

Submission to the Day of General Discussion on the right of persons with disabilities to equality and non-discrimination

Submitted by the Child Rights International Network - CRIN (www.crin.org), June 2017.

This submission focuses on the discrimination faced by children with disabilities and sets out the child specific content we consider it important to be included within the General Comment. It focuses on section III of the outline of the draft General Comment on the interrelation of article 5 with the other articles of the Convention on the Rights of Persons with Disabilities (CRPD).

More than 150 million children globally have a disability, and this figure is rising.¹ But it is not their impairments that are disabling as such, but rather the attitudes and environment around them. The Convention on the Rights of the Child (CRC) specifically addresses the rights of children with disabilities in article 23 and requires States to promote their self-reliance and provide special care to support their access to services and achieve their full potential and participation in society. The CRC was the first human rights treaty to include disability as a ground for protection against discrimination. While article 23 frames disability as being centred around the individual, rather than disabling environmental barriers, it nevertheless places disability in the context of international human rights law. The CRPD marks a further shift in how disability is perceived: as the result of an individual's interactions with their environment, rather than as an individual condition to be "cured". It puts the onus on States to remove barriers that impede equality. Article 5 of the CRPD introduces specific measures which elaborate and strengthen the provisions in the CRC by requiring that governments prohibit all discrimination on the basis of disability and guarantee effective legal protection for children with disabilities; introducing the concept of 'reasonable accommodation'; and establishing recognition that positive measures introduced to enable children with disabilities to achieve equality are not considered to be discrimination.²

III. Interrelation with specific other articles

11. Article 7 (Children with disabilities)

Article 7 reaffirms that children with disabilities have the same human rights as all other children. Paragraph 2 and 3 add that the best interests of the child must be a primary consideration in all actions concerning children with disabilities and that they have the right to express their views on all matters affecting them.

¹ Gerison Lansdown, Save the Children, *See Me, Hear Me: A guide to using the UN Convention on the Rights of Persons with Disabilities to promote the rights of children*, 2009, London, available at: https://www.crin.org/en/docs/See_me_hear_final.pdf.

² *Ibis*.

Building upon the CRC, the principles summarised in article 7 of the CRPD affirm the fundamental rights of all children with disabilities to the entire range of human rights inherent to all children. Requirements for the best interests of the child to be a primary consideration, and to ensure that children are able to express their views freely in all matters affecting them, and have these views given due weight in accordance with their age and maturity, on an equal basis with other children, are particularly important for children with disabilities, whose interests and voices are all too frequently overlooked and undervalued.

The CRC, in its article 23, emphasises the right of children with disabilities to a ‘full and decent life in conditions which ensure dignity, promote self-reliance and facilitate the child’s active participation in the community’. It imposes obligations on States to provide special care and assistance to enable the child to achieve the ‘fullest possible social integration and individual development, including his or her spiritual or cultural development’.

Article 23 is based on “the earlier thinking of disability as a problem located within the individual, needing targeted or special services, rather than the current understanding which locates the multiple barriers in society as the disabling factors impeding the realisation of rights.”³ The CRPD builds on article 23 of the CRC by introducing specific obligations to remove the barriers that prevent the social inclusion and independence of people with disabilities, including children and goes one step further by including a broad range of provisions that require States to remove the barriers that impede effective or meaningful participation of children.

Recommendation: *Discrimination and harmful treatment suffered by children with disabilities are exacerbated by virtue of their age. In addition to the guarantees and protection afforded to adults, States must prohibit all forms of discrimination on the basis of disability that are specific to children; provide effective and accessible remedies; raise awareness among the public and professionals to prevent and eliminate discrimination; and implement a national policy and plan of action to this end.*

12. Article 9 (Accessibility)

Children with disabilities are usually more reliant on adults and the environment that surrounds them is dominated by major barriers that inhibit their participation in all aspects of life. Their access to services and the achievement of their full potential and participation in society is dependent on a series of appropriate measures that must be taken by the State to provide special care and promote their self-reliance. Children also experience indirect discrimination; in law, for example, they may have equal access to education in law or principle, but in practice, schools and other public buildings may not be accessible and teaching may not be adapted to their needs.

³ UNICEF, *Discussion paper: Using the human rights framework to promote the rights of children with disabilities*, September 2012, available at: [http://www.unicef.org/disabilities/files/Synergies_paper_V6_Web_REVISSED\(1\).pdf](http://www.unicef.org/disabilities/files/Synergies_paper_V6_Web_REVISSED(1).pdf).

