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# Social justice, Inclusion and Rights of Persons with Disability in Sustainable Development Goals (SDGs): A Reality or Delusion?

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Abstract: - Background: Person with disability has at some point or the other have encountered certain form of discrimination. For a long time, other marginalized groups have been prioritized at national front, since the time of MDGs, but PwDs were excluded even from that developmental initiative, which was to spread its arms across the globe. However, SDGs was launched with its 2030 agenda, emphasizing on PwDs, for the very first time at international platform. This paper critically analyze the provisions of SDGs from lens of human rights, inclusion and social justice at national and international levels. This review-based paper looks across various international and national documents, available literature and analyses the SDG provisions based on three broad themes, social justice, human rights, and inclusion, to understand the way conceptual understanding is brought out in the provisioning of the SDGs.

<u>Keywords</u>: Persons with Disability; Social Justice; Social Inclusion; Sustainable Development; Human Rights;

#### Introduction

Dowling and Dolan defined the state of 'being disabled' as, 'not mere impairment but the failure of society to take account of and organize around the differences' (Dowling & Dolan, 2010, p. 23). The traditional model of disability, that is the medical model, explains disability as an outcome of physical or mental impairment. For instance, if a person is unable to walk, they are referred as individuals with disability. Far along, the social scientists criticized this model for targeting self-identity of a person. This led to the emergence of social construct of disability, which sought to explain disability as not merely an outcome of impairment, but of one's social environment. If a person could not walk, would not make him/her entitled as individual with disability, but the environment where the people surrounding that person could not accommodate them, makes them so (Dowling & Dolan, 2010). This transition from medical to social model, gave rise to another framework, adopted by **ICF** (International Classification of Functioning, Disability and Health) which understands disability as a dynamic interaction between health conditions and contextual factors, both personal and environmental. This framework was later widely known as bio-psychoSocial model, commonly used in the discipline of Psychology.

Recent researches have been trying to bring around the component of spirituality in the framework, associating it with both the socio-cultural contexts and the medical model. The model says that every individual has a spiritual-history and it could possibly affect a person's history and illness differently (Sulmasy, 2002). The Indian census (2001 and 2011) adhered to medical model of disability while capturing the information on disability, even after 2001 ratification of ICF by India. This indicates variations in usage of terminologies, measurements and available evidence for the same (Ramdas, et al., 2018).

### Prevalence of Persons with Disability: Some Evidences

With the lack of substantive data and statistics on disability, people misquote it as the rare conditions, or label it as least prevalent comparing with other epidemiologically targeted conditions. However, there is lack of proper estimates about the number of individuals with disabilities, locally, nationally, and

internationally. Furthermore, the nature of statistical profile contrasts owing to differences in the definition, categorization and measurement of disability across nations. There are few low-income countries, which shuns away true information essentially due to societal attitudes, stigma, humiliation and discrimination. An estimated frequency of 15% world's population acknowledged as Persons with disabilities (PwDs), out of which, 80% belong to developing countries (World Health Organization, 2011). The Global Burden of Disease estimated the prevalence of childhood disability to be roughly around 95 million (5.1%) of whom roughly 13 million (0.7%) are living severe forms of disability (Mitra Sambamoorthi, 2013).

# **Disability As Priority: National and International context**

The global leaders and different social leaders have requested the national level awareness to be promoted for children with disabilities, advocating for their social services. As per the considerations of the United National General Assembly and the Agenda for Sustainable Development, childhood disability forms as integral to global developmental agenda and that the use of national level evidence could be very well promoted (Arora et al., 2018). The CRPD, enforced in 2008, emerged as the first kind of human rights treaty promoting the life of PwDs with full dignity and equality in society, as clear through United Nations Educational, Scientific and Cultural Organization (UNESCO) document released in 2008. "The Convention on the Rights of Persons with Disabilities offers an ideal opportunity to consolidate disability-related activities and to develop policies and structures that ensure that persons with disabilities are mainstreamed within the United Nations system". Furthermore, it provided the opportunity for human rights and development actors to actively combine and integrate these two areas. New and innovative thinking and collaboration are required to utilize the Convention to bring the maximum benefit to persons with disabilities and society. It is both a human rights and a development instrument that elucidates how all categories of rights apply to persons with disabilities, and identifies practical measures to create development programs that are inclusive of, and accessible to, persons with disabilities." (United Nations, 2008)

