

RIGHTS OF PERSONS WITH DISABILITIES

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INTRODUCTION

Disability is the umbrella term for any physical, mental, intellectual, or sensory impairment that interferes with an individual's full and effective participation in society on equal terms with others [1]. United Nations Convention on the Rights of Persons with Disabilities and its optional protocol (2006) Article 1: "Persons with disabilities include those who have long-term physical, mental, intellectual or sensory impairments which in interaction barriers may hinder their full participation as equal members of society. Persons with disabilities must be able to enjoy their rights on an equal basis like everybody else, and that is only possible if we protect those most basic of things from whence all others stem - dignity, respect., and equality. That protection allows them to live autonomously, contribute as members of society, and fulfill their potential.

INTERNATIONAL FRAMEWORKS

United Nations Convention On The Rights Of Persons With Disabilities (CRPD)

Adopted in 2006, the CRPD is a major international human rights treaty intended to safeguard the dignity and rights of individuals with disabilities. It reflects a transition from the charity approach towards persons with disabilities to an upright-based view. The CRPD deals with the full enjoyment and equal access to all human rights contained within other universal human rights instruments, making sure that no one is left behind as it seeks to promote, protect, and safeguard respect for its inherent dignity.

MAIN PROVISIONS AND MAJOR PRINCIPLES

1. Respect for the worth and dignity of every person: Treating everyone with courtesy, consideration, compassion empathy, or respect. (respecting a person's right to participate in their health care decision-making)
2. Non-discrimination: Protecting persons with disabilities from discrimination in the

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exercise of all human rights and fundamental freedoms.

3. Participation In Society Facilitating The Active Participation Of Persons With Disabilities In All Societal Activities Full And Effective And Being...Mus Be Included.

4. Respect for Diversity: Recognizing disability as a natural part of human diversity.

5. Equality of opportunity: Ensuring that disabled people have the same chances as anyone else to make full use of their potential.

6. Availability Accessibility (Phase-II): Making the physical environment, transportation, IT, and other services accessible for all people.

7. Gender Equality: Disabilities Women and Girls

8. Respect for the evolving capacities of children with disabilities: Support and respect child rights to ensure that children with disability grow up in an inclusive environment.

IMPACT ON NATIONAL LAWS AND POLICIES

As a result of the CRPD, nations around the world have passed laws and begun implementing policies that reflect its ideals. This has resulted in increased legal protections, community awareness, and accessibility of services and opportunities for people with disabilities.

National Legislation

[Overview of Disability Laws in Other Countries]

United States: Americans with Disabilities Act (ADA)

It guarantees equal rights and opportunities for individuals with disabilities in all areas of public life; protecting over 50 million Americans when signed into law by President George H.W. Bush on July 26, 1990. The ADA prohibits discrimination based on disability in employment, State and local government services, public accommodations... Reasonable accommodations in either the workplace or public space are not entitlements but rather federally mandated by the ADA to improve accessibility and inclusion.

UK: Equality Act 2010

The Equality Act 2010 merges previous anti-discrimination measures and safeguards disabled people from discrimination across life. It requires employers to make reasonable adjustments for workers and prohibits discrimination by providers of goods, facilities, and services. Employment, education, access to goods and services & the exercise of public functions are all covered in the Act.

India: Rights of Persons with Disabilities Act, 2016

The Rights of Persons with Disabilities Act, 2016 came into force recently and provides far-reaching rights where order highlights persons living with disabilities in India replacing an act dated back to i.e., 1995. This encompasses issues on accessibility, education, employment, etc., along with health care and legal capacity & access to justice. The Act lays down provisions for a barrier-free environment, a high-quality inclusive education system, and non-discrimination in all jobs.

Provisions and Protections Comparison

Although the ADA, and the Equality Act 2010 or Rights of Persons with Disabilities Act-2016 all suggest protecting the rights of persons with disabilities they have significant variations in terms of applicability:

In terms of scope, the ADA and Equality Act 2010 apply across multiple areas in public life whereas the Indian Act specifically focuses on accessibility, education, and employment.

Reasonable Accommodations: All three laws require reasonable accommodations but vary in definitions and enforcement mechanisms.

Employment Protections ADA and Equality Act 2010 have robust employment protections; whereas the Indian Act provides for both public as well private sector employment.

Limitations And Challenges Of Implementation

Challenges and gaps Even with the comprehensive legal framework there are still quite some challenges as will be discussed below.

Enforcement: Though good, the enforcement of disability laws is spotty and ad-hoc in practice due to differences in awareness, resources, or commitment.

Awareness: Employers, service providers, and individuals in general are not informed so they can act to see that those rights are fully implemented.

