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Educational, Scientific and  
Cultural Organization

Monitoring of the Implementation  
of the Convention and Recommendation  
against Discrimination in Education  
(8th Consultation)

# The Right to Education for Persons with Disabilities

Overview of the Measures  
Supporting the Right to Education  
for Persons with Disabilities reported on  
by Member States



This document was first prepared as a background document for the parallel session “Implementing Inclusive Education to meet the Educational Needs of Persons with Disabilities” at the International Conference “From Exclusion to Empowerment: Role of ICTs for Persons with Disabilities” (24-26 November 2014, New Delhi, India).

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# Introduction

“We raise the flag for education as a universal human right -- no one must be denied access because of disability. This is a UNESCO priority, and we are acting across the world to break down barriers for people with disabilities, to empower them as agents of change. This means transforming schools and learning centres. It means adapting teaching practices to cater for all.

This is why I urge all Governments and development partners, all teachers, parents and private sector providers, to remove the barriers *to* and *in* learning, to realize the full and equal participation of all persons with disabilities in society.”

– Irina Bokova, Director-General of UNESCO, on the occasion of the *Global Action Week 2014*<sup>1</sup>

It is estimated that more than one billion people around the world have some form of disability<sup>2</sup> – with over four in five persons living in developing countries<sup>3</sup> – and 93 million of them are children under the age of 14 living with a ‘moderate or severe disability’.<sup>4</sup> Despite these rough numbers, there is a severe lack of concrete and accurate data showing the true scale of discrimination worldwide and on a national level. This is even more the case for education-related data, as there is only little information regarding persons with disabilities. Approximate figures show that the situation is worrying with about 62 million children at primary school age having a disability around the world and 186 million children with disabilities who have not completed primary school education.<sup>5</sup>

The lack of data on people with disabilities is severely constraining the ability of the international community to monitor the situation of children, youths and adults with disabilities. There has been insufficient attention to the need to collect data on disabilities and link them to education outcomes, and even when collected, the scale of disabilities is often un-reported.<sup>6</sup> Societies’ misperception of different forms and types of disability and the limited capacity of social actors to accommodate special needs often place these people on the margin. People with disabilities experience inequalities in their daily lives, and have fewer opportunities to access a quality education that takes place in a truly inclusive environment.

In order to ensure equal educational opportunities for all without discrimination or exclusion UNESCO promotes a human rights-based approach to education. UNESCO is advocating for the inclusive dimensions of the right to education, notably through the implementation of the 1960 UNESCO Convention and Recommendation against Discrimination in Education, which provide an international legal framework for the protection of the right to education

- 1 The Global Action Week (GAW) on Education for All (EFA) is an annual awareness-raising campaign, organized by the Global Campaign for Education (GCE) with support of UNESCO. This year, the campaign focused on the theme of “Education and Disability” under the slogan “Equal Right, Equal Opportunity”: <http://en.unesco.org/events/2014-global-action-week-education-all#sthash.CfdjSlcW.dpuf>
- 2 World Health Organization and World Bank, World Report on Disability, 2011, p. xi, accessible at: [http://whqlibdoc.who.int/publications/2011/9789240685215\\_eng.pdf?ua=1](http://whqlibdoc.who.int/publications/2011/9789240685215_eng.pdf?ua=1)
- 3 International Labour Organization, 2007, Geneva, p. 1, accessible at: [http://www.ilo.org/wcmsp5/groups/public/-dgreports/-dcomm/documents/publication/wcms\\_087207.pdf](http://www.ilo.org/wcmsp5/groups/public/-dgreports/-dcomm/documents/publication/wcms_087207.pdf) and FAO expert Libor Síloukal, FAO Newsroom, 2006, Rome, accessible at: <http://www.fao.org/newsroom/EN/news/2006/1000453/index.html>
- 4 World Health Organization and World Bank, World Report on Disability, 2011, p. 205, accessible at: [http://whqlibdoc.who.int/publications/2011/9789240685215\\_eng.pdf?ua=1](http://whqlibdoc.who.int/publications/2011/9789240685215_eng.pdf?ua=1)
- 5 UNESCO, Empowering persons with disabilities through ICTs, p. 5, 2009, Paris, accessible at: <http://unesdoc.unesco.org/images/0018/001847/184704e.pdf>
- 6 Facts and Figures, Disabilities and education, Global Monitoring Report, 2014, accessible at: <http://www.unesco.org/new/fileadmin/MULTIMEDIA/HQ/ED/pdf/Facts-Figures-gmr.pdf>

and prohibit any form of discrimination, including any distinction, exclusion, limitation or preference.

To monitor the implementation of the right to education UNESCO regularly launches periodic consultations of Member States, which are requested to submit reports highlighting the situation as well as progress and difficulties. Eight consultations have been conducted so far on the implementation of the Convention and Recommendation against Discrimination in Education.

**The Eighth Consultation of Member States**, covering the period from 2006 to 2011, was conducted in 2011-2013 and its results were submitted to UNESCO's Governing Bodies at the end of 2013. 59 Member States have participated in this consultation by submitting national reports to UNESCO and 80 per cent of them have reported on measures taken for persons with disabilities. National reports show that many States have reinforced their legal frameworks to ban discriminations on the ground of disability, and have adopted concrete measures to make their education systems more inclusive of persons with disabilities.

# The international legal framework protecting the right to education for persons with disabilities

The right to education has been internationally recognized as an overarching right: it is a human right in itself and is indispensable for the exercise of other human rights. A number of international standard-setting instruments protect the fundamental human right to education.

People with disabilities face specific challenges in the pursuit of their right to education resulting in a reduced access to mainstream education, specific provisions guarantee their right to education and encourage countries to adopt an approach that is inclusive to all, including those with disabilities.

## The international legal framework setting education as a fundamental human right

*“Everyone has the right to education”* according to Article 26 of the **Universal Declaration of Human Rights** (1948). This cannot be stated more clearly. It is a litmus test for the individual to assess the government’s commitments to fundamental rights.

The **UNESCO Convention against Discrimination in Education** (1960), which has been recognized as a key pillar in the EFA process, is the first legally binding international instrument which lays down core elements of the right to education. This Convention prohibits any discrimination in the field of education and expresses the principle of equality of educational opportunities.

Article 1(a) of the Convention specifies that depriving any person or group of people of access to education of any type or at any level counts as an act of discrimination. The definition of “discrimination” in the article does not explicitly mention discrimination based on “disability”. However, the list is non exhaustive, and the Convention reflects the constitutional mandate of UNESCO to ensure *“full and equal opportunities for education for all”* and aims at guaranteeing the right to education for all, particularly for marginalized and vulnerable groups, including people with disabilities. Furthermore, Article 4 legally binds States Parties to formulate, develop and apply a national policy which, by methods appropriate to the circumstances and to national usage, will tend to promote equality of opportunity and of treatment in the matter of education. These provisions account for the expansion of the right to education for all on a national level, by engaging States Parties to make their respective education systems more inclusive, in particular, by providing access to education at all levels without discrimination especially for the most vulnerable groups.

Furthermore, UNESCO has adopted several other international standard-setting instruments, including one convention<sup>7</sup> and seven recommendations<sup>8</sup>, which further develop various dimensions of the right to education.

7 Article 2 §4 of UNESCO’s Convention on Technical and Vocational Education (1989) states that “the contracting States shall pay attention to the special needs of the handicapped and other disadvantaged groups and take appropriate measures to enable these groups to benefit from technical and vocational education”.

8 It refers to (by chronological order): the Recommendation against Discrimination in Education (1960), the Recommendation concerning the Status of Teachers (1966), the Recommendation concerning Education for International Understanding, Cooperation and Peace and Education relating to Human Rights and Fundamental Freedoms (1974), the Recommendation on the Development of Adult Education (1976), the Recommendation on the Recognition of Studies and Qualifications in Higher Education (1993), the Recommendation concerning the Status of Higher-Education Teaching Personnel (1997), and the Revised Recommendation concerning Technical and Vocational

Among the United Nations human rights treaties, Article 13 of the **International Covenant on Economic, Social and Cultural Rights** (1966) draws extensively on UNESCO's Convention against Discrimination in Education, and like the Convention, covers the right to education comprehensively.

The **United Nations Convention on the Rights of the Child** (1989) enshrines the right to education as a right of the child (Articles 28-30) and specifically addresses education of children with disabilities (Article 23). Article 23 (3) specifies that State Parties shall encourage and ensure extended assistance that shall be designed to ensure that the disabled child has effective access to and receives education and training, amongst others.

Several other international standard-setting instruments cover specific dimensions of the right to education.<sup>9</sup>

The adoption of the **United Nations Convention on the Rights of Persons with Disabilities** (2006) is highly significant, as people with disabilities, including children, often remain victim of discrimination and/or deprived of equal opportunities. It is the only United Nations human rights instrument protecting comprehensively the rights of persons with disabilities, including the right to education. The text, setting out a code of implementation, intends to protect specifically the rights and dignity of persons with disabilities. UNESCO contributed to the elaboration of its **Article 24**, devoted to education.

A Survey on the challenges related to the implementation of the right to education for persons with disabilities from a policy perspective was carried out by UNESCO in 2014. The outcomes, including challenges for the full implementation of Article 24, are available in the annex.

## Article 24 of the UNCRPD: protecting the right to education for persons with disabilities

As mentioned above, **Article 24** of the **Convention on the Rights of Persons with Disabilities** guarantees the right to education of persons with disabilities. The Convention provides that, with a view to realizing this right without discrimination and on the basis of equal opportunity, States Parties shall ensure an inclusive education system at all levels and lifelong learning. In paragraph 2 of Article 24, the Convention provides that "In realizing this right, States Parties shall ensure that: (a) Persons with disabilities are not excluded from the general education system on the basis of disability, and that children with disabilities are not excluded from free and compulsory primary education, or from secondary education, on the basis of disability; (b) Persons with disabilities can access an inclusive, quality and free primary education and secondary education on an equal basis with others in the communities in which they live."

In explicitly referring to inclusive education, the Convention requires States to go beyond simply mixing students from different backgrounds within general education. The Convention seeks to incorporate difference into the education system so that persons with disabilities learn the skills to participate effectively in a free society while enabling learners without disabilities to benefit from the experiences of students from diverse backgrounds. Individual differences should therefore become opportunities to enrich learning rather than problems to

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Education and Training (2001).

9 Specific dimensions of the right to education are covered notably by the Convention on the elimination of All Forms of Discrimination against Women (1979) (Article 10), and the International Convention on the Protection of the Rights of all Migrant Workers and Members of their Families (1990) (Articles 12, 30 and 45).

be fixed. In order to achieve this, the Convention requires States to employ teachers with the required skills to provide inclusive education and to ensure adequate and effective training of teachers so that they are able to teach persons from different backgrounds. The Convention also requires “reasonable accommodation” of the individual learners needs which means, amongst other things, that the school environment must be accessible – for example, through constructing ramp access rather than stairs, providing educational material in accessible formats, facilitating the learning of Braille and sign language and so on.

## Article 24 – Education

1. States Parties recognize the right of persons with disabilities to education. With a view to realizing this right without discrimination and on the basis of equal opportunity, States Parties shall ensure an inclusive education system at all levels and life long learning directed to:

- a. The full development of human potential and sense of dignity and self-worth, and the strengthening of respect for human rights, fundamental freedoms and human diversity;
- b. The development by persons with disabilities of their personality, talents and creativity, as well as their mental and physical abilities, to their fullest potential;
- c. Enabling persons with disabilities to participate effectively in a free society.

2. In realizing this right, States Parties shall ensure that:

- a. Persons with disabilities are not excluded from the general education system on the basis of disability, and that children with disabilities are not excluded from free and compulsory primary education, or from secondary education, on the basis of disability;
- a. Persons with disabilities can access an inclusive, quality and free primary education and secondary education on an equal basis with others in the communities in which they live;
- a. Reasonable accommodation of the individual's requirements is provided;
- a. Persons with disabilities receive the support required, within the general education system, to facilitate their effective education;
- a. Effective individualized support measures are provided in environments that maximize academic and social development, consistent with the goal of full inclusion.

3. States Parties shall enable persons with disabilities to learn life and social development skills to facilitate their full and equal participation in education and as members of the community. To this end, States Parties shall take appropriate measures, including:

- a. Facilitating the learning of Braille, alternative script, augmentative and alternative modes, means and formats of communication and orientation and mobility skills, and facilitating peer support and mentoring;
- a. Facilitating the learning of sign language and the promotion of the linguistic identity of the deaf community;
- a. Ensuring that the education of persons, and in particular children, who are blind, deaf or deaf-blind, is delivered in the most appropriate languages and modes and means of communication for the individual, and in environments which maximize academic and social development.

4. In order to help ensure the realization of this right, States Parties shall take appropriate measures to employ teachers, including teachers with disabilities, who are qualified in sign language and/or Braille, and to train professionals and staff who work at all levels of education. Such training shall incorporate disability awareness and the use of appropriate augmentative and alternative modes, means and formats of communication, educational techniques and materials to support persons with disabilities.

5. States Parties shall ensure that persons with disabilities are able to access general tertiary education, vocational training, adult education and lifelong learning without discrimination and on an equal basis with others. To this end, States Parties shall ensure that reasonable accommodation is provided to persons with disabilities.



## Presentation of the document

This document is the second of a series of thematic mappings on the implementation of the right to education, following a first edition on Girls' and Women's Right to Education.<sup>10</sup> It is intended to serve as a practical tool for both advocacy and monitoring. By highlighting concrete examples taken by Member States, it also offers a basis for regional and international co-operation and shares promising practices from which other countries can learn.

**Part I** provides a thematic analysis of measures and promising practices that have been reported on by Member States to ensure the full enjoyment of the right to education for persons with disabilities.

**Part II** compiles references to the right to education of persons with disabilities in national reports submitted for the Eighth Consultation. They are available for the 48 Member States that reported on measures taken, out of the 59 reporting Member States. The factsheets contained herein highlight progress and challenges in constitutional and legislative frameworks and measures addressing the right to education of persons with disabilities.

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<sup>10</sup> Document accessible at: <http://unesdoc.unesco.org/images/0022/002278/227859e.pdf>

## PART I

### Analysis of Measures Reported within the Framework of the Eighth Consultation

The vast majority – over 80 per cent – of the reports submitted within the framework of the Eighth Consultation on the implementation of the 1960 UNESCO Convention and Recommendation against Discrimination in Education describes measures taken to ensure that persons with disabilities are not denied their fundamental right to education on the ground of their disability. The high number of countries presenting measures adopted in this regard witnesses the growing realisation that, as this group of persons constitutes an important segment of the society, there should be a strong legal and policy framework ensuring its access at all levels of education.

### **Strengthening national legal frameworks**

In their national reports, Member States outline, in various depths, the constitutional, legislative and administrative measures taken to ensure the right to good quality education on a non-discriminatory basis. Almost all Member States that reported have a clear constitutional or legislative framework that enshrines the right to education as well as the principle of non-discrimination. In many countries, discrimination based on, inter alia, the ground of disability is expressly prohibited by the Constitution or relevant legislation. This positive development reinforces the legal framework protecting the right to non-discrimination, by making the list of potential grounds of discrimination more precise and complete.

Besides setting a framework prohibiting potential discriminations, domestic legal frameworks can also play an important role in advancing equity. Indeed, country examples show that they often specify the conditions for establishing better opportunities for disadvantaged and vulnerable groups. The possibility of adopting positive and special measures aimed at improving the conditions of disadvantaged individuals or groups is clearly mentioned in several legislations. For example, **Canada** reported that the education acts address the provision of reasonable accommodations to meet the learning needs of students with special needs. Likewise, **Luxembourg** adopted a law in 2011 relating to the access of pupils with special educational needs to educational and professional qualifications. According to the law, reasonable accommodations may involve classroom teaching, work assigned to the pupil both inside and outside the classroom, in-class tests and evaluations, and final exams.

### **Devising policies and strategies inclusive of persons with disabilities**

Various States highlighted in their reports the adoption of policies and strategies offering more educational opportunities to persons with disabilities. National reports show that countries adopted different paths for ensuring that disability is not preventing children from attending school.

Efforts for integrating students with special needs into the regular school system have been deployed in many countries, such as **Bahrain, Estonia, France, Georgia, Germany, Iraq, Morocco, Nauru, New Zealand, Poland, Serbia** and **Sri Lanka**. These policies aim at ensuring the learning environment is inclusive of all groups and encourage the participation of persons with disabilities. For example, **Iraq** developed a strategic national project of educational integration for comprehensive education, which aims at improving the quality of education provided to children with special needs. This comprehensive education strategy has been reported to contribute to promoting the establishment of a community involving all children and youths regardless of nationality, age and ability and with respect for differences and non-discrimination. This project includes children with varying types of disabilities and impairments (e.g. physical disabilities, visual or hearing impairments, learning difficulties,

speech and communication problems) and has been extended at the governorate and district levels.

Other countries such as **Croatia, Cuba, Ethiopia, Ghana, Kuwait** and **Philippines** report on the coexistence of common general education institutions and special institutions delivering special programmes. For example, in **Ethiopia** the Ministry of Education adopted its first strategy of Special Needs Education in 2006 to help ensure access and quality education for marginalized children and students with special educational needs, especially children with disabilities. Different universities and colleges have started new teacher education programs on special needs education; core curricula have been modified for children with disabilities and manuals were prepared on disability; special needs education has been mainstreamed across all teacher education and training institutions in the country. Reforms in the field of special education have also been undertaken, especially to improve admissions and mechanisms, in order to offer programs that address the learning needs of students with disabilities and foster their participation.

Whatever approach is adopted, it is interesting to note that across countries, considerable attention has been paid to reinforcing inclusive practices, notably services, advisory, support and additional staffing, including at the earliest stages of education. The importance of adopting a holistic approach has been underscored several times, as well as the need to facilitate as much as possible the transition from education to the work place by encouraging vocational training and the development of professional qualifications for persons with disabilities (notably **Cuba, France, Mauritius** and **Romania**).

### **Making education accessible**

The majority of the countries have reported active steps towards ensuring the accessibility of education through specific material and financial support. A wide range of measures have been devised to facilitate access to and participation in the education system. As people with disabilities often encounter barriers to access infrastructures that are not physically accessible to all, many countries (notably **France, Iraq, Latvia, Mauritius** and **Morocco**) reviewed the way school buildings, facilities and their accesses are designed to remove physical obstacles that prevent people with disabilities from enjoying their right to education. Adaptations include the creation or modernisation of ramps, lifts, public facilities, sanitation, as well as the provision of appropriate academic service and special care. In **Barbados**, efforts have been undertaken to upgrade facilities to make them more accessible. In the first phase of *Edutech Programme*, one school for the Deaf and Blind has been retrofitted with an elevator, acoustic floors for dance, and relevant modern technologies such as large screens, braille printers and special audio software.

Another common strategy adopted to expand access to education for persons with disabilities is to provide (free) special textbooks and school supplies. **Czech Republic** adopted in 2004 a law stating that 'disabled children, pupils or students shall be, during their education, entitled to the free use of special textbooks and special didactic and compensatory teaching aids provided by the school'.<sup>11</sup> In **Argentina**, booklets entitled *Literacy Support for Children in Special Education*<sup>12</sup> have been produced for visually-impaired and hearing-impaired children and all special education primary schoolchildren received free netbooks under the *Equality Connect scheme*. Financial measures have been widely adopted by countries to support the education of persons with disabilities and usually take the form of aids for

<sup>11</sup> Amended Act No. 561/2004 on Pre-school, Basic, Secondary, Tertiary Professional and Other Education, Section 16, subsection 7

<sup>12</sup> *Aportes para la Alfabetización en Educación*

transport and housing, special funding, student stipends, grants, and student loans. For example, under the *More Support for Students with Disabilities initiative*, the **Australian Government** is providing funding to education authorities to increase support for students with disabilities by building the capacity of schools and teachers to better meet students' individual needs. The funding may be used for a range of activities, including adapting curriculum to students' needs; providing assistive technology to support students' learning in the classroom and the professional development of teachers. In **Armenia**, additional budget is offered to schools providing inclusive education to help them establish and organize the education for children in need of special conditions for education. Another example of good practices comes from **Mauritius**, where a scholarship scheme encourages students with disabilities to pursue secondary and tertiary studies and a policy of reimbursement of taxi fares applies for university students with severe disabilities who cannot travel by ordinary means of transport. Increasing the availability of additional resources in regular schools has also been decided in several countries.

Temporary special measures have also been introduced to foster the enrolment of students with disabilities and redress their disadvantages. In **Bosnia and Herzegovina**, students with special needs are entitled the right to direct enrolment in secondary schools. Similarly, **Croatia** reported on more favourable conditions for students with disabilities at higher education level, including possibilities of direct admission to universities, direct accommodation in student dormitories and scholarships. In **Norway**, children with disabilities are entitled to priority admission to kindergartens and municipalities are responsible for ensuring and implementing this right. Regarding conditions for stipend allocation in **Latvia**, higher education institutions shall first grant a stipend to a candidate with disabilities in the event of equivalent academic performances between several students.

### **Adapting the form and substance of education**

Positive developments also emerge from reports, in countries where special efforts have been made to improve the adaptability of education. As more needs to be done to design curricula that pay attention to the needs of learners with disabilities, a common strategy of the reporting countries is to offer individual education plans and special follow-up for students with disabilities. Many states such as **Croatia, Estonia, Ethiopia, Iraq, Mauritius** and **Montenegro** propose the individualisation of the regular curriculum or the possibility of having customized programs. For example, **Montenegro** adopted a law stating that a school or special institution 'shall adopt individual curriculum for a child with special needs, in cooperation with a parent within 30 days as of the admission of the child, and inform the Bureau for Educational Services, Vocational Education Centre and Examination Centre thereon'. These curricula are reported to be delivered on a more suitable, flexible and adapted basis with attention to learning achievements and the quality of education. Adopting a child-centred pedagogical approach and adapting teaching content, methods and organization to psychophysical abilities of students will ensure that people with disabilities are not left behind. In **Serbia**, the Law on Preschool Education set forth that children with developmental impairments and disabilities shall exercise their right to preschool education with additional support and individual pedagogy-education plan. Another type of accommodation cited by **France, Hungary, Poland** and **Mauritius** is the possibility of granting special arrangements for exams and assessments, allowing for exemptions, adaptation of the conditions or the format of the exam or revaluation activities, and in some cases using customised testing technology (particularly in **Croatia**). Various states also reported on the opportunity that is given to students with disabilities to study with the support of teacher assistants and medical

specialists. In this respect, **France** devoted more educators for pupils with disabilities and the number of pupils supported individually by a teaching assistant more than tripled between 2005-2006 and 2010-2011.

Many improvements have been undertaken to adapt teaching and learning environments, and to make them more adaptable and relevant to the diverse needs of learners. By creating accessible, barrier-free and inclusive learning, information and communication technology (ICT) is a growing field of interest and offers unprecedented possibilities to ensure the right to inclusive education. Country reporting shows that great strides have been made in equipping schools with assistive technology and devices to support students' learning in classroom (for example in **Australia, Cook Islands, Iraq and Philippines**). Several countries introduced additional modes of communication and educational techniques in schools, including for example computer technology and special software (notably **Barbados, Croatia, Cuba, Czech Republic and Nauru**) – sometimes also for exams and testing (**Croatia and Hungary**). In **Cuba**, the entire network of special-education centres has been equipped with information and communication technology to foster the use of the computer as a teaching medium and working tool. The installed capacity for all centres currently stands at 2,340 computers, with add-ons and special software, where necessary, including touch screens, smart boards, switches, a Cuban Visual Voicemail system, Braille printers (in 15 schools) and a voice synthesizer in schools for the blind. Furthermore, in **Poland** the project 'Improving the effectiveness of education for students with special educational needs' launched in 2010-2011 takes advantage of ICTs to enhance support and assistance. Thus, an information and communication platform was launched to provide information about recommended changes and was made available for all beneficiaries of the education system. Headmasters and teachers had the opportunity to download training materials and guidelines. Other alternative deliveries of education have been developed such as home teaching, catchment schools, forms of didactic work, as well as education in sign language. For example, further to a recent law **France** reported on several measures taken to promote sign language education. All deaf children have the right to receive French Sign Language instruction and that language can be chosen as an optional subject for exams and competitive examinations. Other countries, such as **Ethiopia, Iraq, Mauritius, Philippines, Poland, Serbia and Sri Lanka** mentioned the introduction of education in sign language and/or the provision of materials in Braille.

A special focus has often been placed, in the reports, on teachers and teaching methods to further adapt the teaching and learning environment. Several country reports including for example **Ethiopia, Georgia, Montenegro, Philippines** and **Poland** mention the introduction of teachers training classes or the provision of training manuals for teachers. Materials, handbooks with teaching suggestions, and innovative teaching program using modern methods have been introduced in **Poland**. In **Philippines**, training was conducted to provide special needs teachers with appropriate knowledge and skills for the education of children with hearing impairment, visual impairment, intellectual disabilities as well as children with autism spectrum disorders. In addition, several countries report that teachers specialized in Special Needs Education have been hired, as well as additional qualified teachers and assistants.

Furthermore, advisory school assistance, support and guidance have also been cited as an important element of the follow-up of the situation and learning outcomes of students with special needs (for example in the reports of **Czech Republic, France, Germany, Mauritius** and **Morocco**). In **Poland**, public schools are required to provide pupils with psychological and pedagogical assistance which should involve recognition of their individual psycho-physical capabilities and satisfy their individual developmental and educational needs. In

**Czech Republic**, a recent reform of the system specified the rules for the provision of advisory services and the obligation of advisory facilities to provide comprehensive information and strengthened the role of parents in decision-making about the education of their child.

