

INTERNATIONAL INSTRUMENTS
Right to Education of Persons with Disabilities

- **Convention on the Rights of Persons with Disabilities, 2006** (Article 24; General Comments 2, 4, and 6)
- **International Covenant on Economic, Social and Cultural Rights, 1966** (Articles 2 and 13; General Comments 5 and 13)
- **Convention on the Rights of the Child, 1989** (Articles 2 and 28; General Comments 1 and 9)
- **UNESCO Convention against Discrimination in Education, 1960** (Articles 1, 3 and 4)
- **African Charter on Human and People's Rights, 1981** (Articles 2 and 17)
- **African Charter on the Rights and Welfare of the Child, 1990** (Article 11; Concept Note of the African Committee of Experts on the Rights and Welfare of the Child on the Rights of Children with Disabilities: the duty to protect, respect, promote and fulfil)
- **African Youth Charter, 2006** (Article 13)
- **European Convention for the Protection of Human Right and Fundamental Freedoms, 1948, Optional Protocol 1, 1952 and Optional Protocol 12, 2000** (Article 14 of the Convention, Article 2 of the First Protocol and Article 1 of the Twelfth Protocol)
- **European Social Charter (revised), 1996** (Articles E, 10, 15 and 17)
- **European Charter on Fundamental Freedoms, 2000** (Article 14)
- **Additional Protocol to the American Convention on Human Rights, Protocol of San Salvador, 1998** (Article 13 and 16)
- **Arab Charter on Human Rights, 2004** (Articles 40 and 41)
- **ASEAN Human Rights Declaration, 2011** (Article 31)

Article 24

1. States Parties recognise the right of persons with disabilities to education. With a view to realising this right without discrimination and on the basis of equal opportunity, States Parties shall ensure an inclusive education system at all levels and lifelong learning directed to: a) The full development of human potential and sense of dignity and self-worth, and the strengthening of respect for human rights, fundamental freedoms and human diversity; b) The development by persons with disabilities of their personality, talents and creativity, as well as their mental and physical abilities, to their fullest potential; c) Enabling persons with disabilities to participate effectively in a free society.

2. In realising this right, States Parties shall ensure that: a) Persons with disabilities are not excluded from the general education system on the basis of disability, and that children with disabilities are not excluded from free and compulsory primary education, or from secondary education, on the basis of disability; b) Persons with disabilities can access an inclusive, quality and free primary education and secondary education on an equal basis with others in the communities in which they live; c) Reasonable accommodation of the individual's requirements is provided; d) Persons with disabilities receive the support required, within the general education system, to facilitate their effective education; e) Effective individualized support measures are provided in environments that maximise academic and social development, consistent with the goal of full inclusion.

3. States Parties shall enable persons with disabilities to learn life and social development skills to facilitate their full and equal participation in education and as members of the community. To this end, States Parties shall take appropriate measures, including: a) Facilitating the learning of Braille, alternative script, augmentative and alternative modes, means and formats of communication and orientation and mobility skills, and facilitating peer support and mentoring; b) Facilitating the learning of sign language and the promotion of the linguistic identity of the deaf community; c) Ensuring that the education of persons, and in particular children, who are blind, deaf or deafblind, is delivered in the most appropriate languages and modes and means of communication for the individual, and in environments which maximise academic and social development.

4. In order to help ensure the realisation of this right, States Parties shall take appropriate measures to employ teachers, including teachers with disabilities, who are qualified in sign language and/or Braille, and to train professionals and staff who work at all levels of education. Such training shall incorporate disability awareness and the use of appropriate augmentative and alternative modes, means and formats of communication, educational techniques and materials to support persons with disabilities.

5. States Parties shall ensure that persons with disabilities are able to access general tertiary education, vocational training, adult education and lifelong learning without discrimination and on an equal basis with others. To this end, States Parties shall ensure that reasonable accommodation is provided to persons with disabilities.

CRPD General Comment 6 (2018) on equality and non-discrimination.

V. Normative content

D. Article 5 (3) on reasonable accommodation

25. The duty to provide reasonable accommodation in accordance with articles 2 and 5 of the Convention can be broken down into two constituent parts. The first part imposes a positive legal obligation to provide a reasonable accommodation which is a modification or adjustment that is necessary and appropriate where it is required in a particular case to ensure that a person with a disability can enjoy or exercise her or his rights. The second part of this duty ensures that those required accommodations do not impose a disproportionate or undue burden on the duty bearer.

