



IDA
International
Disability Alliance

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

**CRC Committee's 92nd session
(16 Jan – 3 Feb 2023)**

Committee on the Rights of the Child - 92nd session - 2023	
Total number of Concluding Observations	5
Number of countries receiving recommendations on persons with disabilities	5
Percentage of countries receiving recommendations on persons with disabilities	100%
Number of recommendations including explicit references on disability	20

AZERBAIJAN- CRC/C/AZE/CO/5-6

NEW ZEALAND – CRC/C/NZL/CO/6

IRELAND – CRC/C/IRL/CO/5-6

MAURITIUS – CRC/C/MUS/CO/6-7

NEW ZEALAND – CRC/C/NZL/CO/6

OMAN- CRC/C/OMN/CO/5-6

SWEDEN- CRC/C/SWE/CO/6-7

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

AZERBAIJAN- CRC/C/AZE/CO/5-6

Non-discrimination

16. The Committee notes the positive steps taken by the State party to address discrimination in the legislation but remains concerned that traditional and cultural social norms result in discriminative behaviours towards certain groups of children, and in particular that:

(b) Children with disabilities are predominantly seen as a vulnerable group that may lead to their social isolation;

17. Recalling SDG targets 5.1 and 10.3, the Committee recommends that the State party:

(b) Expediently develop and enact a proactive and comprehensive strategy to eliminate discrimination on the basis of sex, gender, disability and socio-economic status;

Respect for the views of the child

20. The Committee notes the 2019 amendments to article 52 of the Family Code, the various initiatives of the public authorities aiming at encouraging child participation including the 'child ambassadors' project. However, the Committee is concerned about:

(b) The lack of opportunities for children, especially children with disabilities and in remote areas, to participate in decision-making affecting them,

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

(b) Promote and enable meaningful and empowered participation of all children particularly girls, children from rural and remote areas and children with disabilities within the family, in schools, and in communities in all matters related to them and ensure that their views are given due weight;

Children deprived of a family environment

29. The Committee notes that as a result of the implementation of the deinstitutionalisation programme (2006-2015) the number of residential care institutions and children in residential care has decreased significantly. It welcomes the establishment of the department on adoption and alternative care policy at the Ministry of Labour and Social Protection, reintegration initiatives in 2020-2021 and the new gatekeeping mechanism with regard to alternative care. However, the Committee is seriously concerned about:

(a) The high number of children in institutionalisation, in particular due to economic hardship, divorce and disability, and of residential schooling;

30. Recalling the Guidelines for the Alternative Care of Children and its previous recommendations, the Committee urges the State party to:

(c) Ensure that poverty, disability or divorce are never the sole justification for the placement of children in alternative care and ensure that children are only separated from their family if it is in their best interests after a comprehensive assessment of their situation;

Adoption

31. The Committee welcomes the amendments to the Family Code in 2019, including the mandatory consent of a child from 10 years of age to adoption, the participation of a social worker, the assessment of the situation of the child and the adoptive family and training for adoptive parents. It also notes that the restrictions on the adoption

of children with disabilities were lifted. The Committee recommends that the State party:

(b) Provide pre-adoption and post-adoption services, training and monitoring, particularly on parenting children with disabilities;

G. Children with disabilities (art. 23)

33. The Committee welcomes the Law on the Rights of Persons with Disabilities (2018), shifting from the medical model of disability; the State programme for the development of inclusive education for persons with disabilities (2018-2024); and the measures taken to improve access to rehabilitation and social support, address stigma against children with disabilities and improve data collection. However, the Committee is concerned about:

(a) The lack of a human-rights based approach to disability, with the term of “children with limited health abilities” being used in the legislation reflecting the medical approach;

(b) The lack of data synchronisation between relevant ministries;

(c) Inadequate support to parents of children with disabilities and persisting stigma which contribute to the overrepresentation of children with disabilities in residential institutions;

(d) The lack of access to quality healthcare, including specialised professionals, particularly outside the capital;

(e) Overrepresentation of children with disabilities in specialised education and the lack of inclusive education options, particularly at the pre-school level.

34. Recalling its general comment No. 9(2006), the Committee urges the State party to:

(a) Adopt a human rights-based approach regarding children with disabilities, and review its legislation and policies accordingly;

(b) Strengthen coordination among the relevant ministries with a view to ensuring uniform collection and analysis of data on children with disabilities and develop an efficient and harmonized system for disability assessment;

(c) 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 community-based services, including early intervention services and day care, increasing support to NGOs providing such services and providing adequate socioeconomic support to parents;

(d) Ensure access to timely and affordable healthcare, including by providing early identification, intervention and rehabilitation programmes, creating a network of community and outpatient health-care services, and training and ensuring an adequate number of healthcare personnel, including paediatricians and other appropriate medical experts, in urban and rural areas;

(e) Ensure that all children with disabilities have access to inclusive education in mainstream schools, that schools are equipped with trained teachers, accessible infrastructure and teaching materials adapted to the needs of children with disabilities, and that children with disabilities have equal access to early childhood development and school readiness opportunities as other children; (f) Further strengthen awareness-raising activities to combat stigmatization and promote a positive image of children with disabilities as rights-holders

Education, including vocational training and guidance.

