



FAROESE DISABILITY ORGANIZATIONS

Thematic report from MEGD (Faroeese Disability Organizations) to the UN Committee on the Rights of the Child regarding the ‘List of issues prior to reporting’ on the Kingdom of Denmark

Introduction

The Faroe Islands is a self-governing nation under the external sovereignty of the Kingdom of Denmark. Faroe Islands have exclusive competence to legislate and govern independently in a wide range of areas which are important in relation to rights of children, including social security, labour market, culture, education, health, taxation, industrial relations, energy, transport, communications and research. The administration of rights of children are partially divided between the 9 governmental sectors and the 29 local municipalities.

A treaty between the Faroe Islands and Denmark enacted in legislation provides Faroese autonomy in foreign relations. The Faroe Islands have membership in a range of international organisations but are not members of the EU. MEGD (Faroeese Disability Organizations)¹ is the only national federal organisation for persons with disabilities in the Faroe Islands and it has 24 member organisations. MEGD is an independent organisation that participates in international cooperation together with other national federal organisations for persons with disabilities. This thematic report will focus on the rights of children with disabilities according to articles 23 in the Convention on the Rights of the Child² (CRC) and, to some extent, on article 7 in the Convention on the Rights of Persons with Disabilities³ (CRPD).

¹ More information about MEGD (Faroeese Disability Organizations) on www.megd.fo/about

² Convention on the Rights of the Child Adopted and opened for signature, ratification and accession by General Assembly resolution 44/25 of 20 November 1989 entry into force 2 September 1990, in accordance with article 49; Entry into force for the Faroe Islands: Bekendtgørelse nr. 6 af 16. januar 1992 om FN-konvention af 20. november 1989 om Barnets Rettigheder, online source www.logir.fo/Bekendtgørelse/6-fra-16-01-1992-af-FNkonvention-af-20-november-1989-om-Barnets-Rettigheder-1.

³ Convention on the Rights of Persons with Disabilities (CRPD). Entry into force on the Faroe Islands: Bekendtgørelse af FN-konvention af 13. december 2006 om rettigheder for personer med handicap.



FAROESE DISABILITY ORGANIZATIONS

Summary

On the surface Faroese authorities seem to take matters seriously related to the rights of children with disabilities, but the lived experience and professional analysis of disabled persons organizations (DPO's) suggest that governmental procedures and perspectives continue to be based on a combination between the old *charity* and *medical* approaches to disability and that laws are not necessarily evidence based.⁴

All 24 member organizations in MEGD collaborated recently to make a public declaration⁵ stating that they are all within their respective areas witnessing that the human rights of children with disabilities on the Faroe Islands are not respected either formally in legislation or in practice. As such children with disabilities are still excluded from various walks of life, including mainstream schools, sport, healthcare and decision-making. Children with disabilities are therefore excluded and discriminated against, presumably because their human right to reasonable accommodation is not sufficiently provided formally in legislation or in practice in f.x. their environment or societal circumstances.

Therefore, children with disabilities on the Faroe Islands are still faced with the vital challenge to ensure that governmental authorities as soon as possible adopt a structured human rights approach, and that related procedures, resources, knowledge, mindsets and methodologies will be developed to ensure justiciability and implementation of rights of children with disabilities is formally entrenched in legislation and in the real lives of children, especially by systematically providing reasonable accommodation to compensate for their disabilities.

Fundamentally there are two main challenges which must be solved: primarily a lacking national framework for evidence-based human rights protection on the Faroe Islands and secondly the unclear, and often misleading, communication from the CRC committee to the Kingdom of Denmark, i.e. Faroese governmental authorities.

