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Human Rights Council 22nd Session

Annual Discussion on Human Rights and Persons with Disabilities

Opening Statement by
Ms. Navi Pillay
United Nations High Commissioner for Human Rights

6 March 2013
12:00-15:00, Room XX, Palais des Nations
Mr. Vice-President,
Distinguished panellists,
Ladies and Gentlemen,

I am honoured to open this fifth Human Rights Council interactive debate on the rights of persons with disabilities. It is encouraging to observe the continuous and dedicated support of States, organizations of persons with disabilities, broader civil society, national human rights institutions, UN entities and other stakeholders, in our endeavours to promote and protect the human rights of persons with disabilities.

When the Convention on the Rights of Persons with Disabilities was adopted in 2006, it embodied an important shift in the way that the global community viewed persons with disabilities. Prior to this, they had been regarded as mere recipients of charity, goodwill or medical care. The Convention challenges these perspectives, establishing that persons with disabilities are holders of human rights on an equal basis with others.

There are now 129 contracting parties to the Convention, and its Optional Protocol has been ratified by 76 States. Last year, 18 States joined the Convention — an indication of rapidly growing global commitment. States that have not yet ratified the two instruments should make this a priority. And I urge those that have ratified them to continue taking mindful steps in implementing their provisions, to create concrete, tangible and lasting change in the lives of women, men and children with disabilities.

The topic of today’s debate is the work and employment of persons with disabilities. To guide the discussion, my Office has prepared a thematic study on this issue, which I am proud to present here today. The study highlights good practices in promoting employment opportunities for persons with disabilities; delves into the barriers that persons with disabilities face in the field of employment; and identifies the main challenges that States encounter in ensuring that persons with disabilities enjoy access to, retention of and advancement in employment on an equal basis with others.

You will be pleased to hear that following a good practice established last year, the study has been made available in an easy-to-read format and is therefore accessible to persons with intellectual disabilities. The easy-to-read version and Braille print-out of the study are both available in this room. This is but one example of efforts undertaken by my Office to make human rights mechanisms accessible to, and truly inclusive of, persons with disabilities.

The right to work is a fundamental human right that is inseparable from human dignity. Not only does it provide individuals with the means to make a living and support their families; insofar as work is freely chosen or accepted, it contributes to their development and recognition within their communities.

Work carries no less meaning to persons with disabilities. The millions of persons with disabilities around the world, who continue to be denied their right to work, as defined in article 27 of the Convention, remain excluded from the opportunity to realise themselves and to make a meaningful contribution to the economic, social and cultural development of their communities.

Allow me to highlight three barriers to the world of work that often confront persons with disabilities.
First, many workplaces continue to be inaccessible to persons with disabilities – be it in terms of physical access, or via attitudes that create barriers to equal participation. Persons with disabilities are often seen as incapable of carrying out tasks required in the labour market, or better off in protected environments such as sheltered workshops. Efforts to promote employment of persons with disabilities often focus on creating jobs in separate settings, and fail to respect the Convention’s underlying principle of inclusion.

The Convention obliges States to prohibit discrimination on the basis of disability in all matters regarding employment, establishes that denial of reasonable accommodation constitutes discrimination, and calls for positive measures to increase employment of persons with disabilities. It is imperative that States move away from sheltered employment schemes and instead, actively promote opportunities for persons with disabilities to gain a living by work freely chosen or accepted, in a labour market which is open, inclusive and accessible to persons with disabilities.

Another major barrier preventing persons with disabilities from enjoying the right to work is lack of access to education and training in relevant skills. As a result of technical and vocational training strategies that take place in separate settings and which are guided by low and stigmatising expectations of their capacities, persons with disabilities may receive training for years without any expectation that they will one day find a job in the open labour market.

This is, clearly, a lost opportunity – both for the person in question and for a society that does not make optimal use of its human capital. In line with the Convention, we must ensure that persons with disabilities are able to take part in vocational training programmes that are non-discriminatory and that promote equality of opportunity as well as concrete outcome.

A third barrier is created through the lack of meaningful involvement of persons with disabilities in the development of legislation and policies related to their training and employment. Drawing upon the Convention’s essential pillar of full and effective participation, I call for capacity development of representative organisations of persons with disabilities to effectively take part in negotiations on their behalf.

Mr. Vice-President,

These are only a few of the many obstacles that impede persons with disabilities from working on an equal basis with others, and I am grateful to the Human Rights Council for focusing today’s debate on this issue. I am confident that your discussions will be fruitful in identifying practical steps that each of us – States, the private sector, civil society, UN entities, and others – can take to continue promoting the work and employment of persons with disabilities, in line with the Convention that we all strive to uphold. In this critical time of building a global development agenda beyond 2015 that is firmly anchored in human rights, our joint efforts are more important than ever. My Office stands ready to work with you in this important task.

Thank you.