in order to strengthen the protection of their rights and to promote equal opportunities for family, community and social inclusion.**

22. The Committee is concerned that national legislation does not expressly prohibit all forms of corporal punishment in homes, schools, day-care centres and alternative care settings.

**23. The Committee urges the State party to repeal the provisions of the Civil Code and the Family Code that empower adults caring for children to "correct" and punish them moderately and recommends that it draw up legislation that completely prohibits corporal punishment in all settings, including in family settings and in indigenous and**

**Afrodescendent communities, and take all necessary measures to ensure the implementation of that legislation.**

**United Kingdom of Great Britain and Northern Ireland**

20. The Committee is concerned about:

- (a) The lack of a policy framework addressing the poverty of many families with children with disabilities;
- (b) The failure to incorporate the human rights model of disability in public policies and legislation concerning children and young persons with disabilities;
- (c) The lack of monitoring mechanisms and reliable indicators, particularly concerning bullying against children with disabilities in school;
- (d) The absence of a general statutory duty upon public authorities to ensure adequate childcare for children with disabilities;
- (e) The reported increase of incidents of bullying, hate speech and hate crime against children with disabilities.

**21. The Committee recommends that the State party, in close consultation with organizations representing children with disabilities, develop and implement policies aimed at:**

- (a) Eliminating the higher level of poverty among families with children with disabilities;**
- (b) Incorporating the human rights model of disability into all laws and regulations concerning children with disabilities;**
- (c) Setting up an independent monitoring mechanism to assess the situation of children with disabilities in school, particularly those facing bullying, through reliable indicators;**
- (d) Securing sufficient and disability-sensitive childcare as a statutory duty across the State party;**
- (e) Strengthening measures to prevent bullying, hate speech and hate crime against children with disabilities.**

**Armenia**

11. The Committee is concerned by:

- (a) Reports on the institutionalization of a high number of children with disabilities in orphanages and residential special schools, including their transinstitutionalization from one institution to another under the guise of deinstitutionalization, and the continuing investment in such institutions;
- (b) The lack of State support, including early intervention, for children with disabilities and their families, and the high poverty rate among children with disabilities and their families, especially in rural and remote areas;
- (c) The insufficiency of measures to promote and encourage the adoption of children with disabilities;
- (d) Various forms of neglect, violence and abuse against children with disabilities, including in domestic and institutional settings;
- (e) Stigmatizing attitudes towards children with disabilities.

**12. The Committee recommends that the State party:**

- (a) Prioritize the deinstitutionalization of all children with disabilities and their resettlement in family settings, including by promoting foster care and providing appropriate community-based support to parents;**
- (b) Provide children with disabilities and their families with adequate assistance, including early intervention, and implement specific measures to reduce poverty among them;**
- (c) Promote and appropriately support adoption of children with disabilities;**
- (d) Prohibit and criminalize all forms of violence and abuse against children with disabilities in all settings, including in the home and residential institutions;**
- (e) Promote a positive image of children with disabilities;**
- (f) Implement the recommendations contained in the concluding observations of the Committee on the Rights of the Child concerning children with disabilities (see CRC/C/ARM/CO/3-4, para. 36).**

### [Bosnia and Herzegovina](#)

14. The Committee is concerned that corporal punishment of children, especially children with disabilities, is not explicitly prohibited in the family and in alternative care and day-care settings in the State party. It is also concerned that there is no universal and equal access to early childhood recognition and intervention services for children with disabilities.

#### **15. The Committee recommends that the State party:**

- (a) Explicitly and universally prohibit corporal punishment of children, with particular attention to children with disabilities living in institutions;**
- (b) Provide children with disabilities with sufficient early childhood intervention and development services in cooperation with organizations of parents with children with disabilities at the local level.**

### [Canada](#)

17. The Committee commends the support programme adopted in Quebec aimed at providing independent living for young persons of up to 21 years of age who are not autonomous, i.e., unable to stay at home on their own, as well as the network for "integrating" children with high-level support requirements in childcare services. However, the Committee notes with concern that the Government of Canada has not collected data on children with disabilities since 2006. It also notes that there are now more indigenous children in the care of Canadian services than there ever were in residential schools. It is further concerned about the lack of criteria established for applying the principle of the best interests of the child in actions concerning children with disabilities.

#### **18. The Committee recommends that the State party:**

- (a) Collect disaggregated information on the situation of and discrimination faced by children with disabilities, particularly indigenous children with disabilities, so as to formulate targeted programmes to tackle the exclusion they face;**
- (b) Ensure earmarked budget allocations for children with disabilities in periodic expenditure programmes at all levels of administration and introduce monitoring indicators for such allocations;**
- (c) Provide indigenous children with access to schools so as to limit their overrepresentation in Canadian welfare services. This can be achieved through direct communication with indigenous communities, as such communication will lead to a more issue-specific resolution;**
- (d) Introduce guidelines among all levels of administration on how to implement the principle of the best interests of the child in the design, implementation and monitoring of legislation and policies concerning children with disabilities;**
- (e) Prioritize the human rights of children with disabilities in public policies, in particular the recognition of the identity and evolving capacities of deaf children, deaf-blind children and hard-of-hearing children and their different requirements, autistic children and children with psychosocial and/or intellectual disabilities.**

### [Cyprus](#)

19. The Committee is concerned about the limited access to early intervention and support provided to children with disabilities and their families, especially within the educational, health and social sector, and about the inadequate financial allowances available for families of children with disabilities.

#### **20. The Committee recommends that the State party, in close collaboration with representative organizations of persons with disabilities, adopt and implement human rights-based policies, laws and regulations to increase access by children with disabilities and their families to early intervention and other forms of individualized and necessary service and support, including earmarked financial support, in accordance with article 28 of the Convention.**

21. The Committee notes with concern that the views of children with disabilities are insufficiently respected in matters concerning children. The Committee also notes with

concern that the right of children with disabilities to inclusive education in mainstream schools may be restricted by parental consent, contrary to general comment No. 4 (2016) on the right to inclusive education.

