



Available online at

[www.icesba.eu](http://www.icesba.eu)



*Procedia of  
Economics and Business  
Administration*

ISSN: 2392 – 8174,

ISSN-L: 2392 – 8166

## Perceptions of Disabled Rights in Global Governance Models

Menekşe ŞAHİN<sup>1</sup>, Doğan DEMİRÇİ<sup>2</sup>

*Hittites University, Çorum, Turkey*

*Tel: +90 364 223 08 00, Fax: + 90 364 223 08 04,*

*Email: meneksesahin@hitit.edu.tr, dogandemirci@hitit.edu.tr*

**Abstract:** 2011 World Report on Disability shows that disabled people are more exposed to poverty and poor socio-economic consequences. The unemployment rate is higher among people with disabilities and many countries; women are more disadvantaged than men. With "For people with people and equitable, inclusive and development on the basis of human rights" concept forming the basis of the work of the United Nations Conference on Sustainable Development held in June 2012 in Rio de Janeiro underlined that more attention should be given social inclusion, social protection and equity items assuming that economic development often brings environmental degradation and increasing inequality. For sustainable human development, to create employment for individuals with disabilities is not sufficient and productive employment opportunities should be provided, supplying an adequate income and social protection maintaining the basic labor rights.

This study focused on international legal instruments and policies related with the work and employment rights for people with disabilities as a human right and aimed to reveal in which level these policies can realize decent work approach.

**Keywords:** disability rights, sustainable human development, decent work

**JEL classification:**

### 1. Introduction

According to the report which was published in the 1995 by the UN Commission on Global Governance with the name of "Our Global Neighborhood" global governance is defined as 'the sum of the many ways individuals and institutions, public and private, manage their common affairs'. The report also suggests that 'at the global level, governance has been viewed primarily as intergovernmental relationships, but it must now be understood as also involving nongovernmental organizations (NGOs), citizens' movements, multinational corporations, and the global capital market [CGG, 1995] That means, global governance

refers to more than the formal institutions and organizations through which the management of international affairs is or is not sustained. In this context, global governance is conceived to include systems of rule at all levels of human activity – from the family to the international organizations, in which the pursuit of goals through the exercise of control has transnational repercussions [Rosenau, 1995]. It could be defined, at the same time, as ‘governing, without sovereign authority, relationships that transcend national frontiers. Global governance is doing internationally what governments do at home [Finkelstein, 1995]. The fact of the behind of these definitions is the idea of global governance has been developed as an answer for the changing nature of world politics. During the 1980s and 1990s theorists recognized a deeper change within the world politics. This change, spurred by technological revolution and the globalization of economic life, made our world no longer organized in a set of discrete sovereign states.

## **2. Global Initiatives on Disabled People Working Conditions**

ILO is one of the most important organizations that made the earliest international acknowledgements of the right of people with disabilities to work opportunities. ILO stated in its Recommendation with the number of 71 in 1944 that disabled workers, *“whatever the origin of their disability, should be provided with full opportunities for rehabilitation, specialized vocational guidance, training and retraining, and employment on useful work”*. It means that persons with disabilities should, wherever possible, be trained with other workers, under the same conditions and the same pay, and called for equality of employment opportunity for disabled workers and for affirmative action to promote the employment of workers with serious disabilities [Arthur, 2007].

Four years later, UN declared the right to work of everyone, including persons with disabilities, with Article 23 of the Universal Declaration of Human Rights adopted by the General Assembly on 10 December 1948. It was so explicit: *“Everyone has the right to work, to free choice of employment, to just and favorable conditions of work and to protection against unemployment. Everyone, without discrimination, has the right to equal pay for equal work. Everyone who works has the right to just and favorable remuneration ensuring for himself and his family an existence worthy of human dignity, and supplemented, if necessary, by other means of social protection. Everyone has the right to form and to join trade unions for the protection of his interests”* [Arthur, 2007].

