I. Introduction

It is with great pleasure that I joining this important panel discussion in the lead up to the GA debate – with this year’s debate we have a unique opportunity to promote a quantum leap in the way the rights of children with disabilities have been addressed. This is an opportunity we cannot afford to miss!

We have a strong normative foundation to build upon!

In a complementary way, the CRC and the Convention on the Rights of Persons with Disabilities provide strategic guidance for the promotion, protection and fulfillment of the rights of children with disabilities.

More importantly, these treaties have been widely ratified by countries across regions, thus expressing a formal committed to ensure effective implementation, to promote and monitor progress achieved¹, and to be subject to the public scrutiny of an international monitoring body of experts – the Committee on the Rights of the Child and the Committee on the Rights of Persons with Disabilities.

In the case of CRPD, regional integration organizations can consent to be bound by this treaty – and indeed, in 2010 the EU has joined in. This is an excellent precedent which, I am hopeful, will accelerate efforts for the EU to also give consideration to the accession to the CRC and its OPs.

¹ In the case of CRPD with the explicit requirement of identifying one or more governmental focal points and the establishment of a coordinating mechanism, as well as an independent institution to promote and monitor implementation; civil society shall be involved in this process (article 33)
II. **Children with disabilities are at heightened risk of violence**

The life of children with disabilities is surrounded by stigma, discrimination, cultural prejudices, ill-perceptions and shocking invisibility. Unfortunately, it is also dramatically marked by heightened risks of violence, neglect, injury and exploitation.

In spite of limited data and research, available studies reveal an alarming prevalence of violence against these children – from high vulnerability to physical and emotional violence when they are young to greater risks of sexual violence as they reach puberty. This is also the pattern portrayed by the *UN Study on Violence against Children*.

Children with disabilities are still too often envisaged as a curse, a cause for shame to the family, and a misfortune for the community. In some countries, disability is perceived as the result of witchcraft and evil spirits inhabiting the child; the child’s liberation is believed to be dependent on starvation, exposure to extreme heat or cold, or fire, as well as severe beatings.

When used as beggars, they children are subject to violence to be kept on the streets, and endure physical abuse and torture to attract attention and be worthy of charity.

In schools, often segregated and of low quality, they endure beatings, bullying and abuse by ill-prepared teachers who fail to understand and attend to their special needs; and they suffer similar treatment by peers.

When placed in residential institutions, with ill-trained, ill-paid and often frustrated staff, and surrounded by stigmatizing attitudes in the community, the chances for physical violence, verbal and emotional abuse reach an enhanced level. Left unattended and unsupported, at times in inhuman conditions, children with disabilities may be locked up and tied up allegedly for their own protection; they may be beaten and also medicated to avoid disturbing other children and the staff; and overall without any effective review and evaluation of the conditions of, and reasons for their placement.

For families of children with disabilities, heavy demands and enhanced stress, lack of social and medical support, lack of information on relevant services and entitlements, and a deep sense of isolation aggravate the risk of violence within the household. Some families respond with neglect rather than active violence; others keep the child isolated and with limited contact with the outside world, including to protect him or her from abuse and stigmatization - sometimes in dramatic conditions (e.g. in windowless rooms or hot courtyards); and still others provoke “mercy killings” putting an end to the child’s suffering – at times under the pressure or advice of other family members or influential actors in the community.
III. Lack of child and disability-sensitive counseling, reporting and complaint mechanisms to address incidents of violence

Violence against children is widespread, hidden and socially accepted. Very often, it is practiced by people close to the child and on whom the child depends – including in institutions, in schools and in the home.

In most countries, safe and confidential counseling, reporting and complaint mechanisms are unavailable or ill resourced to secure children’s protection and effectively address the violence they encounter.

When incidents of violence take place, children do not know where to go and whom to call to seek advice and support; they feel pressed to conceal their stories, fearing further stigmatization, harassment, abandonment and reprisals. For children with disabilities these challenges are clearly bigger!

These children are more likely to experience physical, psychological and sexual violence; they are less likely to be addressed by counseling and prevention programmes, and to attract targeted protection services; and they face enhanced difficulties to challenge and protect themselves from incidents of violence.

They are less able to run away when at risk of violence; and they may be also less able to communicate the abuse they have endured, facing insurmountable difficulties when the interpreter is the abuser.

Children with disabilities may be unwilling to complaint, fearing they will lose the support of caregivers, the attention and affection of those they have come to depend on; or may simply miss education and support services, because there is simply no alternative.

If available, counseling, reporting and complaint institutions may be physically difficult to access; lack accessible and appropriate information that children may effectively use; and may fail to provide the needed support children are entitled to.

Moreover, incidents reported by children with disabilities are largely dismissed – staff is ill-trained and unprepared to effectively take them into account; there is a prevailing perception that children with disabilities are easily confused, and unable to tell their story and provide testimonies in a convincing and accurate manner; and still too often, the justice system is not child friendly and disability sensitive.

The challenges for a blind child to identify a sexual offender illustrate this well. But in many countries, additional barriers persist, including when the legislation fails to recognize the testimony in court of children with disabilities; and when it prevents these children from swearing on oath or signing their names in legal documents.
IV. Looking ahead

The convergence of all these factors leads to a conspiracy of silence and a strong sense of impunity surrounding incidents of violence against children with disabilities.

It is urgent to reverse this pattern, and some measures seem indispensable:

a) Firstly, it is imperative and indeed a requirement enshrined in both the CRC\textsuperscript{2} and the CRPD\textsuperscript{3}, to \textit{adopt in all countries legislation banning all forms of violence} against children – all children, including children with disabilities – and in all settings.

b) Secondly, it is urgent to \textit{establish in all countries effective and well-resourced and child and disability sensitive mechanisms to prevent and address incidents of violence!} This year’s debate in the GA provides us with a golden opportunity to advance this process!

c) \textbf{It is critical to invest in awareness and information, including research about child disability and the forms and prevalence of violence compromising the enjoyment of their rights.} Information is vital to break the invisibility and overcome the stigma and discrimination affecting the life of children with disabilities; and it is indispensable to inform policy making, planning of needed services and resource mobilization to secure the safeguard and fulfillment of fundamental rights of these children.

d) And to be effective, in our efforts \textbf{we need to join hands with children and young people with disabilities and organizations promoting the protection of their rights.}

\textsuperscript{2} CRC articles 4 and 19 in particular
\textsuperscript{3} CRPD article 16 in particular