
Child Rights of Children with Disabilities

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Abstract: *Approximately 16% of the global population have some type of disability. The Convention on the Rights of Persons with Disabilities defines disability as having a long-term physical, mental, intellectual or sensory impairment that interacts with the environment hinders one participation in society on an equal basis with others. Despite their privilege to equal rights and opportunities, children with disabilities often face discrimination and barriers to expressing themselves fully. The study aims to assess the existing knowledge regarding the right of children with disabilities among stakeholders. A total of 72 stakeholders involved in childhood disability were surveyed using a cross-sectional, exploratory research design. Individual interviews with semi-structured questionnaires were conducted. The findings revealed that 56% of respondents had limited or no awareness of the rights outlined for children with disabilities by the United Nations. Only 24% of stakeholders were familiar with existing educational policies aimed at facilitating the education of children with disabilities. The study highlights the urgent need for increased awareness and education among stakeholders regarding the guiding principles of UN child rights to promote the equitable treatment and inclusion of children with disabilities in society.*

Keywords: *Child Rights, Disability, Stakeholders, Education, Awareness.*

1. INTRODUCTION

Disability is bodily state in which an individual has decrease or limit of the function to interact with others which has different type like physical, cognitive, visual or mixed (Disability and Health Overview, 2022)“Disability results from the interaction between individuals with a health condition, such as cerebral palsy, Down syndrome and depression, with personal and environmental factors including negative attitudes, inaccessible transportation and public buildings, and limited social support” (WHO, 2023). 16% of of world population have some short of Disability (WHO, 2023).The law land commission of Nepal defines Disability is define as a person having long-term multidimensional disorder that hinders individual participation as like as others in the community (Comission, 2074).Children with disability have an alike

right of normal one without any forms of discrimination and have right to survive, participate and protect from any short of harms alike others (Nation, Children With Disabilities, 2006). The persons with disabilities shall have the right to enjoy the rights granted under the prevailing law on an equal basis with others which holds right of against nondiscrimination, right of community life, right to cultural life, right to have social equities and have right to facilities and justice (Commission, 2007).more than sixty percentage of children with disability have some from of malnutrition in Kathmandu and malnutrition depends on severity of disability (Krishna prasad Sapkota, 2023).The educational need of children with disabilities are not on priority due to physical severity and financial situation (Faizefu's, 2023).children with disabilities faces obstacles like self-severity, lack of physical structures poor transportation system ,less manpower, inappropriate and negative attitude and excessive protective limits social presence of children with disabilities (Kumudha Aruldas, 2023).The study gives insight on the right of children with disabilities and finding of the research brings understanding on the rights of children with disabilities and might be useful for the researcher who will carry research on child rights of children with Disabilities.

The objective of the study was to assess the existing knowledge regarding the child right of children with disabilities among stakeholders.

2. RELATED WORKS

Child rights are the human rights of children with particular attention to the rights of special protection and care afforded to minors. The 1989 Convention on the Rights of the Child (CRC) defines a child as "Any human being below the age of eighteen years, unless under the law applicable to the child, majority is attained earlier." Disabled children are like all other children. It asserts that disabled children, like all others, are entitled to the same rights as any other child, including non-discrimination and access to education, healthcare, leisure, and participation (United Nations, 1989).

- i. Right to proper treatment:** Children with disabilities are suitable to special treatment, but in reality, most of these children are entirely deprived of even proper medical treatment. Their chance of recovering or in the least of living with less suffering are thus reduced to zero (United Nations, 1989).
- ii. Right to education:** The lack of set-up and proper availability of means (infrastructures), of knowledge how to teach children with disability, very less children gets education and very less children goes to school, CRC which guarantees the right of every child's going to school (United Nations, 1989).
- iii. Right to leisure:** Leisure activities are essential part of child development and in case of the children with disability need more time in leisure activity as it develops physically, socially and mentally (United Nations, 1989).
- iv. Right to participation:** Child with disability should participate equally does not matters the depth of severity of disability. Child should give equal opportunity to participate (United Nations, 1989).