UN Committee on Economic, Social and Cultural Rights (UN CESCR) pointed out at the end of 1994, that the effects of disability based discrimination had been particularly severe in the fields of *education, employment, housing, transport, cultural life and access to public places and services* in General Comment with the number of 5. The consideration of the Committee on the field of employment as one in which discrimination had been both prominent and persistent [UN, 1994]. The unemployment rate among persons with disabilities was two to three times higher than that for others in most countries. Disabled persons were mostly engaged in low-paid jobs with little social and legal security and often segregated from the mainstream labor market. As the ILO had frequently noted, physical barriers such as inaccessible public transport, housing and workplaces were often the main reasons why persons with disabilities were not employed. The Committee drew attention to the valuable and comprehensive instruments developed by the ILO, including in particular Convention No. 159, and urged States Parties to the International Covenant to consider ratifying that Convention [Arthur, 2007].

The United Nations Convention on the Rights of Persons with Disabilities (the CRPD or the Convention), adopted on December 13, 2006, and entered into force on May 3, 2008, constitutes a key landmark in the emerging field of global health law and a critical milestone in the development of international law on the rights of persons with disabilities. At the time of its adoption, the U.N. High Commissioner for Human Rights heralded the CRPD as a rejection of the understanding of persons with disabilities "as objects of charity, medical treatment and social protection" and an embrace of disabled people as "subjects of rights."

Attaining an accurate measure of the global prevalence of disability is difficult because of the lack of reliable, internationally comparable data on disability. Despite the limitations on data, the World Bank estimates that around 10% of the world's population, or roughly 650 million people, live with a disability, and that persons with disabilities constitute the world's largest minority group [WHO, 2011]. Furthermore, the number of disabled people is expected to increase as a consequence of growing and aging populations and medical advances. Within countries, there is significant variance in disability rates based on factors such as poverty, gender, and education. In all countries disability rates are significantly higher among groups with lower economic status, underscoring the link between poverty and disability; indeed, one of every five of the world's poorest persons is disabled. Persons with disabilities face isolation and exclusion in their communities and are routinely denied access to education, employment, health care services, and basic needs

Convention on the Rights of Persons with Disabilities (CRPD), unanimously adopted by the UN General Assembly in December 2006, adds new impetus to this package of measures, marking a ground-breaking change in the way disability issues are regarded in international law, and strengthening the pathway to independence and the dignity of decent work and to full inclusion in all aspects of society [UN, Convention On The Rights Of Persons With Disabilities]. Convention on the Rights of Persons with Disabilities (CRPD) affirms the fundamental rights of people with disabilities who now represent the world's largest minority, totaling more than one billion people. It creates space in the field of international development to examine disability beyond the traditional domestic spheres of health and welfare to the systematic oppression and exclusion experienced by this community globally. Because it expands upon the significant elements of other key human rights treaties

In November 2010, the Commission adopted the European Disability Strategy 2010–2020, which aims to ensure that people with disabilities can access their rights and to help implement the CRPD. The strategy focuses on eliminating barriers in eight main areas: accessibility, participation, equality, employment, education and training, social protection, health, and external action [EU, 2010].

Specific initiatives in the context of global context can be said as the considerable attempts such as *Universal Declaration of Human Rights*, *Council of Europe: European Convention on Human Rights*, *International Covenants*, *UN Declaration on the Rights of Disabled Persons*, *Current employment of persons with disabilities in social enterprises*.

### **3. Disabled People Rights in the Context of Decent Work**

In 1999, the Director-General of the ILO, Juan Somavia, defined the mission of the ILO in today's world in the following terms: "The ILO's mission is to improve the situation of human beings in the world of work. Today, that mission finds resonance in the widespread

preoccupation of people at times of great change: to find sustainable opportunities for decent work. The primary goal of the ILO today is to promote opportunities for women and men to obtain decent and productive work, in conditions of freedom, equity, security and human dignity” [ILO, 1999].

According to the ILO, what is required today is the design of social and financial systems that can offer employment and security without losing the ability to adapt to the rapidly changing conditions in the competitive arena of today’s global world [ILO, 2003]. Thus, while talking about the priorities of the ILO, Somavia, the General Director of the ILO, put the emphasis on the expansion of the chances that men and women can find decent and effective jobs which can offer freedom, equality, security and prestige [Ghai,2003]. This point of Somavi’s brought about the following 4 strategies in the agenda of ILO. First, Respect the basic principles and, rights in labour life, second, Employment, third, Social security, and fourth, Social Dialogue. These strategies can be explained as follows [ILO,1999]:

- To generate standards, principles and rights in business life,
- To create more alternatives so that women and men can work under humanistic conditions,
- To increase the efficiency and scope of the social security and social protection programs,
- To strengthen the social dialogue among the government, employers and employee.