### **Monitoring the implementation of the right to education for persons with disabilities**

The realisation of the right to education depends upon its effective implementation and monitoring by national authorities, in order to determine what remaining obstacles prevent its enjoyment by all. In this perspective, many countries have established monitoring activities and mechanisms, whether at school, local or national levels. In **Cook Islands**, schools must have intervention plans monitoring, evaluating and reviewing students' progress, while involving stakeholders in the development of the plans. **Montenegro** established a Commission for Orientation of Children with Special Needs, in charge of making proposals on orientation on the basis of assessments, conversations with parents, and pedagogic, education-rehabilitation and psychological information. In **Morocco**, a multi-sectorial provincial commission is in charge every year of drawing up a list of all the children with disabilities that describes the nature and severity of the disability and of guiding them towards educational institutions that are adapted to their situation. Teams of specialized doctors and educators are tasked with their educational and medical follow-up. Similarly, in **Mauritius**, a Special Monitoring Team working with NGOs was set up at the Ministry to follow the situation of children with special needs and facilitate their admission to schools adapted to their needs. In **Australia**, the Students with Disability Group was established to provide high level advice relating to curriculum, assessment and reporting for students with disabilities.

Parents and families are also more closely associated and involved. In **France**, a disability helpline was created. It handles files submitted by families and offers solutions in cooperation with local education authorities and school inspectorates. Many countries highlight the need for more cooperation between the different bodies and entities, as well as for further dialogue between state ministries and local authorities. A good initiative was put in place by **Montenegro**, which increased collegiality to prepare, implement, monitor and adjust curricula in order to reinforce the effectiveness of the measures taken. Parents may join the professional team composed of teachers, professional associates of the school or special institution. In **Poland**, a Government Plenipotentiary for Equal Treatment was appointed in 2008 to implement measures to protect against discrimination, including those based on disability, in co-operation with the Government Plenipotentiary for Disabled Persons.

As data is a central element to monitor the implementation of the right to education of persons with disabilities, several countries reported on encouraging measures to collect, record and analyse data integrating disabilities. In **Argentina**, a resolution provided for the establishment of an information system containing school-record data on pupils with disabilities as input for policy-related decision-making. In **New Zealand**, the Ministry of Education continues to develop the set of indicators which track system performance across a range of key educational outcomes. The country explained that, in each of the measurement areas, information is disaggregated as far as possible to enable the progress of diverse learners, including notably students with disabilities.

### **Promoting the right to education of persons with disabilities**

Many initiatives have been taken to support the right to education of persons with disabilities, to raise awareness and to encourage the dissemination of good practices (notably **Georgia, Germany, Montenegro, Philippines** and **the United Republic of Tanzania**). A good example

comes from **Germany**, which reported on a prize for inclusive schools awarded annually to several schools that offer equal educational opportunities to all pupils and promote diversity in education. Furthermore, in 2010 the German Commission for UNESCO founded the Expert Committee “Inclusive Education”. The committee is a network of 30 dedicated advocates promoting the implementation of inclusive education in Germany. The experts represent various stakeholders - foundations, ministries, schools, social associations, universities etc. - and act as multipliers in favour of an inclusive educational system in Germany. **Philippines** also carried out awareness-raising activities, notably through the advocacy program *Special Education Caravan*. The aim of this campaign is to ensure that education services for children with disabilities are brought in the communities where they reside and to increase participation rates. Pursuing a similar objective, **Montenegro** organized workshops in regular schools that address the rights of students from special classes among their peers and the **United Republic of Tanzania** undertook several activities to raise awareness on the principle of non-discrimination and the importance of children with disabilities attending school.

All of these national measures demonstrate that countries have deployed efforts to make their education systems more inclusive of persons with disabilities and to remove discrimination based on the ground of disability. However, to date, people with disabilities still experience far more restricted opportunities than their peers. More efforts should be pursued to promote the principle of equality of educational opportunities and to translate the right to education from an ideal into a living reality.



## PART II

### Country Factsheets

## How to use these factsheets?

The factsheets available in Part II start by providing information on countries' status of ratification of the 1960 UNESCO's Convention against Discrimination in Education (CADE) and the 2006 Convention on the Rights of Persons with Disabilities (CRPD).

The "constitutional provisions, legislative provisions, measures" sections are composed of extracts from 48 country reports. They illustrate how Member States have made noteworthy advances in addressing discriminations that traditionally impede on the right to education of persons with disabilities and in increasing opportunities available to these persons, in order to fully achieve the principles of equity and equality of educational opportunities. As these sections are solely composed of extracts from country report, no language editing has been made. The factsheets are available in English. For Member States submitting their reports in other languages, the extracts have been translated by UNESCO.

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# Argentina

## ● Status of ratification

Convention on the right of persons with disabilities: State Party since 02/09/2008  
CADE: State Party since 30/10/1963

## ● Legislative provisions

“Under the National Education Act, [...] a syllabus is drawn up for persons with temporary or permanent disabilities to permit maximum development of their potential, their integration and the full exercise their rights (Article 11 (n)). **Special education** (Chapter 8) has been instituted as the education system’s means of guaranteeing that people with disabilities, whether temporary or permanent, enjoy the right to education at all levels and under all curricula (Article 42)”.<sup>1</sup>

“Article 48 specifically sets the criteria and goals of Continuing Youth and Adult Education (EPJA) as follows: [...] (e) promote the inclusion of adults and persons with permanent or temporary disabilities”.<sup>2</sup>

## ● Measures

“The Government of Argentina has taken steps to ensure that there is no discrimination in the education system, in particular: [...] under the laptop for special education schools scheme, netbooks have been given to all pupils in such schools, in which the specific curriculum taught is supported by regional technical teams and education-authority experts, and teachers’ handbooks containing teaching suggestions adapted to various types of disabilities have been produced; [...]”.<sup>3</sup>

“The national government has taken steps to ensure gender equality and equity in education, including [...] the special education curriculum, setting out a variety of activities on the central importance of education, initial literacy teaching, intensive learning for pupils with disabilities attending special or ordinary schools, the extension of the school day, integration as a strategy for achieving full inclusion and the transition to ordinary schools for pupils who do not have disabilities but are currently attending special schools; and plans formulated, pursuant to Resolution No. 155, to establish an important information system containing school-record data on pupils with disabilities as input for policy-related decision-making (Article 27)”.<sup>4</sup>

“In regard to education for children with disabilities, Resolution No. 155 on “Special Education”, approved by the Federal Council of Education in 2011, states that policies will be implemented to ensure that children with disabilities receive a comprehensive education (Item 2, Policies on the Mode of delivery). Pursuant to that resolution, mechanisms were established in 2012 for coordination with other ministries and State bodies that cater for people with temporary and permanent disabilities. Furthermore, complementarity and mutual assistance have been established among various government departments, such as Health, Social Development, Labour and Human Rights.

1 Argentina Report submitted for the Eighth Consultation on the implementation of the Convention and Recommendation against Discrimination in Education (2006-2011), 2012, p. 3  
2 *Ibid.*, p. 9  
3 *Ibid.*, p. 3  
4 *Ibid.*, p. 4

Booklets entitled *Aportes para la Alfabetización en Educación Especial* [Literacy Support for Children in Special Education] have been produced for blind, visually impaired, deaf and hearing-impaired pupils, and all special-education primary schoolchildren are given free netbooks under the Equality Connect scheme.

In regard to linkages between the various modes of education delivery, cooperation with rural education authorities is under way to ensure that disabled primary-level pupils attending rural primary schools are duly educated; rural communities are therefore being trained by a person specifically recruited for that purpose, and technology kits are being distributed to them.

Furthermore, action is being taken jointly under the National Comprehensive Sex Education Curriculum to implement Act No. 26.150/06 in respect of schoolchildren with temporary or permanent disabilities.”<sup>5</sup>

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5 Ibid, p. 5

# Armenia

## ● Status of ratification

Convention on the right of persons with disabilities: State Party since 22/09/2010  
CADE: State Party since 05/09/1993

## ● Constitutional provisions

“The following provision on discrimination is laid down in Article 14: ‘Discrimination based on sex, race, skin colour, ethnic or social origin, genetic features, language, religion, ideology, political or other views, membership to a national minority, property status, birth, disability, age, or other personal or social circumstances shall be prohibited’.”<sup>6</sup>

## ● Legislative provisions

“In accordance with the Law of the Republic of Armenia “On education”: “The education of children in need of special conditions for education may upon the choice of parents be provided both at common general education institutions and special institutions through special programmes”.”<sup>7</sup>

## ● Measures

“Reforms have been implemented in the field of special education for structural reforms, the improvement of the system of admission, the decentralisation of provided, the introduction of new mechanisms of management and funding, as well as the improvement of child care and the quality of education. As a result of structural reforms, instead of the 52 previously existing special schools, there are currently 23 special general education schools for children in need of special conditions for education.”<sup>8</sup>

“Concurrently, education related activities within a number of strategic projects, such as “Stable development project” (“The Strategic Programme of Poverty Reduction”), “Programme of anticorruption strategy and implementing activities thereof”, Medium-term Expenditure Framework, the activities and priority issues of RA Government Annual Action Plan, National Action Plans ensuring the implementation of protection of children rights, improvement of standing of women and raising their role in the society, social protection of disabled, youth state policy strategy have been implemented, as well as sections on education in national reports addressed to international bodies have been developed.”<sup>9</sup>

“The student stipends have been revised since 2006 guided by the academic grades and those receiving such stipend are subject to rotation; *second*, full coverage of student stipends to the following 5 groups with a social status recognised by the state:

- a) parentless;
- b) having 1<sup>st</sup> and 2<sup>nd</sup> group disability;
- c) children of a cherished or passed away military servant;
- d) students who became disabled during mandatory fixed-term military service;
- e) students sent to goal-oriented education;

*third*, partial discount of tuition fee for students of social status other than those defined above.”<sup>10</sup>

6 Armenia Report submitted for the Eighth Consultation on the implementation of the Convention and Recommendation against Discrimination in Education (2006-2011), 2012, p. 1

7 *Ibid*, p. 6

8 *Ibid*, p. 6

9 *Ibid*, p. 9

10 *Ibid*, p. 15

“Currently inclusive education is provided at 82 general education schools where 2,136 children in need of special conditions for education study. The mentioned schools shall, in accordance with the procedure established by the RA Government, receive an additional portion from the State Budget aimed at organising the education for children in need of special conditions for education. Schools shall have rooms for parents and resources where individual lessons shall be organised for children in need of special conditions for education in accordance with a separate curriculum. The Medical Psychological Pedagogical Assessment Centre (MPPC) of Yerevan has been established aimed at assessing the educational needs of children.”<sup>11</sup>

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11 Ibid, p. 6

# Australia

## ● Status of ratification

Convention on the right of persons with disabilities: State Party since 17/07/2008  
CADE: State Party since 29/11/1966

## ● Measures

**Reform agenda for schools** – “The Australian Government’s reforms have also focused on boosting fairness and opportunity for all students, particularly those from disadvantaged cohorts such as regional and remote students, students with disability, low socio- economic status (SES) students, and Indigenous students. In addition to national initiatives such as the Smarter Schools National Partnerships and additional funding for students with disability, states and territories also offer a range of programs to address the learning needs of all students, including students with intellectual and physical disability, behaviour disorders, special learning needs, for gifted students, and for migrant students particularly those with low numeracy and literacy skills or from non-English speaking backgrounds.”<sup>12</sup>

### Students with disability

For a small percentage of students with significant intellectual disability the F-10 curriculum may not be appropriate and ACARA [Australian Curriculum, Assessment and Reporting Authority] is currently developing curriculum and support materials to meet the needs of these students. ACARA has also established the Students with Disability Advisory Group to provide high level advice relating to curriculum, assessment and reporting for students with disability.[...]

The Australian Government recognises that there are some students with particular needs that require additional assistance and resources to reach their full potential. The Australian Government provides funding for students with disability who attend schools and non-government centres. All states and territories offer a range of programs to address the needs of all students. Programs available include those for students with intellectual and physical disability, behaviour disorders, special learning needs, for gifted students, and for migrant students particularly those with low numeracy and literacy skills or without fluency in English. The Australian Government supports the right of students with disability to have the same educational opportunities as other students through the Australian Government Disability Discrimination Act 1992 (the DDA) and the Disability Standards for Education 2005. The Standards clarify and make more explicit the obligations of education and training service providers under the Act. The Standards seek to ensure that students with disability can access and participate in education on the same basis as other students. All education and training providers, both government and non-government, must comply with the Australian Government legislation and any relevant discrimination legislation of their State and Territory.[...]

Under the More Support for Students with Disabilities initiative, the Australian Government is providing significant funding to education authorities to increase support for students with disability by building the capacity of schools and teachers to better meet students’ individual needs. The funding may be used for a range of activities, including adapting curriculum to

<sup>12</sup> Australia Report submitted for the Eighth Consultation on the implementation of the Convention and Recommendation against Discrimination in Education (2006-2011), 2012, p. 6



students' needs; providing assistive technology to support students' learning in the classroom and the professional development of teachers.

The most effective strategies and activities funded through the initiative will be documented and made publicly available to all schools, teachers, parents and carers, as a way of showcasing and sharing good practice. State and territory education authorities will commence implementation of this initiative in schools from the beginning of the 2012 school year."<sup>13</sup>

"The Disability Support Program aims to increase access to and participation in higher education by domestic students with a disability. The program includes an enrolment loading, weighted by success and retention, to eligible higher education providers to develop activities and implement strategies that assist in removing barriers to access for domestic students with disabilities. It also provides funding to eligible higher education providers to assist with the high costs incurred in providing educational support and equipment to domestic students with a disability with high cost needs."<sup>14</sup>

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13 *Ibid*, pp. 8-9

14 *Ibid*, p. 21

# Bahrain

## ● Status of ratification

Convention on the right of persons with disabilities: State Party since 22/09/2011  
CADE: Not yet a State Party to the Convention

## ● Measures

### • Students with Special Needs

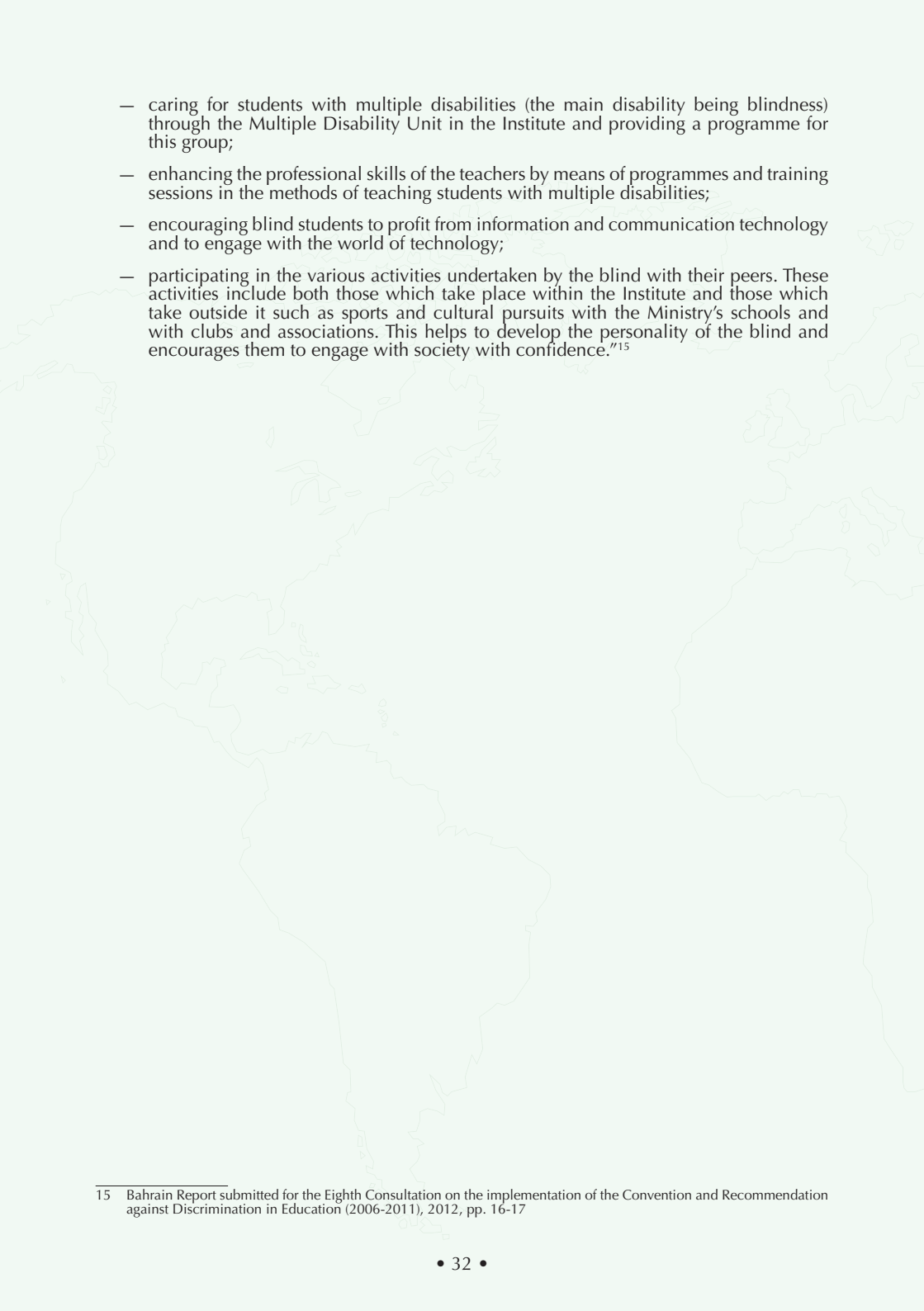
The Ministry of Education is concerned to identify those students who are slow learners and who have learning difficulties so as to meet their needs, organize a programme of rigorous academic care within a comprehensive educational plan and to prepare trained personnel specialized in this.

Ninety-two schools benefit from this. The aim is to raise the level of attainment of students with special needs in the Arabic language and mathematics with the assistance of a teacher focusing on special needs education and supported by the academic administration and a social worker. In 2001/2 the Ministry also initiated a programme for children with Down's syndrome and mild mental retardation in order to integrate them incrementally into State schools for basic education before integrating them as a whole. This is to be done by admitting children with learning difficulties into mainstream classes, expanding the curriculum in the first and second classes of basic education and by providing all necessary care for these students. Teachers specializing in special needs education have been employed, ramps, public facilities and lifts have been supplied in all State school premises, the appropriate academic services have been made available and a curriculum has been designed specifically for this group of children. The programme has been implemented in 25 boys' and girls' schools. It aims at developing the abilities, sensory and ambulatory skills of those with special needs and the learning of basic academic skills.

### • The Saudi-Bahraini Institute for the Blind

For more than 30 years the Kingdom of Bahrain has witnessed an increase in the types and methods of care for visually impaired students. The Saudi-Bahraini Institute for the Blind (formerly called al-Noor Institute of the Arabian Gulf for the Blind) has devoted itself to bringing together residents of the Arabian Gulf and offering them teaching up to the preparatory stage of education. In 1982 the Institute initiated a pioneering experiment in collaboration with the Ministry of Education in the Kingdom of Bahrain in which blind students in the Institute who had graduated from the preparatory stage were placed alongside ordinary students in the Ministry's schools at the secondary stage. In 2005/6, when the experiment proved successful, the Ministry increased its cooperation with the Institute in an experiment to admit blind students into all the stages of education (primary, preparatory and secondary) especially when the blind students had mastered the basics of reading and writing in braille in the Institute. Up to 2011/12, 23 schools had adopted the programme of admitting blind students. There are other programmes and activities which the Institute is implementing, these are:

- providing education for visually impaired students prior to their admission into state schools;

- 
- caring for students with multiple disabilities (the main disability being blindness) through the Multiple Disability Unit in the Institute and providing a programme for this group;
  - enhancing the professional skills of the teachers by means of programmes and training sessions in the methods of teaching students with multiple disabilities;
  - encouraging blind students to profit from information and communication technology and to engage with the world of technology;
  - participating in the various activities undertaken by the blind with their peers. These activities include both those which take place within the Institute and those which take outside it such as sports and cultural pursuits with the Ministry's schools and with clubs and associations. This helps to develop the personality of the blind and encourages them to engage with society with confidence.<sup>15</sup>

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<sup>15</sup> Bahrain Report submitted for the Eighth Consultation on the implementation of the Convention and Recommendation against Discrimination in Education (2006-2011), 2012, pp. 16-17

# Bangladesh

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## ● Status of ratification

Convention on the right of persons with disabilities: State Party since 30/11/2007

CADE: Not yet a State Party to the Convention

## ● Legislative provisions

“The Bangladesh Disabled Welfare Act–2001 calls for action to improve opportunities for persons with disabilities through increasing their access and privileges and participation in skills development programs.”<sup>16</sup>

## ● Measures

“The Bangladesh Government has set the following strategies for developing teacher education and training through its National Education Policy 2010: [...]The training programs, designed for creating efficient teachers appointed for performing different duties at different types of educational institutions (primary, secondary, higher education, technical, vocational and for the disabled) will include various courses of diverse contexts.”<sup>17</sup>

<sup>16</sup> Bangladesh Report submitted for the Eighth Consultation on the implementation of the Convention and Recommendation against Discrimination in Education (2006-2011), 2012, p. 12

<sup>17</sup> *Ibid.*, pp. 20-21

# Barbados

## ● Status of ratification

Convention on the right of persons with disabilities: State Party since 27/02/2013  
CADE: State Party since 24/06/1975

## ● Constitutional provisions

“Section 23 deals with protection from discrimination on grounds of race, sex, national or social origin and states inter alia:

(1) Subject to this provision of this section –

- (a) No law shall make any provision that is discriminatory either of itself or in its effect; and
- (b) No person shall be treated in a discriminatory manner by any person acting by virtue of any written law or in the performance of the function of any public authority

(2) In this section the expression “discriminatory’ means affording different treatment to different persons attributable wholly or mainly to their respective description by race, place of origin, political opinion, colour or creed whereby persons of one such description are subjected to disabilities or restrictions to which person of another such description are not made subject or are accorded privileges or advantages which are not afforded to persons of another such description.”<sup>18</sup>

## ● Measures

“The **disabled and physically** challenged receive long term benefits. Efforts are being undertaken to upgrade facilities to make them more accessible for them. In the first phase of Edutech Programme, one school for the Deaf and Blind has been retrofitted with an elevator, acoustic floors for dance, and relevant modern technologies such as large screens, braille printers and special audio software. Programmes, resources and projects to enhance the education of this segment are being undertaken so as to ensure that the needs of this group are accommodated.”<sup>19</sup>

<sup>18</sup> Barbados Report submitted for the Eighth Consultation on the implementation of the Convention and Recommendation against Discrimination in Education (2006-2011), 2012, p. 2

<sup>19</sup> *Ibid*, p. 8

# Brazil

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## ● Status of ratification

Convention on the Rights of Persons with Disabilities: State Party since 01/08/2008

CADE: State Party since 19/04/1968

## ● Measures

“The Bill establishing the National Education Plan for the period from 2010 to 2020 contains 10 guidelines and 20 objectives, followed by specific implementation strategies. The objectives and strategies support educational initiatives regardless of their level, stage or circumstances. In addition, there are strategies to foster the inclusion of pupils and students from minority groups such as persons with disabilities, indigenous peoples, *quilombolas*, rural populations and young people on probation (*liberdade assistida*).

