

Check against delivery

Opening of the 19th CRPD session, 14 February 2018, 3-6 pm

Thank you, Chair.

For years, the United Nations has been in preparations for a Global Study on Children Deprived of Liberty, including children held against their will in psychiatric and similar institutions and long-term facilities. Many autistic children around the world remain institutionalized. While the start of the study kept getting postponed, there always was the assumption that all children in all settings of deprivation of liberty and all reasons for depriving children of liberty, including children institutionalized because of an actual or perceived impairment or disability and/or misdiagnosed (such as autistic children mislabelled as schizophrenic), would be included.

It has now been announced that this will not be the case. Due to a lack of funding, the study will, at least for the moment, focus on two thematic aspects only, namely those children deprived of liberty because they are in conflict with the law and those who are in prison with their parents. Other areas, including the institutionalization of children because of disability, will only proceed if further funding is received. As autistic self-advocates, we deeply deplore the exclusion of institutionalized children from the Global Study.

As of last month, less than ten percent of the funding required for the Global Study has been contributed by UN member states. We call on States parties to the Convention on the Rights of Persons with Disabilities to urgently provide earmarked funding for the inclusion of children with disabilities, both those who are institutionalized and those caught up in the criminal justice system, and we call on your Committee to exert its influence to ensure that the Global Study on Children Deprived of Liberty is rooted in the CRPD perspective of the inadmissibility of any form of disability-based deprivation of liberty rather than the less stringent but more prevalent view of deprivation of liberty as a "last resort". The exclusion of children with disabilities now makes it much more likely that this lesser standard will be applied to them as well should they be included at a later stage or even just mentioned in passing.

If states and the UN system don't act now, we fear that once more it will be the most vulnerable, autistic children and other children with disabilities deprived of liberty and institutionalized without their consent, that will be left behind. Institutions are a hotbed of physical, psychological, emotional, and sexual abuse, torture in the name of treatment, cruelty and degradation, exploitation and neglect, often leading to life-long trauma. It is children that are most at risk of human rights violations that they will never recover from. The Global Study must not be allowed to disregard the wounds and scars and pain and the lifetime path of disadvantage and discrimination inflicted on our children in institutions.

Thank you.

Erich Kofmel, President
Autistic Minority International