

Policy, concept and practice of inclusive education from the perspective of United Nations

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Objective and Focus of My Intervention

To raise awareness on the value, legitimation and implementation of human rights in education

- Philosophy of Education is just Education: what education really is and how one has to teach
- Education is a human right with immense power to transform. On its foundation rest the cornerstones of freedom, democracy and sustainable human development.
- Kofi Annan: Theory not enough, we need a policy because of moral unacceptability of exclusion
- Normative Concept of Human Rights
- International Human Rights Law
- International Commitments / Benchmarks Relevant to Education
- Concept of Disability
- Concepts of Discrimination and Inclusiveness in Education
- National perspectives
- Reflexion

Education is a Human Right

Universal Declaration of Human Rights (UDHR) by United Nations 1948

- Article 1: All human beings are born free and **equal in dignity and rights**.
- Article 2: Everyone is entitled to all the rights and freedoms set forth in this Declaration, **without distinction of any kind**, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.
- Article 7: All are **equal before the law** and are entitled **without any discrimination** to equal protection of the law.
- Article 21 (2): Everyone has the **right of equal access** to public service in his country.
- Article 26 (1) Everyone has the right to education. (2) Education shall be directed to the **full development of the human personality** and to the strengthening of respect for human rights and fundamental freedoms. (3) Parents have a prior right to choose the kind of education that shall be given to their children.

Education is a Human Right

Education is not a privilege. It is a human right

Education as a human right means:

- The right to education is guaranteed legally for all without any discrimination
- States have the obligation to protect, respect and fulfil the right to education
- There are ways to hold States accountable for violations or deprivations of the right to education

Education is a Human Right. UNESCO:

- Education is a fundamental human right and essential for the exercise of all other human rights. It promotes individual freedom and empowerment and yields important development benefits. Yet millions of children and adults remain deprived of educational opportunities, many as a result of poverty.
- Education is a powerful tool by which economically and socially marginalized adults and children can lift themselves out of poverty and participate fully as citizens.
- the United Nations and UNESCO have been responsible for initiating most of the international instruments concerning education adopted since the end of the Second World War.
- Normative instruments of the United Nations and UNESCO lay down international legal obligations for the right to education. These instruments promote and develop the right of every person to enjoy access to education of good quality, without discrimination or exclusion. These instruments bear witness to the great importance that Member States and the international community attach to normative action for realizing the right to education. It is for governments to fulfil their obligations both legal and political in regard to providing education for all of good quality and to implement and monitor more effectively education strategies.
- They give shape to Member States' commitment to the right to education to be given shape in terms of national level action.

International Law within United Nations

Respect for human rights requires the establishment of the rule of law at the national and international levels.

International Human Rights Law means obligation by States Parties to implement it into national legislation

International human rights law lays down obligations which States are bound to respect. By becoming parties to international treaties, States assume obligations and duties under international law to respect, to protect and to fulfil human rights. The obligation to respect means that States must refrain from interfering with or curtailing the enjoyment of human rights. The obligation to protect requires States to protect individuals and groups against human rights abuses. The obligation to fulfil means that States must take positive action to facilitate the enjoyment of basic human rights.

Negotiated with marginalized disadvantaged groups, by Civil Society

Discrimination in Education is a Violation of Rights

Convention against Discrimination in Education, UNESCO 1960

http://portal.unesco.org/en/ev.php-URL_ID=12949&URL_DO=DO_TOPIC&URL_SECTION=201.html

- Article 1: the term 'discrimination' includes **any distinction, exclusion, limitation or preference** which, being based on race, colour, sex, language, religion, political or other opinion, national or social origin, economic condition or birth, has the purpose or effect of **nullifying or impairing equality** of treatment in education
- Article 3 (b) To ensure, by legislation, that there is **no discrimination in the admission** of pupils to educational institutions; (d) Not to allow, <...> any restrictions or preference based solely on the ground that pupils belong to a particular group;
- Article 6 the States Parties **to undertake** to pay the greatest attention to any recommendations <...> defining the measures to be taken against the different forms of discrimination in education and for the purpose of ensuring equality of opportunity and treatment in education.