The CRPD requires governments to identify and take measures to remove these barriers, and enable children with disabilities to access buildings, roads, transport and both indoor and outdoor facilities, including schools, housing, medical facilities and workplaces in both urban and rural areas. To achieve these goals, article 9 puts an obligation on States to develop and promote minimum standards and guidelines for ensuring the accessibility of facilities and services that are open to the public, ensure that private entities providing facilities and services to the public take into account the need for them to be accessible to people with disabilities. This might include, for example, privately run bus companies, private schools, or care facilities.

The Committee on the Rights of the Child in its General Comment No. 9 on the rights of children with disabilities explains that “the physical inaccessibility of public transportation and other facilities, including governmental buildings, shopping areas, recreational facilities among others, is a major factor in the marginalisation and exclusion of children with disabilities and markedly compromises their access to services, including health and education.” The importance of accessibility was reiterated by the Committee on the Rights of the Child in its General Comment No. 17 (2013) on the right of the child to rest, leisure, play, recreational activities, cultural life and the arts.

The Committee on the Rights of Persons with Disabilities in its General Comment No. 2 on article 9 also recommends States to take appropriate measures “To ensure that children with disabilities have equal access with other children to participation in play, recreation and leisure and sporting activities, including those activities in the school system” (Paragraph 46.d).

Recommendation:

- *States must identify and remedy the barriers that inhibit children’s inclusion from full participation in all aspects of life, addressing the facilities and services provided by public and private entities.*
- *States should make use of technology and digital tools to support children to overcome barriers to accessibility.*

13. Article 12 (Equal recognition before the law)

Every child has the right to be recognised as a person before the law. This means they are recognised to be subject to the protection offered by the legal system and the responsibilities required by it. This is a prerequisite for the right to respect for human dignity.

The recognition of children as persons before the law reflects their status as rights holders and is a necessary prerequisite for the enforcement of their rights.

In its first General Comment, on equal recognition before the law, the Committee on the Rights of Persons with Disabilities urged States to “examine their laws to ensure that the will and preferences of children with disabilities are respected on an equal basis with other children.”

Under article 12, the CRC requires that States “assure to the child who is capable of forming his or her own views the right to express those views freely in all matters affecting the child, the views of the child being given due weight in accordance with the age and maturity of the child”. This means, for example, that children who are able to form their own views should be allowed to make decisions about their health care. Children with mental health problems are very often held in institutions without their consent and may be victims of human rights abuses such as forced sterilisation and abortion, denial of essential pain relief, and the use of involuntary detention as “treatment”.

Recommendation: *States must recognise children as rights holders. They should also recognise children’s right to express how they ought to be treated and be able to give an informed consent.⁴ Where a child lacks capacity to consent, any decision taken concerning the child must be taken in his or her best interests.⁵*

14. Article 13 (Access to justice)⁶

Access to justice for children means that children, or their appropriate advocates where applicable, must be able to use and trust the legal system to protect their human rights. The legal system must provide children the means to obtain a quick, effective and fair response to protect their rights; the means to prevent and solve disputes; mechanisms to control the abuse of power; and all of this must be available through a transparent, efficient, accountable and affordable process. Children, or their legal representatives where applicable, must be able to use and trust the legal system to protect their human rights.

The CRPD requires that children with disabilities must be able to access the justice system on an equal basis with others. This means governments must provide them with relevant support to enable them to participate in all legal proceedings, including as witnesses, and at investigative and other preliminary stages. This might include interpreting, access to sign language, access to information in accessible and age-appropriate forms, physical access to the courts, sufficient time made available to ensure the child fully understands the court procedures, video-taped

⁴ CRC, General Comment No. 4, paragraph 32, available at: <http://www.unicef.org/CRCCommitAdolesc.doc>

⁵ CRC, Article 3(1): “In all actions concerning children, whether undertaken by public or private social welfare institutions, courts of law, administrative authorities or legislative bodies, the best interests of the child shall be a primary consideration.” See also Colombia Constitutional Court’s case on sterilisation of minors: the Court upheld the national prohibition on performing surgical sterilisation of children, read more here: <https://www.crin.org/en/home/what-we-do/crinmail/children-court-crinmail-33>.

