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**PERSONS WITH DISABILITIES AND THEIR RIGHT TO
WORK: BANGLADESH'S FAILURE TO RESPECT
INTERNATIONAL HUMAN RIGHTS MODEL OF DISABILITY**

Sk. Iftesham Islam[†]

Abstract

In this article, the researcher has tried to expose the bitter truth behind the Right to Work of Persons with Disabilities in Bangladesh. The present article shows the current situation in Bangladesh regarding the Right to Work of Persons with Disabilities, which has never been discussed and brought before the Public. The article emphasizes the human rights approach to ensure the Right to work Under Article 27 of CRPD. Loopholes have been highlighted in the Existing Rights and Protection of Persons with Disabilities Act 2013, which Should be amended. It discusses issues such as inclusive education, employment opportunities, and accessibility. It also explores the role of government policies and civil society organisations in promoting the right to work for Persons with Disabilities.

Keywords: Disability, right to work, Bangladesh, CRPD.

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I. Prologue

Disabilities are part of human diversity. A person with disabilities has equal legal recognition. There is no room for discrimination or discrimination based on disability.¹ However, in Bangladesh's socioeconomic and cultural context, these marginalized sections of the society have come to be regarded only as compassion, welfare, and social security in their personal and civic life.² These people are deprived of family and social life; this country lacks Independent thinkers to stand by their side and support them in their struggle for state honour and the right to work. However, the Constitution calls for a society free from exploitation, where the rule of law and fundamental human rights and justice are guaranteed for all citizens.

Disability is one of the most widely studied topic nationally and internationally nowadays. UN has established the rights and protection of Persons with Disabilities through the United Nations Convention on the Rights and Protection of Persons with Disabilities (UNCRPD). UNCRPD was espoused on 13 December 2006 and entered into force on 3 May 2008.³ When it was made available for ratification on 30th November 2007, the Government of Bangladesh ratified it and contemporaneously agreed to apply in the state. After protracted battles by organisations working with disabled people in Bangladesh, either directly or indirectly, Protibondhi Adhikar O Surokkha Ain 2013 (Rights & Protection of Persons with Disabilities Act, 2013) was established.⁴ Before Disability Rights and Protection

¹ Tom Shakespeare, "Disability and Society: Exploring the Social Model," 25 Dis. & Soc. 603 (2010).

² Gerard Quinn, The Convention on the Rights of Persons with Disabilities: A Paradigm Shift in Disability Rights, 35 Hum. Rts. Q. 24 (2013).

³ Convention on the Rights of Persons with Disabilities, opened for signature Mar. 30, 2007, 2515 U.N.T.S. 3 (entered into force May 3, 2008), accessed Dec. 28, 2022, <https://www.un.org/development/desa/disabilities/convention-on-the-rights-of-persons-with-disabilities.html>.

⁴ The Rights and Protection of Persons with Disabilities Act, 2013, Act No. 39 of 2013 (Bangladesh).

Act 2013 came into force; our government dealt with Protibondhi Kallyan Ain, 2001 (Disability Welfare Act, 2001).⁵

The Constitution is the Supreme Law of the Republic of Bangladesh. The preamble of the Constitution ensures that the rule of law, fundamental human rights and freedom, equality and justice, and political, economic, and social rights shall be secured for all citizens; article 15(d) of the Constitution specifically mentions the right to social security, that is to say, to public assistance in cases of undeserved want arising from unemployment, illness or disablement, or suffered by widows or orphans or in old age, or other such cases.⁶ Article 19, 27, 28, and 29 reiterates similar issues. Here our constitution ensures the rights and protections of persons with disabilities.⁷

II. Persons with Disabilities

Disability, as recognized by the CRPD, is considered an evolving concept. Disability, as per this understanding, is a result of the interplay between the attitudes towards individuals with disabilities, the environmental barriers they face, and the individuals themselves. Section 2(9) of the Rights and Protection of Persons with Disabilities Act in Bangladesh defines disability as the long-term or permanent loss of physical, mental, intellectual, developmental, or sensory abilities due to any cause, along with the mutual effects of environmental barriers and attitudes towards the individual.⁸ This impedes the individual's full and effective participation in society on equal terms with others. Upon analysing the definition, it can be observed that disability has three components. Such as:

⁵ The Disability Welfare Trust Act, 2001

⁶ The Constitution of the Peoples Republic of Bangladesh, 1972, Art-15(d)

⁷ The Constitution of the Peoples Republic of Bangladesh, 1972, Art- 19, 27, 28, 29.

⁸ The Rights and Protection of Persons with Disabilities Act, 2013, Act No. 39 of 2013 (Bangladesh), Section, 2(9).

- a. Physical, mental, intellectual, developmental, or sensory impairment or adversity of the person.
- b. Obsession or environmental barrier.
- c. Barriers to full and effective participation in society based on equality.

However, analysing the definition of CRPD, these three essential elements are found in the definition provided under Section 2(9).

III. Types of Disability

Section 3 of the Rights and Protection of Persons with Disabilities Act enumerates 11 categories of disabilities, including multidimensional disabilities.⁹ Sections 4 to 14 of the same Act furnish detailed explanations of the 11 categories of persons with disabilities, incorporating their distinguishing characteristics. Section 15 of the Act significantly empowers the National Coordinating Committee to declare additional and distinct types of disabilities alongside those already specified in the statute.¹⁰ The evolving concept of disability is recognised by the recognition of the Convention on the Rights of Persons with Disabilities (CRPD), which acknowledges that disability arises from the interplay between the person with a disability, environmental barriers, and societal attitudes towards them. As a consequence, the disability framework in Bangladesh has been updated to reflect changing attitudes and acceptance of various disabilities over time. Notably, autism has been recently recognised as a disability in Bangladesh. The Rights and Protection of Persons with Disabilities Act, 2013 elucidates the 11 types of disabilities, which would aid in comprehending the employment rights of individuals with disabilities. A chart based depiction of the types of disabilities is given below:

⁹ The Rights and Protection of Persons with Disabilities Act, 2013, Act No. 39 of 2013 (Bangladesh), Section, 3.