The lacking national framework which Faroese governmental authorities follow in their daily work, i.e. laws, procedures, mindset, limited resources etc., necessitate the likelihood that new legislation will not respect, protect nor promote the rights of children with disabilities to a satisfactory degree. The first step of governmental authorities should therefore be to

⁴ Amongst others: *Guidelines on Democratic Lawmaking for Better Laws* (2023), OSCE Office for Democratic Institutions and Human Rights (ODIHR), in particular part on *impact assessment*, pp. 86-101, on consultations, pp. 101-112, and principle 5 on *Evidence-based law-making*; See also Trofimov, A. (2025). Why evidence-based law? On the need to combine evidence with values to justify laws. *The Theory and Practice of Legislation*, 1–23. <https://doi.org/10.1080/20508840.2025.2504104>; Rantala, K., Alasuutari, N. and Kuorikoski, J. (2024), The logic of regulatory impact assessment: From evidence to evidential reasoning. *Regulation & Governance*, 18: 534-550. <https://doi.org/10.1111/rego.12542>.

⁵ The declaration has not been translated into english and is only accessible in faroese: www.megd.fo/news/646/yvirlysing-oll-born-og-ung-hava-javnbjodis-raett-til-eitt-virdiligt-liv.



FAROESE DISABILITY ORGANIZATIONS

systematically incorporate⁶ the content of the CRC and article 7 in the CRPD into national laws and to establish a coordinating body⁷ on national level which will ensure cross-sectoral communication and coordination related to the rights of children with disabilities. It is important to note the interdependence and indivisibility of all rights enshrined in the CRC and that if reasonable accommodation is denied in the environment of children with disabilities, they may face additional and complex challenges compared to other children who do not have disabilities.

It is of equal importance that the cooperation between governmental authorities and DPO's should be fundamentally improved, partially by developing better and more efficient procedures for hearings and participation in law-making amongst other things to ensure relevant evidence in law-making and partially by increasing the available human resources for both sides. Furthermore, there is still no long-term national plan of action for implementing and realizing children's rights.

The government has publicly announced their intention to make structural adjustments which *de-facto* may entail financial cuts on laws and services related to rights of children.⁸ Although some improvements have been made since 2017, i.e. a new social legislation, the lacking framework has hindered real overall improvements and there are some cases of rights regressing already now.⁹ It is in this context of great importance to organize comprehensive societal impact assessments which strengthen the evidential foundation of decision-makers.

⁶ General Comments from the CRC and CRPD should be used as practical guidance tools while working on incorporation. CRC General Comments are found here: www.ohchr.org/en/treaty-bodies/crc/general-comments; CRPD General Comments are found here: www.ohchr.org/en/treaty-bodies/crpd/general-comments.

⁷ UN Committee on the Rights of the Child (CRC), *General comment No. 9 (2006): The rights of children with disabilities*, CRC/C/GC/9, 27 February 2007, specifically §21 on *Coordination body*: "Focal point for disabilities".

UN Committee on the Rights of the Child (CRC), *General comment no. 5 (2003): General measures of implementation of the Convention on the Rights of the Child*, [CRC/GC/2003/5](http://www.unhcr.org/refugees/pdf/crcgc5.pdf), 27 November 2003, specifically §§ 9 and 39.

⁸ Multiple public statements from various politicians in the coalition in the public services channel, Kringvarp Føroya, for instance www.kvf.fo/greinar/2025/04/01/neydugt-vid-breidum-politiskum-semjum-um-nyskipanir, and from public sector leaders, for instance, www.kvf.fo/ljod/sending/utvarpstidindi?sid=194843.

⁹ The following legislative proposals include elements which may entail regression in the rights of children with disabilities. Additionally no impact assessment was organized before sending these proposals to the parliament and organizations for persons with disabilities were not consulted.

LM-014/2024 : Uppskot til løgtingslóg um broyting í løgtingslóg um áseting av almannaveitingum (Javnseting av giftum og samlivandi o.a.).

LM-015/2024: Uppskot til løgtingslóg um broyting í løgtingslóg um viðbót til ávísar pensjonistar (Javnseting av giftum og samlivandi fyritiðarpensjónistum).

LM-016/2024: Uppskot til løgtingslóg um broyting í løgtingslóg um almannapensjónir o.a. (Javnseting av giftum og samlivandi pensjónistum o.a.).