To Meet the Basic Learning Needs

Jomtien World Declaration on Education for All, UNESCO World Education Forum 1990

- Education as a fundamental human right and urged countries to intensify efforts to address the basic learning needs of all.
- The *Framework for Action to Meet the Basic Learning Needs* defined targets and strategies to meet the basic learning needs of all by the year 2000.

Preconditions for Equal Participation

The Standard Rules on the Equalization of Opportunities for Persons with Disabilities, World Programme Action, United Nations, 1993

Rule 6. Education

- General educational authorities are responsible for the education of **persons with disabilities in integrated settings**. Education for persons with disabilities should form an **integral part** of national educational planning, curriculum development and school organization.
- Education in mainstream schools presupposes the provision of interpreter and other appropriate support services. Adequate **accessibility** and **support services**, designed to meet the needs of persons with different disabilities, should be provided.

All children learn together responding their diverse needs

Salamanca Statement and Framework for Action on Special Needs Education, UNESCO 1994

- All children learn together, whatever possible, regardless of any difficulties or differences they may have.
- **Inclusive schools** must recognise and respond to the **diverse needs** of their students, accommodating both different styles and rates of learning and ensuing quality education to all through appropriate curricula, organisational arrangements, teaching strategies, resource use and partnerships with their communities.
- Inclusive education promotes child-to-child learning and participation of parents and community in planning and execution of services for children in general and **disabled children** in particular.
- Regular schools with an inclusive orientation are: ...the most effective means of combating discriminatory attitudes, **creating welcoming communities**, building an inclusive society and achieving education for all; more over the provide an effective education to the majority of children and improve the efficiency and ultimately the cost-effectiveness of the entire education system.

Academic Discourse on Inclusive Education

- Exclusion or segregation of students with special needs is a violation of their human rights and represents an **unfair distribution of educational resources** (Christensen, 1996)
- The education system has failed disabled students by **not equipping them to exercise their rights and responsibilities** as citizens, while the **special education system has functioned to exclude** them from both the education process and wider social life. Inclusion as a political as well as an educational process (Oliver, 1996)
- No clear demarcation between the characteristics of students with and without disabilities, and there is **no support for the contention that specific categories of students learn differently, separate provisions for such students cannot be justified** (Lipsky & Gartner, 1996, 1999).
- Teachers have **two contrasting 'pedagogical discourses'** – the discourse of deviance and the discourse of inclusion (Skidmore, 2002)

Academic Discourse on Inclusive Education

- Slee (2001), inclusive education is about the **cultural politics of protecting the rights** of citizenship for all students.
- In designing educational programmes for students with disabilities, the focus must **shift from the individual's impairments to the social context**, a key feature of which should be a unitary education system dedicated to providing quality education for all students (Lipsky & Gartner, 1996, 1999).
- inclusive education is a fundamental right, derived from the principle of equity, which, if recognised, would contribute significantly to a **democratic society** (Lipsky & Gartner, 1996, 1999).
- Mainstreaming is a process that allows children with special needs to enter certain standard classrooms after they show the ability **to keep up with the rest of their peers**.

To Ensure Equitable Access for Vulnerable and Marginalized

The Dakar Framework for Action, Education for All: Meeting our Collective Commitments UNESCO World Education Forum 2000

Education is a fundamental human right

- (i) expanding and improving comprehensive early childhood care and education, especially for the most **vulnerable and disadvantaged** children;
- (ii) ensuring that by 2015 all children, particularly **girls, children in difficult circumstances** and those belonging to ethnic minorities, have access to and complete, free and compulsory primary education of good quality;
- (iii) ensuring that the learning needs of all young people and adults are met through **equitable access** to appropriate learning and life-skills programmes;
- <...>

Inclusive and Equitable Quality Education

Education 2030 Framework for Action, Incheon Declaration, UNESCO World Education Forum 2015

<http://unesdoc.unesco.org/images/0024/002456/245656E.pdf>

- Education is a human right for all throughout life and that access must be matched by quality.
- Ensure inclusive and equitable quality education and promote lifelong learning opportunities for all
- Inclusion and equity in and through education is the cornerstone of a transformative education agenda, and we therefore commit to **addressing all forms of exclusion and marginalization, disparities and inequalities in access, participation and learning outcomes**. No education target should be considered met unless met by all. We therefore commit to making the necessary changes in education policies and focusing our efforts on the most disadvantaged, especially those with disabilities, to ensure that **no one is left behind**.

