



South Asia Initiative To End Violence Against Children [SAIEVAC]

SAARC Apex Body

IN SOLIDARITY WITH THE CHILDREN OF SAARC

**Report
of
The 4th Technical Consultation
on
Stepping Up Protection of Children with Disabilities in South Asia
3rd – 7th December 2014**



**Hosted by the Government of Sri Lanka
Organized and Showcased by the SAIEVAC Regional Secretariat**

Supported by the:

**South Asia Coordinating Group on Action against Violence against Children (SACG)
and
The SAARC Development Fund
(SDF)**





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List of Abbreviations

CCPA	Child Care and Protection Act
CEDAW	Convention on the Elimination of Discrimination Against Women
CM	Child Marriage
CoP	Corporal Punishment
CPAG	Child Participation Action Group
CRC	Convention on the Rights of the Child
CRPD	Convention of the Rights of People with Disabilities
CSO	Civil Society Organization
CP	Child Protection
CoP	Corporal Punishment
DG	Director General
GB	Governing Board
GBM	Governing Board Meeting
ICT	Information Communication Technology
ILO	International Labour Organization
IMR	Infant Mortality Rate
INGO	International Non-governmental Organization
MCA	Missing Child Alert
NACG	National Action and Coordination Group for Eliminating Violence against Children
NCWC	National Commission for Women and Children
NGO	Non-governmental Organization
RAP	Regional Action Plan
RGoB	Royal Government of Bhutan
ROSA	Regional Office for South Asia
SAARC	South Asia Association for Regional Cooperation
SAARCLAW	South Asia Association for Regional Cooperation Law and Judiciary
SACG	South Asia Action and Coordination Group for Eliminating Violence against Children
SAIEVAC	South Asia Initiative to End Violence against Children
SDF	SAARC Development Fund
SRS	SAIEVAC Regional Secretariat
SMSG – VaC	Special Representative of the Secretary General of Eliminating Violence against Children
TC	Technical Consultation
TOR	Terms of Reference
UN	United Nations
UN-CRC	United Nations Convention on the Rights of the Child
UNFPA	United National Family Planning Association
UNICEF	United Nations Fund for Children
VAC	Violence against Children

A. Executive Summary

1. Building from Past Consultations

Building upon previous commitments and recommendations generated during past Technical Consultations organized by the South Asia Initiative to End Violence Against Children (SAIEVAC) on legal reform and care standards and child-friendly services, the 4th Technical Consultation made a sincere effort to contribute to strengthening child protection measures and networks in the Region through focusing attention on issues related to one of the most marginalized (and often invisible) groups of children in South Asia. As highlighted and emphasized during the 3rd Technical Consultation on harmful practices, violence against children includes many practices which involve “gross and unlawful discrimination against groups of children ... many of which are associated with gender-based beliefs or rituals while others are anchored in discrimination against those with disabilities.”¹

2. Children’s Engagement and Participation

The 4th TC preparatory process made dedicated efforts to ensure inclusion and engagement of children both at the national level and as part of the Regional event. The SAIEVAC network has been working to institutionalize and further strengthen children’s participation at multiple levels and to create a common vision for and strengthen planning and preparation dimensions related to the consultation process. Children’s Participation Standards with disability concerns and priorities mainstreamed have been developed and disseminated and these articulate basic minimum standards required for facilitation of safe, effective and meaningful participation of children. National Consultations were primarily focussed on consulting children with disabilities in order to make the children’s events both accessible and inclusive and thus, further contribute to development of skills and capacity building associated with inclusion of children with disabilities.

SAIEVAC itself strives to serve as a positive role model and demonstrate effective ways to engage and increase participation of all children in activities and initiatives. The Regional Children’s Consultation placed efforts to bring centre stage the learning or best practices which evolved or emerged at the national level consultations so that these can contribute towards further strengthening this so that both the process and resultant lessons learned can be shared and put to practice by other partners and stakeholders across the region and beyond South Asia.

3. Dimensions to be explored

Forming a basis for discussions, key challenges associated with protection and response or action specifically for children with disabilities included among others, the following dimensions:

¹ International NGO Council on Violence Against Children (2012). *Violating Children’s Rights: Harmful Practices Based on Tradition, Culture, Religion or Superstition*, p. 9.

- **Social stigma and prejudices related to the understanding of disabilities** – some social norms consider disability as a form of punishment, karma or witchcraft which brings bad omen or results to family with a disabled child and thus, making the disabled child more vulnerable to maltreatment and harmful practices;
- **A child with a disability is at greater risk of being viewed as a social and economic liability rather than an asset** – especially in cultures like South Asia where part of child’s role is to help support the family, the child may become a focus of frustration, leading to anger, rejection and violence. The threat is even greater for children who need high levels of attention, intimate or physical care;
- **Children with disabilities are often hidden away from society, within their homes or within institutions and are disproportionately vulnerable to non-registration at birth** which greatly impedes their access to protection mechanisms;
- **Lack of evidence and research** which leads to challenges of identifying scale, causes and consequences of violence against children with disabilities;
- **Children with disabilities are less likely to report violence due to lack of information about their rights as well as lack of accessible and effective complaint mechanisms.** When violence is reported, cases are often mis-managed or dismissed due to the belief that children with disabilities are not credible witnesses;²
- **Existing measures based on national policies and regulatory frameworks ensuring protection of children with disabilities** – along with challenges encountered in their consistent application; and
- **Exploring the importance of inclusive education for children with disabilities** (as perhaps a thematic area or separate discussion thread).

The Consultation also made efforts to ensure that the following aspects are addressed or incorporated in the actual conduct of the proceedings:

- **A rights-based approach** to disability related matters: this opportunity will be taken to raise awareness on the UN CRPD and explore what different governments are doing to follow up on the commitments made with ratification of this convention.
- **Share existing practice in protecting children with disabilities** from different forms of VAC in all settings and identifying good practice and disability/child friendly legislation across SAARC countries.
- **Explore challenges and identifying support needs** perhaps through a peer support platform including NACG member organizations with specific technical expertise around disability/protection issues as well as other international experts.

² Plan International, 2013. *Fact Sheet: Protection and Disability*, p. 3.

- **Identify advocacy targets** by focusing on gaps identified in domestic policies/legislation in SAARC countries, while linking it to international standards and harmonization with UN CRPD. This hopefully will also provide an opportunity to connect findings or key issues to / with the SAIEVAC Advocacy & Communications strategy in order to reinforce and activate it further.
- **Shape recommendations and ensure that these are action oriented** through re-visiting and revising recommendations from the previous three TCs and linking them to the issue of disability. It would also be important to agree next steps and key action points (and how to following up on these) and which could be further explored in the NACG consultation following the two-day Consultation meeting.
- **Explore involvement of children with disabilities** as part of the TC by ensuring involvement of NACG members who have first-hand experience in working with children with disabilities on a daily basis so as to provide relevant, adequate and appropriate support and a reality-based discussion.

4. The National Consultation Process

The 4th TC was preceded by national level consultations in all the 8 Member States, which took the lead in preparations for the Regional Consultation in order to contribute to an effective and meaningful event and provide country-specific experiences, challenges and lessons learned. National Children’s Consultations were mandatorily held as part of the will also be held prior to the regional event. The National consultations reviewed efforts in order to monitor progress related to strengthening of child protection systems, including legislation, allocation of budget and other key components in order to provide information, evidence and data reflective of progress and especially as related to impact for children and improvements to their lives.

4.1 Objectives for the National Consultations:

- Review progress and identify concrete results achieved at the National level in addressing violence against disabled children and strengthening of protection response during the past year;
- Identify and prioritize key practices, successful approaches and lessons learned from in-country experience around stepping up protection for children with disabilities which can be shared across the region for replication and use;
- Identify and share technical experts, organizations and other service providers with day-to-day experience working with and on behalf of children with disabilities and seek their support and involvement at both the national and regional level;

- Strengthen child participation and roles in addressing key challenges and barriers for children with disabilities and how children can be involved in their own protection as advocates at the national level; and
- Articulate recommendations and key messages required for advocacy based on national experience and continued needs which can contribute to further strengthening and commitment and accountability of government and relevant actors in addressing rights and responses for children with disabilities.

