12.02.2021

To,

**Committee on the Rights of Persons with Disabilities (CRPD)
Human Rights Treaties Division (HRTD)
Office of the United Nations High Commissioner for Human Rights (OHCHR)
Palais Wilson - 52, rue des Pâquis
CH-1201 Geneva (Switzerland)**

***Sub: Submission for CRPD General Discussion on Article 27***

One of the fundamental principles behind the Universal Declaration of Human Rights (UDHR) is the recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family. The right of everyone to work in just and favourable conditions without any discrimination also flows from this fundamental principle which is stated in Article 23 of the UDHR. This particular right is further developed by the United Nations Convention on the Rights of Persons with Disabilities (CRPD) in Article 27 which establishes the legal framework for State obligations in relation to work and employment of persons with disabilities. Article 27 of the Convention obligates States parties to recognize the right of persons with disabilities to work, on an equal basis with others.

But despite these international efforts, persons with disabilities are yet to fully receive the benefits from policies aimed at their development and wellbeing. Note that, ‘an estimated 1 billion people - 15 per cent of the world’s population – live with a disability, according to the World Health Organization (WHO), and [80 percent](https://www.scidev.net/global/features/facts-figures-disabilities-in-developing-countries/) of these are in developing countries.’ In short, the protection of the rights of persons with disabilities still remains a challenge for international community, including securing their employment rights.

I, as a human rights advocate and a member of the civil society, have a few suggestions to offer as measures that will support the Committee’s work on preparation of the General Comment on the right of persons with disabilities to work and employment.

Yours faithfully,

**Amit Anand**

PhD (Law) Researcher, Lancaster University, United Kingdom

LLM (Human Rights), University of Reading, United Kingdom

Advocate, High Court of Jharkhand, India

email: a.anand1@lancaster.ac.uk

**Suggestions to the Committee**

Though it is difficult to draw comparisons between the ‘global north’ and the ‘global south’ on the issue of unemployment of persons with disabilities due to differences in economy, definition of disabilities and data collection, it is clear that there exists an employment gap across countries and regions.

Particularly in the ‘global south’ when persons with disabilities are employed, they are more likely to be given temporary, low-paying jobs with unsuitable working conditions. These jobs also have no scope for further career development. More importantly, persons with disabilities have to face negative attitudes, deep rooted stereotypes and a general lack of interest from their colleagues at work. Often these low-paying jobs are also not filled because persons with disabilities lack the required education and/or skills relevant for these jobs. This is because Governments fail to take steps to utilize the capacity of persons with disabilities by providing appropriate environment for them to live a life with dignity.

In light of the above, I would like to make the following suggestions to the Committee for preparing the General Comment on the issue of the right of persons with disabilities to work and employment under Article 27 of the Convention:

1. **It should be mandatory for State parties to formulate new laws and assess existing laws and policies, where necessary, to give effect to the provisions of the Convention and inform the Committee through reports under Article 35.**
2. **It should be mandatory for State parties** **to review their existing laws and policies and bring in immediate reforms in accordance with the principles of the Convention in order to prohibit discrimination on the basis of disability with regard to all matters concerning all forms of employment, including conditions of recruitment, hiring and employment, continuance of employment, career advancement and safe and healthy working conditions.**
3. **It should be mandatory for State parties to establish a nationwide database of persons with disabilities which is monitored by their central labour and employment departments for the following purposes:**
4. **to maintain a record of persons with disabilities (including their age, gender, physical and mental health conditions, educational qualifications etc.),**
5. **to help take specific measures to promote and facilitate their inclusive education at all levels in consultation with other governmental departments,**
6. **to help formulate schemes and programmes for their vocational training and self-employment,**
7. **to help the State parties to designate one or more authorities at the local level to work in consultation with the central department and ensure the timely and effective implementation of all schemes and programmes to support persons with disabilities,**
8. **to conduct yearly survey and publish a report on the status of all the schemes and programmes to support persons with disabilities.**
9. **State parties shall allocate budgetary funds to be utilized by the central and local authorities for the timely and effective implementation of all schemes and programmes to support persons with disabilities.**
10. **State parties shall provide an open and transparent consultative forum through which persons with disabilities, their representative organizations and other interested parties can meaningfully participate in the formulation of schemes and policies.**
11. **State parties shall take steps to combat sexual harassment, exploitation, and abuse in the workplace against women with disabilities and provide redress for women who are victims of sexual harassment. For this purpose, each State parties shall also review their existing policies and laws and bring in immediate reforms to combat violence against women.**
12. **State parties shall take effective measures to promote the employment of persons with disabilities in the open labour market, particularly persons with disabilities from marginalized groups.**
13. **State parties shall provide incentives including tax subsidies to private employers who hire persons with disabilities.**
14. **State parties shall focus on skill development of persons with disabilities to generate self-employment opportunities.**
15. **State parties shall ensure that seats are mandatorily reserved through affirmative action measures for persons with disabilities for the purposes of recruitment in the public sector. The reservation of such seats shall be done in view of** **measures to also enhance gender diversity in the workplace.**
16. **State parties shall conduct information and awareness-raising campaigns with the help of local authorities and employers at regular intervals, which may involve public seminars, publications, features in newspapers, local and national radio and television, websites, and so forth, with an aim to increase interest in creating job opportunities for disabled persons.**

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