Inclusive and Equitable Quality Education

Education 2030 Framework for Action, Incheon Declaration, UNESCO 2015

- We recognize the importance of gender equality in achieving the right to education for all. We are therefore committed to supporting **gender sensitive** policies, planning and learning environments; mainstreaming gender issues in teacher training and curricula; and eliminating gender-based discrimination and violence in schools.
- We commit to promoting quality lifelong learning opportunities for all, in all settings and at all levels of education. This includes **equitable and increased access** to quality technical and vocational education and training and higher education and research, with due attention to quality assurance. In addition, the provision of **flexible learning pathways**, as well as the recognition, validation and accreditation of the knowledge, skills and competencies acquired through non-formal and informal education, is important.

Eliminate Discrimination & Enhance Opportunities for All

Sustainable Development Goal 4SDG, United Nations 2015

- Ensure inclusive and equitable quality education and promote lifelong learning opportunities for all.

(7+3 targets):

- 4.5 By 2030, eliminate **gender disparities** in education and ensure equal access to all levels of education and vocational training for the vulnerable, including **persons with disabilities**, indigenous peoples and **children in vulnerable situations**
- 4.7 By 2030, ensure that all learners acquire the knowledge and skills needed to promote sustainable development, including, among others, through education for sustainable development and sustainable **lifestyles, human rights, gender equality**, promotion of a culture of peace and non-violence, **global citizenship** and appreciation of **cultural diversity** and of culture's contribution to sustainable development

Global Competency for an Inclusive World

- The Organisation for Economic Co-operation and Development (OECD), proposal for the PISA (Program International Student Assessment) 2018 Global Competence assessment

<https://www.oecd.org/pisa/aboutpisa/Global-competency-for-an-inclusive-world.pdf>

<https://www.oecd.org/dac/Consultation-draft--Outline-OECD-strategic-response-to-the-SDGs.pdf>

- Global competence is the capacity to analyze global and intercultural issues critically and from multiple perspectives, **to understand how differences affect** perceptions, judgments, and ideas of self and others, and **to engage in open, appropriate and effective interactions with others from different backgrounds** on the basis of a shared **respect for human dignity**
- The globally competent person brings his/her knowledge, understanding, skills, attitudes and values together in order to work with others **to solve globally-relevant problems and to improve the collective well-being of current and future generations**. Young people who develop Global Competence are better equipped **to build more just, peaceful, inclusive and sustainable societies through what they decide and what they do**.

Affirm women's rights to non-discrimination

Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), United Nations 1979

<http://www.ohchr.org/EN/ProfessionalInterest/Pages/CEDAW.aspx>

- Article 10: to ensure, on a basis of equality of men and women: (a) The same conditions for **career and vocational guidance, for access to studies** and for the achievement of diplomas in educational establishments of all categories in **rural as well as in urban** areas; this equality shall be ensured in pre-school, general, technical, professional and higher technical education, as well as in **all types of vocational training**;
- Article 10c The elimination of any stereotyped concept of the roles of men and women at all levels and in all forms of education by **encouraging coeducation** and other types of education which will help to achieve this aim and, in particular, **by the revision of textbooks** and school programmes and the adaptation of teaching methods;
- eliminating stereotyped concepts in the field of education.

Protect Child Against All Forms of Discrimination

Convention on the Rights of the Child (CRC), United Nations 1989

<http://www.ohchr.org/EN/ProfessionalInterest/Pages/CRC.aspx>

- *Article 2 (1)*. States Parties shall respect and ensure the rights <...> without discrimination of any kind, irrespective of the child's or his or her parent's or legal guardian's race, colour, sex, language, religion, political or other opinion, national, ethnic or social origin, property, disability, birth or other status. (2). States Parties shall take all appropriate measures **to ensure that the child is protected against all forms of discrimination** or punishment on the basis of the status, activities, expressed opinions, or beliefs of the child's parents, legal guardians, or family members.
- *Article 23*. To ensure that the **disabled child has effective access to and receives education** (...) in a manner conducive to the child's achieving the fullest possible **social integration** and **individual development**, including his or her cultural and spiritual development
- *Article 28 (1)*. States Parties recognize the right of the child to education, and with a view to achieving this right progressively and on the basis of equal opportunity

