

Forum:	Human Rights Committee
Agenda:	On measures to promote equitable access to job opportunities for people with disabilities
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Introduction

Since 1970s, percentage of people with disabilities around the world have increased from 10% to 15%. WHO estimates that the chance of having disabilities is on the rise due to the ageing of population and wide spread of chronic diseases. Person with disabilities are defined as those who have long-term physical, mental, intellectual hardness of their full and effective participation in society on an equal basis with others. According to UN, 80% to 90% of people with disabilities at working age are unemployed in developing countries, whereas in industrialised countries is between 50% to 70%.

Persons with disabilities have lower employment rate than the others, even though their qualification level are the same. At every level of qualification, persons with disabilities are three time more likely to be unemployed than the rest of the population. This is due to the inefficiency perform at the work place due to disabilities and the higher cost (around 500\$) of hiring a person with disabilities. Mostly due to the bias (act or mindset of someone treating disabled people different from the people with out disability) from the publics that people with disabilities cannot perform like the ones without it, which can be further defined as disability discrimination.

People with disabilities are still facing the discrimination and other barriers to full participation in social, economic, political and cultural life. Estimated 650 million people with disabilities, 470 million are of working age. In the Pacific Island Countries (PIC), up-to-date is limited, but is estimated that up to 800,000 people are living with disabilities.

In many places, the socio-economic gap between disabled person and person without disabilities is increasing, this is due to the persons with disabilities experience low levels of education, higher rates of unemployment and economic inactivity and a lack social protection in comparison to the ones with out disabilities. Moreover, persons with disabilities are facing following unequal treatment such as: lack of or reduced access to healthcare and other services; an increased risk of violence and abuse; lack of access to justice; minimal participation in political and public life; discriminatory attitudes in sexual health, reproductive rights and the right to family life; lack of birth registration; and lack of access to an inclusive and quality education in their own language, and encounter the effects of increasing risks and vulnerability that climate change is creating.

As World Health Organization (WHO) have estimated, the rate of human getting disability is increasing, increased number of human population will lose the opportunities to access to job. Empowering people with disabilities also encourage the people with hidden disabilities to stand out and get proper help from the society, it is possible for someone not noticing them having disability or hiding it. This is due to the lack of awareness raised by the society about the fact that the person with disabilities also has the same right to access to job opportunities as others does. People with disabilities having unequal chance to access to job opportunities have also increased the number of cases of abuse on people with disabilities, people with disabilities not being able to access to job would

make the rest to think of their disabilities have caused them to have lack of power, knowledge, etc to perform like normal people. Therefore it is crucial to solve current situation.

Human Rights committee work to promotes the enjoyment of civil and political rights, resulting in numerous changes of law, policy, and practice. It should continues to strive to ensure all the civil and political rights guaranteed by the Covenant can be enjoyed in full and without discrimination, by all people. Human Rights committee work to collaborate with countries to make up the possible resolution to ensure all the equitable access to rights for all people.

Key Terms

Disability - Individuals that have long-term physical, mental, and intellectual hardness of their full and effective participation in society on an equal basis with others. Usually, disability stays with the person forever one's it have started, providing a huge discomfort to them.

Disability discrimination - Unequal treatment against disabled people in various areas of their lives, this action is against the law. Such as being treated differently than the ones without disabilities when that person should be treated in the same way.

Direct discrimination - When someone is treated less favourably because that person have disabilities than the ones without disabilities in the same circumstances.

Indirect discrimination - When there is a policy or rules that seems to apply to everyone, but it is actually treating disabled people at an unfair disadvantage compared to someone without disabilities.

Victimisation - The act of someone treating individual unfairly because that person have made a complaint for a thing that have been done wrong.

Revenue - Revenue, also known as gross sales. Is the total amount of income made by the sale of goods or services related to the company's primary operations.