**22. The Committee recommends that the State party, in collaboration with representative organizations of children with disabilities, adopt regulations and programmes to ensure that children with disabilities can express their views on all matters affecting them and that their views are fully respected. In that regard, the Committee also recommends that the State party ensure the right of children with disabilities to inclusive education in mainstream schools, in accordance with general comment No. 4 (2016).**

#### **Honduras**

17. Al Comité le preocupa que en la legislación relativa a las niñas y niños no se contemple explícitamente el principio de no discriminación y que dicha ausencia afecte desproporcionadamente a niñas y niños con discapacidad. Asimismo, le preocupa que no existan medidas suficientes de protección para evitar el abandono de niñas y niños con discapacidad, que muchos aún estén institucionalizados, y la falta de datos sobre estos niños. Además, le preocupa al Comité el escaso alcance de medidas específicas para ellos en zonas rurales y en comunidades indígenas y afrohondureñas.

**18. El Comité recomienda al Estado parte que incluya en su Decreto núm. 79-36 (Código de la Niñez y Adolescencia) el principio de no discriminación, así como la protección a niñas y niños con discapacidad, con el objeto de reforzar las garantías a sus derechos y la igualdad de oportunidades para su inclusión familiar, comunitaria y social, y la suficiente dotación de recursos para su efectiva implementación. Asimismo, recomienda que adopte todas las medidas necesarias para poner en marcha un sistema eficaz de detección de malos tratos en los niños y niñas con discapacidad, tanto en el ámbito de la familia como en el entorno educativo, sanitario y en las instituciones.**

#### **Iran (Islamic Republic of)**

16. The Committee observes with concern:

- (a) The absence of mechanisms for children with disabilities to express their views and opinions regarding all matters affecting them;
- (b) The lack of information on measures to prevent abandonment, and mistreatment of children with disabilities;
- (c) The absence of strategies to promote the best interests of the child in actions concerning children with disabilities; and
- (d) The lack of disaggregated data about girls and boys with disabilities'access to health, education, an adequate standard of living including social protection, and enjoyment of sports, leisure and cultural activities.

**17. The Committee recommends that the State party:**

- (a) Set-up guidelines aimed at consulting with children with disabilities through their representative organizations, ensuring support according to their age and disability, in relation to issues affecting them;**
- (b) Adopt a strategy to sensitize families and communities about the respect of the evolving capacities of children with disabilities, combat stereotypes against them and prevent isolation and neglect; and**
- (c) Provide community-based services and support for children with disabilities with a view to eliminating institutionalization.**

#### **Jordan**

17. The Committee is deeply concerned at the violence that boys and girls with disabilities reportedly experience in both care homes and the family setting. The Committee notes the absence of a disability perspective in national policies affecting children, including the Early Childhood Development Strategy and the National Strategy for the Family.

**18. The Committee recommends that the State party:**

- (a) Adopt the draft amendments to the Criminal Code which intensify punishments for acts of negligence or harm towards children with disabilities;
- (b) Ensure that all cases in which children with disabilities are exposed to violence are reported and fully investigated, that perpetrators are prosecuted and appropriately punished and that victims are provided with adequate support and redress, including compensation and rehabilitation;
- (c) Mainstream disability rights in national strategies and action plans for children.

#### **Republic of Moldova**

16. The Committee is concerned about stigmatizing attitudes towards children with disabilities which are reinforced by a lack of community services. It is also concerned that children with disabilities do not systematically participate in making decisions that affect their lives and lack opportunities to express their opinion on matters pertaining to them directly. It is particularly concerned about the life-long institutionalization, from early childhood, of children with disabilities, especially those with psychosocial and/or intellectual disabilities, in inhumane conditions, where they are exposed to neglect and segregated from the community.

**17. The Committee recommends that the State party redouble efforts to promote a positive image of children with disabilities and increase the availability of mainstream support services to children with disabilities. It also recommends that the State party adopt safeguards to protect the right of children with disabilities to be consulted on all matters that affect them, and to guarantee disability- and age-appropriate support to realize that right. The Committee also recommends that the State party develop a national strategy for the deinstitutionalization of children with disabilities, which encompasses alternative care in family settings and inclusive support services and facilities in the community.**

#### **Bolivia**

17. The Committee is concerned about the paucity of information on children with disabilities living in institutions, as well as the lack of measures to prevent their abandonment.

**18. The Committee recommends that the State party take steps to remove children with disabilities from institutions, to protect their right to live in a family environment and to be included in the community, and to prevent their abandonment.**

#### **Colombia**

18. The Committee is concerned about the limited information available on the situation of children with disabilities, mainly those who have been institutionalized or who are living in poverty or in rural or remote areas, and about the steps taken to protect their rights and facilitate their remaining with or return to their families or foster families. It is also concerned about the lack of a ban on corporal punishment of children with disabilities.

**19. The Committee urges the State party to more systematically gather data on children with disabilities and to take steps to prevent their abandonment, abuse and institutionalization. It encourages the State party to adopt a plan on the deinstitutionalization of children with disabilities, including those who are institutionalized on the basis of protection measures ordered by the Colombian Family Welfare Institute, and to provide community-based services and support to families, especially households headed by single mothers, in order to ensure the right of children with disabilities to grow up in a family environment and the right to have a family life. The Committee recommends that the State party repeal the provision in the Civil Code that authorizes adult childminders to correct and discipline children moderately and that it ban corporal punishment in any environment, including within the family and within indigenous and remote communities.**

#### **Ethiopia**

15. The Committee is concerned about the lack of specific legislation to address and ensure the protection of the rights of children with disabilities against abandonment, neglect, mistreatment and corporal punishment in all aspects of life.

**16. The Committee recommends that the State party adopt and implement specific legislation to address the protection of children with disabilities against abandonment, neglect and mistreatment, including through the support of parents of children with disabilities. It also urges the State party to abolish, in law and in practice, corporal punishment against children with disabilities in all spheres.**

#### **Guatemala**

23. The Committee is concerned at the high rate of maltreatment, abuse, corporal punishment, abandonment and institutionalization of children with disabilities; at the prevalence of the welfare and charity-based approach to their care; and at the limited scope of specific measures taken on their behalf in rural areas and indigenous communities.

