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# **IDA submission on the CRC Committee’s draft general comment 26 on children’s rights and the environment with a special focus on climate change**

February 2023

The International Disability Alliance (IDA) is a network of global and regional organisations of persons with disabilities (OPDs) comprising eight global and six regional DPOs. Established in 1999, each IDA member represents a large number of national organizations of persons with disabilities (OPDs) from around the globe, covering the whole range of disability constituencies. IDA thus represents the collective global voice of persons with disabilities counting among the more than 1 billion persons with disabilities worldwide, the world’s largest – and most frequently overlooked – minority group. IDA’s mission is to advance the human rights of persons with disabilities as a united voice of organisations of persons with disabilities utilising the Convention on the Rights of Persons with Disabilities and other human rights instruments.

## Introduction

1. IDA welcomes the initiative by the Committee on the Rights of the Child (*hereinafter* “the Committee”) to call for comments to its draft general comment 26 on children’s rights and the environment with a special focus on climate change (*hereinafter* “the draft GC”). IDA commends the Committee for mainstreaming the rights of children with disabilities by including references to children with disabilities throughout the text (paras. 18, 21, 34, 50, 51, 56, 86 and 105). IDA emphasizes that a including disability perspective to climate change is key to guaranteeing and safeguarding rights of children with disabilities who are among the most vulnerable populations to the impact of climate change.
2. This submission follows IDA’s previous one on the “Global Online Questionnaire towards the CRC general comment” (March 2022), addressing key issues and making suggestions to enhance the draft general comment, based on human rights standards on the rights of persons with disabilities, including the Convention on the Rights of Persons with Disabilities (*hereinafter* “the CRPD”) and the jurisprudence of the Committee on the Rights of Persons with Disabilities (*hereinafter* “the CRPD Committee”).
3. In doing so, IDA proposes modifications to the draft to emphasise the impact of environmental degradation and climate change on children with disabilities, and to reflect a better understanding of disability in line with the CRPD, hoping to enhance the “particular attention to the multiple barriers faced by groups of children in disadvantaged or marginalized situations in enjoying their rights related to the environment.”[[1]](#endnote-1) Sections II and III of this submission provide a background on children with disabilities and environmental degradation and tackle conceptual issues related to disability, and section IV provides substantive suggestions to the draft general comment text.

## Background on children with disabilities, environmental degradation and climate change: urgent need for inclusive policies and responses

1. Children with disabilities are disproportionally impacted by environmental degradation and climate change, and the related natural disasters. This is due to their over-representation among people living in poverty, the pervasive barriers in accessing basic goods and services (water and sanitation, food and nutrition, healthcare), the lack accessibility of the built environment, transportation, information and communication, the lack of accessibility of support services in emergencies, and the overall lack of inclusion in environmental, disaster risk reduction and emergency response policies.
2. In [IDA’s submission for the Day of General Discussion on Children’s rights and the environment](https://www.ohchr.org/sites/default/files/Documents/HRBodies/CRC/Discussions/2016/InternationalDisabilityAlliance.docx)at the 73rd session of the CRC Committee, IDA addressed four main issues, all of which remain relevant: inclusive disaster risk reduction policies,inclusive social protection policies, access to information on environmental issues and environmental policies for children with disabilities; andparticipation of children with disabilities in shaping environmental policies.
3. Since then, climate change and action has gained relevance, visibility, and momentum, justifying the focus of the draft general comment. This phenomenon brings new concerns for persons with disabilities both because of the impact of climate change itself. Some persons with disabilities might have impairments that affect “thermoregulation or make them more sensitive to heat, such as multiple sclerosis, spinal cord injuries, and cerebral palsy.”[[2]](#footnote-1)Some others might have other conditions particularly impacted by related factors, such as persons with albinism endangered by sun exposure and “individuals with allergies or respiratory conditions such as chronic obstructive pulmonary disease and asthma will experience intensified symptoms due to increased exposure to air pollutants (ozone, fine particles, and aeroallergens.”[[3]](#footnote-2)
4. Measures based on environmental concerns but adopted without the participation of persons with disabilities, and thus lacking attention to their concerns, might have negative impacts and cause additional barriers and restrictions of rights to persons with disabilities.For instance, many persons with physical disabilities use straws for drinking water and beverages. Environmental concerns might impose the prohibition of offering customers plastic straws in coffee-places or restaurants. If persons with disabilities are not consulted prior to setting the prohibition, alternatives may not be proposed nor put in place (e.g., production and availability of reusable straws in places open to the public).
5. Other examples can be imagined of measures adopted based on environmental concerns without considering their negative impact on the rights of persons with disabilities. For instance, the production, commercialization, affordability, and access to already expensive high-tech electric assistive devices for mobility could be affected by measures prohibiting the use of specific components (without reflecting on alternatives) or due to restrictions related to the consumption of electricity.

