



The right to inclusive education must be guaranteed for children with disabilities

The Human Rights Centre (HRC) and its Human Rights Delegation are very concerned that there is no comprehensive understanding of the legal basis of inclusive education, its content and its binding nature in Finland. This situation puts the right of children with disabilities to inclusive education at risk.

The challenges of inclusive education occasionally become the focus of lively public discussion. The most critical views call into question the principle of inclusiveness and see children in need of inclusive education and special support as a problem. Some have even suggested solving the problem by giving up inclusive education in order to make teaching better in the school environment.

The Human Rights Delegation finds that these views are not in line with fundamental and human rights. Firstly, inclusive education has a legal basis, so it is not a matter of opinion. This requires a major change of attitudes. Secondly, practical problems related to inclusive education have more to do with inadequate support for teachers and students and a lack of expertise rather than inclusive education per se.

Inclusive education is a human right

Inclusive education has a strong legal basis, as it is guaranteed by the UN Convention on the Rights of the Child and the Convention on the Rights of Persons with Disabilities (Article 24) which are binding on Finland. The Committee on the Rights of Persons with Disabilities (CRPD) states in its General Comment on Inclusive Education that the right to inclusive education is a fundamental human right for all learners. In addition, the Constitution of Finland guarantees equal treatment (section 6 of the Constitution) and the right to basic education for all (section 16 of the Constitution).

The right to inclusive education means that children have the right to participate in general education at a local school and that they are provided with reasonable accommodation and support measures to enable equal learning and participation in the school community as required by their individual needs.¹

Implementation of inclusive education

¹ See General Comment No. 4 of the Committee on the Rights of Persons with Disabilities (https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=CRPD/C/GC/4&Lang=en) and General Comment No.9 of the Committee on the Rights of the Child (https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=CRC%2fC%2fGC%2f9&Lang=en).



It is understandable that the implementation of inclusive education is challenging if sufficient support measures have not been arranged for teachers or pupils who need them and if the practices related to the implementation of inclusive education vary from one municipality to another. The Human Rights Delegation emphasises that inclusive education *is not* a practice where a pupil who needs support for learning because of their disability is placed in ordinary general education without support measures that meet their individual needs. Simply increasing resources without changing practices and mindsets does not solve the challenges of inclusive education.

The Human Rights Delegation is calling on the Government, especially the Ministry of Education and Culture

- to strengthen the competence of teachers and educational staff about inclusive education and its implementation
- to provide schools with sufficient resources so that they can take adequate support measures to organise inclusive education.
- to raise awareness of the UN Convention on the Rights of Persons with Disabilities and its binding nature.

The Human Rights Delegation functions as a statutory national cooperative body of fundamental and human rights actors and deals with fundamental and human rights issues of a far-reaching significance and principal importance. The Finnish National Human Rights Institution (NHRI) consists of the Human Rights Centre (HRC), the Human Rights Delegation and the Parliamentary Ombudsman.