39. Welcoming the measures taken to improve access to pre-school education, strengthen the quality of vocational education and develop inclusive education, the Committee, recalling SDG targets 4.1-4.7, 4.a and 4.c and its previous recommendations,⁸ recommends that the State party:

(a) Strengthen its measures to ensure equal access to quality education, including pre-school education, for all children, with particular attention to girls, children from economically-disadvantaged families, children in rural and remote areas, children with disabilities and refugee and asylum-seeking children;

(e) Improve school infrastructure and ensure that all schools are provided with heating, adequate and accessible water, sanitation and hygiene facilities, including for children with disabilities and in rural and remote areas;

(f) Expand access to devices and connectivity for learning and strengthen computer literacy skills, with focus on children with disabilities, girls and internally displaced children;

NEW ZEALAND – CRC/C/NZL/CO/6

Data collection

11. While noting improvements in the compilation of statistical information concerning children including in the Child and Adolescent Information System, the Committee is concerned about the pace of implementation of Decision No. 071/2016, the limited information currently available and the lack of a co-ordinated and integrated system of statistics on children, with comprehensive and disaggregated data, indicators and information about the situation of children. The Committee reiterates its previous recommendation² and recommends that the State party:

(b) Ensure the collection of data disaggregated by age, sex, gender, disability, socio-economic situation, nationality, ethnic origin, indigenous descent, rural/urban context, migration status and geographical location for all areas of the Convention;

Children deprived of a family environment.

29. While noting that the Children and Adolescents Code establishes that residential care should be used as a last resort, the Committee remains deeply concerned about the high percentage (80%) of children in institutional care who have an identified family. 30. The Committee urges the State party to:

(d) Support families, and especially mothers, of children with disabilities, in order to prevent their institutionalisation;

G. Children with disabilities (art. 23)

32. While welcoming the ratification of the International Convention on the Rights of Persons with Disabilities and its Optional Protocol and the promulgation of the General Act on Persons with Disabilities, the Committee is concerned about:

(a) The little progress achieved in practice towards children with disabilities and attending their differentiated needs and the limited human resources available;

(b) The high number of children with a disability that remain out of school;

(c) Reports of cases of killing of newborn children with disabilities.

33. The Committee recommends that the State party:

(a) Ensure that all children with disabilities throughout the country, particularly in rural areas, have access to health care, including mental health and early detection and intervention programmes, and to orthopaedic and other assistive devices;

- (b) Increase human, technical and financial resources to prevent, early detect, timely intervene, manage and provide treatment for disabilities in childhood and the required support to families;**
- (c) Ensure that all children with disabilities, including those with intellectual and psychosocial disabilities, have access to and benefit from inclusive education at all levels and adapt curricula and training and assign specialized teachers and professionals in inclusive classes so that children with learning difficulties receive individual support and due attention;**
- (d) Provide systematic training of professionals working with children with disabilities on the rights of children with disabilities;**
- (e) Strengthen measures to protect children with disabilities and guarantee their right to life;**
- (f) Ensure that reliable data are collected on children with disabilities and harmonize the information system of the National Centralized Register of Persons with Disabilities, under the Ministry of Health, with the national population and housing census and the data of the National Committee on Persons with Disabilities.**

Adolescent health

35. Noting Law No. 1152 (2019) on the universal and free Single Health System to provide access to sexual and reproductive health care and the decrease in teenager pregnancies until 2020, recalling its general comment No. 20 (2016) on the implementation of the rights of the child during adolescence and its previous recommendations, the Committee is concerned about the high number of adolescent pregnancies, with its increase since 2020, and with girls and adolescents being forced to continue their pregnancies, and recommends that the State party:

- (a) Approve and promulgate a Law on Sexual and Reproductive rights and renew the Strategic Plan for Sexual and Reproductive Health to prevent early and unwanted pregnancies, and ensure access to health and reproductive rights, particularly to indigenous children, children with disabilities and those living in rural areas;**

Education, aims of education and human rights education

40. While welcoming the provisions in the Constitution and Act No. 070 on education being free at all levels up to higher education, the increased public spending on education, and Regulation No. 1/2022, which facilitates access of migrant children to school throughout the year, the Committee recommends that the State party:

- (d) Provide quality training for teachers, with particular emphasis on indigenous children, students with disabilities and students in rural areas;**

IRELAND – CRC/C/IRL/CO/5-6

Allocation of resources

9. The Committee recommends that the State party incorporate a child rightsbased approach into the State budgeting process to:

- (b) Define specific budget lines for all children, including in the national recovery and resilience plan, paying special attention to those in disadvantaged situations that may require affirmative social actions, especially Traveller and Roma children and children with disabilities**

Data collection

10. The Committee recommends that the State party: (a) Ensure that the upcoming National Equality Strategy includes the comprehensive and systematic collection and analysis of both qualitative and quantitative indicators encompassing all areas of the

children's rights under the Convention, disaggregated by age, sex, disability, geographical location, ethnic origin, nationality and socioeconomic background;

(c) Strengthen the collection and analysis of data on children in disadvantaged situations including children with disabilities, children in alternative care, children experiencing homelessness, children without a regular residence status, migrant children and Roma children.