LM-017/2024: Uppskot til løgtingslóg um broyting í løgtingslóg um arbeiðsfremjandi tiltøk (Aldursmark ásett og hert krav um skert arbeiðsføri til tillagað starv o.a.)

Sí greiningar í hoyringarskrivum frá limafeløgum, sum liggja á www.megd.fo/news?NewsgroupId=2

LM-022/2023: Uppskot til løgtingslóg um broyting í løgtingslóg um almannatrygd og tænastr (Stuðul til bil broyttur til stuðul til serligan útbúnað til bil)



FAROESE DISABILITY ORGANIZATIONS

The second main reason that the human rights approach is still not used by Faroese governmental authorities is arguably the format of the communication from the CRC committee to the Kingdom of Denmark. Although the Faroe Islands is *formally* a part of the Kingdom of Denmark, it is vital to keep in mind the legal status and the immense differences in real life for instance with respect to legislation, politics, language, culture, geography, economy etc.

These fundamental differences are likely important in understanding why the Faroese government so far has not addressed previous observations from the CRC committee to the Kingdom of Denmark which do not explicitly and directly mention *the Faroe Islands*.

One important example is that paragraphs 28 and 29 in the last CRC general observations from 2017 on children with disabilities have not been translated into Faroese language most likely because the word *Faroe Islands* is not explicitly mentioned, compared to other parts that were translated likely because the word *Faroe Islands* was explicitly mentioned.¹⁰

Additionally in paragraph 31 in the concluding observations from 2017 the CRC committee recommends *recommends that the State party align its legislation in the Faroe Islands with that in mainland Denmark*. In brief by using the concept of *mainland* Denmark the CRC committee seems clearly to have misunderstood the context, i.e. politically, geographically, culturally, economically, legally etc. in the three countries in the Kingdom of Denmark: Greenland, Faroe Islands and Denmark.

In those cases where the Faroe Islands however was mentioned explicitly, only some matters have been addressed and unfortunately various potentially serious observations have not been addressed. This creates profound gaps and differences between Denmark and the Faroe Islands with respect to how children with disabilities are protected by rights. Importantly the *Optional Protocol to the Convention on the Rights of the Child on a communications procedure* is still

LM-023/2023: Uppskot til løgtingslóg um broyting í løgtingslóg um arbeiðsfremjandi tiltøk (Frávik um stuðulsveiting til lesandi í útbúgvingaraldri strikað). Hetta uppskotið fall burtur.

LM-025/2023: Uppskot til løgtingslóg um broyting í løgtingslóg um almenna heilsutrygd (Heilsutrygdarlógin) (Heilivágsstigin verður broyttur)

Løgtingsmáli nr. 31/2020: Uppskot til løgtingslóg um broyting í løgtingslóg um arbeiðsfremjandi tiltøk (Broytt tillagað starv, nýggj javning o.a.).

Løgtingsmáli nr. 32/2020: Uppskot til løgtingslóg um broyting í løgtingslóg um dagpening vegna sjúku v.m. (Arbeiðsgevarapartur longdur).

Løgtingsmáli nr. 33/2020: Uppskot til løgtingslóg um broyting í løgtingslóg um almannapensjónir o.a (Lestrarstuðul frádrigin í fyririðarpensjón).

Løgtingsmáli nr. 34/2020: Uppskot til løgtingslóg um broyting í løgtingslóg um javningarprosent til almannaveitingar (Útsetan av javning).

Løgtingsmáli nr. 37/2020: Uppskot til løgtingslóg um broyting í løgtingslóg um almenna heilsutrygd (Heilsutrygdarlógin) (Eftirbataheim verður strikað, hækking av heilsutrygdargjaldi úr 0,60% til 0,70%, broyting av tilskotsstiganum og broyting um hjálparráð).

¹⁰ The webpage of the Ministry for Children: www.bumr.fo/fo/arbeidsoeki/barnaoekid/barnaraettindasattmalin, with relevant [document](#) which however only is a general *summary* of the CRC concluding observation.