Discrimination Against Any Person on the Basis of Disability is a Violation of the Inherent Dignity and Worth of the Human Person

Convention on the Rights of Persons With Disabilities (CRPD), United Nations 2006

<http://www.ohchr.org/EN/HRBodies/CRPD/Pages/ConventionRightsPersonsWithDisabilities.aspx>

- Article 1. Persons with disabilities include those who have long-term physical, mental, intellectual or sensory impairments which **in interaction with various barriers** may hinder their full and effective participation in society on an equal basis with others.
- Article 2. "**Discrimination on the basis of disability**" means any distinction, exclusion or restriction on the basis of disability which has the purpose or effect of impairing or nullifying the recognition, enjoyment or exercise, on an equal basis with others, of all human rights and fundamental freedoms in the political, economic, social, cultural, civil or any other field. It includes all forms of discrimination, including **denial of reasonable accommodation**;

Ensure and promote the full realization of all human rights and fundamental freedoms

Article 3 - General principles

- (a) Respect for inherent dignity, individual autonomy including the freedom to make one's own choices, and independence of persons;
- (b) Non-discrimination;
- (c) Full and effective participation and inclusion in society;
- (d) Respect for difference and acceptance of persons with disabilities as part of human diversity and humanity;
- (e) Equality of opportunity;
- (f) Accessibility;
- (g) Equality between men and women;
- (h) Respect for the evolving capacities of children with disabilities and respect for the right of children with disabilities to preserve their identities.

Legitimation of the Right to Inclusive Education

General Comment No 4 Right to Inclusive Education of the Article 24 Education of the CRPD

<http://www.ohchr.org/EN/HRBodies/CRPD/Pages/GC.aspx>

Many millions of persons with disabilities continue to be denied a right to education, and for many more, education is available only in settings where they are isolated from their peers and receive an inferior quality of provision.

Inclusive education is central to achieving high quality education for all learners, including those with disabilities, and for the development of inclusive, peaceful and fair societies.

There is a powerful educational, social, and economic case to be made.

Barriers that impede access to inclusive education for persons with disabilities

General Comment No 4 Right to Inclusive Education of the Article 24 Education of the CRPD

- the **failure to understand or implement the human rights model** of disability, in which barriers within the community and society, rather than personal impairments, exclude persons with disabilities;
- persistent discrimination against persons with disabilities, compounded by the **isolation** of those still living in long-term residential institutions, and **low expectations** about those in mainstream settings, allowing **prejudices** and **fear** to escalate and remain unchallenged;
- **lack of knowledge** about the nature and advantages of inclusive and quality education, and **diversity**, including regarding competitiveness, in learning for all; **lack of outreach** to all parents and lack of appropriate responses to support requirements, leading to misplaced fears, and **stereotypes**, that inclusion will cause a deterioration in the quality of education, or otherwise impact negatively on others;
- **lack of disaggregated data and research**, necessary for accountability and program development, impeding the development of effective policies and interventions to promote inclusive and quality education;
- **lack of political will**, technical knowledge, and capacity in implementing the right to inclusive education including insufficient education of all teaching staff;
- **inappropriate and inadequate funding mechanisms** to provide incentives and reasonable accommodations for inclusion of students with disabilities, inter-ministerial coordination, support and sustainability;

Recognition of different concepts

General Comment No 4 Right to Inclusive Education of the Article 24 Education of the CRPD

Exclusion occurs when students are directly or indirectly prevented from or denied access to education in any form.

Segregation occurs when the education of students with disabilities is provided in separate environments designed or used to respond to a particular or various impairments, in isolation from students without disabilities.

Integration is a process of placing persons with disabilities in existing mainstream educational institutions, as long as the former can adjust to the standardized requirements of such institutions.