## Conceptual and terminology issues following the UN Convention on the Rights of Persons with Disabilities

1. It is well established that the CRPD represents a paradigm shift in the understanding of “disability”, moving away from outdated models to a human rights model of disability. Paragraph e of the CRPD is very clear: *“Recognizing* that **… disability** results from the **interaction** between persons with **impairments** and attitudinal and environmental **barriers** that hinders their full and effective participation in society on an equal basis with others”[[4]](#endnote-2)
2. Article 1 CRPD provides that “[p]ersons with disabilities include those who have long-term physical, mental, intellectual or sensory **impairments** which in **interaction** with various barriers may hinder their full and effective participation in society on an equal basis with others.”[[5]](#endnote-3)
3. The UNCRPD came to shift the understanding of the term “disability” and introduce the term “impairment” in international human rights treaties. Both terms should be used in line with the CRPD, because not doing so leads to misunderstanding of the nature of disability preventing focusing on the barriers existing in the environment, which cause the experience of “disability” and the restriction in participation and enjoyment of rights.
4. Duly concerned with the impact of environmental degradation on children’s health and development, paragraph 21 of the draft GC uses these terms incorrectly. From a general perspective, environmental degradation is a factor that can cause **health issues or conditions that may become “impairments”** on children. If in their interaction, these children face barriers in society leading to restriction of participation and rights, they would only then be considered “children with disabilities”.
5. A related concern is the use of the term “**behavioural** impairments,” which seems to reflect a medicalised, pathologizing and ableist approach to children not respectful of their diversity and diverse educational needs. Understanding that the CRC Committee is envisaging here “children with mental health conditions”, another clarification might be helpful. The OHCHR has distinguished “**persons with mental health conditions**” (medical perspective) from “**persons with psychosocial disabilities**, namely, persons who, regardless of self-identification or diagnosis of a mental health condition, face restrictions in the exercise of their rights and barriers to participation on the basis of an actual or perceived impairment.”[[6]](#endnote-4)
6. A similar concern for the impact of environmental degradation leads to paragraph 27’s use of “mental health problems,” raising a related terminology issue, from the perspective of the CRPD.
7. While noting that paras. 21 and 27 simply want to highlight the impact on children’s health, IDA proposes the following drafting, for purposes of consistency with CRPD and inclusiveness:

* For para. 21: “can easily disrupt maturational processes of brains, organs and immune systems and cause permanent disease, **~~disabilities including behavioural~~** **primary impairments on children, and aggravation of primary impairments and/or secondary impairments on children with disabilities**, during and beyond childhood, sometimes after a substantial latency period.
* For para. 27: “Another concern is children’s current and anticipated psychosocial, emotional and mental health **~~problems and suffering~~** conditions caused by environmental harm.”

1. The concepts advance in the paragraphs above also call to request the modification of paragraph 86 on access to information, which, as drafted, reinforces a negative connotation and misinterpretation of “disability” as an “obstacle”, when the barrier would be the lack of availability of accessible formats. IDA suggests the following modification:

* Para. 86: “Information should be disseminated in a way appropriate to the age and capacities of children, **in accessible formats for all children, including children with disabilities,** **~~overcoming obstacles~~** **accounting for issues** such as illiteracy, **~~disability~~**, language, distance and limited access to information technology.