**Objective 4:** Universalize school attendance in the general education system for children between the ages of 4 and 17 with disabilities, behavioural disorders and high intellectual capacity, or who are gifted.”<sup>20</sup>

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<sup>20</sup> Unofficial translation, Brazil Report submitted for the Eighth Consultation on the implementation of the Convention and Recommendation against Discrimination in Education (2006-2011), 2012, p. 2

# Bosnia and Herzegovina

## ● Status of ratification

Convention on the right of persons with disabilities: State Party since 12/03/2010  
CADE: State Party since 12/07/1993

## ● Legislative provisions

“**The Framework Law on Higher Education in BiH**, Article 4, paragraph 2, item 5, provides that higher education is based on “respect for human rights and civic freedoms, including ban of all forms of discrimination.” Access to higher education is defined in Article 7, paragraph 2, “Higher education within the scope of which the licensed higher education institutions operate in Bosnia and Herzegovina shall not be restricted, either directly or indirectly, based on any realistic or assumed basis such as: sex, race, sexual orientation, physical or other disability, marital status, colour of skin, language, religion, political or other opinion, national, ethnic or social origin, affiliation with an ethnic community, property, birth, age or any other status.” Article 38, subparagraph 3 defines the Rights and Obligations of Students “The statute or another equivalent core document of any higher education institution shall contain the provisions that protect students against discrimination on any basis, such as: sex, race, sexual orientation, physical or other disability, marital status, colour of skin, language, religion, political or other opinion, national, ethnic or social origin, affiliation with an ethnic community, property, birth, age or any other status.”<sup>21</sup>

“[...] The Framework Law on Primary and Secondary Education in BiH regulate *the Role and Obligations of Schools* as follows: [...] “Schools shall not exert discrimination in the children’s access to education or their participation in the education process, based on race, color, sex, language, religion, political or other opinion, ethnic or social origin, based on the children being those with special needs, or on any other basis.” (Article 35, paragraph 1)<sup>22</sup>

## ● Measures

“For children with special needs, the legislation regulates a wide range of rights in terms of discrimination in relation to other students, so that such children are provided with the education according to their individual needs which adapt to their abilities and skills. Professional mobile teams are established, and the public call for the enrollment in the first grade of secondary school provides for the right of direct enrollment of students with special needs in secondary schools. A number of additional activities are implemented to include children from economically and socially disadvantaged groups in the school system (especially children with disabilities, Roma children, children from remote and isolated areas, children from socially and economically disadvantaged families). In practice, schools include children with disabilities and Roma children and children from socially disadvantaged families are provided with textbooks and school supplies in accordance with the budget available and in partnership with donors. School activities are also organized in relation to education of children to accept diversity, as well as for the prevention of all forms of violence involving children.”<sup>23</sup>

21 Bosnia and Herzegovina Report submitted for the Eighth Consultation on the implementation of the Convention and Recommendation against Discrimination in Education (2006-2011), 2012, p. 7

22 Ibid, pp. 6-7

23 Ibid, pp. 11-12

# Canada

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## ● Status of ratification

Convention on the right of persons with disabilities: State Party since 11/03/2010  
CADE: Not yet a State Party to the Convention

## ● Constitutional provisions

“The *Canadian Charter of Rights and Freedoms* clearly states that “[e]very individual is equal before and under the law and has the right to equal protection and equal benefit of the law without discrimination and, in particular, without discrimination based on race, national or ethnic origin, colour, religion, sex, age, or mental or physical disability.” It further ensures that this guarantee of rights “does not preclude any law, program, or activity that has as its object the amelioration of conditions of disadvantaged individuals or groups including those that are disadvantaged because of race, national or ethnic origin, colour, religion, sex, age, or mental or physical disability.”<sup>24</sup>

## ● Legislative provisions

“The *Canadian Human Rights Act* was put in place to give effect to the principle that all individuals should have equal opportunities. In this act, discrimination is prohibited on the basis of race, national or ethnic origin, colour, religion, age, sex, sexual orientation, marital status, family status, disability, and conviction for which a pardon has been granted. In defining discriminatory practices, the act states that it is illegal, for any of the reasons listed above, to deny, or deny access to, any good, service, facility, or accommodation to any individual or to differentiate adversely in relation to any individual. Access to education is included in this prohibition.”<sup>25</sup>

## ● Measures

“School systems reflect the values of the legislation cited by creating and maintaining conditions that foster success and equitable treatment for all. The education acts also address the provision of reasonable accommodations to meet the learning needs of students with special needs.”<sup>26</sup>

24 Canada Report submitted for the Eighth Consultation on the implementation of the Convention and Recommendation against Discrimination in Education (2006-2011), 2012, p. 11

25 *Ibid.*, p. 11

26 *Ibid.*, p. 13



# Cook Islands

## ● Status of ratification

Convention on the right of persons with disabilities: State Party since 08/05/2009  
CADE: Not yet a State Party to the Convention

## ● Measures

“There are educational facilities that cater beyond compulsory schooling age for the members of our society who live with disability. Through government appropriation, the Creative Centre functions as a private school that runs learning and rehabilitation programmes for those people with a medium to high level of disability that are beyond compulsory school age. The Creative Centre had previously been funded through private sector and international donors from its inception in 2001 through to its registration as a school in 2008. There has been some success in finding part time supported employment for some participants of the programme which aids integration and acceptance in the wider community. Unfortunately this service is only available on the main island of Rarotonga although Disability Centres, which provide a level of respite care, are available on other islands.”<sup>27</sup>

“In 2011, the Ministry of Education launched its new Inclusive Education Policy. This policy replaces the Special Needs policy of 2002, and is more holistic in its approach. The policy requires stakeholders to recognize and meet the needs of the diversity that all children bring with them. The policy focuses on the rights of all children to have a successful education and on developing an understanding of inclusivity and the promotion of inclusive practices. In order to operationalise this policy, schools are provided with specialist services (including early intervention diagnostic services), advisory support in developing individual education plans for the students concerned and, where required, additional classroom staffing to support identified students. The policy requires a holistic approach to child development through collaboration between the Ministry of Education, Ministry of Internal Affairs (responsible for children and youth as well as people with a disability), the Ministry of Health and other stakeholders. In its infancy, this practice is still taking some time to imbed. In some communities, particularly those that are isolated, there remains a degree of reluctance by parents with children with a higher level of need or disability to allow them to attend school. As enrolment and attendance is a legislative requirement the Ministry still needs to meet the challenge of supporting these parents and families to overcome any barriers that may be preventing them from ensuring the participation of their child in education.

While the policy document guarantees and promotes inclusivity for all children, the document recognises that there are children and their families for whom the system is still unable to meet their educational needs. The Inclusive policy therefore, sees the need to focus and recognize these children as having “special needs” due to any one of a range of differences or deviation from the biomedical definition of “norm”. The Ministry is currently developing a response through the use of assistive technologies to provide a wider range of pathways through which these students can access learning.

The inclusive education policy also ensures that all children who are seen as “special needs” or “at risk” are catered for by the enrolling school Principals. Principals are

<sup>27</sup> Cook Islands Report submitted for the Eighth Consultation on the implementation of the Convention and Recommendation against Discrimination in Education (2006-2011), 2012, p. 5

encouraged to organise programs that are relevant and beneficial in regards to these children's individual learning needs. Schools must have intervention plans that include the monitoring, evaluation and review of special needs and/or at risk students' progress. Such plans need to be developed in partnership with the child, parents and other stakeholders (Towards an Inclusive Society, 2011: 10).<sup>28</sup>



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28 *ibid*, pp. 5-6

# Croatia

## ● Status of ratification

Convention on the right of persons with disabilities: State Party since 15/08/2007  
CADE: State Party since 06/07/1992

## ● Measures

“In order that all children should have equal rights and opportunities for primary education, in accordance with legal regulations related to primary education before 2008 and today by the applicable law, basic education is conducted through regular and alternative programs that provide education for special needs students (students with disabilities and gifted students), students who are being treated in medical institutions, but there is also the possibility of organizing the teaching at home, for students who due to their serious mobility problems or chronic illness cannot attend classes in elementary school.”<sup>29</sup>

“Enrollment in secondary schools is made according to the Decision on the Elements and Criteria for the Selection of Candidates for Enrollment into Secondary Schools. Such Decision is made for each school year. [...] Special attention in enrollment in secondary schools is given to applicants with disabilities. Students with disabilities or those students who had difficulties because the intensity and the duration of those difficulties had a significant impact on their previous primary education, and who completed the primary school in accordance with the regular curriculum adjusted to an individualized approach or according to a customized curriculum, have the right, based on Article XVI of the Decision to enrol regular secondary school programs with individualized approach (methods and teaching aids) or according to customized programs. Students who have completed primary education under special programs or, exceptionally, under customized programs, continue their education through special education programs in secondary schools and special educational and teaching institutions or social welfare institutions licensed to conduct secondary school education programs for students with developmental problems.”<sup>30</sup>

“Within the European Union Programme for Croatia, IPA Component IV Human Resources Development, a service contract was conducted under the title “Inclusion of students with disabilities in education for employment”. The project developed elements for innovative mechanisms at national and regional level that will enable students with disabilities to have access to vocational education and the labour market. The project was directed towards the inclusion of students with disabilities in regular vocational education taking into account their specific and individual needs, with special emphasis on the assessment of vocational and social opportunities abilities of people with disabilities. Within the same contract grant funds were awarded as a grant by signing seven agreements with a total value of EUR 1,568.814,11s with the goal of increasing educational achievement of students with disabilities in accordance with their needs and labour market needs and their overall social inclusion.”<sup>31</sup>

“In the organization of the State Matura exams [school-leaving examination], the taking of exams of candidates with disabilities was taken into consideration. Article 23 of the Regulation provides that candidates with disabilities shall take the State Matura using a customized testing technology and in accordance with the instructions issued by the National

29 Croatia Report submitted for the Eighth Consultation on the implementation of the Convention and Recommendation against Discrimination in Education (2006-2011), 2012, p. 2

30 *Ibid.*, pp. 4-5

31 *Ibid.*, p. 5

Centre for External Evaluation of Education and with the approval of the Ministry. Students with disabilities, who have mastered the program of prescribed activities, are not always able to show their achievements in the usual way. Customizing the test technology that will not jeopardize the validity of the exam or lead students in a privileged position, will remove these difficulties."<sup>32</sup>

### **Higher Education**

"Students with disabilities, from 60% to higher damages, are also entitled to direct admission to all Croatian universities and many polytechnics if they pass the enrolment threshold.

The following groups are eligible to direct accommodation in student dormitories: [...] Students with disabilities, with 50% or more physical disabilities, including students who attend post-graduate university studies.

The following groups receive extra points in accommodation in dormitories: [...] Students with Disabilities (with disabilities from category 6 - 10). [...]

The right to receive a scholarship, having met certain conditions, have the following groups of students: [...] Regular students of university and professional studies with disabilities"<sup>33</sup>

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32 *ibid*, p. 7  
33 *ibid*, pp. 17-18

# Cuba

## ● Status of ratification

Convention on the right of persons with disabilities: State Party since 06/09/2007  
CADE: State Party since 02/11/1962

## ● Measures

“**Special education** is provided both for schoolchildren with special educational needs (mental retardation, physical developmental disability, deafness, impaired hearing, blindness, visual impairment, strabismus, amblyopia, deaf-blindness, autism, communication disorders, physical-motor disability, emotional or behavioural disorders and other complex qualitative developmental conditions) and for schoolchildren in any educational setting who require special assistance that meets their needs and enables them to achieve the stated educational goals.

From the outset, the basic goal of special education has been to maximize the capacity development, life skills, fulfilment and social integration of children and teenagers with special educational needs.

Special education has thus been designed as a system of institutions, various forms of provision, social and legal services, outreach, professional aids, special services and resources for pupils with special educational needs, children at risk, their families, educators and people in their circle.

Cuba’s special-education model is premised on its provision within the network of schools under the authority of the Ministry of Education and thus as an integral part of the system. The schools are held in high social regard and are given priority, which ensures that all of their needs are met.

At present, 39,618 pupils are enrolled in special education in 375 schools throughout the country, covering 100% of the population in need of special education.

The main two types of special-education schools – temporary and specific – concentrate on discharging four primary functions.

- Prevention. The education provided in these schools places particular emphasis on preventing secondary or tertiary disorders or conditions from developing or arising from the above-listed primary disabilities and on mitigating their consequences once they have been established.
- The transitional nature of most special schools is one of their basic features. Special schools fulfil many transition-related functions, ranging from process design, pupil and family education and teacher training to monitoring and the evaluation of results.
- The support function is highly focused on outreach to the national education system and its family and community education strategy.
- Integration, much more than a function, is a major special-education goal. Various activities are carried out to ensure that these schools achieve their noble purpose of enabling their pupils to be integrated into an active social and working life.

In special-education schools, the same basic general education curriculum is implemented, with some curricular adaptations, particularly for mentally disabled children, but educational alternatives tailored to the pupils’ special needs are put into practice in all cases. Children with severe physical-motor disabilities may be taught at home by mobile teachers and in special classes in hospitals.

Furthermore, the entire network of special-education centres has been equipped with information and communication technology.

The computer curriculum has been instrumental in enhancing the quality of pupils' learning achievement, as the scope of their education has been broadened through the use of the computer as a teaching medium and working tool. The installed capacity for all centres currently stands at 2,340 computers, with add-ons and special software, where necessary, including touch screens, smart boards, switches, a Cuban Visual Voicemail system, Braille printers (in 15 schools) and a voice synthesizer in schools for the blind.

Furthermore, 4,930 television sets and 898 video players have been introduced in schools whose pupils are taught under the audiovisual programme.

Since 1986, Cuba has been an official member of the Special Olympics, an international sports training and competition programme for athletes with intellectual disabilities, in which high participation numbers have been achieved.

In 2011, the Ministry of Labour and Social Security implemented Resolution 14, which regulates the employment of people with disabilities. The resolution covers special-education graduates' training and employment, in-service training and occupational health and safety. Furthermore, it provides for their vocational integration into ordinary jobs and the non-State sector, in the light of their interests and local opportunities and requirements.<sup>34</sup>

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<sup>34</sup> Cuba Report submitted for the Eighth Consultation on the implementation of the Convention and Recommendation against Discrimination in Education (2006-2011), 2012, pp. 5-6

# Cyprus

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## ● Status of ratification

Convention on the right of persons with disabilities: State Party since 27/06/2011  
CADE: State Party since 09/06/1970

## ● Measures

“The Government of the Republic of Cyprus has adopted a “National Lifelong Learning Strategy 2007-2013”. [...] Programs related to the [...] policy Priority Axes [of the strategy] include the following:

Adult Education Centres: [...] The Centres strive to cater for the right to education of people with special needs. They organize special groups for the education of illiterate people or people with physical disabilities and other groups such as convicts and people with mental health problems.”<sup>35</sup>

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<sup>35</sup> Cyprus Report submitted for the Eighth Consultation on the implementation of the Convention and Recommendation against Discrimination in Education (2006-2011), 2012, pp. 18-19

# Czech Republic

## ● Status of ratification

Convention on the right of persons with disabilities: State Party since 28/09/2009  
CADE: State Party since 26/03/1993

## ● Legislative provisions

“♦ Act No. 561/2004 Coll., on Pre-school, Basic, Secondary, Tertiary Professional and Other Education (the Education Act), as amended – Section 2: Principles and Goals of Education, paragraphs 1 and 2:

*(1) Education shall be based on the principles of*

*a) equal access of all citizens of the Czech Republic or nationals of any other European Union Member State to education without any discrimination based on any ground such as race, colour, sex, language, belief or religion, nationality, ethnic or social origin, property, kith or kin, or the health condition or any other status of a citizen;*

*[...]*

*\* The principle of safeguarding the educational needs of individuals is stipulated by Section 16 – sub-sections 1 to 5 define special educational needs and sub-sections 6 and 7 govern the rights of children, pupils and students with special educational needs (disabled persons and/or persons disadvantaged in terms of their health condition or social position):*

*(1) A child, pupil or student having special educational needs shall be a disabled person, or a person disadvantaged in terms of health condition or social position.*

*(2) For the purpose of this Act, disability shall mean mental, physical, visual or auditory disability, language deficiency concurrent with more deficiencies, autism and development deficiency in learning or behaviour.*

*(3) For the purpose of this Act a health disadvantage shall mean a serious health defect, long-term disease or modest health defect resulting in problems in learning and behaviour which must be taken into account in education.*

*[...]*

*(5) The special educational needs of children, pupils and students shall be ensured by a school advisory facility.*

*(6) Children, pupils or students with special educational needs shall be entitled to an education the content, form and methods of which correspond to their educational needs and possibilities, on the creation of necessary conditions enabling such education and on the advisory assistance of the school and the school advisory facility. When admitting disabled pupils and students, and pupils and students who are disadvantaged in terms of health conditions, and when such pupils and students complete their education, adequate conditions corresponding to their needs shall be specified. When evaluating pupils and students with special educational needs the nature of their disability or disadvantage must be taken into account. The head teacher may, in exceptional cases, prolong the length of secondary and tertiary professional education, however not more than by two (2) years, for individual disabled pupils or students.*

*(7) Disabled children, pupils or students shall be, during their education, entitled to the free use of special textbooks and special didactical and compensatory teaching aids provided*



by the school. Children, pupils and students who are deaf-and-mute shall be entitled to free education through or by means of sign language. Visually impaired children, pupils and students who cannot read normal print shall be entitled to education using Braille print. Children, pupils or students who cannot communicate in spoken language shall be entitled to free education through or by means of compensatory ways of communication.

\* Specific instruments that may be applied in the education of children, pupils and students with special educational needs include mainly the following:

– Establishment of the post of teacher’s assistant – Section 16(9):

(9) Head teachers of nursery schools, basic schools, basic special schools, secondary schools, and tertiary professional schools may, with the consent of the relevant Regional Authority, establish the post of teacher’s assistant for classes or study groups where a child, pupil or student with special educational needs is educated. In the case of disabled children, pupils and students or children, pupils and students disadvantaged in terms of health conditions the opinion of the school advisory facility shall be required.

– Education pursuant to an individual educational plan – Section 18:

Head teachers may, after receiving in writing the recommendation of a school advisory facility, in the case of a minor pupil with special educational needs or being extraordinarily gifted, at the request of his/her statutory representative, or in the case of a pupil who is of legal age or a student with special educational needs or being extraordinarily gifted, at his/her own request, permit education according to an individual educational plan. With regard to secondary or tertiary professional education head teachers may permit education according to an individual educational plan also on the basis of other serious reasons.<sup>36</sup>

## ● Measures

“MEYS supports the education of socially disadvantaged pupils and disabled pupils also by means of subsidy and development programmes. The following programmes went ahead in 2010:

- Programme financing teacher’s assistants for socially disadvantaged children, pupils and students;
- Programmes promoting education in the languages of national minorities and multicultural education;
- Programme promoting secondary-school Roma pupils;
- Programme promoting integration of the Roma community;
- Programme promoting schools that implement inclusive education of pupils from a socially disadvantaging background;
- Programme promoting the publishing of textbooks adjusted for the needs of disabled pupils;
- Programme promoting the equipping of schools with aids for disabled pupils;
- Programme promoting the establishment of the post of teacher’s assistant for disabled pupils.

In 2011 an amount exceeding CZK 160 million was distributed within the above programmes.<sup>37</sup>

<sup>36</sup> Czech Republic Report submitted for the Eighth Consultation on the implementation of the Convention and Recommendation against Discrimination in Education (2006-2011), 2012, pp. 2-5  
<sup>37</sup> Ibid, p. 10

## **“Implementation of measures enhancing the education chances of disadvantaged pupils in 2010**

MEYS continues its vigorous effort of setting up a model of inclusive education in the Czech system of education so as to be able to flexibly respond to special educational needs of disadvantaged pupils including Roma pupils and pupils from a socially and culturally disadvantaging background. [...]

In order to ensure further progress in the access of children, pupils and students with special educational needs to quality education and implement the Convention, amendments to the Regulation on teaching and psychological advisory services and education of children, pupils and students with special educational needs were prepared in 2011.

The new legal regulation has specified rules for the provision of advisory services and the obligation of advisory facilities to provide a parent/client of age with comprehensible and comprehensive information and has strengthened the role of parents in decision-making about the education of their child. Compensatory measures have been introduced for pupils with special educational needs, which offset the pupil's disadvantage and promote his/her inclusive education. A pupil without a disability cannot be educated pursuant to a programme for disabled pupils. Inclusion in the special education regime is possible only with a written consent of the pupil's statutory representative/of the pupil of age and upon a recommendation of a school advisory facility.

Diagnostic instruments for the identification of special educational needs of pupils and their cultural objectivity are improved on an ongoing basis, measures promoting the success of pupil education in an inclusive environment are being set up, principles and practice of interdepartmental cooperation in the care of children at risk are promoted together with the support of active parenthood, i.e. ensuring appropriate conditions for education and fulfilment of children's school duties as well as institutional care (a substitute of family care).

Programmes promoting inclusive education and further education of teachers are supported from the state budget, highlighting the development of their competencies and skills that allow them to work with diverse needs of pupils in the classroom.

Early care of pre-school children aims at contributing to successful completion of school education and takes the form of preparatory classes for children with special educational needs (from a socially disadvantaging background as well as disabled children).

The Ministry of Education, Youth and Sports also implements development programmes aimed at promoting pre-school education and makes use of European Structural Funds.

The Ministry also supports the employment of teacher's assistants both from state budgetary means and from programmes funded from the European Social Fund. Inclusive education is funded also from subsidy and development programmes.

A catchment school, i.e. a basic school in a geographical area from which pupils are eligible to attend a given local school, has the duty to admit all pupils from its catchment area including pupils with a disability or other disadvantage. Auxiliary services and measures are set up to ensure successful education (advisory support by school advisory facilities, a school psychologist or special pedagogist, plus further auxiliary and compensatory measures stipulated by the implementing regulation).<sup>38</sup>

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38 Ibid, pp. 10-11

# Dominican Republic

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## ● Status of ratification

Convention on the right of persons with disabilities: State Party since 18/08/2009  
CADE: State Party since 30/08/1977

## ● Constitutional provisions

**“Article 63 – Right to education.** *“Everyone has the right to lifelong comprehensive quality education, under equal conditions and with equal opportunities, without limitations other than those stemming from their aptitude, vocation and aspirations. As a result: [...]”*

*(6) The eradication of illiteracy and education of persons with special needs and exceptional abilities are State obligations.”<sup>39</sup>*

## ● Legislative provisions

“Department Order No. 03-2008 amending national guidelines for inclusive education, established by Department Order 24-2003 - Article 1 states that “Every education centre must welcome and value all children and young people under 18 years in their diversity, and accordingly must ensure access, retention and promotion in the education system, without excluding anyone on the grounds of gender, social class, culture, ethnicity, religion, age, etc. or their personal condition (different styles and rates of learning, ability, interests, motivations, ways of relating, disability or being intellectually gifted)”.<sup>40</sup>”

<sup>39</sup> Dominican Republic Report submitted for the Eighth Consultation on the implementation of the Convention and Recommendation against Discrimination in Education (2006-2011), 2012, pp. 1-2

<sup>40</sup> *Ibid*, p. 4

# Democratic People's Republic of Korea

## ● Status of ratification

Convention on the right of persons with disabilities: Not yet a State Party to the Convention  
CADE: Not yet a State Party to the Convention

## ● Legislative provisions

"The Chapter 2 of the "Law on Education of the Democratic People's Republic of Korea" expounds on the universal free educational system. [...] The Article 15, Chapter 2 of the above stipulates: "The local government organizations shall take measures to provide secondary compulsory education to children in remote mountainous and insular areas and to physically disabled children including the blind and deaf, etc."

The Article 12, Chapter 2 of the "Law on General Education" says: "The local people's committees and related organs shall every year have all school-aged children registered and enrolled at schools with no exceptions," and the Article 15 of the same chapter states: "The state shall take responsibility for providing education and living conditions to parentless and guardianless children and also to the physically disabled like the blind and deaf children."<sup>41</sup>

41 DPR of Korea Report submitted for the Eighth Consultation on the implementation of the Convention and Recommendation against Discrimination in Education (2006-2011), 2012, pp. 1-2

# Egypt

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- **Status of ratification**

Convention on the right of persons with disabilities: State Party since 14/04/2008  
CADE: State Party since 28/03/1962

- **Measures**

“The Ministry tries to apply and implement a policy that integrates and includes those of special needs into the system and to break all the barriers standing in the way of equality in public university education.”<sup>42</sup>

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<sup>42</sup> Egypt Report submitted for the Eighth Consultation on the implementation of the Convention and Recommendation against Discrimination in Education (2006-2011), 2011, p. 1

# Estonia

## ● Status of ratification

Convention on the right of persons with disabilities: State Party since 30/05/2012  
CADE: Not yet a State Party to the Convention

## ● Legislative provisions

“Organisation of study of students with special needs at an ordinary school is carried out according to the Basic Schools and Upper Secondary Schools Act and the Education Act. Every child has the right to study at a school of residence and according to a suitable curriculum as well as to receive supported or special education if so required due to the student’s special educational needs. A child with special needs should be taught at an ordinary school, if possible, in order to better ensure his/her social involvement. It is possible to open classes for students with special educational needs at ordinary schools.”<sup>43</sup>

## ● Measures

“Schools must implement the following support measures regardless whether the children with special educational needs are taught in ordinary classes or specialized classes:

- supported education in groups or individually;
- implementation of special education methodology and assistance;
- implementation of a curriculum that corresponds to the abilities of the students and of an adjusted curriculum;
- ensuring availability of technical facilities for disabled students;
- adaptation of the physical learning environment according to the type of disability if required;
- drawing up and implementing an individual curriculum if required;
- ensuring availability of services provided for in the rehabilitation plan,
- surveillance of students’ achievements and assessment which supports and directs the development of the students.

An individual curriculum with increased requirements, additional individual study or additional study in group and granting access to the study conducted in science schools are the measures used to support talented students.”<sup>44</sup>

<sup>43</sup> Estonia Report submitted for the Eighth Consultation on the implementation of the Convention and Recommendation against Discrimination in Education (2006-2011), 2012, link to <https://webgate.ec.europa.eu/ipfis/mwikis/eurydice/index.php/Estonia:Overview>, Accessed on 02/12/2013

<sup>44</sup> *Ibid*

# Ethiopia

## ● Status of ratification

Convention on the right of persons with disabilities: State Party since 07/07/2010  
CADE: Not yet a State Party to the Convention

## ● Measures

“To address gender equality the Ministry of Education opened a Women’s Affair Department in 1994 to implement the provision of girls education through the process of gender mainstreaming at all level of the sector. In 2006 this department was expanded to include other equity issues and was called the Gender and Equity Department. It was given the responsibility to address issues of minorities such as pastoralists, children with special needs and other marginalized groups, without in fact putting aside its role for girls’ education.”<sup>45</sup>

“As explained above the federal constitution affirms equality of citizens and outlaws any discrimination on the basis of race, gender, culture etc. Furthermore, the constitution in one of its article (Article 90) stipulates that within the limit of its resources policies shall aim to provide all Ethiopians, among others, access to education without discrimination. As a result of this constitutional provision affirmative measures are in place for the disabled and for the emerging regions, which, due to the marginalization they suffered under the previous political systems of the country, were deprived of the privileges to enjoy their rights. The Education and Training Policy authorizes the education of the disabled by clearly stating that “Special education and training will be provided for people with special needs”.

To this end in 2006 the Ministry of Education adopted its first strategy of Special Needs Education/SNE. The main goal of the strategy is to ensure access and quality education for marginalized children and students with special educational needs, especially children with disability. Subsequent to the adoption of the strategy, different practical measures were undertaken. Different universities and colleges have started new teacher education programs on special needs education; core curricula have been modified for children with disabilities and manuals were prepared on disability; special needs education has been mainstreamed across all teacher education and training institutions in the country. Furthermore, five Teacher Education Institutes and four Higher Education Institutions have opened SNE departments and are training SNE professionals at different levels (Diploma, BA, MA and PhD ). Moreover, sign language training has been given as a subject in undergraduate program to train teachers with a BA degree.

