



Written Submission to the UN Committee on the Rights of Persons with Disabilities

CRPD General Discussion on Art. 27

Light for the World

March 2021

Contact

Johanna Mang

Light for the World / LICHT FÜR DIE WELT – Christoffel Entwicklungszusammenarbeit

NGO in Special Consultative Status with ECOSOC

Niederhofstrasse 26, 1120 Vienna, Austria

advocacy@light-for-the-world.org

A. Introduction

1. Light for the World is an international and independent disability and development non-governmental organisation. Our mission is to contribute to a world in which persons with disabilities can fully exercise their rights. This includes the economic empowerment of persons with disabilities and their right to work, on an equal basis with others. The focus of our work is on Sub-Saharan Africa. We maintain offices in Burkina Faso, Ethiopia, Kenya, Mozambique, South Sudan, Tanzania and Uganda.
2. Light for the World shares the concerns of the UN Committee on the Rights of Persons with Disabilities that several barriers impede the full enjoyment of the right to work by persons with disabilities and their inclusion in the labour market. These include but are not limited to discriminatory attitudes and legislation, recruitment practices and qualifications of job seekers with disabilities.
3. Therefore, Light for the World welcomes the efforts of the Committee to elaborate a Draft General Comment on Art. 27 CRPD as well as the broad scope of the programme of work undertaken by the Committee. The right to work, on an equal basis with others, is a crucial lever to ensure full and equal participation of persons with disabilities in society.

B. Normative Content

4. Light for the World welcomes the legal analysis of the normative content of Art. 27 CRPD. In particular, Light for the World welcomes the acknowledgement of the right to equal remuneration for equal work (Art. 27b CRPD), the consideration of the importance of technical and vocational education and training (Art. 27d CRPD) and the references to microfinancing and cooperative loan associations (Art. 27f CRPD).
5. Light for the World notes that the legislative context in many countries is worsening and recommends the Committee to reflect this trend in its analysis. As pointed out in a 2019 study commissioned by Light for the World and the National Union of Disabled Persons of Uganda (NUDIPU): “Generally, disability rights legislation in Uganda is experiencing a retrogressive trajectory whereby relatively strong and progressive policies are repealed and replaced with weaker laws and policies. [...] The tax reduction incentive for employers hiring at least ten persons with disabilities was substantially reduced from 15% to 2% and repealed from the Act.”^[1]
6. Light for the World notes the concerns of the Committee about mandatory quota of employees with disabilities in the public and private sector. In particular, Light for the World shares the concern of the Committee as to the preferential treatment of employees with low support requirements. Indeed, the study commissioned by Light for the World and NUDIPU shows that 77% of persons with disabilities in formal employment in the country have a physical disability.^[1]
7. However, Light for the World cautions the Committee against critical recommendations on the topic of employment quota, as this might propel State Parties to repeal quota rules altogether. Rather, Light for the World suggests the Committee to formulate clear guidance on best-practice implementation of employment quota and additional supportive measures. Additionally, Light for the World notes that in a 2019 study 100% of surveyed employers and 100% of surveyed persons with disabilities recommended the use of quotas to expand employment opportunities for persons with disabilities.^[1]

8. With regards to specific measures to address discriminatory attitudes against women with disabilities (Art 27b Part III), a more detailed analysis by the Committee is required. Light for the World recommends the committee to analyse deliberate affirmative action devised to address the intersectional discrimination against women and girls with disabilities, such as quota for female Technical and Vocational Education and Training students, or international cooperation programmes specifically facilitating income-generating activities for women with disabilities. ^[2]
9. Light for the World further recommends a more detailed analysis of the normative content with regards to specific measures to realise the right to work, on equal basis with others, for marginalised groups among persons with disabilities, such as but not limited to persons with deaf blindness. ^[3] As the Committee notes in the outline, some legislative tools might disadvantage these groups inadvertently. However, the Draft General Comment would benefit from additional insight on basis of State Reviews, which legislation and policies create a positive incentive for the employment of marginalised groups among persons with disabilities.

C. State Parties Obligations

10. Light for the World welcomes the interpretation of State Parties' obligations provided in the outline. In particular, we emphasise the importance of the obligation to protect. The right to work of persons with disabilities, on equal basis with others, is often curtailed by private actors and it is a key responsibility of State Parties to prevent such discrimination.
11. Light for the World recognises that risks resulting from recruitment software are a relevant factor to consider in high-income settings. However, we recommend the Committee to not shift the focus away from traditional, analogue recruiting methods in middle- and low-income settings as well as the discriminatory attitudes and practices that are deeply engrained in them.