## The rights of children with disabilities and the environment with a special focus on climate change

1. **Before moving into specific issues, IDA would like to propose to the CRC Committee to consider placing subsections G, H, I and J as the first four subsections of section IV, given their general and crosscutting nature.**

### Right to life of children with disabilities

1. **Paragraph 16** ends by referring to special measures of protection of “those [children] in disadvantaged situations.” The subsection (paras. 16 and 17), however, does neither offer any concrete example for the reader to reflect about the differential risks to life and specific needs of protection of “disadvantaged groups”,[[7]](#footnote-3) nor identifies children with disabilities within those groups leading to the risk of being overlooked.
2. As human rights mechanisms shift focus to a human rights-based approach to climate action, there is increased awareness and recognition that a child rights approach to climate action should pay attention to children in the most vulnerable situations, specifically children with disabilities.[[8]](#endnote-5) This recognition stems from the fact that children with disabilities are “disproportionately affected by the adverse impacts of disasters and are at greater risk of death, injury and additional impairments owing to their general exclusion from disaster risk reduction policies, plans and programmes.”[[9]](#endnote-6) In particular, climate change can expose children with albinism to higher risks of skin cancer,[[10]](#endnote-7) due to lack of protective measures, e.g. lack of awareness-raising measures and of sunscreen as an accessible and essential medicine, drastically reducing their life expectancy.[[11]](#endnote-8)
3. **IDA recommends that these two examples -risk of death of children with disabilities during disasters and risk of skin cancer for children with albinism increased by climate change- should be included in para 16 to demonstrate the correlation between right to life and disproportionate climate action impact on “disadvantaged groups”, and explicitly, children with disabilities.**

### The right to the highest attainable standard of health of children with disabilities

1. Paragraph 28 enumerates States obligations to adopt appropriate policy and legislative measures to address impact of environmental degradation on right to health for children. IDA believes that such policy and legal system must explicitly incorporate an intersectional approach taking into consideration challenges and requirements of different groups of children including children with disabilities.
2. IDA proposes addition of the below phrase to Paragraph 28:

* “Legislative and institutional frameworks, …, **should adopt an intersectional approach ensuring consideration of additional barriers and specific requirements children with disabilities**, should effectively protect children’s…”.

1. **Paragraph 29** of the draft GC stresses on the need for “particular attention […] to underserved and hard-to-reach populations”. This framing might be interpreted narrowly in terms of geographical accessibility. To make clear the full scope of this paragraph, it would be desirable to reflect explicitly the barriers faced children with disabilities in accessing health care, both in general and during emergencies.
2. Children with disabilities face specific impacts and all kinds of barriers in this area. Overrepresented among those living in poverty and requiring specific healthcare services related to their impairment, lack of affordability, accessibility, quality, and coverage of healthcare constitute a major obstacle for children with disabilities. In addition, lack of accessibility of transportation and of hospitals and health care centers (e.g. lack of ramps, signage, etc.) and communication therein (e.g. lack of accessible age-appropriate child-friendly resources on health-related information, restricts access to health-care of children with disabilities. For instance, during the COVID-19 pandemic, cases were documented where children with disabilities, especially children with intellectual disabilities, were excluded from the sensitization packs due to the inaccessibility of the materials.[[12]](#endnote-9)
3. During emergency situations, following a natural disaster, the situation only gets worse as health-care systems get disrupted and emergency responses, including evacuation and relocation, might exclude children with disabilities. Families might struggle or be unable to reestablish health-care support networks for their relatives with disabilities.[[13]](#endnote-10)
4. Thus, IDA proposes the inclusion of the following phrase:
   * “… to environmental health hazards, **affordable, and accessible to children with disabilities and responsive to their needs, including during humanitarian emergencies”**
5. **Paragraph 30** duly points out the challenges of data collection, in especially regarding environmental health risks. The relevance of referring to children with disabilities in this context cannot be overestimated.[[14]](#endnote-11) Data collection on disability during childhood is a technically complex area on which the Washington Group on Disability Statistics and UNICEF have made great steps forward by developing the Module on Child Functioning and Disability, seeking to develop a tool for census and surveys in line with the CRPD. The 2022 UNICEF report “Seen, counted, included: Using data to shed light on the well-being of children with disabilities” is the first of its kind.
6. In this vein, IDA proposes review of para 30 as follows:
   * “… to vulnerabilities and disparities. **Data collection efforts should disaggregate based on disability, by following methodologies as those proposed by the UNICEF and the Washington Group on Disability Statistics.” [[15]](#endnote-12)**
7. **Importantly, this comment and proposal on data collection also applies to current paragraphs 51 and 81, where similar amendments should be done to ensure that all data collection efforts addressed by the draft GC include disability disaggregation.**