**24. The Committee recommends that the State party:**

- (a) Amend article 13 of the Act on the comprehensive protection of children and adolescents and article 253 of the Civil Code, as recommended by the Committee on the Rights of the Child (see CRC/C/GTM/CO/3-4, para. 54);**
- (b) Take all necessary measures to implement an effective system for detecting the maltreatment of children with disabilities in family, educational, health-care and institutional settings, and entrust the Office of the Advocate for Children and Adolescents with addressing the issue of children with disabilities who are subjected to abuse and maltreatment;**
- (c) Establish the legal basis and financial support necessary to ensure that all children with disabilities are able to live in a family setting and to exercise their right to inclusive local services for children;**
- (d) Ensure that children with disabilities are taken into account in laws, policies and measures regarding children, on an equal basis with other children and based on the principle of inclusion in the community;**
- (e) Put in place safeguards to protect the right of children with disabilities to be consulted on all matters of concern to them and ensure that they receive assistance that is accessible and appropriate to their disability and age;**
- (f) Prohibit and eliminate corporal punishment of children.**

#### **Italy**

15. The Committee is concerned that nationwide data on the number of children with disabilities aged 0-5 years, disaggregated by age, disability and sex, is insufficient in scope and detail to understand the situation of children with disabilities.

**16. The Committee recommends that the State party improve immediately data collection to ensure early detection, intervention and service provision for all children with disabilities, particularly for the 0-5 age group.**

17. The Committee is concerned that the policy framework for addressing child poverty for those with disabilities is inadequate and monitoring mechanisms are absent.

**18. The Committee recommends that the State party ensure that policies aimed at addressing child poverty specifically include children with disabilities through their representative organizations and that the monitoring of the implementation of those policies and on poverty levels among children with disabilities is undertaken in close consultation with children living in poverty and their families.**

#### **United Arab Emirates**

15. The Committee is concerned at the absence of:

- (a) A strategy to promote the exercise by girls and boys with disabilities of their freedoms and rights on an equal basis with other children;**
- (b) Data about girls and boys with disabilities and that information on the measures and support available to children with disabilities reaching adulthood for starting an independent life is not collected systematically;**

(c) Means for girls and boys with disabilities to express their views on all matters that concern them.

**16. The Committee recommends that the State party:**

**(a) Take all the steps necessary to promote the realization of the rights of the child for girls and boys with disabilities on an equal basis with other children, and provide adequate support for girls and boys with disabilities to help them start an independent life when they reach adulthood;**

**(b) Ensure safeguards to protect the right of girls and boys with disabilities to be consulted in all matters that concern them and to ensure that they receive appropriate assistance in that regard.**

**Uruguay**

17. Al Comité le preocupa que en la legislación relativa a las niñas y niños no se contemple explícitamente el principio de la no discriminación y que dicha ausencia afecte desproporcionadamente a niñas y niños con discapacidad. Asimismo le preocupa que no existan medidas de protección para evitar el abandono de niñas y niños con discapacidad, que muchos aún estén institucionalizados, y le preocupa la falta de datos sobre estos niños.

**18. El Comité recomienda al Estado parte que incluya en su Ley número 17823 (Código de la Niñez y Adolescencia), el principio de no discriminación, así como que aumente la protección para niñas y niños con discapacidad con el objeto de garantizar sus derechos y la igualdad de oportunidades para su inclusión familiar, comunitaria y social, y la suficiente dotación de recursos para su efectiva implementación. El Comité recomienda al Estado parte preste atención a los vínculos entre el artículo 7 de la Convención y las metas 10.2 y 10.3 de los Objetivos de Desarrollo Sostenible, para la plena inclusión de los niños y niñas con discapacidad, garantizándoles su igualdad de oportunidades y promoviendo legislaciones, políticas y medidas adecuadas contra la discriminación.**

**Chile**

15. Al Comité le preocupa que en la legislación relativa a las niñas y niños no se contemple explícitamente el principio de la no discriminación; en particular, que dicha ausencia afecte desproporcionadamente a niñas y niños con discapacidad. Asimismo le preocupa que no existan medidas de protección para evitar el abandono de niñas y niños con discapacidad, o su institucionalización, debido a la falta de información y falta de apoyo a las familias, y a las condiciones de pobreza.

**16. El Comité recomienda que en el proyecto de ley del sistema de garantías de los derechos de la niñez, actualmente en discusión por el Congreso, se incluya el principio de no discriminación, así como la protección especial a niñas y niños con discapacidad con el objeto de reforzar las garantías a sus derechos y la igualdad de oportunidades para su inclusión familiar, comunitaria y social, y la suficiente dotación de recursos para su efectiva implementación.**

**Lithuania**

17. The Committee is concerned about:

**(a) The lack of data and initiatives on protection from and prevention of sexual abuse and trafficking specifically targeting children with disabilities;**

**(b) The systematic lack of involvement of children with disabilities, especially children with intellectual or cognitive impairments and children with a reduced ability to express themselves vocally, in decision-making concerning their lives.**

**18. The Committee strongly recommends that the State party:**

**(a) Develop and implement an appropriate plan of action to eliminate all forms of sexual abuse and violence against children with disabilities within and outside of institutions, and collect disaggregated data in order to evaluate the effectiveness of measures that would be adopted under such a plan of action;**

**(b) Take legislative and administrative measures to guarantee the right of children with disabilities to express their views on all matters affecting them, particularly in judicial and administrative procedures, recognizing their evolving capacity and giving due weight to their views in accordance with their age and maturity, and to be provided with disability- and age-appropriate assistance to realize this right.**

19. The Committee is concerned about the low number of children with disabilities and their families receiving support from the Ministry of Social Security and Labour and the narrow scope of support provided.