Inclusion involves a process of systemic reform embodying changes and modifications in content, teaching methods, approaches, structures and strategies in education to overcome barriers with a vision serving to provide all students of the relevant age range with an equitable and participatory learning experience and environment that best corresponds to their requirements and preferences.

The Core Features of Inclusive Education

General Comment No 4 Right to Inclusive Education of the Article 24 Education of the CRPD

- Whole systems approach
- Whole educational environment
- Whole person approach
- Supported teachers
- Respect for and value of diversity
- Learning-friendly environment
- Effective transitions
- Recognition of partnerships
- Monitoring

Inclusive Education is a Structural Transformation

General Comment No 4 Right to Inclusive Education of the Article 24 Education of the CRPD

The right to inclusive education encompasses a **transformation in culture, policy and practice** in all formal and informal educational environments to **accommodate the differing requirements and identities of individual students**, together with a commitment to remove the barriers that impede that possibility. It involves strengthening the capacity of the education system to reach out to all learners.

It focuses on the **full and effective participation, accessibility, attendance and achievement** of all students, **especially those who, for different reasons, are excluded or at risk of being marginalized**. Inclusion involves access to and progress in high-quality formal and informal education without discrimination.

It seeks to **enable communities, systems and structures to combat discrimination**, including harmful stereotypes, recognize diversity, promote participation and overcome barriers to learning and participation for all by focusing on well-being and success of students with disabilities.

Individual Ability and Institutional Accessibility

General Comment No 4 Right to Inclusive Education of the Article 24 Education of the CRPD

- Education should be directed to the **development of the personality, talents and creativity** of persons with disabilities as well as their mental, physical and communicational abilities to the fullest potential.
- The education of persons with disabilities too often focuses on a deficit approach, on their actual or perceived impairment and limiting opportunities to pre-defined and negative assumptions of their potential. States parties must support the creation of opportunities to build on the **unique strengths and talents of each individual with a disability**
- Accessibility –educational institutions and programmes must be **accessible to everyone**, without discrimination. The entire education system must be accessible, including buildings, information and communication, comprising ambient or frequency modulation assistive systems, curriculum, education materials, teaching methods, assessment and language and support services.

Individual Educational Plans

General Comment No 4 Right to Inclusive Education of the Article 24 Education of the CRPD

- Adequate continuous **personalised support** is provided directly. The necessity for the provision of individualised education plans, which can identify the reasonable accommodations and specific support required for an individual student, including the provision of assistive compensatory aids, specific learning materials in alternative/accessible formats, modes and means of communication, and communication aids and assistive and information technology.
- Support can also consist of a **qualified learning support assistant**, either shared or on a one-to-one basis, depending on the requirements of the student.
- Individualized education plans must address the **transitions** experienced by the learners from segregated settings and between levels of education.
- Effectiveness of these plans should be regularly **monitored** and evaluated with the direct involvement of the learner concerned.

Obligations of States Parties

General Comment No 4 Right to Inclusive Education of the Article 24 Education of the CRPD

Progressive realization means that States parties have a specific and continuing obligation “*to move as expeditiously and effectively as possible*” towards the full realization of article 24.

This is **not compatible with sustaining two systems of education**: mainstream and special/segregated education systems.

Progressive realization must be read according to the overall objective of the Convention to establish clear obligations for States parties in respect of the full realization of the rights in question.

States parties should implement the following core rights **with immediate effect**:

- Non-discrimination
- Reasonable accommodation
- Compulsory, free primary education available to all

Inclusive education requires recognition of the right of persons with disabilities to **live within the community and enjoy inclusion and participation in the community**

Advantages of Inclusive Education

- ✓ Persons with disabilities aren't "a burden to society and to school"
- ✓ Persons with disabilities make a part of human diversity
- ✓ Students with disabilities and students without disabilities learn more
- ✓ Individual educational planning diversifies learning methods / metacognitive learning strategies
- ✓ Individual educational planning increases student engagement
- ✓ attempts to develop an individual's strengths and gifts
- ✓ Academic supports help each student access the full curriculum
- ✓ Social importance of students with disabilities
- ✓ Regular students develop "a heightened sensitivity to the challenges that others face, increased empathy and compassion, and improved team leadership skills"
- ✓ Increased teachers' support and systematic approach to education