Nepal adopted a democratic and inclusive Constitution in September 2015, which guaranteed a comprehensive set of rights specifically referring to persons with disabilities and had set out special provisions to ensure their access to (A Report on Disability in Nepal 2018). However,

studies indicate disparities in knowledge and understanding of child rights among teachers, with government school teachers exhibiting lower levels of knowledge compared to their private school counterparts (Sah, 2022). Moreover, stigma and discrimination against disabled individuals vary based on socioeconomic factors, with better access to resources associated with reduced stigma (Aryal, 2022). Children with disabilities are among the most disregarded people in every single society. they face different forms of barriers to perform the activities of daily life. They encounter with the barriers are physical Barrier(infrastructures), communication (unavailable of braille) and information barrier or attitudinal barrier (labelling them as less able, low expectation from person with disabilities) (Unicef, 2024). Differently abled children's are not taking to any social get-together, nor does our society recognize the need for children's involvement. Misconceptions predominant in the communities hence people with disabilities to various harmful practice like black-magicians and subject them to food restrictions (N. Janardhana, 2015). Despite global efforts to promote inclusive education, children with disabilities still face significant challenges in accessing education and healthcare services (World Bank & Global Partnership for Education, 2024). Teachers' readiness to educate children with special needs varies, with many lacking training and resources to support inclusive practices (Karlina Wong Lieung, 2023). Additionally, guardians' beliefs about the educational rights of children with severe disabilities often hinder their inclusion in mainstream schools (Lena Morgon Banks, 2019). While teachers may understand the importance of inclusive education, practical challenges, such as inadequate infrastructure and parental concerns, hinder its implementation (Adhikari, 2023). Furthermore, children with disabilities experience disparities in healthcare access and nutritional status, with higher rates of malnutrition and stunted growth compared to their non-disabled peers (WHO, 2023; Israt Jahan M. M., 2021).

3. METHODOLOGY

A cross sectional exploratory study was done to know the knowledge of stakeholder's knowledge on rights of children with Disability. The study was taken who are closely working for children with disabilities (teachers, parents, health care providers) in a Lalitpur District at Self-help Group for Cerebral Palsy, Lalitpur Nepal. The 72 sample was taken purposefully who are directly working with disabled children. Structures questionnaires was made and in-depth interview was done on socio demography along with the question related to the rights of children with disability.

4. RESULTS AND DISCUSSION

Results

Table 4.1. Socio- demographic information
n=72

Socio- demographic information	Frequency	Percentage
Age		
20-30	14	19.4

31-40	27	37.5
41-50	21	29.2
51-60	9	12.5
61-70	1	1.4
Sex		
Male	23	31.9
Female	49	68.1
Occupation		
Teachers	11	15.3
Medical professional	18	25
Admin staff	8	11.12
Helpers	17	23.61
Drivers	18	25

Table 4.1. shows the socio- demographic information of respondents. 37.5% of respondents were between the age group of 31-40. Majority were female i.e., 68.1% and 25% were medical professionals and 25% were in driving profession.

Disability is the condition due to any incidence that hinders individual to perform daily activities leading to depends on others. In case of the children, it could be during, before and after birth.

Table 4.2. Knowledge related to disability
n=72

Knowledge and perception related to disability	Frequency	Percentage
Causes of disability		
High fever	12	16.7
Hypoxia	14	19.4
Accident	25	34.7
Medication in pregnancy	21	29.2
Perception on disability as "sin of past life"		
Yes	7	9.7
No	61	84.7
Not elicited	4	5.6
Basic needs		
Yes	15	20.8
No	48	66.7
No idea	9	12.5
Threat		
Yes	43	59.7
No	18	25
No idea	11	15.3
Need of respect for the children with disability		
Yes	72	100

No	0	0
Support from family members		
Enough Support	11	15
Less support	40	55.6
No support	21	29.2
Place for caring children with disability		
Normal School	17	23.6
Special day Care center	49	68.1
Home	6	8.3
Neglecting children with Disability		
Yes	58	80.6
No	14	19.4
Children with Disability being bullying		
Yes	27	37.5
No	45	62.5

