**The committee on the rights of persons with disability, (CRPD):**

**The written submission on the theme of the general discussion, on the general comment on article 27 of the UN convention on the rights of persons with disability.**

Submitted by,

*MAAT for peace, development, and human rights association in consultative status since 2016.*

**Introduction:**

In fact, the article 27 on employment represents the rights that persons with disabilities should acquire. This article stipulated that, persons with disabilities should be treated on equal basis similar to others, in relation to the rights to access open, inclusive, and accessible labor market. According to this article, the discrimination against people with disabilities is prohibited in all its forms. All states should protect people with disabilities from all forms of abuse or harassment in the work environment.

Also, the article indicated that, persons with disabilities should be provided the reasonable accommodation in their work place, and should enjoy equal opportunity to the rehabilitation or vocational training relevant to their jobs.

The article recognized the right of equality of salary for the work that have the same value with others. Also, it recognized the right of persons with disabilities to be hired, recruited and employed equally, and to be provided with all trainings needed for them to be able to perform their work effectively.

In addition, this article obliged the states to maintain equality of persons with disability to access the labor and trade unions, and exercise equal access to working opportunities in public and private sectors. Also, the article stipulated that, it is important to ensure that persons with disabilities are able to access opportunities of promoting cooperatives, and self-employment including entrepreneurship, and starting their own businesses.

It is worth to mention that, the article stressed the rights of persons with disabilities to be protected from all forms of slavery, compulsory work, or discrimination, they should be enabled the rights of just and favorable work environment including career advancement and healthy conditions, and the promotion of opportunities and guidance equal to others.

In this paper, we will examine the challenges that persons with disabilities are facing when it comes to employment, we will be focusing on, to what extent, people with disabilities in Arab continent are exercising the rights mentioned in the convention?

What are the main obstacles and challenges that they suffer from while obtaining their fundamental rights mentioned in the convention?

Whether their countries have a law for the disability’s rights? And if these legislations are implemented effectively?

We conducted a small survey, of 47participants from most of the Arab countries to see how it is going there? We use this result as an evidence on what we advocate.

**Challenges and barriers:**

Persons with disabilities include those with long-term physical, mental, intellectual or sensory impairments. These impairments are sometimes visible to others, and other times hidden. Environmental barriers prevent persons with disabilities from performing day-to-day activities and fully participating in society. Accordingly, policy interventions should focus on resolving these barriers to facilitate the participation and integration of persons with disabilities in society.

Globally, at least 446 million people – or 6 percent of the world population – are estimated to be living with disability. By contrast, only 2 percent of the Arab population is reported to be living with disability. This data varies significantly for different countries in the region from 0.2 percent and 1 percent in Qatar and Mauritania to 4.8 percent and 5.1 percent in Sudan and Morocco. Overall, the numbers are remarkably low given the widespread occurrence of risk factors and disability causes in the region, including armed conflicts, natural disasters, road traffic accidents, and the high prevalence of noncommunicable diseases and intermarriages. This discrepancy in data reporting on disability is caused by challenges in data collection, the different definitions of disability that each country uses, and other factors such as social stigma that discourages people from reporting disabilities.

Significant developments have taken place over recent years with regards to the institutional and legal frameworks that protect the rights of people with disabilities in Arab countries. At the regional level, 15 Arab countries have signed and 19 have ratified the Convention on the Rights of Persons with Disabilities (CRPD). Moreover, seven Arab countries have signed and eight have ratified the Optional Protocol. All of these developments have led governments to devise new laws, strategies, and policies in support of persons with disabilities. 13 countries have established national coordination mechanisms on disability, mainly in the form of national disability councils. On the level of national legal frameworks, 12 Arab countries have included articles on disability in their constitutions. Furthermore, comprehensive disability laws exist in 16 countries of the region with Sudan and Jordan as the most recent countries to adopt and adapt new laws on disability toward more compliance with international standards in 2017.

In addition, 17 Arab countries have instituted employment quotas for persons with disabilities in the public and private sector. Algerian laws, for example, institute that one percent of workers for each employer must be a person with disability. This varies to 2 percent in Bahrain, 5 percent in Egypt and Iraq, and 7 percent in Morocco.

**However, barriers still exist for persons with disabilities**

When looking at the impact of institutional and legal reforms on economic activity and employment rates, these frameworks have not yet achieved holistic social inclusion of persons with disabilities in society. Persons with disabilities in Arab countries face barriers in finding jobs and accessing education – both are fundamental human rights and are key to enabling equal participation of persons with disabilities in social and economic life. In all countries in the Arab world, persons with disabilities report substantially lower levels of employment than the total population. Overall, population with disabilities in the region are only half as likely to be employed as the rest of the total working-age Arab population. Among men, the difference is even more striking, with 65% of adults employed compared to 28% for males with disabilities. Moreover, education attainments rates tend to be significantly lower for persons with disabilities than for total populations. For example, 58% of persons with disabilities in Egypt are considered illiterate compared to 21% among persons without disabilities.

According to statistics and data collected by the ESCWA in 2018, Persons with disabilities’ rate of employment is very low and their rates of economic inactivity and unemployment rates are high. Being female and having a disability is a double disadvantage, since women in the Arab region are less likely to work overall. In Morocco, for instance, the employment rates for women with and without disabilities are 6.7 per cent and 15.9 per cent respectively. In Iraq, the rates for men with and without disabilities are 32.8 and 63.0 per cent.

Women with disabilities have the highest rates of unemployment, though the difference between them and women without disabilities is narrower than the difference between men with and without disabilities.