¹⁰ The Rights and Protection of Persons with Disabilities Act, 2013, Act No. 39 of 2013 (Bangladesh), Section, 15.

| Types of Disability | Obstacles |
|--|--|
| Autism or autism spectrum disorders [Section- 4] | <ul style="list-style-type: none"> i. Restrictions on talking or any communication. ii. Restrictions on the exchange of ideas iii. Intellectual disability and limitations in imaginative activities. iv. The tendency to repeat the same type of work or behaviour. v. Hearing, smell, taste, sight, touch, pain, and movement are less or more sensitive than others. Excessive agitation or excitement, inconsistent laughter, crying. |
| Physical Disability [Section-5] | <ul style="list-style-type: none"> i. Obstruction due to incomplete/partial hand or foot. For example: not being able to give tips without hands. ii. Obstacles due to lack of physical balance. For instance, difficulty in moving the wheelchair user in inaccessible places. |
| Disability due to mental illness [Section - 6] | <ul style="list-style-type: none"> i. Schizophrenia or any such psychology. ii. Clinical Depression, Bipolar Disorder, Post Traumatic Stress, Anxiety or Fear. |
| Visually impaired [Section-6] | Absolutely invisible or partial sight. |
| Speech Impairment [Section- 8] | <ul style="list-style-type: none"> i. Can't speak at once. ii. Restrictions on speaking. iii. Clear restrictions on speaking |

| | |
|--|---|
| | without hindrance. |
| Intellectual Disability [Section- 9] | <ul style="list-style-type: none"> i. Restrictions on age-appropriate activities ii. Limitations to teaching or problem-solving. iii. Communication, social skills, and self-management limitations. iv. IQ is low. |
| Hearing Impairment [Section 10] | <ul style="list-style-type: none"> i. Absolutely cannot hear. ii. Partial hearing. |
| Hearing Impairment & Visual Impaired [Section- 11] | <ul style="list-style-type: none"> i. At the same time absolutely cannot see and hear. ii. Absolutely less to hear and less to see. |
| Cerebral Palsy [Section- 12] | <ul style="list-style-type: none"> i. Difficulty in normal movement. ii. Communication restrictions. iii. Intellectual or other cases may have more or less damage. |
| Down Syndrome [Section- 13] | <ul style="list-style-type: none"> i. Intellectual disability. ii. Weak muscles and short stature. |
| Multidimensional Disability [Section- 14] | Cause any of the above two or more disabilities. |

Table 1: Types of Disabilities¹¹

IV. Current status of PWDs in Bangladesh

Bangladesh, with a population of 169 million, is one of South Asia's most densely populated countries.¹² Approximately 1.78% of the

¹¹ The Rights and Protection of Persons with Disabilities Act, 2013, Act No. 39 of 2013 (Bangladesh), Section, 4-14.

country's population is disabled, and to secure their rights, the RPPWD Act was enacted in 2013.¹³ Despite the enactment of this law, persons with disabilities in Bangladesh still face numerous challenges that deprive them of their rights.¹⁴ Socially, PWDs are viewed as a burden to society, and their rights are frequently overlooked. Addressing the rights of persons with disabilities is one of Bangladesh's most commonly forgotten development agendas.¹⁵ Unfortunately, issues concerning persons with disabilities are not managed by mainstream human rights, women's rights, child rights, religious minorities' rights, or indigenous peoples' rights organisations. However; in Bangladesh, persons with disabilities have equal rights and access to all the entitlements, freedoms, and rights enshrined in the Constitution. Furthermore, any other international treaty or instrument concerning human rights to which the Government becomes a party must be equally accessible to PWDs.¹⁶ Nevertheless, the major reason that persons with disabilities in Bangladesh are unable to exercise their right to work and entitlements is the inaccessibility of infrastructure.¹⁷ The current statistics of PWD in Bangladesh are given below¹⁸:

¹² World Development Indicators (World Bank), <https://databank.worldbank.org/source/world-development-indicators> (last visited Jan. 05, 2023).

¹³ Disability Information System, Bangladesh, <https://www.dis.gov.bd/> (Last Visited May 2, 2023)

¹⁴ Md Abdul Jalil, 'disabled people's access to public sector employment in Bangladesh: why so little changes?', 2012 [Online]. Available: <https://www.academia.edu/8221>.

¹⁵ Arafat Hossain, "Legal Empowerment of Persons with Disabilities in Bangladesh," 10 Bangladesh L. Rev. 345 (2021).

¹⁶ RPPWD is a Short Form of The Rights & Protection of Persons with Disability Act, 2013

¹⁷ Shamim Ahmed, "Rights of Persons with Disabilities in Bangladesh: Progress and Challenges," 12 Bangladesh J. Bioeth. 45 (2022).

¹⁸ PWD is a Short form of Persons with Disabilities

| Gender | Autism | Physical Disable | Disability due to Chronic mental Illness | Visual Impairment | Speech Impairment | Intellectual Disability | Hearing Impairment | Hearing and Visual Impairment | Cerebral Palsy | Multidimensional Disability | Down Syndrome | Others | In Total |
|--------------|--------|------------------|--|-------------------|-------------------|-------------------------|--------------------|-------------------------------|----------------|-----------------------------|---------------|--------|----------|
| Male | 48131 | 973061 | 66437 | 236859 | 105432 | 119515 | 62633 | 7132 | 69268 | 135340 | 3359 | 10496 | 1837663 |
| Female | 30371 | 546040 | 44603 | 1173524 | 77942 | 87815 | 52728 | 5822 | 44360 | 97922 | 2677 | 7367 | 1171171 |
| Third Gender | 53 | 1317 | 91 | 124 | 104 | 240 | 64 | 5 | 30 | 127 | 9 | 627 | 2791 |
| In Total | 78555 | 1520418 | 111131 | 410507 | 183478 | 207570 | 115425 | 12959 | 113658 | 233389 | 6045 | 18490 | 3011625 |

Table 2: Current Statistics of Disabled Persons in Bangladesh¹⁹

V. Educational Qualification of PWDs in Bangladesh

Education is a fundamental human right and a key factor for personal and social development. In Bangladesh, the education system is categorised into primary, secondary, and higher education levels, with persons with disabilities (PWDs) also having the right to access education.²⁰ However, the education system in Bangladesh still lacks total inclusivity for PWDs, and they encounter various challenges in accessing and completing their education.²¹ The Bangladesh Bureau of Statistics (BBS) 2015 report indicates that a significantly low percentage of PWDs in Bangladesh have received an education considerably lower than the national average.²² PWDs confront multiple barriers to accessing education, including physical

¹⁹ Disability Information System, Bangladesh, <https://www.dis.gov.bd/> (Last Visited May 2, 2023)

²⁰ Nazneen Akhter, "Inclusive Education for Children with Disabilities in Bangladesh: Challenges and Opportunities," 8 J. Progressive Res. Soc. Sci. 112 (2019).

²¹ Id.