(...)

(c) "Reasonable accommodation" should also not be confused with "specific measures", including "affirmative action measures". While both concepts aim at achieving *de facto* equality, reasonable accommodation is a non-discrimination duty, whereas "specific measures" imply a preferential treatment of persons with disabilities over others to address historic and/or systematic/systemic exclusion from the benefits of exercising rights. Examples of specific measures include: (...) support programmes to increase the number of students with disabilities in tertiary education

VI. General obligations of States parties under the Convention relating to non-discrimination and equality

30. States parties have an obligation to respect, protect and fulfil the right of all persons with disabilities to non-discrimination and equality. In that regard, States parties must refrain from any action that discriminates against persons with disabilities. In particular, States parties shall modify or abolish existing laws, regulations, customs and practices that constitute such discrimination. The Committee has often given examples in that regard including: (...) segregated education laws and policies; (See general comment No. 4 (2016) on the right to inclusive education, para. 24.)

VII. Relationship with other specific articles of the Convention

I. Article 19 on living independently and being included in the community

57. Article 19 of the Convention reaffirms non-discrimination and recognition of the equal right of persons with disabilities to live with full inclusion and participation independently in the community. In order to realize the right to live independently and be included in the community, States parties must take effective and appropriate measures to facilitate the full enjoyment of the right and the full inclusion and participation of persons with disabilities in the community. This involves (...) access to inclusive education.

K. Article 24 on education

63. The failure of some States parties to provide students with disabilities, including students with visible and invisible disabilities and those who experience multiple discrimination, with equal access to mainstream school with inclusive and quality education is discriminatory, contrary to the objectives of the Convention, and in direct contravention of Articles 5 and 24. Article 5 (1) interacts with Article 24 of the Convention and requires States parties to remove all types of discriminatory barriers, including legal and social barriers, to inclusive education.

64. Segregated models of education, which exclude students with disabilities from mainstream and inclusive education on the basis of disability, contravene articles 5 (2) and 24 (1) (a) of the Convention. Article 5 (3) requires States parties to take all appropriate steps to ensure that reasonable accommodation is provided. That right is strengthened for persons with disabilities in article 24 (2) (b), which requires States parties to ensure an inclusive education for persons with disabilities on an equal basis with others in the communities in which they live. That goal can be achieved by providing reasonable accommodation of an individual's requirement, in accordance with article 24 (2) (c), and developing new and inclusive settings according to universal design. Standardized assessment systems, including entry examinations, that directly or indirectly exclude students with disabilities are discriminatory and in contravention of articles 5 and 24. States parties' obligations extend beyond the school. States parties must ensure accessible school transportation is provided to all students with disabilities where transportation options are limited due to social or economic barriers.

65. To ensure equality and non-discrimination for deaf children in educational settings, they must be provided with sign language learning environments with deaf peers and deaf adult role models. The lack of proficiency in sign language skills of teachers of deaf children and inaccessible school environments exclude deaf children and are thus considered discriminatory. The Committee calls upon States parties to be guided by its general comment No. 4 (2016) on the right to inclusive education when carrying out measures to fulfil their obligations under articles 5 and 24.

M. Article 27 on work and employment

67. To achieve de facto equality in terms of the Convention, States parties must ensure that there is no discrimination on the grounds of disability in connection to work and employment.¹⁶ In order to ensure reasonable accommodation as laid out in article 5 (3) and to achieve or accelerate de facto equality in the work environment as laid out in article 5 (4), States parties should:

(h) Ensure access to training, retraining, and education, including vocational training and capacity-building for employees with disabilities (...)

VIII. Implementation at the national level

72. In the light of the normative content and obligations outlined above, States parties should take the following steps to ensure the full implementation of article 5 of the Convention

(c) Ensure that non-discrimination legislation extends to the private and public spheres, covers areas including education, (...) and tackles disability-specific discrimination, such as segregated education, (...), denial of the provision of sign language instructions (...)

See this General Comment [here](#).

CRPD General Comment 4: Article 24: Right to inclusive education (2016)

In this [General Comment](#), the Committee on the Rights of Persons with Disabilities clarifies and interprets article 24 of the CRPD.