**20. The Committee recommends that the State party take measures to ensure that children with disabilities and their families receive the support that they need and that is appropriate given their individual requirements and develop the statistical tools necessary to measure the progress made in that respect.**

#### **Portugal**

19. The Committee notes with concern the negative impact of austerity measures taken by the State party on the range of support services for families who have children with disabilities, and on support measures to ensure a quality inclusive education for children with disabilities. It also notes that the State party's disability strategies and strategies for children do not take into account the requirements of children with disabilities.

**20. The Committee recommends that the State party adopt necessary measures, including the use of European Structural and Investment Funds and other pertinent funds, in order to minimise the impact of austerity measures on children with disabilities, enhancing support for families and ensuring the measures necessary for children with disabilities to receive a quality inclusive education. It also recommends that the State party ensure consultations with children with disabilities and with the organisations representing them on all issues affecting them, and that they are given disability- and age-appropriate support.**

#### **Serbia**

13. The Committee is deeply concerned about the number of children with disabilities living in institutions, especially those with intellectual disabilities; that they constitute nearly 80% of children in institutions; and that information indicates that children with disabilities continue to be placed in institutions. The Committee is equally concerned that despite the legal prohibition on placement in institutions of infants under the age of 3 disabled infants with disabilities continue to be placed in institutions directly from maternity wards. It is further concerned that despite efforts to develop foster care, the level of day care, home assistance services, supporting housing, and counselling and therapy, within the framework of community-based services for families with children with disabilities in the State Party, remains insufficient. The State Party also seems to fail to develop efficient, sustainable and quality community-based care services based on the same standard at local level.

**14. The Committee urges the State party to strengthen its efforts to deinstitutionalise children, in particular those with intellectual and/or psycho-social disabilities, to prevent any new institutionalisation of infant under the age of 3, and to ensure a more efficient transitions of boys and girls from institutions into families. In the interim period, it recommends the State party to provide children with disabilities with sufficient early childhood intervention and development services, to initiate education programmes for the staff in institutions, and to develop efficient community-based care services for those leaving institutions.**

#### **Slovakia**

23. The Committee is deeply concerned about the number of children with disabilities living in institutions, especially those with intellectual disabilities.

**24. The Committee urges the State party to prevent any new placement of children with disabilities in institutions, and to introduce an action plan with a clear timetable for its implementation and budget allocations to ensure the full deinstitutionalization of children**

**with disabilities from all residential services and their transition from institutions into the community.**

25. The Committee is concerned that there is a significant lack of early intervention and early diagnosis services in the health, social and educational areas and that financial support for families with children with disabilities requiring early intervention is insufficient.

**26. The Committee recommends that the State party develop a holistic and comprehensive network of health and social care services for the early diagnosis and intervention for children with disabilities, in close consultation with their representative organizations, and increase financial support for their families using public resources.**

#### **Thailand**

17. The Committee is concerned about discrimination and stigma against children with disabilities, which results in reluctance by some parents of children with disabilities to register with the Department of Empowerment of Persons with Disabilities; the abandonment of children with disabilities by their families; and the number of children with disabilities living in institutions. The Committee is also concerned that children, their families and professionals working for and with children are unaware of their rights; entities working on their protection and promotion lack coordination; professionals in the field lack training; and reliable statistics and information on the situation of children with disabilities are lacking overall.

**18. The Committee recommends that the State party, in close consultation with representative organizations of children with disabilities:**

- (a) Adopt a strategy to combat stereotypes against children with disabilities and prevent their abandonment;**
- (b) Develop community-based services and assistance with a view to ending institutionalization;**
- (c) Raise awareness of the rights of children with disabilities and strengthen the provision of assistance appropriate to their age and impairment.**

#### **Uganda**

12. The Committee notes with concern that legislation and policies fail to provide protection for the rights of children with disabilities. It is also concerned about the absence of information on the situation of deaf and deaf-blind children, and about measures to ensure their protection and inclusion in society.

**13. The Committee recommends that the State party:**

- (a) Amend the Children's Act in line with the Convention in order to mainstream rights of children with disabilities across all programmes and provide necessary budget and resources for their protection;**
- (b) Adopt measures to include deaf and deaf-blind girls and boys in all public policies and programmes to ensure that their opinions and views are taken into consideration;**
- (c) Implement measures aimed at promoting the right of children with disabilities to be consulted in all matters concerning their lives and at enabling them to receive assistance appropriate to their age and disability.**

#### **Brazil**

18. The Committee is concerned that children with disabilities are not systematically involved in decisions that affect their lives and do not have the opportunity to express their opinion in matters that affect them directly.

**19. The Committee recommends the State party to adopt safeguards to ensure consultation of girls and boys with disabilities and their representative organizations in all decisions that affect their lives.**

#### **European Union**

22. The Committee is concerned about the number of boys and girls with disabilities living in institutions across the European Union who have no access to mainstream inclusive quality

education. It furthermore notes with concern the adverse effect austerity measures have on availability of support services in local communities for families with children with disabilities, that disability strategies do not include children, and that the European Union Agenda for the Rights of the Child has expired.

**23. The Committee recommends that the European Union take necessary measures, including through the use of ESI Funds and other relevant European Union funds, develop support services in local communities for boys and girls with disabilities and their families, foster deinstitutionalisation and prevent any new institutionalisation, and promote social inclusion and access to mainstream inclusive quality education for boys and girls with disabilities. It further recommends that the renewed Agenda on the Rights of the Child include a comprehensive rights-based strategy for boys and girls with disabilities and safeguards to protect their rights. The Committee recommends that all disability strategies address and mainstream the rights of boys and girls with disabilities.**

24. The Committee is concerned at the lack of awareness regarding the rights of boys and girls with disabilities, that boys and girls with disabilities are not systematically involved in decisions that affect their lives and do not have the opportunity to express their opinion on those matters that affect them directly.

**25. The Committee recommends that the European Union ensure that boys and girls with disabilities and their representative organisations be consulted in all matters affecting them – with appropriate assistance provided, according to their disability and age.**

#### **Gabon**

16. The Committee is concerned that girls and boys with disabilities lack access to services to ensure their development, protection and participation, such as suitable health care and education services, in particular in rural areas. It is also concerned that there are inadequate resources to strengthen support services and information to families of girls and boys with disabilities to ensure they are included at home and in the community.