FAROESE DISABILITY ORGANIZATIONS

not in force for the Faroe Islands. Although the Children's Ombudsman monitors children's international rights in an administrative legal context, children on the Faroes remain significantly hindered from influencing their human rights related to structural and societal matters.

In addition, being a part of the report from the Kingdom of Denmark, both the Faroese government and DPO's on the Faroe Islands must significantly limit their word-count in their reports to the CRC committee even though the legislative framework on the Faroes is at least equally broad and complex as that in Denmark. In addition, DPO's representing children with disabilities are primarily volunteer driven and generally have limited financial and human resources for professional advocacy. This means that potentially serious human rights challenges on the Faroe Islands might not be addressed in the reports and communications with the CRC committee and during the constructive dialogue with the Kingdom of Denmark.

With no structured evidence-based human rights approach to legislation, with the CRC not incorporated, with no national plan of action, no governmental coordinating body, with no individual complaint mechanism according to the optional protocol, with an insufficient working framework and limited human resources and with imminent financial cuts to relevant systems which probably will regress the rights of children with disabilities, the future for the rights children with disabilities on the Faroe Islands looks quite dark. It is essential to take the right decision to give them a brighter future.

Observations and enquiries related to the human rights of children with disabilities

1. In the Concluding observations on the fifth periodic report of Denmark from 2017,¹¹ paragraph 4, the CRC committee recommends that urgent measures must be taken in relation to paragraph 29 on children with disabilities. It is therefore particularly important to enquire on the following general matters:

Q: Has the faroese government taken steps to adopt a human rights approach to ensuring the rights of children with disabilities in faroese legislation and if so, how?

Q: Will the Ministry of Children write the new childrens law,¹² the ammendments in the child welfare act or other relevant laws related to children, according to the human rights approach in order to ensure the international rights of children with disabilities will be included in the new

¹¹ Committee on the Rights of the Child: Concluding observations on the fifth periodic report of Denmark from 26. October 2017. Document [CRC/C/DNK/CO/5](#).

¹² Report - *Where Children Thrive: Voices, Visions, and Hopes from the Citizens of Tomorrow*. The Ministry of Children et al.. Document [2025.05](#) is found here www.tilfar.lms.fo/logir/alit/yvirlit.htm.



FAROESE DISABILITY ORGANIZATIONS

children's law according to the CRC and article 7 on children with disabilities in the Convention on the Rights of Persons with Disabilities¹³ (CRPD)?

Q: Has the Faroese government adopted – or is there an imminent plan to adopt - a comprehensive strategy or national plan of action for the inclusion of children with disabilities according to the human rights approach and if not, why?

2. Various members in Faroese Disability Organizations have publically announced that the rights of children and youth are limited in relation to the excessively long time they have to wait to be diagnosed in the Psychiatric center. Various rights providing them reasonable accommodation in their daily lives are conditioned on specific types of diagnoses which really limits their quality of life and conditions for development and participation in society. Some examples of reasonable accommodations which they don't get before they are diagnosed are health and medicine related, personal assistants and adapted tools and circumstances for inclusion in education, cultural life, health etc.. Because of lacking research and limited resources in representative DPO's it is not sufficiently monitored, evaluated or learned to what extent forced institutionalization and hospitalization takes place and to what extent community care environment is provided.

Q: Has the Faroese government taken steps to ensure that children with disabilities, including those with psychosocial and/or intellectual disabilities, are not, under any circumstances, forcibly hospitalized or institutionalized, but rather provided with assistance in a community care environment?

3. The Faroe Islands Economic Council (Búskaparráðið)¹⁴ and the Faroe Islands Governmental Bank (Landsbankin) have recommended that structural adjustments are made to ensure long term economic sustainability.¹⁵ It is not clear to what extent their recommendations are in line with the UN Sustainability Goals 2030 (UNSDG's 2030). The government does however prepare for making such structural adjustments accordingly, but seemingly without planning any comprehensive impact assessments on these upcoming structural changes which, without careful planning, most likely will affect the rights of children with disabilities in a negative way and may imply regressions. Representative DPO's have observed various examples of regression and of potential regression in rights of children or youth with disabilities.¹⁶ In addition, and

¹³ Ibid note 3.