The basic purpose of the decent work approach is to boost the options for employment around the world. Nonetheless, decent work not only aims “to create job opportunities” but also “to ensure the acceptability of these jobs”. Therefore, decent work should intend to practice employment which can be accepted by many people [Rodgers, 2007]. In this regard, decent work is a composite of a number of aspects related to employment such as income, working conditions, social security, workplace safety, basic labour rights and social dialogue. In this process, this phenomenon analyzes the interrelation among these aspects from a holistic approach [Ghai, 2002 ].

The concept of a decent work introduced as a “Universal goal” by the International Labour Organization [ILO] in 1999 bears the objective and attempts to include almost all sections in a society [the children, the adults, the unemployed, the elderly, the young unemployed, disabled people, and the women workforce]. A decent work for disabled people, one of the sections of people in question in the society is, on the other hand, is possible to define in terms of providing decent employment opportunities to help them to be integrated into the social life. Decent work for disabled people makes a reference to the aim of a sustainable human development. In this connection, when this issue is considered from the perspective of disabled people, a decent work is known to encompass participation, improving the human capital and a vision based on justice and equal rights. Therefore, it is possible to say that the concept of a decent work for disabled people has a special meaning and significance for the risk groups in general and the disabled in specific.

#### **4. Decent Work Deficits for Disabled People**

Today laws, policies, programs and services concerning people with disabilities are undergoing a fundamental change. Increasingly, there is an emphasis on the need to promote their access to education, training, the labour market and all other spheres of

society on an equal basis with others. At the policy level, the goal of inclusion and full participation is being widely adopted. These changes will make a tremendous difference in the lives of disabled people around the globe [ILO, 2009]. The 2011 World Report on Disability provides a body of evidence that people with disabilities experience worse socioeconomic outcomes and poverty than those without disabilities. The onset of disability may lower a person's social and economic status and lead to poverty in a variety of ways, for example by reducing access to education, employment, and earnings or increasing expenses [WHO, 2011].

The cost of the social and workplace exclusion disabled persons face goes beyond the personal, social and economic hardship that individuals and families endure. In many countries, the financial costs of excluding disabled persons from the active labor market are staggering and can be linked to the lack of effective policies on disability matters. The costs are related to maintaining workers' compensation systems that lack effective vocational rehabilitation and return to work services, separate training facilities and workplaces for disabled persons and losses in taxes and other revenues from disabled persons who might otherwise work, if opportunities were open to them. This combination of elements reflects a welfare approach to disability. According to a paper commissioned by the World Bank, the cost of exclusion based on disability is between US\$1.37 trillion to \$1.94 trillion of the global GDP. These economic costs to society are shared by all, including business. [ILO, Employment and Disabled Persons]

People with disabilities represent an estimated 10 per cent of the world's population or some 650 million people worldwide (ILO, 2009):

- Approximately 470 million are of working age.
- The UN estimates that 80 per cent of disabled persons in developing countries live in poverty.
- Around 20 per cent of the world's poor have a disability, according to the World Bank.
- Many disabled persons in developing countries live in rural areas where access to training, work opportunities and services are limited.
- Ninety-eight per cent of children with disabilities in developing countries do not attend school, according to UNESCO.
- People with disabilities are less likely to be in employment than non-disabled persons. They are also more likely to earn lower wages than non-disabled persons.
- Among persons with disabilities, men are almost twice as likely to have jobs as women.

People with disabilities cannot attain decent work if they do not have access to education, training and employment services and other social and development experiences that enable them to acquire employability skills. Other decent work barriers that disabled persons face include [ILO, Employment and Disabled Persons]:

- Fears, stereotypes and discrimination about disability at all levels of society, including among employers
- Lack of effective legislation or policy support to address their rights to full participation in society and the workplace
- Lack of information about people with disabilities, which can render them "invisible" and forgotten

- Lack of access to assistive devices, technology, accommodations, support services and information
- Inaccessible buildings and communication and transportation systems
- Psychosocial issues that can arise from years of social exclusion.