Italy: Concerns and Recommendations by the CRPD, 2014

- It commends the State party, which for the last three decades has been striving to implement an inclusive education system free of segregation.
- 55. The Committee is concerned about the absence of data and indicators to monitor the quality of education and inclusion of students with disabilities in mainstream schools and classes; the quality of teachers' education, including pre-service and in-service training on inclusive education; and the lack of implementation of laws, decrees and regulations on inclusive education.
- 56. **The Committee recommends that the State party implement an action plan — with sufficient resources, timelines and specific goals — aimed at monitoring the implementation of laws, decrees and regulations to improve the quality of inclusive education in classrooms, support provisions and teacher training across all levels. ... Sustainable Development Goals, to ensure equal access to all levels of education and vocational training, and build and upgrade education facilities that are disability-sensitive and safe.**
- 57. The Committee is concerned that deaf children are not provided with sign language interpreters in school if requested.
- 58. **The Committee recommends that the State party monitor and provide highly qualified sign language interpreters for any deaf child who requests such assistance, and to desist from recommending general communication assistants as an exclusive alternative.**
- 59. The committee is concerned at the lack of availability of accessible learning materials and the lack of assistive technology in a timely manner, which hinders the quality of education in the mainstream setting.
- 60. **The committee recommends that the State party undertake, through legislative and other measures, including the newly drafted decree on education, to guarantee the availability of accessible learning materials and the provision of assistive technology in a timely manner in order to ensure inclusive and quality education in the mainstream setting.**

Serbia: Concerns and Recommendations by the CRPD, 2016

- The Committee is concerned that **more than half of the children living in residential care institutions are not in education** and that **few measures have been adopted to provide standardized and regulated transparent protocols relating to individual education plans**, as well as relevant technologies and forms of communication ensuring accessibility for pupils and students with disabilities at all levels of education.
- **The Committee urges the State party to identify concrete targets in the Action Plan for Inclusive Education (2016-2020), to meet inclusive education standards and requirements. Special attention should be given to children with multiple disabilities and pupils and students with disabilities living in institutions, as well as to the development of individual education plans and accommodation of all types of disabilities.**
- The Committee is concerned about **the lack of comparable data on funding earmarked for children with disabilities in mainstream and special education**, as well as **on affirmative measures for the enrolment of and accommodation provided for students with disabilities**. In addition, the Committee is also concerned about the **low level of accessibility provided in higher education** for students with disabilities.
- **The Committee recommends that the State party take immediate steps to ensure that all persons with disabilities have access to inclusive and quality primary, secondary and tertiary education and that reasonable accommodation, in accordance with established individual education plans, is provided in mainstream education. It recommends that teachers and other education professionals receive training on inclusive education and that all secondary and tertiary education facilities be made accessible. The Committee stresses that denial of reasonable accommodation constitutes discrimination. The Committee also recommends that the State party pay attention to the links between article 24 of the Convention and targets 4.5 and 4 (a) of the Sustainable Development Goals.**

Portugal: Concerns and Recommendations by the CRPD, 2016

- Act No. 21/2008 of 12 May, as a result of which in 2015, 98 per cent of students with disabilities in the State party attended regular schools
- 44. The Committee notes that, although the great majority of students with disabilities attend regular schools in the State party, there is a **lack of support and that, because of austerity measures, human and material resources have been cut**, thereby putting the right to and opportunity for an inclusive education of high quality at risk. The Committee also notes that the State party has **established “model schools” for deaf, blind, deaf-blind and visually impaired students, as well as for students with autism, which would be a form of segregation and discrimination.**
- 45. **The Committee recommends that the State party, in close consultation with organizations representing persons with disabilities, review its legislation on education to bring it into line with the Convention and take measures to provide additional resources and materials to facilitate access to and enjoyment of inclusive education of high quality for all students with disabilities, providing public schools with the resources they need to ensure the inclusion of all students with disabilities in ordinary classrooms.**
- 46. **The Committee recommends that the State party consider the relationship between article 24 of the Convention and targets 4.5 and 4.a of the Sustainable Development Goals to ensure equal access to all levels of education and vocational training, as well as to build and upgrade education facilities to make them disability-sensitive and safe.**
- 47. The Committee is concerned that even though the State party **has a special quota for the admission of students with disabilities to public universities**, it has **not regulated the support universities** should provide to such students. It is further concerned that there is **restricted access to certain fields of study** and professional degrees for students with particular disabilities.
- 48. **The Committee recommends that the State party introduce in its legislation regulations on the access of students with disabilities to higher education and vocational training on an equal basis with other students, while providing reasonable accommodation and the required support services.**