**17. The Committee recommends that the State party review the situation of girls and boys with disabilities in terms of their access to suitable health care, and education services; allocate adequate resources to strengthen support services for girls and boys with disabilities and their families, to raise awareness among parents and the community; and to train professionals in the field.**

18. The Committee is concerned that girls and boys with disabilities are not given adequate support and opportunities to express their views and exercise their right to be heard, including in consultations in the drafting of laws and policies.

**19. The Committee recommends that the State party establish national mechanisms to enable girls and boys with disabilities to express their views (and receive support if they request it) to fully participate in decision making concerning their lives.**

#### **Kenya**

13. The Committee is deeply concerned at the abandonment of children with disabilities who are rejected by their families and negative stereotypes against them, particularly in rural areas. It is also concerned about the institutionalization of children with disabilities and the prevalence of residential care. It observes with concern the absence of information on the situation of deaf, blind and deaf-blind girls and boys and about measures to ensure their protection and inclusion in society. The Committee takes note of the creation of children assemblies in 47 counties. Nevertheless, it is concerned that children with disabilities in particular in rural areas are not systematically involved in decisions that affect their lives.

**14. The Committee recommends that the State party:**

**(a) Adopt as a matter of priority a strategy to combat stereotypes against girls and boys with disabilities within families and in society and implement an early warning mechanism to prevent abandonment of children with disabilities in urban and rural areas;**

**(b) Provide community-based services and assistance for girls and boys with disabilities with a view to eliminate institutionalization, and ensure that grants from the Transfer**

**Programme for Orphans and Vulnerable Children reach children with disabilities in rural areas;**

**(c) Take measures to assess the situation of girls and boys who are deaf-blind and ensure that public policies and programmes are responsive to their specific needs; and**

**(d) Implement measures, in partnership with organizations of persons with disabilities and other civil society organizations aimed at promoting the right of children with disabilities to be consulted in all matters of concerning their lives and that they receive assistance appropriate to their age and disability.**

#### **Mauritius**

13. The Committee shares the concern expressed by the Committee on the Rights of the Child (CRC/C/MUS/CO/3-5 para. 49) that the State party gives precedence to an integrative approach instead of eliminating the physical, socioeconomic and cultural barriers that prevent their full inclusion in schools and in society. The Committee is also concerned about the overreliance of the State party on NGOs to provide specialized services to children with disabilities without the necessary support, monitoring & regulatory guidance for these NGOs; the insufficient measures to prevent the placement of children with disabilities in 'centres de sauvegarde' ("Abris des Enfants en Détresse") and the rejection and stigmatization faced by these children.

**14. The Committee recommends that the State party take effective measures to ensure provision of quality inclusive services for boys and girls with disabilities both in public and private sectors in compliance with the Convention and allocate the necessary resources to these services. Furthermore, the Committee recommends that the State party ensure that NGO run programmes be regulated and closely supervised and that staff of these NGOs undergo specific monitoring. The Committee also recommends that the State party amend the National Children's policy and the National Child Protection Strategy with the view to incorporating targeted measures for children with disabilities to enjoy their rights on an equal basis with other children.**

#### **Qatar**

15. The Committee is concerned by the absence of a strategy to promote that girls and boys with disabilities exercise freedoms and rights on an equal basis with other children. It is also concerned by the absence of data about girls and boys with disabilities and of systematic information on measures and support available for starting independent life available to children with disabilities reaching adulthood. The Committee is also concerned by the absence of means for girls and boys to express their views on all matters that concern them.

**16. The Committee recommends that the State party take all the necessary steps to promote the realization of the rights of the child for girls and boys with disabilities on an equal basis with others, and provide adequate support for girls and boys with disabilities to help them start an independent life when they reach adulthood. The Committee recommends that the State party ensure safeguards to protect the right of girls and boys with disabilities to be consulted in all matters that concern them and to ensure that they receive appropriate assistance in this regard.**

#### **Ukraine**

13. The Committee is deeply concerned about the reports of abandonment of children with disabilities in conflict areas of eastern Ukraine and widespread institutionalization of children with disabilities throughout the country. It is particularly concerned about the reports of sexual abuse and exploitation of children with disabilities in institutions and their trafficking abroad. It is also concerned about the poor conditions in care institutions for such children, including lack of rehabilitation programmes and lack of privacy, and is particularly alarmed about the reports of deaths of children with disabilities in institutions due to malnutrition related illnesses.

**14. The Committee calls upon the State party to ensure the safety of all boys and girls with disabilities in its conflict affected areas by all possible means and especially those living in institutions to be among the priority groups to be evacuated in emergencies. The Committee also urges the State party to take prompt measures to investigate the reports of sexual abuse, exploitation and trafficking of boys and girls in institutions and prosecute and punish perpetrators. Furthermore, it recommends to strengthen its efforts for deinstitutionalization and, in the interim period, provide boys and girls with disabilities in institutions with adequate standards of living including quality nutrition and access to privacy.**

#### **Cook Islands**

13. The Committee is concerned at the lack of awareness regarding the rights of children with disabilities and the absence of a specific strategy to address their rights. It is also concerned that children with disabilities are not systematically involved in decisions that affect their lives and do not have the opportunity to express their opinion on matters that affect them directly.

**14. The Committee recommends that the State party raise awareness of the rights of children with disabilities through training in schools, family settings and the wider community, in close cooperation with organizations of persons with disabilities; and develop a comprehensive rights-based strategy for children with disabilities that adopts safeguards to protect their rights. The Committee further recommends that children with disabilities are consulted in all matters affecting them, with appropriate assistance according to their disability and age, aligned with the Committee on the Rights of the Child Concluding Observations (CRC/C/COK/CO/1).**

15. The Committee notes an early identification of, and intervention for, children with disabilities project due to commence before 2016, however, the Committee is concerned that this project is of a temporary nature and unsustainable in meeting the long term needs of children with disabilities.