Table 4.2. shows the knowledge of respondents on different aspects of the children with disability. The respondents answered multiple reasons for causes of disability in which accident (34.7%) and use of medication during pregnancy (29.2%) being the highest followed by other reasons. Regarding the perception of respondents on disability “as sin of past life”, majority of respondents disagreed. Majority of the respondents (66.7%) agreed upon the importance of basic need for disable children. Majority of the respondent (59.7%) said that special children are at threat. All respondents supported for the need of respect to children with disability. Regarding the support received by the family members, 55.6% were less supported for daily living. 68.1% of the respondents think that these children need special day care centers. Majority of these children (80.6%) were found to be neglected and 37.5% were bullied. Children’s rights include the right to health, education, family life, play and recreation, an adequate standard of living and to be protected from abuse and harm. Children’s rights cover their developmental and age-appropriate needs that change over time as a child grows up (Children right alliance, 2019).

Table 4.3. Knowledge of respondents about rights of children with disability
n-72

Knowledge about rights of children with disability	Frequency	Percentage
Child rights		
Yes	52	72.2
No	20	27.8
Rights of Disability		
Yes	33	44.6
No	39	55.4
Freedom		
Yes	60	95.8

No	3	4.2
Rights of play		
Yes	72	100
No	0	0
Rights of social participation		
Yes	69	95.8
No	3	4.2

The above table 4.3. shows the knowledge of respondents about the rights of children with disability. The majority of the respondents (72.2%) have knowledge about the child right. The respondent who has stated that they knew about right of children with disability have only knowledge about the basic not about CRC guiding principles. Majority of the respondent (55.4%) have no knowledge on rights of children with disability with disability. The majority of the respondent (95.8%) stated that the children with special needs need freedom. All respondents said that play is needed for the children with disability and majority agreed upon the rights of social participation for children with disability.

Discussion

The findings of the study shed light on the knowledge of stakeholders regarding the rights and treatment of children with disabilities. While a portion of the population demonstrated some awareness of these rights, a significant proportion lacked understanding, particularly concerning the fundamental rights outlined in the Convention on the Rights of Children with Disabilities. This knowledge gap extends to caregivers as well, as evidenced by Shi (2022), revealing inadequate understanding among this demographic.

Education is one of the critical area of concern, with a considerable number of children with disabilities still deprived of their right to education. This finding aligns with previous research highlighting the low priority placed on education for children with disabilities (Kiran, 2021; Sin, 2022). Furthermore, observations during the study indicate neglect in basic care and grooming among these children, underscoring the need for greater attention to their fundamental needs.

The perception of disability as a consequence of past sins is prevalent among some respondents, reflecting deeply ingrained cultural beliefs. However, it is encouraging to note that attitudes towards disability are gradually becoming more positive, with fewer attributing it to supernatural causes (Simkhada, 2013). Nonetheless, negative attitudes persist, particularly among caregivers of children with longer durations of disability (Qiaolan Zheng, 2016; Sarah Catherine Stevens, 2020).

Violence against children with disabilities emerges as a significant concern, with research indicating a significantly higher risk of experiencing various forms of violence compared to their non-disabled peers (WHO, 2012). This vulnerability underscores the urgent need for protective measures and support systems to safeguard these children from harm.

Bullying in public spheres remains a prevalent issue, with a notable percentage of respondents acknowledging the occurrence of bullying, particularly in areas such as roads and bus stations. Despite this, a substantial proportion still advocate for segregating children with disabilities in special day care centers, citing physical and mental limitations. However, alternative

viewpoints suggesting integration into mainstream settings or enhanced care within the home also warrant consideration.

The persistence of obstacles to accessing quality education for children with disabilities despite existing legal frameworks underscores the need for comprehensive reforms and targeted interventions (WATCH, 2018). Efforts must focus on addressing systemic barriers, promoting inclusive practices, and fostering greater acceptance and support for children with disabilities within society.