²² BBS. Disability in Bangladesh: Prevalence and Pattern. Population Monograph: Volume 5. Bangladesh Bureau of Statistics, 2015.

accessibility, inadequate support services, and a lack of specialised teachers. Furthermore, social stigma and discrimination contribute significantly to limiting the educational opportunities of PWDs.²³

One of the most significant challenges PWDs face in Bangladesh is physical accessibility. Many schools and higher education institutions are not equipped with physical accessibility features, such as ramps and elevators, making it challenging for PWDs to attend classes.²⁴ This lack of accessibility results in many PWDs being unable to participate in school or university and ultimately dropping out early. Another major obstacle is the scarcity of specialised teachers trained to work with PWDs.²⁵ The limited availability of qualified teachers with the necessary skills and knowledge to support PWDs in the classroom negatively impacts their educational outcomes, impeding their overall development and future opportunities.²⁶

Inadequate support services also pose a challenge for PWDs in Bangladesh. Support services such as counselling, special education, and rehabilitation services are limited or unavailable in many areas, making it difficult for PWDs to access education and complete their studies.²⁷ This is particularly challenging for PWDs with intellectual

²³ S. Bhuiyan, "Convention on the Rights of the Child 1989: Bangladesh compatibility and gap analysis" (Ministry of Law, Justice and Parliamentary Affairs, Dhaka, 2016).

²⁴ Id.

²⁵ Bangladesh Report submitted for the Ninth Consultation on the Implementation of the Convention and Recommendation against Discrimination in Education (2012–2015), 2016, p. 6, as cited in UNESCO, Education Rights Database, www.unesco.org/education/edurights/index.php?action=countries&lng=en

²⁶ Kazi Reazul Hoque, Disability Rights in Bangladesh: Achievements, Challenges, and the Way Forward, 15 Disability, CBR & Inclusive Dev. J. 230 (2021).

²⁷ UNESCO, Global Education Monitoring Report, Inclusion and Education: All means all, 3rd ed. (United Nations Educational, Scientific and Cultural Organization, Paris, 2020), available at <https://unesdoc.unesco.org/ark:/48223/pf0000373718>.

or mental disabilities, who require specialised support services to succeed in the classroom.²⁸

Social stigma and discrimination also play a significant role in limiting the educational opportunities of PWDs in Bangladesh. Many families and communities view PWDs as a burden, and they are often isolated and excluded from social activities and events. This social stigma and discrimination often lead to low self-esteem, lack of motivation, and a negative impact on their overall development.²⁹ To address these challenges and ensure that PWDs have access to quality education in Bangladesh, several and non-government organizations have launched several initiatives. The government has implemented various policies and programs to support PWDs in assing education, including providing special education and rehabilitation services, scholarships, and constructing physically accessible schools.³⁰ Although the actual figures for these steps are negligible, the future of PWDs is locked in this cycle of taking sections making these steps a reality. Non-governmental organisations have also been working to raise awareness about the rights of PWDs, provide support services, and promote inclusive education. PWDs in Bangladesh face many challenges in accessing and completing their education. These challenges include physical accessibility, lack of specialised teachers, inadequate support services, and social stigma and discrimination.³¹ However, the government and non-government organisations are working to address these challenges and ensure PWDs have access to quality education. The Educational Qualification of Persons with Disabilities is provided in the next table.

²⁸ BRAC. Study on the Rights and Protection of the Persons with Disabilities Act 2013: Adaptation, Application and Recommendation (2018).

²⁹ Id.

³⁰ Amina Ahmed Chowdhury, Inclusive Education for Children with Disabilities in Bangladesh: Current Status and Future Directions, 42 J. Inclusive Educ. 321 (2021).

³¹ Id.

VI. Disability Types by Educational Qualification in Bangladesh

| Types of Disability | Illiterate | Educated | PSC/ Class:5 | JSC/ Class:8 | SSC | HSC | Honor's | Masters | Special Education | Others |
|--|------------|----------|-----------------|-----------------|------|------|---------|---------|-------------------|--------|
| (1) Autism | 63329 | 15226 | 2600 | 1456 | 872 | 342 | 96 | 14 | 9846 | 0 |
| (2) Physical Disable | 1463292 | 57126 | 45438 | 7946 | 1822 | 666 | 579 | 37 | 562 | 0 |
| (3) Disability due to Chronic mental Illness | 109459 | 1672 | 882 | 327 | 117 | 126 | 34 | 0 | 186 | 0 |
| (4) Visual Impairment | 396658 | 13849 | 5786 | 3164 | 382 | 127 | 117 | 184 | 4092 | 0 |
| (5) Speech Impairment | 168151 | 15327 | 3253 | 1048 | 852 | 760 | 486 | 92 | 8786 | 10 |
| (6) Intellectual Disability | 199093 | 8477 | 2842 | 452 | 250 | 156 | 26 | 8 | 4743 | 0 |
| (7) Hearing Impairment | 92753 | 22672 | 5615 | 4386 | 2743 | 1494 | 896 | 86 | 7438 | 14 |
| (8) Hearing and Visual Impairment | 11471 | 1488 | 312 | 204 | 126 | 64 | 23 | 8 | 751 | 0 |
| (9) Cerebral Palsy | 105901 | 7757 | 2322 | 1146 | 682 | 292 | 52 | 7 | 3256 | 4 |
| (10) Multidimensional Disability | 232133 | 1256 | 46 | 32 | 24 | 9 | 0 | 0 | 1123 | 0 |
| (11) Down Syndrome | 5003 | 1042 | 26 | 17 | 9 | 4 | 0 | 0 | 986 | 0 |
| (12) Others | 18426 | 64 | 34 | 14 | 8 | 2 | 0 | 0 | 5 | 1 |

Table 3: Disability Types by Educational Qualification in Bangladesh³²

³² Disability Information System, Bangladesh, <https://www.dis.gov.bd/> (Last Visited May 2, 2023)

VII. Employment Status of PWD in Bangladesh

The employment status of persons with disabilities (PWDs) in Bangladesh is a complex issue requiring government and society attention. Despite some efforts to improve their employment opportunities, PWDs face significant challenges in finding and maintaining employment.³³

In Bangladesh, the employment rate for PWDs is significantly lower than the general population. According to the World Bank, the labour force participation rate for PWDs in Bangladesh is only 29%, compared to the national average of 63%. This disparity is due to several factors, including the lack of physical accessibility in the workplace, negative attitudes and stereotypes towards PWDs, and a shortage of job opportunities suitable for their abilities and skills.³⁴

In recent years, the Bangladesh government has implemented various initiatives aimed at improving the employment status of PWDs. For example, the government has enacted legislation that mandates a certain percentage of jobs in both public and private sectors to be reserved for PWDs.³⁵

The government has also established special training programs to help PWDs acquire new skills and improve their chances of finding employment.³⁶ However, implementing these initiatives has been

³³ Employment Situation of People with Disabilities in Bangladesh, Study conducted by: Centre for Services and Information on Disability (CSID)

³⁴ BBS.(2015). Disability in Bangladesh: Prevalence and Pattern, Bangladesh Bureau of Statistics. Population Monograph: Volume 5.