Violence against children, including neglect and sexual exploitation and abuse.

23. The Committee welcomes the measures taken to combat violence against children, but is concerned about:

(a) A high prevalence of violence against children, including sexual exploitation, online violence and bullying;

(b) Low rates of reporting, prosecution and conviction in cases of violence against children, and severe delays and inconsistencies in related investigations;

(c) Insufficient measures to prevent the secondary victimization of children

24. The Committee recommends that the State party:

(d) Strengthen measures aimed at preventing violence against children, with an emphasis on children in alternative care, children in socioeconomically disadvantaged situations, children with disabilities, asylum-seeking children and children of minority groups;

Family environment

(b) Address the overrepresentation of children in disadvantaged situations, including children with disabilities, children of single parents and children of ethnic minority groups, in child and family law proceedings;

Children deprived of a family environment.

27. The Committee recommends that the State party:

(a) Ensure sufficient family-based and community-based care options for children who cannot stay with their families, including by allocating sufficient financial resources for foster care, adoption and specialized support for children with disabilities, with a view to reducing the number of children who are placed in informal or so-called "voluntary" care arrangements;

(g) Urgently investigate and prosecute cases of violence and sexual abuse against children in the care system, especially children with disabilities, and ensure access for victims to child-friendly reporting channels, legal aid, reparation, free assistance of interpreters, including in sign language;

(i) Ensure that the ongoing study on children in care includes a review of the experiences of children in disadvantaged situations, including Roma children, children with disabilities and children of ethnic minority groups

F. Children with disabilities (art. 23)

29. The Committee recommends that the State party:

(a) Review relevant legislation, including the Equality Acts, Disability Act and Education for Persons with Special Education Needs Act, to bring them in line with a human rights-based approach to disability, particularly with regard to the definition of disability and with due regard to the needs of Roma and Traveller children;

(b) Revise the standard operating procedure for Assessments of Need by the Health Service Executive to include diagnoses, in line with the Disability Act; and decrease the waiting time for such assessments and diagnoses, with a view to ensuring their prompt access to the necessary services and support, including by urgently addressing the shortage of staff and qualified experts;

- (c) Strengthen support for the social integration and individual development of children with disabilities, including by ensuring their access to early detection and early intervention programmes; providing capacity-building to child protection professionals on the rights and specific needs of children with disabilities; ensuring their personal assistance, rehabilitation and assistive devices; and allocating sufficient resources for the implementation of the Irish Sign Language Act;**
- (d) Ensure the right of children with disabilities to be heard in all decisions that affect them;**
- (e) Undertake awareness-raising campaigns to combat discrimination against children with disabilities and promote a positive image of them as rightsholders.**

Education, including vocational training and guidance

36. The Committee welcomes the measures to guarantee the right to education for children, including the Free Education Scheme and increased funding under Budget 2023, but is concerned about:

- (d) The establishment of special classes for children with disabilities;**

37. The Committee recommends that the State party:

(a) Strengthen measures for ensuring the equal access of children in disadvantaged groups, including Roma and Traveller children, asylum-seeking, refugee and migrant children, children with disabilities and socioeconomically disadvantaged children, to quality education, including by:

- (i) amending legislation on school admissions to prohibit the practice of priority admissions to children or grandchildren of former students in oversubscribed schools;**
- (ii) providing financial support to cover hidden costs of education; and**
- (iii) developing guidelines for the use of suspension and exclusion in schools;**

(c) Ensure inclusive education in early childhood education and mainstream schools for all children with disabilities by adapting curricula and training and assigning specialized teachers and professionals in integrated classes so that children with disabilities and learning difficulties receive individual support and due attention; and ensuring reasonable accommodation within school infrastructure and for transportation;

- (f) Ensure the effective implementation of the guidelines on the use of reduced timetables, and develop measures to address their overuse, with a view to preventing their disproportionate use on Traveller children and children with disabilities;**

Rest, leisure, recreation and cultural and artistic activities

39. The Committee recommends that the State party:

(a) Strengthen support for initiatives aimed at promoting children's right to leisure, play, recreational activities, cultural life and the arts, including the sports action plan, the national network of Sports Inclusion Disability Officers and the creative youth plan;

(b) Ensure that such activities are available and accessible for girls, children with disabilities, asylum-seeking and migrant children and socioeconomically disadvantaged children;

Asylum-seeking, refugee and migrant children

40. Recalling joint general comments No. 3 and No. 4 of CMW/No. 22 and No. 23 of CRC (2017) on the human rights of children in the context of international migration, the Committee recommends that the State party:

- (d) Ensure that all asylum-seeking children, including children with disabilities, have prompt access to housing, education, health services, social protection, psychosocial and integration support and reasonable accommodation;**

Data collection

10. Noting 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 and recalling its previous recommendation, the Committee further recommends that the State party expedite the establishment of the common data platform, to collect disaggregated data also on the situation of children with special protection needs, including children with HIV, children with disabilities, children in alternative care, children in street situations, child victims of neglect, violence or abuse, including sexual exploitation and trafficking, and children in conflict with the law.