The convention on Rights of person with disabilities, (CRPD) acknowledged disability as 'an evolving concept' but emphasized on the model of disability abstracted from the interaction between persons with impairments and attitudinal and environmental barriers that hinder their full and effective participation in society on equal basis with others. WHO commission on Social Determinants of Health has reasoned major cause of poor health in form of inequality, and so stands true for disability conditions. Furthermore, UNICEF's right-based approach to improve the condition of children with disabilities has been improving the awareness, engagement, and resourcefulness of communities and social service providers by involving the concerned children in the integrated process of social change. The WHO global disability action plan of 2014-2021 is another significant step to achieve health and wellbeing, and rights of people with disabilities. In 2014, WHO's member states endorsed this action plan, in removing barriers and improving the access to health services and programs, strengthen and extend rehabilitation, assistive devices and support services, communityrehabilitation, improving statistics disability, etc. (World Health Organization, 2011).

The political determination of India recognized individuals with disability, quite a few decades back. The subject of 'disability' is placed in State list<sup>i</sup>, but the central authority has been proactively been taking interest in it (Government of India, 2018). India has never stood behind in taking a stand for rights for people with disabilities at international forum. In Beijing (1992), Government of India, proclaimed full Participation and equality of PwDs in the Asian and Pacific regions. In order to provide infrastructural support at large, Indian government has been running national Institutes dealing with different forms of disabilities, along with Composite Regional Centers (CRCs) to provide rehabilitation conduct courses rehabilitation services, for

professionals, provide support to NGOs and so on. The Ministry of Welfare, which saw many splits since 1985ii, later restructured and retitled as Ministry of Social Justice and Empowerment (MoSJ&E) in 1988. In 11th five-year plan (2007-2012), MoSJ&E came up with its separate division called 'The Disability division', transforming into two separate departments namely: Department of Social Justice and Empowerment (Samajik Nyaya aur Adhikarita Vibhag) and Department of Disability Affairs iii (Nishaktata Karya Vibhag). This presumable increased its effectiveness and fulfilled its responsibilities, which earlier had faced physical and financial complications (Government of India, 2018).

# **Human Rights, Inclusion and Social Justice: A Theoretical Construct**

Disability is a human rights issue, primarily because of three main reasons. *Firstly*. People with disabilities experience inequalities, such as being denied access to basic social services, as health care, education, workplaces, political representation etc. *Secondly*, they are subjected to violation of dignity, in many terms be it child trafficking, abuses, or disrespect gained in later phase of life. *Thirdly*, they are denied autonomy as in case of many healthcare institutions imposing certain medications and procedural conducts without even asking their will (World Health Organization, 2011).

A right-based perspective would be the one, which is capable of prioritizing the need of every single individual by ensuring that everyone holds an equal share for participation by utilizing the societal resources equitably. It should grant opportunities to access social institutions, like education, health, employment, and other social services of their communities, without any discrimination and exclusion (Browne & Millar, 2016). This perspective takes its inspiration from social model of disability that understands it as an outcome of one's social this environment. In manner. one's social environment excludes a person with certain impairment from their full participation in society, primarily due to attitudinal, institutional and environmental barriers. Therefore, the central player is the society, their attitudes, practices and policies. However, amidst the human rights perspectives the central player becomes the person oneself. The human rights model seek to transform the biased or partial systems within the society. For instance, United Nations Convention on Rights of Persons with Disabilities (UNCRPD), contextualizing human rights observed individuals with disabilities as the operator of their own lives, the decision makers, the citizens and most importantly the rights' holders. Hence, both the models together have paved way for several national and international policies and practices related to disability (Rohwerder, 2015).

