



Children on bench © UNICEF

# MDAC Friends' Monthly Brief

September/October  
2015

Providing you with information,  
opportunities and requests



Special schools in Prague © MDAC

Welcome to this month's edition of the MDAC Friends' Brief. There is never a dull moment at MDAC. In early September, I visited a school in Prague, Czech Republic which was specifically for children with disabilities. We at MDAC strongly advocate the right to inclusive education, and during my visit, I met an inspiring eighteen year old student , Anna (pictured below), who does too - she said: "If I went to an inclusive school I'd learn from and teach non-disabled students and they wouldn't fear me".

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Anna calls for inclusive education © MDAC

# Announcement

MDAC is pleased to announce that it has appointed Chevan Ilangaratne as a Legal Fellow.

Chevan, who graduated in July, holds an LLB (Hons) degree from the University of Leeds, and will undertake a variety of roles in our Budapest office, working particularly on improving the communication of our outputs.

Chevan spent 10 weeks at the MDAC as an intern over the summer and wrote about his experiences: you can read this in the August edition of Friends' Brief.

We are delighted to welcome him to our team and we wish him the best of luck in his new role.



Chevan in Budapest © MDAC

She was just one of many people with disabilities who have been excluded from mainstream education in the Czech Republic, and both myself and fellow MDAC lawyer Oana Girlescu, who joined me for the trip met many others who have experienced the same treatment: read more about that on pages 3 and 4.

On page 5, our campaigns director Steven Allen takes us through the UN's recent adoption of Sustainable Development Goals (SDGs), which lists the subject of inclusive education as an international development priority. And on pages 6 and 7, Steven brings you up to speed with all the advocacy MDAC have been involved in as of late, with work carried out in countries as far out as Kenya and Uganda.

Finally, you can read on page 8 about what life is like as a human rights lawyer from MDAC's Maroš Matiaško, who works on cases in the Czech Republic and Slovakia.

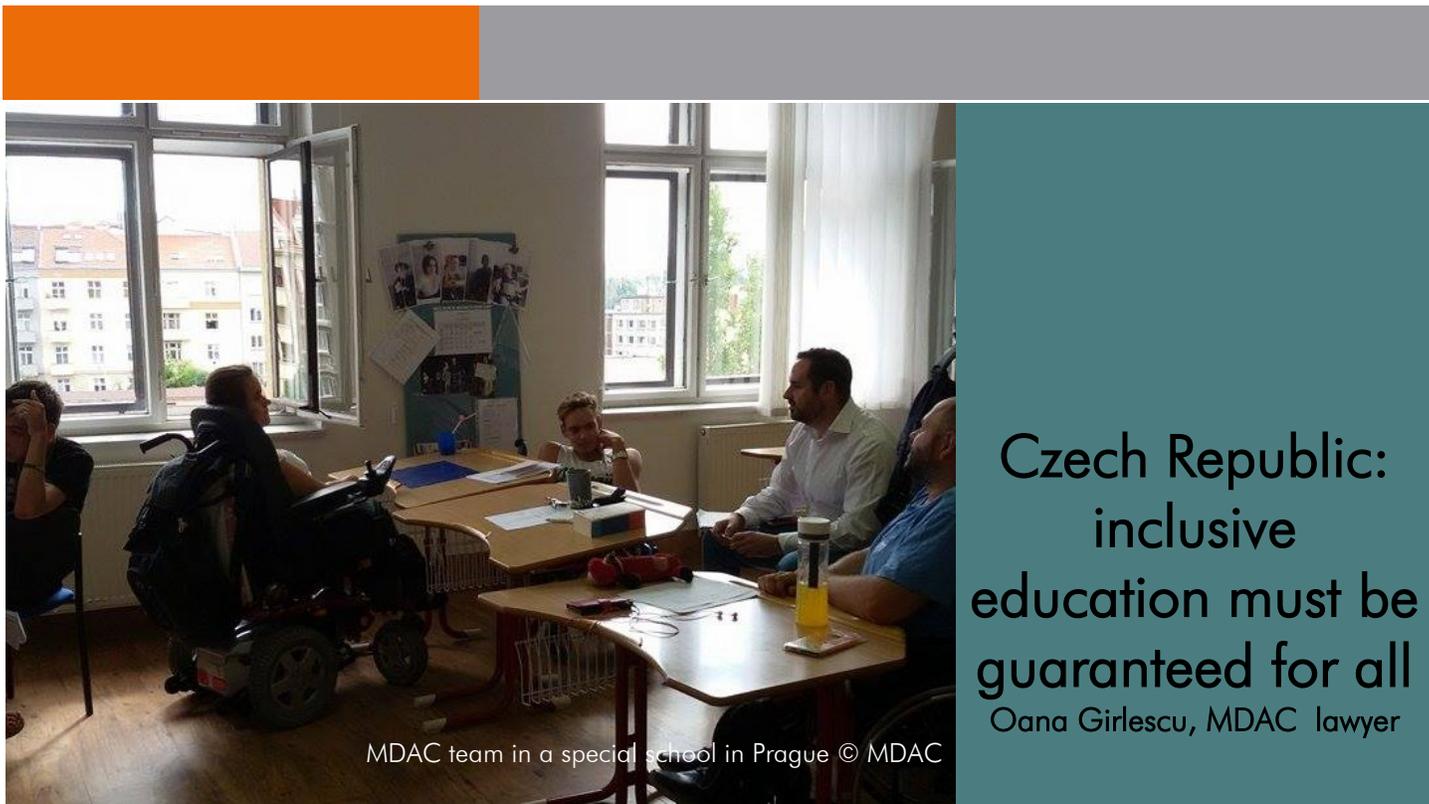
If you would like to meet in London, please let me know.