⁶ For more on on access to justice for children under article 13, read: *CRIN, Submission for the report of the OHCHR on article 13 of the CRPD, 28 April 2017, available at: https://www.crin.org/sites/default/files/crinsubmissionforohchrreportonart.13ofthecrpd_.pdf*

interviews, and forms of questioning that promote children's understanding and capacity to express themselves.⁷

According to the Committee on the Rights of the Child in its General Comment 12 on the right to be heard: "A child cannot be heard effectively where the environment is intimidating, hostile, insensitive or inappropriate for her or his age. Proceedings must be both accessible and child-appropriate. Particular attention needs to be paid to the provision and delivery of child-friendly information, adequate support for self-advocacy, appropriately trained staff, design of courtrooms, clothing of judges and lawyers, sight screens, and separate waiting rooms."

The results of a two-year study investigating access to justice for children with mental disabilities across ten EU Member States undertaken by Mental Disability Advocacy Centre's shows that "child witnesses and victims of crime with mental disabilities are commonly excluded from giving valid testimonies in criminal procedures, both with reference to their age and due to their impairments. In many cases, judicial attitudes and procedural barriers – such as general requirements to understand the nature and consequences of an oath – result in the evidence of such children being excluded, or prosecutions dropped. [...] Some of the most significant barriers identified to children accessing justice were the attitudes of members of the judiciary, lawyers, and other professionals including police, social workers and directors of social care institutions. In many countries it was noted that discriminatory attitudes prevailed, reflecting negative assumptions about children with disabilities and their ability to participate in legal processes."⁸

Children with disabilities living in institutions face increased barriers which require additional measures to guarantee their access to justice. Where violations of the rights of children take place in these facilities, the role of the institution as the legal guardian of the child and a violator of rights creates a serious barrier to children accessing justice. The existence of these facilities and children's placement in them may constitute a rights violation in itself, but where they exist they create additional barriers to children accessing justice for rights violations that occur within them.

Recommendation: States must ensure that children with disabilities are able to access the justice system on an equal basis with others. This means that in addition to the guarantees and protection afforded to adults and the special measures that should be provided to all children to enable them to participate in all legal proceedings, States must adapt all proceedings to the particular circumstances of the children with disabilities involved and include in the development

⁷ Gerison Lansdown, Save the Children, *See Me, Hear Me: A guide to using the UN Convention on the Rights of Persons with Disabilities to promote the rights of children*, 2009, London, available at: https://www.crin.org/en/docs/See_me_hear_final.pdf.

⁸ See the results of Mental Disability Advocacy Centre's two-year study investigating access to justice for children with mental disabilities across ten EU Member States here: <http://www.mdac.org/en/accessing-justice-children>.

of child friendly justice systems special measures that address children with disabilities' precarious situation in the justice system.

15. Article 16 (Freedom from exploitation, violence and abuse)

Children with disabilities are at disproportionate risk of rights violations because of their dependence on others and barriers they face in reporting abuse. Discrimination and harmful treatment suffered by children with disabilities is exacerbated by virtue of their age. Article 19 of the CRC requires governments to introduce legislative, administrative, social and educational measures to protect children, including children with disabilities, from all forms of violence while in the care of a parent or other legal guardian. Article 16 of the CRPD also introduces obligations to take appropriate measures to prevent all forms of exploitation, violence and abuse. The general comments of the Committee on the Rights of the Child, on children with disabilities and on protection from violence, provide more detailed examples of preventive measures which need to be implemented, including action to introduce legislation prohibiting all forms of violence in all settings, including the home, family, schools, institutions and the juvenile justice system and ensure that institutions providing care for children with disabilities are staffed with specially trained personnel who have been properly screened, according to appropriate standards, regularly monitored and evaluated, and that the personnel have access to sensitive complaint mechanisms.⁹

Children with disabilities held in institutions are at particular risk of being subjected to various forms of violence. Institutionalisation deprives children with disabilities (and others in other types of institutions) of their human rights and puts them at greater risk of being subjected to torture and ill-treatment and require higher levels of protection than adults. Violations of children's rights in institutions across the world include: beatings and the use of abusive physical restraints in Russia, sexual violence against girls with disabilities in India, the use of caged beds in Greece, inappropriate use of psychotropic medication in Serbia, shackling of children with disabilities in Ghana and Indonesia.¹⁰ Furthermore, children in institutions are often denied education, contact with the outside world, privacy, recreation and cultural opportunities. No child should be placed in an institutions, large or small, even temporarily as they are detrimental to children's development. Placement of a child in an institution will never meet their "best interest" and constitute cruel, inhuman and degrading treatment and can sometimes amount to torture.