**16. The Committee recommends that the State party:**

- (a) Establish a permanent early identification and intervention programme for children with disabilities, from birth to school age;**
- (b) Identify and provide additional paediatric specialist services that are not currently available;**
- (c) Provide families of children with disabilities financial assistance, training and support mechanisms to ensure children's inclusion and full participation in the family and the community.**

#### **Croatia**

11. The Committee is seriously concerned about the high rate of child abandonment and institutionalization of children with disabilities in the State Party; for their lack of attention and care in the areas of education, health and habilitation; for their vulnerability to violence and abuse, as well as the limited scope of specific measures for them in rural areas. The Committee is also concerned that children with disabilities are not systematically involved in decisions that affect their lives and do not have the possibility to express their opinion in matters that affect them directly.

**12. The Committee recommends the State party to ensure equal protection of children with disabilities in all legislation, policies and measures aimed at children, and strengthen its policy for the de-institutionalisation of children with disabilities. It further recommends to establish and implement a strategy against abandonment of children with disabilities and to adopt safeguards to ensure consultation of children with disabilities in all matters affecting them. The Committee recommends that the State party introduce a clear strategy for a moratorium on new admissions to institutions and strengthen its efforts to provide psychological, financial and social service support measures to families.**

### Czech Republic

15. The Committee is deeply concerned by the persistence of the concept of "caring for children with disabilities in institutions" as public policy, and insufficient development of support services to boys and girls with disabilities and their families in local communities. The Committee is also concerned at the fact that children with disabilities are not able to systematically participate in decision-making that affects their lives and that they do not have the opportunity to express their opinion on matters pertaining to them directly.

**16. The Committee calls upon the State party to abandon the concept of residential institution care for boys and girls with disabilities and to step up the efforts to develop support services for boys and girls with disabilities and their families in local communities, with a clear timeline and concrete benchmarks for implementation which are effectively monitored at regular intervals. The Committee also requests the State party to adopt safeguard measures, with a view to protecting the rights of boys and girls with disabilities to be consulted on all matters that affect them, guaranteeing effective assistance bearing in mind their disability and age.**

### Dominican Republic

12. The Committee is concerned at the lack of mechanisms to protect children with disabilities from neglect and the lack of means whereby children with disabilities can freely express their opinions and preferences on matters that affect them.

**13. The Committee recommends that the State party develop policies based on the principle of the best interests of the child, that will ensure that children with disabilities have the possibility of living in a family and of being included in the community and that it implement mechanisms to ensure that they can express their views on issues affecting them.**

### Germany

17. The Committee is concerned: a) that children with disabilities are not systematically involved in decisions affecting their lives; b) That the parents of children with disabilities cannot decide freely on the type of education and services for their children; c) about the unequal access to treatment and opportunities for children with disabilities of migrant or refugee parents.

**18. The Committee recommends that the State party:**

**(a) Adopt safeguards in order to protect the right of children with disabilities to be consulted in all matters affecting their lives, ensuring assistance that is appropriate to their disability and age;**

**(b) Ensure consideration of all children with disabilities in legislation, policies and measures under the principle of equal opportunities and community inclusion, paying particular attention to those who are children with disabilities of migrant parents or refugees.**

### Mongolia

13. The Committee is concerned that there are inadequate specific measures for providing special protection required by children with disabilities and to their families, aggravated in the case of girls with disabilities and those belonging to nomadic communities, as well as the inadequacy of education given, particularly to those in rural areas. The Committee is also concerned that boys and girls with disabilities are not systematically involved in decisions that affect their lives and do not have the possibility to express their opinion in matters that affect them directly.

**14. The Committee recommends that the State party take steps, which should include consultations with DPOs, to ensure early intervention, overall improvement in increasing enrolment of boys and girls with disabilities for primary school education, implement inclusive early childhood education, opportunities for vocational training for youth with disabilities, and undertake measures for the prevention of violence, abuse and abandonment of children with disabilities. In doing so, the State party should pay particular attention to the situation of girls with disabilities, as well as boys and girls with disabilities from rural areas**

and nomadic communities. The Committee also requests the State party to adopt safeguards to protect the right of boys and girls with disabilities to be consulted in all matters affecting them, ensuring appropriate assistance according to their disability and age. All of these measures should also be in accordance with the concluding observations made by the Committee on the Rights of the Child to the State party in its last constructive dialogue with it..

#### Turkmenistan

17. The Committee is concerned about the lack of information on the concrete achievements of the programmes on early childhood development and early identification of developmental delays. It is also concerned that children with disabilities reaching the age of 16 are considered as adults for the purpose of disability benefits, in line with the concern expressed by the Committee on the Rights of the Child (CRC/C/TKM/CO/2-4, para. 42). It is further concerned about the lack of information on available measures and support for girls and boys with disabilities reaching adulthood for starting independent life.

**18. The Committee urges the State party to:**

- (a) Evaluate the results achieved so far through the implementation of the programmes on early childhood development and strengthen those programmes and allocate adequate resources accordingly;**
- (b) Take measures to ensure that children continue receiving disability benefits up to the age of 18, in line with the recommendation made by the Committee on the Rights of the Child (CRC/C/TKM/CO/2-4, para. 43);**
- (c) Provide adequate support to adolescents with disabilities to start an independent life when they reach adulthood.**

#### New Zealand

17. The Committee is concerned that it is still the case that some children with disabilities, especially Maori children with disabilities, have difficulty in accessing some government services, including health and education services. The Committee notes the recent work undertaken as part of the Disability Action Plan 2014–2018 to make services more accessible.

**18. The Committee recommends that this work be increased to ensure that all children with disabilities are able to access government and related services, including to receive support to express their views.**

#### Denmark

20. The Committee is concerned that, according to the National Council for Children, children who are hospitalized in psychiatric hospitals can be subject to forced treatment.