Income - The total earning of a company, used in determining the financial strength of a company

Model Disability Survey (MDS) - A self-reported method of measuring disability, general population survey that includes detailed information on the lives of people with disabilities. It views disability as the result of interactions between person with a health condition, and various environmental factors.

General Overview

African Nations

A World Health Organization source maintains that about 40% of Africa's population of people with disabilities, consisting of 10-15 percent of school age children. Main cause of disability in Africa includes malnutrition and disease, environmental hazards, traffic and industrial accidents, and civil conflict and war, and the number of with people with disabilities continues to increase.

Vast majority of Africans with disabilities are excluded from schools and opportunities for work, further causing people with disabilities to live as the poorest of the poor. No more than 5-10 percent of disabled people in school-age are able to attend school and 70-80 percent of working age people with disabilities are unemployed.

The OAU (now African Union), African governments and NGOs (Non-Governmental Organisation) are Working on to address the disability problem in Africa. In 1988m the African Rehabilitation Institute (ARI) was established in Harare. This Agency of the AU reports to the political organs of the AU on disability issues and coordinates all matter relating to disability in Africa with the aim of promoting awareness and commitment to full participation, equality and empowerment of persons with disabilities in Africa. Together with ARI, Pan African Federation of Disabled Persons (PAFOD), the African Union of the Blind (AFUB) and other regional organisations of persons with disabilities. A Plan of Action was adopted at the Pan African Conference on the African Decade of Disabled Persons in February 2002.

Asian Nations

690 million persons have disabilities in Asia, approximately 238 million people are of working age live with a disability. Persons with disabilities - particularly women, youth and rural inhabitants experience higher rates of unemployment and economic inactivity and are at greater risk of vulnerable employment and insufficient social protection than other population without disabilities in Asia. The lack of support and economic resilience have become worse to them due to COVID-19 pandemic hit, and brought about prolonged public health and socioeconomic crises across the region.

The United Nations and Social Commission for Asia and the Pacific (ESCAP) offers a regional review of the employment rate status for the person with disabilities. Disability at a Glance 2021: The Shaping of Disability - Inclusive Employment in Asia and the Pacific proposed series of recommendations of governments and other stakeholders in the region in other to rise the rights of persons with disabilities to employment that are enshrined in the Convention on the Rights of Persons with Disabilities.

An Agenda for Action adopted to implement the Decade request all members of the nations and associate members to support its national implementation through public awareness activities, appropriate policies and other measures, and the allocation of resources.

European Nations

Approximately one in six people in the European Union (EU) aged 15 or over 15 lives with disabilities. Even there has been an overall improvement with the opportunities for disabled people to access work place, it still remain among the most disadvantaged groups as regards employment. This phenomenon considerably affects the EU's social integration ability and economic growth.

By the support of Member State's policies, the EU has introduced a series of legal provisions, initiatives, actions and strategies to improve the employment situation of disabled people. In 2010, the EU signed the UN Convention on the Rights of Persons with Disabilities (CRPD). According to CRPD, the right to work and employment is a fundamental right (Article 27). The main instrument supporting the CRPD's implementation in the EU is the European disability strategy 2010-2020. Overall aim of the strategy is to empower people with disabilities so that disabled people are able to enjoy full rights, participate in society and have equal access to employment as others.

Russian Federations

According to data from the Federal Service of Labour and Employment, 70% of the disability population is unemployed in Russian Federations.

The ratification of the CRPD by the Russian Federation in 2012 promoted the transition from a medical to a bio-psychological approach to disability in policy-making, many actions have been taken to address the barriers faced by person with disabilities in Russia, especially in the sphere of employment.

The methodology to estimate employment indicators has not been considered in detail and the analysis of the inclusion of the disabled in the Russian labour market has not been conducted.

The research analyses sources of official statistics and indicator of employment for disabled people in Russia and describe the condition of disabled people in the Russian labour market. Disabled people are substantially underrepresented in the Russian Labour Force Survey (LFS), and estimates of the employment rates of persons with disabilities according to the Pension Fund of Russia (PFR) and the LFS vary considerably, due to differences in the reference period and the coverage of different categories of employment, in particular those employed in the informal sector of the economy.