³⁵ Jobs and skills for people with disability in Bangladesh, The Financial Express BD (Aug 16, 2021), Last accessed, 06 May, 2023

³⁶ Md Abdul Jalil, 'Disabled People's Access to Public Sector Employment in Bangladesh: Why So Little Changes?' (2012), available at https://www.academia.edu/8221130/DISABLED_PEOPLES_ACCESS_TO_PUBLIC_SECTOR_EMPLOYMENT_IN_BANGLADESH_WHY_SO_LITTLE_CHANGES.

slow and inconsistent, and the employment rate of PWDs needs to be higher.³⁷

In addition to the lack of government action, societal attitudes towards PWDs also contribute to the employment gap.³⁸ Many employers and coworkers hold negative stereotypes towards PWDs, believing they are less capable and less productive than their non-disabled counterparts.³⁹ This prejudice is often reinforced by a lack of exposure to PWDs in the workplace and a lack of understanding of their capabilities and potential.⁴⁰

The government and society must take proactive measures to address the employment gap for PWDs in Bangladesh. The government should prioritise implementing its initiatives aimed at improving the employment opportunities for PWDs, and ensure that employers are held accountable for their compliance with these initiatives. Additionally, society must work to change attitudes towards PWDs by promoting greater understanding and exposure to PWDs in the workplace and beyond.⁴¹

VIII. Current Employment Statistics of Persons with Disabilities in Bangladesh

³⁷ Stephen James Thompson.(2020). Disability Inclusive Development Situational Analysis Bangladesh, Institute of Development Studies, Bangladesh Situational Analysis, Version II.

³⁸ Disability-inclusive employment, New Age BD, Published: May 07, 2022, Last Accessed, 07 May 2023, <https://www.newagebd.net/article/169774/disability-inclusive-employment>

³⁹ CSID, Employment Situation of People with Disabilities in Bangladesh (2002).

⁴⁰ Md. Faruqul Islam, "Employment Rights of Persons with Disabilities in Bangladesh: A Critical Analysis," 38 J. Disability Pol'y Stud. 456 (2019).

⁴¹ United Nations (UN). (2020). "Human Rights and Disabled Persons-International Human Rights Standards", United Nations Enable. Retrieved from <<https://www.un.org/esa/socdev/enable/dispaperdes1.htm>> Accessed 4 feb, 2023.

| Gender | Agriculture | Business | Govt. Job | Non-Gov Job | Teaching | Doctor | Engineer | Lawyer | House Work | Begging | Artist | Small Business or Shop | Others |
|------------------------|-------------|----------|-----------|-------------|----------|---------|----------|--------|------------|---------|--------|------------------------|--------|
| Male | 14722 | 756 | 1482 | 517 | 786 | 27 | 67 | 24 | 3872 | 376842 | 14 | 642 | 0 |
| Female | 6328 | 426 | 1004 | 312 | 504 | 14 | 35 | 14 | 98562 | 278852 | 84 | 237 | 0 |
| In Total | 21050 | 1182 | 2486 | 829 | 1290 | 41 | 102 | 38 | 102434 | 655694 | 98 | 879 | 0 |
| Average Monthly Income | 8K-4K | 12K-5K | 15K-8K | 8K-6K | 1K-3K | 20K-17K | 22K-19K | 14K-9K | 1K-500 | 2K-1.5K | 2K-1K | 3K-4K | 0 |

Table 4: Current Employment Statistics of Persons with Disabilities in Bangladesh⁴²

IX. Right to Work of Persons with Disabilities Under CRPD

The right to work is a fundamental human right for an individual's economic and social development. Article 27 of the CRPD recognises the right of persons with disabilities to engage in work based on their ability with others.⁴³ PWDs, like everyone else, have the right to work, and the CRPD recognises that PWDs should have the same opportunities to participate in the workforce as non-disabled individuals.⁴⁴ Inclusive and accessible employment opportunities ensure PWDs can earn a living, contribute to their communities, and gain financial independence.⁴⁵ The CRPD not only

⁴² Disability Information System, Bangladesh, <https://www.dis.gov.bd/> (Last Visited May 2, 2023)

⁴³ Convention on the Rights of Persons with Disabilities, Art- 27.

⁴⁴ Catalina Devandas Aguilar, "Promoting the Rights of Persons with Disabilities: A Call to Action," 2 Dis. & Global South 123 (2015).

⁴⁵ CSID. 'Employment Opportunities for Persons with Disabilities in Bangladesh: A Study in the Ready Made Garment and Leather Industry', 2016.

recognises the right of PWDs to work but also emphasises the importance of a working environment that is open, inclusive, and accessible to all.⁴⁶ This means employers must make reasonable accommodations to ensure PWDs can participate fully in the workforce.⁴⁷ Reasonable accommodations may include making physical modifications to the workplace, providing assistive devices or services, and adjusting work schedules or duties to meet the needs of PWDs. In addition to ensuring an inclusive work environment, the CRPD also recognises the right of PWDs to social protection and support. This includes access to vocational training, rehabilitation, and employment services designed to meet the needs of PWDs.⁴⁸ The CRPD recognises that PWDs may require additional support to enter and remain in the workforce and that social protection and support are crucial in ensuring the full participation of PWDs in the labour market.⁴⁹

Despite recognising the right to work under the CRPD, PWDs need help accessing employment opportunities. Discrimination, social stigma, and lack of accessibility continue to limit the employment opportunities of PWDs. Additionally, many PWDs lack access to vocational training and rehabilitation services that would enable them to fully acquire the skills and knowledge necessary to participate in the workforce.⁵⁰ The scope of this section of the CRPD is quite broad, From notification of recruitment to the right to reasonable accommodation in the workplace after getting a job, training for professional excellence, continued employment in case

⁴⁶ O'Mahony, H. 'Disabilities in the workplace: are we failing our disabled workforce?', 2017. The Guardian. [Online]. Available: <https://jobs.theguardian.com/article/disabilities-in-the-workplace-are-we-failing-our-disabled-workforce-/>

⁴⁷ Theresia Degener, Legal Capacity of Persons with Disabilities: The Way Forward, 21 Eur. Hum. Rts. L. Rev. 345 (2019).