For the successful and effective implementation of human rights, it also obliges a social justice approach, wherein the societal structures promote equality based on certain laws and policies. The roots of social justice, as a perspective, could be traced back to Christine doctrine of helping the weak, sick and oppressed. Successively it ascended with rage in the society against social, democratic governments, demanding their rights, and equality for all in early 20th century. Shortly, the social scientists started using the approach, in a different tone of equality, and discrimination but soon realized the need for a proper construct and there it was. However, one cannot yet define social justice very clearly, but it does come out with the contextual understanding, with underlying principle of rights and inclusion (Ornstein, 2017).

#### SDG Agenda 2030: Provisions and Analysis

### Millennium Development Goals: Gaps and Observations

With the help of mutual efforts from UN agencies, governments and civil societies, eight Millennium Development Goals (MDGs) - unified set of developmental objectives for global community were endorsed. The effort was put in direction of reducing the burden of poverty, improving the health status globally, and addressing the factors like education, environmental degradation and many other that have been a challenge and threat to humanity. A panel discussion at UNESCO (2008) agreed upon the significant role of MDGs in

improving the lives of marginalized groups. However, they accepted its failure in including and integrating them in all forms of developmental activities. Besides, not alone the marginalized group, but especially the individuals with disability were disproportionately represented, corresponding to the achievements of MDGs. This understanding on failure of MDGs set the scope for further efforts needful. Of all comes the prioritized representation of individuals with disability in the development agenda globally, considering the approach of "nogap policy" iv (United Nations, 2008).

#### **Provisioning for Person with Disability**

Soon after the realization of failure of MDGs, SDGs were born at the United National Conference on Sustainable Development in Rio de Janeiro in 2012. They aimed at producing the set of universal goals that could successfully meet the urgent political, economic and environmental challenges of the globe today. SDGs have been first of its kind to address manifold aspects associated with disability, to a massive extent. Unlike MDGs, the SDG-2030 agenda concreted a way for recognition and opportunities for PwDs, in order to encourage them

with active participation in society. It refers individuals with disability as 'equal partners' in availing the resources and services available in society (International Disability Alliance, n.d.).

With seventeen 'SDG goals: 2030 Agenda for Sustainable Development', it carved out the framework, to guide the international community, countries and local communities. Of emphasizing on most of the marginalized groups, SDGs have quite minutely brought a picturesque for disability-inclusive development, something that is derelict for ages. The policy outline begins with the mention of the phrase 'leaving no one behind', that it makes each target inclusive for people with disabilities, as it is for all. The provisions in overall targets of SDGs, highlighting the concerns and opportunities for Person with Disabilities are together in table below:

**Table 1.** Targets and Sub-Targets enlisted under Sustainable Development Goals (2030) identified and analyzed specifically for Person with Disabilities

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SDG Goal	Title	Specific Targets for 'Person with Disabilities'
1	No Poverty	<ul> <li>Reducing poverty by half (Implementing social protection systems, particularly for poor and vulnerable)</li> <li>Ensuring equal rights to all, particularly vulnerable, over access to basic services, ownership, land, inheritance, apt technology etc.</li> <li>Building resilience for poor and vulnerable, reducing exposure and vulnerability in climate-related events and other disasters</li> </ul>
2	Zero Hunger	<ul> <li>End hunger; and ensure access by all, poor and vulnerable</li> <li>End all forms of malnutrition, and internationally set target om stunting and wasting on children under 5 years, plus address nutritional needs of the vulnerable</li> </ul>