CRPD General Comment 2: Article 9: Accessibility (2014)

39. Without accessible transport to schools, accessible school buildings, and accessible information and communication, persons with disabilities would not have the opportunity to exercise their right to education (art. 24 of the Convention). Thus schools have to be accessible, as is explicitly indicated in article 9, paragraph 1 (a), of the Convention. However, it is the entire process of inclusive education that must be accessible, not just buildings, but all information and communication, including ambient or FM assistive systems, support services and reasonable accommodation in schools. In order to foster accessibility, education as well as the content of school curricula should promote and be conducted in sign language, Braille, alternative script, and augmentative and alternative modes, means and formats of communication and orientation (art. 24, para. 3 (a)), with special attention to the appropriate languages and modes and means of communication used by blind, deaf and deaf-blind students. Modes and means of teaching should be accessible and should be conducted in accessible environments. The whole environment of students with disabilities must be designed in a way that fosters inclusion and guarantees their equality in the entire process of their education. Full implementation of article 24 of the Convention should be considered in conjunction with the other core human rights instruments as well as the provisions of the Convention against Discrimination in Education of the United Nations Educational, Scientific and Cultural Organization.

International Covenant on Economic, Social and Cultural Rights, 1966

Article 2

2. The States Parties to the present Covenant undertake to guarantee that the rights enunciated in the present Covenant will be exercised without discrimination of any kind as to race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.

Article 13

1. The States Parties to the present Covenant recognise the right of **everyone** to education.
2. The States Parties to the present Covenant recognize that, with a view to achieving the full realization of this right:
 - (a) Primary education shall be compulsory and available free **to all**;
 - (b) Secondary education in its different forms, including technical and vocational secondary education, shall be made generally available and accessible **to all** by every appropriate means, and in particular by the progressive introduction of free education;
 - (c) Higher education shall be made equally accessible **to all**, on the basis of capacity, by every appropriate means, and in particular by the progressive introduction of free education;

General Comment 13: the Right to Education (1999)

36. The Committee affirms paragraph 35 of its General Comment 5, which addresses the issue of persons with disabilities in the context of the right to education...

CESCR General Comment 5: Persons with disabilities (1994)

G. Articles 13 and 14 - The right to education

35. School programmes in many countries today recognize that persons with disabilities can best be educated within the general education system. Thus the Standard Rules provide that "States should recognize the principle of equal primary, secondary and tertiary educational opportunities for children, youth and adults with disabilities, in integrated settings". In order to implement such an approach, States should ensure that teachers are trained to educate children with disabilities within regular schools and that the necessary equipment and support are available to bring persons with disabilities up to the same level of education as their non-disabled peers. In the case of deaf children, for example, sign language should be recognized as a separate language to which the children should have access and whose importance should be acknowledged in their overall social environment.

Convention on the Rights of the Child, 1989

Article 2

1. States Parties shall respect and ensure the rights set forth in the present Convention to each child within their jurisdiction without discrimination of any kind, irrespective of the child's or his or her parent's or legal guardian's race, colour, sex, language, religion, political or other opinion, national, ethnic or social origin, property, disability, birth or other status.

Article 28

1. States Parties recognize the right of the child to education, and with a view to achieving this right progressively and on the basis of equal opportunity, they shall, in particular:

- (a) Make primary education compulsory and available free **to all**;
- (b) Encourage the development of different forms of secondary education, including general and vocational education, make them available and accessible **to every child**, and take appropriate measures such as the introduction of free education and offering financial assistance in case of need;
- (c) Make higher education accessible **to all** on the basis of capacity by every appropriate means;
- (d) Make educational and vocational information and guidance available and accessible **to all children**;

CRC General Comment 1: The Aims of Education

10. Discrimination on the basis of any of the grounds listed in article 2 of the Convention, whether it is overt or hidden, offends the human dignity of the child and is capable of undermining or even destroying the capacity of the child to benefit from educational opportunities. While denying a child's access to educational opportunities is primarily a matter which relates to article 28 of the Convention, there are many ways in which failure to comply with the principles contained in article 29 (1) can have a similar effect. To take an extreme example, gender discrimination can be reinforced by practices such as a curriculum which is inconsistent with the principles of gender equality, by arrangements which limit the benefits girls can obtain from the educational opportunities offered, and by unsafe or unfriendly environments which discourage girls' participation. **Discrimination against children with disabilities** is also pervasive in many formal educational systems and in a great many informal educational settings, including in the home. Children with HIV/AIDS are also heavily discriminated against in both settings. All such discriminatory practices are in direct contradiction with the requirements in article 29 (1) (a) that education be directed to the development of the child's personality, talents and mental and physical abilities to their fullest potential.