Kind regards,

Oliver



Team MDAC meets education leaders in Prague © MDAC



## Czech Republic: inclusive education must be guaranteed for all

Oana Girlescu, MDAC lawyer

In September 2015, MDAC’s representatives were in the Czech Republic, working towards advancing the right to inclusive education for all.

I met 18 year old David in Prague. He was originally from Kazakhstan, so besides talking with our team in Czech and English, he was happy to exchange a few words in Russian as well with Oliver, our CEO. He told me how he wants to study languages. And talking about himself he said that he, as many others with disabilities, is “a bit of a rebel”, “who always finds ways to escape” his parents and teachers and everyone who wants to tell him what he can or cannot do. This was always needed in order for him to be able to live his life in the way he wants.

I met him in a special school, a place where

the Czech Government, like many other governments, sends children and young people with disabilities who are deemed not to be fit for mainstream schooling. He said he has many friends, most of whom he keeps in contact with through the internet. He had been in a mainstream school for a long time, where children were together regardless of whether they had a disability or not. He had difficulties in deciding which place was better, the mainstream or the special school, saying it was “50-50” for him.

In the general school he was bullied and both children and teachers had difficulties in understanding why he was, in some respects, “different”, and how they could interact with him. In the special



Facundo Chávez Penillas of UN OHCHR © UN

school there was less bullying, but there was isolation; there was also a general misconception that people from there are somewhat different and therefore will never properly fit into society.

His story is representative of most children who find themselves isolated in special schools, who are not given the opportunity to make their voices heard. While some change is starting to take place, the process is slow. Inclusive education for all requires change and shifts at all levels and in many areas: law, policy, the education of teachers and legal professionals, the empowerment of parents and children and of society at large.

MDAC has been advocating for the rights of these children for many years. I met David the day before we held a [roundtable](#) on inclusive education in Prague. We organised it jointly with the Open Society Foundations Prague and with the League of Human Rights. Teachers, civil servants and people from education charities attended, as well as international speakers including Facundo Chavez from the Office of the UN High Commissioner for Hu-

man Rights and Adam Weiss from the European Roma Rights Centre. We discussed international standards in the field and the problems existing within Czech legislation and policies. Such events are aimed at identifying what needs to be done and supporting the dialogue between civil society and government in order for change to begin.

Another approach MDAC uses is strategic litigation. Maros Matiasko, a lawyer whom we work with from the Czech Republic (read about him on page 8), has been representing children denied inclusive education. One of the children we offered legal representation to was [Jenik](#), a boy who was rejected from 14 different schools and whose case is now pending before the European Court of Human Rights. Moreover, our litigation efforts are also being supported by global law firms like DLA Piper, a much needed help, as a staggering 30,000 children in the Czech Republic are denied inclusive education.

You can read more about inclusive education and about what MDAC is doing in the field on page 5 of this Friends' Brief.



Lawyer Oana Girlescu with her daughter in Budapest © MDAC

# Inclusive education becomes an international development priority

Steven Allen, Campaigns Director

The UN General Assembly held its [70<sup>th</sup> annual session](#) in New York last month. International leaders have flocked in their droves to the headquarters of the United Nations to discuss the [major issues](#) affecting international peace and cooperation. Of particular significance to those of us in the international human rights communities has been the adoption of the [Sustainable Development Goals](#) (SDGs) which set headline global development priorities right through to 2030.