The UN Secretary General's Global Study on Violence Against Children highlighted that

⁹ Gerison Lansdown, Save the Children, *See Me, Hear Me: A guide to using the UN Convention on the Rights of Persons with Disabilities to promote the rights of children*, 2009, London, available at: https://www.crin.org/en/docs/See_me_hear_final.pdf.

¹⁰ Human Rights Watch, *Children with disabilities: Deprivation of liberty in the name of care and treatment*, in *Protecting children against torture in detention, Global solutions for a global problem*, p. 289/290, March 2017, available at: <https://www.hrw.org/news/2017/03/07/children-disabilities-deprivation-liberty-name-care-and-treatment>

long-term institutionalisation of children with disabilities remains a persistent problem throughout the world, and particularly in central and eastern Europe. The Study also found that “In residential institutions, children with disabilities may be subject to violence in the guise of treatment. In some cases children as young as nine are subjected to electroconvulsive treatment (ECT) without the use of muscle relaxants or anaesthesia. Electric shocks may also be used as “aversion treatment” to control children’s behaviour. Drugs may be used to control children’s behaviour and make them more “compliant”, leaving them less able to defend themselves against violence.”¹¹

In a guide on access to justice for violations of children’s rights in care institutions in Eastern and Southeastern Europe and the Caucasus, CRIN found a series of complaints filed in front of national or regional instances for abuses that happened in institutions.¹²

In late 2014 a small organisation in Bulgaria, supported by Mental Disability Advocacy Centre (MDAC) filed a complaint with the Bulgarian Commission for Protection against Discrimination. The complaint indicated that there had been maltreatment of children in homes for children with disabilities in Mogilino and Krushary municipalities. The plaintiff requested that the Commission recognise the placement in the institution as a discriminatory measure equal to torture and inhuman and degrading treatment, further arguing that children were entitled to compensation for the abuse they had suffered. The Commission accepted the case, however, recognising only the lack of personnel in both institutions as discrimination. The mayors of both municipalities were fined for failing to manage services for children and youth with disabilities with due care and responsibility. The case is currently pending before the Administrative court of Sofia City.¹³

In a case in Romania, Valentin Campeanu had lived in orphanages and other state institutions since he was abandoned at birth by his Roma mother. He was diagnosed as HIV positive and as having a profound intellectual disability from an early age. Mr Campeanu subsequently died while in state care in conditions that indicated severe neglect. A non-governmental organisation (the Centre for Legal Resources - CLR) sought to prosecute the government and health officials who contributed to his death. The Centre for Legal Resources was allowed to bring a complaint before the European Court of Human Rights (ECHR) as representatives of Mr Campeanu despite the fact that they were not themselves claiming to be victims. The Court emphasised that the particular facts of the case were particularly relevant, namely that Mr. Campeanu had no next of kin or legal representative and was unable to initiate proceedings while alive because

¹¹ Paulo Sergio Pinheiro, UN Study on Violence Against Children – Secretary General’s Study on Violence Against Children, A/61/299, 29 August 2006, available at: <https://documents-dds-ny.un.org/doc/UNDOC/GEN/N06/491/05/PDF/N0649105.pdf?OpenElement>.

¹² CRIN, *When the State Doesn’t Care: a guide to accessing justice for violations of children’s rights in care institutions in Eastern and Southeastern Europe and the Caucasus*, March 2017, available at: https://www.crin.org/sites/default/files/guide_download/when_the_state_doesnt_care_0.pdf.

¹³ Marginalia, “Remember Mogilino, or about the responsibility of those in power”, 7 December 2016. Available at: <http://www.marginalia.bg/analizi/pomnite-li-mogilino-iliza-otgovornostta-na-vlastimashtite>.

of his disabilities and lack of legal representative. The court also found it relevant that the CLR had represented him before Romanian authorities.¹⁴

Recommendations:

- *States must acknowledge the higher risk of violence faced by children with disabilities and take urgent measures to prevent and address violence against children with disabilities, including by ensuring effective accountability mechanisms.*
- *We urge the Committee to recognise that detention of children in institutions constitutes cruel, inhuman and degrading treatment and may amount to torture; and recommend States to stop locking children in institutions on the basis of disability and adopt clear plans for the de-institutionalisation of children.*

16. Article 19 (Living independently and being included in the community)

Children rarely have opportunities to be active members of the community, and this situation is exacerbated for children with disabilities. Often, the community itself disables them with physical barriers - such as buildings, transportation and access to recreational facilities - or with misconceptions about their abilities and potential.