## Conclusion

There are approximately 470 million disabled persons of working age around the world. While information on their employment status is incomplete and international comparisons are difficult to make, it is clear that the deficit of decent work hits disabled people far harder than others. Many women and men with disabilities are unable to find decent jobs even when they have completed training, and frustration and a decline in aspirations can set in. Discouraged by discriminatory barriers and mistaken assumptions about their capacity to work, many withdraw from an active search for jobs, and rely either on disability benefits where these exist, or eke out a livelihood in low value-added work in the informal economy, with support provided by their families and community.

Decent work, in its most general sense, is used to explicate the general conceptual framework referring to individuals' rights of employment, the conditions of health and safety at work, the opportunities of social security and their "rights of expressing themselves" through the trade unions or the representation and participation of other mechanisms. Decent work for disabled people signifies both the employment opportunities that will provide disabled people with *a sufficient income* and *social security* and their integration into the societal whole/social inclusion. It is clear that a decent work for disabled people makes a reference to the aim of a *sustainable human development*.

Today, there are considerable progressions on disabled people rights at global governance level. But there are, yet, some people living without employment and under the poverty limits. So, it is necessary to supply to disabled people productive work opportunities that provide social protection and adequate protecting of basic labour rights.

## References

- [1] Arthur O'R.; (2007), The right to decent work of persons with disabilities International Labour Office, Geneva.
- [2] CGG, (1995), Commission on Global Governance, 'Our Global Neighbourhood: The report of the Commission on Global Governance', Oxford: Oxford University Press, 1995, XIV.
- [3] EU, (2010). <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=COM:2010:0636:FIN:EN:PDF.>
- [4] EU, <http://capacity4dev.ec.europa.eu/disability-and-development-network/>
- [5] Finkelstein, L. S.; (1995), What is Global Governance, in: Global Governance, Vol. 1, No. 3, 1995, pp. 367-372
- [6] Ghai, D., (2002), "Decent Work: Concept, Models And Indicators", International Institute for Labour Studies, Discussion Paper, DP/139/2002, Geneva.
- [7] Ghai, D., (2003), "Decent Work: Concept And Indicators", International Labour Review, vol 142, no 2.
- [8] ILO, (1999). "Decent Work", International Labour Conference 87th Session 1999, Report Of The Director General, Geneva.
- [9] ILO, (2003), "Working Out Of Poverty", International Labour Conference 91st Session 2003, International Labour Office, Geneva.

- [10] ILO, (2009), Promoting Decent Work for People with Disabilities, [http://www.ilo.org/wcmsp5/groups/public/ed\\_emp/ifp\\_skills/documents/publication/wcms\\_111460.pdf](http://www.ilo.org/wcmsp5/groups/public/ed_emp/ifp_skills/documents/publication/wcms_111460.pdf)
- [11] ILO, Employment and Disabled Persons, <http://www.hpod.org/pdf/employment-disabled.pdf>
- [12] ILO, Facts On Disability and Decent Work, [http://www.ilo.org/wcmsp5/groups/public/---ed\\_emp/---ifp\\_skills/documents/publication/wcms\\_117143.pdf](http://www.ilo.org/wcmsp5/groups/public/---ed_emp/---ifp_skills/documents/publication/wcms_117143.pdf)
- [13] Rodgers, G., (2007), "Decent Work, Social Inclusion, And Development", Indian Journal Of Human Development, vol 1, no 1.
- [14] Rosenau, J. N.; (1995), 'Governance in the Twenty-first Century', in: Global Governance, Vol. 1, No. 1, 1995, pp. 13- 43.
- [15] UN, 1948, The Universal Declaration of Human Rights <http://www.un.org/en/documents/udhr/>
- [16] UN, (1994). The Standard Rules on the Equalization of Opportunities for Persons with Disabilities New York
- [17] UN, Convention On The Rights Of Persons With Disabilities <http://www.un.org/disabilities/documents/convention/convoptprot-e.pdf>
- [18] WHO, (2011) , World Report on Disability, [http://www.who.int/disabilities/world\\_report/2011/en/index.html](http://www.who.int/disabilities/world_report/2011/en/index.html)