



Disability and Development

Priority Issues and Recommendations for Disability Inclusion in the Post 2015 Agenda – World of Work

Prepared by the International Labour Office

Decent Work and Persons with Disabilities

Current situation

People with disabilities make up around 15 per cent of the global population – over 1 billion people¹ with the majority living in developing countries. At least 785 million are of working age. When it comes to establishing how people with disabilities earn a living for themselves and their families in different part of the world, there is a lack of reliable, comparable data. Nonetheless, common patterns are reported in countries at different levels of development.

- Compared to non-disabled persons, people with disabilities are less likely to be in full-time employment; more likely to be unemployed; and significantly more likely to be economically inactive².
- People with disabilities in employment are more likely to be in jobs for which they are overqualified³.
- When in employment, workers with disabilities are more likely to count among the working poor, as they are frequently in low-paid jobs with poor career prospects and working conditions⁴ or work in poor quality, informal, subsistence jobs⁵.
- Some people with disabilities face greater disadvantage than others, when it comes to getting and keeping a decent job:
 - People with certain types of disability – such as intellectual and mental health disabilities face greater difficulties in finding and retaining employment.
 - Disabled women are less likely to have a decent job than either non-disabled women or men with disabilities.

Besides placing persons with disabilities at a higher risk of poverty, these patterns combine to bring about significant social and economic losses, estimated at between 3 and 7 per cent of GDP in an ILO pilot study of ten low- and middle-income developing countries.⁶ The cost of disability benefits alone amounts to up to 4-5 per cent of GDP in some countries.⁷ However, investment in more effective

¹ WHO/World Bank 2011 World Report on Disability, Geneva

² Organisation for Economic Co-operation and Development (OECD): *Sickness, disability and work: Breaking the barriers: A synthesis of findings across OECD countries* (Paris, OECD Publishing, 2010).

³ ILO 2013 Global Employment Trends for Youth 2013: A generation at risk, Geneva

⁴ WHO and the World Bank, op. cit.

⁵ ILO 2013 op cit

⁶ S. Buckup: *The price of exclusion: The economic consequences of excluding people with disabilities from the world of work*, Employment Sector Working Paper No. 43 (Geneva, ILO, 2009).

⁷ OECD 2010 op.cit

strategies for inclusion can yield returns to society. For example, in Australia,⁸ a cumulative \$43 billion increase in GDP over the next decade is predicted if the gaps between the unemployment and labour force participation of people with and without disabilities are reduced by one third.⁹

Barriers to be tackled

International development efforts are required, in addition to national initiatives, to empower those at the margins of the labour market and of society to reduce their economic insecurity, improve their living standards and by implication, those of their families and communities. This can be done by addressing the physical, social, economic and cultural barriers that prevent people with disabilities from accessing decent work and from contributing to the development of their economies and societies.¹⁰ These include lack of access to education, lack of skills required in the labour market, lack of access to employment and lack of social protection, as well as inaccessible built environments, information and public transport and lack of affirmative action and reasonable accommodation provisions in laws and policies.

Recommended action

Based on its conviction that access to decent work opportunities combined with adequate social protection provides a means of working out of poverty, the ILO makes the following recommendations for a disability-inclusive post-2015 Development Agenda.

- In order to enable people with disabilities to access decent work, and emerge from poverty, targeted action should be taken to:
 - promote access of persons with disabilities to education, skills development and life-long learning;
 - promote access of persons with disabilities to public and private sector employment, with the active involvement of employers and the support of trade unions;
 - foster the development of viable self-employment, social enterprises, cooperatives, the availability of related support services and access to credit;
 - improve decent work opportunities in the rural and informal economies, where people with disabilities frequently seek their livelihoods; and
 - promote social protection floors and social protection systems that include people with disabilities on an equal basis with others, take their specific requirements into account in defining benefits including schemes or programmes that guarantee income security, social health protection and other mechanisms to ensure universal health coverage, as well as schemes and programmes that facilitate their participation in employment¹¹.

⁸ *Review of the Disability Discrimination Act 1992*, Australian Productivity Commission, 2004, <http://www.pc.gov.au/projects/inquiry/dda/report> [accessed 17 May 2013].

⁹ *The economic benefits of increasing employment for people with disability*, Deloitte Access Economics, 2011, http://www.deloitte.com/assets/Dcom-Australia/Local%20Assets/Documents/Industries/LSHC/Deloitte_DAE_Report_8May2012.pdf [accessed 17 May 2013].

¹⁰ World Health Organization and World Bank, *World Report on Disability 2011*. Geneva, 2011.

