



**IDA's Compilation of Disability  
Related Extracts of Concluding  
Observations of the Committee on  
the Rights of the Child**

**CRC Committee's 91st session  
(29 August 2022 -23 September  
2022)**

<b>Committee on the Rights of the Child - 91<sup>st</sup> session - 2022</b>	
Total number of Concluding Observations	8
Number of countries receiving recommendations on persons with disabilities	8
Percentage of countries receiving recommendations on persons with disabilities	100%
Number of recommendations including explicit references on disability	90

**GERMANY - CRC/C/DEU/CO/5-6**

**KUWAIT – CRC/C/KWT/CO/3-6**

**NORTH MACEDONIA – CRC/C/MKD/CO/3-6**

**VIET NAM – CRC/C/VNM/CO/5-6**

**PHILLIPINES – CRC/C/PHL/CO/5-6**

**UZBEKISTAN – CRC/C/UZB/CO/5**

**SOUTH SUDAN – CRC/C/SSD/CO/1**

**UKRAINE – CRC/C/UKR/CO/5-6**

Official versions of Concluding Observation are available on the website devoted to the session [here](#).

## **GERMANY - CRC/C/DEU/CO/5-6**

### **Comprehensive policy and strategy**

7. While noting the various sectoral strategies and measures at the federal, Land and municipal levels on children's rights, the Committee considers that a comprehensive children's rights policy and strategy at the federal level could serve as a basis for plans and strategies at the Land and municipal levels. Recalling its previous recommendation,<sup>1</sup> the Committee recommends that the State party:

(b) Ensure that such a policy provides guidance for the Länder on implementing the Convention and includes a special focus on children in disadvantaged situations, including asylum-seeking, refugee and migrant children, children belonging to minority groups, children with disabilities, lesbian, gay, bisexual, transgender and intersex children and socioeconomically disadvantaged children.

### **Data collection**

10. Recognizing the large body of data available, of which only a selection was made available to it, the Committee notes, however, that gaps remain in relation to some areas of the Convention. The Committee recommends that the State party:

(a) Strengthen its data-collection system with regard to both qualitative and quantitative indicators that encompasses all areas of the Convention, and ensure that the data are disaggregated by age, sex, disability, geographical location, ethnic origin, nationality and socioeconomic background;

### **Non-discrimination**

15. The Committee welcomes efforts to combat discrimination against children in disadvantaged situations but is concerned about the disproportionate effect of de facto discrimination on such children, including in terms of access to education and health. Recalling target 10.3 of the Sustainable Development Goals, the Committee recommends that the State party:

(a) Strengthen policies and awareness-raising measures aimed at addressing the root causes of de facto discrimination, with a view to eliminating discrimination against children in disadvantaged situations, including asylum-seeking, refugee and migrant children, Sinti and Roma children and children of other minority groups, children with disabilities, lesbian, gay, bisexual, transgender and intersex children and socioeconomically disadvantaged children;

### **Children with disabilities (art. 23)**

29. The Committee recommends that the State party:

(a) Streamline all support for children with disabilities into one body, such as child and youth support services, with a view to ensuring that all children with disabilities have equal access to benefits under Book VIII of the Social Code;

(b) Establish federal legal regulations to ensure that all disability-support facilities and services have specific measures and mechanisms to protect girls and young women with disabilities from violence, including sexual abuse;

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<sup>1</sup> [CRC/C/DEU/CO/3-4](#), para. 12.

**(c) Strengthen the support provided to children with disabilities, including migrant children with disabilities, for their social integration and individual development, and ensure that the families of such children know how to seek the necessary support.**

#### **Education, including vocational training and guidance**

35. The Committee commends the State party for its efforts to expand the inclusive education system, address learning gaps experienced by children during the coronavirus disease (COVID-19) pandemic, expand digitalization in schools, promote language child day-care centres and combat violence in schools. Nonetheless, the Committee is concerned about:

(b) The lack of inclusive secondary schools and the large number of children with disabilities leaving school without a school-leaving certificate;

**36. Recalling targets 4.5 and 4.a of the Sustainable Development Goals, the Committee recommends that the State party:**

**(a) Strengthen measures to ensure the equal access of children in disadvantaged groups, including asylum-seeking, refugee and migrant children, children with disabilities and children from socioeconomically disadvantaged families to comprehensive schools, higher education and vocational training;**

**(b) Establish national standards to guarantee the right of all children with disabilities to inclusive education, and encourage all Länder to develop strategies for ensuring the access of children with disabilities to quality inclusive education in mainstream schools at all levels, including at the secondary level, with adapted curricula and individual support from specialized staff and reasonable accommodation for their educational needs;**

#### **KUWAIT – CRC/C/KWT/CO/3-6**

##### **Data collection**

11. The Committee welcomes the unified data-gathering mechanism for children developed by the Central Statistical Bureau in coordination with relevant ministries. In the light of its general comment No. 5 (2003) on general measures of implementation of the Convention, the Committee recommends that the State party:

**(a) Continue strengthening its unified data collection system and ensure that data collected on children's rights cover all areas of the Convention, and are disaggregated by age, sex, disability, geographical location, ethnic and national origin and socioeconomic background, to facilitate analysis of the situation of children, in particular those in situations of vulnerability, including girls, children who do not possess Kuwaiti nationality and those who are stateless (bidoon) and children with disabilities;**

