

*Disability and business:
realizing the right to work in open, inclusive and accessible environments
for persons with disabilities*

The evolving concept of disability

by László G. LOVÁSZY Ph.D.

Thirteen years after the Convention was introduced, we have realized that entirely new solutions are coming out that no one could ever have dreamt of, even 10 or five years ago. The coronavirus pandemic also triggered new trends and solutions. Many businesses not only restructured their operations but realized new paths for innovation and productivity based on technology.

It means that technology and science have been developing at a previously unprecedented speed without any obstacle. Practically it looks as if there are no boundaries on the horizon at all. By borrowing the notion of Kurtzweil, who wrote about the technological singularity we are going to face, these innovations and inventions will perform 20,000 years' worth of human-level intellectual work week after week. Generally speaking, it means a leap in human evolution in terms of dependence on enhanced technology and science.

However, in many cases, the currently existing solutions are not available for persons with disabilities.

As the COVID-19 pandemic shows if the world is forced to focus on certain and deadly challenges, instead of years or decades, the most advanced companies and businesses, in cooperation with national states and agencies, can indeed product life-saving solutions and tools within months in health sector.

When it comes to the notion of rehabilitation, I believe a new world may come in which everybody can have fully individualized, as well as adapted environment based on the flexibility of technology already available. This flexibility can also cover at least two areas: new forms of employment and the transformation of current workplaces as well as universal design. Based on the development of these areas we can also rely on the perspectives of quality education in accordance with our General Comment on Inclusive education dealing with the issue of available ambient and assistive technology as well as early recognition and development of pupils' needs. In case of having changed our system and accessibility of education and workplaces, we can involve more persons with disabilities in new emerging sectors as well.

Diversity is the key element of this approach - diversity is not only for or among persons with disabilities but also for persons without disabilities. The solutions for persons with disabilities can also be useful for persons without disabilities in

terms of productivity - the productivity could be a key driver for fighting demographic challenges and aging together with economic recovery after COVID-19 pandemic.

In terms of assistive technologies, we have to think about the evolution of wearable devices, intelligent and smart tools, invasive devices (like cochlear implants) and exoskeletons. Whilst these items and tools could all be an everyday issue and experience in the so-called industry 4.0, we also have to scrutinize certain aspects relevant to privacy, accessibility, interoperability, as well as affordability in terms of business, otherwise persons with disabilities could be excluded in the long run.

At this point, in light of interoperability and conformity, we have to emphasize that the State Parties and agencies may have an obligation to make sure customers can have access to those products and services without interference problems at their workplaces and educational institutions.

Even though you can name these technologies as health issues and part of rehabilitation, my concern is that these technologies also raise particular aspects such as the integrity of persons, liability as well as responsibility for decisions. When it comes to competitiveness and employment in business sector, we also have to identify the weak points of technology in terms of ethical issues and fairness at social level.

At the same time, we have to reinforce that the Convention is about ensuring free choices and not forcing persons with disabilities to adapt to only one solution, against their preferences.

To move on, some words about UNCRPD.

The Convention is about dignity, diversity and human rights. As the Convention states, we have to make more efforts in terms of research and innovations; however, I am always of the opinion that at the same time we also have to cherish the value of freedom, competition and diversity. We cannot forget those with special, even extreme needs, either. What's more, in the future everybody might be somehow disabled in one way or another in comparison to intelligent and smart software and services. I am talking about a kind of evolution of the concept of disability itself too.

Finally, let's talk about General Comments as tools for understanding the evolution of disabilities.

The UN Committee has adopted a few General Comments so far. These are about equal recognition before the law, accessibility, rights of women and girls with disabilities and inclusive education, to name the most important ones in terms of today's topic. Now, hopefully, by the end of next year the Committee

can adopt a new GC on employment and labor market.

For closure, here is a testimony I always make. The UN Convention is not about maintaining a right to remain disabled, but about ensuring choices and chances. It is our turn today to strengthen the cooperation among governments and stakeholders by seizing the opportunity to learn more about what the future has to offer.

Thank you.