4.2 Outputs for National Consultations:

- Country-specific report prepared highlighting status as related to stepping up protection for children with disabilities, current or planned activities or actions to address these and concrete results achieved that improved the protection of children with disabilities;
- Country-specific presentations generated for sharing at the Regional Consultation which addresses the dimensions highlighted above;
- Country level Children’s Consultation including children with disabilities held and documentation on recommendations completed;
- Identification of experts or experienced service providers working with and to support children with disabilities and the barriers or key challenges that they face in national context completed and sent forward to the SAIEVAC Regional Secretariat (SRS); and,
- Final selection of delegates representing each Member State country and who will attend the Technical Consultation and other events completed and formally agreed.

5. 4th Technical Consultation

Building upon and further contributing to practices, experiences, modalities and time-frames employed for the past three Technical Consultations, the structure/format of the 4th Technical Consultation followed a similar schedule and as follows:

5.1 Time frame

3rd - 4th Dec. 2014 : Regional Children’s Consultation;

5th - 6th Nov. 2014 : Technical Consultation ‘Stepping Up Child Protection for Children with Disabilities’

7th Nov. 2014 : 6th NACG Review Meeting

5.2 Goals, Objectives and Key Outputs

The Consultation will bring together relevant stakeholders from across South Asia with the following objectives.

5.3 Over-arching goal:

To contribute to the elimination of violence and discrimination against children with disabilities in South Asia based on renewed SAARC and other commitments.

5.4 Key objectives are to:

- Raise awareness;
- Review measures taken and concrete results achieved by Member States in addressing rights and responses for children with disabilities;
- Promote learning through exchange of experiences and sharing of best practices (related to protection and response actions, addressing barriers or challenges and disability / child-friendly legislation);
- Build capacity of government partners, SAIEVAC network members and other stakeholders related to issues of disability and understanding / application of the CRPD and social / rights-based approach;
- Strengthen children's participation in their own protection and in relevant decisions affecting them with a special focus on inclusion and accessibility;
- Formulate or revisit recommendations in order to further strengthen the commitment and accountability of South Asian Governments and relevant actors to end violence against disabled children, strengthen fulfilment of rights and protective responses; and,
- Agree Action Plan / Framework for Action which will be further elaborated upon in the respective countries.

5.5 Key outputs will include:

- Regional recommendations on addressing violence against children with disabilities and violation of their rights and strengthened response informed by national action plans and country-specific experiences;
- Outcome document generated outlining key barriers and challenges for South Asian children with disabilities, legislative gaps and advocacy actions, efforts / strategies / approaches required to address these challenges or barriers in order to further strengthen key stakeholder's commitment and obligations to ending violence against children with disabilities;
- Learning, knowledge sharing and documentation from South Asia context contributed towards strengthening global efforts and progress on combating violence against children with disabilities; and
- A mapping of child protection / service providers / SAIEVAC network partners conducted so as to contribute towards the creation across the region of a cadre of specialists (?) with enhanced skills and shared understanding on disability-related issues, the CRPD and employment of a social / rights-based approach.

6. Outcome of the 4th Technical Consultation

The consultation was preceded by 2 days Regional Children's Consultation. Approximately 70 delegates attended the Consultation which included SAIEVAC Governing Board Members, SAIEVAC National Coordinators, SAIEVAC's Child Governing Board Members and Observers, child representatives, representatives from government's focal agencies for disabilities, Chairs/Co-Chairs or representatives of NACGs, representatives from Civil Society Organizations, representatives from SAARC Secretariat, SACG, and SAARC Development Fund.

The consultation noted the challenges, factors causing disabilities and the existing situation of the children with disabilities together with the existing barriers as well as some emerging good practices in ensuring protection of the children with disabilities. After deliberating extensively on the different agenda items tabled for its consideration, which included technical discussion papers, children's recommendations as well as reports on the thematic areas from the 8 Member States agrees and recommends that:

6.1 Children's Key Recommendations on Stepping up Protection of Children with Disabilities:

- 1) The services such as education, health and public services need to be inclusive, disability friendly, of good quality and accessible for children with disabilities. The language and infrastructure barriers should be removed and measures need to be taken to develop skills and competencies of parents and professionals to work with children with disabilities.
- 2) Opportunities need to be created for children with disabilities to access information and participate at all levels including trainings on staying protected, vocational trainings, social security schemes, recreational activities, social functions etc.
- 3) Families, schools, institutions as well as other governmental and private service providers should have measures in place to protect the children with disabilities from abuse and violence and appropriate safety measures for emergencies and disasters.
- 4) Existing laws and policies should be reviewed and amended, if necessary, in line with the regional and international instruments for the protection of children with disabilities and implemented effectively. Legislation should ensure that all forms of VaC including prohibition of all corporal punishment of children in all settings.
- 5) There needs to be adequate budget allocation for children with disabilities in all relevant agencies at all levels of governance.
- 6) Sustained awareness raising need to be undertaken to promote information and awareness on disability and, on safety issues and protection of children with disabilities.
- 7) Community based rehabilitation with the provision of services at the community and active participation of children with disabilities and other actors needs to be

strengthened. Minimum standards of services for children with disabilities needs to be established and enforced.

- 8) There should be multidisciplinary collaboration and mandatory training of concerned authorities and service providers on recognizing, preventing and responding to violence against children with disabilities. Capacity of parents, caregivers and all professionals should to be strengthened to extend appropriate care, support and services for the children with disabilities.
- 9) Focus should be made on removal of barriers and promotion of accessibility through infrastructure development and promotion of language used by children with different forms of disabilities.
- 10) Opportunities for vocational training should be created to increase future prospects for employment of children with disabilities.
- 11) Research and data collection on the situation of children with disabilities along with the challenges as well as good practices in the protection of children with disabilities need to be carried out. National and regional consultations for reviewing the progress, defining priorities, and mutual sharing and learning should be institutionalized.

6.2 Recommendations from Group Sessions

6.2.1 Group I: Legal and policy environment for ensuring Protection of Children with Disability

Recommendations:

- Review present laws and practices to ensure necessary safeguards to protect children with disabilities from all forms of violence;
- Create a policy advocacy forum to generate positive pressure on decision makers to achieve proactive stance in policy, law and practice;
- Monitor and report on trends and changes in incidence of violence against children with disability;
- Encourage social audits of decisions and actions;
- Encourage SAIEVAC to issue periodic assessments of trends and achievements in the region;
- Identify and highlight emerging issues of violence against children with disability as policy and legal issues;
- Define and draw attention to specific vulnerabilities relating to different disabilities and advocate specific preventions and interventions in all cases.

6.2.2 Group 2: Children with disability in Institutional Care Settings including Schools and Family settings

Recommendations

- Developing "Accessible IEC" material to create awareness about protection issues, sensitize and building capacity of Children with Disabilities, family members, care givers, community members/ stakeholders and institutions at large;

- Protection Mechanism, which includes identification, reporting, referral mechanism, addressing violation, psychosocial support etc., may be developed;
- Develop, strengthen, implement and monitor standards for care at family, community and institutional level.

6.2.3 Group 3: Protection and Participation Rights of Children with Disability: within the SAIEVAC Framework

Recommendations:

- Harmonise laws and policies in line with international standards with specific reference to protection and access justice for CWDs, accompanied by clear standards and guidelines;
- Implementation of laws must be periodically reviewed and monitored by independent statutory bodies;
- National human rights mechanisms/commissioners need to appoint personnel with specific mandate to monitor situation of CWDs and effective realisation of their rights and access to services;
- Institutionalisation of children should be the last resort and further supported and prevented by community based rehabilitation and through family assistance programmes provided by community accessible services;
- Different actors including parents and service providers need to be capacitated and children's self protective skills continuously developed, complemented by consistent awareness raising and inclusion of disability and essential information about child protection related aspects into the mainstream school curriculums;
- Services need to be accessible and disability friendly/inclusive especially at the community level and strengthened/linked to existing reporting mechanisms (including child helplines) that are accessible to children with all forms of disabilities taking in to account specific requirements of CWDs.
- States should review existing child protection systems and justice for children mechanisms in the light of CRPD and make necessary provision to address the needs and rights of CWDs;
- Information need to be accessible about the nature of disability, international instruments/resource center/one door policy should be established;
- Role of media be promoted to sensitise the broader public in an ethical and constructive and non sensationalised manner;
- Address attitudes that perpetrate discrimination and VAC needs to be addressed through awareness raising by involving different stakeholders (parents, children, government);
- Participatory advocacy needs to complement these efforts to ensure harmful traditions and attitudes affecting CWDs are prohibited by law.