### The right to the inclusive education of children with disabilities: enhancing inclusion and preventing retrogressions during emergencies

1. IDA highly appreciates the reference in paragraph 34 to the promotion of “positive roles of girls and children with disabilities in environmental protection”, principle that educational measures should acknowledge. However, we consider that the inclusiveness of this section could be enhanced.
2. **IDA suggests that the draft GC refers to “inclusive education” throughout the section**, reflecting the concept enshrined in Article 24 of the CRPD, but also in CRC Committee’s practice. This Committee has adopted this concept in its general comment no. 9, and then throughout its concluding observations.[[16]](#endnote-13) Highlighting importantly that “inclusive education is a set of values, principles and practices that seeks meaningful, effective, and quality education for all students, that does justice to the **diversity of learning conditions and requirements not only of children with disabilities, but for all students**.”[[17]](#endnote-14)
3. **Paragraph 36 calls for “**physically safe, healthy and resilient infrastructure for effective learning.” IDA suggests adding “accessibility” as essential key to ensure education for children with disabilities.
4. **Paragraph 37** of the draft GC calls for measures in case of events disrupting normal practices. In emergencies, learners with disabilities are at an even higher risk of marginalization compared to normal times. For instance, due to lack of consultation, online education during the Covid-19 pandemic created new barriers for children with disabilities,[[18]](#endnote-15) due to lack of accessibility of software, disruption of support measures and/or reasonable accommodation, allocated in normal times.[[19]](#endnote-16)
5. On this regard, IDA proposes the following text to add to paragraph 37:
   * “**Measures taken during emergency situation in order to ensure service continuity should be inclusive and not create new barriers for children with disabilities, and should be adopted following thorough consultations with children, including children with disabilities.”**

### The right to adequate standard of living and social protection of children with disabilities and their families

1. IDA welcomes the very relevant section on adequate standard of living, and in particular, that the CRC Committee urges States to “introduce features into social security policies and social protection floors that provide children and their families with protection against climate and environmental shocks and slow-onset harm.” Yet, IDA believes the text should explicitly address the requirements of children with disabilities, given that, in many contexts, they -and their families- are highly dependent on social protection systems and policies by ministries of social affairs, given their disadvantaged socioeconomical situation and the unavailability of affordable support services.
2. Article 28 of the CRPD and the CRPD Committee’s jurisprudence should be considered as essential references in this area. That Committee has made clear that social protection measures should cover the extra costs associated to disability[[20]](#endnote-17) and should ensure the availability of support services.[[21]](#endnote-18) Both elements gain even more relevance in the context of “climate and environmental shocks and slow-onset harm”.
3. **Thus, IDA proposes the following text to add to paragraph 41:**
   * “**Social protection programmes should ensure coverage of disability related extra costs and support services to children with disabilities affected.”**
4. Welcoming paragraph 42 on adequate housing, IDA alerts on the need to refer to disability related requirements for States to fulfil. In many contexts of humanitarian emergencies, children with disabilities face the risk of being placed in institutions, in violation of their rights, due to lack of support services to them and their families -already overstressed by the general situation- and lack of adequate housing arrangements.
5. Complementing then the previous elements, IDA proposes to edit paragraph 42 as follows:
   * “, including sustainable and resilient infrastructure, **which follows the principles of universal design, accessibility and adaptability for children with disabilities, and ~~that~~** **which** is not built on polluted sites nor in proximity to pollution sources or radiation”

