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**Committee of experts
on the rights of people with disabilities
(DECS-RPD)**

**Conference on “Full inclusion of children and young people with
disabilities in society”**

General conclusions

Brussels, Belgium, 21-22 November 2013

by Mr Gauthier DE BECO (Belgium)
General Rapporteur

*The opinions expressed in this work are the responsibility of the author
and do not necessarily reflect the official policy of the Council of Europe*

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1. Objectives of the Conference

The Conference on “Full inclusion of children and young people with disabilities in society”, which was held by the Council of Europe and Belgium, offered the opportunity to focus on the place of children with disabilities in Council of Europe member states. There were two objectives. One was to gain a better understanding of the concept of inclusion, which concerns not only children but also their families and the community in which they live. The other was to consider the measures that need to be taken to ensure the full participation of children and young people with disabilities. In addition to studying international standards and making political declarations, the Conference particularly sought to give people working in the field a say so that European initiatives and experts’ opinions could be measured against the actual situation.

The Conference was based on several international documents reflecting the importance that the international community attaches to inclusion: the UN International Convention on the Rights of the Child of 20 November 1989 (hereafter referred to as the “ICRC”) considers children’s participation to be a transversal dimension of all rights of the child. The objective of the UN Convention on the Rights of Persons with Disabilities of 13 December 2006 (hereafter referred to as the “CRPD”), which places emphasis on the social model of disability, to abolish the various obstacles that people with disabilities encounter. Both the **2006-2015 Council of Europe Action Plan to promote the rights and full participation of people with disabilities in society** (hereafter referred to as “the Council of Europe Action Plan”) and the **European Disability Strategy 2010-2020** (hereafter referred to as the “European Strategy 2010-2020”) are designed to promote the full participation of people with disabilities. The Council of Europe has also recently adopted **Recommendation CM/Rec(2013)2 of the Committee of Ministers to member states: on ensuring full inclusion of children and young persons in society** (hereafter referred to as “Recommendation CM/Rec(2013)2 of the Committee of Ministers”).

Following a presentation of the main European initiatives in this field, experts working in both international organisations and NGOs described their projects during a round table. This helped not only to identify possible synergies and the deficiencies to be remedied but also to raise the appropriate questions, which were subsequently discussed during the workshops. The latter offered the opportunity to present examples of good practices and to exchange views on the implementation of the rights of children and young people with disabilities. Following this, research projects and current European initiatives were presented by both the service-providers and NGOs. The Council of Europe also responded in the form of a dialogue by describing its different programmes for children with disabilities, before giving the floor to the General Delegate for Children’s Rights, the workshop rapporteurs and the general rapporteur to close the session.

2. Main findings

As was noted several times during the Conference, the process of ensuring the inclusion of children and young people with disabilities in society has made considerable progress in recent years. These initiatives show that Council of Europe member states are prepared to offer more appropriate assistance to meet the needs of such children and also to support their families and the surrounding community. Not only have national laws been promulgated to guarantee the full participation of children and young people with disabilities but innovatory practices have also emerged to improve their inclusion in society. As reflected by the Conference, a new movement has been launched to abolish exclusion mechanisms and promote the dignity of such children, as advocated in the ICRC, the CRPD, the Council of Europe Action Plan, the European Strategy 2010-2020 and, more recently, Recommendation CM/Rec(2013)2 of the Committee of Ministers.

Despite the encouraging progress made, it has to be said that the situation on the ground is not consistent with Council of Europe member states' declared willingness to improve matters. Indeed there is a wide gap between the legal instruments to which these states have acceded and the everyday life of children and young people with disabilities. Firstly, there are numerous stereotypes concerning these children, which frequently mean that their rights are not respected. People tend to look at their disability rather than at their abilities. Secondly, levels of participation by young people with disabilities remain low, often because they have not been suitably informed and therefore cannot make choices in either everyday life or in the context of judicial procedures and because they, in particular children with mental disabilities, do not always have access to services. As a result families which have children with disabilities find themselves isolated and have difficulty in ensuring an adequate standard of living. As a result too many children are placed in specialised institutions and excluded from their community.

