

UN Convention on the Rights of Persons with Disabilities: Articles Specifically Relevant to Children

On December 13, 2006, the UN General Assembly adopted the Convention on the Rights of Persons with Disabilities. The Convention became open for signature and ratification on March 30, 2007, and will enter into force after it has been ratified by 20 countries.

UNICEF, in coordination with the International Disability Caucus, advocated effectively for specific attention to children with disabilities in the Convention in order to reinforce and complement the Convention on the Rights of the Child. This goal was met.

The particular vulnerabilities faced by children with disabilities by virtue of their age are referred to throughout the treaty, and one article is dedicated specifically to children. Several other articles address the rights of children with disability, e.g. participation, information, right to a healthy family life and to freedom from violence.

The Articles specifically relevant to children include:

Preamble: Recognition of the full human rights of children with disabilities.

Article 3, General Principles: Respect for and recognition of the evolving capacities of children with disabilities.

Article 4, General Obligations: When introducing legislation, policies and programs which affect persons with disabilities, governments must also consult with children with disabilities through their representative organizations.

Article 7, Children with Disabilities: Governments are (1) obligated to take measures to ensure the enjoyment of all rights by children with disabilities; (2) required to consider their best interests; (3) ensure their right to express views and to (4) develop mechanisms for feedback on an equal basis with other children and to provide them with the necessary support to realize that right.

Article 8, Awareness-raising: Requires measures to combat stereotypes, prejudices, and harmful practices relating to persons with disabilities, including those based on gender and age.

Article 13, Access to Justice: Ensures effective access to justice for persons with disabilities on an equal basis with others, including through the provision of procedural and age appropriate accommodations.

Article 16, Freedom from Exploitation, Violence and Abuse: Requires effective gender and child specific legislation and policies to ensure that exploitation, violence, and abuse are identified, investigated and where appropriate, prosecuted.

Article 18, Liberty of Movement: Requires birth registration so that children have identification and documentation.

Article 23, Respect for the Home and the Family: Recognizes that children with disabilities have an equal right to family life and families need support to prevent concealment, abandonment, neglect, and segregation. Where children with disabilities cannot live with immediate families, it requires governments to provide care within the wider family or community.

Article 24, Education: Requires that all children with disabilities are not excluded from free and compulsory primary and secondary education on the basis of disability; it includes measures to ensure that the education of persons, and in particular children, who are blind, deaf and deafblind, is delivered in the most appropriate languages and modes and means of communication for the individual.

Article 30, Participation in Cultural life, Recreation, Leisure and Sport: Requires that children with disabilities have equal access to participation in play, recreation, leisure and sporting activities.

Source: adapted from the full text of the Convention at www.un.org/disabilities/convention/conventionfull.shtml or <http://www.un.org/disabilities/default.asp?navid=13&pid=150>.