4th Technical Consultation (5-6th December 2014)

Day – 1: 5 December 2014

B. Inaugural Session

The Inaugural Session was presided over by **Mr. Tissa Karalliyadda**, the Hon'ble Minister, Ministry of Child Development and Women's Affairs, Government of Sri Lanka

1. Welcome and Introduction to the 4th Technical Consultation (TC)

The Director General, SAIEVAC Regional Secretariat he welcome address and the introduction to the 4th TC on Stepping up Protection of Children with disabilities in South Asia. He extended a very welcome to the Chief Guest, dignitaries on the dias, invitees from the Government and the NACG Sri Lanka, the SAIEVAC Governing Board Members, Coordinators, NACG Representatives and the SACG Representatives. He also extended a special welcome to the Child delegates who were able to join the Inaugural Session.



On behalf of the SAIEVAC Regional and National Mechanisms he extended a special appreciation to the Chief Guest and his distinguished Team lead by the Secretary of the Ministry in hosting the 4th TC in Colombo. He also acknowledged the most valuable support and cooperation extended to the SAIEVAC Regional Secretariat from the Chairperson and officials of the National Child Protection Authority and the NACG Sri Lanka in convening this land mark consultation for children with/on disabilities.

Outlining the objectives of the 4th TC, he also acknowledged the most valuable support from the SDF and the SACG in holding this consultation. He also thanked the CEO of the SDF, the Director of the SAARC Secretariat and the Chairperson and Members of the SACG for their presence in the Inaugural Session.

Concluding his remarks he expressed his hope that at the end of the 2 days, we would be happy to report to both the Government of Sri Lanka as well as to all the governments, SACG and NACG partners on how the consultation fared and what more we need to do to move and reinforce the collectively to meet the rights and protection of children with disabilities,

2. Addresses by the Child Representatives



Master Abdulla Ahzam, the child representative from Maldives expressed his happiness to be able to represent the children of South Asia in the Inaugural Session of the august gathering and thanked all for their presence and support. He said that the experience of participating in the Regional Children's Consultation and getting to meet children from the other

SAARC Countries was a great opportunity. He expressed his hope that the services for children with disability will become much better in the days to come.



Ms. Kavya Mukhija, the differently abled child representative addressed the gathering on behalf of all her friends from the 8 countries of South Asia along with their chaperones put forth the key issues of difficulty which they have to face in their respective countries.

She submitted a list of important recommendations to for the governments. The points that have come out have both positivity as well as the difficulties they faced. She mentioned that although the governments are moving forward towards disabled friendly society there are still a lot that has to be done. Some of the key recommendations were on the needs for laws and policies to be framed and implemented because unless they are there they cannot claim their rights and unless they can be claimed they cannot be exercised.

She thanked the organisers for holding this Consultation and giving a chance to share the thoughts on an international platform. She expressed her hope that the consultation will dwell on important areas of protection and services for children with disabilities and help the world to become a better place to live in.

3. Address by the Chairperson, SAIEVAC Governing Board (*Annex -2*)

The Chairperson of the SAIEVAC Governing Board mentioned that the initiative is like a family initiative of SAIEVAC, supported by SACG and SDF and hosted by the Government of Sri Lanka.



She reminded the gathering that SAIEVAC is an intergovernmental body with a vision that all children, both boys and girls, throughout South Asia enjoy their right to an environment free from mall forms of violence, abuse, exploitation, neglect and discrimination. This regional pioneer initiative driven by the SAARC Governments strongly engages a wide range of stakeholders including children, NGOs, UN agencies.

She said that SAIEVAC's ability to promote action related to stepping up protection of children with disabilities is a great interest and also is based on regional need.

She expressed hope that the consultation provides an excellent opportunity to share and exchange existing work from the region and identify successful strategies for addressing disabilities as well as child friendly legislations across South Asia.

4. Video Message from Marta Santos Pais, UNSRSG VaC

Ms. Marta Santos who could not join the Consultation shared her support through a video message. while the full transcript is at *Annex – 3*, a short extract is presented below.

“I would have loved to join your important meeting and I am very sorry I shall miss the opportunity of discussing with you all this time. I am, however, delighted to connect with you through this message.

By choosing to devote its fourth Technical Consultation to the issue of violence against children with disabilities, SAIEVAC is taking the courageous step of addressing an often overlooked problem. It is estimated that 93 million children – which means 5% of world’s children - have a disability. Although data on children with disabilities is very often lacking, available research reveals an alarming prevalence of violence against these children. According to some recent studies, children with disabilities are three to four times more likely to be exposed to violence than children without disabilities.

I therefore want to congratulate you for your decision to focus on this crucial question!

5. Address by the SACG Chairperson (*Annex - 4*)

It is my great privilege and honour to address this august gathering on behalf of the interagency South Asia Coordinating Group on Action against Violence against Children (SACG). Let me begin by thanking the Government of Sri Lanka for hosting this important event. We very much value this cooperation, which was also extended to us when the Government hosted Regional Consultation in 2012. We thank the Regional Secretariat and national mechanisms of the South Asia Initiative to End Violence against Children (SAIEVAC) for organizing the Technical Consultation.



Leading to this, the preparatory consultations in the eight countries enriched the process and we thank the National Action and Coordination Groups against Violence against Children (NACGs) and the Children who made this possible with support of the National Coordinators. We are eager to learn about the outcomes of the Regional Children’s Consultations that just concluded.....

6. Address by the CEO, SAARC Development Fund



Addressing the Inaugural ceremony, the CEO expressed happiness to be present and share his views in this important discussions because SDF is a body established by the SAARC to bring about regional integration through such forums, trade and investments and it is the responsibility of SDF to provide necessary funding enabling such platforms for networking and formulations to further friendship and co-operation.

He said that SAIEVAC project was approved 3 years ago with a long journey but the journey has not been very smooth. The project ends on 31st December but the issues do not end.

He said that listening to the speeches so far, the issues with regard to children seems to be growing and SDF is happy to be able to bring together these committed people through the efforts of the SAIEVAC Secretariat and through the personal leadership of Dr. Rinchen, working extremely hard to put together this project to ensure that children have a say about issues that affect them.

He also informed that SDF has 9 projects with a total budgetary outlay of about USD 63million and of the 9 projects, 3 projects are dedicated to women and children issues. The 3 projects would amount to about USD 25 million.

He said that the SAIEVAC Projects constitutes some very important elements funded by SDF and it is desired to a systematic closure of the project activities as well and look forward to have a separate meeting with the officials from the different countries present to work out how to improve the implementation of the SAIEVAC projects. SDF funded projects bring together a common thread to combine all the efforts of the national governments and though SDF's commitment is quite small in terms of funding but in terms of importance the issues that relates to children is given top priority.

He concluded by saying that the SDF is extremely happy to be part of this process but need to work on the processes and systems so that the projects funded by the SAARC governments through the SDF projects...improves and... a separate meeting with the representatives of the member states is necessary to deliberate on the issue at hand.

7. Address by SAARC Director, SA, SAARC Secretariat (*Annex – 5*)



I am very happy to speak at the Inaugural Session of the Fourth Technical Consultation of SAIEVAC, on the theme of Stepping up Protection of Children with Disabilities in South Asia. I represent His Excellency Secretary General and the Secretariat of SAARC, which works very closely with SAIEVAC on promoting and protecting the rights of the South Asian children. I thank the Government of Sri Lanka, SAIEVAC and its partners for convening this consultation on a subject which is extremely relevant and important to the region.....

