



STATEMENT BY MRS. SANGITA GAIROLA, ADDITIONAL SECETARY, MINISTRY OF SOCIAL JUSTICE AND EMPOWERMENT, AND MEMBER OF INDIAN DELEGATION AT THE SECOND CONFERENCE OF STAES PARTIES TO THE CONVENTION ON THE RIGHTS OF PERSONS WITH DISABILITIES AT UNITED NATIONS GENERAL ASSEMBLY ON SEPTEMBER 02, 2009

Mr. President,

Thank you for giving me the floor. Let me also take this opportunity to thank you for convening the Conference of the State Parties.

Mr. President,

India was one of the first countries to sign and ratify the Convention on the Rights of Persons with Disabilities. We are committed to the elimination of all barriers that persons with disabilities face. The Constitution of India implicitly mandates an inclusive society for all, including persons with disabilities to ensure equality, freedom, justice and dignity of all individuals. In fact, Article 41 of our Constitution, under the title "Directive Principles of State Policy", emphasizes that it is the responsibility of the State, within the limits of its economic capacity and development, to make effective provision for securing the right to work, to education and to public assistance in cases of unemployment, old age, sickness and disablement, and in other cases of undeserved want.

In pursuance of the above provision of the Constitution, several initiatives have been taken by the Government for the empowerment of persons with disabilities from time to time. The first major Act of Parliament was the Rehabilitation Council of India Act, 1992, which led to the establishment of the Rehabilitation Council of India to regulate and monitor the training of rehabilitation professionals and personnel, and to promote research in rehabilitation and special education. This Council also determines the minimum standards of education and other related issues.

Mr President,

Indian Parliament enacted an omnibus Persons with Disability (Equal opportunities, Protection of Rights and Full Participation) Act in 1995 and this legislative

and institution-building measure paved the way for gradual realization of the rights of persons with disabilities. With this Act, a clear definition of disability was formulated as well as development of specific programmes for their education, rehabilitation, employment, non-discrimination and social security.

A further Act, namely, National Trust for the Welfare of Persons with Autism, Cerebral Palsy, Mental Retardation and Multiple Disabilities Act was also promulgated by the Parliament in 1999. This Act aimed at enabling and empowering persons with disability to live independently and as fully as possible within their community. Another salient feature of this Act is to evolve procedures for appointment of guardians and trustees for persons with disabilities as well as to facilitate the realization of equal opportunities, protection of rights and full participation of persons suffering from autism, cerebral palsy, mental retardation and multiple disabilities.

Mr President,

In order to operationalize various provisions of the different legislations, we developed a unified National Policy for Persons with Disabilities in 2006. The National Policy recognizes that Persons with Disabilities are a valuable human resource for the country and seeks to create an environment that provides them equal opportunities, protection of their rights and full participation in society. This Policy comprehensively spelt out the goals towards full acknowledgement and exercise of all human rights of persons with disabilities as well as promotion of a broad commitment to accessibility, autonomy and equality of opportunity in different spheres of activities. Needless to say, this Policy was created due to our strong belief that persons with disabilities can lead a better quality of life if they have equal opportunities and effective access to rehabilitation measures.

In practice, the National Policy has a three pronged approach, namely, a) physical rehabilitation, which includes early detection and intervention, counseling and medical interventions and provision of aids and appliances. It also includes the development of rehabilitation professionals; b) Educational Rehabilitation which includes vocational training; and c) Economic Rehabilitation, for a dignified life in society.

Mr President,

In order to ensure that the disabled people in every corner of the country are reached, the Act and the National Policy is currently being implemented at various levels of governance. We have a nodal Central Ministry, namely, the Ministry of Social Justice & Empowerment, which coordinates all matters relating to implementation of the Policy. Additionally, there is also a Central Coordination Committee chaired by the Minister, with stakeholder representation, which also coordinates matters relating to implementation of the National Policy. Similarly, there are Committees at the State government level. At the community level, Local Bodies are associated in the functioning of the District Disability Rehabilitation Centres.

We also have a statutory body in the form of the Chief Commissioner for Persons with Disabilities at Central level and State Commissioners at the State level which acts as ombudsmen to address the grievances of persons with disabilities and ensure that the Act is implemented properly. I would also like to inform that government of India is a member of the Global Partnership for Disabilities and Development (GPDD) and a regular participant in the meetings of the GPDD.

Mr President,

Consequent upon our ratification of the Convention on the Rights of Persons with Disabilities, we have started a comprehensive nation-wide consultative process to amend our existing Acts so that national legislations are harmonized with the respective Articles of the Convention. Several amendments have been formulated and are under consideration of the government.

Mr President,

We will continue our commitment to ensure that the persons with disabilities enjoy their rights as well as are provided with appropriate opportunities to lead their life to their fullest potential.

Thank you, Mr President.

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