**21. The Committee recommends that the State party abolish forced hospitalization and treatment of children in psychiatric hospitals, and provide adequate opportunities for information and counselling to ensure that all children with disabilities have the support they need to express their views.**

#### Belgium

15. The Committee is concerned that the State party is now among the European countries with the highest rates of children with disabilities placed in institutions, according to a 2013 European Union report on children with disabilities. The Committee is also concerned that children with disabilities are not systematically included in decisions which affect their lives and do not have the opportunity to express their opinion about issues that affect them directly.

**16. The Committee recommends that the State party allocate the necessary resources to support families of children with disabilities, in order to prevent the abandonment and placement of those children in institutions and to ensure their inclusion and participation in the community on an equal basis with other children. The Committee recommends the adoption of measures to protect the right of children with disabilities to be consulted on all issues affecting them through the provision of age- and disability-appropriate support.**

### Ecuador

18. The Committee is concerned that, despite the concerted efforts made by persons with disabilities in Ecuador, there are no dedicated structures for the participation of children with disabilities and no frameworks or incentives to promote the establishment of organizations of children with disabilities.

**19. The Committee recommends that the State party include a specific component for the participation of children with disabilities in its incentives supporting organizations of persons with disabilities, in order to preserve their identity and promote their involvement in protecting their own rights.**

### Mexico

15. The Committee is concerned at the high rate of child abandonment and the institutionalization of children with disabilities, at the prevalence of the welfare approach to their care and at the limited scope of specific measures taken for them in rural areas and indigenous communities. The Committee is also concerned that children with disabilities are not systematically involved in decisions that affect their lives and that they do not have the opportunity to express their views regarding matters of direct interest to them.

**16. The Committee recommends that the State party:**

- (a) Ensure that children with disabilities, especially those in rural areas and indigenous communities, are taken into account in laws, policies and measures regarding children, on an equal basis with their peers and based on the principle of inclusion in the community;
- (b) Put in place safeguards to protect the right of children with disabilities to be consulted in all matters of concern to them and to ensure that they receive assistance appropriate to their disability and age.

### Sweden

15. The Committee is concerned at reports indicating that children with disabilities are exposed to higher rates of violence than other children, and that there is a lack of awareness among staff working with children.

**16. The Committee recommends that the State party develop research as well as a collection of data and statistics on violence against children with disabilities. It also recommends that the State party reinforce its strategy and initiatives for the sensitization and training of parents and staff working with children as well as for awareness-raising among the general public.**

17. The Committee is concerned at reports that reveal that rates of mental health and psychosocial issues and disorders are high among young people; that school health services are underresourced; and that access to school psychologists and the psychosocial support system involves a long wait.

**18. The Committee recommends that the State party increase the resources available for school health services to ensure that children have access to and receive appropriate psychosocial and mental-health support and psychiatric health care in a timely manner.**

19. The Committee is concerned that children with disabilities are not systematically involved in decisions concerning their lives and that they lack opportunities to express their opinions on matters concerning them.

**20. The Committee recommends that the State party ensure existing safeguards and adopt additional ones to protect the right of children with disabilities to be consulted in all matters concerning them.**

### Azerbaijan

18. In its 2012 concluding observations on Azerbaijan (CRC/C/AZE/CO/3-4), para. 34, the Committee on the Rights of the Child (CRC) expressed deep concern regarding the high rate of infant mortality in the State party, which is allegedly the fifth highest in Europe. Furthermore, the CRC expressed concern that the State party's definition of a live birth is not consistent with the internationally recognized World Health Organization definition. The Committee

reiterates the concerns by the CRC and further expresses concern at the lack of data on the number of children born with disabilities who are affected by the State party's high rate of infant mortality, particularly how this state of affairs are affecting the birth registration of boys and girls with disabilities

**19. The Committee reiterates the recommendations of the Committee on the Rights of the Child and requests the State party to expedite their implementation. The Committee further recommends that the State party compile data indicating the number of children born with disabilities who are affected by the high infant mortality rate in the State party. The Committee urges the State party to, therefore, conduct a study on the mortality of boys and girls with disabilities and to expeditiously step up its efforts to reduce infant mortality, in accordance with the implementation of the definition of a born alive of the World Health Organization.**

#### **Costa Rica**

15. The Committee notes with concern that the State party has conducted no survey on the situation of children with disabilities, including indigenous children, who are placed in institutions, abandoned, victims of abuse or living in poverty or in rural settings. Furthermore, the Committee regrets that the National Child Welfare Agency reflects the assistance-based and irregular situation model, disregarding the rights of children with disabilities. The Committee is also concerned at the fact that disability is not mainstreamed in Act No. 7739, the Children and Adolescents Code, and that article 62 of the Code, on the right to special education, is not in line with article 24 of the Convention.

**16. The Committee recommends that the State party take urgent measures to protect children with disabilities from abuse and abandonment, and to prevent institutionalization. It also urges the State party to guarantee freedom of expression and opinion for children with disabilities. The Committee also urges the State party to amend the Children and Adolescents Code to include disability as a cross-cutting theme, and to amend article 62 of the Code, on the right to special education, to guarantee children with disabilities inclusive education of quality.**

#### **Australia**

18. The Committee is concerned that the National Framework for Protecting Australia's Children is focused on child protection against violence, abuse and neglect, and that there is no comprehensive national policy framework for children, including children with disabilities, that articulates how the rights of children should be implemented, monitored and promoted.

**19. The Committee recommends that the State party:**

**(a) Increases efforts to promote and protect the rights of children with disabilities, by incorporating the Convention into legislation, policies, programs, service standards, operational procedures and compliance frameworks that apply to children and young people in general;**

**(b) Establishes policies and programmes that will ensure the right of children with disabilities to express their views on all matters concerning them.**

#### **Austria**

19. In its 2012 Concluding Observations on Austria (CRC/C/AUT/CO/3-4), the Committee on the Rights of the Child expressed its concern about a number of ways in which the rights of children with disabilities were at risk of being abrogated.

**20. The Committee endorses the recommendations of the Committee on the Rights of the Child and requests the State Party to implement those recommendations as speedily as is appropriate.**

#### **El Salvador**

19. The Committee is concerned that the Child and Adolescent Protection Act does not include specific actions to ensure the protection of children with disabilities, aside from a few

regarding health care. The Committee is concerned that children with disabilities living in poverty are more vulnerable to abandonment or placement in institutional care.