Infrastructure: Infrastructure and resource capabilities hamper the availability or inclusion of persons with disabilities

Cultural Barriers: Social stigma and cultural attitudes are among the largest challenges to disability rights;

KEY RIGHTS AND PROTECTIONS

Accessibility and Reasonable Accommodations

It promotes the right of all individuals to live independently and be included in various activities of life. This incorporates additional availability to the physical condition, transportation, and furthermore access that can be helpful to people with disabilities. The term "reasonable accommodation" denotes necessary and appropriate modification and adjustments not imposing a disproportionate or undue burden, when needed in individual cases to assure individuals the enjoyment of all human rights and fundamental freedoms.

Right to Education and Work

Education Inclusive education systems ensure that students with disabilities receive the support they need to thrive in mainstream schools. Items like an individualized educational plan, available learning materials, and trained educators. It promotes social integration and equality.

This article from Stanford Encyclopedia on Anti-discrimination laws is available under the terms of the Creative Commons Attribution 3.0 License and has been partially included in this content by me Using creative-commons A very good example here we have from civil UTF-8(case (that obviously had to be established later with legal actions/rooted in groups many raise for equal rights), employment: no discrimination must employ based solely using merit plus hire after equally qualified people but pay more money wages..., against Other an initial consideration should means if only performance or productivity similarly promotion; zero gender however race careers still trail fiscal illustration). Employees with a disability must be accommodated to do the work competitively. The rights to work require that persons with disabilities are provided a job on an equal basis, and not subject to discrimination in

employment.

Healthcare and Social Services

People with disabilities have the same right to the highest attainable standard of health as all other persons, without any discrimination. It is about preventive, curative, and rehabilitative portions of a package. Services They are provided should be affordable, accessible, and responsive to the needs of persons with disabilities. The promotion of independence and quality of life is a critical task for social policy through provision, such as personal care support or mobility aids. Or accessible information.

LEGAL CAPACITY AND OF THE VERIFF SECURE ONLINEVERIFICATION SERVICE JUSTICE

Article 12: Equal recognition as a person before the law, and support with legal capacity (including equal access to justice) for disabled people. Legal capacity is the right to hold rights and duties, and legal capacities of exercise are functions of an individual's ability in law when a person performs judicial acts validly; on seeking justice we can understand that all people with disabilities should have free access before this implies that individuals must be able to seek judicial protection by their own authority or through another authorized party.

Challenges and Barriers

Social & Cultural Orientation

Persons with disabilities are much less likely to have the same opportunities as others due to negative stereotypes and stigmatization. Disability is normally perceived with a sense of pity or fear by society, which leads to isolation and discrimination. We must engage in education and awareness exercises to break these. And build a cohesive society

Physical and Technological Constraints

Countless spaces - from our buildings to broader transportation systems - are off-limits for people with disabilities. There are still technological barriers because a lot of digital platforms and tools nowadays don't take into consideration accessibility. To address these barriers, we need to invest in infrastructure and technology that is accessible.

There are both economic issues while dragging political challenges going on in the port of Hong Kong.

Disability can result in increased cost of living and unemployment limitation, which causes financial difficulty. There are political challenges, such as poorly funded disability services, absence from the halls of power where decisions concerning us are made, and AWOL legislatures that fail to enforce existing laws protecting people with disabilities. These issues need to be tackled collectively and coherently by governments, civil society, and the private sector.

Insufficient Funds to Support Services

In a great many areas, however, the services that make independent living possible - personal assistance, mobility aids, and accessible information to name but three examples - are non-existent. Lack of appropriate support services can adversely affect the quality of life and autonomy of people with disabilities. Comprehensive support systems are really important in helping people with disabilities have a quality life.

CASE STUDIES AND EXAMPLES

Japan: Inclusive Disaster Risk Reduction

Through the inclusive disaster risk reduction in place, Japan guarantees that everyone with a disability is accounted for within their natural disaster preparedness and response plans. This consists of evacuation routes, early alert systems, and communal mutual aid networks. Though particularly sad, this highlights a fundamental need to integrate the needs of persons with disabilities into all phases and sectors of disaster risk management in paying closer attention to such support.

Australia: National Disability Insurance Scheme (NDIS)

The NDIS provides support to Australians who are living with a disability so they can achieve their goals, such as greater independence and community involvement through trial periods. The program has personalized plans suited to different needs, that include a wide range of supports such as therapy, equipment, and personal care. The NDIS highlights the difference that well-designed support programs can make to people with disabilities.

CONCLUSIONS AND SUGGESTIVE MEASURES

Full text of the Statement As noted in the title, to guarantee full rights for persons with a disability we need legal frameworks that are up-to-date and consistent; effective implementation procedures; and above all shifts in societal perception. States, civil society and the individual must work together to reduce barriers to inclusion and equality. It will also entail ongoing advocacy for stronger implementation and enforcement of disability rights laws, increased awareness raising on the issue among relevant stakeholders, as well provision of adequate support services. In so doing, we can work toward a more inclusive society in which the rights of people with disabilities are realized and they may lead lives entrusted to their full potential.