##### **Respect for the views of the child**

20. While noting the creation of student councils and parliament, the Committee is concerned about the extent to which conclusions and recommendations put forward by children are taken into consideration in decision-making processes. In the light of its

general comment No. 12 (2009) on the right of the child to be heard, and recalling its previous recommendation, 14 the Committee recommends that the State party:

**(a) Ensure that the student councils and parliaments are composed of diverse representation of Kuwaiti society and in particular children from marginalized and disadvantaged communities, including girls, children with disabilities, children who do not possess Kuwaiti nationality and those who are stateless, and ensuring that the outcomes of children's council and parliament sessions are systematically fed into public decision-making;**

### **Violence against children, including abuse and neglect**

26. The Committee welcomes the introduction, in the Child Rights Act and the Anti Domestic Violence Act (No. 16 of 2020), of legal protections for children against any form of mental or physical abuse, attributing criminal responsibility to perpetrators and mandating the establishment of shelters and a helpline for children. However, the Committee remains seriously concerned about the absence of the following:

(a) A comprehensive national strategy to address all forms of violence against children, including domestic violence;

(b) Systematic awareness-raising efforts to ensure that children know how to seek protection and assistance;

(c) Comprehensive specialized services that are available and accessible and a referral system to prevent, identify and respond to cases of children who are victims of such abuse, including operational shelters in the State party;

(d) Information about the sanctions imposed for violations of legislation prohibiting abuse and domestic violence against children

**27. In the light of its general comment No. 13 (2011) on the right of the child to freedom from all forms of violence, and taking note of target 16.2 of the Sustainable Development Goals, the Committee urges the State party to:**

**(a) Finalize and adopt the protocol being developed by the High Committee for the Protection of Children on the management of cases of the ill-treatment, neglect and exploitation of children, ensuring that it is inclusive of the special needs of children who are in situations of vulnerability, such as girls, children who do not possess Kuwaiti nationality and those who are stateless and children with disabilities;**

### **Children with disabilities (art. 23)**

33. While the Committee takes note of the provision of a monthly allowance for children with disabilities, it is concerned that children with disabilities who do not possess Kuwaiti nationality and those who are stateless are not included as beneficiaries of the Rights of Persons with Disabilities Act (No. 8 of 2010).

**With reference to its general comment No. 9 (2006) on the rights of children with disabilities, the Committee recalls its previous recommendations<sup>22</sup> and further recommends that the State party:**

**(a) Enable all children with disabilities living in the State party, including children with disabilities who do not possess Kuwaiti nationality and those who are stateless, to claim and have access to their rights without discrimination, in accordance with the human rights-based approach to disability, and protect them from all forms of disability-based discrimination;**

- (b) Develop a comprehensive national education strategy that expands inclusive education, in order for all children with disabilities to benefit from a high quality and inclusive education system, irrespective of their different capacities;**
- (c) Strengthen the system for early detection and intervention, including for children with autism and developmental disorders, in order to facilitate access for children with all types of disabilities to education, health care, social protection and support services;**
- (d) Ensure that children are not placed in institutions as a result of their disability and strengthen family and community-based care;**
- (e) Implement the Kuwait Accessibility Code by finalizing the legislation and regulations for its application with a view to ensuring the accessibility of public spaces, buildings, services and information for children with disabilities;**
- (f) Undertake awareness-raising campaigns aimed at government officials and members of the public and families to combat the stigmatization of, and prejudice against, children with disabilities and promote a positive image of them as rights holders**

## **NORTH MACEDONIA – CRC/C/MKD/CO/3-6**

### **Allocation of resources**

11. While noting the creation of a special budget line for inclusive education in the budget of the Ministry of Education and Science and two financial programmes aimed at the education of Roma children, the Committee, with reference to its general comment No. 19 (2016) on public budgeting for the realization of children’s rights, recommends that the State party:

- (b) Identify areas of potential savings where funds could be transferred to budgets relating to children and their families, paying particular attention to children in disadvantaged situations, including children with disabilities, children living in poverty and Roma children;**

### **Data collection**

12. Recalling its general comment No. 5 (2003), the Committee reiterates its previous recommendation and recommends that the State party:

- (b) Ensure that data can be disaggregated by age, sex, disability, geographic location, ethnic origin, nationality and socioeconomic background to facilitate analysis of the situation of all children, particularly younger children, children in alternative care, child victims of neglect, violence or abuse, including sexual exploitation and trafficking, children with disabilities, refugee and asylum-seeking children, children of unknown nationality, children in conflict with the law, working children, children in street situations and children in other situations of vulnerability;**

### **Independent monitoring**

13. While welcoming the amendments to the Law on the Ombudsman to bring it into line with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles) and the establishment of special units to monitor the situation of children’s rights, the Committee recalls its general comment No. 2 (2002) on the role of independent national human rights institutions in

**the promotion and protection of the rights of the child, and recommends that the State party:**

**(a) Strengthen the independence and mandate of the Ombudsman and strengthen the capacity and the human and financial resources of the departments of the Ombudsman's Office for monitoring and safeguarding the rights of the child and the rights of persons with disabilities;**

### **Non-discrimination**

17. The Committee notes the establishment of the Commission for the Prevention of and Protection against Discrimination under the Law on the Prevention of and Protection of Persons against Discrimination. However, the Committee remains seriously concerned at the existence of stereotypes and social norms that perpetuate discrimination against children, in particular Roma children, children with disabilities and lesbian, gay, bisexual, transgender and intersex children, and on the basis of children's social status.