Non-discrimination

16. Taking note of the non-discrimination principle enshrined in the Children’s Act 2020 and targets 5. 1 and 10.3 of the Sustainable Development Goals, the Committee recommends that the State party: (a) Address disparities in access to all social services for children in marginalized and disadvantaged situations, in particular children in street situations, children who are victims of violence and abuse, including sexual violence, children using drugs, children deprived of a family environment, children with disabilities and children in the child justice system, and regularly evaluate these children’s enjoyment of their rights;

Abuse, violence and neglect of children

22. The Committee welcomes the measures taken to combat violence, abuse and neglect of children, including legal reforms that broaden the recognition of acts which trigger protection under the Domestic Violence Act; increasing support provided to child victims through the Integrated Support Centre; and creating a program to support children’s reintegration into the family home. However, the Committee is deeply concerned about:

- (a) The reportedly ineffective response to cases of domestic violence, including the interventions by officers of the Child Development Unit;
- (b) Children’s low awareness of how to seek assistance and protection services available to them;
- (c) Re-traumatization of child victims due to insufficient application of a childrights victim-centred approach by first responders including law enforcement personnel;
- (d) The lack of research and inadequate collection of disaggregated data on the prevalence of violence, abuse and neglect of children both in the home and in institutions and information about the sanctions imposed for violations of legislation prohibiting abuse and domestic violence against children.

23. In the light of its general comment No. 13 (2011) on the right of the child to freedom from all forms of violence and targets 16.1 and 16.2 of the Sustainable Development Goals, the Committee recalls its previous recommendation and further urges the State party to:

- (j) Strengthen the Domestic Violence Information System to include data on violence against children, ensuring the data is disaggregated by age, sex, disability, geographical location, nationality and socioeconomic background, and includes information on the outcome of reported incidents; share the data among relevant stakeholders in the development and evaluation of strategies and programmes to address violence against children;**

G. Children with disabilities (art. 23)

31. The Committee welcomes the particular focus given to children with disabilities in the Children's Act 2020 and the Children's Court Act 2020. However, the Committee is concerned about:

- (a) The lack of a legal framework based on the human rights model of disability to advance the rights of children with disabilities;**
- (b) Negative attitudes and discrimination against children with disabilities that hamper access to family support, education, health and social services and participation in matters concerning them;**
- (c) The lack of social and community-based services and family support, as well as lack of clarity and accessibility on receiving basic invalidity pension and carer's allowance, to enable parents to care for their children;**
- (d) The insufficient number of inclusive schools resulting in a disproportionate number of children with disabilities leaving school without a certificate;**
- (e) The lack of access to early screening and intervention with regard to developmental disabilities.**

32. Recalling its general comment No. 9 (2006) on the rights of children with disabilities, the Committee urges the State party to adopt a human rights-based model of disability, set up a comprehensive strategy for the inclusion of children with disabilities and:

- (a) Urgently finalize the Protection and Welfare of Persons with Disabilities Bill, ensuring meaningful consultation of children with disabilities in developing legislation grounded on a human rights-based approach to disability and which is responsive to protecting and promoting the rights of children with disabilities;**
- (b) Strengthen training for all relevant professionals engaging with and for children, including teachers, health care providers, social workers and justice sector personnel, on the rights of children with disabilities, including their right to express their views on matters affecting them and have their views taken into account;**
- (c) Strengthen implementation of the Special Education Needs Authority Act 2018, to ensure that all children with disabilities have access to inclusive education in mainstream schools, that schools are equipped with specialized teachers and professionals providing individual support, accessible infrastructure and teaching materials adapted to the needs of children with disabilities;**
- (d) 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) Assess the impact of the Community Based Rehabilitation programmes for persons with disabilities, particularly evaluating the reach of and appropriateness of health and rehabilitation services delivered to children with disabilities and revise the programmes accordingly.**

Standard of living

37. Taking note of targets 1.2 and 1.3 of the Sustainable Development Goals, the Committee recommends that the State party:

- (b) Prioritize the delivery of child-related social protection programmes, including the provision of Conditional Cash Transfers and social housing allocations, to Creole families and families of children with disabilities, to address their disproportionate vulnerability to poverty.**

Education, including vocational training and guidance

38. Taking note of targets 4.1, 4.5, 4.6, 4.a and 4.c of the Sustainable Development Goals, the Committee recommends that the State party:

(b) Strengthen the enrolment and retention in school of all children for the duration of compulsory education in the State party, with special attention to those in marginalized and disadvantaged situations including girls, migrant children, children with disabilities, Creole children, Chagossian children, LGBTI children and children in street situations, including by:

(i) Collecting and analysing disaggregated data on children of schoolgoing age who are not in school, identifying both those who were never enrolled and those who dropped out, with a view to addressing identified trends through targeted measures;
(ii) Increasing the number of Educational Social Workers conducting home visits to identify out of school children and to inform parents of the legal requirement of compulsory education in Mauritius without exception.