United States of America

The unemployment rate of persons with disability was at 10.1 % in 2021 in the United States. This percentage has decreased from the previous year when the unemployment rate was at 12.6%. The high unemployment rate for disabled people could be affected by COVID-19 pandemic that has impacted everyone's employment, as can be seen in the unemployment rate in United States.

The persons with a disability section of the Current Population Survey (CPS) is a set of six questions to identify persons who have physical, mental, or emotional conditions that cause serious difficulty with their daily activities.

The U.S. Bureau of Labour Statistics (BLS) shows the unemployment rate of disabled people that have the ability participate in the civilian labor force. In 2020 around 20.5% of disabled people in the United States have participated in the civilian labor force. Among those capable of participating in the civilian labor force, people with disability tend to have a higher chance of employment the higher their level of education. Persons with a disability that had a bachelor's degree or higher had the highest employment rate in 2020 at 25.7%.

“A 2003 survey of employers found that the cost of adaptation to accommodate employees with disabilities was \$500 or less. 73% of employers reported that their employees did not require special facilities at all. “

- A Survey of Employers about People with Disabilities and Lowering Barriers to Work.

Types of Discrimination against people with disabilities

1. Discrimination arising from disability

The act of treating individual unfavourable because some reason that is related to disability and there is no suitable reason for being treated unfairly.

2. Discrimination by association

The act of individual or groups of people discriminates against the people with disabilities or the people who has a connection to who is disabled, such as one's partner, firmly, or child.

3. Duty to make reasonable adjustments

The act of individual not making an adjustment to allow people with disabilities to access to a service or carry out a job.

4. Harassment towards people with disabilities

The act of harassing people due to disabilities, harassing action is valid if individual find the behaviour toward disabled people are offensive, degrading, humiliating, frightening, or in anyway distressing.

Example of Harassment includes: nicknames, name-calling, pulling faces, teasing, jokes, pranks, or any behaviour that makes individual upset about the situation because of disabilities. Even though this behaviour may not deliberately meant to hurt individual, it still valid as an harassment if that person find it upsetting.

Timeline of Events

Date	Description of event
1935	President Franklin D. Roosevelt signs the Social Security Act Inyo laws, allowing programme of permanent assistance for adults with disabilities. Disabled people were able to improve the living quality of their life, and opportunities to access to further applications such as: health care, economic supports, etc.
1947	National "Employ the Physically Handicapped Week" - campaigns coordinated by state and local committees to promote public that it is good business to hire people with disabilities.

- 1964 The Civil Rights Act, helps to end the discrimination against African Americans and women in workplace. Resulted in increase amount of African Americans and women access to job opportunities and further enhance their educational quality and economic incomes.
- 1965 Social Security Act creates a programme called “Medicaid”, pays medical costs for the disabled people with low-income. Allows increase access of medical treatment for disabled people with low-income.
- 1968 The Architectural Barriers Act - act of removal of what is perceived to be the most significant obstacle to employment for disabled people.
- 1975 United Nations Declaration on the rights of disabled persons, promoting the rights of disabled people. Increase access to job opportunities, health care system, etc for disabled people.
- 1978 National Council on disability established - to promote policies programs, practices and procedures that promise the equal opportunity for all disabled people.
- 1982 UN encourages global equality and participation of the people with disabilities around the world.
- 1999 Olmstead v.L.C. and E.W. - requires states to provide services for equal right of disabled people to live in the community as the others.

- National Consortium on Leadership and Disability for Youth

UN Involvement, Relevant Resolutions, Treaties and Events

- Australian Human Rights Commission

The Disability Discrimination Act published in 1992 (DDA), states the action such as discriminate against a person in many areas including: employment, education, getting or using services, renting or buying a house etc because of their disabilities. The DDA protects person with temporary and permanent disabilities, physical, intellectual, sensory, neurological, learning and psychosocial disabilities. Discrimination against disabled person were stated against the law.