**20. The Committee recommends that the State party strengthen its legislation and set up specific programmes to guarantee the rights of children with disabilities on equal terms, paying particular attention to children with disabilities living in rural areas and indigenous communities and to children with hearing, visual and intellectual impairments, ensuring their social inclusion and preventing abandonment and institutionalization, with priority for actions for underprivileged families.**

#### **Paraguay**

19. The Committee notes with concern that the National Programme of Comprehensive Care for Children and Adolescents with Disabilities is limited solely to the prevention and early detection of disability characteristic of the medical model, and does not take account of the full range of rights recognized to children with disabilities. The Committee is also concerned that the resources for implementation of a public policy on inclusion of children with disabilities are inadequate. The Committee regrets the lack of information on children with disabilities who are at risk of ill-treatment and abuse, including indigenous children with disabilities.

**20. The Committee urges the State party to allocate sufficient resources as required to implement a broad policy on inclusion of children with disabilities in all areas of life, including family life and community life, by developing inclusive community-based rehabilitation programmes for children with disabilities as recommended by the Committee on the Rights of the Child in its concluding observations on the third periodic report of Paraguay (CRC/C/PRY/CO/3, para. 49). The Committee also asks the State party to investigate and document the situation of children with disabilities in rural areas and indigenous communities, with a view to providing protection from abuse and ill-treatment.**

#### **Argentina**

15. The Committee notes with concern that Act No. 26.061 on the comprehensive protection of the rights of children and adolescents contains no provisions specifically on children with disabilities. It is also concerned at the lack of information on the situation of children with disabilities in the State party.

**16. The Committee recommends that the State party should, as a priority, incorporate a disability perspective into Act No. 26.061 and the system for the comprehensive protection of children's and adolescents' rights. The Committee urges the State party to invest the greatest possible amount of available resources in ending discrimination against children with disabilities and to ensure that they are covered by health insurance schemes and receive the services and benefits, such as pensions and housing, to which they are entitled.**

#### **China**

13. The Committee fears that children with disabilities in the state party are at a high risk of abandonment by their parents and are often placed in isolated institutions. For those children with disabilities living at home in rural areas, the Committee is concerned at the lack of community-based services and assistance.

**14. The Committee urges the state party to take measures to fight the widespread stigma in relation to boys and girls with disabilities and revise their strict family planning policy, so as to combat the root causes for the abandonment of boys and girls with disabilities. It asks the state party to provide sufficient community-based services and assistance also in rural areas.**

#### **Hong-Kong**

59. While commending the assessment and early education service offered by Hong Kong, China, government, the Committee is concerned that the services provided are not sufficient to match the overwhelming demand.

**60. The Committee recommends that Hong Kong, China, allocate more resources to the services provided for children with disabilities in order to ensure that they are able to develop to their full potential.**

**Hungary**

21. The Committee takes note of the State party's expression of dedication to protect and promote the rights of children with disabilities. However, the Committee is concerned about the high number of children living in institutional settings and about the fact that a large part of children with disabilities receives institutional care, instead of home care. It stresses the importance of allocating sufficient resources to enable children with disabilities to continue living with their families in their own communities.

**22. The Committee calls upon the State party to undertake greater efforts to make available the necessary professional and financial resources, especially at the local level, to promote and expand community-based rehabilitation and other services in their respective local communities to children with disabilities and their families, in order to enable children with disabilities to live with their families, as recommended by the Committee on the Rights of the Child (CRC/C/HUN/CO/2).**

**Peru**

16. While taking note that the Code on Children and Adolescents (Law 27337) recognizes certain rights of children with disabilities, the Committee is concerned at their de facto enjoyment of those rights. The Committee is concerned at the invisibility of children with disabilities, in particular indigenous children, in statistical data of the State party.

**17. The Committee recommends that the State party make special care and assistance to children with disabilities, in particular indigenous children, a matter of high priority, and invest to the maximum extent of available resources in the elimination of discrimination against them, as well as gather accurate data to monitor the upholding of their rights. The Committee further recommends that the State party take steps to prevent violence, abuse and extreme abandonment of children with disabilities.**

**Spain**

23. The Committee is particularly concerned at the reportedly higher rates of abuse of children with disabilities in comparison with other children. The Committee is equally concerned by the lack of early identification, family interventions and informed support of children with disabilities, which puts at risk their full development and ability to express their views; and by the lack of available resources and coordinated public administration in the social, health and education services, among others.

**24. The Committee recommends that the State party:**

- (a) Increase efforts to promote and protect the rights of children with disabilities, and to undertake research on violence against children with disabilities, adopting measures to eradicate this violation of their rights;**
- (b) Establish policies and programmes that will ensure the right of children with disabilities to express their own views;**
- (c) Develop coordinated public policies with sufficient resources to ensure inclusive access to support services that include informed therapeutic, rehabilitation and habilitation services, and care which covers the health, psychosocial and education needs of children with disabilities, in particular during early childhood.**

**Tunisia**

16. The Committee is particularly concerned at the low rate of reporting (*signalement*) of cases of habitual mistreatment of children, including children with disabilities, which may amount to situations of danger, in view of the results of the Multiple Indicator Cluster Survey (MICS 2006) which indicated that 94 per cent of children aged between 2 and 14 years are

disciplined in the home through violent means, whether verbal, physical, or through deprivation.

**17. The Committee recommends that the State party:**

- (a) Evaluate the phenomenon of violence against boys and girls with disabilities, and compile systematic disaggregated data (see paragraph 39 below) with a view to better combating it;**
- (b) Ensure that institutions providing care for children with disabilities are staffed with specially trained personnel, subject to appropriate standards, regularly monitored and evaluated, and establish complaint procedures accessible to children with disabilities;**
- (c) Establish independent follow-up mechanisms; and**
- (d) Take steps to replace institutional care for boys and girls with disabilities with community-based care.**