Children with disabilities face particular difficulties in securing their civil and political rights, for example, children can sometimes be committed to mental health institutions without their views being taken into account, where adults cannot.¹⁵ In its General Comment No.7 on implementing child rights in early childhood, the Committee on the Rights of the Child explains that “Early childhood is the period during which disabilities are usually identified and the impact on children’s well-being and development recognized. Young children should never be institutionalized solely on the grounds of disability. It is a priority to ensure that they have equal opportunities to participate fully in education and community life, including by the removal of barriers that impede the realization of their rights. Young disabled children are entitled to appropriate specialist assistance, including support for their parents (or other caregivers). Disabled children should at all times be treated with dignity and in ways that encourage their self-reliance.”¹⁶

Recommendation:

¹⁴ Centre for Legal Resources on behalf of Valentin Campeanu v. Romania [2014] Application No. 47848/08. Summary and full judgment available at: www.crin.org/node/41242; case study available at: www.crin.org/node/42836.

¹⁵ See Stone, “The Civil Commitment Process for Juveniles: An Empirical Study” University of Detroit Law Review, Vol. 65, p. 679 for examples of involuntary commitment procedures for children with mental health problems.

¹⁶ UN Committee on the Rights of the Child, General comment No. 7 (2005): Implementing Child Rights in Early Childhood, 20 September 2006, CRC/C/GC/7/Rev.1, available at: <http://www2.ohchr.org/english/bodies/crc/docs/AdvanceVersions/GeneralComment7Rev1.pdf>.

- *States must ensure that children with disabilities are able to express their views freely, and have these views given due weight in accordance with their age and maturity, in decisions relevant to where and with whom and how to live.*
- *When enacting laws that make local communities, environment, information and communication accessible to all persons with disabilities, States must take into consideration the special barriers faced by children.*

17. Article 24 (Education)

Article 24 explains in detail the measures that should be taken to ensure persons with disabilities not only have access to education, but are allowed to develop to their full potential through education. The system should be inclusive at all levels, ensure that persons with disabilities are not discriminated against, and enable them to learn life and social development skills. States must take various steps to create such a system, including by facilitating the learning of Braille, sign language and other means of communication, making sure they are not excluded from the general education system on the basis of disability and by employing trained and qualified teachers.

States also have an obligation to provide support to facilitate the effective education of persons with disabilities, including by providing reasonable accommodation, adapted equipment and individualised support measures.

The Committee on the Rights of the Child, in its General Comment No. 9 on the rights of children with disabilities, provides recommendations for the effective realisation of the right to education of children with disabilities and confirms that inclusive education should be the goal.

In October 2015, the Supreme Court of Slovakia ruled that denying individualised support to children with disabilities so that they can be educated at mainstream schools could amount to unlawful discrimination. The case concerned a 10-year-old girl with an intellectual disability and a hearing impairment who was refused enrolment at the local primary school because the school said it could not cope with her disabilities. The ruling is of significance to more than 20,000 children with disabilities in Slovakia who end up being placed in segregated schools.¹⁷

In another case, the Mental Disability Advocacy Centre (MDAC) brought a complaint to the European Committee of Social Rights alleging that children living in homes for intellectually disabled children in Bulgaria were not receiving an education. The complaint related to 28 residential homes for children with moderate, severe or profound intellectual disabilities. In the 18 homes that MDAC had visited, only 6.2 percent of children residing in these homes were attending mainstream schools or special schools for children with disabilities. The Committee unanimously found that Bulgaria had violated article 17 of the European Social Charter, which requires States to establish and maintain an education system that is accessible and effective.