On the other hand, the Ministry’s Guideline entitled “Educational Management, Organization, Community Participation and Finance” envisages the assignment of two teachers trained in SNE in primary and first cycle secondary schools in order to facilitate the education of students with special educational needs, although it is hard to say that this ambition has been fully realized. Nevertheless, the Education and Training Policy states as one of its objective (2 sub 2.3.) “to enable both the handicapped and the gifted learn in accordance with their potential and needs.” Accordingly Special Needs students are made to study alongside with the other students. Great efforts are being made to translate and adopt the regular textbooks in to Brail for the visually impaired students, while preparation is underway to develop teaching-learning materials for the deaf. Regarding opportunity of

<sup>45</sup> Ethiopia Report submitted for the Eighth Consultation on the implementation of the Convention and Recommendation against Discrimination in Education (2006-2011), 2012, p.7

TVET for SNE students a guide is already in place entitled “TVET Guide-Facilitation Service for Trainees with Special Educational Needs in Technical and Vocational Education and Training”; it is very much clear that the Guide is intended to promote and create propitious environment for the participation of the SNE students in TVET stream.”<sup>46</sup>



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46 Ibid, pp. 12-13



# Finland

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## ● Status of ratification

Convention on the right of persons with disabilities: Not yet a State Party to the Convention  
CADE: State Party since 18/10/1971

## ● Legislative provisions

"The Act on Non-Discrimination (21/2004) entered into force in February 2004. According to Section 2 of the Act, the provisions also apply to education. The Act is applied, inter alia, on in student admissions and the selection procedure. The Act prohibits discrimination on the basis of age, ethnic or national origin, citizenship, language, religion, conviction, opinion, health, disability, sexual orientation or other reason relating to the person. Every authority must draw up an equality plan for the promotion of ethnic equality."<sup>47</sup>

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<sup>47</sup> Finland Report submitted for the Eighth Consultation on the implementation of the Convention and Recommendation against Discrimination in Education (2006-2011), 2012, p. 2

# France

## ● Status of ratification

Convention on the Rights of Persons with Disabilities: State Party since 18/02/2010  
CADE: State Party since 11/09/1961

## ● Legislative provisions

**“Article 19-III of Act No. 2005-102 of 11 February 2005 was codified in article L. 112-1 et seq. of the Education Code**, which states in its article 1 that: “The public education system shall provide schooling, vocational training and higher education for children, adolescents and adults with disabilities or invalidating health problems. Within its areas of competence, the State shall provide the necessary financial and human resources to educate children, adolescents and adults with disabilities in mainstream educational settings.” These articles also set out the conditions for integrating young deaf or hearing-impaired persons and the adjustments that can be made to enable pupils with disabilities to take exams and competitive examinations.”<sup>48</sup>

## ● Measures

### **“As part of its equal opportunity policy, France has put in place specific measures for pupils with disabilities**

Since the adoption of the Act of 11 February 2005 on the equal rights and opportunities, participation and citizenship of persons with disabilities, disabilities have been considered within their social context, that is, by taking into account the young person within his or her environment.

Two principles have emerged, namely accessibility (access to everything for all) and compensation (individual measures to restore equal rights and opportunities).

#### ● Accessibility

With regard to schools, **accessibility** means enrolment at the school in the catchment area, called the “reference educational institution”; access to knowledge through individual or group learning arrangements; access, to the extent possible, to all facilities and equipment required for schooling; and the bringing up to standard of school buildings and cultural and sports facilities. Local governments that own educational facilities must bring them up to standard by February 2015.

### **Sign language education**

In compliance with article L. 112-3 of the Education Code, deaf pupils now have the right to bilingual education (in French and French Sign Language) if their parents request it.

The Act of 11 February 2005 on equal rights and opportunities, participation and citizenship of persons with disabilities has resulted in appreciable advances in the schooling of young deaf persons. French Sign Language is now recognized as a language in its own right. All pupils concerned (e.g. deaf children and their siblings) have the right to receive French Sign Language instruction, and this language can be chosen as an optional subject for exams and competitive examinations, including in vocational training. French Sign Language has been

<sup>48</sup> France Report submitted for the Eighth Consultation on the implementation of the Convention and Recommendation against Discrimination in Education (2006-2011), 2012, p. 5

offered at primary schools since the beginning of the 2008 academic year and at middle and secondary schools since the beginning of the 2009 school year. In addition, since 2008, it has been a baccalaureate exam option for all deaf and hearing students. A secondary-school teaching diploma in French Sign Language was created in 2010.

### **Localized units for inclusive education**

In 2010-2011, 2120 localized units for inclusive education were opened, including 268 new units, representing a 14.5% increase. The initial target of 2,000 units was thus surpassed. This mechanism enables pupils with disabilities to attend lower and upper secondary schools. In addition, support hubs for the education of young deaf persons, set up at the beginning of the 2010 school year, facilitate the education of deaf or hearing-impaired pupils in ordinary school settings.

### **Welcoming pupils with disabilities at upper secondary schools**

Pupils with disabilities wishing to pursue their education in post-baccalaureate courses (e.g. a two-year vocational training certificate – Brevet de Technicien Supérieur) at upper secondary general or technical schools can continue to receive personalized support under the same conditions as in secondary school education.

### **Specific measures to integrate students with disabilities at universities:**

- accessible premises, including cafeterias and residences (in many universities)
- support services
- academic support: tutoring, assistance, note-takers, sign language interpreters, and cued speech interpreters, depending on the disability and the university
- technical assistance.

Moreover, Decree No. 2005-1617 of 21 December 2005 provides for arrangements for candidates with disabilities during exams and competitive examinations.

Initiatives are also being taken to facilitate the professional integration of students with disabilities after their studies.

A person in charge of welcoming students with disabilities has been designated at every university. This job involves coordinating measures tailored to each individual situation.

### **A disability helpline**

The telephone helpline “Aide Handicap Ecole” (School Disability Help) handles many files submitted by families and offers solutions in cooperation with local education authorities and school inspectorates.

### **• Personalized compensation plan**

**A personalized compensation plan** may involve, for example, classroom accompaniment by a teaching assistant or child care from professionals at medical and social centres in addition to schooling. The plan also includes a disability card and the right to transport.

In Departmental Centres for Persons with Disabilities (Maisons départementales des personnes handicapées), multidisciplinary teams evaluate the needs of each pupil with a disability and propose a personalized compensation plan. It includes a personal education plan, which is a personalized programme for every pupil with a disability. This support should enable pupils with disabilities to pursue their education as far as possible.

Learning objectives are set for children with disabilities, as for all pupils. These objectives are based on the current curricula and on core knowledge and skills that must be acquired by the end of compulsory education. The skills to be mastered may be reviewed for pupils with severe disabilities.

### **Financial assistance for parents of children with disabilities**

Education allowance for children with disabilities is a family benefit to help parents with the expenses incurred from the education of their children with disabilities.

Pursuant to a decision by the Commission on the Rights and Autonomy of Persons with Disabilities, the allowance is paid on a monthly basis by the French family allowance fund . It can be paired with other types of assistance in the case of particularly severe disabilities that give rise to significant expenses or when the child requires the presence of an assistant.

Compensation allowance for children with disabilities was initiated on 1 April 2008 in compliance with article 94 of Act No. 2007-1786 of 19 December 2007. Children and adolescents with disabilities can benefit from the allowance if they meet the eligibility criteria for education allowance for children with disabilities and its supplement and for compensation allowance for children with disabilities. In this case, families can choose between education allowance for children with disabilities' supplement and compensation allowance for children with disabilities.

All pupils with disabilities who meet specific conditions set by the Commission on the Rights and Autonomy of Persons with Disabilities can be covered for school transport fees. The authorized driver of the vehicle is responsible for taking the child to school and going inside the building to collect him or her up according to the class schedule. If the family itself takes the pupil with disabilities to school, it can receive compensation from the General Council, subject to the same conditions.

### **More educators for pupils with disabilities**

Since 2005, there has been an 11.3% increase in the number of teaching positions created for the education of pupils with disabilities, namely 1,355 posts. The number of pupils supported individually by a teaching assistant more than tripled between 2005-2006 (18,589) and 2010-2011 (61,720).<sup>49</sup>

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49 Ibid, pp. 9-11

# Georgia

## ● Status of ratification

Convention on the right of persons with disabilities: State Party since 13/03/2014  
CADE: State Party since 04/11/1992

## ● Measures

“Special state funds secured through merit-based and needs-based education grants provide secondary school graduates with an opportunity to continue their education at higher education level. The merit-based grants are provided to students achieving on for subjects at Unified National Exams while the needs-based grants are awarded to marginalized students: [...], students with disabilities, [...]”<sup>50</sup>

“Education of students with special educational needs (SEN) was declared as one of the state priorities in 2004, with the initiation of educational reform. Children with special educational needs come from different backgrounds, including people with disabilities, socially vulnerable groups, street children, etc; these are students that due to some reason need individual educational plans or modification of the national curriculum, so that their special educational needs are met.

With the support of Norwegian Ministry of Education and Research, Ministry of Education and Science of Georgia has been working on making education system accessible for people with special educational needs, since 2005.

The following activities were undertaken:

(1) Physical environment of schools was adapted for physically challenged students (2) Extra professionals, like special teacher and psychologist were hired in the schools to support SEN children (3) Inclusive education support system was created: multidisciplinary groups are assessing children’s education needs and consulting teachers, (4) teachers professional development system was created: trainings were conducted in more than 1000 schools, inclusive education summer academy was established in several universities, new special education MA program was created in Ilia state university. (5) Public awareness activities, for example publication of success stories were carried out (6) Guidelines and learning materials about inclusive education were prepared for teachers. (7) Special schools reform was started (8) Main documents that regulate education were amended for providing access of general education to SEN students.

Among the future plans are advancing quality of inclusive education, creating adequate learning environment and improving physical accessibility in schools for SEN children; developing human resources in the field of inclusive education; Starting implementation of inclusive education in vocational education system; Supporting inclusion of people with disabilities in the universities.”<sup>51</sup>

50 Georgia Report submitted for the Eighth Consultation on the implementation of the Convention and Recommendation against Discrimination in Education (2006-2011), 2012, p. 5  
51 Ibid, pp. 8-9

# Germany

## ● Status of ratification

Convention on the right of persons with disabilities: State Party since 24/02/2009  
CADE: State Party since 17/07/1968

## ● Constitutional provisions

“As set out in the Basic Law (*Grundgesetz*) “No one may be disadvantaged or favoured as a result of their gender, parentage, race, language, home country and origins, faith, religious or political views. No one may be disadvantaged because of their disability” (Art. 3 (3) GG).”<sup>52</sup>

## ● Legislative provisions

“The General Equality of Treatment Act (*Allgemeines Gleichbehandlungsgesetz* – anti-discrimination law) which entered into force on 18 August 2006 relates to the access to all forms and all levels of careers advice, vocational education, including vocational training, vocational further training as well as retraining and practical occupational experience, and also to employment and working conditions including wages and conditions of dismissal. The aim of the law is to prevent or remove disadvantages due to race or ethnic background, gender, religion or philosophy, disability, age or sexual orientation.”<sup>53</sup>

## ● Measures

“With regard to the school education of children and young people with disabilities, in October 2011, when implementing the “United Nations Convention on the Rights of Persons with Disabilities” (UN Disability Rights Convention), the Standing Conference of the Ministers of Education and Cultural Affairs of the *Länder* in the Federal Republic of Germany assed the recommendation “*Inklusive Bildung von Kindern und Jugendlichen mit Behinderungen in Schulen*” (inclusive education of children and young people with disabilities in schools). Based on this recommendation, the *Länder* are developing their commitment to the joint schooling of children and young people with and without disabilities.

As implementing the convention is a challenge for society in general – and thus a long-term joint responsibility of the Federation, *Länder* and local authorities – the Standing Conference is focussing on promoting acceptance of joint education and on creating the legal framework in the *Länder*. The *Länder* act independently with regard to the timing of implementation and the structuring of their individual education systems. However, a current survey shows that, together with schools, teachers, youth or child-care workers, parents and associations, they are now all on the right track.”<sup>54</sup>

“Disabled children and young people are also required to attend school and complete their compulsory education. On the basis of their *Sonderpädagogischer Förderbedarf* (special educational needs), they are either taught in mainstream schools together with non-handicapped pupils, or in *Sonderschulen* (special schools).”<sup>55</sup>

52 Germany Report submitted for the Eighth Consultation on the implementation of the Convention and Recommendation against Discrimination in Education (2006-2011), 2012, p. 2

53 *Ibid.*, p. 3

54 *Ibid.*, p. 6

55 *Ibid.*, p. 7

“Furthermore, higher education institutions seek to create or ensure the equality of different groups by various measures, for example: [...] Counselling and support for disabled or chronically ill students by means of suitable contact points; accessible facilities”.<sup>56</sup>

“In the field of special needs education, the German Commission for UNESCO supports the work of the non-profit-making organization “Toys for Children’s Rehabilitation” (*Fördern durch Spielmittel – Spielzeug für behinderte Kinder e.V.*), which is one of its members. The association is engaged in the development, testing and dissemination of toys for children with mental and/or physical disabilities. The association has been regularly organizing international UNESCO Creativity Workshops for teachers, designers, craftsmen, students and parents, where new toys are developed in cooperation with disabled children and adults.”<sup>57</sup>

“In order to support the implementation of inclusive education in Germany, the DUK has increased its commitment extensively during the last years.

Together with the Bertelsmann Foundation, the Federal Commissioner for the interests of disabled people and the Sinn Foundation, the DUK tenders the Jakob Muth-prize for inclusive schools. Since 2009 the prize is awarded annually to three schools that offer equal educational opportunities to all pupils and promote diversity in an exemplary way. Exposing these best practice examples encourages other schools to start the process of implementing inclusive education.

In 2010, the German Commission founded the Expert Committee “Inclusive Education”. The committee is a network of 30 dedicated advocates promoting the implementation of inclusive education in Germany. The experts represent various stakeholders - foundations, ministries, schools, social associations, universities etc. - and act as multipliers in favour of an inclusive educational system in Germany. A very impressive example of their commitment is the current project “Counselling of Educational Regions” which promotes inclusive education on a community level.

In 2011, the German Commission for UNESCO adopted the resolution “Strengthening inclusive education in Germany”. The resolution postulates: “Individual support for all students as well as heterogeneous classes are the basic principles of any inclusive development. The principle of inclusion comprises the right to attend classes in a regular school.” The resolution calls on the federal and the *Länder* governments to immediately develop action plans for the implementation of inclusive education and to eliminate the reservations against integration and inclusion still valid in the education acts of some *Länder*.”<sup>58</sup>

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56 *Ibid.*, p. 10

57 *Ibid.*, p. 22

58 *Ibid.*, pp. 24-25

# Ghana

## ● Status of ratification

Convention on the right of persons with disabilities: State Party since 31/07/2012  
CADE: Not yet a State Party to the Convention

## ● Constitutional provisions

“Article 38(3) - The State shall, subject to the availability of resources provide:

- a) *Equal and balanced access to the secondary and other appropriate pre-university education, with emphasis on science and technology.*
- b) *A free adult literacy programme, and a free vocational training, rehabilitation, and resettlement of disabled persons; and*
- c) *Lifelong education.*”<sup>59</sup>

## ● Legislative provisions

“The Persons with Disability Act, 2006, Act 715 mandates the Government of Ghana to provide free education for persons with disability, and establish special schools for persons who by reason of their disability cannot be enrolled in formal schools.”<sup>60</sup>

“The Children’s Act provides as follows: [...] *Section 10(2). A disabled child has a right to special care, education and training wherever possible to develop his maximum potential and be self-reliant.*”

## ● Measures

“The Education Sector Strategic Plan provides the overall policy framework for the development of education in Ghana. The policy framework, among others, aims at the following: To [...] *improve access to quality education for people with disability.*”<sup>61</sup>

59 Ghana Report submitted for the Eighth Consultation on the implementation of the Convention and Recommendation against Discrimination in Education (2006-2011), 2012, p. 15

60 *Ibid.*, p. 10

61 *Ibid.*, p. 17



# Hungary

## ● Status of ratification

Convention on the right of persons with disabilities: State Party since 20/07/2007  
CADE: State Party since 16/01/1964

## ● Legislative provisions

### **CXXXIX Act of 2005 on Higher Education:**

**“Section 39** (1) Each Hungarian citizen has the right to pursue studies in a higher education institution under the conditions defined in this Act, enrolled in either state-funded or fee-paying training. [...]

(7) The Government may order preferential treatment [...] c) for those termed disabled applicants, provided that preferential treatment may only be granted with respect to the condition justifying preferential treatment, and may not result in exemption from the fulfilment of basic academic requirements that are requisite to the granting of professional qualifications certified as Bachelor or Master degree, or the vocational qualification evidenced by the certificate of higher-level vocational training.”<sup>62</sup>

**“Section 44** (1) In the event the higher education institution stipulates taking an examination for the assessment of admission applications under the authorisation of this Act, disabled applicants should be granted the same exemption as in secondary education and special arrangements must be made in order for them to take the examination. This right shall also be extended to those who were not granted such opportunities as a result of their disability in secondary education but can in fact furnish proof of their disability.”<sup>63</sup>

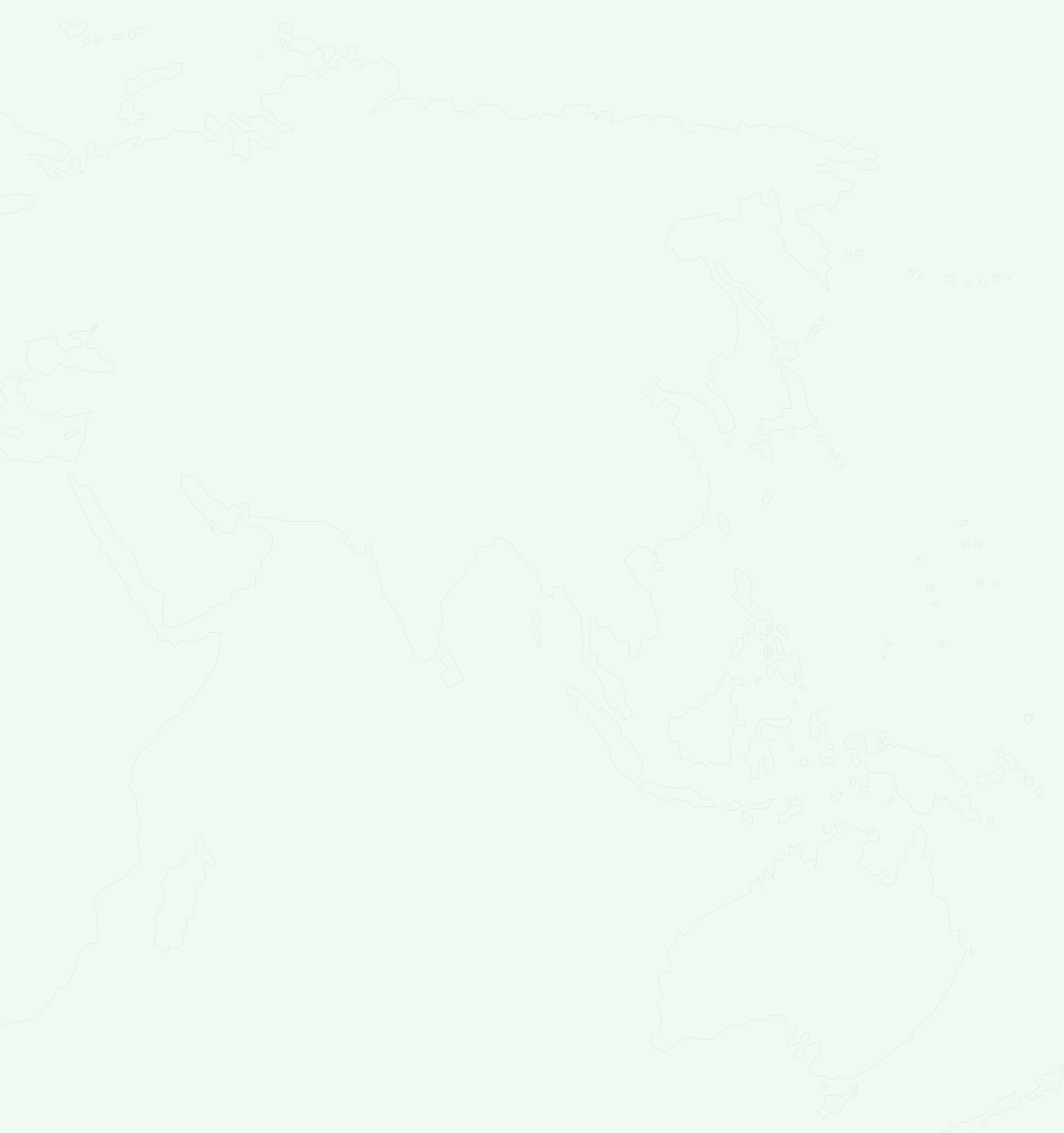
**“Section 55 -** (2) The student is entitled to pursue studies in higher education for twelve semesters as a state-funded student (hereinafter ‘state-funded period’), including higher-level vocational training. The state-funded period may be prolonged by four semesters in the case of students with disabilities.

**Section 61** (1) Disabled students shall be offered convenient circumstances for preparation and examination, and shall be assisted in their fulfilment of obligations arising from their student status. Where appropriate, they should be exempted from the obligation to take certain course-units or certain parts thereof or to undergo assessment. If necessary, such students shall be exempted from the language examination or a certain part thereof, or the level related requirements of such language examinations. Disabled students shall be given more time to prepare at the examination, and shall be afforded the opportunity to use aids at the written test (typewriter, computer, etc.), or if necessary, to have, in the case of such students, a written test instead of an oral test, or an oral test instead of a written one. The exemption under this subsection shall exclusively be granted in the context of the condition justifying such exemption and may not result in exemption from the fulfilment of basic academic requirements that are requisite to the award of the professional qualification certified by the Bachelor and the Master degree, or of the vocational qualification evidenced by the certificate of higher-level vocational training.

<sup>62</sup> Hungary Report submitted for the Eighth Consultation on the implementation of the Convention and Recommendation against Discrimination in Education (2006-2011), 2012, p. 2

<sup>63</sup> *Ibid*, p. 2

(2) The principles governing the studies of disabled students, the criteria for preferential treatment and the relevant rules of procedure shall be defined by the Government. Higher education institutions shall determine in their statutes the rules of executing institutional tasks concerning disabled students."<sup>64</sup>



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64 *ibid*, p. 3

# Iraq

## ● Status of ratification

Convention on the right of persons with disabilities: State Party since 20/03/2013  
CADE: State Party since 28/07/1977

## ● Constitutional provisions

“Regarding the care of the handicapped and those with special needs, the Article number (32) of the constitution cites that the state sponsored and ensures their rehabilitation in order to integrate them into society and be regulated by law.”<sup>65</sup>

## ● Measures

“The Ministry of Education works to expand opening the classes of special education in primary schools for categories of slow learning, and visually impaired, and others [...] to ensure their education and care, guidance and develop their capabilities to the desired level. As stated in the primary school regulation number (30) for the year third article, primary schools include all children in their surroundings and open to accepting of different abilities, aptitudes, and the difference of their socio-economic states without any discrimination to achieve their efforts in promotion of the national unity and create a society predominated with cooperation and unity”.<sup>66</sup> “Based on the principles of the universal declaration of human rights and the optimal application of the provisions of ninth article of the compulsory education law No.118 of 1976 to ensure education opportunities for special groups of children in primary schools, and continuing with the global developments in providing opportunities of the inclusive education in our schools and achieve the goals of education for all, been working in the strategic national project of educational integration for comprehensive education in order to improve the quality of education provided to children with special needs and expanding the project at the Governorates level and Districts. The project aims at working with legal concept of educational integration or comprehensive education which has been described as a strategy contributing to promote the establishment of community involving all children and youth of different nationalities and ages and abilities [...] and to take into consideration the cases of children with special needs.”<sup>67</sup>

“The different steps of the process are:

- Organisation of sessions and workshops for employees of special and general education in order to define the project and its goals. [...]
- Formulation of instructions and controls for the implementation of the project and generalisation in the Governorates.”<sup>68</sup>
- “Choosing the flexible and developed school administration which adopts the legal concept of educational integration for comprehensive education for those of special needs, and actual translation for these rights inside the comprehensive school, applying the principle of equal opportunities, acceptance of other, and no discrimination among children. [...]

