

International Developments and Standards

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DHAKA



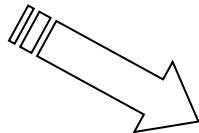
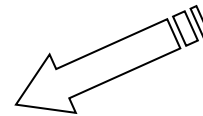
Topics

- Changing perspectives on disability
- International standards
- Practical implications

Changing Perspectives of Disability

Moral perspective:
focus on sin, wrong-doing

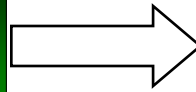
Medical perspective:
focus on individual impairment



Social perspective:
focus on social context

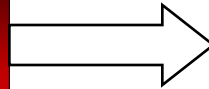
Problems Disabled Persons face

Moral perspective:



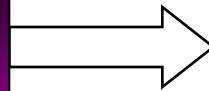
- Shame, Guilt

Medical perspective:



- Seen as
‘abnormal’, need

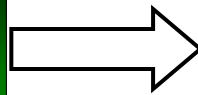
Social perspective:



- fixing
Societal Barriers

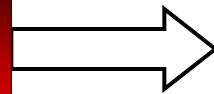
Solutions - Family and Society

Moral perspective:



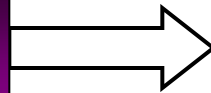
- Pray, charity, good deeds

Medical perspective:



- Individual rehabilitation, social welfare

Social perspective:

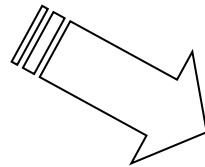
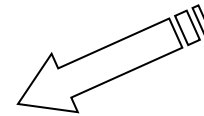


- Remove barriers;
promote rights

Shifts in Policy

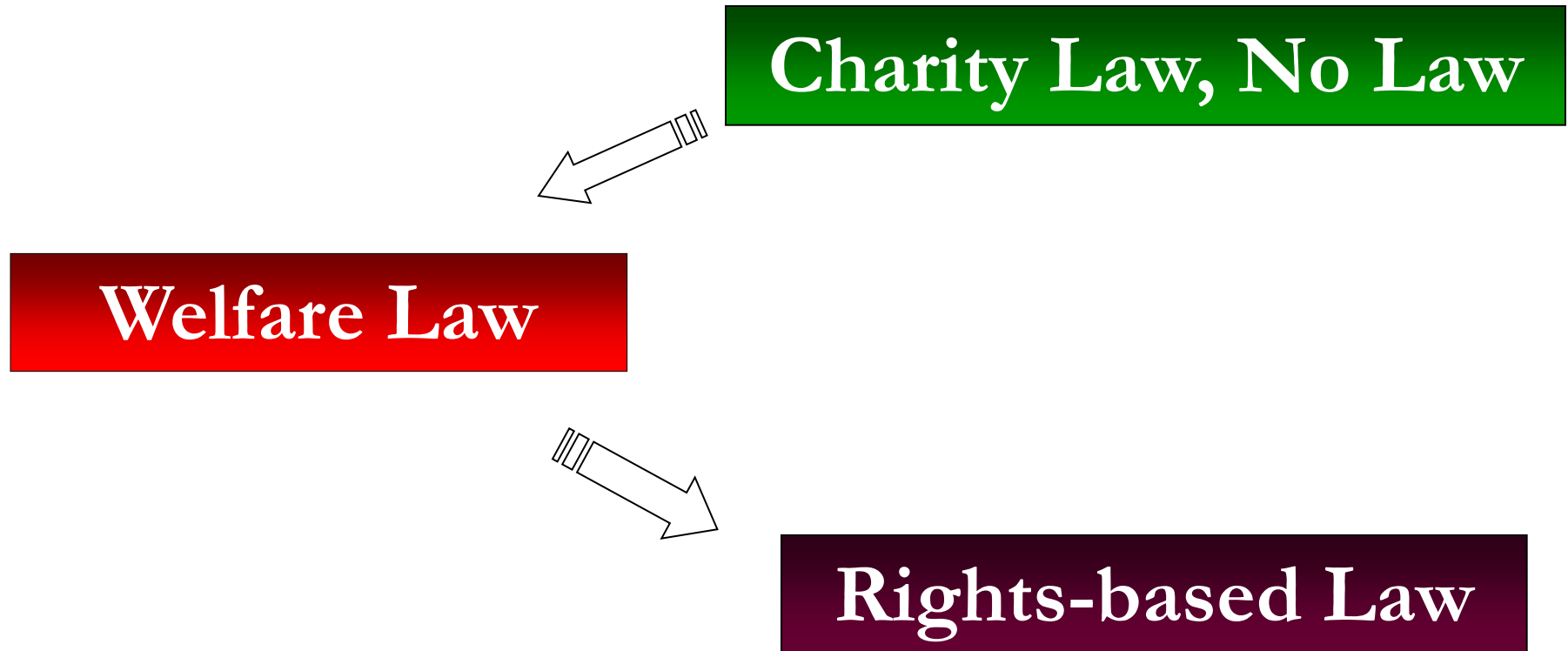
Care by Family:
keep at home, hide away

Care in Institutions:
custodial approach, 'protect' society,
separate and segregate