### Rights of indigenous children with disabilities

1. IDA welcomes the highlighting of indigenous children in the draft GC. Yet, the intersection of disability with indigenous background puts indigenous children with disabilities in a very difficult situation of exclusion. As this CRC Committee has mentioned: “All appropriate and necessary measures undertaken to protect and promote the rights of children with disabilities must include and pay special attention to the particular vulnerability and needs of children belonging to minorities and indigenous children who are more likely to be already marginalized within their communities.”[[22]](#endnote-19) The reverse is also true.
2. Strengthening intersectionality, IDA proposes the following amendment to paragraph 49:
   * “…while ensuring the right to life, survival and development of Indigenous children, **as well as adopting an intersectional approach that considers the needs and rights of children with disabilities within indigenous communities”**

### Non-discrimination of children with disabilities

1. IDA welcomes the references to children with disabilities in paragraphs 50 and 51. Yet, a reference to normative anti-discrimination frameworks that are comprehensive and cover all kinds of discrimination and related concepts, would be highly beneficial for children with disabilities and other groups.
2. IDA proposes then the following as first phrase of paragraph 51:
   * “**States should review and ensure their legal anti-discrimination frameworks are applicable in connection to the environment and climate change and tackle all forms of discrimination, including multiple and intersectional discrimination, denial of reasonable accommodation to children with disabilities, discrimination by association, among others**.**”**

### The right to be heard of children with disabilities: disability appropriate support and participation in decision making

1. IDA cannot stress enough the relevance of this right for the inclusion of children with disabilities in decision making related to environmental policies and climate action. Articles 4(3) and 7 of the CRPD come to reinforce this point with concrete elements.
2. Article 4(3) CRPD requires States to “actively consult and closely involve” children with disabilities in public decision making on issues that concerns them. The CRPD Committee has highlighted the importance of organizations and initiatives of children with disabilities -and the supportive role adults can play-,[[23]](#endnote-20) and illustrated States duties on their regard, [[24]](#endnote-21) including the allocation of funds to ensure their full and effective participation.[[25]](#endnote-22)
3. In particular, and in line with Article 7(2) of the CRPD, the CRPD Committee requires States to:

“provide children with disabilities with **support in their decision-making**, by, among other things, equipping them with, and enabling them to use, any **mode of communication necessary** to facilitate the expression of their views, including child-friendly information, and adequate support for self-advocacy, and ensure appropriate training for all professionals working with and for such children. States parties should also provide **disability and age-appropriate assistance and procedures, and support** for children with disabilities...”[[26]](#endnote-23)

1. IDA believe that such elements should be better reflect in paragraphs 56 to 58, to strengthen the message of inclusion of children with disabilities in decision making. Concrete edits could be:
   * To paragraph 56: “… special strategies may be required, such as **support in their decision-making and alternative modes of communication**, to empower children in…”
   * To paragraph 57: “…age-appropriate information, **including in accessible formats for children with disabilities**, adequate time…”
   * “…child-led organizations or groups, in decision-making processes relating to the environment. **States should support the development, strengthening of children’s organizations and initiatives especially of marginalised groups including through the allocation of funds and capacity building to ensure their full and effective participation**…**”**

### The right to health, clean and sustainable environment.

1. IDA welcomes the elaboration of substantive and procedural elements of the right to clean, healthy and sustainable environment by the Committee from children’s rights point of view.
2. However, IDA believes that specific elements regarding marginalised children at situations of vulnerability including children with disabilities could be improved. In particular, paragraph 74 could include reference to “access to information, participation in decision-making **and empowerment of all children in particular […] children with disabilities** […], and access to…”.