D. Relationship with Other Provisions in the CRPD

12. Light for the World shares the Committee's perspective that Art. 27 CRPD is a fundamental and transversal human right that is inherently interrelated to different rights enshrined in the CRPD. However, these links are not yet sufficiently highlighted in the outline. Therefore, Light for the World recommends the Committee to strengthen the analysis of the relationship with other provisions in the CRPD, especially with Art. 32 CRPD, Art. 24 CRPD and Art. 31 CRPD.
13. The envisioned Draft General Comment should clearly indicate the role of international cooperation (Art. 32 CRPD) in the implementation of Art. 27 CRPD. The Draft General Comment should refer to the need for consistent application of the OECD DAC Policy Marker on the Inclusion and Empowerment of People with Disabilities by State Parties. Moreover, the Draft General Comment should indicate the need for State Parties to implement a Twin-Track Approach in their International Cooperation. For further links between Art. 27 CRPD and Art. 32 CRPD, Light for the World strongly recommends the respective report by the UN Special Rapporteur on the Rights of Persons with Disabilities (A/75/187) as a useful resource. ^[4]
14. The envisioned Draft General Comment should reflect the importance of Technical Vocational Education and Training at the intersection of education and employment.

While this is included in part under the legal analysis of the normative content, a stronger reference to the general rights under Art. 24 CRPD as well as General Comment No. 4 (C/CRPD/GC/4) is recommended. Technical Vocational Education and Training institutes have to be accessible to and inclusive of all persons with disabilities, including women and girls with disabilities. This is a major precondition for the realisation of the right to work, on equal basis with others. ^[5]

15. The present outline does mention the lack of adequate data on the implementation of Art. 27 CRPD but does not address ways to address this on the international, national and regional level. Therefore, the envisioned Draft General Comment should recall the obligations of State Parties to collect appropriate statistical data, disaggregated by gender and disability, to enable the formulation and implementation of policies on employment and work (Art. 31 CRPD) ^[6]
16. In addition to the relationship with other provisions in the CRPD, Light for the World further recommends the Committee to ensure a stronger reference to the 2030 Agenda for Sustainable Development in the Draft General Comment, in particular to target 8.5. All Sustainable Development Goals, not just target 8.5, have to be interpreted through the lens of the CRPD, for which the Office of the High Commissioner on Human Rights published comprehensive guidance in 2020. ^[7]

E. Implementation at National Level

17. Light for the World welcomes the Committee's intention to look for good practices in the implementation of Art. 27 CRPD at the national level and uses this opportunity to share examples from experience in the countries we work in with the Committee.

a. Employer Awareness and Preparedness

18. Without awareness and preparedness of employers, legislative measures by State Parties will not be sufficient to realise the right to work, on an equal basis with others, for persons with disabilities. This is relevant for the implementation of Art. 27 CRPD in its entirety, especially Art. 27(a) CRPD, Art. 27(b) CRPD, Art. 27 (d) CRPD and Art. 27 (g) CRPD. Joint efforts by persons with disabilities and their representative organisations as well as public sector institutions and private service providers are needed to ensure employer awareness and preparedness.
19. To assess awareness and preparedness of employers, Light for the World has developed a disability inclusion scorecard (DISC). This tool is optimised for organisations working in a context of international development and it can be used for public and private employers or any size. The DISC is a monitoring tool to measure inclusion at organisational level set against detailed inclusion criteria. The tool helps employers to identify their strengths and opportunities for change. ^[8]
20. The Make 12.4% Work initiative in **Uganda** is administered jointly by Light for the World and NUDIPU. It supports private sector and civil society actors to create opportunities for formal employment self employment to persons with disabilities. Disability Inclusion Facilitators (DIF), regularly youth with disabilities, provide trainings to employers and livelihood organisations to support awareness and to implement disability inclusion in the workplace and in mainstream economic empowerment programs. 135 organisations in Uganda have committed to Make 12.4% Work over the course of the past three years, and

senior management, technical staff and human resource staff has been provided with training, coaching and support to make their practices more inclusive of persons with disabilities. DIFs are further available as consultants for workplace adaptations to increase preparedness of employers. ^[9]

