**Statement by Sue Swenson, President of Inclusion International,**

**on behalf of the International Disability Alliance**

Distinguished members of the CRPD Committee,

Ms Chair of the Task Force on the general comment, Ms Gertrude Oforiwa Fefoame,

Ladies and Gentlemen following this important online event:

I am pleased to deliver this statement on behalf of the International Disability Alliance. The IDA is an alliance of eight global and six regional networks of organizations of persons with disabilities. We represent 1,100 organizations of persons with disabilities and their families in more than 180 countries. IDA is thankful for the opportunity to participate in this day of general discussion, in the lead up to a very necessary general comment on Article 27 of the CRPD. It is also a pleasure to share this panel with Ms Susan Scott-Parker, the CEO of Business Disability International, who has great experience in helping private businesses include persons with disabilities. No organization can do that alone. Improving the employment opportunities of persons with disabilities requires concerted efforts from States, organizations of persons with disabilities, trade unions, employers, and investors. Our shared commitment requires all of us to be open to dialogue.

In addition, the COVID19 pandemic came to hit hard the world of employment for all persons, leaving many unemployed, creating many challenges and triggering many reflections on how things have typically been done. Reflections and reforms looking forward to build back better should become opportunities to enhance the inclusion of persons with disabilities in the labour market, taking into consideration the diverse situations of national economies, e.g. in terms of connectivity to internet and working online.

I will share what the IDA considers to be necessary measures to enhance access to employment of persons with disabilities world-wide, and to eradicate egregious and discriminatory practices.

But let me first set the scene. Persons with disabilities achieve lower employment rates than others, and the situation is worse for women with disabilities. In addition, given the global concern about access to employment by young people, youth with disabilities face unfair disadvantages. For many persons with disabilities, their only opportunities are for part-time jobs, informal employment, or self-employment; all of these opportunities are characterized by lower salaries and incomes, less security, and worse working conditions. The unprecedented economic crisis caused by the COVID19 pandemic, that reduced drastically Gross Domestic Products and increased unemployment, informality and poverty everywhere, further worsens the bad situation of persons with disabilities in employment. While there might be positive developments here and there, this is a situation we need to address.

If implemented in line with the Convention on the Rights of Persons with Disabilities, the Sustainable Development Agenda Goal 8 “Decent Work and Economic Growth” and Goal 4 on “Quality Education,” together provide a strong framework for political commitment from States to promote decent employment of persons with disabilities. State- driven actions are required and need to be adopted in consultation with and with the involvement of persons with disabilities through their representative organizations. States should coordinate with other stakeholders including trade unions and the private sector. It is possible that the UN Priorities for Responsible Investment might bring new actors to the table, if signatory investors can be helped to see that disability is a key aspect of any sincere diversity efforts as they work to address the SDGs.

States should ensure that **mainstream** **labor laws including both legislative and regulatory frameworks are** fully compliant with the CRPD. Laws and regulations should include **detailed** provisions on non-discrimination on the basis of disability, intersection discrimination, and provision of reasonable accommodation. It is important for provisions to cover all stages of the employment cycle from recruitment through retirement. This would include, for instance, individualized assessments of candidates connected to the essential functions of the job, consideration of the duties to provide reasonable accommodation and support measures, reassignment to another job position if made necessary by an acquired impairment, and confidential management of disability-related data. States need to **undertake different initiatives to ensure these concepts reach employers, legal practitioners, and even job seekers with disabilities** themselves, by developing guidance and engaging with stakeholders through conferences, trainings, and partnerships. Non-discrimination on the basis of disability also requires addressing emerging discriminatory practices, such as those occurring through the use of artificial intelligence (AI) and automated software for recruitment. It also requires addressing discrimination by association of persons who provide care to others with disabilities, including through the provision of reasonable accommodation to ensure flexible arrangements when necessary for duties of care, and that the household income and capacity for addressing the requirements of persons with disabilities is not compromised.

