Reaction draft general comment on art. 27 UNCRPD

Submission by GRIP vzw

**GRIP, Gelijke Rechten voor Iedere Persoon met een handicap** (Equal Rights for Every Person with a Disability) is the Flemish human rights organization for and of persons with a disability in Belgium. We previously submitted a shadow report to the CRPD in July 2013. **“Human Rights and Persons with Disabilities, Shadow report Flanders (Belgium) 2011”** and several submissions concerning the implementation of the CRPD in the Flanders region of Belgium and a **draft general comment on art. 27 UNCRPD 2021**.

In the current submission we present a reaction on the draft general comment on art. 27 UNCRPD.

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**Executive summery**

# GRIP submitted some questions to the Committee on the Rights of Persons with Disabilities. Below we will discuss whether the answers can be found in the draft.

# Questions concerning the implementation of art. 27.

1. The CRPD doesn’t provide a definition for the term inclusive work. This makes it difficult to evaluate certain measures and practices.

**Question: Can the Committee on the Rights of Persons with Disabilities provide a definition for inclusive work?**

This could be clearer. It does say in VI 97 g that “customized companies should be phased out”, but we would have liked a clear definition. The emphasis in the text is mainly on the right to work. A clear definition of what inclusive work is therefore required.

1. The employment gap between persons with and without disabilities remains in Flanders just as big.

**Question: What is the Committee's position on this standstill?**

It is clear that there should be a plan with an end goal and that there should be constant progress.

1. In Flanders, the CRPD is often interpreted as the right to choose between a regular and a sheltered workplace. This is also used by the politicians in order to continue investments in the social economy.

**Question: Can the Committee give some clarification about the right to choose between regular and sheltered workplace?**

Indirectly, an answer has been given to this by indicating that there should be a plan to phase out customised companies. Can the Committee adopt a clearer position here?

1. Inclusive work is a condition for the full participation in society. There is a major relation between art. 27 and other articles of the CRPD.

**Question: Can the Committee give some more information about the interaction between art. 27 and other articles?**

Has been incorporated into the text.

1. Segregated work for people with disabilities in the regular labor market - collective customised employment - are proposed as an inclusive measure.

**Question: What is the opinion of het Committee as to collective customized employment? Is this practice in compliance with the CRPD?**

Is not mentioned in the text and we would like it to be included in the text.

1. There is insufficient support in the regular labor market, which makes inclusive work more difficult than working in a sheltered workplace.

**Question: Can the support for the same person depend on whether he works in the regular labor market or in a sheltered workplace?**

Is not mentioned in the text and we would like it to be included in the text.

1. The governments do not have quotas, only targets (they do not reach). The private sector uses neither targets nor quotas.

**Question: What is the Committee's position on quotas?**

It is clearly stated in the text.

**Conclusion**

Not all our questions were clearly answered in the draft. We would have liked more clarity on a number of issues so that the governments in Belgium could not discuss them.