- United Nations (UN)

United Nations declaration on the rights of disabled persons, action taken to promote higher standards of living, full employment and conditions of economic and social progress and development for people with disabilities.

“Disabled Persons have the right to economic and social security and to decent level of living. They have the right, according to their capabilities, to secure and retain employment or to engage in a useful, productive and remunerative occupation and to join trade unions”

- *General Assembly resolution 3447*

- United Nations specialised agencies

The contribution of United Nations specialised agencies to promote better living quality to people with disabilities: the World Health Organization (WHO) provides technical assistance in health and prevention; the United Nations International Children’s Fund (UNICEF) by supporting childhood disability programmes and provides technical assistance in collaboration with Rehabilitation International organisation; the United Nations Educational, Scientific and Cultural Organization (UNESCO) support by providing special education; the International Labour Organization (ILO) improves the access to the labour market and increasing economic integration through international labour standards and technical cooperation activities.

- *United Nations Commitment to advancement of the status of persons with disabilities.*

- General Assembly & United Nations

World Programme of Action concerning Disabled Persons were adopted by the General Assembly in December, 1982. Then in order to provide a time frame while governments and organisations could implement the activities suggested in the World Programme of Action, General Assembly proclaimed 1983 - 1992 the United Nations Decade of Disabled Persons.

- *The UN and persons with disabilities*

Possible Solutions

Support Government and Organizations

By supporting governments, social partners, and organizations that helps the people with disables to develop effective policies and programmes to increase the employment rate of both male and female with disabilities. Supports from individual can be done in the form of promoting the organisation, giving financial support for the organisation or government to process some event.

Addition of Laws

By setting up laws that stand against the action that cause unequal treatment towards people with disabilities, State Parties shall prohibit all the discrimination on the basis of disability and guarantee to disabled people with equal and effective legal protection against discrimination on all grounds.

Such as follow: Rights of Persons with disabilities

States Parties recognise the right of persons with disabilities to access to work place on an equal basis with others, including the right to the opportunity to be accepted in a labour market and work environment that is open, inclusive and accessible to persons with disabilities. States Parties should safeguard and promote the realisation of right to work for disabled people by prohibiting 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. In addition, protecting the rights of persons with disabilities, on an equal basis with others, to just and favourable conditions of work, including equal opportunities and equal remuneration for work of equal value, safe and healthy working conditions, including protection from harassment, and the redress of grievances; Promoting employment opportunities and career advancement for persons with disabilities in the labour marker, as well as assistance in finding, obtaining, painting and returning to employment, etc. Also by enabling persons with disabilities to have effective access to general technical and vocational guidance programmes, placement services and vocational and continuing training. Moreover, promote vocational and professional rehabilitation, job retention and return-to-work programmes for persons with disabilities.

— *United Nations “Work and employment”*

Financial Supports from Government

Highlighting the fact that people with disabilities mostly lives in conditions of poverty and suffering from unequal treatment, and recognising the critical need to address the negative impact of poverty on persons with disabilities. Government should give out financial supports for those who has no access to job opportunities and going through poverty. LEDC (Less Economically Developed Country) should undergo a cooperation with MEDC (More Economically Developed Country) and United Nations (UN) with the financial support in order to improve the accessibility to job opportunity for disabled people and to carry out the overall economic and social development among the worldwide countries.

Education Rights

Recognising that children with disabilities has less opportunities of having full enjoyment during their school life due to variety of discrimination against in school, and out of school. This cause a variety of problem such as depression, anxiety and will further cause them to not attend school and get educated, lack of education will lead them to have less access to job opportunities in the future. Therefore, government should provide education to all their citizens.

Increase job opportunities

Recognising that people with disabilities has less opportunities to access to job, government and organisation that stands for the right of disabled people could come up with more working place for person with disabilities.

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