NEW ZEALAND – CRC/C/NZL/CO/6

Allocation of resources

10. Whilst noting with appreciation the prioritization of indicators aimed at measuring child wellbeing in the 2023 Budget Policy Statement, the Committee recalls its general comment No. 19 (2016) on public budgeting for the realization of children's rights, and recommends that the State party:

(c) Define budgetary lines for all children, with special attention given to those in disadvantaged or vulnerable situations that may require special measures, such as Māori and Pasifika children, children in out-of-family care, and children with disabilities, and make sure that those budgetary lines are protected even in situations of economic crisis, natural disasters or other emergencies.

Data collection

11. The Committee welcomes the legislative obligations to collect and report data on outcomes for children. Recalling its general comment No. 5 (2003) on general measures of implementation, the Committee recommends that the State party consider under its Data Investment Plan strengthening its data collection system to cover all areas of the Convention and its Optional Protocols, ensuring it is disaggregated by age, sex, disability, geographic location, ethnic origin and socioeconomic background in order to facilitate analysis of the situation of all children in the State party, particularly those in situations of vulnerability.

Non-discrimination

15. The Committee is deeply concerned that discrimination persists against children in situations of vulnerability, including Māori and Pasifika children, children in out-of-family care and children with disabilities, noting especially their restricted ability to benefit from basic services including education, health, and protection, and to enjoy an adequate standard of living. It further notes with deep concern their exposure to higher risks of suicide, and of experiencing sexual and domestic violence, school bullying, mental distress, homelessness and transient housing situations. The Committee further takes note of the information provided that the Bill of Rights Act 1990 and the Human Rights Act 1993 prohibit discrimination based on age from 16 years old only.

16. Taking note of target 10.3 of the Sustainable Development Goals, the Committee urges the State party to address the structural discrimination against children in situations of vulnerability by leveraging its mandate under the Child and Youth Wellbeing Strategy (2019) to prioritize action against racism and discrimination

including by collecting and analysing data on the disparities experienced by these children and developing a strategy to confront the barriers to and measure the progress achieved in respect of improving outcomes for these groups. It also recommends that the State party take measures to ensure that children (below 16 years) who are excluded from the protection of the Bill of Rights Act 1990 and the Human Rights Act 1993 are not unjustly discriminated against on the basis of age.

Violence against children, including sexual violence, abuse and neglect

23. The Committee welcomes the establishment in 2019 of the Independent Children's Monitor and its reporting function on government adherence to the National Care Standards which organizations having legal custody of children are required to meet; the creation in 2018 of the Royal Commission of Inquiry into Historical Abuse in State Care of Faith-Based Institutions; the establishment in 2018 of the Joint Venture for Family Violence and Sexual Violence to foster government agency collaboration and innovation in addressing the issue, and the formalisation of this arrangement in 2021 as the Te Puna Aonui Executive Board for the Elimination of Family Violence and Sexual Violence, noting its specific focus on children, Māori, Pacific, LGBTI, and persons with disabilities; and the significant increase of financial and human resources dedicated to strengthening the response against child abuse, family violence and sexual violence, the care and protection and youth justice system. However, the Committee remains seriously concerned about the persistent rates of abuse, neglect and violence against children, particularly domestic violence, noting the higher risk faced by Māori, Pasifika, and LGBTI children, and children with disabilities. It is further concerned about the limited access to child-friendly reporting channels, physical and psychological rehabilitation and health services, including mental health services, available to children who have suffered violence, trauma or abuse.

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

(a) Strengthen and centralize the collection and analysis of disaggregated data on children who are victims of all forms of violence, such as domestic violence, bullying and sexual exploitation and abuse, with a view to assessing the extent of the phenomenon and formulating and implementing, with the participation of children, a comprehensive strategy for preventing and combating all forms of violence against children, with special attention to the situation of Māori, Pasifika, LGBTI children and children with disabilities;

Children deprived of a family environment

27. The Committee notes the efforts undertaken by the State party to improve the situation of children in alternative care, notably through the reform of the care, protection and youth justice systems and the establishment of the Oranga Tamariki in 2017, noting that the amendments to the Oranga Tamariki Act 1989, set out special measures for advancing the rights of Māori children in coordination with Māori child rights organizations. It remains seriously concerned, however, about:

(c) The lack of data on the needs and experiences of children with disabilities in the care system.

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

(g) Systematically collect data on the views of children in and out of care on their education, health, and wellbeing, in order to address the context allowing neglect, abuse and mistreatment of children in out-of-home care to occur.

