

WFD submission to the report of the Office of the High Commissioner for Human Rights on technical cooperation and capacity-building in the field of human rights

I. Introduction

The World Federation of the Deaf (WFD) welcomes the Human Rights Council resolution 45/32 entitled “enhancement of technical cooperation and capacity-building in the field of human rights”. The WFD appreciates the opportunity given to civil societies to contribute to the report of the Office of the High Commissioner for Human Rights on efforts undertaken by the Office and relevant United Nations country teams and agencies and regional organisations to support State’s efforts in ensuring the rights to education with a particular focus on the most disadvantaged children.

The WFD is an international non-governmental organisation representing and promoting approximately 70 million deaf people’s human rights worldwide. The WFD is a federation of deaf organisations from 127 nations; its mission is to promote the human rights of deaf people and full, quality and equal access to all spheres of life, including self-determination, sign language, education, employment and community life. WFD has a consultative status in the United Nations and is a founding member of the International Disability Alliance (IDA).

The WFD believes accessing quality and inclusive education to be crucial to empowering children in participating in their societies and contributing to its improvement. Quality and inclusive education is also pivotal for children to be agents of their own changes and constitutes a core human rights. Deaf children suffer no exception from this. This fundamental human rights to education finds its source in Article 26 of the United Nation Declaration on Human Rights. It has then been translated and highlighted in various international human rights legal instruments. In that regard, there is Article 13 of the International Covenant on Economic, Social and Cultural Rights (ICESC); Article 28 of the Convention on the Rights of the Child (CRC); Article 10 of the Convention on the Elimination of Discrimination Against Women (CEDAW); and, more recently, Article 24 of the Convention on the Rights of Persons with Disabilities (CRPD).

Yet, the access of deaf children to a quality and inclusive education, especially in Global South countries, is often a chimaera. The main challenge faced by deaf children is accessing a quality and inclusive education in their natural language, sign language. Globally, deaf children face many barriers to education. Even where schools exist, many families in developing countries may not be able to afford to send a deaf child to school. Sometimes, there are no schools that accept a deaf child and/or may not have the means of transportation to bring their child to school or the necessary resources and skills to teach deaf children. Consequently, the education level attained by deaf children is often low and illiteracy is common. This submission will present the specific requirement of deaf children in accessing a quality and inclusive education; the work of the WFD in empowering their members in undertaking measures to improve the quality of education in their countries; and some recommendations to States Parties to best implement inclusive education policies for deaf learners.

II. Inclusive Education for deaf children

The provision of a quality bilingual education to deaf children from an early age is the first step to safeguard the cultural rights and inclusion of deaf people. The actual state of play is such that diversity is often not recognised or taken into account in the education of deaf children. Deaf children are often outplaced in mainstream school without opportunities to learn sign language and deaf culture.

Various barriers exist such as the lack of natural language inputs. Consequently, the education level attained by deaf children is often low and illiteracy is common. Other barriers to the effective education of deaf children include a lack of trained teachers – including deaf teachers as role models, a lack of teachers who are fluent in sign language and lack of learning environments and pedagogies, which are most conducive to deaf students' effective learning. Most deaf children are born to hearing parents who do not yet have sign language skills, and there is a lack of comprehensive policies and programmes providing support for families of deaf children to learn sign language.

In 2019, the WFD released its [baseline data collection report on deaf education in Nepal](#). The findings are alarming. Children do not access education before the age of five. As 95% of deaf children are born in hearing families who do not know the national sign language, deaf children start to be exposed to the national sign language at the age of five, which present grave consequences in term of cognitive developments. Furthermore, only 5% of deaf people in Nepal are using Nepali sign language, the rest does not live in an inclusive and accessible environment.

The Convention on the Rights of Persons with Disabilities (CRPD), in its Article 24, recognises the right of deaf persons, including deaf children, to access education in the national sign languages. As expressed in [its Position Paper on Inclusive Education](#), and underpinned by the [IDA's Global Report on Inclusive Education](#) the World Federation of the Deaf believes that education to deaf children is best achieved through inclusive bilingual education in the country's national sign languages and national written language(s). Inclusive bilingual schools must follow the official national educational curriculum as well as teaching sign languages and deaf culture. Teachers must master sign language with native-level fluency and deaf children must be surrounded by their signing peers in inclusive settings.

The WFD does not believe the outplacement of deaf children in local schools with the provision of a sign language interpreter to be a viable solution. Indeed, through the medium of a sign language interpreter, deaf children are not receiving direct information from the teacher and are not able to communicate directly with other students. Children participate via the sign language interpreter and are at risk of missing out peer to peer interaction, not to mention information happening in their direct environment.

[The CRPD Committee's General Comment No. 6 on equality and non-discrimination](#), in point 65, recognises that the lack of proficiency in sign language skills of teachers of deaf children and the consequential inaccessibility of school environments effectively excludes deaf children and is considered discriminatory.

III. Necessity of a tailored curriculum for deaf learners

Deaf children have a unique need for instruction in sign language, opportunities to study sign language and deaf culture, and opportunities to participate with their peers in congregated settings that allow for linguistic and cultural development. Due to shared ontologies and experiences, deaf children also have a need for instruction from deaf teachers who can advocate for their students and transmit social and cultural capital.

In addition to being the language through which deaf children access their education, education in sign language is also critical for the transmission and conservation of deaf culture. As most deaf children are born to families who do not yet know sign language, it is vital to provide early sign language linguistic support and learning to enable language acquisition. Deaf children must also be ensured the availability of a quality and inclusive education system in the national sign language and national written language. Teachers must master sign language with a native level; deaf children must be surrounded by their signing peers. Ultimately, the curriculum must maximise the full learning potential of deaf learners.

The maximisation of the full learning potential of deaf learners goes through the same curriculum that a hearing learner would receive, with the difference being their education is provided in the national sign language. In addition, deaf learners need to receive opportunities to develop and grow their cultural and linguistic identity. Fostering the cultural and linguistic identity of deaf learners is crucial to ensure the growth of their self-esteem to be actors of their full participation in society as citizens. Therefore, learning about deaf culture and deaf history must be provided to deaf learners in the inclusive bilingual schools.

IV. Raising awareness to State Parties and empowering deaf communities

With an estimated over 200 sign languages around the globe, sign languages are natural human languages which emerge alongside communities which include deaf people. They are natural languages with linguistic properties shared by other languages, including grammatical features, such as morphology, phonology, and syntax. There are a wide variety of sign languages, ranging from national sign languages to so-called 'village' signs used by shared signing communities. The right to have access to and use sign languages constitute the most fundamental human right for deaf people as these are the only languages they can access naturally and without any barriers.

Sign languages are a crucial feature not only for the inclusion and participation of deaf people in society, but also for the achievement of their most fundamental linguistic human rights. However, most States Parties to the CRPD are not aware