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

**(a) Ensure the full enforcement of existing laws prohibiting discrimination and strengthen public education campaigns to promote tolerance, coexistence, respect for diversity, dialogue and inclusion, and raise public awareness of the prohibition of discrimination;**

**(b) Strengthen the capacities and effectiveness of the Commission for the Prevention of and Protection against Discrimination and the agencies responsible for receiving complaints;**

**(c) Strengthen the implementation of the equality and non-discrimination strategy for the period 2022–2026, ensuring the participation of children and civil society in its design and in monitoring its effectiveness;**

**(d) Ensure the investigation of cases of discrimination against children.**

### **Violence against children (arts. 19, 24 (3), 28 (2), 34, 37 (a) and 39)**

24. The Committee welcomes the measures taken to combat violence against children, including legal reforms that criminalize acts of physical, psychological and any other type of violence towards a child; the adoption of the new national action plan for preventing and addressing the abuse and neglect of children and the strategy for the prevention and protection of children from violence 2020–2025; the ratification of the Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse (Lanzarote Convention); and the ratification of the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (Istanbul Convention). However, the Committee is concerned about:

(i) The insufficiently systematic efforts aimed at addressing peer violence in schools, online bullying and violence against lesbian, gay, bisexual, transgender and intersex children, **children with disabilities** and Roma children;

**25. With reference to its general comment No. 13 (2011) on the right of the child to freedom from all forms of violence and targets 5.2, 16.1 and 16.2 of the Sustainable Development Goals, the Committee recommends that the State party:**

**(g) Strengthen parenting training programmes, including the "Mellow Parenting" model, to promote non-violent upbringing strategies, including for parents of children with**

disabilities, parents of Roma children and parents of children with challenging behaviour;

#### **Family environment**

**27. The Committee welcomes the social benefits reform, including with regard to child allowance, and the improvement to social support and care services. It recommends that the State party:**

**(a) Continue to strengthen basic social services at the local level and prioritize social service delivery according to the needs of children in vulnerable situations, in particular Roma children and children from families facing poverty, disability, social exclusion and stigma;**

#### **Children deprived of a family environment**

**28. The Committee notes with appreciation the deinstitutionalization of children in alternative care, the closure of large-scale institutions and the corresponding creation of the foster care system. The Committee draws the attention of the State party to the Guidelines for the Alternative Care of Children (General Assembly resolution 64/142) and recommends that the State party:**

**(c) Continue to prioritize reforms of the child protection system, including by replacing small group homes with family placement, in particular for young children and children with disabilities;**

**(d) Ensure that poverty, disability or ethnic origin are not accepted as valid reasons for out-of-home placement of children;**

#### **Children with disabilities (art. 23)**

29. The Committee welcomes the implementation of the new disability assessment model, taking a human rights-based approach based on the International Classification of Functioning, Disability and Health, the National Deinstitutionalization Strategy (2018–2027) and the adoption of the Law on Primary Education as a legal basis for the inclusion of students with disabilities in the general education system. However, the Committee is concerned about:

(a) Gaps in the collection of centrally disaggregated data on children with disabilities;

(b) The insufficient financial and human resources allocated to achieve progress in deinstitutionalizing children with disabilities, and their continuing long stay in small group homes and day-care centres;

(c) The insufficient financial and human resources allocated to the implementation of the Law on Primary Education and the disability assessment model based on the International Classification of Functioning, Disability and Health;

(d) The lack of availability and the inadequacy of schools, buildings, transport and spaces for children with disabilities, which hinder their access to education;

(e) The lack of access to community services for children with disabilities;

(f) The existence of prejudices that result in the marginalization of and discrimination against children with disabilities in terms of accessing health, education and protection services.

**30. Recalling its general comment No. 9 (2006) and 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, the Committee recommends that the State party:**

- (a) Establish a system of regular and systematic collection of comprehensive and disaggregated data on children with disabilities, strengthen its early detection and intervention programmes and improve specialized health care and age-appropriate rehabilitation;**
- (b) Increase financial and human resources to strengthen the deinstitutionalization process and increase family and community-based care, services and support;**
- (c) Increase financial and human resources to strengthen the implementation of the Law on Primary Education as a way of ensuring the full inclusion of children with disabilities in the mainstream education system;**
- (d) Promote the implementation of the disability assessment model based on the International Classification of Functioning, Disability and Health;**
- (e) Promote universal design for all schools, buildings, services and public transport in order to facilitate access for children with disabilities;**
- (f) Implement measures to address multiple and intersectional discrimination against children with disabilities and strengthen measures to promote the inclusion of children with disabilities in the community and ensure their equal access to all community services, particularly in cultural, sports and recreational activities.**

**Education, aims of education and human rights education**

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

- (a) Take the necessary measures to ensure education is free of charge, paying particular attention to children with disabilities and those from vulnerable backgrounds;**

**VIET NAM – CRC/C/VNM/CO/5-6**

### **Allocation of resources**

9. Recalling its general comment No. 19 (2016) on public budgeting for the realization of children's rights, the Committee reiterates its previous recommendations and urges the State party:

- (c) To conduct regular assessments of the distributional impact of government investments in sectors supporting the realization of children's rights and identifying measures to address any gender disparities, with particular attention to children with disabilities, children belonging to ethnic or religious minority or indigenous groups and children living in poverty;**

### **Data collection**

10. The Committee notes with appreciation the expansion in 2021 of the national list of indicators, but is concerned that several indicators relevant for children, including in the areas of child labour, early childhood development, access to water and sanitation and education, are not aligned with international standards. The Committee recommends that the State party:

- (b) Ensure that data collected on children's rights covers all areas of the Convention and the Optional Protocols thereto, disaggregated by age, sex, disability, nationality,**

geographic location, ethnic origin and socioeconomic background, in order to facilitate analysis on the situation of all children

### **Non-discrimination**

16. The Committee notes the adoption of the strategy for ethnic affairs for the period 2021–2030, but remains deeply concerned about the persistence of disparities in the enjoyment of rights among children in vulnerable situations, including with regard to access to household registration, health services, education and social protection; and discriminatory gender stereotypes, as reflected in the imbalanced sex ratio at birth and high dropout rates from school and child marriages among girls.

