

HELLENIC REPUBLIC
NATIONAL COMMISSION FOR HUMAN RIGHTS

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**The Greek National Commission's for Human Rights (GNCHR)
views on the Draft General Comment on Article 24 CRPD**

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The Greek National Commission for Human Rights (GNCHR)

The Greek National Commission for Human Rights (hereinafter GNCHR) is the independent advisory body to the Greek State on matters pertaining to human rights protection. It was established by Law 2667/1998 and is functioning in accordance with the UN Paris Principles. Its 63 members (and alternate members) are designated by institutions whose activities cover the field of human rights (NGOs, trade unions, independent authorities, universities, bar associations, political parties, Parliament and the Administration). The GNCHR has been accredited, since 2002, *A status* by the International Coordinating Committee of National Institutions for the Promotion and Protection of Human Rights, recognising – among others – its institutional independence and the broadness of its mandate.

In view of the fundamental role played by the GNCHR in promoting and protecting human rights, safeguarding the rights of persons with disabilities has always been high on the GNCHR

agenda¹. Within the framework of its mission, the GNCHR has organised consultations with stakeholders involved in the protection and promotion of the rights of persons with disabilities and formulated certain recommendations regarding the implementation of the legislation on Special Education in Greece². Moreover, the GNCHR has recommended to the Greek State to proceed with the ratification of the International Convention on the Rights of Persons with Disabilities and its Optional Protocol, which were signed by Greece on 33.3.2007 and on 9.27.2010 respectively³. Further to the GNCHR Recommendations, Law 4074/2012 on the “Ratification of the UN Convention on the Rights of Persons with Disabilities and the Optional Protocol to the Convention on the Rights of Persons with Disabilities” (OGG 88 A'), which came into force on 30.6.2012, ratified both the Convention and its Protocol.

Draft General Comment n° 4 on Article 24 CRPD – The right to inclusive education

The GNCHR wishes to thank the Committee on the Rights of Persons with Disabilities (hereinafter Committee) for this opportunity to comment on the draft General Comment on Article 24 and would like to make the following observations and proposals to the text.

The GNCHR is in full agreement with the general principles of the Committee’s Draft General Comment on Article 24 of the CRPD and considers them as a valuable tool in the interpretation and implementation of the right to inclusive education.

That being said, the GNCHR would like to emphasise the importance of the **challenges arising out of the current socio-economic crisis**, which exacerbate the chronic problems observed in the education of children with disabilities. The GNCHR has already voiced its concern for the impact of austerity measures on the outbreak of discrimination on multiple levels and the sharp

¹ Some of the GNCHR Recommendations and Comments on this matter are the following:

- [Protection of the rights of older persons](#), 20.11.2014;
- [International Convention on the Rights of Persons with Disabilities](#): Problems regarding its implementation, 9.10.2014;
- ICC: First Meeting between the CRPD Committee and NHRIs Greek National Commission for Human Rights [Oral statement](#), 23.9.2014;
- GNCHR [Recommendations](#) on the Bill on Special Education, 10.7.2014;
- GNCHR [Recommendations](#) of the National Commission for Human Rights (NCHR) for Childhood Protection: «Health and Welfare», 8.5.2014;
- GNCHR [Comments regarding Law 3304/2005](#) on “Implementation of the principle of equal treatment irrespective of racial or ethnic origin, religious or other beliefs, disability, age or sexual orientation”, 18.2.2010;
- GNCHR [Proposals](#) regarding the implementation of Law 3699/2008 Special Education of Persons with Disabilities or Special Educational Needs, 9.4.2009.

² GNCHR, [Recommendations](#) on the Bill on Special Education, 10.7.2014; [Proposals](#) regarding the implementation of Law 3699/2008 Special Education of Persons with Disabilities or Special Educational Needs, 9.4.2009.

³ GNCHR, “Proposals regarding the implementation of Law 3699/2008 Special Education of Persons with Disabilities or Special Educational Needs”, *Annual Report 2009*.

decline in social rights⁴ and considers that the very strong link between poverty and disability should be highlighted in the draft general comment.

Furthermore, the GNCHR would like to draw attention to the imperative need to continuously assess, in consultation with the relevant stakeholders, the **human rights impact of austerity measures**⁵. It is of crucial importance, especially in times of crisis, for protecting and promoting human rights, to create a permanent mechanism, which would evaluate and assess **effectively** the impact of **economic crisis and** austerity measures on both the enjoyment of and access to the **rights of persons with disabilities, crucial aspect of which is the right** to inclusive education.

Continued dialogue

Last but not least, the GNCHR would also like to take this opportunity to encourage the Committee to maintain a close dialogue with all stakeholders since it is highly important that the work of the Committee is well received by as many stakeholders as possible.

The GNCHR remains vigilant when it comes to safeguarding the full enjoyment without discrimination of the rights and freedoms of persons with disabilities and is at your disposal for any further information. Looking forward to a fruitful collaboration with you.

With best regards



Georgios Stavropoulos

President of the Greek National Commission for Human Rights

⁴ See GNCHR, [Statement of the Greek National Commission for Human Rights \(GNCHR\) on the impact of the continuing austerity measures on human rights](#), 15.7.2015; [GNCHR Recommendations on the Bill on Special Education](#), 10.7.2014 (to be published in English); [GNCHR Recommendation and decisions of international bodies on the conformity of austerity measures with international human rights standards](#), 27.6.2013; [GNCHR Recommendation: On the imperative need to reverse the sharp decline in civil liberties and social rights](#), 8.12.2011 and [Decision on the need for constant respect of human rights during the implementation of the fiscal and social exit strategy from the debt crisis](#), 7.6.2010.

⁵ *Ibidem*.