In Egypt, for instance, the respective unemployment rates for women with and without disabilities are

90.5 and 75.8 per cent, while those for men with and without disabilities 57.4 and 27.0 per cent.

Also, we conducted a short questionnaire on a sample of 47 persons with disabilities, from the Arab region, those people have different types of disabilities such as, blindness, mental issues, paralysis and others. The main goal behind this short questionnaire was to ask people themselves about their working conditions, and about laws and regulations related to disability rights in their states, and whether it is implemented effectively and affectional or not.

53.2% of the sample were females, while 46.8% of them were mails. Also, the highest percentage of the selected sample are youth with disabilities aged from 18 to 35 years, they come with 57.4 % of the respondents while 34% of them are from 35 to 50 years and only 4 participants over 50.

Additionally, 55.3% of the sample are university graduates, 12.8% are studied their master or PHD, 21.3% are secondary schools’ graduates, and the remaining participants are not well educated. (see the annex to this paper for more detailed percentages).

23.4% are living in the country side, while 76.6% are in urban areas. And most of them live in their families or their own houses. All of the selected sample are persons with disabilities from different Arab countries (Algeria, Egypt, Libya, Syria, Qatar, quaite, KSA, Lebanon, (see the annex and figures for detailed percentages)>

Within this sample, 53.2% among them are working and 23.4% are unemployed, in addition to 23.4% are still trying to find a suitable job.

With regard to employment, 27.7% of the respondents are advocating that, they are unable to find a suitable work due to the discrimination on disabilities basis, and 10.6% among them are indicating the lack of suitable internship and rehabilitation for them as a reason for the high unemployment rate for the persons with disabilities. 44.7% are satisfied with their current work places, (see the figures).

However, only 19.1% are self-employed and 80.9 percent among the participants are not able to start their own businesses and find entrepreneurship opportunities.

48.9% are really working, but 12.8 percent of the participants are nominally working, which means, that they are registered as employee in certain companies or work places, but in fact they don’t go to work, or they don’t perform any tasks related to their jobs, and when it comes to equality of salaries, they take a very low salary compared to others. This is very common to happen in Egypt, due to the lack of trust of the managerial levels in the work places by the ability of disability people to work, they see them as dependent persons, and should not work, but the law regulated a 5% of the employees of all places must be with disabilities, so, this work places employ them, just on paper, nominally, without tasks performed or equal salary, just to avoid punishment.

In relation to this, 44.7% are earning salaries that is not equal to the salaries given to people without disabilities performing the same value of work. Which is considered a very high percentage of inequality or unfair treatment for persons with disabilities in the Arab region.

In relation to discrimination or inequality on disabilities basis, the participants indicated many kinds of inappropriate discrimination in their work places, this included, bulling, heat read speeches, salaries lower than their colleagues, not performing any work tasks, accommodation inappropriate in work places, and the vision of their managers as they are treated as unreliable persons and dependent on others, and unable to perform workload similar to other persons without disabilities.

Some participants indicated that, they are not impowered in their jobs, and laws regulating disability employment are not enforced effectively.

Also, they argue that, they are not provided reasonable accommodation in the work place, for wheal chairs persons, or screen readers for blind people, and the individual judgmental views of people about them is passive and disappointing.

Finally, 68\% of participants indicated that the inappropriate implementation of laws and regulations related to disability issues is the main barrier towards the employment of persons with disabilities, while 80% advocated that, the lack of awareness about the differently abled persons, and the individual judgmental perspective about them, the in correct attitude that the people have in their minds about disabilities, are the main reasons about the unavailability of career advancement opportunities for persons with disabilities, while others indicated the limited training opportunities is a reason for not being promoted in their work places.

**Recommendations:**

* MAAT for peace, development, and human rights is pleased to invite all countries that are not yet state parties in the convention to ratify it as soon as possible; through multilateral dialogue with those states. As we also invite all countries to effectively enforce the rules, laws, and regulations related to disability employment and work, bided by the article 27 of the convention.
* All states in the Arab region are highly recommended to raise awareness about the importance of providing persons with disabilities with their rights of open, inclusive, and accessible work places. And it is highly important to have a national strategic action plan to work on changing the cultural and social stereotypes about disability; this could be implemented by establishing an observatory committee to supervise the creation of such a national strategy, and to supervise the implementation of workshops and trainings for all governmental officials, university professors and teachers on the disability inclusion.
* It is highly important to conduct a disability awareness campaign, for recruiters, managers, and HR persons to rase awareness on disability employment and removing stereotypes about them, and it is suggested that all countries should submit a report to the CRPD annually to report about the progress achieved in this regard.
* Providing persons with disabilities with the needed encouragement and community support for them to be motivated, and providing them with the necessary training, rehabilitation, whether it is technical or vocational, to be able to perform their tasks effectively.
* It is highly recommended to stop emotional treatments for persons with disabilities, and all institutions (schools, universities, or families) should deal with them positively and with supportive attitude.
* Arab states should work on increasing the awareness of entrepreneurship, forming small businesses, and cooperatives for persons with disabilities, and all states are highly recommended to provide all training, and facilities needed for persons with disabilities to start their own small projects; as it is suggested to exempt the persons with disability from taxes on the establishment of new startups and small enterprises, also, it is recommended to establish business incubators for persons with disability to give them guides to start their own businesses, and to establish a startups fund to help persons with disability that are not able to implement their ideas into a real business due to the lack of money or insufficient funding.
* Finally, it is important to give priority to persons with disability who belong to any of indigenous or ethnic group and eliminate any hate speech or discriminative practices against them.