¹⁴ Reports from 2024 and 2025 from Faroe Islands Economic Council: www.landsbankin.fo/fo-fo/buskaparra%C3%B0i%C3%B0/fragrei%C3%B0ingar.

¹⁵ Public statement from the Faroe Islands National Bank: www.landsbankin.fo/fo-fo/fleiri-nyskipanir-mugu-setast-i-verk-fyri-at-faa-figgjarpolitikkin-haldfoeran.

¹⁶ Ibid note 10.



FAROESE DISABILITY ORGANIZATIONS

keeping in mind the CRC committees previous recommendations on impact assessments,¹⁷ the relevant legislative framework does still not exist to protect the rights of children on the Faroes.

Q: Is the faroese government committed to not make further cuts to the national financial budget that might infringe on rights of children with disabilities?

Q: Will the government develop a strategy on how to continually ensure that comprehensive impact assessments are being made such that future structural changes will ensure their rights to f.x. participate in society on equal footing with others and only minimally affect the rights of children with disabilities in a negative way?

4. Member organizations in Faroese Disability Organizations have made clear that lacking strategies, resources and capacities to construct and plan according to the principles and know-how in universal design entail that children with disabilities are excluded from public facilities such a schools.

Q: Is the government considering making a strategy, plans or similar, on ensuring accessibility for all children, including children with disabilities, in public facilities including schools, playgrounds, cultural centers or in relation to public communication?

5. The CRC committee also recommended in 2017, paragraph 6, that the CRC will be explicitly and fully incorporated into legislation i.e. to promote applicability by the courts and administrative decision-making bodies.

Q: Does the government plan on incorporating CRC either fully or partially – i.e. article 23 on children with disabilities – in the new Childrens Law which currently is being drafted?

Q: Keeping in mind the principles of interdependence and indivisibility, does the government plan on incorporating article 7 on children with disabilities from the Convention on the Rights of Persons with Disabilities (CRPD) i.e. in the new Childrens Law?

6. The administration of rights of children are partially divided between the 9 governmental sectors and the 29 local municipalities. Rights of children with disabilities are divided between different sectors which requires governmental coordination. A long range of reports from member organizations suggest that rights are infringed or limited because of lacking coordination.¹⁸

¹⁷ Ibid note 12, § 7(a).

¹⁸ Ibid notes 5, 9, 10 and 13.



FAROESE DISABILITY ORGANIZATIONS

Q: Does the faroese government plan on establishing a coordinating unit or body with representatives from all relevant sectors to assist in protecting, promoting and developing rights of children with disabilities in legislation?

7. Structured and publically available data collection on children with disabilities on the Faroe Islands is extremely limited or maybe even non-existent. This affects the foundation for evidence-based law-making and the human rights approach. In the same context there are no legally entrenched mechanisms which ensure the rights of the children with disabilities to be heard with respect to decision-making or law-making. Evidence of the lived experience of children with disabilities may therefore not be considered or heard by for instance politicians or civil servants which generally might limit the basis for creating legislation which actually works in practice for those who need it.

Q: Does the faroese government plan on prioritizing data collection, research and more structured consultations with representatives for children with disabilities for instance through their representative organizations amongst other things to collect evidence for law-making?

8. According to previous recommendations from the CRC committee helplines should be available 24 hours a day.¹⁹ The Child Project at the Ministry of Children has publically announced that they might plan on offering a 24 hour helpline in the near future.²⁰

Q: Will the government provide reasonable accomodation in order to ensure that the 24 hour helpline includes children and youth with disabilities?

9. The CRC committee has stated before that *child poverty in Greenland and the Faroe Islands remains relatively high*. There are however insufficient statistics, disaggregated data or research on the issue of child poverty related to children with disabilities on the Faroe Islands. Generally poverty measures on the Faroes are not adapted to specifically reach specific societal groups such as children with disabilities. While children with disabilities in other countries generally have greater socio-economic challenges and are more likely under the poverty line one can assume the same tendency on the Faroes.