8. Address by the Hon'ble MP Dr. Mrs Sudharshini Fernandopulle



Thanking the SAIEVAC Regional Secretariat for organizing the Technical Consultation, the Hon'ble MP expressed pleasure that the present consultation is the fourth of its kind organized so far. She hoped that the participants will share the experiences and good practices in the region.

She reported that the Sri Lanka has done quite well where the needs of children are concerned. Sri Lanka ratified the CRC 25 years ago and together with UNICEF, the Parliament of Sri Lanka was able to celebrate the 25th anniversary in the recent times. To mark the occasion, the Parliament of Sri Lanka established the Caucus for children. Although it is too early to talk about the experiences of this caucus, she mentioned that there is hope to collaborate with different agencies that work for providing services for children.

She also pointed out that while Sri Lanka has done quite well where children are concerned; they have sort of neglected the children with disabilities.

Although a lot has been done, even for the normal children and children with special needs, different agencies/ministries provides services but there is a need to link intersectoral collaboration with a multi-disciplinary approach for the services to children with special needs.

Inclusive education has been introduced through the Ministry of education, but there is a need to provide more services to children. The Ministry of Social Services has ensured in a recent circular that “accessibility” to not only children but also adults with special needs. But the need for a multi-disciplinary approach is lacking.

She stated that that through the Parliamentary Children’s caucus, the government will revisit the policies for children and try to bring about some amendments for children where needed and also look at legislations, taking into view the needs of the children.

The Hon’ble MP emphasized that the total needs of all children which includes the needs of children with disabilities should be provided so that their growth and development could be optimized, even with the disabilities....it is the right of all governments to ensure the safety, protection and the needs of all children, including the children with special needs.

9. Launch of the Report on Corporal Punishment

Co-occurring with the Inaugural of SAIEVAC’s 4th Technical Consultation on “Stepping up Protection of Children with Disabilities in South Asia, the SAIEVAC report “Progress and Proposals for Reform-2014” was launched by His Excellency Mr. Tissa Karalliyadda, Minister, Ministry of Child Development and Women’s Affairs as part of its Regional initiative for Prohibition of Corporal Punishment of Children in South Asia



in Colombo, Sri Lanka on 5th December 2014.

The launching was preceded by a brief introduction by Dr. Rinchen Chopel, the Director General of SAIEVAC who highlighted that Corporal Punishment as one of the thematic priorities of SAIEVAC has seen a lot of work in all Member States. National level campaigns have been launched in Bangladesh, Pakistan and Nepal and plans are underway to launch the campaign in all other member states by mid 2015. Working closely with SAARCLAW and the Global Initiative to end all forms of Corporal Punishment, he said that SAIEVAC has made a special effort to bring this report to this 4th technical Consultation in Sri Lanka as a testimony to the Sri Lankan government, where it was first launched that SAIEVAC is indeed accountable and committed to the actions and decisions taken earlier. He reported to the Hon'ble Minister and the children of Sri Lanka that SAIEVAC and the National Mechanisms take this campaign very seriously. Thanking all the governments in the eight Member States for their contribution in formulating and finalizing the report, he also highlighted that the report not only contains the status but also the progress and the reforms that needs to be addressed to achieve the goals. He also expressed his hope that by next year, atleast one country in South Asia if not more, will move to ban COP in all settings.

10. Key Note Address by the Hon'ble Chief Guest



As the Minister in-charge of Child Development and Women's Affairs of Sri Lanka, it gives me great pleasure in addressing this important conference organized by the SAIEVAC Secretariat, on Stepping up protection of Children with disabilities in South Asia.

I want to thank Dr. Rinchen, the Director General of SAIEVAC, and the organizers of this event, for inviting me to be the Chief Guest.

All children, irrespective of whether they are abled, or disabled, have the right to be protected from violence, exploitation and abuse. Yet, millions of children worldwide suffer violence, exploitation and abuse every day, and millions more are at risk. And, higher levels of vulnerability are often associated with children with disabilities.

Depending on how disability is defined, global figures estimate that 200 million children experience some form of disability.

However, according to UNICEF research, statistics on incidence and prevalence of childhood disabilities are slim, and assumptions often lie within large ranges of uncertainty, and are also out dated. Nevertheless, the realities of disability are alarming in all parts of the world. Stigma, ignorance, neglect, superstition and communication barriers for children with disabilities are among the social factors that explain their discrimination and isolation from society.

Legislation, policies and attitudes that fail to recognize the legal capacity of children with disabilities are factors that aggravate their discrimination and exclusion of society and increase their vulnerability to violence, abuse and exploitation.

Therefore, there is a need for responsive child protection systems, which should strengthen the effective participation, development and inclusion of this group of children, and their caregivers, as well as address social attitudes and perceptions. As a result, disability is addressed within the context of an overall child protection systems approach which allows capturing the dynamic interplay between other protection needs, rather than treating disability in isolation.

Advocacy and better communications are vital to respond to and prevent child abuse, exploitation, violence, and neglect. Our efforts should be directed towards change of social attitudes, and promote a culture based on respect.

I am sure this conference would provide an important forum to discuss issues relating to protection of children with disabilities, and also evaluate the actions taken by the regional countries to address violence against children with disabilities, and strengthening of protection responses.

11. Vote of Thanks by Hon'ble Secretary, Governing Board Member



It gives me great pleasure to stand here of you to deliver the vote of thank of the inauguration of 4th Technical Consultation on Stepping up protection of children with disabilities in South Asia. Being the most child friendliness government in South Asia we are highly proud to host the Consultation and indeed it is an honor and privilege to have all of you today with us.

We wish to thank to Hon minister Tissa Karalliyadda for being the chief guest, Hon Mrs Sudarshani Fernandupulle , and Mrs Emelda Sukumar, for being with us to grace this occasion beside your busy schedule. It is an honour to have you today with us.

It is found that many children with special needs or physical disabilities are falling through the gaps in the child protection system despite being at greater risk than other children. So we believe it is high time that we focus on new dimension towards protection of children with disabilities. Identifying the importance of this we would like to mention that a special chapter has been allocated in the *National Child Protection Policy* of the Government of Sri Lanka for protection of children with disabilities to ensure safer environment for them.

In this context, on behalf of the Government of Sri Lanka I would like to extend our sincere gratitude to all of you who gathered today from all the SAARC countries to brighten the lives of children with disabilities in South Asian Region. Your willingness to share your time and expertise in this area is significant to make this consultation a success.

Children, you are our future, I would like to convey our sincere gratitude to you for attending the consultation showing your keen interest to make this event a success. It is great honour to have you with us today. You are a shining example to others

I would like to specifically thank Ms Tahmina Begum, Mr Karma , Fathima Najwa, Mr Rasa Sekulovic, Ms Sherin Khan, All Governing Board Members, National Coordinators, SACG and NACG chairs and co-chairs for your great effort making this event a success

Let me take this opportunity to sincerely thank to Dr Rinchen Chopel, Director General of SAIEVAC Regional Secretariat for being KEY PERSON right behind many success stories in the area of child protection. Also I wish to thank his team who are committed and dedicated to make every effort a reality towards protection of children

Hope you all will have an unforgettable experience during you stay in this beautiful country and wish the Consultation a success.

C. Opening Remarks, Selection of Chair, Co-Chair & Review and adoption of the Agenda

- Dr. Rinchen Chopel, Director General, SAIEVAC Regional Secretariat

The Director General of SAIEVAC commenced the business session re-iterating the importance of political commitment and mentioned that the morning session was symbolic of an effort to garner political commitment for stepping up protection of children with disabilities in South Asia. The presence of His Excellency the Minister, the Secretary and the Chairperson of the newly formed Parliamentary Caucus on child rights is a move towards that direction. Acknowledging that the 2 days of the Regional Children's consultation was very exciting, interactive, successful and hence productive; he commended the hard work of the facilitators to derive that outcome. He reminded the consultation that the Child GB members and observers will also be participating fulltime in the consultation.

