

Stockholm 20 March 2015

**Submission to the CRPD Committee's 13<sup>th</sup> Session**

**Day of General Discussion on the Right to Education for Persons with Disabilities  
(Article 24 CRPD)**

**Equally Unique**

Equally Unique is a Swedish Human Rights Federation focusing on the rights of persons with disabilities according to the UN Convention on the Rights of Persons with Disabilities, and the UN Convention on the Rights of the Child and the Convention on the Elimination of All forms of Discrimination against Women. The Federation was formed in December 2009 to jointly act and advocate for the right to accessibility and participation in society for people with a disability. We do so from a human rights perspective.

Equally Unique has 6 national member associations in Sweden:

The Association of the Swedish Deafblind  
The National Association for Disabled Children and Youths,  
The Swedish Association of Hard of Hearing People,  
The Swedish Neuro Association,  
The Swedish National Association of the Deaf  
The Swedish Association of the Visually Impaired.

*The vision of Equally Unique is an equivalent education for all without discrimination, regardless school type and the place of living. The Swedish national legislation and international commitments support our vision (Article 24 CRPD; Article 28 CRC).*

*The Swedish school-system and education can be considered good in many ways but it still cannot guarantee equal opportunities for all students today. In the following, the "Concluding observations on the initial report of Sweden" which was adopted by the Committee in 2014 is a point of departure.*

*This submission aims to contribute to the day of general discussion by describing the present problems and questions in Sweden concerning the implementation of Article 24 CRPD. The description of the present challenges is followed by our recommendations for the establishment of an inclusive education system at all levels.*

## 1. Interpretation of inclusion

Inclusion in the field of education – in the view of Equally Unique – does not necessarily mean the placement of all students in the mainstream education, in regular schools. The concept of inclusion has different meanings for different persons.

### *Recommendation:*

The right to equivalent education has to be realised at all educational levels and in all types of schools.

It is important to clarify that inclusive education encompasses the most adequate languages, forms and modes of communication (according to 24.3.c).

## 2. Lack of support and individual adaptations – Early intervention and no excuse for exclusion

Many students with disabilities are in need of extra support and individual adaptations to be able to cope with school attendance. The required support is often given too late or not at all today. Students with disabilities participate in higher education to a lesser degree than others. Among the generation between of 23 to 29 years old, 32 percent of students with disabilities participate in a post-secondary school education, by contrast to the 43 percent represented by students without disabilities.<sup>1</sup> The Swedish Schools Inspectorate in the supervision of special schools shows that not every student has the opportunity to reach the minimum goals in all subjects.<sup>2</sup> When the Swedish Schools Inspectorate reviewed the school support system for students with special needs, it was concluded that 70 percent of the surveyed primary schools did not correspond to the requirements of the Swedish Education Act. The corresponding figure for secondary schools was 82 percent.<sup>3</sup>

In-depth interviews with children and parents show that a number of students with disabilities are forced to be on long-term sick leave because of the situation in the school and this way they miss their classes.<sup>4</sup> The deficiencies lead to weak study results that affect the students' future and job opportunities negatively. The exclusion for a young person additionally means extra costs for the society.<sup>5</sup>

The Committee was concerned by reports indicating that some children who need extensive support cannot attend school due to a lack of such support. Furthermore, the concerns formulated by the Committee also covered the fact that schools can refuse admission of certain pupils with disabilities on the grounds of organisational and economic hardship.<sup>6</sup>

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<sup>1</sup> The Swedish Agency for Youth and Civil Society: Fokus 12

<sup>2</sup> The report of the Swedish Schools Inspectorate 2010:406, p. 5

<sup>3</sup> Myndigheten för delaktighet, Hur är läget, 2014

<sup>4</sup> Handisam, Barn äger, 2014

<sup>5</sup> Election platform of Equally Unique 2014

<sup>6</sup> Committee on the Rights of Persons with Disabilities, Concluding observations on the initial report of Sweden, 2014

*Recommendations:*

Early intervention and individual adaptations have to be realised at school start or during the application process in order to ensure education for all on the basis of equal opportunities. Early intervention in the form of resource persons, technical- and pedagogical aids shall give all students the opportunity to complete their education.

Accessibility has to be improved and apply to both the physical and the psychological environment within the schools.

All legislative (and administrative) practises supporting the exclusion of students from education in any way must be amended. For this purpose, the possibility to deny children with disabilities due to economic and organizational reasons (Swedish Education Act) must be eliminated.

### **3. Incomprehension and lack of knowledge of disabilities – Professional training programmes**

In many cases, the school cannot meet the needs of its students and compensate them the right way. Many teachers and principals lack the appropriate knowledge of where to turn for the expertise and support students with disabilities need.

*Recommendations:*

Teacher and principal education/training shall incorporate disability awareness in order to provide the appropriate support when encountering a child with special needs (Article 24.4 CRPD). The extended knowledge shall involve awareness of disabilities, accessibility measures, special and individualised support.

Special teacher education has to be extended – e.g. training teachers who are qualified in sign language and/or Braille (Article 24.4 CRPD) in the favour of inclusive education. All students and teachers shall be more aware of the international conventions (CRC, CRPD) that affect them.

#### **4. Large municipal differences – Obligation to fulfil Article 24 CRPD**

The Committee pointed at the deficiencies in the implementation of the CRPD in Sweden with regard to the fact that the situation is very different within the country's municipalities. It certainly applies to the field of education.<sup>7</sup>

*Recommendation:*

It shall be declared that all administrative levels and all schools within a country are obligated to fulfil Article 24 CRPD. The standards for ensuring accessibility need to be developed at national level. Collaboration between the state, the counties and the municipalities shall include the exchange of information when it comes to adaptations and accessibility measures.

It shall be clarified that all parents have the right to choose according to the principle of the best interest of the child.

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<sup>7</sup> CRPD Committee 2014