CRC General Comment 9: The rights of children with disabilities

VIII. Education and leisure (arts. 28, 29 and 31)

A. Quality education

62. Children with disabilities have the same right to education as all other children and shall enjoy this right without any discrimination and on the basis of equal opportunity as stipulated in the Convention¹. For this purpose, effective access of children with disabilities to education has to be ensured to promote “the development of the child’s personality, talents and mental and physical abilities to their fullest potential (see articles 28 and 29 of the Convention and the Committee’s general comment No. 1 (2001) on the aims of education). The Convention recognizes the need for modification to school practices and for training of regular teachers to prepare them to teach children with diverse abilities and ensure that they achieve positive educational outcomes.

63. As children with disabilities are very different from each other, parents, teachers and other specialized professionals have to help each individual child to develop his or her ways and skills of communication, language, interaction, orientation and problem-solving which best fit the potential of this child. Everybody, who furthers the child’s skills, abilities and self-development, has to precisely observe the child’s progress and carefully listen to the child’s verbal and emotional communication in order to support education and development in a well-targeted and most appropriate manner.

B. Self-esteem and self-reliance

64. It is crucial that the education of a child with disability includes the strengthening of positive self-awareness, making sure that the child feels he or she is respected by others as a human being without any limitation of dignity. The child must be able to observe that others respect him or her and recognize his or her human rights and freedoms. Inclusion of the child with disability in the groups of children of the classroom can show the child that he or she has recognized identity and belongs to the community of learners, peers, and citizens. Peer support enhancing self-esteem of children with disabilities should be more widely recognized and promoted. Education also has to provide the child with empowering experience of control, achievement, and success to the maximum extent possible for the child.

C. Education in the school system

65. Early childhood education is of particular relevance for children with disabilities as often their disabilities and special needs are first recognized in these institutions. Early intervention is of utmost importance to help children to develop their full potential. If a child is identified as having a disability or developmental delay at an early stage, the child has much better opportunities to benefit from early childhood education which should be designed to respond to her or his individual needs. Early childhood education provided by the State, the community or civil society institutions can provide important assistance to the well-being and development of all children with disabilities (see the Committee’s general comment No. 7 (2005) on implementing child rights in early childhood). Primary education, including primary school and, in many States parties, also secondary school, has to be provided for children with disabilities free of costs. All schools should be without communicational barriers as well as physical barriers impeding the access of children with reduced mobility. Also higher education, accessible on the basis of capacities, has to be accessible for qualified adolescents with disabilities. In order to fully exercise their right to education, many children need personal assistance, in particular, teachers trained in methodology and techniques, including appropriate languages, and other forms of communication, for teaching children with a diverse range of abilities capable of using child-centred and individualised teaching strategies, and appropriate and accessible teaching materials, equipment and assistive devices, which States parties should provide to the maximum extent of available resources.

¹ In this context the Committee would like to make a reference to the United Nations Millennium Declaration (A/RES/55/2) and in particular to the Millennium Development Goal No. 2 relating to universal primary education according to which Governments are committed to “ensure that, by 2015, children everywhere, boys and girls alike, will be able to complete a full course of primary schooling and that girls and boys will have equal access to all levels of education”. The Committee would also like to refer to other international commitments which endorse the idea of inclusive education, inter alia, the Salamanca Statement and Framework for Action on Special Needs Education adopted by the World Conference on Special Needs Education: Access and Quality, Salamanca, Spain, 7-10 June 1994 (UNESCO and Ministry of Education and Science of Spain) and the Dakar Framework for Action, Education for All: Meeting our Collective Commitments, adopted by the World Education Forum, Dakar, Senegal, 26-28 April 2000.

