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Annual Discussion on human rights and persons with disabilities

Statement presented by the International Coordinating Committee of National Institutions for the Promotion and Protection of Human Rights (ICC)

6 March 2013

Mr President

The ICC welcomes today’s panel discussions on the rights of persons with disabilities focusing on the right to work and employment of persons with disabilities.

For most people, work is fundamental to their social and economic well being. It affords workers the dignity, autonomy and independence that flow from being contributing members of their communities. That is why it is a human right.

Yet, as documented in the OHCHR’s Thematic Study on the work and employment of persons with disabilities (A/HRC/22/25), persons with disabilities are still too often denied the opportunity to work. This is certainly not because persons with disabilities lack the skills and motivation to be productive citizens. Rather, it is more often than not the result of deeply ingrained attitudes, stereotypes prejudices and of hiring and promotion policies that minimize and diminish the abilities of persons with disabilities. In short, persons with disabilities are all too often excluded from and discriminated against in the workplace.
This practice persists inspite of the fact that the Convention on the Rights of Persons with Disabilities (CRPD) and other relevant conventions and many national laws provide for means for redressing it. Reports by NHRIs show that complaints based on disability constitute a significant proportion of their work.

National Institutions that are members of the ICC play a vital role in eliminating and redressing discrimination on the basis of disability. By providing complaints mechanisms and alternative dispute resolution services (ADR), NHRIs are often able to resolve disability discrimination complaints and thus benefit the individual complainants as well as establishing precedents for broader systemic change.

Perhaps the area most in need of illumination by NHRIs is the duty to accommodate. Often accommodation is seen as, and treated as, an afterthought or a charitable or a munificent act by a kindly employer. The ramp to the front door is built only after the worker who uses a wheelchair is hired.

But the Convention, with its emphasis on inclusion, autonomy and universal design makes it clear that this is not the best approach. Rather, accommodation must be an integral part of the overall employment system. Having accommodation built in at the front would mean that barriers to employment are removed. This means that persons with disabilities can seek and maintain employment without recourse to complaints systems.

National Human Rights Institutions (NHRIs) for their part are committed to working with their governments, with the active participation of people with disabilities and the organizations that represent them, towards full realisation of the right to work and employment of persons with disabilities without discrimination.

I thank you Mr President.