The structures set up for children with disabilities do not always strive to ensure the inclusion of children with disabilities but often continue to segregate them. It is, for example, difficult to move from specialised education to inclusive education (although there are notable differences between the school systems of Council of Europe member states). The reasons for this are the lack of individual support and of early intervention, the inadequacy of appraisal methods and the lack of resources for implementing public policies, which has worsened as a result of the recent economic crisis. Another problem is poor cross-sectoral co-operation, which does not help in tackling the wide variety of difficulties with which children with disabilities are confronted. As a result, these children do not receive the help they need.

3. Member states' commitments

In the light of the Conference debates, the Belgian organisers propose that Council of Europe member states undertake to continue their efforts to include children and young people with disabilities in society. The states, the experts and those working in the field have all confirmed that it is possible to work towards the participation of children with disabilities through public policies. One of the objectives of the Conference was to decide what support should be given to their families and their community. The fruitful discussions helped to give more meaning to the concept of inclusion.

The Conference showed that it is vital to adopt measures that take account of the specific situation of children and young people with disabilities and which help to meet their specific needs. In order to be effective, the approach used to implement their rights must satisfy three conditions:

Firstly it must be *participatory*, i.e. guarantee the involvement of young people with disabilities, which is also the reason why young people were invited to give their views during the Conference. No decision concerning children with disabilities should be taken without such children being given the opportunity to freely express their opinion, irrespective of whether it is in the context of procedures concerning them personally or the framing of public policies. This requires not only a forum but also a strategy to ensure that the opinions of children and young people with disabilities are actually heard. Civil society's contribution is also important because it is civil society which will enable inclusion.

Secondly, it must be cross-sectoral, i.e. generally ensure co-operation between the different sectors concerned by children with disabilities. Without close co-operation between the services of the childhood sector and the services of the disability sector, these children may fall through the cracks. In order to achieve such co-operation, it is necessary to pass from specialised services to general services that are as inclusive as possible and which take account of all aspects of disability. As was demonstrated during the Conference, this can be achieved through co-operation protocols.

Thirdly, it must be *proactive*, i.e. reach out to children with disabilities in places where inclusion can take place more easily. Service providers must therefore offer support within the communities where people with disabilities live. This requires not only that support staff listen to what the families who have a child with disability have to say but that they also acquire skills with regard to inclusion through training courses so that they can give such families effective support.

With regard to the measures themselves, families should already be given support when their child is very young to avoid the need to place children and young people with disabilities in institutions. These children must be given various types of assistance, i.e. material, psychological, social and, where necessary, medical assistance. This requires the mobilisation of all sectors and the establishment of quality services, while offering financial support to families which have children with disabilities if necessary. It was also pointed out that the support offered to children with disabilities does not benefit only such children but also many others, given that inclusion concerns everyone. If we succeeded in making society fully inclusive, it would not even be necessary to talk about disability.

Education must be inclusive, something which requires not only school systems that are adapted to the special needs of children with disabilities but also that teachers receive support and both initial and further training. The same applies to leisure activities, although specific activities that take account of disabilities may also supplement what is on offer. Access to justice must also be facilitated through assistive measures. It is also essential to raise awareness of the rights of children with disabilities by talking about the existence of these rights not only with those closely involved with them but also with the children themselves. An effective way of doing this is to find examples of good practice and to use them to promote the rights in question, as was done during the Conference. It is also essential that sufficient funds be available to ensure that all children with disabilities can benefit from the afore-mentioned benefits. This must, of course, not be to the detriment of existing measures as otherwise some children may find themselves without any form of assistance.

Conclusion

As a result of the Conference it is now clearer what the inclusion of children and young people with disabilities in society means. It is not a question of integrating them into society but of not only allowing them to live with others in their community with appropriate assistance but also of making society as open as possible to human diversity. As suggested during the Conference, that means reviewing our competitive society and replacing it by one that is open to difference.