Community Care:
integration, inclusion

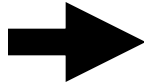
Trends in Legislation



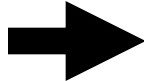
Shift in Focus

Rehabilitate Disabled Persons

Charity



Adjustment to the norm



Exclusion



Rehabilitate Society

Rights

Acceptance of differences

Inclusion, participation and
citizenship

Person with a disability

“...an individual whose prospects of securing, retaining and advancing in suitable employment are substantially reduced as a result of a duly recognized physical, sensory, intellectual or mental impairment”

*ILO Code of Practice - Managing Disability
in the Workplace 2001*



People with disabilities – not a homogenous group

- Mild, moderate or severe • Disability dating from
 - physical disabilities
 - sensory disabilities
 - intellectual disabilities
 - mental health disabilities
 - birth
 - childhood/teenage
 - adulthood

➔ GENDER MAKES A HUGE DIFFERENCE! ➔



ILO Standards on Disability

- ◆ Recommendation 99, 1955
- ◆ Convention 159 - Vocational Rehabilitation and Employment (Disabled Persons) 1983
- ◆ Recommendation 168, 1983
- ◆ Code of Practice – Managing Disability in the Workplace, 2001

Convention No. 159, 1983

- **Policy**

- **National Policy on Vocational Rehabilitation and Employment of Persons with Disabilities - principles of Equal opportunity, Equal treatment**
 - between regular and disabled workers
 - women and men
 - for people with all types of disabilities
- **Provision for Special Positive Measures**
 - not discriminatory
- **Based on Consultation**
 - **Employers' and Workers' Organizations**
 - **Organizations of/for Disabled Persons**



Convention No. 159, 1983 (2)

- **Action**

- Provision for vocational guidance, vocational training, employment and other related services
- Use of existing services where possible (mainstreaming)
- Provision for people with disabilities in rural and remote areas, as well as urban areas
- Staff training and research

Recommendation No. 168, 1983

- Gives further guidance, including:
 - Ways to increase employment opportunities
 - Methods of removing barriers to employment
 - Encouragement for sharing good practices and cases
 - Suggested incentives for employers
 - Alternative work structures
 - Methods of community involvement and collaboration
 - Staff training issues and skills needed
 - Ways for employers and trade unions to get more involved and contribute
 - Role of disabled persons organizations and service providers
 - How to better serve rural and remote communities



ILO Code of Practice Management of Disability at the Workplace

- Finalized and adopted by Tripartite Meeting of Experts, Geneva, October 2001
- Unanimously adopted by ILO Governing Body November 2001