65 Iraq Report submitted for the Eighth Consultation on the implementation of the Convention and Recommendation against Discrimination in Education (2006-2011), 2013, p. 2

66 Ibid, p. 7

67 Ibid, p.14

68 Ibid, p.15

- A qualified educational staff within the school has self-development incentive and creativity, and ensures the acceptance of other and respects the individual differences among children; all children are capable of learning whatever their abilities.
- An administrative, technical and service cadre within the school believes in the principles of human rights, and the rights of people with special needs, respects the differences and non-discrimination, equal opportunities and equal rights.
- Forming permanent committees of comprehensive educational integration within the comprehensive school to spread the culture of comprehensive educational integration and supervising the admission of pupils in comprehensive schools which are included by the educational integration program [...].<sup>69</sup>
- “Establishing the resources room in regular school for pupils with special educational needs, especially visually disabled pupils and children with special educational needs, and hearing impaired, a sight and speech and communication difficulties to achieve the general objectives of the integrated education [...]:
  - Measurement and evaluation of disabled children (visually, hearing, and mentally) and detect them and get to know their strengths and weaknesses states.
  - Planning for teaching and designing educational plans for individual children with special needs.
  - Designing programs for suitable behavior modification to reduce unwanted behaviors in children and the visually disabled.
  - Employment and use of technology to make life easier for visually disabled and other disabilities/ it also includes use in various areas of life such as education, teaching and behaviour modification programs and movement, and to identification, school work and others.
  - Provide support services for children, each according to their need, and physical treatment in some cases for specific groups in coordination with the health authorities.
  - Support families of children with special needs in different areas.<sup>70</sup>
- “Curriculum and Teaching Methods within Regular classroom: With the presence of individual differences among pupils in the areas of intelligence, mental and physical abilities and psychological and social states the modification of curriculum and adopting teaching methods become inevitable within the regular classroom in any school adheres to educate all pupils. The integrated school is authorized to take measures about the consistence between the curriculum and instruction which commensurate with the needs and abilities of all children, including those with special needs in the areas :
  - Diversity of the educational techniques inside the classroom.
  - Adapting or modifying the educational goals and instructional plan in any lesson if necessary for any pupil within the classroom.
  - Using the curriculum, educational tools and teaching aides that are commensurate with the abilities and needs of each pupil.
- Safe scholastic environment:

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69 Ibid, p.16

70 Ibid, pp.17-18

- Make geometrical modifications in school construction to facilitate the movement of pupils inside the classroom and the school corridors, including those with special needs.
- Appointment of human body within the school to cooperate with the special needs children and assist them in their walk and movement, including pupils who are friends of those of special needs from their peers inside the school.
- Prepare the clean scholastic environment regarding suitable sanitation for pupils with special needs.
- Controls of Acceptance Pupils in the Comprehensive School:
  - Admitting pupils with special needs aged 6-7 in the comprehensive schools/ regular classrooms which are within their home areas, who have normal mental capabilities by educational decision through permanent committee of comprehensive educational integration within the school after studying their special status with their parents.
  - In case of pupils suffer from illness or different disabilities and psychological states, the above mentioned committee undertakes the responsibility to send them to the medical committees for special education in the health institutions [...].<sup>71</sup>
  - “Categories covered by the National Project of the Comprehensive Educational Integration:
    - Blinds/ adoption of Braille method in their education and a special program for their care, and work is on-going to achieve it centrally.
    - Visually impaired in degree 6/60 and 6/24 after corrections by the medical glasses in both eyes.
    - Physically disabilities (upper and lower limbs) with the enjoyment of normal intelligence.
    - Hearing impaired degree 40-60 DB with the use of audio designated in the best ears.
    - Slow learning (average intelligence closer to normal).
    - Learning difficulties (simple mental disability) with the enjoyment of intelligence closer to the average.
    - Difficulties of speech and communication.
    - Learnable different disabilities.<sup>72</sup>
- “Evaluation of the Comprehensive Educational Integration Program and included categories at the level of each school by the permanent committee [...]:
  - Within the planning stages 30% of schools in each Governorate are included by the project. [Cf the Database attached to the National Report.] [...]
  - Emphasis on special workshops for the school administration that will be in by the project. [...]

71 Ibid, pp. 18-20

72 Ibid, p. 21

- Formation a control group works in each General Directorate to follow up the implementation of the plan of inclusion schools [...].
- Considering schools included in the first diagnostic year in primary schools the start point to implement the integration in them from first to sixth class.
- The educational integration comprehensive instruction project was inserted within the strategy of the Organization of UNICEF in 2012.
- [UNICEF] held within the joint work plan with our Ministry a workshop in Erbil at the level of all Governorates about the formulation of the strategy and planning for a comprehensive education program[...].”<sup>73</sup>

At secondary level: measures to include students

- “Facilitating the procedures of students’ moving and acceptance, and changing their examination centres where they wish from 2006 to 2008.
- Facilitating the procedures of moving students among schools, and moving their examination centres in consideration of their circumstances.
- Gaining the proper approvals for the students who could not join their schools during 2006 to 2007 years up to the examinations of midyear to join school seats; [...] for allowing the students who could not continue their study due to the security condition to study ‘partially’ (and to attend only midyear and final examinations); [...] [and] for changing the study branch to desired students up to midyear examinations for school years 2006/2007, 2007/2008 in consideration to the country circumstances.”<sup>74</sup>

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73 *ibid*, pp. 21-23

74 *ibid*, pp. 10-11

# Kuwait

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## ● Status of ratification

Convention on the right of persons with disabilities: State Party since 22/08/2013  
CADE: State Party since 15/01/1963

## ● Measures

“There are special classes in basic education (primary and intermediate) for students with learning difficulties (slow learners), as well as special schools for those with various disabilities (hearing, visual, motor).”<sup>75</sup>

“Religious and moral education are fundamental components of the general and particular goals of public education at all levels. There is an education sector responsible for the supervision and management of religious institutions for those wishing to pursue advanced studies in the religious and legal sciences, alongside other basic literature and science studies. In addition, there are special institutions for people with disabilities (hearing, visual, motor), which have a value-based and ethical perspective enabling the individual to achieve fairness and equality in respect of appropriate education and ensuring readiness to participate and integrate in society, regardless of disability.”<sup>76</sup>

<sup>75</sup> Kuwait Report submitted for the Eighth Consultation on the implementation of the Convention and Recommendation against Discrimination in Education (2006-2011), 2013, p. 2

<sup>76</sup> *Ibid*, pp. 2-3

# Latvia

## ● Status of ratification

Convention on the right of persons with disabilities: State Party since 01/03/2010  
CADE: State Party since 16/06/2009

## ● Legislative provisions

“Section 3, Paragraph eight of the *Education Law* contains the provision that “discrimination” and types thereof shall correspond to the terms used in the *Consumer Rights Protection Law*. Section 3, Paragraph six of the *Consumer Rights Protection Law* states that direct discrimination is an attitude towards a person which on the basis of his or her sex, disability, race or ethnic origin in a comparable situation is, was and could be less favourable than towards another person. Indirect discrimination is a seemingly neutral provision, criterion or practice that creates or could create an unfavourable outcome on the basis of sex, disability, race or ethnic origin of a person, except for the case where such provision, criterion or practice is objectively substantiated with a legal purpose, for the achievement of which proportional means are chosen.”<sup>77</sup>

“According to Section 42 (Special Educational Programmes) of the *Education Law*, a person with special needs may acquire special education at an educational institution, if it ensures that such a person has the opportunity to acquire an education in such institution corresponding to the state of health and the nature of developmental disorders. Special educational programmes shall be implemented, taking into account the state of health of the student. The General Education Law, Vocational Education Law and other laws shall determine procedures for the implementation of special educational programmes.”<sup>78</sup>

## ● Measures

“The national education development strategy has been defined in the Education Development Guidelines for 2007-2013 and envisages areas of action in order to ensure access to education and its quality, including the inclusion of students with special needs into the educational system, the raising of the effectiveness of the pedagogical process, the provision of support to students from at-risk groups and the provision of educational opportunities for ethnic minorities in Latvia.”<sup>79</sup>

“The State has envisaged special rules for socially vulnerable groups of persons by stipulating that if two or more students who have applied for a stipend have exhibited equivalent performance in terms of academic work and scientific activity, the stipend allocation committee of a higher education institution shall first grant a stipend to 1. a disabled person; [...]”<sup>80</sup>

“At the College of the Social Integration State Agency, established by the Ministry of Welfare, one can acquire level one professional higher education. With the knowledge thus acquired, disabled persons will be competitive in the labour market and will be able to continue studies in level two professional higher education programmes at any higher education institution.

77 Latvia Report submitted for the Eighth Consultation on the implementation of the Convention and Recommendation against Discrimination in Education (2006-2011), 2013, p. 3

78 *Ibid.*, p. 15

79 *Ibid.*, p. 8

80 *Ibid.*, p. 15



The State-funded sign language interpreter programme is especially highlighted among the study programmes on offer at the College. Both disabled persons and anyone who has acquired secondary or secondary vocational education can study at this College, as well as university graduates who wish to enhance their knowledge or change their specialisation.

Students may select their desired form of studies: full-time (intramural) or part-time (extramural). The study spaces and the surrounding environment have been equipped in accordance with all the latest standards, and it is fully adapted for people with special needs."<sup>81</sup>

"The Ministry of Education and Science in partnership with the State Education Development Agency, the Ministry of Culture, the Ministry of Health and the Ministry of Agriculture, has commenced the upgrading of premises and equipment at no fewer than 31 higher education institutions as part of Joint ERDF Activity 3.1.2.1.1 "Modernisation of Premises and Devices for the Improvement of Study Programme Quality at Higher Education Establishments, including Provision of Educational Opportunities for Individuals with Functional Disabilities", which is scheduled to be completed by the end of 2012. As a result of this measure, the quality of study and scientific activities has been improved through the modernisation of the infrastructure of higher education institutions, and the creation of modern infrastructure centres has been encouraged".<sup>82</sup>

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81 *Ibid.*, pp. 15-16

82 *Ibid.*, pp. 15-16

# Luxembourg

## ● Status of ratification

Convention on the Rights of Persons with Disabilities: State Party since 26/09/2011  
CADE: State Party since 20/01/1970

## ● Legislative provisions

“The Act of 15 July 2011 relating to the access of pupils with special educational needs to educational and professional qualifications entered into force at the beginning of the 2011-2012 school year. Pupils with special educational needs are children who can follow the regular curriculum, but, owing to a disability or medical condition, face obstacles under normal assessment conditions.

The aim of the new Act is to help these young people to succeed in their secondary school education, whether general or technical, by means of arrangements, called reasonable accommodations, which compensate for their disability or medical condition. The Act sets forth the procedures to be followed and the authorities that may make decisions about such accommodations.

Reasonable accommodations may involve classroom teaching, work assigned to the pupil both inside and outside the classroom, in-class tests and evaluations, and final exams. For example, a visually impaired pupil can benefit from a different presentation of test questions and a pupil who has been hospitalized for a long time can sit their exams in hospital.

Reasonable accommodations offset a deficiency; they do not give a pupil an advantage over others in the class. Until now, pupils with special educational needs often encountered unsuitable assessment conditions that represented real barriers to their academic success. The implementation of reasonable accommodations therefore meets a long-standing need and constitutes **a decisive step towards equal opportunities.**

The certificates and diplomas issued do not mention the reasonable accommodations provided for some pupils. Some reasonable accommodations are, however, listed in school reports and in supplementary documents attached to diplomas and certificates.”<sup>83</sup>

<sup>83</sup> Luxembourg Report submitted for the Eighth Consultation on the implementation of the Convention and Recommendation against Discrimination in Education (2006-2011), 2012, pp. 8-9

# Mauritius

## ● Status of ratification

Convention on the right of persons with disabilities: State Party since 08/01/2010  
CADE: State Party since 20/08/1970

## ● Measures

“In 2006, the Ministry of Education and Human Resources, after multi-sectoral consultations, developed a **National Policy and Strategy Document on SPECIAL EDUCATION NEEDS AND INCLUSIVE EDUCATION IN MAURITIUS** to respond to both the specific and emerging educational needs of all children with special educational needs with focus on the special educational needs of children with disabilities. The Ministry’s Education & Human Resources Strategy Plan 2008-2020 includes among its strategic goals the statement to “Give a greater thrust to special education needs’ while the Ministry’s Programme-Based Budgets as from 2011 provide a special Programme “Special Education Needs of School Age Children” with clearly defined Outcome (Successful integration of children with special education needs into the world of higher education, training or work), services to be provided, service standards and quantifiable enrolment targets for 2011 to 2014.”<sup>84</sup>

“To assist in the education of children with disabilities, the Ministry of Social Security, National Solidarity & Reform Institutions provides the following facilities:

- (i) Refund of transport costs for one accompanying parent of children with disabilities attending schools/day care centres.
- (ii) Refund of taxi fares to students with severe disabilities attending university who cannot travel by ordinary means of transport.
- (iii) Scholarship Scheme by the National Council for the Rehabilitation of Disabled Persons to encourage students with disabilities to pursue secondary and tertiary studies.
- (iv) Annual Grant-in-Aid by the NGO Trust Fund to NGOs running special schools.

Vocational training is also provided to children with disabilities by the Training and Employment of Disabled Persons Board, which operates under the Ministry of Social Security, National Solidarity & Reform Institutions”.<sup>85</sup>

“The National Policy and Strategy Document for the Special Education Needs (SEN) sector lays emphasis on the need to adopt a child-centered pedagogical approach as well as a flexible and adapted curriculum that will help each child to develop his or her full potential. In order to successfully attain the strategic objective of INCLUSION for the SEN sector, the following four crucial elements are being worked on:

- an appropriate curriculum along with an adapted pedagogy;
- an appropriate regulatory framework to ensure the provision of an adapted and quality education services so as to cater for the different types of special needs/ disabilities of children aged between 3+ and 20 years;
- Capacity building programs for trainers and teaching personnel; and

<sup>84</sup> Mauritius Report submitted for the Eighth Consultation on the implementation of the Convention and Recommendation against Discrimination in Education (2006-2011), 2013, p. 5

<sup>85</sup> *Ibid*, pp. 5-6

- an appropriate quality assurance framework to harmonize the level of educational services dispensed by the different stakeholders involved in the sector.”<sup>86</sup>

“An **outreach exercise** was initiated for the first time in 2010 to sensitize both parents and Heads of primary schools to facilitate the registration of SEN children in an appropriate school. A Special Monitoring Team was set up at the Ministry to work together with the NGOs in tracking children with Special Education Needs and to facilitate their admission to schools that can best respond to the specific needs of these children. Other measures taken to facilitate integration of children with mild disabilities included:

**(i) Improvement of physical facilities**

- (a) 148 schools have been equipped with ramps.
- (b) All new secondary schools (over 30) have been provided with adapted toilets for children with disabilities. Moreover, links between building blocks have been constructed to ease access of children using wheelchairs.
- (c) Facilities such as music room, library, science laboratory, computer labs are available on the ground floor where necessary. In Primary schools, Head arrangements have already been made to move all classes having children with disabilities to the ground floor.

**(ii) Facilities for parents with SEN children**

- (a) A flexible approach is being adopted towards parents who call at school during the day to help their physically disabled children.
- (b) In line with the policy of the Ministry, students with disabilities are now released earlier than other students to avoid hardships to these students.

**(iii) Pedagogical facilities to SEN children**

- (a) Children with disabilities are benefitting from extra time for the Certificate of Primary Education examinations.
  - (b) Enlarged print school books/manuals and question papers are being produced and provided, free of charge, for children suffering from visual impairment.
- A Mauritian Sign Language has been developed to ease communication for children suffering from hearing impairment.

**(iv) Support Services**

Services of Educational Psychologists, Educational Social Workers, Occupational Therapists and Speech Therapists are provided as and when required.

**(v) Support to NGOs running SEN schools**

For the year 2012, NGOs running SEN Schools will receive an increase of 25% in the Grant-in-Aid payable to them. This increase will help them to ensure their empowerment and the capacity building of their personnel.

**(vi) Future Projects**

- (a) **Setting up of SEN Resource Centres**
  - Several properly equipped SEN Resource and Educational Development Centres will be opened in 2012 and 2013 in different parts of the island in

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86 Ibid, p. 12

order to reach out to children who require specialized services, especially, children living in areas where there are no such facilities available.

- The possibility of providing ICT Equipment with appropriate software to meet the education needs for disabled children is being explored."<sup>87</sup>

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87 *ibid*, pp. 12-14

# Montenegro

## ● Status of ratification

Convention on the right of persons with disabilities: State Party since 02/11/2009  
CADE: State Party since 26/04/2007

## ● Legislative provisions

“According to the Law [on Higher Education], in exercising the right to higher education no discrimination is allowed on any grounds such as sex, race, marital status, colour of skin, language, religion, political or other beliefs, national, ethnic or other origin, belonging to a national community, material status, disability, or on similar grounds, position or circumstances.”<sup>88</sup>

**“Article 11 Discrimination in the area of formation and education of the Law on Prohibition of Discrimination against Persons with Disabilities** envisages:

The following shall be considered discrimination against persons with disabilities in the area of education:

- 1) denying the admittance of a preschool child, pupil, or a student in an appropriate formative-educational institution, pursuant to the Law;
- 2) exclusion from a formative-educational institution of a preschool child, pupil, or a student, and
- 3) prescribing psychophysical abilities as a special condition for the admittance in a formative-educational institution, except if the nature of the educational process is such that a person with disability could not participate in it.

Harassment, insulting and disdain of a preschool child, pupil or a student on the grounds of disability by the employees of a formative-educational institution shall also be considered discrimination in the area of education.

The following shall not be considered discrimination against persons with disabilities on the grounds of disability in the area of education:

- 1) testing special aptitudes of preschool children, pupils or students, according to certain subject or group of subjects, and
- 2) organizing curricula for preschool children, or pupils, in accordance with the Law.”<sup>89</sup>

“The Law on Education of Children with Special Needs establishes the obligation of education, as well as habilitation and rehabilitation of children and youth with special needs as of the moment of establishing the special need of a child, which must be timely and intended to provide equal opportunities for education to all children and provision of adequate conditions which provide for their optimum development.”<sup>90</sup>

“According to the **Law on Education of Children with Special Needs**, children with special needs are:

<sup>88</sup> Montenegro Report submitted for the Eighth Consultation on the implementation of the Convention and Recommendation against Discrimination in Education (2006-2011), 2013, p. 6

<sup>89</sup> Ibid, pp. 7-8

<sup>90</sup> Ibid, p.5

- 1) *children with difficulties in growth* – children with physical, mental and sensory disability, and children with combined disabilities;
- 2) *children with developmental difficulties* – children with behavioural disorders; serious chronic diseases; children ill for a long time, and other children who encounter difficulties in learning and other difficulties caused by emotional, social, linguistic and cultural obstacles (Article 4).

Pursuant to Article 16 paragraph 1 of the same **Law**, a school, special institution respectively, shall adopt individual curriculum for a child with special needs, in cooperation with a parent within 30 days as of the admission of the child, and inform the Bureau for Educational Services, Vocational Education Centre and Examination Centre thereon.

The individual curriculum determines: forms of educational work for educational fields, teaching subjects respectively, the way of implementing the additional professional assistance, possibility of passing among the programmes, adjustment in organisation, assessment of knowledge, standards of knowledge, achievements and skills, assessment, marking of knowledge, achievements and advancement of children, as well as schedule of school lessons.

For preparation, application, monitoring and adjusting the curricula referred to in paragraph 1 of this Article, a school, a special institution respectively, shall form a professional team composed of: teachers, professional associates of the school or of the special institution, with participation of parents.

Individual curriculum may be changed throughout a year, or adjusted in harmony with advancement in child's development.

**Pursuant to Article 18 of the Law**, the procedure for orienting the children with special needs is initiated at a request.

The request referred to in paragraph 1 of this Article may be submitted by: parent, a primary healthcare institution, educational institution, Centre for Social Work or local government authority competent for educational affairs, with informing the parent.

The request referred to in paragraph 1 of this Article shall be submitted to the competent local government authority.

Pursuant to **Article 20, the Commission for Orientation of Children with Special Needs** shall make a proposal on orientation on the basis of its assessment, a talk with the child's parents, as well as on the basis of pedagogic, education-rehabilitation, psychological and other documentation it obtains from the respective institutions."<sup>91</sup>

## ● **Measures**

“Since the beginning of the reform of the system of education, a number of training courses were organized for the staff of preschool institutions and primary schools to provide support to children with special needs.

The Bureau for Educational Services organized training for the implementation of reform solutions. The Bureau for Educational Services/Department for Continuous Professional Development of Teachers publishes the Catalogue of Programmes for Professional Development of Teachers. The Catalogue of accredited programmes for 2011/12 school year offers a set of programmes which are fully, or parts thereof, related to inclusion. A

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<sup>91</sup> Ibid, pp. 8-9

large number of programmes is offered (25 in total), with topics ranging from philosophy of inclusion to working with specific disabilities.

Inclusive education training courses have also been implemented in partnership with Save the Children UK. The Government of Finland supported the development of inclusive education in Montenegro through the project "Towards Inclusive Education" (2006-2008).

Since the second half of 2008, first-instance commissions have been established at local level (18) for orientation of children with special needs into the system of education. Based on the orientation proposal, the commissions define the programme, additional professional assistance, personnel, spatial and other requirements which must be met. Members of these commissions are trained, working instruments have been prepared, and Work Manual has been printed. Training has been provided to bodies within the Network of Professional Assistance (centres for social work, professional teams of the Centre for Children with Special Needs and day-care centre) for a system approach to working with children with special needs.

A novelty in inclusive education is the concept of occurrence of a special education need, which is standardized and adjusted to children with disabilities and deficiencies in growth in Montenegro. It implies: a simple conceptual framework of interaction between a child and the surrounding; a definition of the term special education need is oriented towards participation in the society; differentiation between personal (internal) dimension and environmental and situational (external) dimension. *Personal factors* correspond to internal characteristics of a person (system of organs, abilities, etc.). *Risk factors* represent elements which may cause violation of a child's integrity and development. *The system of organs* is considered in the range "from full integrity to malfunctioning of organs". *Capability* is the ability of a child to perform an activity in the range from optimum to complete performance of the respective activity. *Environmental factors* range from enabling to completely disabling (obstacles) factors to a child's functioning. *Life habits* range from full social participation to the situation of social exclusion. Consequently, the occurrence of a special educational need depends on the way and the extent of the influence of environmental factors: enabling or disabling to a child's functioning.

Every educational institution develops an Individual Education Plan – IEP for every child with special needs, based on recommendations of the Orientation Commission.

The school should provide a teaching assistant to a child with special needs, who provides technical assistance. The assistant is hired based on the decision on orientation, IEP and the presence of professional associates in the school (pedagogue, psychologist, defectologist/speech therapist).

Mobile services are organized to provide support in regular schooling of children with special needs. A professional associate is hired depending of the needs of the child: a defectologist, psychologist or a pedagogue. The following is implemented: individual work with the child for the purpose of implementing IEP; instructions are provided to teachers and parents for on achieving educational goals, etc.

For the purpose of including children from special to regular classes, training was provided to school management, pedagogic-psychological services, class teachers and defectologists in eight regular schools which have such classes. Workshops address the rights of students from special classes among their peers (promoter of persons with disabilities).

Special institutions are transformed into resource centres: *resource centre for hearing and speech impairment*, *resource centre for intellectual difficulties and autism*, *resource centre for physical and visual impairment*. They focus their educational function on children with



complex, severe and combined disabilities. Furthermore, experts from resource centres are fully engaged and involved as support to regular schools which children with difficulties in growth are included in. When visiting regular schools, professional staff of the resource centre applies and implements new approaches in working with children. Standards of work also include: individual work with children; assistance in developing IEP; instructions for the work of teachers; recommendations for work of professional services; instructions for parents to work with their children... The professional staff of the resource centre will provide in-service training to employees in regular system. In perspective, these experts may be engaged as demonstrators for practical education during studies for training of staff.

Furthermore, regular schools in almost every bigger town in Montenegro have special classes with defectologists. Special classes have a crucial role in strengthening inclusion – in this case, it applies to joint activities for children with special needs in regular schools. Namely, teaching of children with special needs is carried out in special classes with, and teaching of some subjects is carried out together with their peers in regular classes. Teaching process is carried out based on Individual Education Plan (IEP) for every child. A lot has been done towards the development of cooperation between regular and special classrooms in schools aimed at strengthening of the principles of inclusion: training to school managements, pedagogical-psychological service, teachers and defectologists of these schools; promotion of the rights of students from special classes among their peers, through workshops, whereby the promoter was a person with disabilities. The overall participation and professional involvement of defectologists was improved in supporting the process of inclusion at a school's level.

External assessment in Montenegro is also being adjusted to children with special needs, based on the principle of individualization. In addition, teams have been formed to provide training and support to inclusive education in vocational schools.

Consequently, it is clear that the inclusive system in Montenegro follows the system model which is aimed at full participation in the society and achievement of life habits which result from interaction of personal factors (impairment or disability) and environmental factors (barriers, isolation, etc.).

The Strategy for Inclusive Education adopted in 2008 relies on the best international practice (countries of the European Union, primarily Finland, then the Great Britain, Israel, etc.) and on the local intensive and rich experience. The guiding principle of the Strategy is quality and accessible education for children with special needs in line with their interests, abilities and needs. The imperative is to implement and fulfil inclusive principles: the child's right to grow up in the family; emotional and social characteristics and preservation of the child's abilities are the foundation for the development of Individual Education Plan (IEP); parents are partners, they participate in planning and monitoring the child's development; a school/ kindergarten works as a team where every staff members has his/her responsibilities, etc.

The Strategy for Inclusive Education has laid foundations and defined directions for the development of the system for education of children with special needs. Consequently, all levels of education have indicated the importance of inclusion and adjusting to children with special needs and integrated them in their strategic documents.

The Government of Montenegro adopted the Strategy for Early and Preschool Education (2010-2015) in September 2010, whose goals include accessible, high quality, comprehensive, culturally appropriate, inclusive services for all children in Montenegro, from birth until they enrol in primary school, with a special emphasis on the most vulnerable children.

The Strategy for the Development of Primary Education in Montenegro (2012-2017) approaches children with special needs in a unique way and provides directions for inclusive development of schools for every specific goal. The emphasis is placed on inclusive orientation of the school which should respond to children's needs by individualized methods and differentiated services.