The Belgian organisers encourage Council of Europe member states to continue their efforts to include children and young people with disabilities in society. Given that the Council of Europe Action Plan is in its last year, the opportunity is given to the Committee of experts on the rights of people with disabilities to evaluate the plan, establish priorities for the future and prepare the 2020 Strategy on People with Disabilities. Belgium will also be holding the chairmanship of the Council of Europe next year, which will provide a fresh opportunity to put the inclusion of children and young people with disabilities on the international agenda.

Conference Programme



PROGRAMME

21 - 22 November 2013



European Conference organised by the Council of Europe and Belgium

"Full inclusion of children and young people with disabilities in society"

RADISSON BLU ROYAL HOTEL - Rue Fossé aux Loups 47 - 1000 Brussels - Belgium.

Thursday 21 November

8.30 – 9.30 am *Welcome and registration*

9.30 – 9.40 am *Welcoming statement*

Ms Alice BAUDINE, General Administrator of AWIPH (*Agence wallonne pour l'intégration des personnes handicapées – Walloon Agency for the Integration of Persons with Disabilities*) and Mr Philippe COURARD, State Secretary with responsibility for Social Affairs, Families, Persons with Disabilities and Scientific Policy with responsibility for Occupational Hazards, Belgium

9.40 – 10.30 am **Opening Session**

Facilitator: Ms Brigitte PLUMET, Director, AWIPH, Belgium

- *Council of Europe advocacy for promoting and protecting the rights of children and young people with disabilities in Europe (Council of Europe):* Mr Thorsten AFFLERBACH, Head of Social Cohesion and Integration Division in the "Human Rights and Antidiscrimination" Directorate, DG II - Democracy, Representative of the Secretary General of the Council of Europe
- *Rights of Young People with Disabilities (European Commission):* Mr Johan TEN GEUZENDAM, Head of Unit, Rights of Persons with Disabilities, DG Justice
- *Presentation of the 2013 Report on "The State of the World's Children. Children with disabilities" (UNICEF):* Ms Maud DOMINICY, Official responsible for Children's Rights, UNICEF Belgium, and
Presentation of the UNICEF video (collection of children's views: "What do you think?")
- *Presentation of conference objectives and arrangements (Belgium):* Dr Gauthier DE BECO, General Rapporteur of the Conference.

10.30 – 11 am *Coffee break*

11 am – 12.30 pm Working Session 1 - presentations and exchanges of views

ROUND TABLE: "Legal standards and European initiatives in the field of effective participation by children and young people with disabilities"

- *Consultation of young people with disabilities in implementing the UN Convention on the Rights of Persons with Disabilities:* Ms Carlotta BESOZZI Director, European Disability Forum (EDF)
- *Children's perception of their rights, of the protection of these rights and of the manner in which national and European policies reflect these rights. "Speak up!" Project (EUROCHILD):* Ms Mafalda LEAL, Principal Co-ordinator – Child Rights and Child Participation.
- *The European Social Charter and the rights of children and young people with disabilities:* Ms Elena MALAGONI, Council of Europe DGI - Directorate General of Human Rights and the Rule of Law, Department of the European Social Charter and Social Security Code (ESC) Division I - National Reports on the application of the European Social Charter
- *Violence against children:* Ms Monica GUTIERREZ ARQUES, EU Fundamental Rights Agency, (FRA)
- *Equal opportunities for children and young people with disabilities:* Mr Jan JARAB, Regional Representative for Europe, Office of the UN High Commissioner for Human Rights
- *Regional and local authorities in Europe for the rights of children and young people with disabilities:* Mr Josef NEUMANN, Rapporteur on equal opportunities for persons with disabilities, Congress of Local and Regional Authorities of the Council of Europe

REACTIONS

- Centre for Equal Opportunities and Opposition to Racism (Belgium): Mr Gert BACKX, Disability Department – UN Convention
- Representative of Belgian civil society: Ms Emilie DE SMET, Chairperson of the Walloon Disability Commission

DEBATE

Conducted by Mr David LALLEMAND, Communication adviser responsible for projects with the General Delegate for Children's Rights, Mr Bernard DE VOS, French Community, Belgium.

