UN Guidelines for PwD

Why in news?

The United Nations has released its guidelines on access to social justice for people with disabilities (PwD).

What are the guidelines?

- All persons with disabilities have legal capacity and, therefore, no one shall be denied access to justice on the basis of disability.
- Facilities and services must be universally accessible to ensure equal access to justice without discrimination of persons with disabilities.
- PwD, including children with disabilities, have the right to appropriate procedural accommodations.
- PwD have the right to access legal notices and information in a timely and accessible manner on an equal basis with others.
- PwD are entitled to all safeguards recognized in international law on an equal basis with others, and States must provide the necessary accommodations to guarantee due process.
- PwD have the right to free or affordable legal assistance.
- PwD have the right to participate in the administration of justice on an equal basis with others.
- PwD have the rights to report complaints and initiate legal proceedings concerning human rights violations and crimes, have their complaints investigated and be afforded effective remedies.
- Effective and robust monitoring mechanisms play a critical role in supporting access to justice for PwD.
- All those working in the justice system must be provided with awareness-raising and training programmes addressing the rights of PwD.
- These 10 principles would make it easier for the PwD to access justice systems around the world.

How does the UN define a person with a disability?

- The UN Convention on the Rights of Persons with Disabilities, adopted in 2007, has defined PwD.
- Persons with Disabilities are those who have long-term physical, mental, intellectual or sensory impairments.

- These impairments along with various barriers may hinder the person's full and effective participation in society on an equal basis with others.

What does discrimination on the basis of disability mean?

- The UN states that the 'Discrimination on the basis of disability' means any distinction, exclusion or restriction on the basis of disability.
- These discriminations have the effect of impairing or nullifying the recognition, enjoyment or exercise, on an equal basis with others, of all human rights and fundamental freedoms in any field.
- It includes all forms of discrimination, including denial of reasonable accommodation.
- Reasonable accommodation means the modification and adjustment in a particular case so that PwD can exercise human rights and fundamental freedoms on an equal basis.

How many people are disabled in India?

- As per the UN, in India 2.4% of males are disabled and 2% of females from all age groups are disabled.
- Disabilities include psychological impairment, intellectual impairment, speaking, multiple impairments, hearing, seeing among others.
- In comparison, the disability prevalence in the US is 12.9% among females and 12.7% among males.

Source: The Indian Express

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