⁴⁸ 'Employment Opportunities for Persons with Disabilities in Bangladesh: A Study in the Ready Made Garment and Leather Industry', CSID 2016

⁴⁹ Ibid

⁵⁰ Ibid

of employment disability, and even exemption from compulsory labour. Self-employment, business, and the formation of cooperatives are also included in this right.⁵¹

X. Right to Work of Persons with Disabilities Under the Constitution of Bangladesh

The Constitution is considered as the supreme law of Bangladesh. Some Articles indicate the right to work for persons with disabilities in Bangladesh. Those Articles are 15(b), 19(1), 20(1), 27, 28(1), (4), 29, and 40; These articles express the rights of persons with disabilities.⁵² The Constitution prohibits discrimination based on religion, race, caste, sex, place of birth, and disability. Although the word "Disabled or Disability" is not used anywhere in the Constitution of Bangladesh.

XI. Right to work of Persons with Disabilities Under the Rights & Protection of Persons with Disabilities Act, 2013

The Rights and Protection of Persons with Disabilities Act, 2013 is a significant legislative achievement by the government of Bangladesh. Enacted on October 3, 2013, the Act aims to protect and promote the rights of persons with disabilities, establishing a legal framework for their empowerment and inclusion in society. Through this law, Bangladesh has adopted a rights-based approach towards the disabled community, moving away from the traditional welfare-oriented system. The Act reflects many of the principles enshrined in the Convention on the Rights of Persons with Disabilities (CRPD) and other international standards. Article 27 of the CRPD outlines

⁵¹ Jennifer Sheehy, Disability in the Workplace: Breaking Barriers and Fostering Inclusion, 55 Emp. Rel. L.J. 123 (2022).

⁵² The Constitution of the Peoples Republic of Bangladesh, 1972, Art-15(b), 19(1), 20(1), 27, 28(1), (4), 29, 40.

three critical rights related to the right to work of persons with disabilities, which are recognised and protected under the Rights and Protection of Persons with Disabilities Act.⁵³

- a. Article 16(1)(j) Engagement in public and private activities.
- b. Section 16(1)(j) Employment of persons with occupational disability, otherwise entire subsistence and appropriate compensation.
- c. Section 16 (1)(D) is applicable in all areas, including education and workplace, suitable environment for the necessary comfort, and adequate facilities (reasonable accommodation).

XII. PWD Discrimination in Bangladesh

Persons with disabilities and their right to work in Bangladesh are subject to many challenges and discriminatory practices that impede their access to adequate support and equal opportunities.⁵⁴ Despite being one of the world's most densely populated countries, Bangladesh has yet to offer good accessibility and facilities to its disabled citizens.⁵⁵ The dearth of accessible infrastructure and adequate amenities presents a daily challenge to disabled individuals, making them one of society's most marginalised and neglected groups.

⁵³ Section-16(1)(I,J,D) The Rights and Protection of Persons with Disabilities Act,2013.

⁵⁴ Khandaker Jahurul Alam, 'Bangladesh and Persons with Disabilities' (2009), available at <https://www.hurights.or.jp/archives/focus/section2/2009/03/bangladesh-and-persons-with-disabilities.html>

⁵⁵ Saima Wazed Hossain, Rights and Social Inclusion of Persons with Disabilities in Bangladesh, 44 Dhaka U. J. Psychol. 78 (2020).

Discrimination against persons with disabilities in Bangladesh is an endemic issue that plagues them from a young age.⁵⁶ A lack of accessible schools and facilities deprives many disabled children of their right to education, curtailing their potential and prospects, perpetuating their marginalisation, and limiting their future opportunities.⁵⁷ In addition, disabled individuals often face employment discrimination, hindering their ability to earn a living, perpetuating the cycle of poverty and deprivation, and leaving many struggling to meet their basic needs.⁵⁸

Negative societal attitudes towards them compound the physical and social barriers confronting disabled individuals in Bangladesh. Widespread stigmatisation and negative attitudes exacerbate social exclusion and discrimination, hindering their participation in community life and access to essential services such as healthcare.⁵⁹ Women and girls with disabilities face additional discrimination and challenges due to the intersection of their gender and disability.⁶⁰

Case Studies

Three case studies are discussed next to bring home the point better:

⁵⁶ Norhasyikin Rozali, Shuhairimi Abdullah, Siti Intan Diyana Ishak, Alia Ashrani Azmi, Nurul Husna Akhmar, 'Challenges faced By People with Disability for Getting Jobs: Entrepreneurship Solution for Unemployment' (2019), available at <https://ideas.repec.org/a/hur/ijarbs/v7y2017i3p333-339.html>.

⁵⁷ MA Choudhuri. (2009). National legislative measures on disability and its harmonization with Convention on the Rights of Persons with Disabilities (CRPD) in Bangladesh, UNESCAP.

⁵⁸ Towhid Bin Muzaffar, "Disability Rights in Bangladesh: Progress, Challenges, and the Way Forward," 35 Bangladesh Dev. Stud. 678 (2017).

⁵⁹ Common Barriers to Participation Experienced by People with Disabilities' (Centers for Disease Control and Prevention), available at <https://www.cdc.gov/ncbddd/disabilityandhealth/disability-barriers.html>

⁶⁰ Nahid Ferdousi, Access to Justice for Persons with Disabilities in Bangladesh: A Human Rights Perspective, 40 Law & Soc. Rev. 567 (2020).

- A. Swapan Chowkidar is a visually impaired lawyer. He passed the Secondary Madhyamik School Certificate (S.S.C.) examination in 1999 with star marks and the Higher Secondary Examination (H.S.C.) examination in 2001 with the first division. Swapan Chowkidar joined the Law Department of Dhaka University in 2002 and obtained his L.L.B. (Hons) and L.L.M. degrees in 2008 and 2009, respectively. In 2009, Swapan Chowkidar was enrolled as a lawyer in Bangladesh Bar Council through written and oral examinations. Then he Swapan studied Braille. He used Shrutu scribe at all levels and in all competitive exams during his academic career.

Swapan dreamed of becoming a B.C.S. officer like ordinary students. After the publication of the 32nd B.C.S. exam notification, he applied following the proper rules and all the conditions. But the P.S.C. refused to issue him the admit card on the pretext of legal impediment. Given this incident, Bangladesh Legal Aid and Services Trust (BLAST), Law and Arbitration Center, and Action on Disability and Development (A.D.D.) jointly issued Bangladesh Public Service Commission (Age, Qualification and Government Recruitment Test) Rules-Schedule-3 of 1982. Who challenged and filed a writ in the High Court. Because the P.S.C. has been discriminating in the recruitment of disabled people in government jobs on the pretext of this recruitment rule, his discrimination is cited in this writ petition as a violation of Articles 15, 19(2), 27, and 29 of the Constitution. It is also mentioned that the concerned authorities of the government have failed to provide the necessary comfort to disabled persons in violation of the then-prevailing Disability Welfare Act 2001 and rights provided under CRPD.