¹¹ See ILO, 2012: *Social Security for All: Building social protection floors and comprehensive social security systems*. The strategy of the International Labour Organization (Geneva: International Labour Office), <http://www.socialsecurityextension.org/gimi/gess/RessFileDownload.do?ressourceId=34188>.

- Disability issues should be systematically taken into account across the board in all national level development and poverty reduction efforts – including programmes to develop youth employment, promote opportunities for women and girls, advance rural development, improve conditions in the informal economy and create social protection floors.
- Development efforts should be based on the principles of equality of opportunity, non-discrimination and accessibility. Reasonable accommodation provisions should be required as a regular feature of international technical cooperation. In developing poverty reduction and development strategies that are inclusive of persons with disabilities, guidance can be drawn from disability-specific standards and standards applying to the general population that make specific reference to persons with disabilities, or deal with job creation or poverty reduction (see Annex 1).
- A Twin track approach is needed - disability-specific measures to enable those facing particular disadvantages (such as women and girls with disabilities, persons with intellectual and psychosocial disabilities and others) need to be introduced alongside measures to promote the inclusion of persons with disabilities in programmes and services for the general population.
- Effective consultation with persons with disabilities and their representative organizations as well as other key stakeholders should take place at the outset when development programmes are being designed and implementation plans drawn up, so that relevant issues are appropriately taken into account.
- Capacity building should be provided for those involved in developing laws and policies and providing services that are inclusive of or targeted to persons with disabilities, in particular those involving vocational guidance, vocational training, placement and the development of employment opportunities for persons with disabilities to ensure that they are aware of issues relating to disability inclusion and the rights of persons with disabilities.
- Attention should be paid to gathering reliable, internationally comparable data, on the labour market situation and living standards of persons with disabilities both through on-going labour market surveys, censuses and other data gathering approaches, working both nationally and internationally with the relevance agencies. This will enable monitoring of progress toward meeting the development targets set and provide a basis for future reforms.

Annex 1. International Standards

The ILO Declaration on Social Justice for a Fair Globalization of 2008 emphasises the need to tackle the high rates of inequality, continuing high levels of unemployment and poverty and growth of unprotected work and the informal economy that have emerged alongside the high rates of economic growth and employment creation in some countries enabling them to absorb many of the rural poor into the modern urban economy .

Promoting access of persons with disabilities to vocational rehabilitation, skills development and employment as a means of improving their living standards is an underlying aim of ILO standards relating to persons with disabilities – ILO Recommendation No 99 concerning Vocational Rehabilitation of Disabled Persons of 1955 ; Convention No. 159 concerning Vocational Rehabilitation and Employment (Disabled Persons) and its accompanying Recommendation No. 168 in 1983 ; and the ILO Code of Practice on Managing Disability at the Workplace of 2001. These instruments are based on the principle of equal opportunity between disabled workers and workers generally, and call on member states to respect equality of treatment for disabled men and women workers. Special positive measures aimed to promote effective equality of opportunity and treatment between disabled workers and other workers are not regarded as discriminating against other workers. Access of persons with disabilities to services provided for the general population is called for where possible. Consultation with organizations of and for persons with disabilities is called for in the development of measures at national level, and the representation of persons with disabilities on the boards of and committees of vocational rehabilitation and training centres used by disabled persons. C.159 calls for specific attention to be paid to the promotion of vocational rehabilitation and employment services for disabled persons in rural areas and remote communities. Its accompanying Recommendation (No. 168) emphasises the importance of fullest possible community participation in the planning and organization of such services. These standards also call for training of personnel involved in vocational rehabilitation, vocational guidance, vocational training, placement and employment support of persons with disabilities and for research to identify good practice.

Other ILO standards of relevance in the development of poverty reduction strategies are ILO's Human Resource Development Recommendation No 195 (2004), C. 111 concerning Discrimination in Employment and Occupation (1958), Recommendation 182 concerning Job Creation in Medium and Small Enterprises (1998) and Recommendation 193 concerning the Promotion of Cooperatives (2002).

The UN Convention on the Rights of Persons with Disabilities (CRPD), 2006 includes equality of opportunity, non-discrimination and equality between men and women, among its eight guiding principles and obliges States Parties to ensure that persons with disabilities enjoy all human rights on an equal basis with others, and take appropriate steps to safeguard and promote the realization of this right without discrimination on the basis of disability. Provisions of relevance to poverty reduction include Articles 24 on the right to education, Article 27 on the right to work and employment and Article 28 on the right to an adequate standard of living and social protection. Of particular relevance to poverty reduction through decent work in developing countries is the requirement on States Parties to promote opportunities for self-employment, entrepreneurship, the development of cooperatives and starting one's own business. Also of relevance is the requirement that access to State assistance with disability-related expenses, including adequate training and counselling, and to affordable services and devices for disability-related needs, and to poverty reduction programmes (Article 28). The CRPD recognizes the right of persons with disabilities to an adequate standard of living for themselves and their families, including adequate food, clothing and housing, and to the continuous improvement of living conditions. States should safeguard and promote the realization of their right to social protection without discrimination on the basis of disability, including equal access to appropriate and affordable services and devices and other assistance for disability-related need, to social protection and poverty reduction programmes, assistance regarding disability-related expenses, public housing programmes, as well as equal access to retirement benefits and programmes. The Standard Rules on the Equalization of