¹⁹ Note 12, §25.

²⁰ Interview with the leader of the new governmental Children Project: www.kvf.fo/netvarp/sv/2025/06/24/ynskja-felags-hjalparlinju-til-born



FAROESE DISABILITY ORGANIZATIONS

Q: Will a national poverty line be introduced on the Faroe Islands with relevant design to specifically include children with disabilities who generally may face multiple and complex socio-economic limitations compared to other children.

Q: Has the faroese government conducted specific poverty-reduction measures for children with disabilities living on the Faroe Islands, with a particular focus on single-parent families?²¹

10. Quality education should be provided for all children, also those who are in special schools, those who have no or limited language and those who are in alternative care. The right to quality education for children with disabilities according to CRC article 29 and the CRPD article 24 are not enshrined in faroese legislation. Accordingly there is no general inclusion strategy for the educational system on the Faroe Islands. At the same time the number of children in special classes doubled in just five years from 2019-2024.²² The public school law²³ was discussed in parliament earlier in 2025 amongst other things with the intention of ensuring inclusion in schools in line with the 2024 recommendations from the CRPD.²⁴ Unfortunately the part specifically addressing inclusion was excluded by the parliamentary committee because the part on inclusion was not sufficiently prepared before it was written into the proposal and with the committee's advice that it will be brought back up in the near future when the government had prepared it better. Unfortunately there are seemingly no imminent plans to do so.

Q: To what extent are children with disabilities who are placed in alternative care, in special schools and who have limited language, included in quality education and do they regular and adequate access to quality education at the same level as their peers who do not have disabilities, who are not in special schools and who are not in alternative care.

Q: How is the quality of their education monitored and evaluated?

Q: Will the government ensure that relevant provisions on *inclusion* will be introduced into the public-school law or other relevant laws amongst other things to prohibit segregation and discrimination based on disability?²⁵

²¹ Note 12, §§ 34-35.

²² See for instance https://kvf.fo/greinar/2024/08/19/tvifalt-so-nogvir-naemingar-eru-i-serflokki-nu?fbclid=IwY2xjawL4NyJleHRuA2FlbQlXMAbicmlkETFUc2xSuklyOU5jVnNJT21VAR5G9qji80fsxUIhq8OjvELD7audqMVgI2-NSIMR_R-lvZCjcXqJRKWCWP4Ph-Q_aem_zFyiZ4LttRzltRc3ilAeqA

²³ Løgtingslóg nr. 125 frá 20. juni 1997 um fólkaskúlan, sum seinast broytt við løgtingslóg nr. 64 frá 30. mai 2024.

²⁴ Concluding observation on the combined second and third periodic report of Denmark from 5. September 2024. In particular §§ 27, 28, 65 and 66.

²⁵ Ibid.



FAROESE DISABILITY ORGANIZATIONS

11. The *Optional Protocol to the Convention on the Rights of the Child on a communications procedure* is still not in force for the Faroe Islands.²⁶ The Children's ombudsman on the Faroe Islands can accept complaints from children in relation to administrative matters,²⁷ but in relation to for instance structural matters. The rights of children on the Faroes, including the rights children with disabilities, are therefore limited, for example compared to the rights of children in neighbouring nordic countries.

Q: Does the faroese government plan on removing the territorial reservation on the *Optional Protocol to the Convention on the Rights of the Child on a communications procedure* such that it enters into force on the Faroe Islands and take measures to ensure that it is fully implemented and accessible to all children, including children with disabilities?