The goal of the Vocational Education Development Strategy of Montenegro is to develop the ability of students with special needs so as to enable them to participate fully in the society to the extent of their preserved potentials and existing skills. Therefore, further schooling of children with special needs should place the emphasis on their orientation towards secondary vocational education. Vocational education can prepare these children adequately for independent living since vocational school classes enrol smaller number of students, opportunities for individual approach and gaining practical knowledge, skills and competences are higher."<sup>92</sup>

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92 Ibid, pp. 10-13

# Morocco

## ● Status of ratification

Convention on the Rights of Persons with Disabilities: State Party since 08/04/2009  
CADE: State Party since 30/08/1968

## ● Measures

“To foster equity for children and communities with special educational needs, the Ministry of Education guarantees access to education for children with specific needs (e.g. children with disabilities, child offenders, homeless children, child labourers) by implementing the following initiatives:

- Opening integrated classes in primary schools
- Improving access for children with disabilities to ordinary classes at school
- Organizing special education for children with disabilities
- Enforcing legislation and other applicable legal texts
- Providing education that is consistent with the needs of child offenders
- Defining a strategy for educating homeless children
- Defining a strategy for children living abroad
- Defining a strategy for the children of migrants who have returned to Morocco
- Defining a strategy for able and gifted students.

It should be noted that 351 children with disabilities have been given access to ordinary and specialized classes and that 114 integrated classes have been created, thus enabling the enrolment of 1,368 children with disabilities. Nonetheless, efforts must still be made to facilitate the education of children with special needs. Such efforts may involve cooperation with the Ministry of Social Development, Family and Solidarity.

The Ministry of National Education, in partnership with public bodies such as the Ministry of Health, the Mohammed V Foundation and other stakeholders, has made a great effort in the early detection of physical and sensory disabilities to ensure proper educational follow-up and support for pupils with these disabilities.

At the beginning of every school year, a multisectoral provincial commission is tasked with drawing up a list of all the children with disabilities that describes the nature and severity of the disability and with guiding them towards educational institutions that are adapted to their situation. Teams of specialized doctors and educators are tasked with their educational and medical follow-up. In addition, it should be noted that the Ministry of Health provides in-service learning for health professionals in various disability-related areas.”<sup>93</sup>

<sup>93</sup> Morocco Report submitted for the Eighth Consultation on the implementation of the Convention and Recommendation against Discrimination in Education (2006-2011), 2012, p. 12

# Nauru

## ● Status of ratification

Convention on the right of persons with disabilities: State Party since 27/06/2012  
CADE: Not yet a State Party to the Convention

## ● Legislative provisions

"The *Education Act 2011*, [...] affirms that every child has the right to education (see section 7(a)). Nauru is proposing in early 2013 to introduce to Parliament an Equal Opportunity Bill which will, among other things, prohibit discrimination on the grounds of sex, race, disability, age, sexuality, marital status or pregnancy (with some limited exceptions). It is expected that this Bill will be enacted and enter into force during the course of 2013."<sup>94</sup>

"Section 6(2) of the *Education Act* outlines specific ways in which the objects of the Act are to be achieved, which include [...] providing for the education of school-age children with disabilities; [...]"<sup>95</sup>

"The rights of persons with disabilities are protected in the Education Act. Part 11 of the Act makes provision for students with special educational needs, at the heart of which is section 95(1) which provides that:

*A school-age child with a disability must not be excluded from access to free primary and secondary education on the basis of the disability.*

The *Education Act* achieves this requirement in 2 express ways. Firstly through the principle of inclusive education under which school-age children who have a disability must, where practicable, be enrolled in and attend a school. Their attendance at a school is to include the opportunity to participate together with the other students at the school in the education and extra-curricular activities offered by the school. The Government is required under the *Education Act* to implement the principle of inclusive education, for example, by requiring schools to accommodate and support school-age children who have a disability and by ensuring that teachers are trained with additional modes of communication and educational techniques as may be required. These matters are specifically required by the *Education Act* to be considered in detail by a principal of a school in relation to the enrolment of a school-age child with a disability at the school.

Secondly, the *Education Act* requires the Minister for Education to establish a centre for special education of school-age children with disabilities who cannot attend school. The Able-Disable Centre currently has 37 students enrolled and 5 staff, including an expatriate special education adviser."<sup>96</sup>

94 Nauru Report submitted for the Eighth Consultation on the implementation of the Convention and Recommendation against Discrimination in Education (2006-2011), 2013, p. 2

95 *Ibid.*, p. 4

96 *Ibid.*, p. 11

# New Zealand

## ● Status of ratification

Convention on the right of persons with disabilities: State Party since 26/09/2008  
CADE: State Party since 12/02/1963

## ● Legislative provisions

"2.10 The Human Rights Act makes it unlawful to discriminate on 13 different grounds which are: sex (including pregnancy and childbirth); marital status; religious belief; ethical belief; colour; race; ethnic or national origins (including nationality or citizenship); disability; age; employment status; family status; political opinion; and sexual orientation."<sup>97</sup>

"2.13 There are a number of exceptions and justifications under Part 2 [of the Human Rights Act], which if applied, would legitimise otherwise discriminatory behaviour. (...) All areas include exceptions relating to disability which permit disabled people to be treated differently if the position could only be performed with adjustments to the workplace, or the work environment is such that there is a risk to the person or others."<sup>98</sup>

"2.22 The Education Standards Act 2001 (an amendment to the Education Act 1989), responds directly to the Human Rights Act 1993 by ensuring compliance with human rights standards particularly in areas of gender, marital status and disability. Education policy and administrative practice further supplement the realisation of this right. The Human Rights Act states specifically that it is unlawful to discriminate in the area of education."<sup>99</sup>

"4.7 New Zealand uses the term "special education" to refer to the provision of extra assistance, adapted programmes or learning environments, specialised equipment or materials to support children and young people with accessing the curriculum in a range of settings. As mentioned earlier in Chapter 2, Section 8 of the Education Act 1989 provides that people who have special educational needs (whether because of disability or otherwise) have the same rights to enrol and receive education at state schools as people who do not. Section 9 of the Education Act 1989 makes provision for special education for a person under the age of 21 who needs special education, with the agreement of the person's parents, either at a state school, a special school, a special class or a special clinic, or from a special service."<sup>100</sup>

"4.53 Section 8 (1) of the Education Act states that:...people who have special educational needs (whether because of disability or otherwise) have the same rights to enrol and receive education at state schools as people who do not. Legally therefore, no pupil should be denied access to a state school."<sup>101</sup>

## ● Measures

"1.51 (...) In addition, other national strategies have been developed for various target groups, such as the Maori Education Strategy Ka Hikitia – Managing for Success 2008-2012, the Pasifika Education Plan, and the New Zealand Disability Strategy (which includes a section on providing the best education for disabled people)."<sup>102</sup>

97 New Zealand Report submitted for the Eighth Consultation on the implementation of the Convention and Recommendation against Discrimination in Education (2006-2011), 2013, p.17

98 Ibid, p.18

99 Ibid, p.20

100 Ibid, pp.68-69

101 Ibid, p.78

102 Ibid, p.14

“4.8 The special education policy framework called Special Education 2000 was first announced in the 1996 Budget to enhance resourcing for children and young people with special education needs.

4.9 Children and young people with special education needs include learners with disabilities, learning difficulties, communication or behaviour difficulties, sensory or physical impairments. Special education in New Zealand is available for children with physical and/or intellectual impairments; hearing or vision difficulties; children who struggle with learning, communicating, or getting along with others; or who have an emotional or behavioural difficulty. Resources provided include specialist support, therapy, staffing, equipment and other materials, property modification and transport, as well as advice and specialist support.”<sup>103</sup>

“4.11 The New Zealand Disability Strategy is also relevant to special education, with its aim of removing the barriers which prevent disabled people from participating fully in society. Objective 3 of this strategy aims to provide the best education for disabled people. It seeks to improve education so that all children, youth, and adult learners will have equal opportunities to learn and develop in their local, regular educational centres.

4.12 The actions to be taken in the light of objective 3 in the New Zealand Disability Strategy are intended to prevent discrimination against disabled people. They include the following:

- ensure that no child is denied access to their local, regular school because of their impairment,
- support the development of effective communication by providing access to education in New Zealand Sign Language, communication technologies and human aids,
- ensure that teachers and other educators understand the learning needs of disabled people,
- ensure that disabled students, families, teachers and other educators have equitable access to the resources available to meet their needs,
- facilitate opportunities for disabled students to make contact with their disabled peers in other schools,
- improve schools’ responsiveness to and accountability for the needs of disabled students, promote appropriate and effective inclusive educational settings that will meet individual educational needs, and
- improve post-compulsory education options for disabled people, including promoting best practice, providing career guidance, increasing lifelong opportunities for learning and better aligning financial support with educational opportunities.

4.13 Government departments are expected to develop annual New Zealand Disability Strategy implementation work plans that detail what work they are doing to implement the Strategy. The Ministry of Education developed an action plan for the period 2006 to 2011 entitled *Better Outcomes for Children*. This plan focused attention on raising achievement and improving services for children who need extra help, and especially those eligible for service provision from the Ministry of Education’s Group Special Education.”<sup>104</sup>

“4.183 The policy and programmes to reduce inequalities endeavour to ensure that people in all groups, regardless of socio-economic status, ethnicity, disability or gender, succeed to the best of their ability and are positively engaged in effective and meaningful learning.”<sup>105</sup>

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103 Ibid, p.69

104 Ibid, pp.69-70

105 Ibid, p.105

“4.185 Rates of participation and achievement vary significantly between groups across New Zealand society. [...] But patterns of disparity are complex in relation to gender, region, ethnicity, special education needs, disability, language, and other characteristics. These significant factors are reflected in education outcomes.

4.186 The existence of differences between various groups is not an indication that these groups are the subject of overt discrimination. The reasons for the differences are complex. The existence and persistence of these differences, however, is a cause for concern in New Zealand, as it is in other societies. As a result, a priority for public policy in education is reducing inequalities in education outcomes.

4.187 Education has the potential to change patterns of inequality by bringing about positive life outcomes for students from all backgrounds. The government can influence inequalities through the education system and through the way education interacts with social and economic policy. Reducing inequalities in education is therefore a central focus for achieving the government’s goals and strategies in the education sector. It is also a central focus for the Ministry of Education in contributing to these goals and strategies.”<sup>106</sup>

“4.227 Activity that aims to reduce barriers to achievement for specific groups includes:

- improving the quality of teaching for diverse students through increased staffing levels in all schools, and professional development focused on responsive, inclusive teaching practices,
- the Schools Planning and Reporting system and the National Administrative Guidelines, which set expectations that schools will identify students at risk of not achieving and address their needs,
- [...]
- building skills and positive attitudes across the education system to improve learning outcomes for students with special education needs,
- [...]
- the Early Childhood Education (ECE) Strategic Plan’s participation goals, which focus on communities with low levels of participation, and include information for vulnerable families through parent support and development, brokerage through the Promoting Early Childhood Education Participation Project to address reasons for not participating, and funding for new ECE services in communities where there is not enough provision, and
- the Special Supplementary Grants, a national policy that promotes equality of educational opportunity through tertiary education institutes, and which provide funding to institutions to support students with disabilities and to lift the retention and completion rates of Māori and Pasifika students studying at degree level and above.”<sup>107</sup>

“4.232 The Ministry of Education continues to develop the set of indicators which track system performance across a range of key educational outcomes. In each of the measurement areas information is disaggregated as far as possible to enable the progress of diverse learners, including Māori, Pasifika and students from other ethnic groups, students with special education needs, students with disabilities and gifted students to be monitored.”<sup>108</sup>

“Special schooling

Students with physical or other disabilities may enrol either at regular schools as part of a mainstreaming policy or at a separate special school (as per section 8 of the Education Act

106 Ibid, p.105

107 Ibid, pp.113-114

108 Ibid, p.114

1989, which provides that people who have special educational needs have the same rights to enrol and receive education as people who do not). Resourcing schemes were introduced in 1997 to assist individuals with very high or high special education needs. The schemes fund extra teaching, specialist programming, therapy and education support for up to 7,000 children. Many of these students are in mainstream schools."<sup>109</sup>



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109 Ibid, pp.124-125



# Nigeria

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- **Status of ratification**

Convention on the right of persons with disabilities: State Party since 24/09/2010  
CADE: State Party since 18/11/1969

- **Measures**

“The special needs sector has received increased attention over the years. [...] The Federal Ministry of Education has introduced guidelines for inclusive education, including an implementation plan for the special needs Education Strategy (short-term, medium-term and long-term)”<sup>110</sup>

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<sup>110</sup> Nigeria Report submitted for the Eighth Consultation on the implementation of the Convention and Recommendation against Discrimination in Education (2006-2011), 2013, p. 1

# Norway

## ● Status of ratification

Convention on the right of persons with disabilities: State Party since 03/06/2013  
CADE: State Party since 08/01/1963

## ● Measures

“A number of specific measures that support and promote Inclusive Education are in operation, adapted to the various types of education and target groups. [...] Social-pedagogical, including:[...]national competence centres that provide specialized social-pedagogical diagnostic and support services to education institutions and individual learners with disabilities.”<sup>111</sup>

“Children with disabilities as well as children under the care of child welfare services are entitled to priority for admission to kindergartens. The municipality is responsible for ensuring and implementing this right. To a large extent, the needs for assistance and support in education can be met inside the framework of regular kindergartens and by means of adapted education in schools. Children below compulsory school age who need special educational assistance are also entitled to such help. Special educational assistance comprises one to two percent of pre-school children.”<sup>112</sup>

“The latest national endeavour to ensure full access to quality education and training for persons with disabilities/impairments is the White Paper/Report to the Storting entitled “Learning together”.”<sup>113</sup>

“The Norwegian student support system has mainstreaming as its major feature, providing basic loans and grants to all resident students in higher education through the State Education Loan Fund. Special grants are provided for students who fall ill or have children. During recent years, the system has been extended with special schemes for disabled students. These schemes allow additional grants, support during the summer months and additional coverage when the disability causes delays in study progress.”<sup>114</sup>

111 Norway Report submitted for the Eighth Consultation on the implementation of the Convention and Recommendation against Discrimination in Education (2006-2011), 2013, p. 8

112 Ibid, p. 9

113 Ibid, p. 11

114 Ibid, p. 13

# Panama

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- **Status of ratification**

Convention on the right of persons with disabilities: State Party since 07/08/2007  
CADE: State Party since 10/08/1967

- **Measures**

“Care and monitoring is given to pupils with disabilities and special educational needs, as well as to visually impaired pupils in the Louis Braille Centre; diagnosis and assessment of autism; and the detection of highly gifted students, without any kind of discrimination in teaching.”<sup>115</sup>

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<sup>115</sup> Panama Report submitted for the Eighth Consultation on the implementation of the Convention and Recommendation against Discrimination in Education (2006-2011), 2013, p. 4

# Philippines

## ● Status of ratification

Convention on the right of persons with disabilities: State Party since 15/04/2008  
CADE: State Party since 19/11/1964

## ● Constitutional provisions

“Article XIV, Section 2. The State shall: [...] (5) Provide adult citizens, the disabled, and out-of-school youth with training in civics, vocational efficiency and other skills.”<sup>116</sup>

## ● Measures

“**Special Needs Education Program (SNEP) and Special Education Program.** Recognizing the distinct needs of our differently-abled learners and in an effort to make our education inclusive, DepED has been implementing various programs and projects which address quality special education through the different significant key areas namely:

- Early intervention-ensuring that children with disabilities and their parents have access to suitable help and care;
- Removing barriers to learning – embedding inclusive practice in all schools and early years setting;
- Raising Expectations and Achievement – developing teaching skills and strategies and focusing on progress children make; and
- Delivering Improvement in Partnership – a hands-on approach on collaboration with parents and the community.

To help the teachers and learners in the learning process, four (4) volumes of elementary and secondary books have been transcribed into Braille. Additional resources were likewise distributed in the form of Braille papers, writing slates with stylus, and 165 copies of Filipino Braille Code.

Yearly, a capacity building program for teachers, administrators and Supervisors on SPED is conducted which aims to provide participants the 18-unit requirement in the materials program for teachers to meet the qualification standards of a SPED teachers and to better equip these teachers to handle the learners.

Apart from this, various capacity building programs have been conducted.

- A total of 31 SPED teachers were trained on how to handle children with hearing Impairment, visual impairment, multiple disabilities and children with intellectual disability.
- 30 Administrators and supervisors were trained on the organization, administration and Supervision of SPED which aims to provide the appropriate knowledge and skills necessary for the management of the education of children with specials needs.
- 30 SPED teachers completed the scholarship training for children with Autism Spectrum Disorder. The activity aims to provide teachers with appropriate knowledge and skills necessary for the management of learners with the said disability.
- Consultative workshop on Enhancing the Gifted and Talented Education. The workshop aims to formulate policies and recommendations to enhance the education of the

<sup>116</sup> Philippines Report submitted for the Eighth Consultation on the implementation of the Convention and Recommendation against Discrimination in Education (2006-2011), 2013, pp. 2-3

gifted and talented based on research findings. A Total of 35 SPED supervisors and administrator have participated in this activity which produced 16 proposals.

- SPED Caravan is an advocacy program which ensures that education services for children with special needs are brought in the communities where they reside. An awareness raising program which aims to increase participation rate of children with special needs. About 910 children with special needs were identified as a result of this campaign.

From 89 secondary schools in 2006, SPED has been expanded to 222 secondary schools across the country. Some of these schools are now equipped with some assistive devices, instructional materials and other facilities out of the Php 500,000.00 subsidy from the national government.

Teachers were also trained in basic classroom accommodation strategies for the differently-abled students.

In 2011, the following SPED Programs were conducted: Validation of the Modified Curriculum for Individuals with Moderate Disabilities at RELC, Marikina on September 21 – 23, 2011. Ten (10) validators and seven (7) BSE staff were involved in the validation phase of the documents.

The First (1st) National Secondary Level SPED Conference – Workshop was held at Tagaytay International Convention Center (TICC) on October 26 – 28, 2011. The objective of the conference participated in by three hundred seventy-eight (378) education supervisors, principals, guidance counselors, and teachers was to bring together secondary level special education practitioners and advocates to address pertinent issues on special education."<sup>117</sup>

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117 Ibid, pp. 17-18

# Poland

## ● Status of ratification

Convention on the right of persons with disabilities: State Party since 25/09/2012  
CADE: State Party since 15/09/1964

## ● Legislative provisions

“On 1 January 2011, the Act of 3 December 2010 *on the Implementation of certain European Union Regulations concerning Equal Treatment* entered in force. This Act specifies the areas and methods of protection against breaches of the principle of equal treatment on grounds of sex, racial, ethnic or national origin, religion or religious affiliation, belief, disability, age or sexual orientation as well as legal remedies for protection of the principle of equal treatment as well as competent authorities in that regard.”<sup>118</sup>

## ● Measures

“The Government Plenipotentiary for Equal Treatment (GPET) was appointed by the Regulation of the Council of Ministers of 22 April 2008. The GPET carries out the following tasks: implementation of the government’s policy concerning equal treatment, including measures to protect against discrimination, especially discrimination on grounds of sex, race, ethnic or national background, religion or religious affiliation, political beliefs, age, disability, sexual orientation, marital or family status [...]. The GPET carries out the tasks relating to protection against discrimination on grounds of disability together with the Government Plenipotentiary for Disabled Persons.”<sup>119</sup>

“Kindergartens and pre-school units of primary schools give priority to children at the age of 6 for one-year pre-school preparation. The second highest priority is given to children of single mothers or fathers, mothers or fathers with significant or moderate disabilities or total incapacity for work and reliance on care in accordance with other regulations, and also children placed in foster families.”<sup>120</sup>

“The Polish education system provides each and every student with special educational needs with developmental support as well as psychological and pedagogical assistance according to his/her developmental and educational needs.

These objectives are fulfilled in relation to children and youth with disabilities e.g. by: adapting the teaching content, methods and organisation to psychophysical abilities of students, providing psychological and pedagogical assistance and special forms of didactic work, providing a possibility of individual education programmes, teaching forms and programmes as well as revalidation activities.

Education of students with disabilities, socially maladjusted and at risk of social maladjustment is organised based on a decision about the need for special education issued by an evaluation board of a public psychological and pedagogical counselling service, including specialist counselling institutions.”<sup>121</sup>

“The regulations unequivocally set out the need for preparation of an individual developmental programme for a child with special educational needs (starting from pre-school education and at all stages of education) which would include educational services, different forms of

118 Poland Report submitted for the Eighth Consultation on the implementation of the Convention and Recommendation against Discrimination in Education (2006-2011), 2013, p. 5

119 *Ibid.*, p. 5

120 *Ibid.*, p. 6

121 *Ibid.*, p. 16

education, together with alternative options of fulfilling the obligation of school education and the obligation of learning, didactic and educational recommendations, specialist activities as well as suggestions concerning support for the educational and care-giving role of families. An individual approach to students with different types of dysfunctions who need support in the development of their talents and interests or in overcoming difficulties contributes to the greater effectiveness of their education and provides them with psychological and pedagogical assistance according to their needs and as close as possible to their place of education – in kindergartens, schools or education system institutions.”<sup>122</sup>

“Pursuant to legal regulations it is possible to hire additional teachers with qualifications in the area of special pedagogy in order to co-organise special education in integration kindergartens and schools and in integration units in mainstream kindergartens and schools (on a compulsory basis), and also in mainstream kindergartens and schools (with the consent of the kindergartens/schools governing bodies), as well as assistants of teachers.”<sup>123</sup>

“Students with disabilities take external examinations organised at the end of education in a given type of school (a test in the last year at primary school, examination in the last year at lower secondary school, baccalaureate examination and examination to test professional competence/examination to test professional qualifications) which are adapted in terms of the conditions and form of the examination to their disabilities.

Adaptation of the conditions governing the examinations referred to above to the type of disability as well as individual developmental and educational needs and psychophysical capacity of students or school graduates involves in particular:

- minimising limitations arising from the disability with the help of appropriate specialist equipment and didactic measures,
- providing appropriately longer time to complete the examination or test,
- ensuring the presence of a specialist for a given disability during the examination or test, if necessary to establish appropriate contact with the student or school graduate, or to have help in operating specialist equipment and didactic aids.”<sup>124</sup>

“Communes, as kindergarten governing bodies, are provided with financial support (as part of education subsidies) which allows them to provide children with disabilities with pre-school education and specialist assistance as close as possible to their place of residence. Thus, it is possible to prevent delayed fulfilment of their obligation of school education.”<sup>125</sup>

“Pursuant to art. 71d of the ESA the minister for education and upbringing provides financial support from the allocated portion of the state budget for school textbooks and additional book aids for special education of students who are blind or deaf and students with mental retardation or visual impairment.

At the request of the Ministry of National Education and from its budget school textbooks and book aids are adapted for blind students (in Braille) and those with visual impairment (large print) and adaptations recommended by schools are printed within the available means and capabilities. Electronic versions of textbooks in Braille are made available to schools and institutions on the website of the Ministry of National Education, in the IT system developed for this purpose, which enables headmasters of schools and institutions to download and print them, in whole or in part, on an on-going basis and according to the individual educational needs of students. The textbooks produced in large print, designed for students with visual

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122 Ibid, p. 17

123 Ibid, p. 18

124 Ibid, p. 18

125 Ibid, pp. 18-19

impairment, are provided to schools and facilities in hard copy version, according to the requisition order submitted to the Ministry of National Education.

Thus, it is possible to satisfy the needs of students in that regard, irrespective of the type of their school – public, integrated or special school.

For students with mental retardation and for deaf students the Ministry of National Education provides additional funds for textbooks designed specifically for special education. The rules for ordering such textbooks and providing them to schools have been agreed with the Ministry of National Education. Educational publishing houses, which distribute these textbooks, carry out orders received from schools based on completed order forms, approved by the competent regional educational inspectorate. Every order is delivered, if it complies with the criteria specified in the requisition form.

Additionally, for students with hearing or visual impairment, mild mental retardation, as part of the dedicated reserve – Implementation of the National Scholarship Programme, including school starter kit, financial support is provided for purchasing selected textbooks used in a given school for general education to such an extent as to address needs of these students. As a result every student with hearing or visual impairment or mild mental retardation can receive financial support for a purchase of textbooks, without the need to comply with the income criterion. The financial support provided for these students in the form of a school starter kit enables purchasing textbooks in accordance with recommendations of the teacher for the particular subject, which significantly increases educational opportunities of such students as it does not restrict the teacher's choice of textbooks to those prepared especially for students with disabilities, and students can take advantage of a wide variety of the textbooks available on the publishing market."<sup>126</sup>

"Each year the Ministry of National Education allocates funds to the implementation of the task called "Providing blind and visually impaired students with magazines designed for children and young people in Braille and large print". The objective of actions undertaken as part of the task is to:

- provide equal educational opportunities for blind and visually impaired students,
- develop talents and interests of blind and visually impaired students based on the didactic content of magazines designed for children and youth,
- support harmonious development of blind and visually impaired students,
- disseminate popular science magazines designed for children and youth among blind and visually impaired students,
- popularise reading among blind and visually impaired students."<sup>127</sup>

"As of 2009, a number of projects have been implemented as part of the competition "Development and pilot implementation of innovative teaching programmes for students with special educational needs using modern diagnostic and therapeutic methods for students with disabilities". The target group as part of the competition was comprised of schools and educational facilities providing educational services for students with special educational needs. Their objective is the development and pilot implementation of innovative teaching programmes for students with special educational needs using modern diagnostic and therapeutic methods for students with disabilities. Until the end of 2011 a total of 58 teaching programmes were developed, including 12 related to entrepreneurship, mathematics and natural sciences as well as technical sciences. The programmes have been implemented

126 Ibid, pp. 19-20

127 Ibid, p. 20



in 257 schools and educational facilities. A total of 834 teachers were prepared for the implementation of these programmes, and 5 819 students were provided with support.”<sup>128</sup>

“In 2010-2011, a system project titled “Improving the effectiveness of education for students with special educational needs” aimed at:

- preparing management and pedagogical staff in schools and education system facilities, pedagogical supervisor, representatives of local government units and other founding bodies of schools and education system facilities to ensure e.g. students with disabilities with support and individualised assistance in accordance with the objectives of the new legislation,
- supporting the groups referred to above in correct implementation of changes, in particular by informing, training and providing materials to facilitate the understanding of the essence of the changes and their practical application.