The agenda for the 2 days Consultation was reviewed and adopted (**Annex-I**)

Stating that the 2-day Technical Consultation will be sparked off by some important presentations, the selection of chair and co-chair was done. He also reminded the house on the time bound nature of the agenda and to be judicious with time use. With this the agenda was adopted.



As per standard practice, the host country was nominated for the Chair of the 4th TC. Accordingly the Governing Board Member of SAIEVAC, Sri Lanka assumed the Chair and Ms. Anoma Dissanayaka was elected as the Alternate Chair. Ms. Razia Ismail NACG Representative from India and Ms. Phintsho Choeden, GB Member from Bhutan were nominated as the two Co-chairs.

Statement of the Chairperson – 4th Technical Consultation 2014

Welcoming all the participants to Sri Lanka and to the 4th technical Consultation, the Chair expressed her happiness to be hosting the 4th TC in Sri Lanka, which is infact the second time that SAIEVAC's TC is being held in Sri Lanka. She then called upon first presenter

Mr. Rasa Sekulovic to set the tone of the consultation by making the first presentation on Protecting Children with Disabilities: Common Challenges and strategic response.

D. Rights of Children with Disabilities to protection: International Perspective

- Mr. Rasa Sekulovic, Regional Advisor, Child Protection and Participation, Plan ARO

Thanking for the opportunity, Mr. Rasa made a presentation to set the tone of the consultation.

The focus of the presentation according to him would introduce the methods and increase clarity and bring the focus on CP the key topic of this consultation

However, as the first consultation of focusing on CWD, it is very difficult to focus on one topic...discussion on CP cannot be done in isolation...so it is important to remember some other important aspects that determine CP.



(Refer AnnexPPT for details of the Presentation)

E. Outcome Report of the Regional Children's Consultation

- Children GB Member/s

Based on the outcomes of the Regional Children's Consultations the recommendations was presented by Mr. Bhim Prasad Adhikari, Child Governing Board Observer from Bhutan, Ms. Nabila Noori, Child Governing Board member from Afghanistan and by Mr.Mamun Bokaul, Child Governing Board member from Bangladesh. The main recommendations are presented below.

A fuller version of the recommendations can be referred to as in Annex.....

1. Laws and policies need to be inclusive and non-discriminatory. They should be disability friendly and implemented effectively. There needs to be sufficient budgetary allocations to implement these policies and laws. Disability education needs to be introduced in school curriculums
2. The services such as education, health and public services need to be inclusive, disability friendly, of good quality and accessible for children with disabilities. All the service providers must respect the dignity of children with disabilities. Also, a reporting mechanism should be in place to directly reach the concerned authorities.
3. Measures should be taken to raise awareness among people to change attitudes and ensure respectful communications using good quality and accessible information. It may include resource centres, code of conduct, and the use of media.
4. Measures need to be taken to develop skills and competencies of parents and professionals to work with children with disabilities.

5. Opportunities need to be created for children with disabilities to participate at all levels including trainings on staying protected, economic empowerment and recreational activities.
6. Children should also respect, support, treat equally and provide equal opportunities for children with disabilities.
7. Families should ensure equal participation of children with disabilities in social functions, family gatherings and other occasions. They should learn the issues and languages of the children with disabilities, provide protective environment and pay more attention to the children with disabilities.
8. Schools should have measures in place to protect the children with disabilities from abuse and violence in coordination with the families of children. Children with disabilities should be represented in decision making in schools.
9. Private sectors should make their services accessible for all children with disabilities by removing language and infrastructure barriers. They should show sensitivity and have safety measures in place for children with disabilities.
10. Strict actions must be taken against those who commit violence against children with disabilities. Peace and security must be maintained in the region for the protection of the children with disabilities.
11. The technologies and equipment for supporting the children with disabilities should be improved and made available.
12. The governments, children and all other concerned actors should continue interaction and exchanges in the region for mutual support and learning.

F. Children with Disability and Corporal Punishment

Mr. Peter Newel, GI to End all Corporal Punishment highlighted that corporal or physical punishment of children and other violent forms of punishment are sadly still a major issue for children in almost every country in the world. Saying that there is accelerating global progress, he was optimistic that violent punishment of children, in their homes and families and in all other settings of their lives, is recognised as a clear violation of children’s human rights now. The UN Committee on the Rights of the Child emphasises that states have an “immediate obligation” to prohibit it. It is a very simple issue – we all agree that hitting people is wrong – and children are people too. Children have an equal right to full respect for their dignity and physical integrity and to equal protection under the law, he said.



He referred to a UNICEF analysis... “Hidden in plain sight” stating that on average at least 60 per cent of children experience physical punishment and 17 per cent – one in six - experience the most severe forms. And remember, all these studies involve self-reporting by primary carers, mostly mothers, so inevitably the figures are an under-estimate of the

reality. Shockingly, children with disabilities are more likely to experience physical punishment than children without disabilities, as confirmed by another study published in 2013.

He also pointed out that caregivers of children with disabilities were more likely to believe that they needed to use physical punishment than caregivers of children without disabilities. South Asia is home to a quarter of the world's children. SAIEVAC, since its formation, has given the issue of violent punishment of children special and explicit attention. He reminded that before the formation of SAIEVAC, nine years ago during the South Asia regional consultation for the UN Study on violence against children which I and some others here attended in Islamabad, the eight states made clear commitments to prohibit violent punishment.

He also reminded that while excellent campaigns have been launched in several countries, none of the eight states has yet achieved a full ban. Surely the children of South Asia can reasonably feel impatient? He further highlighted the persisting social and legal acceptance of violent punishment of children in all the South Asian states and many others worldwide does not simply undermine and contradict the purpose of child protection.

The UN Convention on the Rights of Persons with Disabilities echoes and complements the Convention on the Rights of the Child, stating that children with disabilities have a right to enjoy human rights on an equal basis with other children (article 7); that everyone has a right to life (article 10), to respect for their physical and mental integrity (article 17), to be free from exploitation, violence and abuse within and outside the home (article 16) and to be free from torture and cruel, inhuman or degrading treatment or punishment (article 15).

The Chair of the Committee on the Rights of Persons with Disabilities is quoted in our briefing as emphasising: "The absolute prohibition and total elimination of corporal punishment against boys and girls is a human rights imperative". She goes on to emphasise that ending violence against children including this most common form, should be among the development goals adopted for the post-2015 agenda.

He expressed his hope that this technical consultation will re-affirm SAIEVAC's commitment to achieve an end to legalised violence against all children and re-emphasise the urgency of fulfilling the commitments made to the region's youngest citizens, who are also the most vulnerable to the effects of violence.

He said further delay is not acceptable and reminded that the Committee on the Rights of the Child emphasises in its General Comment No. 8 on the right of the child to protection from corporal punishment, prohibiting this very common form of violence is fundamental to reducing all other forms of violence in society and to building peaceful societies where the use of force is not considered an acceptable way of changing behaviour.

I still hear some suggesting that we should achieve the end of violent punishment only by education, not legislation, he said. But this denies children's right to equal protection

under the law. It also denies that the law, if properly disseminated, is a most potent instrument for social change. The first purpose of all good law is prevention – in this case of harmful assaults on children.

Why should children, of all people, wait for legal protection from being hit while we try to educate parents and others out of hurting them? Nobody would argue that we should wait to prohibit slapping of women until we have achieved universal anger management classes and full employment for men. It is equally unacceptable and in violation of international law, to wait for children.

But of course clear law on its own will not achieve the necessary urgent change in the social norms: it has to be linked to sustained public and parent education on the law and on the child's right to full protection, awareness-raising of the dangers of corporal punishment and promotion of positive, non-violent discipline. He emphasized that this preventative and educational process will save states huge amounts of money.

He ended his statement by confidently predicting that universal prohibition and accelerating elimination is now inevitable. But the question that remains is how long our children have to wait and it depends on the strength and passion of the advocacy for change – change to achieve children's fundamental right to full respect for their human dignity and physical integrity, and to equal protection under the law.

G. Outcome of National Consultations: Country Presentations

Each member states made their presentations on the outcomes of the National Consultations.