Thirty-nine respondents have no knowledge on rights of children with disability with disability and thirty-three respondents have known about the right of children with disability. The respondent who has knowledge about the right of children with disability, they don't have knowledge about Guiding Convention Rights of Children with disabilities other research also shown that 63.2% of participants were uninformed of law related rights of children with disabilities (Evariste Karangwa, 2021).still children with disability are away from getting education. others research has also shown that children with disabilities are less priorities for education (Kiran, 2021) (Linjun Shi, 2022).

Children throughout the research seems are away from getting their rights. children seem neglected while dressing and grooming. They are not well dressed or hygiene are not maintained. Providing basic needs are the fundamental right so the children. Every child with or without disability should be provided the basic needs. during the survey, providing basic need for the children with disability, majority of the respondent forty-eight (66.7%) have said that the basic needs is not provided adequately, they stated that children with the disability cannot express due to their physical and mental inability. Some children seem severely malnourished. Out of seventy-two respondent majority sixty-one of them have said disability is not the sin of past life, seven respondents said disability is because of sin of past life and four of the respondents have no idea whether disability is sin of past life. Other research also reveals that attitude towards disability were positive very less respondent has thought disability because of bad spirits (Padam P. Simkhada, 2013), (Kiran, 2021).

More than eighty percentage of the Respondents have stated that respect, participation in social gatherings and play is essential for the children with disability without any discrimination but research have shown that Neglect among children with disability shown that, most of the respondent fifty-eight (80.6%) have stated that children with disability are neglected whereas fourteen (19.4%) have said that children with disability are not neglected. Research have shown that the attitude towards disability was found more negative based on duration of disability by caregiver (Qiaolan Zheng, 2016), (Sarah Catherine Stevens, 2020). (The review and prevalence risk of violence against children with disabilities found that almost children with disabilities are four times likely to experience violence than non-disabled children, 3.6-time times more violence to be victim of physical violence, 2.9 times violence to be sexually abused and children with intellectual are 4.6-time risk of sexual violence and Nondisabled peers (WHO 2012).

Majority of the respondents (62.5%) have stated that children with disabilities are not bullied at the public spheres, but 37.5% have stated that children with disabilities are bullied in the public sphere. respondents have stated that children with disabilities are bullied mainly at public road, bus station and some stated at park. Most of the respondent forty-nine (68.1%) have states that children with the disabilities should stay at the special day care center, the

possible cause of their statement was children with disabilities have physical and mental limitation. Whereas seventeen (23.6%) of the respondent have stated that children with disabilities should go the mainstream as children with disabilities also have some potential as a normal child and six (8.6%) respondents have stated that they should stay at home as they get more care at home than other institution. research has shown that children with disabilities faced obstacles to get education and getting quality education despite having educational law for special needs (watch, 2018).

5. CONCLUSION AND RECOMMENDATION

The findings of this study highlights the critical importance of understanding and advocating for the rights of children with disabilities. While several respondents demonstrated some knowledge regarding these rights, a significant proportion lacked understanding, particularly concerning the fundamental principles outlined in the Convention on the Rights of the Child (CRC). Despite efforts to promote awareness, it is evident that stakeholders, including parents, caregivers, and healthcare providers, require further education and training to ensure the full realization of these rights.

Throughout the research, children with disabilities were observed to be deprived of their basic needs, including proper grooming, hygiene, and nutrition. This neglect focuses the urgent need to prioritize the well-being of these children and ensure that they receive the care and support they deserve. Additionally, misconceptions persist regarding the causes of disability, further existing and spreading humiliation and discrimination within society.

The conclusion of this study emphasizes the necessity of increasing awareness and understanding of the rights of children with disabilities among stakeholders. It is imperative that guiding principles, such as those outlined in the CRC, are disseminated and upheld to promote inclusivity and ensure the holistic development of all children. Further studies on a larger scale, including comparative analyses across different organizations and government levels, are recommended to gain a more comprehensive understanding of stakeholders' perspectives and inform targeted interventions. Ultimately, determined efforts in advocacy, awareness, and lobbying are essential to ensure that the rights of children with disabilities are recognized, respected, and upheld by all members of society.

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