Given the writ petition, the Hon'ble High Court, on 8th 2010, issued an order to show cause as to why schedule-3 of the Bangladesh Public Service Commission Rules, 1982 should be declared unconstitutional as much as inconsistent with the Constitution. The court ordered the authorities concerned to

identify the P.S.C. cadre service path suitable for persons with disabilities. Earlier, the court 25.04.2010 directed the President and Secretary of the National Handicapped Welfare Committee to report within 30 days about the measures taken to implement the obligations mentioned in Section 6(2) and Schedule-3 of the Handicapped Welfare Act, 2001. Currently, the case is pending for hearing. But meanwhile, the B.C.S. allows the use of auditory scribes to facilitate the visually impaired to appear in the examination.⁶¹

- B.** Md. Nuru Rahman, with a physical disability, was denied the appointment for the post of A.M.M. (Assistant Manager Mechanical) in BGFCL (Bangladesh Gas Field Company Limited); they filed a writ petition, along with Ain o Salish Kendra (A.S.K.) and blasted, challenging the denial of appointment. Mr Rahman obtained his Secondary School Certificate (S.S.C.) and Higher Secondary Certificate (H.S.C.) with First Divisions in 1994 and 1996, respectively. Following errors in his medical treatment, he had a physical disability beginning in the year 1999.

He was admitted to the Bangladesh University of Engineering and Technology Dhaka and obtained B.Sc. in NAME (Naval Architecture and Marine Engineering) in 2004. He was appointed as an Upazilla Rural Development Officer on Bangladesh Rural Development Board; his responsibilities included regular field visits and the Civil Surgeon recording his physical disability noted that his physical condition would not be a barrier to discharging his duties. He applied for the post with BGFCL, meeting all the eligibility criteria stated in the advertisement published in the Daily Ittefaq. He was allowed to take part in both written and viva exams and was asked to undergo a physical

⁶¹ BLAST and Others v. Bangladesh and Others, Writ Petition No. 2867 of 2010 (Supreme Court of Bangladesh).

examination. Following a medical checkup and a report by the internal doctor of the BGFCL that the petitioner was disabled, the petitioner was not asked to join. The petitioners sent a notice demanding justice to the Ministry of Power, Energy, and Mineral Resources, the Ministry of Social Welfare, Bangladesh Oil, Gas, and Mineral Corporation, and BGFCL. The Social Welfare Ministry (Disability Section) sent a letter to the Ministry of Power, Energy, and Mineral Resources to consider the Disability Welfare Act, 2001, regarding the petitioner's disability and quotas under the Act, but no step was taken. The High Court issued a Rule on 9.4.2008 for the respondents to show cause for their refusal to give an appointment to Mr Rahman. The case is still pending for hearing.⁶²

- C. In Dhaka University, known as the Oxford of the East, finding unemployed people is difficult. But Shaheen Alam (a visually impaired), who graduated from this university and completed his post-graduation, had to go on a hunger strike for a job at Shahid Minar in his town (Maheshpur upazila of Jhenaidah). Shaheen Alam demanded to create employment for people with disabilities. He asked why should he be unemployed after obtaining the highest degree from the highest university in the country despite not having eyesight. He won't get a job because he's disabled; it can't be.⁶³

This news was published in almost all dailies of the nation, Shaheen Alam has been able to protest and highlight his rightful rights, but thousands of Shaheen Alams all over the country may still be deprived of their right to work.

⁶² BLAST, and others v. Bangladesh and others [‘Disability Based Discrimination in Employment’ Case], Writ Petition No. 2652 of 2008 (Supreme Court of Bangladesh).

⁶³ Hunger strike of visually impaired students of Dhaka University, Ittefaq, available at <https://bit.ly/44AyOwG>.

Despite being a signatory to the UN Convention on the Rights of Persons with Disabilities, the Government of Bangladesh has been criticised for inadequate measures to safeguard the rights of disabled individuals. This includes a dearth of appropriate policies and legislation to ensure the protection and promotion of their rights and insufficient allocation of resources to support disabled individuals, including providing accessible infrastructure and facilities.

The Committee on the Rights of Persons with Disabilities (CRPD) has reviewed the initial report of Bangladesh on its implementation of the Convention on the Rights of Persons with Disabilities (CRPD). Based on its review, the CRPD has issued concluding observations summarising its findings and recommendations for the Government of Bangladesh to improve its compliance with the CRPD.

The CRPD also identifies several areas where Bangladesh needs to take further action to ensure the rights of persons with disabilities are respected, protected and fulfilled.

Some of the main concerns highlighted in the CRPD's concluding observations include:⁶⁴

- A. Legal Framework:** The CRPD notes that the current legal framework in Bangladesh is not fully aligned with the CRPD and lacks provisions for protecting the rights of persons with disabilities. The CRPD recommends that Bangladesh harmonise its legal framework with the CRPD.
- B. Accessibility:** The CRPD expresses concern about the lack of accessibility of the built environment, transportation, information, and communication technologies, which makes it difficult for persons with disabilities to access public services and participate fully in society. The CRPD recommends that

⁶⁴ Committee on the Rights of Persons with Disabilities, Concluding observations on the initial report of Bangladesh, available at <https://bit.ly/44FeZnT>

Bangladesh ensure accessibility for persons with disabilities in all areas of life.

- C. Education: The CRPD notes that many children with disabilities in Bangladesh do not have access to education, and those who do often face discrimination and segregation. The CRPD recommends that Bangladesh ensure inclusive education for all children with disabilities, with reasonable accommodations and support.
- D. Employment: The CRPD expresses concern about the low rate of work of persons with disabilities in Bangladesh and the lack of reasonable accommodations in the workplace. The CRPD recommends that Bangladesh promote employment opportunities and provide reasonable accommodations to enable persons with disabilities to work.
- E. Violence and abuse: The CRPD note that persons with disabilities in Bangladesh are at a higher risk of violence, abuse, and exploitation and that there is a lack of access to justice and support services for survivors. The CRPD recommends that Bangladesh strengthen its legal framework to ensure that all forms of violence and abuse against persons with disabilities are criminalised and that access to justice and support services is provided.