**17. Recalling target 10.3 of the Sustainable Development Goals, the Committee reiterates its previous recommendations<sup>7</sup> and urges the State party:**

**(a) To address disparities in access to all public services by girls, children in remote areas, children with disabilities, lesbian, gay, bisexual and transgender children, children living in poverty, children belonging to ethnic or religious minority or indigenous groups, including Hmong and Khmers-Krom children, and migrant children, and regularly evaluate the enjoyment by these children of their rights;**

### **Children deprived of a family environment**

**33. While welcoming the measures taken to provide support for families in vulnerable situations, the Committee is deeply concerned about the large number of children living in residential care, the lack of systematic monitoring of alternative care facilities, the separation of children from their families due to poverty or disability, and the large number of children who have lost their parents to the coronavirus disease (COVID-19).**

**34. Drawing the State party's attention to the Guidelines for the Alternative Care of Children, the Committee urges the State party:**

**(a) To adopt, without delay, a national strategy and action plan for deinstitutionalization, with specific timelines, budget and staff allocations, and measures, including legal reform, for: (i) supporting and prioritizing family-based care for children, including for children with disabilities; (ii) strengthening the foster-care system for children who cannot stay with their families; and (iii) strengthening support for families in vulnerable situations, through child-sensitive social protection policies and services;**

**(b) To guarantee coordinated and quality alternative care by developing an effective case-management process for the referral of children deprived of a family environment, ensuring periodic review of children in alternative care, and ensuring that poverty or disability are never the sole justification for family separation;**

### **Children with disabilities (art. 23)**

**37. Noting with deep concern the discrimination faced by children with disabilities, and recalling its general comment No. 9 (2006) on the rights of children with disabilities, the Committee recommends that the State party:**

**(a) Adopt a human rights-based approach to disability and set up a comprehensive and inclusive strategy for children with disabilities, including by revising the Law on Persons with Disabilities to bring it into line with the Convention and the Convention on the Rights of Persons with Disabilities;**

- (b) Establish monitoring mechanisms to enforce laws, regulations and policies that protect the rights of children with disabilities, including protection from discrimination;**
- (c) Develop an efficient system for early detection, intervention and support for children with disabilities, including children with psychosocial disabilities;**
- (d) Strengthen awareness-raising campaigns targeted at government officials, families and the general public in order to combat stigmatization and discrimination against children, including girls, with disabilities, and to promote a positive image of children with disabilities as rights holders.**

#### **Health and health services**

**38. The Committee welcomes the progress made in reducing the infant and under-5 mortality rates but remains concerned about ethnic and regional disparities in mortality rates and access to health services.**

**The Committee recommends that the State party: (a) Prioritize measures to improve access to quality health services, including scaling up community-based health services, in particular in rural areas and for children with disabilities and children belonging to ethnic or religious minority or indigenous groups;**

#### **Education, including vocational training and guidance**

**43. The Committee is deeply concerned about the poor quality of education and disparities in educational outcomes among regions and ethnic minority groups; the limited access to quality inclusive education for children with disabilities, children living in poverty, children belonging to ethnic or religious minority or indigenous groups and migrant children; the closure of satellite schools, forcing children, particularly those belonging to ethnic or religious minority or indigenous groups, to enrol in boarding or semi-boarding schools; and violence and bullying at schools. 44. Recalling targets 4.1 and 4.2 of the Sustainable Development Goals, the Committee recommends that the State party:**

- (c) Ensure the right of all children with disabilities to inclusive education in mainstream schools with individual support by specialized staff and reasonable accommodation for their educational needs, and replace the exemption of students with disabilities from some subjects with educational requirements adapted to their abilities, potential and preferences;**
- (d) Combat violence, including bullying and cyberbullying, in schools, especially of children in disadvantaged socioeconomic situations, children belonging to ethnic or religious minority or indigenous groups, children with disabilities, and lesbian, gay, bisexual and transgender children, and ensure that such measures encompass prevention, early detection mechanisms, the empowerment of children and intervention protocols;**
- (e) Strengthen the quality of vocational training and facilitate equal access to it, particularly for children with disabilities, migrant children, children belonging to ethnic or religious minority or indigenous groups and early school-leavers.**

#### **Children in street situations**

**49. Noting with concern reports of lesbian, gay, bisexual and transgender children, children with disabilities, child victims of trafficking and other children in disadvantaged**

situations who are living on the street, the Committee recalls its general comment No. 21 (2017) on children in street situations and recommends that the State party:

(a) Conduct a study on the number of children in street situations and on the root causes of their situations, and develop a strategy and programmes to provide protection for the rights of children in street situations;

(b) Develop programmes that facilitate the reunification of children in street situations with their families when possible, taking into account the best interests of the child, and support their long-term education and developmental needs, including through the provision of psychological support.

