

Draft Concept note: Commemoration of the International Day of Persons with Disabilities and the fifteenth anniversary of the Convention on the Rights of Persons with Disabilities.

"Leadership of the new generations: Children and adolescents with disabilities and their voices post COVID-19."

The original version is in Spanish.

Organizers:

- Office of the Special Envoy of the United Nations Secretary-General on Disability and Accessibility, Professor Maria Soledad Cisternas Reyes.
- United Cities and Local Governments (UCLG).

Co-sponsors:

- Permanent Mission of Chile to the United Nations.
- UNICEF (TBC)
- Representative of the Secretary General on Violence against Children (TBC)
- IDA (TBC)

Date: December 3, 2021

1. Background

Article 7 of the United Nations Convention on the Rights of Persons with Disabilities (CRPD) prescribes that States Parties have the primary duty to protect the best interests of children with disabilities. The Convention highlights the importance of taking a series of measures that seek to ensure that children with disabilities fully enjoy all human rights and fundamental freedoms on an equal basis with other children.

Article 2 of the Convention on the Rights of the Child reinforces this idea by establishing that States Parties shall promote and ensure all their rights, without distinction of any kind, and must take the necessary measures to protect them from all forms of discrimination. Furthermore, the aforementioned Convention establishes this commitment in Article 23, where it prescribes that States Parties must recognize that children with disabilities have the right to enjoy a full and decent life, in conditions that ensure their dignity, as well as their active participation in the community.

The Committee on the Rights of the Child, in its General Comment No. 9, points out that children with disabilities are much more likely to experience obstacles to the full enjoyment of their rights, **but not because of the disability itself**, but rather because of a combination of social, educational, health and even cultural obstacles, so the strategy is to adopt the necessary measures to eliminate these obstacles. In addition to the above, the Committee emphasizes that children with disabilities are more vulnerable to all types of violence and physical, mental or sexual abuse in all environments, including the family and schools.

Bullying affects a high percentage of children and adolescents in the world, especially students with disabilities. This harassment can be verbal, physical, psychological, sexual, and even cyber violence or cyberbullying, since the growing access to information and communication technologies exposes children and adolescents to new forms of violence.

According to the UNESCO report "*Behind the numbers: Ending school violence and bullying*", it was concluded that the reasons for the greater vulnerability to violence and harassment of children and adolescents with disabilities include stigma, discrimination, isolation, negligent treatment and difficulties in information and communication, which often make it impossible for children and adolescents with disabilities to report situations of violence or harassment.

In addition, the latest UNESCO report "Violence and bullying in educational settings: the experience of children and young people with disabilities", published this year 2021, is categorical in pointing out that not only students perform these acts, but also teachers, including school staff, can be perpetrators of violence. It also mentions that girls with disabilities are at greater risk of being sexually abused by their peers than girls without disabilities. Reference is even made to a study conducted in Ugandan primary schools, which found that girls with disabilities were two to four times more likely to experience sexual violence perpetrated by their classmates.

The aforementioned practices have a significant impact on the deterioration of coexistence among students, since bullying affects the entire educational community, either

directly or indirectly, having negative consequences on the well-being, development and exercise of rights of children and adolescents with disabilities, compromising their health, emotional well-being and academic performance, and also being associated with lasting consequences that continue into adulthood.

To this end, Article 8 of the CRPD expressly states that States Parties undertake to adopt immediate, effective and appropriate measures to promote respect for the rights of persons with disabilities at all levels of the education system, including among all children from an early age.

General Comment No. 4 on the Right to Inclusive Quality Education of the Committee on the Rights of Persons with Disabilities has established the importance of the recognition of inclusion as key to achieving the strengthening of quality education for all students, especially students with disabilities, as it fosters the development of inclusive, peaceful and just societies. It also states that women and girls with disabilities are disproportionately affected by violence and abuse, including physical and humiliating punishments inflicted by teachers, for example through the use of restraint methods. Thus, the Committee reinforces and encourages schools and other educational institutions to promote the participation of students, including students with disabilities, in the formulation of policies, such as accessible protection mechanisms, to combat disciplinary measures and bullying, including cyberbullying.

On the other hand, the 2030 Agenda establishes in its SDG N°4: Ensure inclusive, equitable quality education, being one of its Goals to build and adapt educational facilities that take into account the needs of children and adolescents with disabilities, offering safe, non-violent, inclusive and effective learning environments.

At the same time, the 2030 Agenda in its SDG N°3 on health and well-being, is directly connected to the health of children and adolescents around the world who suffer violence and harassment, in relation to mental and physical health.

