**“Day of General Discussion on the Right to Education of Persons with Disabilities”**

**Opening remarks by the Special Rapporteur on the Rights of Persons with Disabilities**

15 April 2015, PdN Room XVII

Ms. Chairperson of the CRPD Committee, Mr. Special Envoy on Disability and Accessibility, members of the Committee, ladies and gentlemen,

It is an honour for me to be here with you today and I would like to thank the organizers for inviting me to present opening remarks during this Day of General Discussion on the Right to Education of Persons with Disabilities. I believe this is a great opportunity to reflect together on how to overcome challenges so as to make inclusive education a reality for persons with disabilities across the globe.

As you know, in my capacity as UN Special Rapporteur on the rights of persons with disabilities, I am mandated – *inter alia* – to develop a regular dialogue and to consult with a broad variety of stakeholders, including persons with disabilities and their representative organisations, to identify, exchange and promote good practices relating to the realization of the rights of persons with disabilities and their participation as equal members of society, as well as to make concrete recommendations on how to better promote and protect their rights. In the area of education, there is interesting precedent to build upon, such as the report from 2007 of the previous Special Rapporteur on education, Vernon Muñoz, on the right to education of persons with disabilities – in which he elaborated on the normative content of the right to inclusive education and made recommendations on an improved realization of this right – and a broad range of more recent reports and studies by various stakeholders.

The mandate entrusted to me by the Human Rights Council is broad in scope and invites for a comprehensive approach to the advancement of the rights of persons with disabilities. As outlined in my first report to the Human Rights Council earlier this year, I will be focusing my work over three thematic areas which, in my view, constitute the most urgent challenges for the enjoyment of human rights by persons with disabilities and which are linked to the enjoyment of the right to education by persons with disabilities, namely: (a) promoting active citizenship of persons with disabilities in all decision-making processes affecting their lives; (b) combating poverty, including by promoting access to inclusive education and employment; and (c) promoting change in social perceptions about persons with disabilities, including in the education system so as to counter stigmatization and discrimination.

While considerable efforts have been made to elaborate on the concept of inclusive education in theoretical terms, including through national initiatives in many parts of the world, several States still face difficulties in translating this concept into practical and concrete measures so as to establish a truly inclusive education system, where children with disabilities exercise the right to education on an equal basis with others. Therefore, I believe it is necessary to further **clarify the concept of inclusive education and provide practical guidance** to States and other stakeholders who are called upon to implement article 24 of the CRPD on how to transition from exclusion, segregation or integration approaches traditionally adopted by school systems, and move towards inclusive education.

Within the framework of my mandate to provide advisory services and technical assistance for the effective realization of the rights of persons with disabilities, I have started reflecting on this issue, and I would like to share with you my initial thoughts. I believe that States and other stakeholders would benefit from the **development of strategic guidance** to serve as a starting point to ensure that certain core minimum elements necessary to move towards inclusive education become part of every relevant process in the area of education at the national level.

Today’s discussion on the right to education of persons with disabilities could serve as a platform for discussion to identify some of these **core minimum elements**, which could then become part of the practical guidance to be provided in the General Comment. Let me elaborate on some of these possible elements which, from my perspective, should be included in a practical guidance on inclusive education, while noting that this would by no means constitute an exhaustive list:

1. All children must receive education in mainstream schools, and States must enforce a “no-rejection” policy, to be clearly spelled out in education laws;
2. In the context of general education, children with disabilities must be provided with the support and accommodation necessary to ensure their full inclusion;
3. A distinction must be made between reasonable accommodation as an individual measure linked to non-discrimination, and accessibility measures to be progressively realised, while working towards the implementation of both at the same time;
4. Education systems must move away from an approach requiring children with disabilities to adapt to the needs of mainstream schools, to one in which the education system adjusts and responds to the needs of all children;
5. States must take appropriate measures to ensure that children with disabilities learn life and social development skills to enable their full participation in education and in society, including the provision of alternative languages, modes and means of inclusive communication;
6. Education systems must not only focus on developing adequate academic learning programmes, but also ensure that these are provided in a conducive social environment, which contributes to learning and interaction among all children, including children with disabilities.
7. States must adopt transformation plans aimed at progressively making structural changes in education systems world-wide, in particular with regard to the organization, curriculum, teaching and learning strategies, and training of teachers to ensure that children with disabilities are not merely integrated in mainstream schools, but can fully participate on an equal basis with others.

Given the broad scope of the right to inclusive education, comprising persons of all ages and at all stages of learning, I would consider as a matter of priority to focus on **primary and secondary education**, to ensure that future generations of children with disabilities, who are at the very beginning of their life cycle, are no longer excluded or segregated from society, with serious negative consequences on their personal development and integration in society. Inclusive education from the outset would lay the foundation for lifelong inclusion of children with disabilities in both education and society and contribute to their empowerment, thus preventing or reducing the risks of exclusion and multiple discrimination. Additionally, it could also contribute to reducing the secondary effects related to caregivers, often the mothers or sisters of children with disabilities, who devote their time to their care.

Ladies and gentlemen,

While universal primary education was regrettably not fully achieved in the MDGs because of the exclusion of persons with disabilities in the goals, targets or implementation frameworks the post-2015 development agenda provides a space to redress this major gap. In this regard, I have been actively supporting the endorsement of a Sustainable Development Goal which ensures inclusive and equitable quality education for all children and youth.

I look forward to what I believe will be a very fruitful discussion today, and I am sure that this is only the beginning of our joint efforts to promote and ensure the practical implementation of the right to education for persons with disabilities.

In my role as Special Rapporteur, I intend to facilitate cooperation among stakeholders and build bridges between projects, initiatives and stakeholders, and countries and continents, with a view to creating platforms for the exchange of good practices and lessons learned. Your suggestions on how I can further promote the agenda of inclusive education within the scope of my mandate – such as during country visits, within the framework of technical assistance to States, or in analysing and responding to communications – as well as any key messages you may wish me to convey, are highly appreciated.

Thank you.