¹⁷ See <https://www.crin.org/en/home/what-we-do/crinmail/children-court-crinmail-54#C>

The majority of the Committee also found that the State had violated the prohibition on discrimination because of its failure to justify the disparity between school attendance rates for children with intellectual disabilities and the population at large.¹⁸

The Committee on the Rights of the Child, in its General Comment No. 20 on the implementation of the rights of the child during adolescence, highlights that adolescents with disabilities “are widely denied access to sexual and reproductive health information”.¹⁹ Comprehensive, accurate, and inclusive sexuality education is a key component of ensuring that reproductive rights are fulfilled, including for persons with disabilities, by providing needed information at an early age to break down stereotypes and ensure that people can make decisions about their sexuality and reproductive health that can have significant impacts on their lives. Comprehensive and inclusive sexuality education is a means to empower all persons with disabilities, and particularly women and girls, to protect themselves from sexual abuse and unwanted pregnancies and sexually transmitted infections such as HIV/AIDS. Access to sexual and reproductive health services on the basis of free and informed consent is also a particularly important element of reproductive rights for women and girls with disabilities given historical (and current) violations of their reproductive rights.²⁰

Recommendations:

- *States should provide education to children with disabilities on an equal basis with other children and provide that education within an inclusive system. This means that States must ensure that persons with disabilities are not excluded from the general education system on the basis of disability and accommodate the differing needs of individual students to remove the barriers that impede their access to education.*
- *States should address the barriers that children with disabilities face in accessing sex and sexuality education and in exercising their reproductive rights. In this regard, States should take all necessary measures to end harmful practices such as forced sterilisation and discriminatory beliefs about children with disabilities’ sexual and reproductive capacities and guarantee access to the full range of sexual and reproductive health information and services.*

¹⁸ Mental Disability and Advocacy Center (MDAC) v. Bulgaria, European Committee of Social Rights, Complaint No. 41/2007. Available at: <http://hudoc.esc.coe.int/eng?i=cc-41-2007-dmerits-en>.

¹⁹ UN Committee on the Rights of the Child (CRC), General comment No. 20 (2016) on the implementation of the rights of the child during adolescence, 6 December 2016, CRC/C/GC/20, available at: http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CRC%2fC%2fGC%2f20&Lang=en.

²⁰ UNESCO, the Rationale for Sexuality Education: International Guidance on Sexuality Education, December 2009, available at: <http://unesdoc.unesco.org/images/0018/001832/183281e.pdf>. For a detailed review of inclusive sexuality education, read the International Disability Alliance and the Center for Reproductive Rights’ submission to the Committee’s Half Day of General Discussion on the Right to Education, available at http://www.ohchr.org/Documents/HRBodies/CRPD/DGD/2015/IDA_CRR.doc.

18. Article 27 (Work and employment)

Article 7 of the International Covenant on Economic, Social and Cultural Rights (CESCR) guarantees the right of everyone to the enjoyment of just and favourable conditions of work, in particular the right to safe working conditions. More specifically, article 7 states that everyone has the right to fair wages ensuring a decent living for himself and his family, equal pay for equal work, equal opportunity to be promoted, rest and leisure. Article 32 of the CRC complements the provisions of the CESCR and requires States to protect children from "any work that is likely to be hazardous or to interfere with the child's education", to set a minimum age or minimum ages for admission to employment, and to "provide appropriate regulation of the hours and conditions of employment".

Children with disabilities are more vulnerable to discrimination in the workplace. In addition to the special protection required for children with disabilities, it is crucial to, at least afford them the same rights as adults, including the requirement of a legally binding employment contract between a child and an employer in order to provide guarantees of their basic employment rights. Their labour activities must be formalised and regulated including by establishing a minimum age of admission to employment, ensuring the regulation of their working hours and conditions, and applying appropriate penalties and other sanctions in cases of non-compliance. These guarantees should also include the right to join a union, equal pay for equal work, the right to be heard and have their views taken into account in the development of policies affecting them, timely payment, sickness pay, adequate rest breaks and clearly defined maximum working hours per week, among others. Of course, this approach should exclude labour activities that are dangerous, harmful or hazardous or interfere with their development.

Young people with disabilities who are seeking employment should receive support from the State. This might include the provision of vocational training, meaningful work experience for individuals of at least the minimum age of access to employment, and tax incentives to mobilise employers wherever feasible.²¹

Recommendation: *While stressing the need to protect children with disabilities from labour activities that are dangerous, harmful or hazardous or interfere with their development, States should take all measures to secure children with disabilities who are employed in suitable work the special protection they need as well as all the guarantees provided for adults.*

²¹ CRIN, *Child labour and protecting working children*, 8 June 2015, available at: <https://www.crin.org/en/home/what-we-do/crinmail/crinmail-1432#CL>.