G. Children with disabilities (art. 23)

30. The Committee is deeply concerned that children with disabilities are at higher risk of violence and abuse, and that their families disproportionately experience deprivation, poverty and inadequate housing conditions. It is further concerned about the significantly high proportion of adolescents with disabilities who are unemployed or are not enrolled in any education or training program. It regrets that limited action in the Disability Action Plan (2019-2023) specifically focus on the needs of children with disabilities and that the Action Plan has limited mention specifically of the rights of children with disabilities, including their right to express their views on all matters affecting them.

31. Recalling its general comment No. 9 (2006) on the rights of children with disabilities and the recommendations of the Committee on the Rights of Persons with Disabilities⁹, the Committee urges the State party to strengthen the integration of a human rights-based approach to disability in its implementation of the New Zealand Disability Strategy 2016-2026 and to:

(a) Take measures to reduce poverty among families of children with disabilities including by strengthening community-based support and care services provided to these children and their families, prioritizing those from low-income households, including carer support and respite care for parents of children with disabilities, as well as access to affordable quality housing;

(b) Strengthen awareness-raising campaigns to combat the stigmatization and marginalization of all children with disabilities, including those with physical, intellectual or psychosocial disabilities, emphasizing zero tolerance for all acts of violence and abuse against children with disabilities and promoting the use of childfriendly reporting mechanisms for violations;

(c) Promote the acquisition of competencies and skills of children and youth with disabilities in order to enhance their work opportunities including by taking concrete action to address the reasons behind their non-completion of schooling, and facilitating their transition from school to employment, including by expanding and improving the quality of vocational education and training for children and youth with disabilities;

(d) Prohibit in law the sterilization of children with disabilities without their free, prior and informed consent, and ensure that the Safeguarding Bodily Integrity Rights work programme raises awareness among children, parents, care givers, and health professionals of children's rights against non-consensual sterilisation and other bodily integrity abuse, also facilitating children's access to claims where this right is violated;

(e) Ensure the meaningful participation of children with disabilities, in particular in the work of the Ministry of Disabled People and the renewal of the Disability Action Plan (2019-2023) and in the shaping of all policies that affect them;

(f) Carry out the planned national Disability Survey in 2023, with the intention of updating the Survey every five years, in order to compile data on children with disabilities to inform policies and programmes for them and in order to facilitate access for children with all types of disabilities to accessible services, including to education and health, social protection and legal services, in particular children living in rural areas

Standard of living

35. The Committee welcomes the wide-ranging measures introduced to reduce child poverty including the Child Poverty Reduction Act 2018, the four Wellbeing Budgets since 2019, the Families Package (2018), and the Child and Youth Wellbeing Strategy (2019). The Committee is however seriously concerned that a significant proportion of

children live in poverty and experience food insecurity and severe housing deprivation, including homelessness, insecurity of tenure, and overcrowding, resulting in poorer health and education outcomes, disproportionately affecting Māori and Pasifika children. 36. Taking note of the recommendations of the United Nations Special Rapporteur on the Right to Housing arising from her mission to New Zealand in February 2020, including the development of a human rights-based housing strategy, and recalling targets 1.1, 1.2 and 1.3 of the Sustainable Development Goals, the Committee urges the State party to:

36. Taking note of the recommendations of the United Nations Special Rapporteur on the Right to Housing arising from her mission to New Zealand in February 2020, including the development of a human rights-based housing strategy, and recalling targets 1.1, 1.2 and 1.3 of the Sustainable Development Goals, the Committee urges the State party to:

(a) Ensure that measures taken to end child poverty are linked to expected timeframes, allocated adequate resources, and are assessed with a view to ensuring that such measures are impactful, comprehensive and comply with a child rights-based approach, specifically prioritising groups disproportionately impacted by poverty, including Māori children, Pasifika children and children with disabilities;

Education, including early childhood education and care.

37. The Committee welcomes the State party's consultative efforts with children in its reform of the education system including in processes to adopt the Education and Training Act 2020, noting its obligation on the government to actively promote and protect the rights of Māori children, as well as to guarantee children with disabilities the same rights to education at State schools on an equal basis. Taking note of targets 4.1, 4.2, 4.a of the Sustainable Development Goals, and recalling the recent recommendations of the Committee on Economic, Social and Cultural Rights¹², the Committee recommends that the State party:

(d) Take targeted measures to reduce bullying of students, prioritizing students with disabilities and LGBTI students, including by assessing the impact of actions taken under the Bullying Prevention and Response Work Programme 2019- 2022, and incorporating these outcomes in its revision;

Asylum-seeking, refugee and migrant children

38. Recalling the joint general comments No. 3 and No. 4 of the Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families/No. 22 and No. 23 of the Committee on the Rights of the Child (2017) on the human rights of children in the context of international migration and its General Comment No. 6 (2005) on treatment of unaccompanied and separated children outside their country of origin, the Committee recommends that the State party preserve the right of asylumseeking, refugee and migrant children to family unity and improve case management frameworks by developing comprehensive service referral pathways, including to physical and mental health services, education, access to justice through the provision of free legal aid, prioritizing unaccompanied and separated children and children with disabilities.