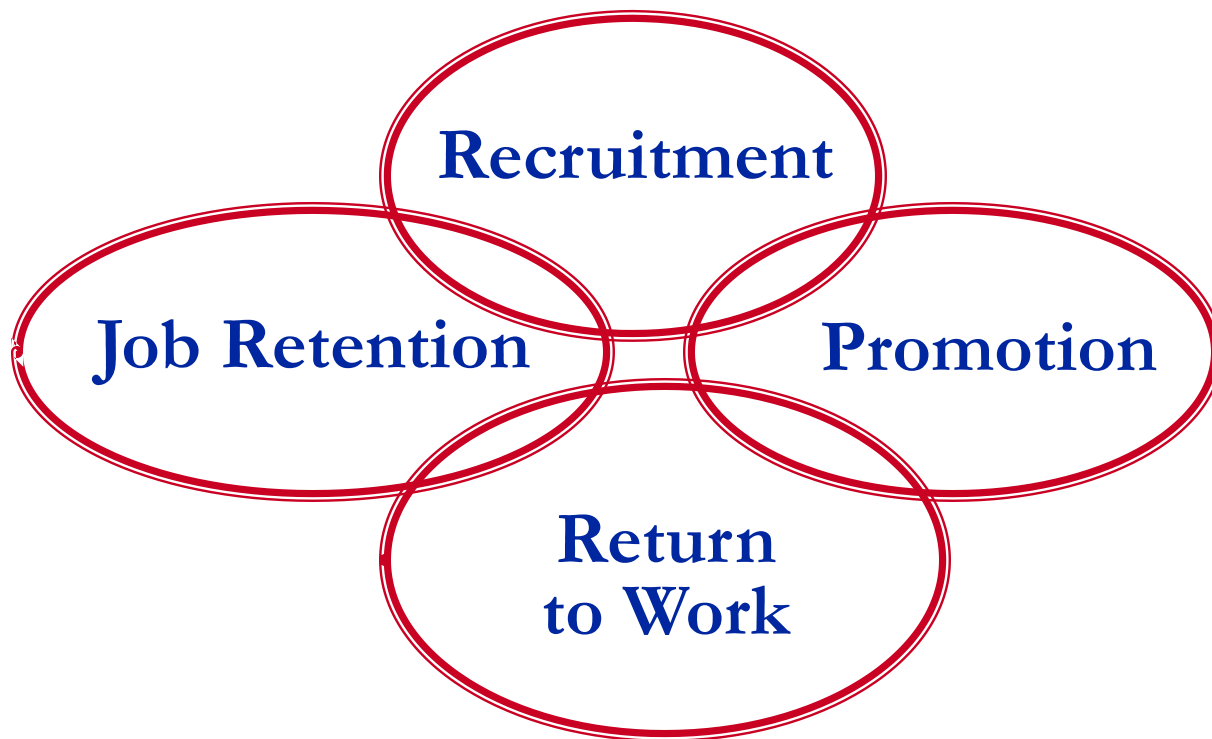
Code of Practice - Objectives

- Equal opportunities in the workplace
- Improved employment prospects
- Safe, accessible and healthy workplace
- Minimal employer costs associated with disability
- Maximal contributions of workers with disabilities to the enterprise.

Disability Management - Key Actors



Code provides guidance on managing disability issues in



General ILS

- All ILS apply to persons with disabilities
- Some standards are of particular relevance
 - Discrimination in Employment and Occupation (C. No. 111)
 - Employment Promotion (C. No. 122)
 - Job Creation in Medium and Small Enterprises (R. No. 189)
 - Promotion of Cooperatives (C. 193)
 - Human Resources Development (C.No.142 , R. No 195)
 - Employment Services(C. No. 88 and No. 181)



United Nations Conventions on the Right of Persons with Disabilities (UNCRPD)

- Adopted by the General Assembly in December 2006
- Purpose: *promote, protect and ensure the full and equal enjoyment of all human rights and fundamental freedoms by all persons with disabilities and to promote respect for their inherent dignity.*
- Record number of signatures on opening day: 81
- Came into force in May 2007
- Status of your country on ratification of ILO C. 159 and UNCRPD---Bangladesh has ratified both



Principles

- Respect for inherent dignity, individual autonomy
- Non-discrimination
- Full and effective participation and inclusion in society
- Respect for difference; disability as part of human diversity
- Equality of opportunity
- Accessibility
- Equality between men and women
- Respect for evolving capacity of children

Persons with disabilities...

- *...those who have long-term physical, mental, intellectual or sensory impairments which in interaction with various barriers may hinder their full and effective participation in society on an equal basis with others.*

Calls for reasonable accommodation

- *...means any necessary and appropriate modification and adjustments not imposing a disproportionate or undue burden where needed in a particular case, to ensure to persons with disabilities the enjoyment or exercise on an equal basis with others of all human rights and fundamental freedoms (Article 2 --- Definitions)*

Article 5: Equality and non-discrimination

In order to promote equality and eliminate discrimination, States Parties shall take all appropriate steps to ensure that reasonable accommodation is provided. (4)

Article 24: Education

States Parties shall:

- *Ensure an **inclusive education system** at all levels and lifelong learning (1)*
- *Ensure that persons with disabilities are able to access general tertiary education, vocational training, adult education and living learning without discrimination and on an equal basis with others. To this ended States Parties shall ensure that **reasonable accommodation** is provided to persons with disabilities. (5)*

Article 27: Work and Employment

- *Right to work...on an equal basis with others...(in)...work freely chosen or accepted in a labour market and work environment that is open, inclusive and accessible to persons with disabilities*
- *States parties shall safeguard the ...right to work...by taking appropriate steps including legislation to...*

Art. 27 Steps and legislation to...

- Prohibit discrimination
- Protect rights...including labour and trade union rights
- Ensure access to vocational and guidance services
- Promote work opportunities including self employment
- Ensure reasonable accommodation in the workplace
- Promote professional rehabilitation and job retention and return to work programmes

Article 27---continued

- Public and private employers are noted as central to implementation of the right to work
- States parties are additionally called upon to:
 - *Ensure that reasonable accomodation is provided to persons with disabilities in the workplace;*
 - *Promote vocational and professional rehabilitation, job retention and return-to-work programmes...*

Practical implications

- More involvement of pwds in all aspects of policy development and implementation
- Greater inclusion of pwds in vocational training and employment
- Changes in legislation reflecting anti-discrimination and reasonable accommodation
- More community approaches for service deliver such as CBR, community contracts, etc.
- More partnerships among organizations
- Greater involvement of all social partners