The SDGs build on the previous set of Millennium Development Goals (MDGs) adopted in 2000, criticised because they failed to be disability inclusive. While aiming to half extreme poverty by 2015, the MDGs did nothing to explicitly challenge the additional barriers and exclusions faced by over [one billion](#) people with disabilities. The adoption of the UN Convention on the Rights of Persons with Disabilities in 2006 provided fresh impetus for mainstreaming disability concerns in all international cooperation and development initiatives (see [Article 32 CRPD](#)).

The new SDGs go some way to addressing this gap, referencing disability in seven of the 17 new goals, including the promotion of decent



A student in a classroom in Tegucigalpa, Honduras  
Caption © World Bank/Alfredo Srur

employment and work (Goal 8), reducing inequality and promoting social, economic and political inclusion (Goal 10) and through improving the accessibility of cities (Goal 11). The International Disability Alliance in partnership with the International Disability and Development Consortium have published this excellent [easy-to-read summary](#) of the Goals.

MDAC is also pleased that Goal 4 sets targets to ensure inclusive and equitable quality education for both children and adults with disabilities. The focus on inclusive education echoes the standards set in Article 24 of the CRPD and represents a significant shift away from supporting separate 'special schools' for children with disabilities. Given that the SDGs will guide global development financing priorities for the next fifteen years, this goal has the potential of completely revolutionising the way in which education is provided.

## A busy year advocating at the United Nations

Steven Allen,  
Campaigns Director



MDAC has an important portfolio of advocacy initiatives, carried at national, regional and international level. Here you can read about the advocacy activities carried out at the level of the United Nations.

Alongside our cutting-edge strategic litigation, MDAC pushes for action through our portfolio of advocacy initiatives, including at the United Nations. This year has been particularly busy as a number of countries where we work have been undergoing official reviews of their efforts to implement international disability law.

For the first time ever, the **European Union's** record on implementing disability rights was assessed at the United Nations. It was also the first time ever that a regional block has ever been subject to scrutiny over its human rights record. MDAC used the opportunity call for an end to the unacceptable policy of [financing long-term institutionalisation](#) of people with disabilities,

*...we convinced the Committee to call for the immediate abolition of cage beds and other forms of ill-treatment ...*

and to compensate victims. The Committee asked [searching questions](#) to representatives of the European Commission, and [demanded](#) that the EU “suspend, withdraw and recover payments” from countries (such as [Romania](#) and Hungary) which continue building and refurbishing institutions. You can read our submission [here](#), and a joint report organised by the European Disability Forum to which we contributed [here](#).

In the **Czech Republic**, we engaged in extensive advocacy with a broad

coalition of organisations during the country's review before the UN's disability rights committee (see our shadow reports [here](#) and [here](#)). In an important success, we convinced the committee to call for the [immediate abolition](#) of cage beds and other forms of ill-treatment which are still widespread in [Czech psychiatric hospitals](#), and the country has been ordered to report back in March next year.

Some of the forms of abuse experienced by people with mental disabilities are less visible, but are nevertheless pervasive and require governments to take action. Drawing on our field research on the right to decide for people with mental disabilities in [Kenya](#) last year, we provided public and private briefings to members of the disability rights committee on why urgent action is needed to challenge informal systems of guardianship (you can read our written submissions [here](#)). In their concluding observations, the committee [expressed concern](#) about "de facto guardianship of persons with disabilities in families" and called on the Government to "eliminate all forms of formal and informal substituted decision-making regimes". Many of the other recommendations in the report flow directly from information provided by MDAC and partners, including a call to [abolish legal restrictions](#) on the right to marriage for people with mental disabilities which came into force last year.

[Slovakia](#) will be reviewed by the committee next year. In preparation for this, we submitted a joint [shadow report](#) with Slovak NGOs providing evidence on the denial of inclusive education to children with disabilities and very high rates of long-term institutionalisation of adults and children with disabilities. And for **Uganda's** upcoming review, the committee have asked the Government [to explain](#) how it will update its seriously-outdated mental health legislation which continue to allow arbitrary and often long-term detention of people with mental health issues (see our submission [here](#), and two major reports we released last year [here](#)).