12.30 – 2 pm Lunch break

2 – 4 pm Working Session 2 - thematic workshops (including coffee break)

Workshop 1: Intersectoral approach to children's rights

Introductory statement and workshop leadership: Flemish Agency for Persons with Disabilities (VAPH), Well-Being, Health and Family (WVG) and Brussels French-Speaking Department for Persons with Disabilities (PHARE)

The WORKSHOP will deal with vital questions concerning the intersectoral approach to children's rights: how can the disability sector be integrated into the other sectors relevant to children and youth? How are we to address (the rights of) children and young people - with or without disabilities – in order to pinpoint the most appropriate solutions? The Belgium has the peculiarity of being a state in which several players coexist at the different political levels. How do the other Council of Europe member states solve this intersectoral problem? How does local co-operation among the different partners play out at the top political level? Who bears ultimate responsibility for children and young people with disabilities?

In order to lead the debate, three examples of good practices in Belgium will be presented:

- 1) the protocol of co-operation of the General Directorate for Youth Support, and the Brussels French-Speaking Department for Persons with Disabilities (PHARE) and
 - 2) the protocol of understanding between PHARE and the Childbirth and Infancy Office (ONE)
 - 3) the Intersectoral decree on children and youth applicable in the Flemish Region
- PHARE will be represented by Ms Dominique DUGNOILLE, Head of the Department of Employment and Aid to Integration, and Ms Sophie DONNAY, psychologist and member of the PHARE pluridisciplinary team
The Well-Being, Health and Family Department (WVG) of the Flemish Region will be represented by Ms Jole LOUWAGIE, Executive with the "Comprehensive Youth Aid" Department.

Rapporteur: expert in European projects: Mr Franz WOLFMAYER, Chairperson of the European Association of Service Providers for Persons with Disabilities (EASPD)

Workshop 2: Support for families and the community

Introductory statement and workshop leadership: Walloon Agency for the Integration of Persons with Disabilities (AWIPH)

This WORKSHOP highlights the right of young people with disabilities (children, teenagers and young adults) to live in society on an equal footing with all others (Article 19 of the UN Convention on the Rights of Persons with Disabilities: Independent living and inclusion in society). What kind of aid can the relevant services provide in order to meet the expectations of children and young people and the needs of families, which, by extension, also suffer frequent discrimination? How can we ensure positive interaction between children and young people, their life projects, their friends and relatives and professionals and their living community? How should we encounter and enhance the new professional approaches in statutory and budgetary mechanisms?

Three forms of innovative support in Belgium which are attempting to break out of the statutory straitjackets and practices will be described by:

1. Ms Pascale CAMUS, Co-ordinator of the Disability Taskforce of the Childbirth and Infancy Office (ONE)
2. Ms Marie Rose KADJO, Director of "Entre temps"
3. Ms Hélène DELEBAILLE and Ms Isabelle DI MARTINO, local co-ordinators for the innovative project "Transition ages 16-25"

Rapporteur: Ms Monica GUTIERREZ ARQUES, EU Fundamental Rights Agency (FRA)

Workshop 3: Inclusion in education and leisure

Introductory statement and workshop leadership: *Dienststelle für Personen mit Behinderung, Belgium*

This workshop will examine the major challenge of inclusive education of children and young people with disabilities. For the Council of Europe, education can be considered the foundation for children's and young people's inclusion in society. The United Nations Convention on the Rights of Persons with Disabilities, Article 24 stipulates that persons with disabilities must have access to inclusive, quality and free primary education and secondary education, in which they must be able to benefit from effective individualised support measures necessary for acquiring practical and social skills so as to facilitate their full participation in community life.