### General obligations of States

1. IDA welcomes the elaboration of States obligations to ensure children rights facing environmental degradation and climate change. Yet, the intersectionality approach and additional obligations regarding marginalized children requires further emphasis. For example, for **paragraph 75**, IDA suggests adding a specific reference to mitigation and prevention of the impacts of environment-related disasters on children with disabilities by establishing accessible early-warning systems.
2. Paragraph 79 highlights States obligations to dedicate maximum available resources to realize children’s rights in relation to the environment. Many barriers and shortcomings faced by children with disabilities are rooted in lack of adequate resources to ensure their inclusion and participation. Therefore, IDA suggests adding the phrase “ensuring allocation of adequate resources to address specific challenges faced by marginalized children … including nchildren with disabilities …”
3. Regarding child rights impact assessment (paragraph 88), IDA suggests explicit mentioning of children with disabilities as “children most at risk” who require special impact of environmental and climate-related actions

## Closing remarks

1. The right to a healthy environment has received increased attention as the impact of climate change has begun to be felt around the globe, and not just in small States in the Pacific region. The level of awareness and the felling of urgency keeps increasing as the world witnesses more human tragedies and lives lost caused by an increased number of natural disasters and the impact slow onset effects.
2. States measures are very much needed in diverse fronts and urgently: from transitioning to a low carbon economy and adopting strict environmental impacts assessments to ensure that civil protection measures considered the rights of children. In that context, the urgency can lead to overlooking marginalized children, including the usually forgotten children with disabilities. Appreciating the efforts of the CRC Committee, this submission simply comes to shed light on them for the Committee to enhance its own inclusive initiative.

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1. Draft general comment, para. 7. [↑](#endnote-ref-1)
2. See Jodoin, Sébastien and Lofts, Katherine A and Lofts, Katherine A and Ananthamoorthy, Nilani, A Disability Rights Approach to Climate Governance (May 25, 2020). Ecology Law Quarterly, Vol. 47, No. 1, 2020, Available at <https://ssrn.com/abstract=3610193> or [http://dx.doi.org/10.2139/ssrn.3610193](https://dx.doi.org/10.2139/ssrn.3610193) [↑](#footnote-ref-1)
3. Idem. [↑](#footnote-ref-2)
4. UNCRPD, Preamble, para e (emphasis added). [↑](#endnote-ref-2)
5. UNCRPD, Article 1 (emphasis added). [↑](#endnote-ref-3)
6. A/HRC/34/32, para. 5. Given the CRPD thematic scope, the CRPD Committee utilises the term “persons with psychosocial disabilities,” in line with this definition. [↑](#endnote-ref-4)
7. “Marginalised groups” is preferable to stress on the societal attitude of relegation and exclusion. [↑](#footnote-ref-3)
8. See e.g., Africa Committee of Experts on the Rights and Welfare of the Child (ACERWC), RESOLUTION N° 18/2022 OF THE ACERWC WORKING GROUP ON CHILDREN’S RIGHTS AND CLIMATE CHANGE TO INTEGRATE A CHILD RIGHTS-BASED APPROACH INTO CLIMATE CHANGE ACTION <https://www.acerwc.africa/sites/default/files/2022-10/Resolution-No-182022-on-Integrating-a-Child-Rights-Based-Approach-to-Climate-Change-Responses\_0.pdf> [↑](#endnote-ref-5)
9. A/HRC/44/30, para. 10.See also <https://www.undrr.org/news/un-2013-global-survey-explains-why-so-many-people-living-disabilities-die-disasters>. [↑](#endnote-ref-6)
10. Climate change increases the prevalence of skin cancer (see Parker, Eva Rawlings MD. The influence of climate change on skin cancer incidence – A review of the evidence. International Journal of Women's Dermatology 7(1):p 17-27, January 2021. | DOI: 10.1016/j.ijwd.2020.07.003) and persons with albinism are characterised by “visual impairment to varying degrees and high vulnerability to skin damage from ultraviolet rays, in particular skin cancer” (see A/73/181, para. 6). [↑](#endnote-ref-7)
11. See A/HRC/37/57 para. 36, indicating that “It has been indicated in several reports that most persons with albinism in sub- Saharan Africa die from skin cancer between the ages of 30 and 40 years”. [↑](#endnote-ref-8)
12. The Effects of COVID-19 on Children and Youth with Disabilities in Africa <https://ablechildafrica.org/wp-content/uploads/2020/05/The-Effects-of-Covid-19-on-Children-and-Youth-with-Disabilities-in-Africa-1.pdf> [↑](#endnote-ref-9)
13. US National Council on Disability, *The Impact of Hurricanes Katrina and Rita on People with Disabilities: A Look Back and Remaining Challenges*, August 2006. [↑](#endnote-ref-10)
14. Years ago, in 2006, the CRC Committee itself stated in its general comment No. 9 (2006): The rights of children with disabilities: “The importance of this issue is often overlooked and not viewed as a priority despite the fact that it has an impact … on the distribution of very valuable resources needed to fund programmes. … . States parties are encouraged to establish an appropriate definition that guarantees the inclusion of all children with disabilities so that children with disabilities may benefit from the special protection and programmes developed for them. Extra efforts are often needed to collect data on children with disabilities because they are often hidden by their parents or others caring for the child.” [↑](#endnote-ref-11)
15. See <https://data.unicef.org/resources/module-child-functioning/>. [↑](#endnote-ref-12)
16. See, among others, CRC/C/CYP/CO/5-6, para 36 (d); CRC/C/NLD/CO/5-6, para 15(g), 27 (a); CRC/C/KHM/CO/4-6, para 42 (d); CRC/C/CHL/CO/6-7, para 28 (c) (d); CRC/C/CUB/CO/3-6, para 44 (a). [↑](#endnote-ref-13)
17. CRC Committee, general comment no. 9 on children with disabilities, para. 67. [↑](#endnote-ref-14)
18. See CRC Committee, general comment no. 25 on on children’s rights in relation to the digital environment (2021), paras. 89 to 92. Para. 89 reads: “States parties should […] take steps to *prevent the creation of new barriers* and to remove existing barriers faced by children with disabilities in relation to the digital environment” (emphasis added). [↑](#endnote-ref-15)
19. See e.g.,Kate Henley Averett**,** ‘Remote Learning, COVID-19, and Children with Disabilities’

