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## UN Principles for People with Disabilities

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### Why in News

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The **United Nations (UN)** has released its **first-ever guidelines** on **access to social justice for People with Disabilities (PwD)** to make it easier for them to access justice systems around the world.

The guidelines outline a set of 10 principles and detail the steps for implementation.

### Key Points

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- **10 Principles:**
  - **Principle 1:** PwD shall not be denied access to justice on the basis of disability.
  - **Principle 2:** Facilities and services must be **universally accessible** without discrimination of PwD.
  - **Principle 3:** PwD, including children with disabilities, have the **right to appropriate procedural accommodations.**
  - **Principle 4:** PwD have the **right to access legal notices and information in a timely and accessible manner** on an equal basis with others.
  - **Principle 5:** PwD are **entitled to all substantive and procedural safeguards recognized in international law** on an equal basis with others, and **States must provide** the necessary accommodations to guarantee due process.
  - **Principle 6:** PwD have the **right to free or affordable legal assistance.**
  - **Principle 7:** PwD have the **right to participate in the administration of justice** on an equal basis with others.
  - **Principle 8:** PwD have the **right to report complaints and initiate legal proceedings** concerning human rights violations and crimes.
  - **Principle 9: Effective and robust monitoring mechanisms** play a critical role in supporting access to justice for PwD.
  - **Principle 10:** All those working in the justice system must be provided with **awareness-raising and training programmes** addressing the rights of PwD.
- **UN Definition of Person with Disability:**
  - The **UN Convention on the Rights of PwD**, which was adopted **in 2006**, defines persons with disabilities as 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”.
  - India ratified the Convention in October 2007.
  - The Parliament enacted the Rights of Persons with Disabilities Act, 2016 with a view to fulfilling the obligations under the UNCRPD.
- **Statistics:**

As per statistics maintained by the UN:

  - Around 15% of the world’s population, or estimated 1 billion people, live with disabilities. They are the world’s largest minority.
  - **In India**
    - 2.4 % of males are disabled and
    - 2% of females from all age groups are disabled.

## **Indian Efforts for Persons with Disability**

- **Constitutional Provisions:**
  - **Article 41** of the Directive Principles of State Policy (DPSP) states that the State shall make effective provision for securing right to work, to education and to public assistance in cases of unemployment, old age, sickness and disablement, within the limits of its economic capacity and development.
  - The **subject** of 'relief of the disabled and unemployable' is specified in the state list of the **Seventh Schedule** of the constitution.
- **Legislation for Disabled - Right of Persons with Disabilities Act, 2016:**
  - The **Right of Persons with Disabilities Act, 2016** replaces the Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995.
  - "Person with disability" means a person with **long term physical, mental, intellectual or sensory impairments which, in interaction with barriers, hinders his full and effective participation in society equally with others.**
  - "**Person with benchmark disability**" means a person with not less than 40% of a specified disability where specified disability has not been defined in measurable terms and includes a person with a disability where specified disability has been defined in measurable terms, as certified by the certifying authority.
  - The **types of disabilities** have been **increased from 7 to 21**. The Act added mental illness, autism, spectrum disorder, cerebral palsy, muscular dystrophy, chronic neurological conditions, speech and language disability, **thalassemia, hemophilia, sickle cell disease, multiple disabilities including deaf blindness**, acid attack victims and **Parkinson's disease** which were largely ignored in earlier Act. In addition, the Government has been authorized to notify any other category of specified disability.
  - It increases the quantum of reservation for people suffering from disabilities from **3% to 4%** in **government jobs** and from **3% to 5%** in **higher education institutes**.
  - **Every child** with benchmark disability between the age group of **6 and 18 years** shall have the **right to free education**.
- **Accessible India Campaign (Creation of Accessible Environment for PwDs):**
  - A nation-wide **flagship campaign** for achieving **universal accessibility** that will enable persons with disabilities to gain access for equal opportunity and live independently and participate fully in all aspects of life in an inclusive society.
  - The campaign targets at enhancing the accessibility of the built **environment, transport system and Information & communication ecosystem**.