D. Inclusive education

66. Inclusive education² should be the goal of educating children with disabilities. The manner and form of inclusion must be dictated by the individual educational needs of the child, since the education of some children with disabilities requires a kind of support which may not be readily available in the regular school system. The Committee notes the explicit commitment towards the goal of inclusive education contained in the draft convention on the rights of persons with disabilities and the obligation for States to ensure that persons including children with disabilities are not excluded from the general education system on the basis of disability and that they receive the support required, within the general education system, to facilitate their effective education. It encourages States parties, which have not yet begun a programme towards inclusion to introduce the necessary measures to achieve this goal. However, the Committee underlines that the extent of inclusion within the general education system may vary. A continuum of services and programme options must be maintained in circumstances where fully inclusive education is not feasible to achieve in the immediate future.

67. The movement towards inclusive education has received much support in recent years. However, the term inclusive may have different meanings. At its core, inclusive education is a set of values, principles and practices that seeks meaningful, effective, and quality education for all students, that does justice to the diversity of learning conditions and requirements not only of children with disabilities, but for all students. This goal can be achieved by different organizational means, which respect the diversity of children. Inclusion may range from full-time placement of all students with disabilities into one regular classroom or placement into the regular classroom with varying degree of inclusion, including a certain portion of special education. It is important to understand that inclusion should not be understood nor practiced as simply integrating children with disabilities into the regular system regardless of their challenges and needs. Close cooperation among special educators and regular educators is essential. Schools' curricula must be re-evaluated and developed to meet the needs of children with and without disabilities. Modification in training programmes for teachers and other personnel involved in the educational system must be achieved in order to fully implement the philosophy of inclusive education.

E. Career education and vocational training

68. Education for career development and transition is for all persons with disabilities regardless of their age. It is imperative to begin preparation at an early age because career development is seen as a process that begins early and continues throughout life. Developing career awareness and vocational skills as early as possible, beginning in the elementary school, enables children to make better choices later in life in terms of employment. Career education in the elementary school does not mean using young children to perform labour that ultimately opens the door for economic exploitation. It begins with students choosing goals according to their evolving capacities in the early years. It should then be followed by a functional secondary school curriculum that offers adequate skills and access to work experience, under systematic coordination and monitoring between the school and the work place.

69. Career development and vocational skills should be included in the school curriculum. Career awareness and vocational skills should be incorporated into the years of compulsory education. In countries where compulsory education does not go beyond the elementary school years, vocational training beyond elementary school should be mandatory for children with disabilities. Governments must establish policies and allocate sufficient funds for vocational training.

UNESCO Convention against Discrimination in Education, 1960

Article 1

² UNESCO's Guidelines for Inclusion: Ensuring Access to Education for All (UNESCO 2005) provides the following definition "Inclusion is seen as a process of addressing and responding to the diversity of needs of all learners through increasing participation in learning, cultures and communities, and reducing exclusion within and from education. It involves changes and modifications in content, approaches, structures and strategies, with a common vision which covers all children of the appropriate age range and a conviction that it is the responsibility of the regular system to educate all children...Inclusion is concerned with the identification and removal of barriers..." (p. 13 and 15)

1. For the purposes of this Convention, the term 'discrimination' includes any distinction, exclusion, limitation or preference which, being based on race, colour, sex, language, religion, political or other opinion, national or social origin, economic condition or birth, has the purpose or effect of nullifying or impairing equality of treatment in education and in particular:

- (a) Of depriving any person or group of persons of access to education of any type or at any level;
- (b) Of limiting any person or group of persons to education of an inferior standard;
- (c) Subject to the provisions of Article 2 of this Convention, of establishing or maintaining separate educational systems or institutions for persons or groups of persons; or
- (d) Of inflicting on any person or group of persons conditions which are in-compatible with the dignity of man.

2. For the purposes of this Convention, the term 'education' refers to all types and levels of education, and includes access to education, the standard and quality of education, and the conditions under which it is given.

Article 3

In order to eliminate and prevent discrimination within the meaning of this Convention, the States Parties thereto undertake:

- (a) To abrogate any statutory provisions and any administrative instructions and to discontinue any administrative practices which involve discrimination in education;
- (b) To ensure, by legislation where necessary, that there is no discrimination in the admission of pupils to educational institutions;
- (c) Not to allow any differences of treatment by the public authorities between nationals, except on the basis of merit or need, in the matter of school fees and the grant of scholarships or other forms of assistance to pupils and necessary permits and facilities for the pursuit of studies in foreign countries ;
- (d) Not to allow, in any form of assistance granted by the public authorities to educational institutions, any restrictions or preference based solely on the ground that pupils belong to a particular group;
- (e) To give foreign nationals resident within their territory the same access to education as that given to their own nationals.