    available at < https://doi.org/10.1177/23328584211058471> [↑](#endnote-ref-16)
20. See, among many others, CRPD/C/IDN/CO/1, para 59 (b); CRPD/C/BGD/CO/1, para 54 (a); CRPD/C/LAO/CO/1, para 53 (c); CRPD/C/JAM/CO/1, para 51 (b); CRPD/C/GC/5, para 59; para 62. [↑](#endnote-ref-17)
21. CRPD/C/RWA/CO/1, para 52; CRPD/C/PRT/CO/1, para 53; CRPD/C/KEN/CO/1, para 50. [↑](#endnote-ref-18)
22. CRC Committee, general comment no. 9 on children with disabilities, para. 80. [↑](#endnote-ref-19)
23. CRPD Committee, general comment no. 7 on articles 4(3) and 33(3) CRPD, para 12(f): “(f) Organizations and initiatives of children and young persons with disabilities, which are fundamental for the participation of children in public and community life and for their right to be heard and their freedom of expression and association. Adults have a key and supportive role to play in promoting an environment that enables children and young persons with disabilities to establish and act, formally or informally, within their own organizations and initiatives, including through cooperation with adults and other children and young persons.” [↑](#endnote-ref-20)
24. CRPD Committee, general comment no. 7 on articles 4(3) and 33(3) CRPD, paras. 24-26, 74 and 75, among other references. [↑](#endnote-ref-21)
25. CRPD Committee, general comment no. 7 on articles 4(3) and 33(3) CRPD, para 61(c). [↑](#endnote-ref-22)
26. CRPD Committee, general comment no. 7 on articles 4(3) and 33(3) CRPD, para 75 (emphasis added). [↑](#endnote-ref-23)