21. Light for the World support national Disability and Business networks in **Uganda** and **Kenya**. The Uganda Business and Development Network has been started in 2019 out of the Make 12.4% Work initiative and is hosted by the Federation of Uganda Employers. Its membership includes some of the largest national and multinational companies in the country. The Kenyan InBusiness Initiative is hosted by Light for the World and supports the Kenya Business and Disability Network, which was founded in 2020. Both networks create awareness among private employers, especially senior management. They create role models for other businesses in the country to emulate. ^[9]
22. The Accessible Employment Initiative in **Cambodia** trains persons with and without disabilities as job coaches to support both jobseekers and employers. They identify companies, conduct awareness trainings, and check workplace accessibility. A manual has been developed to standardize the process. Training venues and materials are accessible for all trainees. Work is mostly found in manufacturing and offices. Across 2018 and 2019 job coaches have worked with 125 persons with disabilities and have engaged with employers to promote inclusive employment and workplaces. The project further organised two national employment forums, connecting jobseekers with 32 companies. Project costs for this initiative range between US\$ 85,000 and US\$ 90,000 per year. ^[10]
23. State Parties should ensure awareness and preparedness of public entities to employ persons with disabilities. They should further facilitate the awareness and preparedness of private employers, wherever possible. In doing so, State Parties should cooperate with persons with disabilities and their representative organisations as the best-placed entities to provide coaching and training on basis of lived experience. This is also in line with their general obligations under Art. 8 CRPD. State Parties engaging in international cooperation should encourage such initiatives in line with their obligations under Art. 32 CRPD.

b. Technical and Vocational Education and Training

24. Inclusive vocational training and skills building is crucial for economic empowerment, as vocational skills are an important entry point into the labour market. This is linked to the implementation of Art. 27(d) CRPD. However, youth with disabilities are often excluded from pursuing Technical and Vocational Education and Training.
25. The EmployAble Project was implemented in **Ethiopia, Kenya** and **Rwanda** with the specific aim of contributing to quality vocational training for young people with disabilities. It created links between six private Technical and Vocational Education and Training institutes, private businesses and organisations of persons with disabilities. 448 youth with disabilities participated in the project, 41% of those female. After one year 71% were employed, 23% of those in formal, salaried employment. The learnings of the project are summarised in the authoritative EmployAble resource. ^[11]
26. The Young Africa institute in **Mozambique** is a private Technical and Vocational Education and Training institute. With funding from Austria and the European Union, Light for the World provided technical support to Young Africa to ensure disability

inclusion in the institute's operations. This included accessible refurbishment of the institute's facilities, including dormitories and sanitary facilities, as well as capacity development of teaching staff and adaptation or learning materials. Students with disabilities are regularly among the top graduates of the school. ^[5]

27. State Parties should ensure that public Technical and Vocational Education and Training is accessible to and inclusive of students with disabilities. This must include the accessibility of all related facilities as well as the capacities of teachers and the availability of adequate and accessible learning material. State Parties engaging in international cooperation should be encouraged to facilitate disability inclusion of Technical and Vocational Education and Training in line with their obligations under Art. 32 CRPD.