Article 4

The States Parties to this Convention undertake furthermore to formulate, develop and apply a national policy which, by methods appropriate to the circumstances and to national usage, will tend to promote equality of opportunity and of treatment in the matter of education and in particular:

- (a) To make primary education free and compulsory; make secondary education in its different forms generally available and accessible to all; make higher education equally accessible to all on the basis of individual capacity; assure compliance by all with the obligation to attend school prescribed by law;
- (b) To ensure that the standards of education are equivalent in all public educational institutions of the same level, and that the conditions relating to the quality of the education provided are also equivalent;
- (c) To encourage and intensify by appropriate methods the education of persons who have not received any primary education or who have not completed the entire primary education course and the continuation of their education on the basis of individual capacity;
- (d) To provide training for the teaching profession without discrimination.

African Charter on Human and People's Rights, 1981

Article 2

Every individual shall be entitled to the enjoyment of the rights and freedoms recognized and guaranteed in the present Charter without distinction of any kind such as race, ethnic group, colour, sex, language, religion, political or any other opinion, national and social origin, fortune, birth or other status.

Article 17

- 1. Every individual shall have the right to education.

African Charter on the Rights and Welfare of the Child, 1990

Article 11 - Education

- 1. Every child shall have the right to an education.

3. States Parties to the present Charter shall take all appropriate measures with a view to achieving the full realisation of this right and shall in particular:
- (e) take special measures in respect of female, gifted and disadvantaged children, to ensure equal access to education for all sections of the community.

The [African Committee of Experts on the Rights and Welfare of the Child](#) (ACERWC) interprets Article 11 of the African Charter on the Rights and Welfare of the Child in its [Concept Note on “The Rights of Children with Disabilities: the Duty to protect, respect, promote and fulfil”](#)

Area of concern 3: Access to education

25. In the 2010 progress report on the Millennium Development Goals, it was noted that the link between disability and marginalisation in education is evident in countries at all levels of development. Even in some countries that are closer to achieving the goal of universal primary education, children with disabilities represent the majority of those who are excluded.

26. UNESCO reported in 2006 that over 90% of children with disabilities in Africa are being denied the right to primary education. Children with disabilities are also more likely to drop out of school and are less likely to achieve positive learning outcomes than their peers without disabilities. In its recent four-country study, the African Child Policy Forum found that the main barriers to the realisation of the education rights of children with disabilities are poverty, negative attitudes, unskilled teachers, lack of appropriate resources to facilitate inclusive learning (Braille or audio materials, classroom assistants etc.), inaccessible and inappropriate infrastructure and location.

27. Articles 11 and 13 of the ACRWC provide the essential basis for the duties resting on Member States to address these barriers to education currently experienced by children with disabilities, and to respect, protect, promote and fulfil their right to access education on an equal basis. Regional plans of action set out further commitments undertaken by Member States in this regard.

28. The *Call for Accelerated Action* (mentioned above) includes, under the right to education, a commitment by African Member States to ensure universal access to comprehensive quality basic education for both girls and boys, with special attention to reducing disparities and addressing the rights of marginalised children, including children with disabilities.

29. In the *Plan of Action for the Second Decade of Education* (2006-2015), an undertaking is given by AU Member States that every effort will be made to ensure that the rights of the most vulnerable persons are respected, including (amongst others) children with disabilities. In the Continental Plan of Action on the African Decade of Persons with Disabilities (1999 - 2009), the AU Member States are expected to ensure and improve access to rehabilitation, education, training, employment, sports, the cultural and physical environment. Under this objective, Member States are required to ensure that boys and girls with disabilities have access to education through inclusive education.

41. Activities relating to the areas of concern outlined above may include among others:

41.3 Access to education

Develop time-bound implementation plans, showing how existing commitments regarding the realisation of the right to inclusive education of children with disabilities will be honoured, which should include at a minimum –

- Development of a policy framework for inclusive education at central (national) level to support a practice and culture of inclusive education at all levels of the education system, including early childhood development;
- Transforming mainstream schools to be more inclusive;
- Training of teachers (both in-service and pre-service) in inclusive teaching practices;
- Measures taken to ensure regular attendance of children with disabilities at school and reduction of drop-out rates“;
- Reasonable accommodation of children with disabilities to enable equality of learning opportunities; and
- Indicating the resource allocation for the implementation of the policy framework of inclusive education.