3	Good Health and Wellbeing	<ul> <li>Reduce global maternal mortality ration to &lt;70 per 10000 live births</li> <li>End preventable deaths among newborns (&lt;12 per 1000 live births) and children &lt;5 years of age (25 per 1000 live births)</li> <li>Reducing by 1/3<sup>rd</sup> the premature mortality through prevention and treatment for mental health and wellbeing</li> <li>Preventing substance abuse</li> <li>Reduce deaths and injuries through road traffic accidents.</li> <li>Reduces deaths/illnesses from hazardous chemicals, pollution and contamination</li> <li>Increase health financing, development training and retention of health workforce</li> <li>Strengthen capacity for early warning, risk reduction and management of national and global health risks.</li> </ul>
4	Quality Education (for all)	<ul> <li>Free, equitable, quality primary and secondary education</li> <li>Ensure access to quality ECD, care and pre-primary education</li> <li>Equal access to affordable, quality technical, vocational and tertiary education</li> </ul>
		<ul> <li>Ensure equal access to education at all levels, for vulnerable, PwDs, indigenous people or children in vulnerable conditions</li> <li>Upgrade education facilities, that are disability sensitive</li> <li>Increase supply of qualified teachers,</li> <li>and expanding the number of scholarships</li> </ul>
5	Gender equality	<ul> <li>end all forms of discrimination ,exploitation and harmful practices<sup>v</sup> with respect to gender</li> <li>ensure full participation and equal opportunities in public, political and economic spheres</li> <li>access to sexual reproductive health and reproductive rights<sup>vi</sup></li> <li>reforms to promote women equal rights over economic resources<sup>vii</sup></li> </ul>
6	Clean Water and Sanitation	<ul> <li>access to adequate and equitable sanitation and hygiene for all;</li> <li>Encourage local participation in improving water and sanitation management.</li> </ul>
8	Decent work and economic growth	<ul> <li>Achieve full and productive employment for all, including PwDs and equal pay for work of equal value</li> <li>Reduce proportion of unemployed youth,</li> <li>Protecting labor rights, promote safe-secure working env</li> <li>Strengthen capacity and access to financial institutions such as banking, insurance and financial services</li> </ul>
10	Reduced inequalities	<ul> <li>Promote social, economic and political inclusion of all, irrespective of age, sex, disability, race, ethnicity, origin, religion etc.</li> <li>Facilitate and implement well planned and managed migration policies</li> <li>Enhance representation at global decision-making forums</li> <li>Adopt policies with greater equality, such as fiscal, wage, social protection etc.</li> </ul>

11	Sustainable cities	Access to safe, affordable, accessible transport systems with special
	and communities	attention for PwDs, women, children and elderly
		Inclusive and sustainable urbanization
		Reduce mortality and economic losses caused by disaster, especially
		poor and vulnerable population
		• Universal access to safe, inclusive, accessible green spaces especially
		PwDs, women, children and elderly
13	Climate action	Improve education, awareness and human capacity on climate-change
		mitigation, adaptation, impact reduction and early warning, including the
		focus on women, youth, local and marginalized communities
16	Peace, Justice and	Reduce violence and related deaths
	Strong	<ul> <li>End abuse, exploitation, violence tortures against children</li> </ul>
	Institutions	Ensure equal access to justice for all
		Enforce non-discriminatory laws
		Provide legal identity for all
		• Ensure responsive, inclusive, participatory and representative decision
		making at all levels

Note: SDG goals available at UNDP website were analyzed in detail for the purpose of formulating this table. Although there are many targets, covering a large number of themes, but not all address the needs of person with disability. Furthermore, some of the targets and sub-targets speak with a general tone, presumably making them more inclusive.

In the table, the goals and specific targets have stressed on the role of more equitable, inclusive and sustainable society by moving along every section of society together. For instance, targets approach to identify the risk factors associated with certain neurological forms of disabilities, such as exposure to substance abuse, arsenic and other environmental conditions. Although the targeted is population in general, but it comes along the risk associated with disabilities. On the contrary, the targets hint upon the lack of research-based evidence, for instance on the anthropometric traits associated with children with disabilities necessary for their growth and development, evidence on poverty and hunger impacting upon young lives of children with disabilities, lack of sensitization for person without disabilities, etc.

The goals are quite interrelated. Poverty and hunger go hand in hand, especially in developing countries. Moreover, on economic level, circumstances like hunger, food insecurity have led to poor wages, poor out-of-pocket expenses and amplified proportion of people living below the poverty line. In context of person with disabilities, poor anticipation on economic productivity is strained, and therefore the living conditions are likely to be in crisis, with inaccessibility to sufficient food for family, deficient out of pocket expenses, poor financial backup etc. Various research based evidence specify that, the proportion of people living with disabilities under national or international poverty line is higher, that those without disabilities (United Nations, 2019).