## **PHILLIPINES – CRC/C/PHL/CO/5-6**

### **Data collection**

10. The Committee, welcoming the development of a harmonized monitoring and evaluation system regarding the implementation of the Convention, recommends that the State party expand its system of data collection and analysis and make it publicly accessible, to include disaggregated data on children with special protection needs, including girls, children with HIV, children belonging to indigenous groups, children with disabilities, children in alternative care, children in street situations, victims of child labour, children affected by disasters, climate change and armed conflict, children in conflict with the law and child victims of violence.

### **Children deprived of a family environment**

25. While welcoming the adoption of the Foster Care Act of 2012 (Republic Act No. 10165), the Committee is concerned about: (a) The lack of information about the number and situations of children living in institutions, including children with disabilities, the reasons for their placement, and deinstitutionalization plans, and of children leaving care;

26. Recalling the Guidelines for the Alternative Care of Children, the Committee recommends that the State party:

(a) Identify and support families in vulnerable situations with a view to preventing family separation, and ensure that children are only separated from their family if it is in their best interests and after a comprehensive assessment of their situation and that poverty and disability are never the sole justification for family separation;

### **Children with disabilities (art. 23)**

29. The Committee welcomes the adoption of the National Strategic Plan on Children with Disabilities (2018–2022). However, the Committee is concerned about:

(a) The lack of information about the outcomes of the implementation of the strategic plan and about any deinstitutionalization strategy;

(b) The lack of a uniform definition of disability and categorization of disabilities;

(c) The lack of disaggregated data on children with disabilities;

(d) The lack of social and community-based services and family support, to enable parents to care for their children;

(e) The lack of access to quality health care, and a shortage of experienced paediatricians with knowledge of disability issues;

- (f) The absence of a clear action plan for inclusive education and the segregation of children with disabilities into special education centres, and the requirement for an expensive health-care assessment for access to mainstream school;
- (g) Negative attitudes and discrimination against children with disabilities that hamper access to family support, education, social services and participation in matters concerning them;
- (h) Cases of violence and sexual abuse against children with disabilities and their lack of access to justice, including owing to insufficient sign-language interpreters and misconceptions about disability.

**30. Recalling its general comment No. 9 (2006), the Committee urges the State party to adopt a human rights-based approach to disability and:**

- (a) To set up, on the basis of evaluation of the National Strategic Plan on Children with Disabilities, a comprehensive strategy for the inclusion of children with disabilities at all levels;**
- (b) To adopt a uniform definition of disability and classification of disabilities in compliance with the Convention on the Rights of Persons with Disabilities, and expeditiously enact the bill instituting services and programmes for learners with disabilities;**
- (c) To organize the collection of disaggregated data on children with disabilities and develop an efficient and harmonized system for disability assessment in order to facilitate access for children with all types of disabilities to accessible services, including to education and health, social protection and support services, and inform its policies and programmes;**
- (d) To strengthen support for the parents of children with disabilities and ensure the right of those children to grow up in their family environment, including by increasing the availability of early care, home nursing and relief services, providing timely and adequate socioeconomic support to all children with disabilities and improving outreach to parents about the services available;**
- (e) To ensure access to timely and affordable health care, including by providing early detection, intervention and rehabilitation programmes, creating a network of community and outpatient health-care services, and training and ensuring an adequate number of health-care personnel, including paediatricians and other appropriate medical experts, at the national, regional and local levels;**
- (f) To develop and implement without delay a national action plan for inclusive education, and ensure that all children with disabilities have access to inclusive education in mainstream schools and that schools are equipped with trained teachers, accessible infrastructure and teaching materials adapted to the needs of children with disabilities;**
- (g) To undertake awareness-raising campaigns to combat stigmatization and promote a positive image of children with disabilities as rights holders;**
- (h) To ensure and promote opportunities for children with disabilities to express their views on matters affecting them, including at school, and have their views taken into account;**
- (i) To urgently investigate and prosecute cases of violence and sexual abuse against children with disabilities and ensure access for victims to child-friendly reporting channels, reparation, free assistance of interpreters, including in sign language, and**

**ensure that all criminal proceedings involving sexual offences against children with disabilities are conducted impartially and fairly and without prejudices or stereotypical notions regarding the victim's gender, age and disability**

### **Education**

34. The Committee welcomes the establishment and expansion of preschool education, the expansion of compulsory education to 12 years, the school curriculum reform, the development of alternative delivery modes to enable access to secondary and vocational education for out-of-school students over 12 years of age and other measures taken to improve access to education, which has resulted in increased school enrolment and completion rates and decreased school dropout rates. However, the Committee is concerned about:

(a) The lack of access to quality education at all levels for children with disabilities, children belonging to indigenous groups, children from economically disadvantaged families, children in street situations and children living with HIV;

(b) School dropout rates, as 9 per cent of children, particularly girls, are out of school, including owing to marriage, pregnancy, disability, disinterest or high costs of education;

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

**(a) Ensure access to quality preschool, primary and secondary education for children with disabilities, children belonging to indigenous groups, children from economically disadvantaged families, children in street situations, children living with HIV and other children in vulnerable situations;**

### **Asylum-seeking and refugee children**

36. The Committee recognizes efforts made by the Philippines judiciary to formulate rules regarding the reception, care and regularization processes for asylum-seeking and refugee children, and calls on the State party to provide further information in its next periodic report on the enjoyment of their rights under the Convention, disaggregated by age, sex, nationality, disability and residence, and to develop legislation and regulations to address the needs of refugee and asylum-seeking children and children with irregular status, including unaccompanied and separated children, as previously recommended.