Opportunities for Persons with Disabilities (1993)¹² provide further guidance on equal access and disability-related needs for assistance.

The Covenant on Economic, Social and Cultural Rights (1966) specifies the steps required for the full realization of the rights of everyone to social security, including social insurance, and to an adequate standard of living. The Committee on Economic, Social and Cultural Rights in its General Comment No. 5 on persons with disabilities¹³, emphasized that, under the obligation to eliminate discrimination on the grounds of disability (de jure and de facto) against persons with disabilities, national legislation adopted should provide for social policy programmes which enable persons with disabilities to live an integrated, self-determined and independent life. In its General Comment No. 19 on the right to social security¹⁴, the Committee notes that States parties are obliged to progressively ensure the right to social security to all individuals within their territories, providing specific protection for disadvantaged and marginalized individuals and groups, including persons with disabilities.

The ILO international social security standards include a number of conventions and recommendations, which guide the now 185 member States of the ILO in social security matters. The instrument adopted most recently (in June 2012) is the Social Protection Floors Recommendation (No. 202), which provides guidance to member States in establishing and maintaining nationally defined social protection floors as a fundamental element of their national social security systems.¹⁵ These social protection floors should guarantee at least effective access to essential health care as well as a basic level of income security throughout the life course, as defined at the national level. Some of the principles set out in the Recommendation are of particular relevance for persons with disabilities, including the principles of non-discrimination, gender equality and responsiveness to special needs, as well as the respect for the rights and dignity of people covered by the social security guarantees.

The Guiding Principles on Extreme Poverty and Human Rights¹⁶, adopted by the Human Rights Council in September 2013, highlight the particular vulnerability of persons with disabilities to extreme poverty. They emphasize the importance of the progressive development of comprehensive national social security systems to ensure universal access to social security for all and the enjoyment of at least the minimum essential levels of economic, social and cultural rights, in line with the ILO Social Protection Floors Recommendation.

The resolution on work and employment of persons with disabilities, as adopted by the Human Rights Council at its 22nd session in March 2013, calls upon States parties to adopt and implement appropriate measures, including legislative measures, to ensure that persons with disabilities enjoy the right to work on an equal basis with others, including by establishing and maintaining access to social protection programmes, including those created pursuant to ILO Recommendation No. 202, that support persons with disabilities in seeking, transitioning to and maintaining work, and that recognize the additional costs that persons with disabilities face in their access to the open labour market.

¹² UN General Assembly, 1993: Standard Rules, annexed to General Assembly Resolution 48/96 of 20 December 1993 No. A/RES/48/96 (New York: United Nations), <http://www.un.org/disabilities/default.asp?id=26>.

¹³ UN ECOSOC, 1994: General Comment No. 5: Persons with disabilities (Geneva: United Nations Economic and Social Council: Committee on Economic, Social and Cultural Rights), <http://www.unhcr.ch/tbs/doc.nsf/%28Symbol%29/4b0c449a9ab4ff72c12563ed0054f17d?Opendocument>.

¹⁴ UN ECOSOC, 2008: General Comment No. 19: The right to social security (Geneva: United Nations Economic and Social Council: Committee on Economic, Social and Cultural Rights), <http://www.unhcr.org/refworld/type,GENERAL,,47b17b5b39c,0.html>.

¹⁵ ILO, 2012: Social Protection Floors Recommendation, 2012 (No. 202) (Geneva: International Labour Office), http://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO:12100:P12100_INSTRUMENT_ID:3065524:NO. See also ILO, 2012: Social Security for All: Building social protection floors and comprehensive social security systems. The strategy of the International Labour Organization (Geneva: International Labour Office), <http://www.socialsecurityextension.org/gimi/gess/RessFileDownload.do?ressourceId=34188>.

¹⁶ UN Human Rights Council, 2012: Guiding principles on extreme poverty and human rights, submitted by the Special Rapporteur on extreme poverty and human rights, Magdalena Sepúlveda Carmona (New York), http://www.ohchr.org/Documents/Issues/Poverty/A-HRC-21-39_en.pdf.