Czech Republic: Concerns and Recommendations by the CRPD, 2015

47. The Committee notes with concern that in spite of efforts made, significant numbers of boys and girls with disabilities, especially those with intellectual disabilities and autism and those who are deaf-blind, still receive their education in special schools and classes, outside of mainstream schools.

48. The Committee recommends that the State party implement the amended School Act, incorporate inclusive education as the guiding principle of the education system and ensure the admission of children with disabilities in mainstream schools. in line with article 24 of the Convention. The Committee calls upon the State party to intensify its efforts and to allocate sufficient financial and human resources for reasonable accommodations that will enable boys and girls with disabilities, including intellectual disabilities and autism, and deaf-blind children, to receive inclusive quality education.

Denmark: Concerns and Recommendations by the CRPD, 2014

amendment to the Upper Secondary School Act, designed to integrate persons with autism, in 2013

- While noting a **Government reform to promote inclusion** of children with disabilities in the general education system, the Committee is concerned at the **lack of clarity regarding the extent to which pupils with disabilities can receive adequate support and accommodation** to facilitate their education, and regarding the discrepancies in accomplishment rates between pupils with and without disabilities in elementary, secondary and higher education.
- **The Committee recommends that the State party amend its legislation to ensure the inclusion of all children with disabilities in the mainstream education system, with adequate support and accommodation, in particular through the provision of adequate training to teachers and other employees in the school system in all parts of the Kingdom of Denmark, in order to ensure quality education for pupils with disabilities. The State party should take measures to address discrepancies in accomplishment rates between pupils with and without disabilities at all levels of education.**
- The Committee is concerned at reports that children in need of more than 9 hours of special education per week may submit a complaint to the Special Education Board, unlike children in need of fewer than 9 hours of special education per week who cannot submit a complaint to an independent authority regarding a lack of adequate educational support.
- **The Committee recommends that the State party amend its legislation to ensure that all children with disabilities can submit a complaint to an independent authority if they do not receive adequate educational support.**

Belgium: Concerns and Recommendations by the CRPD, 2013

- 36. The Committee is concerned at reports that many students with disabilities are referred to and obliged to attend special schools because of the lack of reasonable accommodation in the mainstream education system. As inclusive education is not guaranteed, the special education system remains an all too frequent option for children with disabilities. The Committee is also concerned about poor accessibility in schools.
- 37. The Committee requests that the State party implement a coherent inclusive education strategy for children with disabilities in the mainstream system and ensure the provision of adequate financial, material and human resources. It recommends that the State party ensure that children with disabilities receive the educational support they need, in particular through the provision of accessible school environments, reasonable accommodation, individual learning plans, assistive technology in classrooms, and accessible and adapted materials and curricula, and guarantee that all teachers, including teachers with disabilities, receive comprehensive training on the use of Braille and sign language with a view to improving the education of all children with disabilities, including boys and girls who are blind, deaf-blind, deaf or hard of hearing. The Committee also recommends that inclusive education should form an integral part of teacher training at university and during continuing professional development.