Please see link below for the respective PPTs

<http://goo.gl/r9TAKk>

Day – 2: 6 December 2014

H. Children with Disability – Existing legal and policy environment in the South Asia Region (*Annex – 7*)

- Ms. Lasanthi Daskon, Attorney at Law & Director Wheels in Motion



The presentation besides covering the current situation of laws and policies in the SAARC Region, made the following general observations for the Conference to take note of:

1. Implementation of the UNCRPD
2. Strengthen Legislation
3. Commitment of Governments
4. Promote and Enhance the exercise of Rights by Children with

- Disabilities
5. Involve Children
 6. Promote Regional Cooperation
 7. Implementation of the UNCRPD
 8. Strengthen Legislation
 9. Commitment of Governments
 10. Promote and Enhance the exercise of Rights by Children with Disabilities
 11. Involve Children
 12. Promote Regional Cooperation

I. Group Work on Creating Space and Investments for Children with Disability to End Violence against Children

The participants were divided into 3 groups with each group consisting of representation of relevant participants from different MS equally represented in each group. Each group also had expert facilitators to guide the group discussions. The Groups carried out their exercise for about 2 hrs following which presentations were made to the plenary:

1. Group I: Legal and policy environment for ensuring Protection of Children with Disability

Facilitators:

1. Dr. Shidhtha Shareef, Maldives
2. Ms. Lasanthi Dascon, Srilanka

Group Members

SN.	COUNTRY	NAME	CATEGORY
1.	Afghanistan	Dr. Fazal Elahi Ibrahim	SAIEVAC Coordinator
2.	Bangladesh	Ms. Tahmina Begum	Chairperson and GB Member
3.	Bangladesh	AKM Masud Ali	NACG Chair/GB CSO Rep
4.	Bhutan	Ms. Tshering Lhamo	Govt.Disability Agency Rep
5.	India	Razia Ismail	NACG Rep.
6.	Maldives	Ms. Aishath Sadhyqa	SAIEVAC Coordinator
7.	Bhutan	Ms. Phintsho Choeden	GB Member
8.	Nepal	Dr.Kiran Rupakhetee	National Co-ordinator
9.	Nepal	Mr. Devi Prasad Gnywali	Govt.Disability Agency Rep
10.	Pakistan	Mr. Imran Nazir	ED-NACG-CSO Rep
11.	Srilanka	Chandila Colombegge	NACG CoChair
12.	Maldives	Ms. Fathimath Najwa	SAARC Director

Outcomes and key messages/recommendations

What works well?

- Educational opportunities
- Sign language facilities
- UNCRPD is ratified by almost all countries in the Region
- Specific space/seat allocated for CWDs in public transportation
- Examples of NGOs and institutions to help parents not to abuse children

What is working well? – Good practices

- Non-formal education for parents
- Personal attendants for transportation and dedicated teachers in schools for CWDs

Participation

- Children's clubs in schools that discuss and make voice on the issue of CWDs

Capacity building

- Disability related curriculum in professional training and education (such as medical education)
- Inclusive education is being practiced where CWDs are getting support and are in the mainstream

Accessibilities

- Special walking tracks, reflector ramps are being initiated to make the city more accessible
- Railway stations platforms are being made accessible
- Education is free and there are some additional **vocational training** happening
- Clear definition and inclusion of mental disabilities and autism in law and constitution
- Special needs, differently abled (words)
- Accessible stadium and **recreational facilities**
- Police help children when crossing roads. Communities also take responsibility for safety of children (**support from authorities**).
- Community protection groups are in place (**Services/support**)
- Some families are adopting CWDs (foster care)
- Internship of students in children with organisation working with CWDs (**capacities**)
- Child helplines (Awareness)
- Started schools but need teachers to be trained (**Awareness and training**)
- Although sign language is there other friends need to know sign language otherwise children feel unprotected (**language barriers**)

- Strengthening self-employment for families with CWDs (**support to families**) – **Private sector**
- Strengthening of legal framework for protection (**Laws**)
- Tools to understand and assess the whole range of sexual abuse (**Access to information on protection**)
- Advocacy with parent groups
- Girls with disabilities and women's issues coming out and strengthened
- Beginning of lobbying for children with multiple disabilities (**empowerment of children**)
- Using theatre music to empower children with disabilities
- Developing talents of children

Recommendations (Overall responsibility is with governments)

- Strengthening families for resilience through counselling
- Strengthening children to talk about their issues
- Making facilities (therapeutic) available to parents (secondary disabilities)
- Caretakers for working families
- More training for teacher on working/communicating with CWDs
- Use of law to prevent violence
- Social campaigns and use of media
- Awareness on how to protect CWDs

For children

- Respect, treat equally, include and provide equal opportunities, encourage meaningful participation in the groups, help each other
- Do not humiliate

Family

- Equal participation in social functions, family gatherings and other areas
- No discrimination between children with and without disabilities
- More attention, do not neglect the CWDs
- Family should provide a protective environment
- Do not pity the CWDs
- Learn and understand the difficulties, language of CWDs

Schools

- Quality education opportunities for all CWDs
- Measures for protection against abuse and violence
- Teachers and parents exchange and coordination and facilities
- Push the government for prepare measure in place for CWDs (friendly for them)
- Encourage/train children without disabilities to support the CWDs

- Include CWDs in decision making – support child clubs
- Welcoming/friendly approach by the teachers to encourage CWDs/share their concerns
- No discrimination

Private Sector

- Make their services accessible for all CWDs (communication/infrastructure)
- Sensitivity towards CWDs
- Safety measures for CWDs (different forms of disabilities)

Community/along governmental organisations

- Work together for the CWDs without discrimination
- Continue interaction – bring together children in inclusion session
- Respect the dignity of their children
- Promote the languages of CWDs and train others
- Support for fun filled trainings for CWDs for protection and advocacy

Government

- Education, technologies for CWDs, equipments (improve these services)
- Ensure the rights of CWDs in law and implement the laws
- Direct reporting/complaint system to reach the government
- Engage in sharing and learning with other countries
- Raise awareness against violence against CWDs
- Prosecute/take actions against those who commit violence against CWDs
- Strengthen the security and peace throughout the country
- Improve the infrastructure in all areas to be accessed by CWDs

2. Group 2: Children with disability in Institutional Care Settings including Schools and Family settings

Facilitators:

1. Dr. Samina Zafar, Pakistan
2. Dr. Shamin Ferdous, Bangladesh

Group Members:

SN.	COUNTRY	NAME	CATEGORY
11	Afghanistan	Mr. Sadiq Mohibi	Govt.Disability Agency Rep
11	Bangladesh	Mr Omar Faruque	Govt.Disability Agency Rep
11	Maldives	Ms: Aminath Ismail	NACG/CSO Disability Rep
11	Bhutan	Ms. Beda Giri	NACG-CSO Rep

11	India	Kasturi Mahapatra	CSO Rep.
11	Maldives	Ms. Mariyam Shifana	NACG Chair
11	Nepal	Ms.Radhika Aryal	SAIEVAC Governing Board
11	Pakistan	Mohammad Hassan Mangi	SAIEVAC Coordinator
11	Sri Lanka	Anoma Dissanayaka	SAIEVAC Coordinator
11	Maldives	Ms. Zenysha Shaheed Zaki	ED, ARC
11	SACG	Ms. Sherin Khan	SACG Chair

Areas covered during the discussions:

What are the challenges?