Administration of child justice

42. The Committee remains seriously concerned that:

(a) The minimum age of criminal responsibility is below international standards and is offence-based rather than child-centred;

(b) The goal of separating children from adults in all places of detention is still not reached, and that children aged 14 to 17 can be remanded in police custody after their

first court appearance in the youth justice system, for an indeterminate duration pending transfer to another facility;

(c) Although legislative changes have extended the youth justice system to most 17-year-olds, offenders charged with certain serious offences are automatically transferred to the adult criminal justice system, thereby depriving them of special protections for children; (d) Māori children remain disproportionately represented in the youth justice system and are overrepresented among people who died by suicide in closed institutions.

43. Recalling its general comment No. 24 (2019) on children's rights in the child justice system, the Committee urges the State party to bring its child justice system fully into line with the Convention and urges the State party to:

(e) Develop an effective action plan towards eliminating the disparity in the rates of sentencing, incarceration and survival in detention of Māori children, by addressing the connections between offending and neurodisability, alienation from whanau (family), school and community, substance abuse, family violence, removal into state care and intergenerational issues.

OMAN- CRC/C/OMN/CO/5-6

Data collection

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

(a) Further strengthen its National Center for Statistics and Information, which now reports to the Council of Ministers, in particular in its efforts to collect data in areas such as child marriage, child protection, violence against children, children with disabilities and education, where there are certain gaps;

(b) Ensure that data collected on children's rights covers all areas of the Convention and the Optional Protocols thereto, with data disaggregated by age, sex, disability, geographical location, ethnic and national origin and socioeconomic background, in order to facilitate analysis of the situation of children, particularly those in situations of vulnerability;

Non-discrimination

17. Taking note of targets 5. 1 and 10.3 of the Sustainable Development Goals, the Committee recommends that the State party take measures to eliminate de jure or de facto discrimination against girls, children born to unmarried parents, children with disabilities, children of migrant workers, and other children in vulnerable and marginalized situations, especially with respect to their access to social and health services and equal educational opportunities.

G. Children with disabilities (art. 23)

29. The Committee welcomes the identification of children with disabilities as a focus for the Social Action Strategy (2016–2025) and other efforts made by the State party, including the increase in the number of rehabilitation centers, integration programmes to mainstream schools and training of professionals working with and for children. Nevertheless, the Committee is concerned that children with disabilities continue to face challenges. In particular, the Committee is concerned that:

(a) Children with disabilities continue to face stigmatization and discrimination;

(b) Implementation of the inclusive education policy has been insufficient resulting in the low number of children with disabilities enrolled in schools at all levels, and the high rate of non-completion and illiteracy among children with disabilities;

(c) Teacher training guide on inclusive education and associated tools has not been fully implemented;

(d) Despite the development of a unified disability classification system, the systematic data collection, disaggregated by sex and type of impairment, on the number of children with disabilities has been insufficient.

30. Recalling its general comment No. 9 (2006) on the rights of children with disabilities, the Committee urges the State party to adopt a human rights-based approach to disability, set up a comprehensive strategy for the inclusion of children with disabilities and recommends that the State party:

(a) Take measures to eliminate discrimination against children with disabilities by undertaking sustained public awareness campaigns aimed at government officials, the public and families to combat the stigmatization of and prejudice against children with disabilities and to promote a positive image of such children;

(b) Take all measures necessary to ensure that children with disabilities are fully integrated into all areas of life, including education, sports and leisure activities, and that facilities and other public areas are accessible to all children with disabilities;

(c) Continue its efforts to implement its policy and promote inclusive education, including by abolishing special schools and providing adequate budgetary allocations, especially for scaling up the training of teachers, accessible infrastructure and teaching materials adapted to the needs of children with disabilities;

(d) Further integrate the unified disability classification system and develop a disaggregated database on children with disabilities and 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.

Health and health services

31. Noting the increase in universal health coverage and in the number of health care institutions, the Committee recalls its general comment No. 15 (2013) on the right of the child to the enjoyment of the highest attainable standard of health and taking note of targets 2.2, 3.1, 3.2 and 3.8 of the SDGs, it recommends that the State party:

(a) Continue strengthening access to health services, especially for children particularly at risk of being left behind, including children with disabilities and nonnationals;

SWEDEN- CRC/C/SWE/CO/6-7

Allocation of resources

9. Recalling its general comment No. 19 (2016) on public budgeting for the realization of children's rights, the Committee recommends that the State party incorporate a child rights-based approach into the State budgeting process to:

(b) Define budget lines for children in disadvantaged or vulnerable situations, including children with disabilities, children belonging to minority groups, children living in poverty and asylum-seeking, refugee and migrant children, and ensure that those budgetary lines are protected even in situations of economic crisis or other emergencies;

Data collection

10. The Committee is concerned about the lack of data disaggregated by disability, ethnic origin and socioeconomic and migration background, which does not allow for sufficient analysis of the situation of children, and recommends that the State party:

- (a) Strengthen its data collection system regarding both qualitative and quantitative indicators that encompass all areas of the Convention, and that the data are disaggregated by age, sex, disability, geographical location, ethnic and national origin, and socioeconomic background, in order to facilitate analysis of the situation of children, in particular those in situations of vulnerability;**
- (b) Strengthen the collection and analysis of data on discrimination against children, children with disabilities, statelessness and children with “an unknown nationality”, socioeconomic situations of children, and violence against children, including abuse, neglect and sexual exploitation;**

Non-discrimination

16. The Committee welcomes the strategy and the adoption of the action plan for equal rights and opportunities for lesbian, gay, bisexual, transgender, intersex and queer people and the inquiry on the Swedish Discrimination Act, but is deeply concerned about:

- (b) Persistent discrimination, including through racist activities and bullying, against children in disadvantaged situations;**

17. The Committee urges the State party to:

- (b) Implement targeted policies and programmes to combat racist and xenophobic activities among children, and to eliminate discrimination against children in disadvantaged situations, including children of African and Asian descent, Roma and Sami children, Muslim children, asylum-seeking, refugee and migrant children, children without a regular residence status, children with disabilities, children in alternative care, and lesbian, gay, bisexual, transgender and intersex children;**

- (c) Ensure that measures include awareness-raising and media campaigns to change social norms and behaviours that contribute to discrimination, in particular on the basis of ethnicity, migration status, disability, religion, sexual orientation and gender identity;**

Right to life, survival and development

19. The Committee recommends that the State party strengthen its efforts to prevent suicide among children, including children with disabilities, children who do not identify with the gender given to them at birth, transgender children and unaccompanied asylum-seeking children and set up interagency child death review teams with the aim of strengthening preventive measures.

Respect for the views of the child

20. While noting that children’s views are not systematically taken into account in decisions affecting them and that most municipalities lack structures for ensuring child participation in decision-making, the Committee recommends that the State party:

- (b) Adopt relevant legislative amendments to ensure that children’s views are heard and taken into account in such decisions, including by abolishing the exception of inappropriateness in family legislation and the Aliens Act and with regard to decisions of the Social Welfare Board concerning children with disabilities;**

Violence against children, including sexual exploitation and abuse

25. The Committee welcomes the new national strategy for preventing and combating violence against children, but is deeply concerned about the following:

(c) The particular vulnerability of girls, children with disabilities, children in alternative care and children in socioeconomically disadvantaged situations;

26. The Committee urges the State party to:

(a) **Develop a comprehensive action plan for the implementation of the new strategy for preventing and combating violence against children and ensure that it includes targeted measures for girls, children with disabilities, children in socioeconomically disadvantaged situations, migrant children and children belonging to minority groups, and that it is adequately resourced and comprehensively addresses sexual exploitation and abuse;**

F. Children with disabilities (art. 23)

31. The Committee recommends that the State party:

(a) **Ensure the right of children with disabilities to be heard and to receive appropriate communication support in all decision-making that affect them, that all decisions are based on individual assessments and that information on the basis for decisions is accessible;**

(b) **Reinforce the support for social inclusion and individual development of children with disabilities, including by strengthening their access to personal assistance, rehabilitation and assistive devices;**

(c) **Increase the number of support teachers and build the capacities of parents, teachers and other professionals to recognize the needs of children with disabilities and in particular the value of inclusive education.**

Mental health

33. Noting with concern the prevalence of depression, anxiety and self-harm among children, and long waiting lists for children seeking mental health services, the Committee recommends that the State party:

(a) **Strengthen mental health services and programmes for children, including by ensuring:**

(i) **the availability of therapeutic mental health services in schools and within communities in all regions;**

(ii) **a sufficient number of qualified professionals, including child psychologists and psychiatrists, to meet children's mental health needs in a timely manner; and**

(iii) **that such services are tailored to address the specific needs of girls, asylum-seeking and refugee children, children with disabilities, and lesbian, gay, bisexual, transgender and intersex children;**

Education, including vocational training and guidance.

37. While noting the principle of inclusive education promoted by the State party, the Committee remains concerned about disparities in access to the same quality of education and about discrimination, harassment and bullying in schools.

38. The Committee recommends that the State party:

(c) **Strengthen measures for ensuring inclusive education in mainstream schools for all children with disabilities, including by:**

(i) **abolishing the provision of the Education Act which makes the acceptance of a child with disabilities conditional upon certain factors; and**

(ii) **adapting curricula and training and assigning specialized teachers and professionals in integrated classes so that children with disabilities and learning difficulties receive individual support and due attention;**

Rest, leisure, recreation and cultural and artistic activities

41. Recalling its general comment No. 17 (2013) on the right of the child to rest, leisure, play, recreational activities, cultural life and the arts, the Committee recommends that the State party:

(a) Ensure that sporting, recreational, leisure, cultural and artistic activities are available, safe and accessible for girls, children with disabilities, asylum-seeking and migrant children, socioeconomically disadvantaged children and children living in rural areas;