The **available data confirm the overall picture as described here, but data are still scarce and spotty**. Data collection and disaggregation are essential to assess the situation, track and monitor progress, and evaluate any measure that promotes employment of persons with disabilities. National Statistics Offices and social protection systems can improve their related practices using tools that have been developed by the Washington Group on Disability Statistics and the International Labor Organization. Data production should cover the diversity and complexity of the situation of persons with disabilities including disaggregation by disability, age, gender, type of employment and type of salary (waged/self-employment, full-time/part-time, salary levels, etc.), type of barriers encountered, and geographical location. As highlighted on Monday, intersectional identities should be very well considered, in order to address the situation of specific groups among persons with disabilities, such as LGBT persons with disabilities, indigenous persons with disabilities. The data should be made available in accessible formats to disabled researchers and organizations of persons with disabilities, allowing advocates and decision-makers to better identify inequalities among the diverse groups of persons with disabilities, including for instance on how they benefit or not from quota measures, and between disabled persons and other groups.

Let us be clear. **There are some practices that we simply cannot continue to accept in the 21st century. States need to address these immediately**. I am referring first to any situation of forced labor, modern slavery or exploitation of persons with disabilities, regardless of whether it is considered legal or illegal at the country level, as the ones referred by speakers on Monday. In this sense, this kind of practices, including for instance exploiting persons with disabilities by forcing them to beg in the streets, need to be prosecuted under criminal law and perpetrators sanctioned. Other practices, including “sheltered workshops,” that subject persons with disabilities to working conditions much below what is commonly acceptable, including through salaries under the minimum wage (either in law or practice), or even mere “stipends”, through lack of access to social protection, to labor rights or benefits, and in segregated settings, must be eradicated. Exploitation and segregation must no longer be acceptable or profitable business models. This transition will not be achieved overnight: therefore, States need to start now to redirect funds allocated to these practices while supporting persons with disabilities to transition into true employment in the open markets.

On the positive side, **IDA celebrates the efforts that States have undertaken to promote the employment of persons with disabilities through specific measures. We expect that continuous improvement will be required, and offer our expertise and consultation to help States review and improve their practices to achieve better outcomes. We wish to direct attention specifically to:**

a) The need for increased access to inclusive education and vocational training. The latter should be very much connected to the economic reality of the context and be flexible enough to promote paths also to self-employment and entrepreneurship.

b) The need for increased awareness-raising measures directed to persons with disabilities on their employment rights; and to employers on their duties but also on the pool of talents that persons with disabilities represent and the contributions they are missing by not adopting inclusive employment practices and environments.

c) The need for enhanced accessibility of working environments, in all the dimensions of accessibility, strengthening accessibility-related legislation and regulations, and related monitoring and complaint mechanisms, to contribute to the autonomy of persons with disabilities in the workplace, but also to their security and safety in case of emergencies.

d) The need to improve quota measures, adopted by more than 100 countries, in order to ensure that

* They do not lead to stereotyping practices such as through “reserved posts” stereotyping persons with disabilities and restricting them to low skilled positions,
* that they benefit equitably the diversity of persons with disabilities, in particular the most marginalized ones, namely people with intellectual disabilities, and those who face the most significant barriers or have high support needs.
* and that they are effective and enforceable, and monitored and evaluated based on data disaggregated by sex and type of disability to assess whether the benefit is distributed equitably, as explained just before.

e) The need to consider the specifics of companies (e.g. size, sector, etc.) when designing specific measures. For instance, a fiscal incentive might be irrelevant for a big business organization, but relevant for a small start-up company. Fines for lack of compliance of quota might be irrelevant for big companies but improving their image and reputation as champions of inclusion or as a socially responsible investment might become an incentive.

f) The importance of ensuring that social protection schemes do not discourage unemployed or under-employed persons with disabilities from engaging in any legal and registered economic activity.

While having touched upon some key elements, IDA also looks forward to hear the views and experiences of other participants and to fruitful exchanges during this Day of General Discussion.

Thank you very much for your attention.