As part of the project referred to above more than 52 000 teachers throughout Poland were provided with trainings related to new models of working with children with special educational needs, including the implementation by schools of tasks related to the organisation and providing psychological and pedagogical assistance.

Also information and training meetings were conducted for the managing and pedagogical staff of schools and facilities, pedagogical supervisors and school governing bodies so that the cooperation of all entities providing children with individualised assistance and support is as effective as possible.

Also an information and communication platform was launched as part of the project to provide information about recommended changes, available for all beneficiaries of the education system. Headmasters and teachers could download from the platform and the website of the Ministry of National Education training materials with guidelines on how to work with children with special educational needs, including children with different types of disabilities. Training materials were also provided to kindergartens and schools.”<sup>129</sup>

“Since 2010 financial support under the “School Starter Kit” programme has also been available for pupils with visual or hearing impairment, mild mental retardation, multiple disabilities if one the disabilities is one of those referred to above, awarded a certificate of special educational needs.”<sup>130</sup>

“Among the programmes implemented by the National Fund for the Rehabilitation of Disabled (PFRON), the so-called “educational programmes” play an extremely significant role. Their launch (pursuant to art. 47 par. 1 sec 4 (a) of the Act of 27 August 1997 *on Professional and Social Rehabilitation and Employment of Disabled Persons*) aims at preparing people with disabilities to compete on the open labour market by making it possible for them to acquire high professional qualifications[...].”<sup>131</sup>

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128 Ibid, p. 21

129 Ibid, p. 21

130 Ibid, p. 33

131 Ibid, p. 34

# Qatar

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## ● Status of ratification

Convention on the right of persons with disabilities: State Party since 13/05/2008

CADE: Not yet a State Party to the Convention

## ● Measures

**Higher education** – “The system allows students to develop according to their ability so as to identify talent and helps students who may be in need of additional support such as students with special needs and disabilities. Policies provide for teachers or assistant teachers for children who cannot attend school or who represents a threat to their class-mates, whereas specialist organizations that specialize in rehabilitation work to develop the skills of groups than cannot be integrated.”<sup>132</sup>

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<sup>132</sup> Qatar Report submitted for the Eighth Consultation on the implementation of the Convention and Recommendation against Discrimination in Education (2006-2011), 2013, p. 8

# Romania

## ● Status of ratification

Convention on the right of persons with disabilities: State Party since 31/01/2011

CADE: State Party since 09/07/1964

## ● Legislative provisions

"[The Law of national education 1/2011] guarantees also in higher education non-discrimination on age, ethnicity, gender, social origin, political or religious orientation, sexual orientation or other types of discrimination, excepting the affirmative measures foreseen by the law (Article 118(2)) as well as other facilities for students with physical disabilities (Article 118(3), Article 202(1))."<sup>133</sup>

## ● Measures

"The project for early education reform (2007-2011) – this project was co-financed by The Romanian Government and The Bank for Development of The Council of Europe and aimed to offer educational support for the children with special needs from very small ages (0-3 years) in order to facilitate integration in mass preschool education. In a complementary approach, the project would ensure complex and integrated interventions through: creating special spaces meant for the activities of these children in new kindergartens, as well as special paths of access for children with motor disabilities; including special courses about the specific aspects implied by activities for children with disabilities in modules of professional training for teachers; creating and supplying special materials and books meant for parents of children with disabilities."<sup>134</sup>

"Special measures in order to ensure an inclusive education were taken through [...] **punctual programmes that aim well-defined target- groups** (children with disabilities) that have as priority objectives: to increase participation to various levels of education for the disadvantaged categories; to train human resources (pupils, teachers, parents, members of the community) involved in their education; to develop new structures with the role of promoting the inclusive education; to inform and sensitise various categories of population regarding different aspects of inclusive education. Some examples:

- Programmes of creating centres of information and intervention at national, regional and local level, in the field of social inclusion: *Centrul VOCE de Resurse RENINCO* (2005-2008) – with the role of informing, training and intervening in the field of inclusive education for youth with disabilities; *Save the children Centre for young volunteers* (2000-2008) – with the role of promoting the children's rights through projects and campaigns at national level.
- *Together for an inclusive education* project (2007-2008) – financed by The Open Society Foundation, the project had as its goal to promote inclusive education in Romania through extension and development of REI (the network of inclusive education) as a force of action to change mentality and attitude towards integration of children with disabilities in normal schools. The main target-groups were: teachers, specialists, parents, other organization and institutions that work with children with special educational requests."<sup>135</sup>

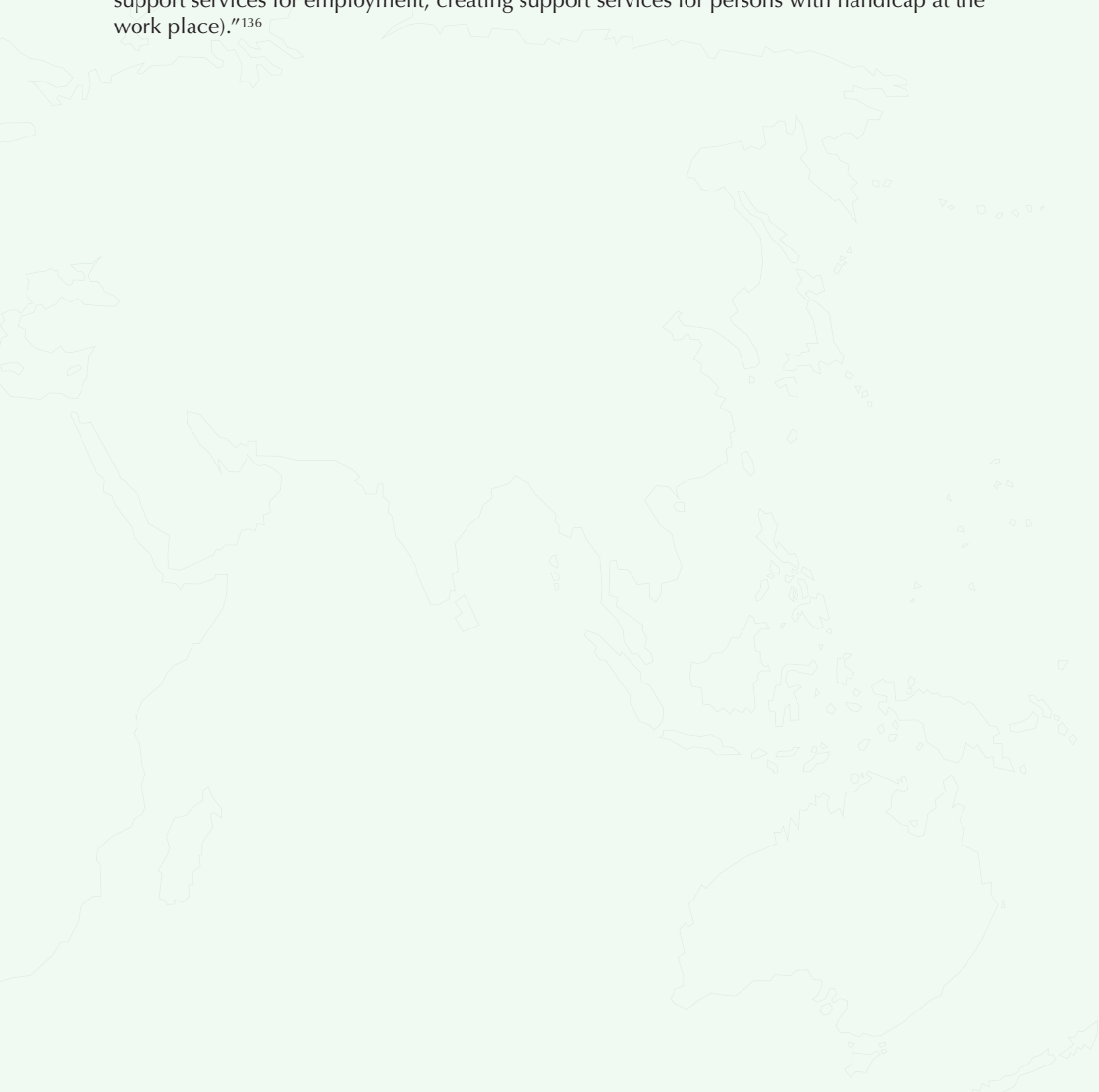
"The National Strategy for protection, integration and social inclusion for persons with handicap between 2006 - 2013 Equal chances for persons with handicap – towards a society

<sup>133</sup> Romania Report submitted for the Eighth Consultation on the implementation of the Convention and Recommendation against Discrimination in Education (2006-2011), 2013, p. 8

<sup>134</sup> *Ibid.*, p. 20

<sup>135</sup> *Ibid.*, pp. 21-22

with no discrimination – the aim of the Strategy is to ensure the fundamental rights and freedoms to persons with handicap, in order to increase their life quality, through promoting their social integration as active citizens able to control their life. Among the objectives specific to the Strategy there are: increasing the employment degree for persons with handicap (effective early support, including the development of the education system from early age compared to the identified needs in order to increase the degree of social inclusion; involving the employers; improving the educational and professional training system; improving the support services for employment; creating support services for persons with handicap at the work place).<sup>136</sup>



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136 Ibid, p. 26

# Russian Federation

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- **Status of ratification**

Convention on the right of persons with disabilities: State Party since 25/09/2012  
CADE: State Party since 01/08/1962

- **Measures**

“Admitted to the State-accredited higher educational institutions, for study funded by the Russian Federation budgetary system, on a non-competitive basis, on condition that they pass the entrance examinations, are [...] children with category I and II disabilities, for whom study in the appropriate higher educational institutes is not inadvisable in the opinion of a specialist Federal medical and social institute; [...]”<sup>137</sup>

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<sup>137</sup> Russian Federation Report submitted for the Eighth Consultation on the implementation of the Convention and Recommendation against Discrimination in Education (2006-2011), 2013, p. 4

# Serbia

## ● Status of ratification

Convention on the right of persons with disabilities: State Party since 31/07/2009  
CADE: State Party since 11/09/2001

## ● Constitutional provisions

*“Article 21 - All are equal before the Constitution and law. Everyone shall have the right to equal legal protection, without discrimination. All direct or indirect discrimination based on any grounds, particularly on race, sex, national origin, social origin, birth, religion, political or other opinion, property status, culture, language, age, mental or physical disability shall be prohibited.”<sup>138</sup>*

## ● Legislative provisions

**“Law on the Fundamentals of the Education System** - the Article 6 of this Law, [...] encompasses the position of persons with developmental impairments and disabilities, persons with exceptional abilities and foreign citizens in education [...]. Article 9, [...] prescribes the right to the use of language of national minorities, and/or the right of persons with developmental impairments and disabilities to use the sign language or special script and other technical solutions that may be used when delivering the education process in the sign language and with the use of the means of that language.”<sup>139</sup>

“Discrimination, violence, abuse and neglect of participants in the educational system are forms similar to gross violation of human rights and freedoms guaranteed by the Constitution. Provisions of the Article 44 of the LFES relate to detection of forms and prohibition of discrimination:

*Activities aimed at threatening, belittling, discriminating or singling out groups or individuals on the basis of their racial, national, ethnic, linguistic, religious background or gender, physical and psychological characteristics, developmental impairments and disabilities, health condition, age, social and cultural origin, financial status or political views as well as encouraging or not preventing such activities, and other types of activities stipulated by the law prescribing the prohibition of discrimination, shall be prohibited in an institution.[...]*

In order to provide equal treatment of pupils from vulnerable groups, the legal solution stipulates involvement of all pupils, regardless of their abilities - primarily pupils with developmental impairments and disabilities- in a joint educational environment of mainstream schools, with application of the individual education plans - IEP (Article 77):

*An institution shall eliminate physical and communication obstacles and adopt individual education plan for child or pupil in need of additional educational and pedagogical support, due to social deprivation, developmental impairment, physical disability or for other reasons. The aim of the IEP shall be to attain an optimal level of inclusion of a child or pupil into regular educational and pedagogical activities and to enable him/her to gain independence in his/her peer group.”<sup>140</sup>*

“The Law on Preschool Education sets forth that children with developmental impairments and disabilities shall exercise their right to preschool education in a preschool group,

<sup>138</sup> Serbia Report submitted for the Eighth Consultation on the implementation of the Convention and Recommendation against Discrimination in Education (2006-2011), 2013, p. 6

<sup>139</sup> *Ibid.*, p. 7

<sup>140</sup> *Ibid.*, pp. 7-8

preschool group with additional support and individual pedagogy-education plan and in development group.”<sup>141</sup>

## ● Measures

“Examination of a child entering the first grade of the primary school shall be performed by a psychologist and pedagogue of the school in child’s native language, by applying standard procedures and instruments. If there is no possibility for the child to undergo the test in his/her native language, the school shall outsource an interpreter at the proposal of the national council of the national minority. The examination of children with motoric or sensory disabilities may be carried out by applying the type of examination best suited for the child’s capacity to respond.”<sup>142</sup>

“Pupils with developmental impairments and disabilities are provided with a certain number of educational profiles with a three-year duration adjusted to their needs and abilities. All schools for pupils with developmental impairments and disabilities in the territory of the Republic of Serbia deliver adjusted programmes. Also, where needed, there are classes in mainstream primary schools for pupils with developmental impairments and disabilities. Teaching and associate staff acquire additional professional and pedagogical abilities and skills for work with sensitive groups of pupils-trainees.”<sup>143</sup>

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141 *Ibid.*, p. 10

142 *Ibid.*, p. 10

143 *Ibid.*, p. 16

# Slovakia

## ● Status of ratification

Convention on the right of persons with disabilities: State Party since 26/05/2010  
CADE: State Party since 31/03/1993

## ● Legislative provisions

“In July 2004 there came into effect in Slovakia act no. 365/2004 Z.z. on equal treatment in certain areas and on protection against discrimination and on the amendment of certain acts (the antidiscrimination act), as amended (the antidiscrimination act), which lays down the general framework for compliance with the principle of equal treatment in combination with the general provisions on equality laid down in the Constitution and other legislation with related content that the antidiscrimination act directly amended. [...] Section 5(1) of the antidiscrimination act states that “in accordance with the principle of equal treatment discriminatory treatment of persons on grounds falling under section 2(1) is prohibited in social security, healthcare, the provision of goods and services and in education.” and under section 2(1) of the antidiscrimination act “compliance with the principle of equal treatment involves the prohibition of discrimination on grounds of sex, religious belief or faith, membership of a national or ethnic group, disability, age, sexual orientation, marital status and family status, skin colour, language, political or other views, national or social origin, property, lineage or other status”.

An amendment of the antidiscrimination act in 2008 allowed a competent state body to adopt temporary balancing measures in response to violations of the principle of equal treatment. Such balancing measures must be used to achieve equal opportunities in practice with a view to eliminating forms of social and economic disadvantage and disadvantage due to age or disability. Temporary balancing measures include in particular measures to increase interest in employment, education, culture, health care and services amongst members of disadvantaged groups. Temporary balancing measures include the elimination of forms of social and economic disadvantage and disadvantage resulting from age and disability in order to ensure equal opportunities in practice.”<sup>144</sup>

“The Slovak government has made great efforts to ensure the exclusion of discrimination, as shown by section 55(2) of act no. 131/2002 Z.z. on higher education institutions and on the amendment of certain acts, as amended (the act on HEI) which states that “the rights laid down by this act are guaranteed equally to all applicants and students in accordance with the principle of equal treatment in education established by the relevant act, the antidiscrimination act). In accordance with the principle of equal treatment all discrimination is prohibited on grounds of age, sex, sexual orientation, marital status and family status, race, skin colour, disability, language, political or other opinions, membership of national minority, religion or belief, trade union activity, national or social origin, property, lineage or other status.””<sup>145</sup>

## ● Measures

“Municipalities as operators of primary schools under section 6(3)(c) of act no. **596/2003 Z.z.** and self-governing regions as operators of secondary schools under section 9(4) are obliged to provide education for children and pupils with special educational needs in

<sup>144</sup> Slovakia Report submitted for the Eighth Consultation on the implementation of the Convention and Recommendation against Discrimination in Education (2006-2011), 2013, p. 2

<sup>145</sup> *Ibid.*, p. 18



schools that they operate. Under these provisions it is not possible to exclude children with disabilities or weaknesses from the mainstream of education if the legal representative of the child does not decide to place the child in a special school. Children educated in special schools also receive education in accordance with the convention, i.e. education equal to that provided in mainstream schools with equal criteria for the same level of education; education is provided by university-qualified teachers who are specialised in the education of pupils with disabilities according to state education programmes.”<sup>146</sup>

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146 Ibid, p. 4

# Sri Lanka

## ● Status of ratification

Convention on the right of persons with disabilities: No yet a State Party to the Convention  
CADE: State Party since 11/08/1983

## ● Legislative provisions

*“1992 Trust fund Act for the Rehabilitation of the Visually Handicapped provides for education and training opportunities; financial assistance; housing provision and welfare schemes; marketing of products made by people with visual impairments; action to eliminate conditions which prevent gaining of equal rights and opportunities.*

1996 Right of persons with Disabilities Act No. 28 established the National Council and the National Secretariat for Persons with Disabilities.”<sup>147</sup>

## ● Measures

*“1997 general education reforms introduced the inclusion of children who have special education needs in the ordinary classroom (an approach which started in the early 1970s). Changes in the curriculum, counselling, career guidance, school-based management and new strategies for teacher education, were all promoted to benefit children who have disabilities within inclusive education.”<sup>148</sup>*

*“1996 National Health Policy provides for the improvement of the quality of life: reducing preventable diseases, running health programs on disability and health measures to prevent disability. Also provides for early childhood development of children with disabilities in rehabilitation; and Development Centers with individual services, pre-schools, house visits, assistance devices, parental counseling and awareness for children suffering from acute and chronic mental illnesses.”<sup>149</sup>*

*“2003 National Disability Policy provides the most comprehensive and progressive and holistic framework in Sri Lanka to date, for equality and opportunity for people with disabilities. This policy promotes community-based rehabilitation (CBR) and partnership with NGOs.”<sup>150</sup>*

*“Currently special education services are provided through 850 special education units in government schools and 25 assisted special schools, meeting the needs of disabled children including the visually impaired, hearing impaired, physically disabled and/or mentally challenged.*

General programs include:

- **Special schools** - run by the private sector for those who are severely disabled. These schools receive financial assistance from the Government
- **Special Education Units in schools** – with trained instructors and specialist facilities which pay special attention at an early stage and later direct students with disabilities into regular classes
- **Inclusion of disabled children's into regular schools**- The provision of education along with other students in the standard classroom is being introduced and explored, with the MoE providing special education equipment to schools such as Braille writing materials, equipment required by hearing impaired children and teaching/ learning aids

147 Sri Lanka Report submitted for the Eighth Consultation on the implementation of the Convention and Recommendation against Discrimination in Education (2006-2011), 2013, p. 4

148 Ibid, p. 2

149 Ibid, p. 4

150 Ibid, p. 5

for mentally challenged children. However, the process of identification of children with disabilities and assessment of their special needs is not yet well established.

Curriculum reform which includes the Child Friendly School (CFS) Framework, activity based learning; competency based approach to teaching and assessment and extended continuous assessment has all contributed towards making the mainstream education system more accessible to children with mild to moderate physical and mental disabilities.

A program for teacher training on inclusive education has been introduced in one of the NCoEs and the NIE has prepared materials for teacher training. A decision was taken to establish a Special Education Needs Department in one of the universities but the staff and resources have not yet been provided for this department."<sup>151</sup>

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151 Ibid, pp. 11-12

# Sweden

## ● Status of ratification

Convention on the right of persons with disabilities: State Party since 15/12/2008  
CADE: State Party since 21/03/1968

## ● Constitutional provisions

“According to the Instrument of Government (regeringsformen), which is part of the Swedish Constitution all public authorities are obliged to counteract discrimination due to sex, colour, national or ethnic origin, language, religion, disability, sexual orientation, age and ‘any other circumstances affecting the private person’.”<sup>152</sup>

## ● Legislative provisions

“The Discrimination Act (2008:567) (diskrimineringslagen) explicitly bans discrimination in the educational system related to a person’s sex, transgender identity or expression, ethnicity, religion or other belief, disability, sexual orientation or age. In addition to prohibiting discrimination the Discrimination Act (2008:567) also obliges pre-schools, schools and universities to actively prevent discrimination due to gender, ethnicity, religion or other belief, disability and sexual orientation.”<sup>153</sup>

## ● Measures

“There are also upper secondary schools for individuals with learning disabilities is contribution-free and a voluntary form of schooling that young people with intellectual disabilities can choose after completion of the compulsory school for children with intellectual disabilities or the school for children with profound intellectual disabilities. The different study programmes are mainly oriented on professional preparation.

Most young persons with functional impairment of different kinds attend ordinary upper secondary school classes, but there are also four special national upper secondary schools for students with physical disabilities in different parts of Sweden. Here the students are guaranteed personal care, boarding houses, treatment and training.”<sup>154</sup>

“The Swedish National Commission for UNESCO has for example published papers on the topic, such as “Guidelines for inclusion - ensuring access to Education for All” (UNESCO). The booklet was published in 2008 and launched together with The National Agency for Special Needs Education and Schools (Specialpedagogiska skolmyndigheten).”<sup>155</sup>

152 Sweden Report submitted for the Eighth Consultation on the implementation of the Convention and Recommendation against Discrimination in Education (2006-2011), 2013, p. 2

153 Ibid, p. 2

154 Ibid, pp. 9-10

155 Ibid, p. 23

# United Republic of Tanzania

## ● Status of ratification

Convention on the right of persons with disabilities: State Party since 10/11/2009  
CADE: State Party since 03/01/1979

## ● Measures

“The Primary Education Development Programme (PEDP) and Secondary Education Development Programme (SEDP) among other issues also focused on gender **equity** and **equity**. For example SEDP I and SEDP II focused on increasing A-level participation rates especially in the science subjects, improving girls participation and performances at all levels; improving access to secondary education for nomads’, marginalized groups and learners with disabilities, completing tasks such as expansion of Form 5, Open and Distance Learning. The ETP (1995 revised on March 2011), Article 5 sections 5.2.5 to 5.2.7 stipulates inclusive education context, that the government will ensure Early Child Development (ECD) centres are established and strengthened in primary schools and orphanage centres, children with disabilities have equal rights to education.

Furthermore, the Ministry of Education and Vocational Training has adopted Inclusive Education tool kit which stipulates access and provision to education to all regardless of their gender, races, age and disabilities. Also, National Strategy on Inclusive Education (2007-2017) is another action planned by the Ministry which states that all children, youths and adults in Tanzania have equitable and accessible quality education in inclusive settings. This strategy ensures that people with disabilities of special needs are also taken on board.”<sup>156</sup>

“There has been several activities taken carried out to raise public awareness on the principles of non discrimination. These include [...] sensitizing parents on importance of taking children with special needs to school”.<sup>157</sup>

“[...] The government, civil society and the private sector have used media to bring awareness to the society about non discriminatory practices in the provision of education services. The emphasis has been on sensitization of leaders at community levels to ensure that all children get education irrespective of their origin, colour, gender or special needs. For instance, community leaders have played a key role in making sure that parents who do not want to take their children to school are taken to task by informing responsible authorities.”<sup>158</sup>

<sup>156</sup> United Republic of Tanzania Report submitted for the Eighth Consultation on the implementation of the Convention and Recommendation against Discrimination in Education (2006-2011), 2013, p. 5

<sup>157</sup> *Ibid*, p. 10

<sup>158</sup> *Ibid*, p. 11

# Zimbabwe

## ● Status of ratification

Convention on the right of persons with disabilities: State Party since 23/09/2013  
CADE: State Party since 30/05/2006

## ● Constitutional provisions

“Section 23 [...]. Subsection (1) states, Subject to provisions of this section:

- a) no law shall make any provision that is discriminatory either of itself or in its effect; and
- b) no person shall be treated in a discriminatory manner by any person acting by virtue of any written law or in the performance of the functions of any public office or any public authority.