## **UZBEKISTAN – CRC/C/UZB/CO/5**

### **Data collection**

11. Recalling its general comment No. 5 (2003), the Committee recommends that the State party further strengthen its system of collection and analysis of disaggregated data and access thereto and ensure that it covers all areas of the Convention and its Optional Protocols, including violence against children, mental health, children in street situations, children with disabilities, children belonging to minority groups, children in employment, children deprived of liberty and children in the justice system, including those who are victims of and witnesses to crime, with a view to informing its policies and strategies.

### **Non-discrimination**

**17. Recalling Sustainable Development Goal targets 5.1 and 10.3, the Committee recommends that the State party adopt, implement, monitor and evaluate a comprehensive anti-discrimination law and a strategy comprising measures, including awareness-raising and media campaigns, to change social norms and behaviours that contribute to discrimination, in particular on the basis of gender, disability, sexual orientation and gender identity. It also recommends that the State party implement targeted policies and programmes to address discrimination against girls, children with disabilities, children belonging to minority groups, refugee, asylum-seeking and internally displaced children, children in alternative care, children in street situations and other children in vulnerable situations.**

#### **Respect for the views of the child**

19. The Committee notes as positive that presidential decree No. 4296 on additional measures for further strengthening guarantees of the rights of the child of 22 April 2019 and subsequent legislative amendments provide for the right of children to express their views on all matters affecting their interests and in the course of any judicial or administrative proceedings, and that their views should be taken into account regardless of their age. It also welcomes the establishment of the youth parliament for persons aged between 14 and 30, youth consultations and the so-called “U-report” that has been used to consult children on new laws and policies. However, the Committee is concerned about:

- (a) Children, especially those below 10 years of age, rarely being heard in judicial proceedings, including on civil law matters and in relation to alternative care;
- (b) The abolishment of the children’s parliament and the lack of child-friendly procedures and spaces for children to express their views, including in schools;
- (c) Barriers to accessing participatory structures for girls and children in vulnerable situations.

**20. Recalling its general comment No. 12 (2009), the Committee recommends that the State party:**

- (b) Introduce a child-friendly local governance system, such as a children’s parliament, for the systemic civic engagement of children, in particular girls, children from economically disadvantaged families, children from rural areas, children belonging to minority groups, children with disabilities and children in street situations;**

#### **Violence against children**

27. The Committee notes the establishment, in 2019, of the helpline for women and children victims of violence (“1146”), among other measures taken to address domestic violence, and the provision, enshrined in the revised Act on communications from legal entities and individuals, establishing the right of the child to submit a complaint. However, the Committee is seriously concerned about:

- (a) The lack of data on the prevalence, forms and causes of violence against children, which remains largely underreported and socially invisible and which does not allow for the accurate assessment of the magnitude of the phenomenon;
- (b) The insufficient legislative and institutional frameworks to prevent and combat violence against children;

- (c) Near-universal acceptance of corporal punishment, in the absence of a clear legal prohibition;
- (d) The lack of capacity to identify victims of violence and of a multidisciplinary and child-sensitive approach to victim protection;
- (e) Insufficient victim support services and the absence of a specific hotline for child victims.

**28. Recalling its general comments No. 8 (2006) and No. 13 (2011), the Committee urges the State party to:**

- (a) Conduct a study to assess the prevalence, causes, nature and forms of violence against children, such as corporal punishment, domestic violence, bullying, sexual exploitation and abuse, including online, and, based on the results, formulate and implement, with the participation of children, a comprehensive strategy for preventing and combating all forms of violence against children, with particular attention to girls, children with disabilities, children in alternative care, children left behind by migrant parents and children in the justice system;**

#### **Family environment**

**30. The Committee notes with concern the insufficient levels of and access to family support schemes; and the increased migration rates leading to a rise in the number of children left without parental care along with a punitive approach to parents. The Committee recommends that the State party:**

- (b) Strengthen its efforts to prevent child abandonment and family separation and to facilitate family reunification, including by allocating adequate resources to ensure community-based services, giving particular attention to poor families, families with children with disabilities and children left behind by migrant parents, by enlarging the pool of trained social workers and psychologists to provide such services and by raising the awareness of children and families about them;**

#### **Children deprived of a family environment**

**31. Welcoming presidential resolution No. 4185 of February 2019 to strengthen welfare measures for children deprived of parental care, and also welcoming the establishment of the technical inter-agency working group and the draft deinstitutionalization strategy for the period 2022–2036, the Committee remains nonetheless concerned about:**

- (c) The high institutionalization rates, in particular due to socioeconomic hardship, divorce, abandonment and disability

**32. The Committee, recalling the Guidelines for the Alternative Care of Children and its previous recommendations, recommends that the State party:**

- (d) Ensure that poverty, disability or divorce are never the sole justification for family separation and that children are separated from their family only if it is in their best interests after a comprehensive assessment of their situation;**
- (f) Establish a formal foster-care system, set selection criteria and conduct a national recruitment campaign for foster parents, and provide regular and adequate training for foster parents and for guardianship and patronage care providers before and during the placement of children, especially with regard to fostering children with disabilities;**



### **Children with disabilities (art. 23)**

35. The Committee takes notes of the adoption in 2020 of the Act on the rights of persons with disabilities. It also takes note of the measures taken to improve support to children with disabilities, in particular the provision of community-based services and day-care units in Muruvvat homes for children with disabilities to enable children to live with their families and of the introduction of inclusive education in 2021. However, the Committee remains concerned about:

- (a) The medical and charity approach to disability and the lack of a definition of disability in compliance with the Convention on the Rights of Persons with Disabilities;
- (b) The inadequate financial and social support to parents of children with disabilities and the requirement of a disability certificate, hindering access to the child disability benefit for nearly 50 per cent of children with disabilities;
- (c) The high institutionalization rates among children with disabilities, with regional disparities in the distribution of Muruvvat homes;
- (d) The lack of access to health care, including to specialized professionals, and to early screening and intervention with regard to developmental disabilities;
- (e) The overrepresentation of children with disabilities in specialized education and among out-of-school children;
- (f) Widespread stigma and discrimination resulting, inter alia, in a lack of participation opportunities.

**36. Recalling its general comment No. 9 (2006), its joint statement with the Committee on the Rights of Persons with Disabilities on the rights of children with disabilities<sup>5</sup> and its previous recommendations, the Committee urges the State party to:**

- (a) Adopt a child rights-based approach in legislation and policies regarding children with disabilities, including a definition of disability in compliance with the Convention on the Rights of Persons with Disabilities;**
- (b) Harmonize the methodology, tools and criteria for the identification of disabilities;**
- (c) Strengthen support for the parents of children with disabilities by increasing the availability of community-based services, including early intervention services and home attendance by patronage nurses and social work assistants;**
- (d) Ensure that children with disabilities have equal access to early childhood development and school readiness opportunities as other children;**
- (e) Develop alternative family-based care options for children with special needs and disabilities, instead of placing them in Muruvvat homes;**
- (f) Ensure that the social sector and other professionals who are regularly in contact with children have adequate knowledge and minimum standards of conduct, inclusive of disability;**
- (g) Strengthen awareness-raising programmes, including campaigns, aimed at government officials, judges and law enforcement officials, lawyers, the public and families, to combat the stigmatization of children with disabilities, and to promote both their positive image as rights-holders and opportunities for them to express their views on matters affecting them, including at school.**

### **Education**

**42. The Committee takes note of the introduction in 2017–2018 of 11-years' free compulsory education, the measures taken to enhance the quality of education,**

**including the school curriculum reform, and the plan to achieve universal enrolment in preschool education by 2021. However, the Committee remains concerned about:**

- (a) Regional, gender and income disparities in accessing quality education at all levels, resulting in children dropping out of school, especially between primary and secondary levels;
- (b) The shortage of adequately trained teachers, especially in rural and remote areas and at the preschool level;
- (c) The lack of understanding and implementation of inclusive education;
- (d) The reliance on private tutoring to prepare for entry into university, which puts children from low-income families at a disadvantage;
- (e) The learning environment affected by inadequate infrastructure and bullying;
- (f) Reported barriers for children belonging to the Tajik minority in receiving education in their language;
- (g) The lack of coverage and adequately trained teachers and infrastructure needed to achieve universal coverage of preschool education.

**43. The Committee, recalling Sustainable Development Goal targets 4.1–4.7, 4.a and 4.c and its previous recommendations, recommends that the State party:**

- (a) Ensure equal and non-competitive access to quality education for all children, with particular attention to girls, children from poor families, children in rural and remote areas and children with disabilities, and also ensure that all children remain in and finish school, including by supporting their transition to secondary school**
- (c) Implement the concept of development of inclusive education for the period 2021–2025, and ensure that all children with disabilities have access to inclusive education in mainstream schools, ensuring that schools are equipped with trained teachers, accessible infrastructure and teaching materials adapted to the needs of children with disabilities;**
- (g) Continue to expand the coverage and capacity and improve the infrastructure and monitoring of preschool education, giving particular attention to rural and remote areas, children with disabilities and children from economically disadvantaged families, establish national standards on early childhood care and qualifications of preschool teachers and ensure that they receive systematic and appropriate in-service training**

## **SOUTH SUDAN – CRC/C/SSD/CO/1**

### **Allocation of resources**

12. The Committee is seriously concerned about:

- (a) The disproportionate and extremely low percentage of the national budget that is allocated to sectors and institutions relevant to children, particularly when compared with the budget allocated to national security and defence;
- (b) Reports of corruption that is diverting oil revenues from spending on public programmes that affect children and depriving them of access to health services, education, proper nutrition and adequate sanitation;
- (c) The State party's almost exclusive dependence on international donors and non-governmental organizations to maintain basic services for children such as health, education and social protection in the country.

**13. Recalling its general comment No. 19 (2016) on public budgeting for the realization of children's rights and taking note of target 16.5 of the Sustainable Development Goals, the Committee recommends that the State party:**

**(b) Define budget lines for all children, paying special attention to those in disadvantaged or vulnerable situations that may require affirmative social measures, particularly girls, those in nomadic and pastoral communities, children with disabilities and children without parental care, and make sure that those budget lines are protected even in situations of economic crisis, natural disasters or other emergencies;**

#### **Data collection**

14. The Committee acknowledges that the current context of political instability and insecurity presents a challenge to the systematic collection of comprehensive and updated data on the enjoyment of children's rights in the State party. Nevertheless, it regrets that the last comprehensive collection of data on child-focused indicators took place in 2010, as part of the multiple indicator cluster survey.