From another angle, the CRPD in its articles 9 and 21 prescribes the obligation to ensure universal accessibility, which is of course directly connected to the accessibility that educational environments must have. The latter is also connected to SDG N°11, to achieve inclusive, resilient and sustainable cities and communities, since the goal is to provide universal access to safe, inclusive and accessible spaces, particularly for women, girls, boys and adolescents with disabilities, along with accessible transportation. In other words, the lack of accessibility in school environments could qualify as structural bullying.

For these reasons, inclusive education and universal accessibility play a fundamental role in preventing and putting an end to school bullying of children and adolescents with disabilities, understanding that inclusion should not only be understood and practiced in the general education system, but that close cooperation between educators, parents and States is also essential, through

awareness and development of school programs that include the participation of children and adolescents with disabilities. All this in order to implement direct solutions to ensure better coexistence, educational training programs aimed at good treatment, as well as universal accessibility and reasonable accommodation for the effective achievement of an inclusive quality education.

Consequently, today more than ever, the leadership of children and adolescents with disabilities, who have had to face the strong attacks as a result of the COVID-19 pandemic, are the authentic voices to provide the world with the inputs for an inclusive quality education based on good treatment in the school environment and universal accessibility as a pillar and bridge for the exercise of human rights and fundamental freedoms.

The 15 years since the adoption of the United Nations Convention on the Rights of Persons with Disabilities is the best time **to promote an unprecedented space for the effective participation of children and adolescents with disabilities, promoting the strong leadership of the new generations** for the implementation of the Convention and the fulfillment of the 2030 agenda on sustainable development in such important areas as inclusive quality education and universal accessibility.

2. Objectives

2.1. General objectives

To publicize the declaration of children and adolescents with disabilities from different regions of the world, calling to value human diversity, to recognize them as an important part of society, and also to guarantee their right to inclusion and participation in a quality inclusive education system, building and strengthening accessible environments, free of abuse, violence, harassment and discrimination, on equal terms with other students.

All this in order to promote the direct participation of children and adolescents with disabilities in the formulation of public policies aimed at combating violence and bullying.

This declaration will be delivered to the highest authorities of the United Nations, to the different agencies and mandates of the organization and to the States Parties, being a milestone of participation of children and adolescents with disabilities in the world in the United Nations.

2.2. Specific Objectives

- Promote awareness for the eradication of violence and bullying against children and adolescents with disabilities, as well as the importance of implementing universal accessibility, developing from the rights holders, the guidelines for a coexistence that

values human diversity and promotes the rights of children and adolescents with disabilities.

- Promote the model of human rights of persons with disabilities and children's rights as a framework for the active participation of children and adolescents with disabilities as subjects of rights.
- To listen to the voices of children and adolescents with disabilities with their proposals to promote respectful coexistence of diversity and good treatment at school.
- Promote the participation of organizations of children and adolescents with disabilities in the design and implementation of awareness programs and anti-bullying initiatives, in national realities.
- Symbolically deliver the declaration for children and adolescents with disabilities in the world to the authorities of the United Nations and global society in general.
- Reinforce the Campaign of Good Treatment of children and adolescents with disabilities with emphasis on prevention of Bullying. (Motivational video)
- Promote the synergies of organizations of persons with disabilities, mandates, United Nations agencies, among others, working for the right to a life free of violence and universal accessibility.

3. Format of the Declaration

The Declaration has been developed by children and adolescents with disabilities from different regions of the world, with the aim of awareness raising in order to implement its proposals.

4. Program

Duration: 60 - 90 minutes.

1. Opening Remarks:

- Special Envoy of the UNSG on Disability and Accessibility, Ms María Soledad Cisternas Reyes.
- Secretary General of United Cities and Local Governments (UCLG), Ms Emilia Saiz.

2. Segment “Participation of Children and Adolescents with disabilities of different regions of the world”.

- Brief introduction to the activity: Ms María Soledad Cisternas Reyes.
 - Intervention of children and adolescents with disabilities. Moderator: UNICEF.
- a) Importance of universal accessibility.
 - b) Proposals for living together free of violence / The world they wish/dream of.
 - c) Reading of the Declaration.
- **Interactive dialogue with stakeholders that feed them back, and express commitments.**

Proposed names:

- United Nations: Ms. Masumi Ono / USG Ms Ana María Menéndez / Ms Daniela Bas.
- OPDA: IDA President, Ms Ana Lucía Arellano, Presidenta de IDA.

3. Closing remarks.

Ms Najat Maalla M'jid, Special Representative of the Secretary-General on Violence against Children.

Note: The declaration will be uploaded to the websites of organizers and co-sponsors as the first landmark of direct participation of girls, boys and adolescents with disabilities in the United Nations.

The declaration will be also sent to UN specialized agencies, Human Rights Committees and mandates of the organization.

An easy to read format of the Declaration will be available, which is a form of accessibility.

The event will have simultaneous interpretation in English, Spanish and French, as well as international sign interpretation.