XIII. Loopholes under PWD Act, 2013

There might have some amendments to this law. Those Suggestions for modifications are given below:

The preamble to the Rights and Protection of Persons with Disabilities Act, 2013, states that the law has been enacted due to Bangladesh's signing of the CRPD. But just as not all the provisions of the CRPD are included in the law, the rights and protections of persons with disabilities are not fully reflected in the intent of the requirements of the CRPD. For example, rational arrangements have

been mentioned in the Rights and Protection of Persons with Disabilities Act only as an additional and unique benefit.⁶⁵

Since the Disability Rights and Protection Act 2013 is based on the CRPD. Therefore, all paragraphs of the CRPD must be included in this Act. The CRPD's Articles' whole meaning must be fully reflected in the Disability Rights and Protection Act.

Although the CRPD protects women and children with disabilities in two separate sections, the Rights and Protection of Persons with Disabilities Act does not add any provisions on the rights and protection of persons with disabilities.⁶⁶

Although CRPD provides for the protection of women and children with disabilities in two separate sections, it does not address the issue of the Rights and Protection of Persons with Disabilities Act, which is not entirely reasonable. Therefore, it is imperative to immediately include the case of women and children with disabilities in this law.⁶⁷

Although CRPD prohibits discrimination in all public and private life spheres, the private sector's obligation under the Rights and Protection of Persons with Disabilities Act is unambiguous.⁶⁸

Although CRPD prohibits discrimination in all spheres, public and private, the obligation of the private sector under the Disability Rights and Protection Act is unclear. And so the private sector needs to be obligated in this regard.

⁶⁵ OHCHR, "Convention on the Rights of Persons with Disabilities," Office of the United Nations High Commissioner for Human Rights, available at <https://www.ohchr.org/en/instruments-mechanisms/instruments/convention-rights-persons-disabilities> (last visited 07 May 2023).

⁶⁶ Anika Rahman and Polloby Ahmed, Women With Disabilities in Bangladesh, 13:4 Canadian Woman Studies/Les Cahiers De Law Femme, 47-48 (1993)

⁶⁷ Id.

⁶⁸ Id.

The implementation of the law is highly committee dependent. All these committees comprise critical persons in charge of their respective fields of work/offices. As a result, it is almost impossible for the busiest people to have regular committee meetings and enough time to discuss. It should be noted that the quorum of these committees is in the presence of at least one-third of the members, and the committee's decision needs to be taken by a majority vote. There is a substantial danger that the law's implementation will be hampered due to a lack of regular meetings and decision-making.⁶⁹

Since this law is highly dependent on the committee, it isn't easy to organise a meeting of all the committee members. Due to the lack of regular meetings and decision-making, the implementation of this law is in danger of being hampered. And so, this act of committee reliance on this law needs to be reformed.⁷⁰

The redressal of discrimination under section 36 has been entrusted to the district committee.⁷¹ But whether the members of the committee, who are under excessive work pressure in their respective areas of work, will be able to provide the necessary time for resolving the grievances has not been considered. The law also does not specify the training and coordination required to ensure the knowledge and skills needed to deal with a disability to resolve Section 36 complaints. It is also unclear how the cost of carrying out the functions of the committees will be borne. As a result, the implementation of section 36 may be disrupted due to justifiable reasons. These barriers and uncertainties will reduce the likelihood

⁶⁹ The Rights and Protection of Persons with Disabilities Act, 2013, Act No. 39 of 2013 (Bangladesh), Schedule 10.

⁷⁰ Id.

⁷¹ The Rights and Protection of Persons with Disabilities Act, 2013, Act No. 39 of 2013 (Bangladesh), Section, 36.

that the provision for eliminating discrimination due to disability will be fulfilled.⁷²

A committee has been constituted in each district to seek redressal of discrimination under Section 36 of the Act. The committee did not mention any training on how to prevent discrimination. It needs to be made clear how the expenses of this committee will be borne. And so, section 36 needs to be reformed.⁷³ There is no mention of the consequences if the District Committee or the National Executive Committee does not take any action on the application for compensation filed under section 36 or if there is an excessive delay in taking action. In the case of such delays, if there is no opportunity to take action against the authorities, eliminating discrimination will not be possible, and the intent of the law will not be implemented.

The District Committee of the National Committee did not mention the consequences of any delay in the application for compensation filed under Section 36, which did not mention any possibility of action against the authorities for resolving the uncertainty. And for this, this part of section 36 needs to be reformed.⁷⁴ The law does not explicitly mention the consequences of violating accessibility provisions. As a result, there are fears about implementing the requirements of the law. The consequences of violating accessibility provisions are not explicitly mentioned. As a result, there are concerns about the implementation of this provision, and therefore the reform of this provision is very urgent.⁷⁵

⁷² The Rights and Protection of Persons with Disabilities Act, 2013, Act No. 39 of 2013 (Bangladesh), Section, 30.

⁷³ Id.

⁷⁴ The Rights and Protection of Persons with Disabilities Act, 2013, Act No. 39 of 2013 (Bangladesh), Schedule-8

⁷⁵ The Rights and Protection of Persons with Disabilities Act, 2013, Act No. 39 of 2013 (Bangladesh), Section,16(1)f.

There is talk of making rules in the law, Rules have also been made. But it did not provide the necessary and complete instructions for implementing all sections of the law. As a result, there is a lack of rules, and the implementation of various vital sections, including section 36, is being hampered. For example, as stated in the law, the application for compensation under section 36 is related to the zone. It has to be submitted to the committee. But it was the responsibility of the rules to clear which district committee was concerned. The rules also did not provide any explanation in this regard. As a result, the victims suffer due to uncertainty about the district where they will apply and are discouraged from submitting the application.⁷⁶ It has been said that the rules of this law have been made, and the authorities have been made. But these rules need to be implemented and implemented correctly; therefore, steps have to be taken to ensure proper implementation and implementation of these rules.

Thus, those are some suggestions for amendments. No law in the world is self-sufficient. Every law has errors, and it is the state's responsibility to correct them and make them timely.

XIV. Responsibility of the Government

The right to work is a fundamental human right that empowers individuals to lead fulfilling lives, contribute to society, and achieve economic independence. Equal opportunity is guaranteed for all persons under Article 29 (1) of the Bangladesh Constitution regarding employment or position in the Republic's service.⁷⁷ In light of this, governments must take on the responsibility of ensuring the right to work for persons with disabilities. The government of Bangladesh is running a monthly allowance-based program for PWDs. Still, the allowance amount is negligible in this situation of 2023, nothing but a disgrace for a disabled person.

⁷⁶ The Rights and Protection of Persons with Disabilities Act, 2013, Act No. 39 of 2013 (Bangladesh), Section,36.