African Youth Charter, 2006

Article 13 - Education and Skills Development

1. Every young person shall have the right to education of good quality.

European Convention for the Protection of Human Rights and Fundamental Freedoms, 1948 and its first protocol, 1952

Article 14

The enjoyment of the rights and freedoms set forth in this Convention shall be secured without discrimination on any ground such as sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status.

Optional Protocol 1

Article 2 - Right to education

No person shall be denied the right to education...

Optional Protocol 12

Article 1 – General prohibition of discrimination

1 The enjoyment of any right set forth by law shall be secured without discrimination on any ground such as sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status.

2 No one shall be discriminated against by any public authority on any ground such as those mentioned in paragraph 1.

European Social Charter (revised), 1996

Article E – Non-discrimination

The enjoyment of the rights set forth in this Charter shall be secured without discrimination on any ground such as race, colour, sex, language, religion, political or other opinion, national extraction or social origin, health, association with a national minority, birth or other status.

Article 10 - the right to vocational training

1. With a view to ensuring the effective exercise of the right to vocational training, the Parties undertake to provide or promote, as necessary, the technical and vocational training of **all persons, including the handicapped**, in consultation with employers' and workers' organisations, and to grant facilities for access to higher technical and university education, based solely on individual aptitude;

5. With a view to ensuring the effective exercise of the right to vocational training, the Parties undertake to encourage the full utilisation of the facilities provided by appropriate measures such as:

- a. reducing or abolishing any fees or charges;
- b. granting financial assistance in appropriate cases;
- c. including in the normal working hours time spent on supplementary training taken by the worker, at the request of his employer, during employment;
- d. ensuring, through adequate supervision, in consultation with the employers' and workers' organisations, the efficiency of apprenticeship and other training arrangements for young workers, and the adequate protection of young workers generally.

Article 15 - The right of persons with disabilities to independence, social integration and participation in the life of the community

1. With a view to ensuring to persons with disabilities, irrespective of age and the nature and origin of their disabilities, the effective exercise of the right to independence, social integration and participation in the life of the community, the Parties undertake, in particular to take the necessary measures to provide persons with disabilities with guidance, education and vocational training in the framework of general schemes wherever possible or, where this is not possible, through specialised bodies, public or private;

Article 17 – The Right of Children and young persons to social, legal and economic protection

With a view to ensuring the effective exercise of the right of children and young persons to grow up in an environment which encourages the full development of their personality and of their physical and mental capacities, the Parties undertake, either directly or in co-operation with public and private organisations, to take all appropriate and necessary measures designed:

1. to ensure that children and young persons, taking account of the rights and duties of their parents, have the care, the assistance, the education and the training they need, in particular by providing for the establishment or maintenance of institutions and services sufficient and adequate for this purpose;
2. to provide to children and young persons a free primary and secondary education as well as to encourage regular attendance at schools.

European Charter on Fundamental Freedoms, 2000

Article 14- Right to education

1. Everyone has the right to education and to have access to vocational and continuing training.

Additional Protocol to the American Convention on Human Rights, Protocol of San Salvador, 1988

Article 13 - Right to Education

1. **Everyone** has the right to education.
3. The States Parties to this Protocol recognize that in order to achieve the full exercise of the right to education:
 - e. Programs of special education should be established for the handicapped, so as to provide special instruction and training to persons with physical disabilities or mental deficiencies.

Article 16 - Rights of Children

Every child has the right to free and compulsory education, at least in the elementary phase, and to continue his training at higher levels of the educational system.

Arab Charter on Human Rights, 2004

Article 40

4. The States parties shall provide full educational services suited to persons with disabilities, taking into account the importance of integrating these persons in the educational system and the importance of vocational training and apprenticeship and the creation of suitable job opportunities in the public or private sectors.

Article 41

1. The eradication of illiteracy is a binding obligation upon the State and **everyone** has the right to education.
2. The States parties shall guarantee their citizens free education at least throughout the primary and basic levels. All forms and levels of primary education shall be compulsory and accessible to all **without discrimination of any kind**.

ASEAN Human Rights Declaration, 2011

Article 31

- (1) Every person has the right to education.