Two statements will offer a survey of present practices and thus allow an exchange of views among the participants. A presentation will reflect an example of good practice regarding inclusion in and through leisure activities.

Is inclusive education operational? Three statements will offer a survey of present practices:

- 1. Inclusive education in the French Community of Belgium: Mr Jean-François DELSARTE (B), Expert on specialised basic and secondary education in the private office of Ms Marie-Martine SCHYNS, Minister for Compulsory Education and Social Promotion.
- 2. Inclusive education in Portugal by Mr David RODRIGUES, lecturer at the University of Lisbon
- 3. Inclusion in and through leisure activities: Ms Julie SOUREN, in charge of the child and youth sector in the support service "Logement-Famille-Loisirs", Belgium.

Rapporteur: expert in European projects: Mr Karel CASAER, Consultant in special needs education, European Association of Service Providers for Persons with Disabilities (EASPD)

Friday 22 November

8.30 – 9.30 am *Reception and registration*

9 - 9.30 am *Welcome Coffee*

9.30 – 1 pm **Working session 3**

Facilitator: Mr Rudi KENNES, Director, VAPH (Flemish Agency for Persons with Disabilities), Belgium

9.30 - 9.45 am **Conclusions of the first day and perspectives**
Dr G.DE BECO, General Rapporteur

10 – 10.40 am **Innovative practices in Council of Europe member states – presentations and exchanges of views**

Facilitator: Mr LUK ZELDERLO, Secretary General of the Disability service providers: European Association of Service Providers for Persons with Disabilities (EASPD)

- Mr Richard TIMMERMAN, Secretary General of the Flemish Catholic Specialist Education Network V.V.K.B.O, Belgium
- Mr Karel CASAER, EASPD, P2i, Pathways to inclusion (inclusive education and training)
- Ms Camille LATIMIER, human rights officer with the Association "Inclusion Europe" – Implementation of the two Conventions - rights of the child (CRC) and rights of persons with disabilities (CRPD) - with reference to children in a situation of intellectual disability

1.40 am - 11.10 am *Coffee break*

11.10 am – 12.40 pm **Innovative practices in Council of Europe member states – presentations and exchanges of views – CONTINUED**

- Mr Franz WOLFMAYER, Investt (Transition from education to employment)
- Ms Stephanie BUREL, Project Leader, MDAC (Mental Disability Advocacy Centre, Budapest, Hungary) - Access to justice for children with mental disabilities
- Ms Justine BAUDOT and Mr Sébastien GERARD, Association GRATTE, Belgium

Presentation of the video "HERDRUK" by Mr Bruno VANNOBERGEN, Commissioner General for Children's Rights, Dutch-Speaking Community of Belgium

Reactions from three young people involved in grass-roots work

12.40 – 1 pm **COUNCIL OF EUROPE PERSPECTIVES**

- Ms Irena KOWALCZYK-KEDZIORA, Administrative Officer, DG II "Democracy", Social Cohesion and Diversity Department
- Ms Susie MORGAN, Principal Programme Assistant, DG I – Human Rights and Rule of Law, Children's Rights Division

1 - 2.30 pm **Lunch break**

2.30 – 4 pm Closing session

Facilitator: Mr Helmut HEINEN, Director General, German-Speaking Department for Persons with Disabilities (*Dienststelle für Personen mit Behinderung*), Belgium

- Positions of the European Network of Ombudspersons for Children, ENOC: Delegate General for the Rights of the Child, Mr Bernard DE VOS, French Community, Belgium
- Presentation of the conclusions of the thematic workshops by the three rapporteurs:
 1. Intersectoral approach to children's rights
 2. Support for families and the community
 3. Inclusion in education and leisure activities

Presentation of the final conclusions
Dr Gauthier DE BECO, General Rapporteur

4 pm End of the conference



For any further information, contact www.awiph.be/youthinclusion