c. **Employment in the Agricultural Sector**

28. In many low-income countries and regions, agriculture is the main economic sector and provides the main source of income for persons with disabilities. This often takes place in self-employment contexts but can also include salaried labour in the agricultural sector. Implementation of Art. 27(b) CRPD and Art. 27(h) CRPD is preconditioned on accessibility and inclusion of the agricultural sector.
29. Therefore, Light for the World recommends the Committee to reflect employment and work in the agricultural sector in the Draft General Comment on Art. 27 CRPD.
30. The Amuru Disability Mainstreaming Project (ADIMAP) in **Uganda** was implemented by Send a Cow Uganda in partnership with the National Union of Women with Disabilities of Uganda. The project reached 1.800 people with and without disabilities in Northern Uganda. To address physical barriers, accessible gardens were designed. Crop beds were raised at least 12 cm above ground and set wider apart to facilitate wheelchair accessibility. Gardens were situated next to homesteads with accessible latrines to create safe working environments for women with disabilities. ^[12]
31. The AgriLab Project in **Cambodia** is implemented by Light for the World and its local partners in partnership with Engineers without Borders Australia. It works with communities of persons with disability in rural areas to co-design practical technology that facilitates access to agricultural livelihoods. The Agrilab works with a wide range of ages and impairments and has created technologies such as rice seeders for elderly farmers and motorised cassava harvesting carts for mobility impaired farmers and power assisted carts and water pumps for people with limited mobility. ^[13]
32. The FSUP Food Security Project in **Bangladesh** was implemented by a coalition of local partners with funding from the European Union. It reached 40.000 ultra-poor female-headed households, 12.662 of those with members with disabilities. Participants formed groups to receive training and assets to perform income generating activities, including chicken, goat and beef rearing. Specific awareness-raising and training was offered for women with leprosy. Disability inclusion was made a central part of the project proposal and implementation. ^[2]
33. The Skilling Employment and Entrepreneurship Acholi in **Uganda** was implemented by ZOA Uganda. The target of the programme were subsistence farmers who are willing to organise themselves into small groups of up to 25 members to commercialise their farming activities. With funding from the European Union, Light for the World provided

technical support on the inclusion of youth with disabilities in these Farmers' Group. ZOA Uganda field staff adapted training methods to include youth with disabilities, particularly youth with hearing impairments. ^[14]

34. State Parties engaging in international cooperation should be encouraged to facilitate disability inclusion in agricultural employment. This can be done through disability mainstreaming into general programmes on agricultural livelihood or through the development of disability-specific programmes. Such a twin-track approach is in line with their obligations under Art. 32 CRPD.

d. Microfinancing and Loan Associations

35. Microfinancing and loan associations are a central part of the implementation of Art. 27(f) CRPD. Financial independence is a crucial precondition for self-employment, for starting an own business or for scaling up existing businesses. However, persons with disabilities often experience financial exclusion from private financial actors. Existing normative frameworks on legal capacity create further barriers.
36. The iSAVE Program in **Uganda** is developed and implemented by the National Union of Disabled Persons of Uganda (NUDIPU) and Associations of Micro-Finance Institutions of Uganda (AMFIU). The program creates privately operated loan associations for persons with disabilities. Interested participants are encouraged by local District Unions of Persons with Disabilities to form groups of 25-30 members from the same community. A maximum of two members from one household are permitted – in the case of persons with visual, hearing or intellectual disabilities, their family member, caretaker or personal assistant is the second household member allowed. In seven years of operation, 18.966 persons with disabilities have gained access to informal financial services. 1.575 persons with disabilities have accessed formal financial services. 1.344 persons with disabilities have started profitable small- and medium-sized enterprises as a result of participating in iSAVE. ^[15]
37. State Parties need to ensure that the relevant legal framework allows the creation of such loan associations. State Parties engaging in international cooperation should support such programs in line with their obligations under Art. 32 CRPD.

F. Conclusion and Recommendations

38. Light for the World congratulates the Committee on the elaboration of the outline for a Draft General Comment on Art. 27 CPRD.
39. Light for the World recommends the Committee to strengthen references to other articles of the CRPD in the Draft General Comment, especially to Art. 32 CRPD. International Cooperation, delivered both through State Parties and through non-governmental organisations, is an essential tool to strengthen economic empowerment of persons with disabilities in low-income countries.
40. Light for the World recommends the Committee to include in the Draft General Comment specific references on how to realise the right to work, on an equal basis with others, for marginalised groups among persons with disabilities, especially for women with disabilities and persons with deaf blindness.

41. Light for the World suggests the Committee to consider good practice examples from **Bangladesh, Cambodia, Ethiopia, Kenya, Mozambique, Rwanda** and **Uganda** for the implementation at national level, highlighting the fact that the right of persons with disabilities to work, including women and youth with disabilities, on an equal basis with others, can also be achieved in low-income settings.