⁷⁷ The Constitution of the Peoples Republic of Bangladesh,1972, Art-29(1),

National Budget for PWDs in Bangladesh

The Government of Bangladesh started National Budget for PWDs and Monthly Allowance for PWDs in Financial Year 2005/2006. Though recently, the monthly allowance is increased to 850 Taka Per Month. Bangladesh's government uses the "Nagad" mobile financial service to pay monthly allocation. Usually, this process is not PWDs Friendly for withdrawing money because most PWDs are not used to this service, many PWDs do not have a mobile SIM in their name, and their disability allowance is credited to another registered SIM. This Disability Allowance program is provided to certain registered PWDs across the country. Due to the complexity of the disability registration process, a minimal number of PWDs in the entire region can enjoy this facility. The government of Bangladesh should prepare a Disability Support Allowance mechanism through which disabled people can quickly get their allowance without suffering hardship.

XV. Budget and Allowance Statistics for Persons with Disabilities

| Coverage | | Budget | | Description of service | |
|----------------------------|-------------------------------|----------------------------|--------------------------------|--|---|
| In the beginning | Currently | In the beginning | Currently | In the beginning | Currently |
| 1.04 Lake people (2005-06) | 18.00 Lake people (2020-2021) | 24.99 Crore taka (2005-06) | 1620.00 Crore taka (2020-2021) | At the rate of taka 200 per person per month (2005-06) | At the rate of taka 750 per person per month till death (2020-2021) |

Table 5: Budget and Allowance Statistics for Persons with Disabilities⁷⁸

⁷⁸ "National Disability Development Foundation." National Disability Development Foundation - Government of

XVI. Question of Implementing CRPD Article 27 in Bangladesh

To ensure the right to engage in work as described in Article 27 of CRPD and Section 16(1)(h) of the Rights and Protection of Persons with Disabilities Act, the following must be ensured.⁷⁹ The recruitment process must be non-discriminatory. In order to ensure this:

- i. The recruitment notification cannot contain any discriminatory terms. Any additional qualification which is not essential to the application for the job or post for which the recruitment is being made shall not be mentioned in the recruitment notice. For example, The qualification of riding a bicycle cannot be mentioned in the recruitment notification to the telephone operator post. Because this position does not require cycling.⁸⁰
- ii. The risk of discrimination is greatly reduced if employment notices include statements respecting human diversity. For example, a Facebook job advertisement states, 'Facebook is proud to be an equal opportunity and affirmative action employer. We do not discriminate based on the group, religion, race, nationality, sex (including maternity, childbearing or similar health conditions), sexual orientation, gender identity, age, disability or other characteristics

the People's Republic of Bangladesh, <http://www.jpuf.gov.bd/site/page/46387ad8-3761-4023-a8c7-83caeb01c8b8/>.

⁷⁹ The Rights and Protection of Persons with Disabilities Act, 2013, Act No. 39 of 2013 (Bangladesh), Section, 16(h).

⁸⁰ Saunders, S.L., & Nedelec, B., "What work means to people with work disability: A scoping review," *Journal of Occupational Rehabilitation* (2014), available at <https://link.springer.com/article/10.1007/s10926-013-9436-y>

- protected by law. Contact us if you require assistance or a reasonable acumen audition due to a disability.⁸¹
- iii. The notification shall not refer to the existence of disability except with positive intent. For example A disabled candidate wants to get some kind of recognisable accounting, it can be mentioned in the application form, but it cannot be asked or asked if the applicant has a disability or what kind of disability.⁸²
 - iv. Ensure accessibility at all levels from application to recruitment. For example: If there is a facility to apply online, it must be accessible and usable for persons with disabilities. If an applicant with a disability requests Braille, an audio recorder, or other necessary facilities during the recruitment test, it must be provided. Exams cannot be taken in an inaccessible manner.⁸³
 - v. The workplace must be accessible.⁸⁴
 - vi. A list should be prepared by identifying the existing posts in government and private jobs according to the type of disability. But if any person with specific disabilities outside the list wants to apply then he cannot be denied the opportunity.⁸⁵

⁸¹ Id.

⁸² Mark Eltringham, 'Disabled workers continue to face barriers in the workplace', Workplace Insight (2016), available at <https://workplaceinsight.net/disabled-workers-continue-face-barriers-workplace/>.

⁸³ Nick Coleman, Wendy Sykes, and Carola Groom, 'Barriers to employment and unfair treatment at work: a quantitative analysis of disabled people's experiences' (2013), available at <https://www.equalityhumanrights.com/sites/default/files/research-report-88-barriers-to-employment-and-unfair-treatment-at-work-disabled-peoples-experiences.pdf>.

⁸⁴ RisenShine, 'Some of the challenges faced by disabled persons', RisenShine Blog (August 6, 2018), available at <http://risenshine.org.za/2018/08/06/some-of-the-challenges-faced-by-disabled-persons/> (last visited 11 May 2023).

⁸⁵ Ibid

- vii. There shall be no discrimination in the workplace. There should be equal pay for equal opportunity and equal work.⁸⁶
- viii. There should be safe and healthy environment, protection from harassment.⁸⁷
- ix. There should be training system for professional development.⁸⁸
- x. Job promotion and job continuity should be guaranteed.⁸⁹
- xi. To ensure the practice of labour and trade union rights.⁹⁰

XVII. Conclusion

It is evident that addressing these challenges requires a comprehensive and multi-faceted approach. This includes raising awareness and changing societal perceptions towards disability, implementing effective legal frameworks and policies that promote equal opportunities, and ensuring accessibility and reasonable accommodations in workplaces. Efforts should also be made to enhance vocational training programs, skill development initiatives, and entrepreneurship opportunities specifically designed for persons with disabilities.

Collaboration among various stakeholders, including the government, employers, civil society organizations, and disability rights advocates, is crucial to create an inclusive and supportive environment for persons with disabilities to thrive in the workforce.

⁸⁶ Evenbreak, 'What barriers do disabled job seekers face?', Evenbreak Blog (2017), available at <https://blog.evenbreak.co.uk/2012/01/05/barriers-do-disabled-job-seekers-face/>.

⁸⁷ Common Barriers to Participation Experienced by People with Disabilities', available at <https://www.cdc.gov/ncbddd/disabilityandhealth/disability-barriers.html>.

⁸⁸ Id.

⁸⁹ Id.

⁹⁰ The Daily Star (02 December 2017), available at <https://www.thedailystar.net/round-tables/skills-and-employment-persons-disabilities-1499167>.

It is essential for Bangladesh to align its policies and practices with the international human rights model of disability, as outlined in international conventions such as CRPD. By doing so, the country can uphold the rights and dignity of persons with disabilities, ensuring their full and meaningful participation in the workforce, and fostering a more inclusive society overall.