- Health
- Education does not go well (teachers scolding)
- Barriers in terms of access
- Lack of job opportunities
- Sexual abuse
- Lack of knowledge of parents at time of emergencies
- Malnutrition
- Exploitation of children with disabilities for begging
- Child marriage
- Misbehaviour
- Lack of knowledge of rights
- Facilities in cities more than villages
- Bullying (among peers)
- Mockery (in communities)
- Awareness programmes to change attitudes from grassroots level up
- Teachers' discriminatory behaviours
- Exploitation of children with disabilities
- Lack of recreational activities, exclusion and mental abuse
- Exclusion and mental abuse
- Violence against children happening in different places including home, community, school, institutions and work
- Lack of policy and laws and their implementation
- Coordination and meetings
- Lack of children's involvements
- Lack of staff to support children with disabilities
- Public transportation needs to be disability friendly
- Children with disabilities are exploited/made to work in different places (schools/home/etc.)
- No encouragement for teachers who are working well (lack of encouragement)
- People who work with CWDs lack knowledge and training to work with them

- Gaps in communication – people/children do not know how to communicate in sign language which prevents building up relationships/friendships
- Specific information about health and hygiene
- No/lack of sex education to CWDs which leaves them vulnerable to sexual abuse (need to improve school curriculum)
- Interconnectedness of different forms of support required by CWDs
- CWDs are hidden, abused, locked up, chained or isolated
- CWDs are deprived of quality education
- Prejudices – thinking that disability is due to bad karma
- CWDs don't get registered at birth
- Security and neglect during emergencies and disasters
- Neglect in terms of nutrition (CWDs not fed well)
- Parents do not educate CWDs as they think these children would not be able to care for them in their old age
- Lack of disability friendly laws and policies and their implementation. Lack of budgetary allocations for supporting CWDs.
- CWDs (specially girls) are highly vulnerable for sexual abuse. When such incidents are reported, they are not trusted or taken seriously
- Lack of complaints mechanisms to report issues
- Lack of support for CWDs – helpdesks, etc
- Deprived of getting legal documents (e.g. passports) as physically handicapped children cannot sign or give the thumb impression
- Policies are not adjusted/sensitive to the rights of CWDs
- Exclusion/lack of information to CWDs in schools, so CWDs are excluded
- Lack of recreational activities for CWDs in schools
- Proper accommodation/arrangements for CWDs
- Architectural barriers/environmental barriers – no wheelchair ramps, etc (needs to be regulated by laws and policies as they lead to exclusion and discrimination)
- Awareness raising – increase the participation of CWDs at all levels
- Lack of job opportunities – future prospects for CWDs (jobs, cannot get married, inherit properties)
- Lack of support materials for CWDs (Braille, tools for vision impaired children)
- Access to education

Outcomes and key messages/recommendations

Violence against children with disabilities is happening in all places including home, community, school, institutions and work settings. Different forms of violence against children

- Bullying
- Harassment

- Peer violence
- Neglect (by laws and policies)
- Exploitation
- Discrimination
- Sexual abuse
- Emotional abuse (mockery/metal abuse)
- Trafficking
- Child marriage
- Corporal punishment
- Child labour
- Physical abuse
- Isolated, hidden, chained or locked up
- Malnutrition
- Health and hygiene

Issues and gaps in services/supports affecting children with disabilities include:

- Lack of awareness
- Lack of accessibility
- Architectural barriers
- Lack of disability friendly facilities
- Poverty, economic/financial hardships, inadequate national budgeting
- Prejudice/attitudes and behaviours
- Norms, beliefs and moral barriers
- Lack of birth registration, legal identities and rights
- Lack of early detection and intervention
- Lack of information and access to information
- Lack of good statistics and research
- Lack of skills and abilities among parents and professionals to work with children with disabilities (e.g. teachers)
- Lack of safety and security (in emergencies/disasters)
- Lack of acceptance
- Lack of recreational activities
- Lack of opportunities for participation
- Lack of job opportunities/future prospects
- Lack of sex education
- Inadequate/absence of complaint and reporting mechanisms
- Lack of check and balance and supervision and monitoring
- Communication barriers
- Educational barriers

Everyone has a role to play, but with different responsibilities. These responsibilities span at following levels:

- Individual
- Community (including children’s clubs)
- Policy and laws (governments)

The measures taken to address above issues will result in:

Inclusive societies that celebrate different abilities in which children with disabilities are being consulted regularly

**3. Group 3: Protection and Participation Rights of Children with Disability:
within the SAIEVAC Framework**

Facilitators:

1. Mr. Rasa Sekulovic, RA PLAN ARO
2. Ms. Radhika Alkazi, India

Group Members:

SN.	Country	Name	Responsibility
1.	Bangladesh	Dr. Md. Aminul Islam	SAIEVAC Coordinator
2.	Bhutan	Ms. Deki Dema	SAIEVAC Coordinator
3.	Bhutan	Mr. Aniruddha Kulkarni	NACG Co-Chair
4.	Pakistan	Mr. Shariq Ahmed	Secretary, GOSindh
5.	Maldives	Ms. Suneetha Mohamed	Govt.Disability Agency Rep
6.	Nepal	Mr. Rabin Nepali	NACG Co-Chair
7.	Nepal	Mr. Surya Bhakta Prajapati	NACG/CSO Disability Rep
8.	Pakistan	Raja Mir Anwar Shazad	NACG Co-Chair
9.	Sri Lanka	Ms. Champa Cunasekera	NACG Chair
10.	India	Dr. Chiranjeeb Kakoty	NACG Chair
11.	SACG	Mr. Peter Newell	Expert Facilitator, Global Initiative to End all COP

Areas covered during discussions:

Introduction

Numerous forms of VAC are taking place across countries in the Region in different settings due to their increased vulnerability. These include the following which often remain invisible, hidden and unreported. These forms of violence are often aggravated due to the discrimination and exclusion they are exposed to. These include but are not limited to:

- Social isolation
- Neglect
- Exclusion from all services for children
- Lack of birth registration
- Violence in rehabilitation settings
- Frequent abandonment
- Unnecessary institutionalisation
- Use of practices within rehabilitation centers which are harmful
- Sexual abuse

Even though there are instance of good practice across the Region, there is still a significant gaps to be addressed in terms of lack of inclusiveness and disability friendly policies that should guide the improved services and support to CWDs and monitored by independent bodies in line with key international instruments and standards.

There's a lack of convincing evidence therefore in-depth research needs to be commissioned into this area to improve practice based on evidence including data management system.

Key aspects of strengthening national CP systems that should be taken into consideration to address different issues affecting CWDs

Laws and policies

- Laws and policies need to be harmonised in line with international standards with specific reference to protection and access justice for CWDs and to be accompanied by clear standards and guidelines. These need to be periodically reviewed and monitored by independent statutory bodies to inform advance protection practice and increase accountability for professionals to deliver effective service for CWDs. National human rights mechanisms/commissioners need to appoint personnel with specific mandate to monitor situation of CWDs and effective realisation of their rights and access to services.

Services

- Institutionalisation of children should be the last resort and further supported and prevented by community based rehabilitation and through family assistance programmes provided by community accessible services. Different actors including parents and service providers need to be capacitated and children's self protective skills continuously developed. This needs to be complemented by consistent awareness raising and inclusion of disability and essential information about child protection related aspects into the mainstream school curriculums.
- Services need to be accessible and disability friendly/inclusive especially at the community level and strengthened/linked to existing **reporting mechanisms**

(including child helplines) that are accessible to children with all forms of disabilities taking in to account specific requirements of CWDs.

- States should review existing child protection systems and justice for children mechanisms in the light of CRPD and make necessary provision and realign and address the needs and rights of CWDs.
- Effective and consistent implementation of disability friendly laws and policies to be further advanced by regular coordination and collaboration between different sectors (health, education, media, etc.)

Access to information

- Information need to be accessible about the nature of disability, international instruments/resource center/one door policy should be established. Role of media to sensitise the broader public in an ethical and constructive and non sensationalised manner.

Addressing attitudinal barriers

- Addressing attitudes which perpetrate discrimination and VAC needs to be addressed through awareness raising through the involvement of different stakeholders (parents, children, government). Participatory advocacy needs to complement these efforts to ensure harmful traditions and attitudes affecting CWDs are prohibited by law.

Quality participation/right to be heard:

1. **Need for focusing on the quality of inclusion and participation of CWDs and aligning it with international human rights framework:**

CWDs are involved mostly because they are disabled, but this has to be meaningful which should not be decoration. Efforts should be made to reaffirm/standardizing what children's participation means within the SAIEVAC framework. Measures should be made to include children who are not necessarily involved in general. Efforts should be made to addressing gaps in methodologies, creating specific approaches, etc to ensure the rights of CWDs to be heard.