12. For children with Cochlear implant (CI), or who do not hear well, it is of great importance that they get AVT and communication training.²⁸ In the Faroe Islands there are 37 CI users, and 7 of them are children. Some of them have the so-called *faroese disease*. Children aged 0-18 get communication training from the National Pedagogical-Psychological Counselling Centre on the Faroe Islands (Sernám), but some services, i.e. the *Karlstad-model* communication developmental services, are limited to children with particular disabilities, and not others even if they have the need because of their disability. This *medical approach* contradicts the CRPD because it entails discrimination based on f.x. medicine, diagnoses or similar. In the same context the efficiency of services and training is limited because some consultants do not know the faroese language and work online since they live in Denmark and therefore are not physically present during training or services. Without the ability to communicate the rights of children with disabilities are limited i.e. with respect to freedom of speech, their right to quality education and the right to independent life and to be included in society (CRPD article 19).

Q: Does the faroese government plan on ensuring that relevant and good quality communication training and services are provided to all children with disabilities and that

²⁶ The *Optional Protocol to the Convention on the Rights of the Child on a communications procedure* is still not in force in the faroese jurisdiction, <https://www.retsinformation.dk/eli/ft/20141BB00078>. The following CRC optional protocols are in force on the Faroe Islands: Bekendtgørelse nr. 30 af 28. november 2002 om valgfri protokol af 25. maj 2000 til FN-konventionen om barnets rettigheder vedrørende inddragelse af børn i væbnede konflikter (<https://logir.fo/Bekendtgørelse/30-fra-28-11-2002-af-valgfri-protokol-af-25-maj-2000-til-FNkonventionen-om-barnets>); Bekendtgørelse nr. 34 af 23. oktober 2003 af valgfri protokol af 25. maj 2000 til FN-konventionen om barnets rettigheder vedrørende salg af børn, børneprostitution og børnepornografi (www.logir.fo/Bekendtgørelse/34-af-23-10-2003-af-valgfri-protokol-af-25-maj-2000-til-FNkonventionen-om-barnets).

²⁷ Please see relevant amendment to the Law of the Parliamentary Ombudsman, www.logir.fo/Logtingslog/157-fra-20-12-2013-um-broyting-i-logtingslog-um-Logtingsins-umbodsmann.

²⁸ www.decibel.dk/files/media/document/AVT%20data%20infografik%20%288%29.pdf



FAROESE DISABILITY ORGANIZATIONS

training and services are legally entrenched according to principles of *rule-of-law* and the human rights approach to law-making?

13. For many years children with disabilities on the Faroe Islands have had limited rights to day-care. According to the day-care law,²⁹ faroese children in public school have the right to day-care after school. However various day-care institutions are closed exactly when public schools are closed, i.e. in vacations etc.. This has disproportionatly influenced children with disabilities in a negative way since they, compared to their peers, may be more dependent on assistance to participate freely in society, making them more isolated in for example vacations and holidays. In 2023 the Parliamentary Ombudsman established that the government branch with sector responsibility and the practice of municipalities of the day-care law has been wrong.³⁰ While waiting for an evaluation of the relevant law, children with disabilities and their families have since then been left in a type of *limbo*. There is no monitoring of the relevant children's well-being in this period, i.e. whether they are included in society, developing, thriving etc.. In order to avoid structural segregation for children with disabilities Faroese Disability Organizations has adviced the government on establishing mechanisms which hinder discrimination because of disability, also in combination with geography, and that children with disabilities accordingly should preferably and primarily be included in so called mainstream day care services and only secondarily in special services.

Q: How is the government planning to ensure that the day care law ensures that children with disabilities are fully included according to their human rights?

²⁹ Løgtingslóg nr. 67 frá 10. mai 2000 um dagstovnar og dagrøkt, sum seinast broytt við løgtingslóg nr. 45 frá 30. apríl 2018 www.logir.fo/Logtingslog/67-fra-10-05-2000-um-dagstovnar-og-dagrokt-sum-seinast-broytt-vid-logtingslog-nr-38.

³⁰ Parliamentary Omubdsman conclusion from 23.08.2023 (LUM-1605988-7), www.lum.fo/skriv-til-barna-og-utbugvingarmalara%3%b0i%3%b0-um-upplatingarti%3%b0ir-hja-friti%3%b0arheimum.