(2) For the purposes of subsection (1), a law shall be regarded as making a provision that is discriminatory and a person shall be regarded as having been treated in a discriminatory manner if, as a result of that law or treatment, persons of a particular description by race, tribe, place of origin, political opinions, colour, creed, sex, gender, marital status or physical disability are prejudicial

- a) by being subjected to a condition, restriction or disability to which other person of another such description are not made subject; or
- b) by the according to persons of another such description of a privilege or advantage which is not accorded to persons of the first – mentioned description;

and the imposition of that condition, restriction or disability or the according of that privilege or advantage is wholly or mainly attributable to the description by race, tribe, place of origin, political opinions, colour, gender, creed, sex, marital status or physical disability of the persons concerned.”<sup>159</sup>

## ● Legislative provisions

“The Disabled Persons Act [Chapter 17:01] [...] provides for the welfare and rehabilitation of disabled persons.”<sup>160</sup>

“According to the Education Act [Chapter 25:04], there should be no discrimination in the provision of primary education in Zimbabwe. But as the Marist International Solidarity Foundation noted, the Act fails to articulate the provision of education to persons with disability. This is left to be addressed in the Disability Act.”<sup>161</sup>

## ● Measures

“The Basic Education Assistance Module was launched by government to ensure that vulnerable children had access to education and were retained in the system. The programme, which temporarily ceased to function some years after its inception in 2000, was revitalised in 2009. Government sought and entered into partnership with the United Nations Children’s Emergency Fund (UNICEF) and the international donor community. The Ministry of Labour and Social Welfare administers the fund together with the Ministry of Education, Sport, Arts

<sup>159</sup> Zimbabwe Report submitted for the Eighth Consultation on the implementation of the Convention and Recommendation against Discrimination in Education (2006-2011), 2013, pp. 7-8

<sup>160</sup> *Ibid.*, p. 8

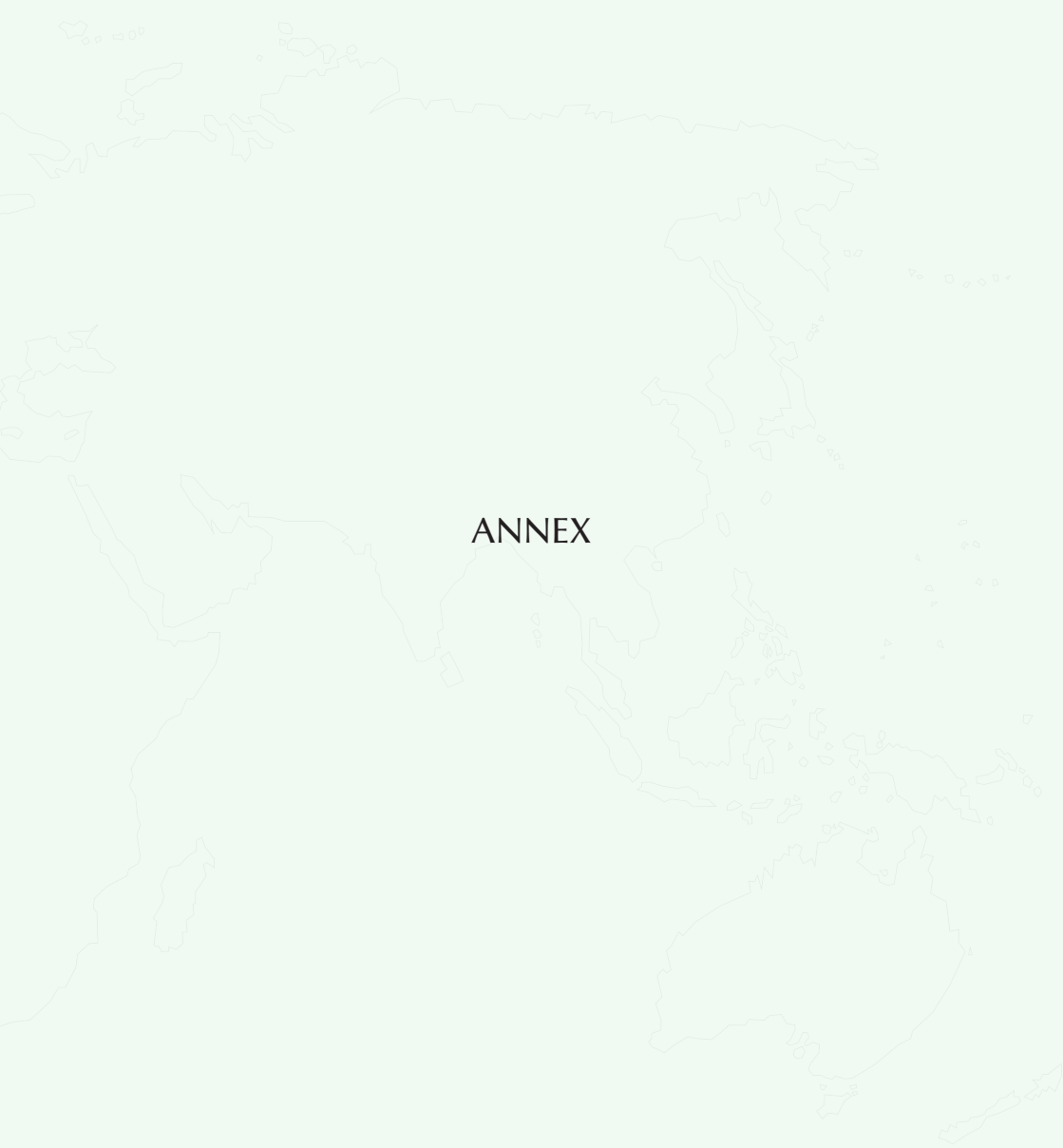
<sup>161</sup> *Ibid.*, p. 11

and Culture (MoESAC). BEAM assists disadvantaged children with the payment of tuition and examination fees and levies. According to MoESAC, the four education categories of people who receive assistance are:

- Children in school but failing to pay or having difficulties in paying levies and fees.
- Children who have dropped out of school due to economic reasons.
- Children of school going age who have never been to school due to economic reasons.
- Other types of social vulnerability for instance child-headed families, children living on the streets and children with special needs.<sup>162</sup>

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162 *Ibid*, pp. 18-19



# ANNEX



# Survey on the challenges to the right to education for persons with disabilities from a policy perspective

Draft Report 10<sup>th</sup> June 2014

Parul Bakhshi

## I. Background

The role of education as a process for fighting discrimination, promoting social justice and overcoming poverty has been undisputable (Caillods and Hallak 2004; Raffo & al 2009). The 2010 Global Monitoring Report (UNESCO 2010) focused on marginalization and 'educational poverty' and its links to well-being and human development (Unterhalter 2009). In many countries, education constitutes a fundamental tool to fight poverty (from a human rights perspective) or to promote economic growth (from a utilitarian perspective), and has been recognized in the World Bank's Millennium Development Goals (MDGs) (World Bank 2012), in UNESCO's Education for ALL initiatives (EFA) as well as in number of national policies. However, as the 2015 deadline approaches, experts are unanimous to say that the Millennium Development (MDG) Goal 2 pertaining to Universal Primary Education and Goal 3 (to promote gender equality) as well as the EFA goals set over two decades ago are not on track to be met; there are 69 million children of school-going age are not in school (United Nations 2010) and over 750 million adults have no literacy skills (UNESCO 2008).

## II. Article 24 of the UNCRPD: Implementation and Assessment

At the implementation and assessment levels, there seems to be a disconnect between policy documents and delivery where it matters most. It is clear that the theoretical lexis has evolved faster than implementation efficiency. In the second discussion we will examine to what extent the UNCRPD addresses issues of implementation and assessment of IE. The UNCRPD, article 24 specifically focuses on education of persons with disabilities and is centred on principles of equality of opportunity, developing potential and fostering participation. It urges States Parties to:

- Ensure access to "inclusive quality and free primary and secondary education";
- Provide "reasonable accommodation" and "effective individualized support measures (...) in environments that maximize academic and social developments.
- Train professionals on "disability awareness and the use of appropriate augmentative and alternative modes, means and formats of communication, educational techniques and materials to support persons with disabilities".

## III. The Survey

In view of the numerous questions regarding effective and quality inclusive education, a survey was launched through the WSIS-Knowledge Communities platform in order to gather information pertaining to article 24 of the UNCRPD. The over-arching aim of this online discussion is to identify some of the main challenges that efficiency of inclusive education faces in the post 2015 era. Through ongoing discussions with experts we established a list of challenges that various stakeholders face in the field of inclusive education. We asked respondents to identify what they view as main priorities that need to be addressed urgently.

The survey was active online for a month and participants from the Knowledge Community as well as various other persons working in the field of education were invited to complete the questionnaire.

A total of 116 from 50 different countries persons completed the survey. 45% of respondents were from NGOs and 33% were from the field of research. Policy makers and civil society accounted for 10% each.

#### **IV. In your opinion, what are the main challenges to policy development that continue to exclude persons with disabilities from inclusive and quality education opportunities?**

The main challenge to policy development identified was related to adequate funding (17.7%), followed by lack of a common system (17%) as well as lack of political will (16%). The main reasons given in the survey can be broken down into various categories:

##### **IV.1. Overall Concept of Education**

- In their qualitative answers, respondents identified the acceptance of a culture of inclusion as the major hurdle for effective policy development. There was an overall consensus that unless the political “attitude” changes, inclusion will just remain words on paper. Some felt that this was in part due to the fact that inclusive education is still not sufficiently defined and this not understood.
- This lack of political will is directly reflected in the allocation of resources. In LMICs there is an overall lack of resources at all levels. However some respondents also stated that in HICs where the resources do exist, there is a culture of special needs education that lobbies strongly against inclusion (i.e. Switzerland).
- In order for a true paradigm shift to happen towards inclusive education and to put into practice the UNCRPD, governments need to define the steps in a more precise and formal manner. There is a need for “deep discussion and thinking” to relate the CRPD to national legislation.
- Within the current push for privatization of education, in countries such as the UK there is more aid towards special education structures, which in turn maintain this view of children with disabilities being separate from mainstream.

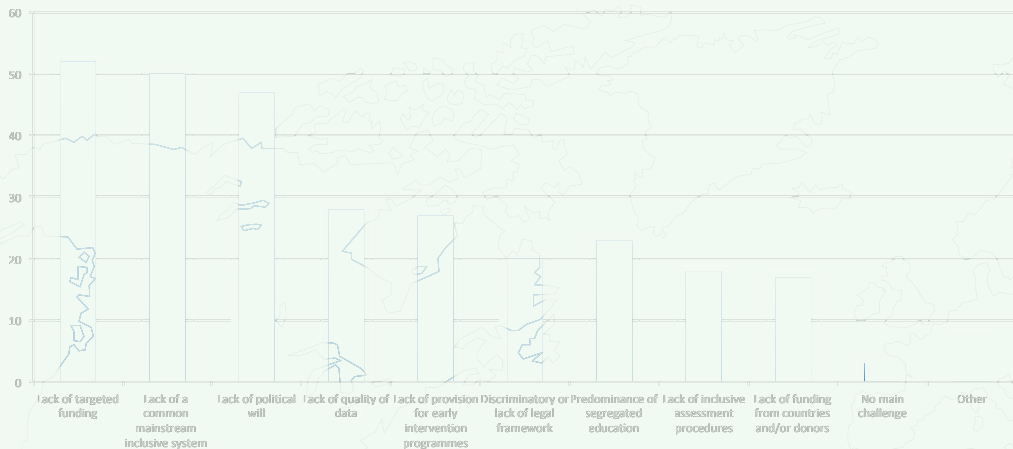
##### **IV.2. The role of data and assessment of education**

- Some respondents made a clear connection between availability of data and building accountability of education systems. The overall lack of any kind of information regarding education of children with disabilities (even in EMIS data) was seen as a major drawback for policy development in a targeted manner.
- The increase in use of standardized testing as the predominant means of assessing educational achievement was also seen as a challenge to policies that are inclusive.

##### **IV.3. Understanding the complexity of disability and inclusive education**

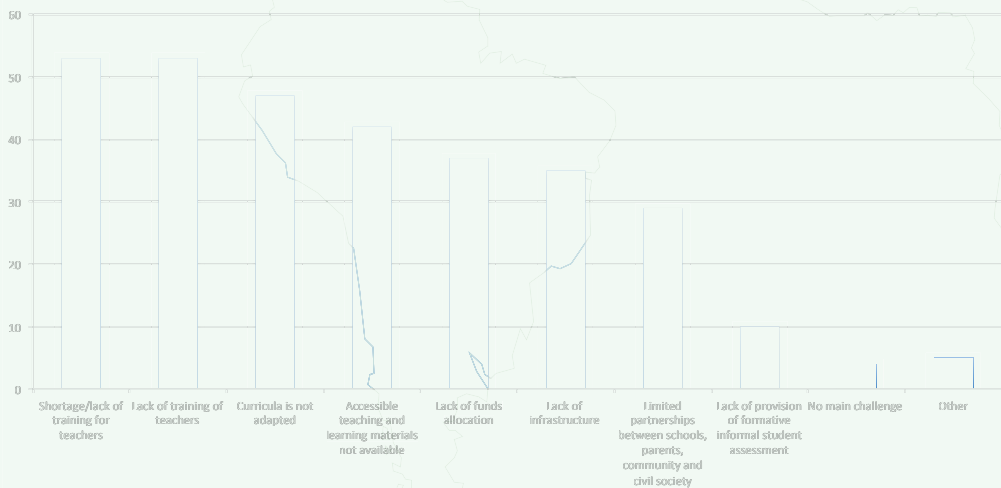
- There is a need to better understand the synergies between special needs education and inclusive education in view of the complexity and severity of the disability considered. Using inclusion as a blanket policy was seen as a weakness.

- Taking into account this complexity means rethinking the various parameters of inclusion: screening procedures, peer acceptance, support services, knowledge of behavior management techniques, Braille and sign language).



**V. In your opinion, what are the main challenges to policy implementation that continue to exclude persons with disabilities from inclusive and quality education opportunities?**

When asked to identify the main priorities for the implementation of policies, respondents identified the 2 answers related to teacher training as the main hurdle: 16.8% for training of teachers on inclusive practices and 16.8% for training of teachers to address specific respondents.



### **V.1. Need to focus strongly on teachers and other school staff**

- Many of the respondents felt that teachers lack of inclusive pedagogy and training. All school staff do not understand the value of inclusive practices and view this as additional work.
- Moreover, they lack incentives for including vulnerable children.
- Teachers lack knowledge about existing networks for proper assessment and referral.

### **V.2. Need to make curriculum more inclusive**

- Curriculum is usually not designed with inclusion in mind.
- Learning material does not take diversity into account. For physical disabilities, the answers are more evident in terms of accessibility of spaces. However other forms of disabilities need more complex approaches.

### **V.3. Develop stronger accountability networks**

- First and foremost the teachers need to work with parents
- Allocating resources to be managed by parents would also increase accountability towards inclusion.
- Corruption of officials leads to funds being misused. Often, too much bureaucratic paperwork's is discouraging.

## **VI. In your opinion, what are the main challenges to policy impact that continue to exclude persons with disabilities from inclusive and quality education opportunities?**

The main challenges that are impeding the impact of policies were lack of community awareness and support for the rights of persons with disabilities (32%) as well as discriminatory attitudes towards disability (28%).

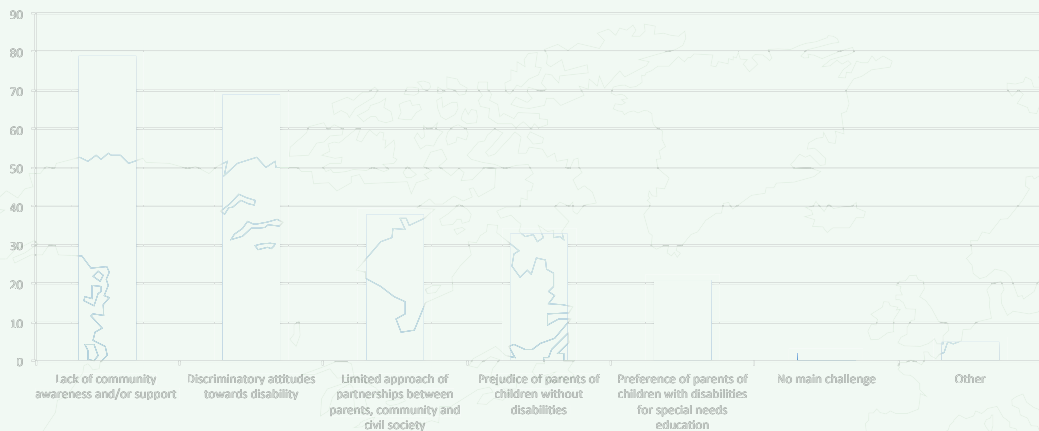
### **VI.1. Lack of awareness**

- There is general lack of awareness with regards to disability among all parents as well as the community
- Some conservative attitudes are sustained by special needs lobbies. As a results number of people do believe that children with disabilities.
- Charity-based models are too embedded in collective thinking to be uprooted easily.

### **VI.2. Parent's attitudes**

- Number of parents are protective of children with disabilities and believe that they will face bullying and prejudice in mainstream schools.
- Parents are not always aware of the UNCRPD
- For some forms of disabilities (especially sensory) parents believe that special needs settings are better.
- There are a number of families of children with disabilities in LMIC that are poor and are not aware of the potential of their children.

- Parents of non-disabled children believe that the level of teaching/learning will go down and that teachers will have less time to teach everyone adequately.



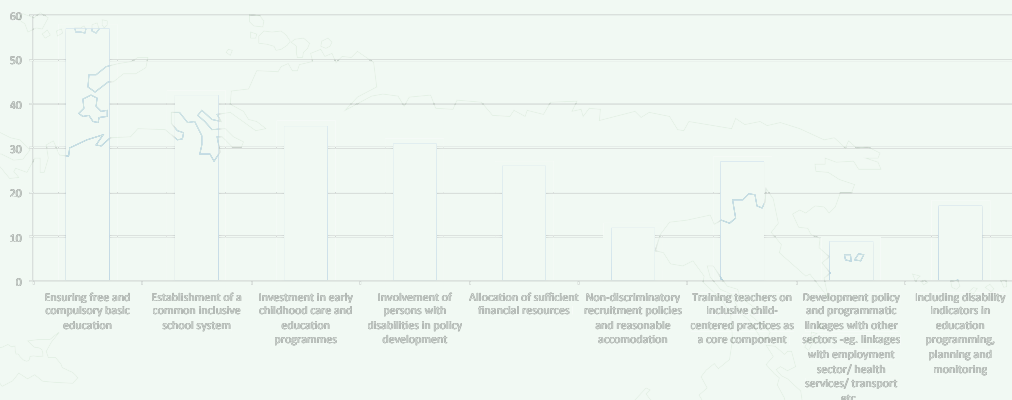
## VII. Provide a brief description/example of how the implementation of Article 24 of the UN Convention on the Rights of Persons with Disabilities

Participants provided examples of the initiatives that could help move towards that implementation of article 24.

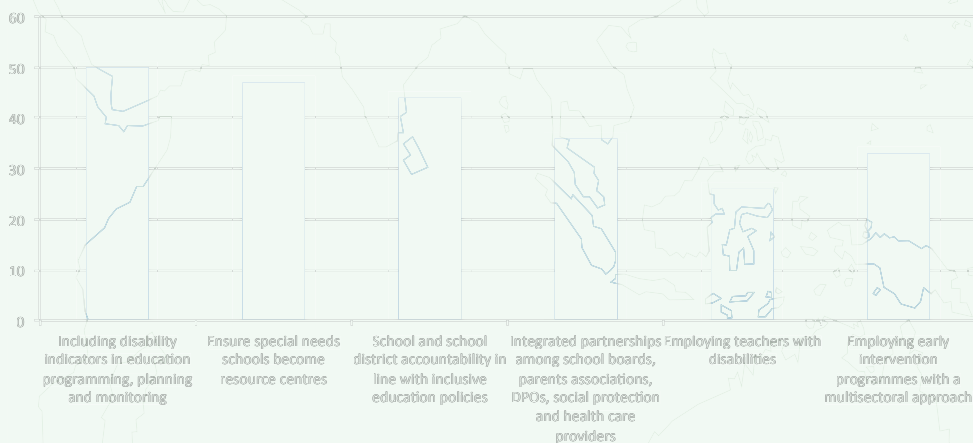
- Some examples were linked to raising awareness with regards to inclusion: anti-bullying campaigns, disability awareness in universities, showcasing of abilities such as Paralympics, disability equality training in schools.
- Examples of building unique support systems within mainstream education were also stated: itinerant teacher services to support visually impaired students, deaf students trained to be teachers' aid, attracting various types of children through provision of vocational training alongside mainstream classes, examples of integrated special classes within mainstream schools.
- Finally, initiatives for increasing accountability were stated: data collection for showing impact of inclusion on learning of all students, reinforcing parent's support systems, programmes for self assessment in Early Childhood Intervention.

## VIII. Ranging priorities for various Partners in Inclusive Education

### Priorities for National Governments (Ministries, policy-makers, teacher training institutions)



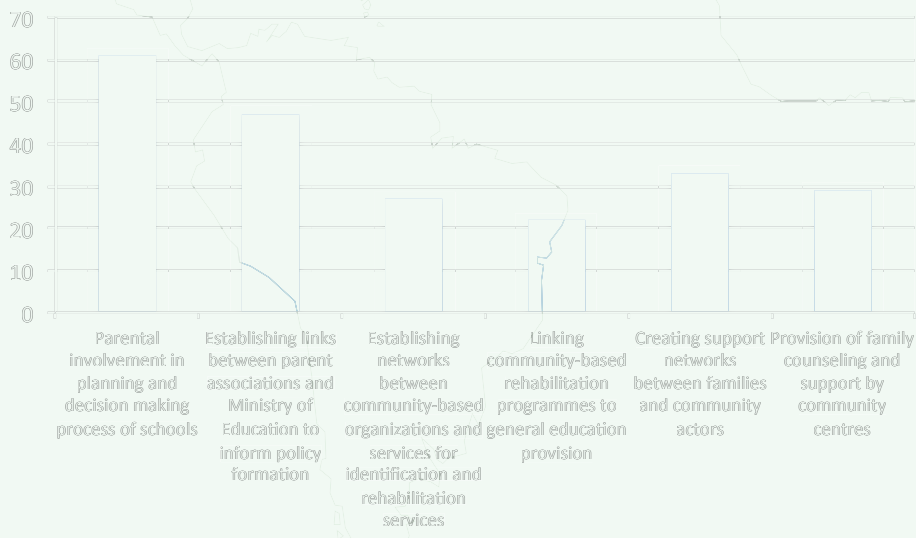
### Priorities for education stakeholders (MoE, Department of Education, school leaders, teachers, school boards, parents associations etc.)



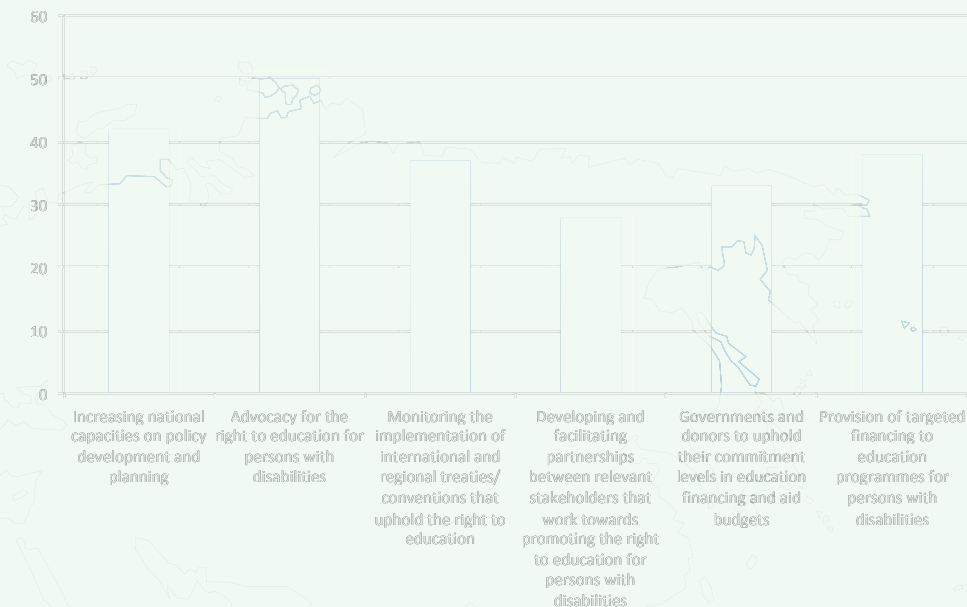
## Priorities for Civil Society organizations (including pressure groups and disabled people's organizations -DPOs)



## Priorities for Parents and other community actors



## Priorities for International and regional organizations (including UN system and donor community)



The respondents were asked to rank the priorities for each of the stakeholders in terms of importance. The numbers presented above take into account the answers that were ranked in the first 2 positions.

- The main priority for national governments is to move towards a culture of inclusive education and establish a common system;
- The priority for education stakeholders is to gather information and include disability indicators in planning and monitoring;
- The main priority for civil society is to more strongly advocate a rights-based approach towards inclusive education;
- The priority for parents was to be more involved in planning and decision-making processes in schools.
- The priority for international organizations is to advocate for right to education as well as increase national capacity.

Finally over 72% of respondents consider the lack of large-scale data collection tools, and thus lack of data on monitoring progress on the education of children, to be a barrier for governments to implement inclusive education policies.



| <b>Countries (50)</b> |   |
|-----------------------|---|
| Afghanistan           | 2 |
| Algeria               | 1 |
| Argentina             | 2 |
| Australia             | 4 |
| Austria               | 2 |
| Bhutan                | 1 |
| Brazil                | 4 |
| Canada                | 4 |
| China                 | 2 |
| Colombia              | 4 |
| Denmark               | 1 |
| Dominican Republic    | 1 |
| El Salvador           | 1 |
| Eritrea               | 1 |
| Ethiopia              | 2 |
| Fiji                  | 2 |
| Finland               | 2 |
| France                | 6 |
| Germany               | 1 |
| Ghana                 | 1 |
| Guatemala             | 1 |
| Guyana                | 1 |
| India                 | 5 |
| Kenya                 | 1 |
| Laos                  | 1 |
| Lebanon               | 1 |
| Madagascar            | 1 |
| Malawi                | 1 |
| Malta                 | 1 |
| Namibia               | 1 |
| New Zealand           | 4 |
| Nicaragua             | 1 |
| Nigeria               | 1 |
| Norway                | 1 |
| Papua New Guinea      | 1 |
| Paraguay              | 1 |
| Russia                | 4 |
| Senegal               | 1 |
| South Africa          | 6 |
| Sudan                 | 2 |
| Switzerland           | 3 |
| Thailand              | 2 |
| Trinidad and Tobago   | 6 |
| Tunisia               | 1 |
| Turkey                | 1 |
| Uganda                | 1 |
| United Kingdom        | 9 |
| United States         | 9 |
| Uruguay               | 1 |
| Zambia                | 1 |
| Zimbabwe              | 2 |