**15. Recalling its general comment No. 5 (2003) on general measures of implementation of the Convention, the Committee recommends that the State party:**

**(a) Establish and adequately resource a national platform led by the National Bureau of Statistics to collect comprehensive data on children's rights covering all areas of the Convention, with data disaggregated by age, sex, disability, geographical location, ethnic origin and socioeconomic background, in order to support the monitoring of child-related indicators under the National Development Strategy (2018–2021), seeking technical assistance, as necessary, from development partners such as the United Nations Children's Fund (UNICEF);**

#### **Non-discrimination**

22. The Committee welcomes the statutory equality and non-discrimination provisions for all children. However, it notes with serious concern:

**(b) The persistence of discrimination against children in marginalized and disadvantaged situations, including children with disabilities, children living in nomadic and pastoralist communities, children deprived of a family environment, former child recruits and internally displaced children.**

**23. Taking note of targets 5.1 and 10.3 of the Sustainable Development Goals, the Committee urges the State party to:**

**(c) Address disparities in access to all public services for girls, children with disabilities, children living in nomadic and pastoralist communities, children deprived of a family environment, former child recruits and internally displaced children and regularly evaluate these children's enjoyment of their rights.**

#### **Children with disabilities (art. 23)**

**44. The Committee is deeply concerned that:**

**(a) Violence against children during the protracted conflict has left many with physical disabilities, psychological stress, trauma and without access to appropriate care and essential services;**

- (b) Children with disabilities are subjected to discrimination, stigma, abuse and torture, and children with intellectual disabilities are reportedly restrained in the home; (
- c) Resource and personnel constraints are persistent barriers to providing inclusive education as provided for in the General Education Act.

45. Recalling its general comment No. 9 (2006) on the rights of children with disabilities, the Committee urges the State party to:

- (a) Implement the National Disability and Inclusion Policy (2013) and allocate adequate resources to ensure that children with disabilities are provided with specialized services, adequate support and assistive devices and that transportation, buildings and facilities are accessible throughout the State party;
- (b) Conduct awareness-raising campaigns aimed at government officials, the public and families to combat the stigmatization of, and prejudice against, children with disabilities and promote a positive image of children with disabilities as rights holders;
- (c) Finalize the strategy for the implementation of the National Inclusive Education Policy, ensuring that adequate resources are allocated to it and that it includes building the capacity of teachers and community representatives in inclusive education methodologies and skills;
- (d) Strengthen early detection and intervention programmes and improve specialized health care and age-appropriate rehabilitation;
- (e) Consider ratifying the Convention on the Rights of Persons with Disabilities

## **UKRAINE – CRC/C/UKR/CO/5-6**

### **Data collection**

11. The Committee notes the efforts of the State party to collect data in different areas and, with reference to its general comment No. 5 (2003) on general measures of implementation of the Convention, it recommends that, despite the lack of access to certain parts of its territory, the State party:

- (a) Take measures to strengthen its data collection system. The data should cover all areas of the Convention and its Optional Protocols and should be disaggregated by age, sex, disability, geographic location, ethnic origin and socioeconomic background in order to facilitate analysis of the situation of all children, particularly those in situations of vulnerability;

### **Children with disabilities (art. 23)**

28. The Committee is deeply concerned about reports that:

- (a) Children with disabilities in some institutions have been subjected to years of emotional neglect, while limited resources and a lack of trained staff have caused poor quality of care and, in some instances, harmful practices such as the restraining of children;
- (b) The State party has not sufficiently included children with disabilities in its deinstitutionalization programme;
- (c) Since the start of the armed attack by the Russian Federation on 24 February 2022, many children with disabilities requiring high levels of support have been left behind in institutions of the State party which are understaffed and in poor condition, and in some

instances have been tied down or left in beds in near total inactivity, and held in dark, poorly ventilated rooms with limited hygiene services;

(d) With the closure of boarding schools and institutions due to hostilities, many children with disabilities have been sent back home without a proper assessment of their family situation.

**29. The Committee urges the State party to seek the support of States, United Nations agencies, civil society and other stakeholders involved in humanitarian action to identify and respond to the needs and requirements of children with disabilities caught up in the hostilities. Their specific requirements, including according to their gender and their age, should be identified and included in all responses to the crisis. In this regard, with reference to its general comment No. 9 (2006) on the rights of children with disabilities, the Committee urges the State party to:**

**(a) Adopt a human rights-based approach to disability by developing a governmental strategy that pays special attention to the adoption of a policy of comprehensive inclusion of all children with disabilities in all areas of their lives, strengthening early detection and intervention programmes, collecting relevant disaggregated data, and implementing actions to combat discrimination and stigma towards children with disabilities;**

**(b) Take urgent measures to prevent abuse, neglect and violence against children with disabilities, and further strengthen its deinstitutionalization policy by increasing family and community-based services;**

**(c) Ensure access to humanitarian corridors, and inclusion in evacuation and crisis response plans, including by means of accessible bomb shelters, emergency information and communications;**

**(d) Pay special attention to identifying and responding to the immediate safety and health of children with disabilities requiring higher levels of support. The international assistance and support should urgently and directly target such children and help provide basic necessities, medical and therapeutic care, and staffing, to keep children alive and cared for. Aid should be explicitly targeted so that children can be placed in family-based care or in high-quality group homes and so that support is provided to sustain children's cultural background, including their native language;**

**(e) Ensure that a proper assessment of children's family environments is carried out before reuniting them with families;**

**(f) Provide refugee and internally displaced children with disabilities with protection and support tailored to their individual requirements, and with reception and accommodation facilities, including for their families so as to avoid family separation**