## Inspiring inclusion in education

One of the most common problems we encounter when advocating for inclusive education are negative attitudes – including from teachers, pupils and educational psychologists. Seeing is believing, and so we're on the look-out for stories and people who can help inspire others to acquire inclusion for all children with disabilities.

- Do you know a teacher who is passionate about including children of all abilities?
- Have you or your children had positive experiences of including children with disabilities in the classroom?
- Are you aware of any innovative schools that promote a fully inclusive environment?

If the answer to any of these questions is "yes" then send us an email to [support@mdac.org](mailto:support@mdac.org)

## Who's at MDAC?

The same questions to different  
People.

This month: **Maroš Matiaško**



*What's your name and where are you from?*

I am Maroš Matiaško. I'm a human rights attorney and chair of Forum for Human Rights, active in the Czech Republic and Slovakia.

*What do you do for MDAC?*

I represent persons with mental disabilities who are victims of human rights violations. We have three cases pending in the Czech Republic and three in Slovakia. I also support MDAC advocacy activities, both on domestic and international level. This year was very busy with UN bodies. We submitted alternative reports and information and we communicated with members of the CRPD Committee.

*Why do you do what you do?*

I believe in the idea of human rights. Being a lawyer makes it possible to use human rights in very practical terms, make sure they are not empty proclamations but entail specific obligations for Governments. I find it exciting to see the constant development of the human rights discourse which

seems to make human rights extremely vivid with obvious positive impact on our societies and on people's lives. I believe that human rights are inherent part of democracy and the deepest reason for democracy - as T. G. Masaryk puts it, is 'belief in human being, in his or her value, spirituality and immortality of soul'.

*What's the most interesting thing that MDAC does?*

MDAC has capacity to support litigation and advocacy activities in a specific field and thus helps extremely vulnerable groups to fight for their human rights - otherwise, people with disabilities would remain totally invisible.

*What do you do in your spare time?*

I read books and hike in the mountains. I used to paint but unfortunately I don't have time for it anymore.

*In three words, what is MDAC?*

Chance, empowerment, justice.

## News flash

Here are some developments in the global mental disability rights field worth reading about:

[Council of Europe: Slovakia must get children out of institutions and into inclusive education](#) (MDAC)

[Council of Europe's Anti-Torture Committee Calls on Romania to Improve Conditions in Psychiatric Institutions](#) (Council of Europe)

[UN: European Union must stop financing disability institutions](#) (MDAC)

[Bulgaria Comments on De-institutionalization in its Universal Periodic Review](#) (Human Rights Council)

[Special Rapporteur Disability Rights Gives Preliminary Findings on Visit to Moldova](#) (OHCHR)

[Special Rapporteur Disability Rights Calls on France to Cease Institutionalization of Child with Autism](#) (OHCHR)

[Russia: Locked up in psychiatry for "inadequate behaviour"](#) (MDAC)

[Cameroon Accedes to the African Court on Human and People's Rights](#) (African Union)

[Human Rights Watch Publishes Report on Exclusion of Disabled Children from Education in South Africa](#) (Child Rights International Network)

[UN Committee Calls on Kenya to Prevent Forced Sterilisation of Women with Disabilities and to Ensure the Right to Legal Capacity for All](#) (MDAC)



## Can you help?

As you know, we recently created "MDAC Friends" scheme as a way to enable people to support our work in a structured way.

Do you know anyone who would like to support and hear about MDAC? We want to increase the numbers of people who can help us: perhaps you can help us with this? Are there people within your network who you could introduce to us? Please consider this, and do discuss it with our CEO Oliver Lewis, who can be contacted at [oliver@mdac.org](mailto:oliver@mdac.org). More information about MDAC Friends is at [www.mdac.org/friends](http://www.mdac.org/friends).

# Microscope events

With a spirit of investigation and exploration, MDAC Microscope events offer you an opportunity to examine human rights challenges, to look deeply at problems, strategies about solutions and network with like-minded individuals.

Join us at Bethnal Museum of Mind on Saturday 28th November. Professor Peter Bartlett will guide you around the museum. Peter is a law professor at the University of Nottingham, an expert in mental health law, and also a historian of psychiatry. Further details are on our website at the "events" section on [www.mdac.org](http://www.mdac.org).



Our Africa briefing event at Herbert Smith Freehills in London © MDAC



In September we said "Goodbye!" to our last 2015 summer interns! Thank you all and wishing you the best of luck in your future careers! © MDAC

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and retweet us!

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