G. References

- [1] Ojok, P., Oryema, J.B. & Were, D. (2019): The Employment Situation of Persons with Disabilities and the Prospect of a Quota Employment Policy in Uganda. Light for the World and the National Union of Disabled Persons of Uganda. [Link to Resource 1: https://wecanwork.ug/download/employment-situation-of-persons-with-disabilities-quota-system-full-report/](https://wecanwork.ug/download/employment-situation-of-persons-with-disabilities-quota-system-full-report/).
- [2] Bruijn, P. (2014): Inclusion Works: Lessons Learned on the Inclusion of People with Disabilities in a Food Security Project for Ultra-Poor Women in Bangladesh. [Link to Resource 2: https://www.light-for-the-world.org/sites/lfdw_org/files/download_files/inclusionworks.pdf](https://www.light-for-the-world.org/sites/lfdw_org/files/download_files/inclusionworks.pdf).
- [3] Delfyna, A. (2019a): Skills Development for Youth with Deafblindness. Disability Inclusion Insight Series #5. Light for the World. [Link to Resource 3: https://wecanwork.ug/download/dii-series-5-skills-development-for-youth-with-deafblindness/](https://wecanwork.ug/download/dii-series-5-skills-development-for-youth-with-deafblindness/).
- [4] Special Rapporteur on the Rights of Persons with Disabilities (2020): Report on the Rights of Persons with Disabilities in International Cooperation. A/75/186. [Link to Resource 4: https://undocs.org/en/A/75/186](https://undocs.org/en/A/75/186).
- [5] Light for the World (2020): Skills against Unemployment. Disability Inclusive TVET. [Link to Resource 5: https://www.light-for-the-world.org/disability-inclusive-tvet](https://www.light-for-the-world.org/disability-inclusive-tvet).
- [6] International Disability Alliance, Stakeholder Group of Persons with Disabilities & CBM Global (2020): Disability Data Advocacy Toolkit. [Link to Resource 6: https://cbm-global.org/wp-content/uploads/2020/11/DisabilityData_advocacytoolkit_accessible.pdf](https://cbm-global.org/wp-content/uploads/2020/11/DisabilityData_advocacytoolkit_accessible.pdf).
- [7] Office of the High Commissioner on Human Rights (2020): SDG-CRPD Resource Package. [Link to Resource 7: https://www.ohchr.org/EN/Issues/Disability/Pages/SDG-CRPD-Resource.aspx](https://www.ohchr.org/EN/Issues/Disability/Pages/SDG-CRPD-Resource.aspx).
- [8] Light for the World (2018): Disability Inclusion Score Card. Disability Inclusion Lab. [Link to Resource 8: https://lab.light-for-the-world.org/publications/disability-inclusion-score-card/](https://lab.light-for-the-world.org/publications/disability-inclusion-score-card/).
- [9] Make 12.4% Work (2021): 2020 Review: A Year of Learning and Adapting. [Link to Resource 9: https://wecanwork.ug/download/the-make-12-4-work-2020-review/](https://wecanwork.ug/download/the-make-12-4-work-2020-review/).
- [10] Zero Project (2021): Training Job Coaches to Support Jobseekers with Disabilities and Employers. Innovative Practices of 2021. [Link to Resource 10: https://zeroproject.org/practice/pra21_1341_aw/](https://zeroproject.org/practice/pra21_1341_aw/).
- [11] Baart, J. & Maarse, A. (2017): I am EmployAble: Creating Access to Technical and Vocational Education for Young People with Disabilities. Light for the World. [Link to](#)

Resource 11: https://www.light-for-the-world.org/sites/lfdw_org/files/download_files/lftw_employable_web_0.pdf.

- [12] Delfyna, A. (2019b): Breaking Barriers to Participation in Agriculture. Disability Inclusion Insight Series #7. Light for the World. [Link to Resource 12: https://wecanwork.ug/download/dii-series-7-inclusive-farming-under-adimap/](#).
- [13] Drain, A. R., Kheng, V, Curtis, D. (2019): AgriLab Project Handbook: Creative Capacity Building and Co-Design. [Link to Resource 13: https://www.researchgate.net/publication/336251018_AgriLab_Project_Handbook_Creative_Capacity_Building_and_Co-design_2019](#).
- [14] Harding, M. & Delfyna, A (2019): Disability Inclusion in Farmers' Groups: Subtle Adjustments, Big Impact. Disability Inclusion Insight Series #2. Light for the World. [Link to Resource 14: https://wecanwork.ug/download/dii-series-2-disability-inclusion-in-farmers-groups/](#).
- [15] Delfyna, A. (2019c): The iSAVE Program: From Financial Exclusion to Economic Empowerment. Disability Inclusion Insight Series #4. Light for the World. [Link to Resource 15: https://wecanwork.ug/download/dii-series-4-the-isave-program/#](#).