Austria: Concerns and Recommendations by the CRPD, 2014

- The Committee is concerned that **progress towards inclusive education in Austria is stagnant**. The Committee notes with concern reports suggesting that the **number of children in special schools is increasing** and that **insufficient efforts are being made to support inclusive education** of children with disabilities. It further notes that there is some **confusion between “inclusive” education and “integrated” education**. However, the Committee **commends the establishment of inclusive education models in several Länder**.
- The Committee is disappointed that there are **very few university graduates with disabilities in Austria**. It **commends Austria for offering sign language interpretation to students at the tertiary level**, however, it noted, as mentioned by the State party during the constructive dialogue, that **there have only been 13 students** with hearing impairment, of whom only three have graduated from university.
- It appears that there is a **lack of teacher training** for teachers with disabilities and teachers who use sign language. Without sufficient teachers with sign language skills, deaf children are at a significant disadvantage.
- **The Committee recommends that greater efforts be made to support students with disabilities in all areas of inclusive education from kindergarten to secondary school**. It particularly recommends that the State party ensure that persons with disabilities, including children with disabilities and their representative organizations, are involved in the day-to-day implementation of the inclusive education models introduced in various Länder. The Committee further recommends that greater efforts be made to **enable persons with disabilities to study at universities** and other tertiary institutions. The Committee also recommends that the State party step up its efforts to provide quality teacher training to teachers with disabilities and **teachers with sign language skills**, so as to enhance the education of deaf and hearing-impaired girls and boys, in accordance with the formal recognition of Austrian sign language in the Constitution of Austria.

Sweden: Concerns and Recommendations by the CRPD, 2014

inclusive education system, where 1.5 per cent of children are instructed outside of regular schools in accordance with the decision made by their family. In addition to the new Education Act, which entered into force in 2011, a right to appeal decisions concerning special support before the Board of Appeal for Education was introduced

- 47. The Committee is concerned by reports that schools can refuse admission to certain pupils with disabilities on the grounds of organizational and economic hardship. The Committee is further concerned at reports indicating that some children who need extensive support cannot attend school due to a lack of such support.
- 48. The Committee urges the State party to guarantee the inclusion of all children with disabilities in the mainstream education system and ensure that they have the required support.

Slovakia: Concerns and Recommendations by the CRPD, 2016

67. The Committee is concerned that the right to inclusive education for all children and students with disabilities is not available, and about the persistence of a segregated education system. Further, the Committee is concerned at the lack of measures to implement an inclusive education system and the ongoing placement of Roma children in segregated schools for children with disabilities.

68. The Committee recommends that the State party pay attention to the links between article 24 of the Convention and targets 4.5 and 4 (a) of the Sustainable Development Goals. The Committee also recommends that the State party: (a) Introduce an enforceable right to inclusive and quality education in the Education Act, including by defining inclusive education in accordance with the Incheon Declaration on education 2030: towards inclusive and equitable quality education and lifelong learning for all of the United Nations Educational, Scientific and Cultural Organization, and Sustainable Development Goal No. 4; (b) Adopt a legally binding plan for the transition from segregated schools into inclusive education at all levels, including by setting timelines, identifying responsible authorities, and allocating adequate resources; (c) Ensure that all children with disabilities who so require have access to personal assistance and allocate resources for this purpose; (d) Ensure available, accessible and inclusive preschool education for all children with disabilities; (e) Put an end to the process of placing Roma children in segregated schools for children with disabilities on the basis of their ethnic background. Health (art. 25)

69. The Committee is concerned about discrimination in access to health-care services, in particular sexual and reproductive health services, and the restrictions to the exercise of free and informed consent to treatment, especially for persons with intellectual disabilities.

70. The Committee recommends that the State party remove physical, information and communication barriers to gaining access to health-care services, and that medical services and treatment be provided on the basis of the free, prior and informed consent of all persons with disabilities. Furthermore, the Committee recommends that the State party provide training for all health and social care personnel on the rights enshrined in the Convention.

Lithuania: my very critical observations

- Neoliberal approach to education: free market model in education
- Neoliberal approach: children's right to choose a school & school's right not to choose children (no obligation)
- competing for a place in the PISA top 5 – turning school quality into an international productivity competition
- School choice and competition
- Gaming the ratings (schools, teachers, children)
- "Saving" schools by sacrificing students (putting uncomfortable children apart).
- Legitimation of notion gifted children, related with exams score, while exams are doubtful validity
- high stakes testing
- Selection of children on the basis of academic performances
- Growing number so called „prestigious‘ schools“ which are State schools
- Confusion of Integration vs inclusion
- Privileging value of mature exams
- Segregation still persist
- Label of „special needs“ vs concept or Individual needs
- Is the State accountable for the discrimination and human rights violations?

Inclusive education is a right for every child and obligation for every State for full implementation