Awareness raising and training

2. Importance of taking efforts to address the issue of non-availability of information for CWDs.
3. Need for increased awareness raising on the rights of the CWDs. Dissemination of UNCRC and UNCRPD in different languages that is user friendly to any group (governments need to take this up).
4. Need for introducing trainings all relevant groups including children and parents so to increase their knowledge on the rights of CWDs, how to access services, etc.

Child helplines/reporting and mechanisms

5. Recognized the importance of reviewing the existing child helplines and improve them, so that they are accessible and friendly for CWDs (toll free – every service provider doing this).
6. Need for independent human rights monitoring mechanisms establish these mechanisms and appoint a member dedicated to the rights of CWDs.

Integration with national systems/policies, improving services and supporting CBCPMS

7. Need for integrating disability education into the national systems (inclusion of rights of CWDs into the school curriculum) and ensuring the accessibility of services at the community level (CBR) for CWDs.
8. Importance of not institutionalizing CWDs. Improving the situation of existing institutions with proper reporting mechanisms (helplines), child protection policies and other control mechanisms aligning with the UNCRC standards.
9. Assist the CBCPMS and helping them with skills and sensitizing them on addressing issues faced by CWDs and involve them well.
10. Supporting families and parents who are bringing up children with disabilities to lessen the abandonment of CWDs
11. Setting standards and accountability for the professionals working with CWDs
12. One door policy for different services for CWDs. Establishing resource centers that are disability friendly
13. Disability friendly alternatives for legal registration (birth certificates, passports)

Research, standards and guidelines

14. Recognized the need for standards and guidelines for improving the services to CWDs in different institutions (hospitals, schools, etc) and SAIEVAC taking the initiative to request funding support from SDF to initiate this process.
15. Increasing research/survey into the issues of CWDs/ documenting emerging good practices, promoting them and building on them.

Coordination and role of media

16. Efforts should be taken to improve the role of media in sensitising the masses
17. Importance of improving the intersectoral coordination

Regular consultations

18. Regular consultations focusing on specific issues and more investments. This consultation should continue into a series of more consultations focusing on different issues of CWDs.
19. Following on the background doc of this consultation develop different document, especially on identification of various instances and situations of violation of protection rights of children with disability – e.g., neglect, abuse, sexual exploitation, etc.

J. Review and Endorsement of the 4th TC Outcome Recommendations

The Director General of SAIEVAC presented the draft Recommendations of the 4th Technical Consultation for the consideration of the floor. He said that given the wide range of issues discussed and numerous areas tabled for further deliberation as well as action, the recommendations are packaged accordingly. He also submitted to the forum that the recommendations of the children be also endorsed as part of the overall outcome of the 4th TC. He said that ultimately the SRS will try and distil out some of the key common recommendations that will be tabled for the consideration of the 6th SAIEVAC Governing Board Meeting.

1. Children’s Key Recommendations on Stepping up Protection of Children with Disabilities:

- a) The existing laws and policies needs to be reviewed and attuned to the needs and rights of children with disabilities.
- b) The services such as education, health and public services need to be inclusive, disability friendly, of good quality and accessible to all children with disabilities. The language and infrastructure barriers should be removed and measures need to be taken to develop skills and competencies of parents and professionals for working with children with disabilities.
- c) Opportunities need to be created for children with disabilities to access information and participate at all levels including trainings on staying protected, vocational trainings, social security schemes, recreational activities, social functions etc.
- d) Families, schools, institutions as well as other governmental and private service providers should have measures in place to protect children with disabilities from all forms of violence, abuse, exploitation, neglect, discrimination and, appropriate safety measures put in place for safeguards during emergencies and disasters.
- e) Existing laws and policies should be reviewed and amended, if necessary, in line with the regional and international instruments for the protection of children with disabilities and implemented effectively. Legislation should ensure that all forms

of VaC including prohibition of all corporal punishment of children in all settings (CRPD).

- f) Adequate budgetary allocation needs to be ensured for meeting the needs and rights of children with disabilities in all relevant agencies and at all levels of governance.
- g) Advocacy and communication activities need to be undertaken and sustained to advocate policy change, create awareness and educate the general population about disability and, on safety issues and protection of children with disabilities.
- h) Community based rehabilitation needs to be strengthened with provision of services at the community level with the active participation of children with disabilities themselves and other actors. Minimum standards of services for children with disabilities needs to be established and enforced.
- i) There should be multidisciplinary collaboration and mandatory training of concerned authorities and service providers on recognizing, preventing and responding to violence against children with disabilities. Capacity of parents, caregivers and all professionals should to be strengthened to extend appropriate care, support and services for the children with disabilities.
- j) The development of all possible forms of communication methods and languages used by children with different forms of disabilities should be addressed in order to remove the barriers and promote accessibility through provision of appropriate infrastructures and facilities.
- k) Opportunities for appropriate employability education and skills training needs to be created to increase the prospects of future employment of children with disabilities.
- l) Research and data collection on the situation of violence against children with disabilities in relation to the risks and vulnerabilities, including the challenges as well as good practices in the protection of children with disabilities need to be carried out. National and regional consultations for reviewing the progress, defining priorities, and mutual sharing and learning should be institutionalized.

2. Recommendations from Group Sessions

2.1 Group I: Legal and policy environment for ensuring Protection of Children with Disability

Recommendations:

- a) Review present laws and practices to ensure necessary safeguards to protect children with disabilities from all forms of violence;
- b) Create a policy advocacy forum to generate positive pressure on decision makers to achieve proactive stance in policy, law and practice;
- c) Monitor and report on trends and changes in incidence of violence against

- children with disability;
- d) Encourage social audits of decisions and actions;
- e) Encourage SAIEVAC to issue periodic assessments of trends and achievements in the region;
- f) Identify and highlight emerging issues of violence against children with disability as policy and legal issues;
- g) Define and draw attention to specific vulnerabilities relating to different disabilities and advocate specific preventions and interventions in all cases.

2.2 Group 2: Children with disability in Institutional Care Settings including Schools and Family settings

Recommendations

- a) Developing "Accessible IEC" material to create awareness about protection issues, sensitize and building capacity of Children with Disabilities, family members, care givers, community members/ stakeholders and institutions at large;
- b) Protection Mechanism, which includes identification, reporting, referral mechanism, addressing violation, psychosocial support etc., may be developed;
- c) Develop, strengthen, implement and monitor standards for care at family, community and institutional level.

2.3 Group 3: Protection and Participation Rights of Children with Disability: within the SAIEVAC Framework

Recommendations:

- a) Harmonise laws and policies in line with international standards with specific reference to protection and access justice for CWDs, accompanied by clear standards and guidelines;
- b) Implementation of laws must be periodically reviewed and monitored by independent statutory bodies;
- c) National human rights mechanisms/commissioners need to appoint personnel with specific mandate to monitor situation of CWDs and effective realisation of their rights and access to services;
- d) Institutionalisation of children should be the last resort and further supported and prevented by community based rehabilitation and through family assistance programmes provided by community accessible services;
- e) Different actors including parents and service providers need to be capacitated and children's self protective skills continuously developed, complemented by consistent awareness raising and inclusion of disability and essential information about child protection related aspects into the mainstream school curriculums;

- f) Services need to be accessible and disability friendly/inclusive especially at the community level and strengthened/linked to existing reporting mechanisms (including child helplines) that are accessible to children with all forms of disabilities taking in to account specific requirements of CWDs.
- g) States should review existing child protection systems and justice for children mechanisms in the light of CRPD and make necessary provision to address the needs and rights of CWDs;
- h) Information need to be accessible about the nature of disability, international instruments/resource center/one door policy should be established;
- i) Role of media be promoted to sensitize the broader public in an ethical and constructive and non sensationalized manner;
- j) Address attitudes that perpetrate discrimination and VAC needs to be addressed through awareness raising by involving different stakeholders (parents, children, government);
- k) Participatory advocacy needs to complement these efforts to ensure harmful traditions and attitudes affecting CWDs are prohibited by law.

K. Closing Session:

The Director General informed the forum that since the 4th TC will continue into the next day with the Joint Review of the NACG targets and since all the participants will be present for the same meeting, there will be no formal closing statements.