A report by UN Department of Economic and Social Affairs showed that, with lot of innovative, integrated and interconnected approach brought around with SDGs, individuals with disability have been facing numerous barriers with respect to inclusion and their full participation in their own communities. The UN report brought out the global implications of SDG targets for people with disabilities. particularly about their underrepresentation, and disproportionate socio-economic conditions being worse. Of all, essentially the lives of women and girls with disabilities, corresponding to the prevailing social barriers, such as societal attitudes, discrimination, stigma on the grounds of disability, echoes through poor access to physical and virtual environments. lack of assistive

technologies, or rehabilitative services etc. (United Nations, 2019).

With respect to each SDG goals, the UN report on disability and development has evaluated each SDG very minutely and have come up with following observations. UN-Secretary General Guterres emphasized that, despite the commitment, people with disabilities are at disadvantage regarding most SDGs. Considering the case of SDG 1 (no poverty), and poverty rates have increased by 15%, particularly for persons with disabilities. Similarly, for SDG 2 (Zero hunger), on average, persons with disabilities who could not afford protein (every second day) are at doubled frequency than people without disabilities. The gigantic promises for infrastructural have been done, but the situation is no better even after four years of SGD implementation (Wahlen, 2018).

Talking of gender equality, the under-representation of women in decision-making and political representation states it all. The inclusion of individuals with disability in implementation, monitoring and evaluation of SDGs itself is a big slip, improving their quality of life through these provisions is a far-fetched dream. As a positive sign of improvement, many countries have preferred revising their way of approaching disability, especially while collecting nation-wide census information. This stands as a very optimistic move in providing disaggregated data on matters of disability. India recently made an small attempt, with a circular from Rehabilitation Council of India, substituting the usage of word 'mental retardation' with 'intellectual disability' across course curriculum, trainings and wherever necessary (Government of India, 2019). It not alone increases the prospect of the nature of disability that one possess, but would help improve the quality of information collected in the census survey. UN's report on person with disabilities and the SDGs viii reported its findings about the manner in which persons with disabilities have been facing continuous barriers in participation in community throughout their lives.

A study by The SDG Disability Tracker II<sup>ix</sup> captured the voices of person with disabilities in order to get

an idea of the way SDGs are progressing, and the improvement they observed in their own lives in opportunities, terms of recognition, social participation, access to social services, with gender neutrality in all walks of life. The study reported to have discovered multiple layers on marginalization, deprivation and exclusion faced by PwDs across genders, ethnicities, and other socio-economic realities. There is a dearth of basic rights, especially for women, girls and marginalized with disabilities. The sanitary facilities and even the drinking facilities available were not accessible by individuals with disability, and in general, they were very unhygienic. Their findings in response to SDG-8 were even worse, where employed (2% only) that too without statutory reservations, which was worsened by lack of infrastructural support for them making the place less accessible (The Assam Tribune, 2019).

#### **Conclusion: Reality or Delusion?**

Disability is like any other condition, is complex, and the interventions required are multiple, systemic and contextual. A disability-inclusive development is not just the right thing to be done, but also the most desirable and practical approach. Analysis of the SDGs have hinted upon one thing intensely, that a mere approach of identifying goals separately for PwDs is not morally correct, because when any policy, any target comes out in public domain 'for all', counts everyone altogether by simple virtue of universality. However, implementation of any policy should carefully cater to needs for 'all' in similar way. Likewise, provisioning anything for everyone, with the underlying principle of 'not leaving behind anyone' does not make the provision operational to its fullest. For this, it does require the contextual understanding and putting local-level efforts in order to overcome cultural, institutional, behavioral, and other physical barriers. Predominantly one requires sufficient availability and increased access to data and statistics about the operationalization and implications of the programs, essentially at local level, and also nationally and internationally. This could pave a better way in analyzing the current scenario and then planning national or international agendas. Over the period, the non-governmental

organizations( NGOs) and role of civil societies have found a significant place in the lives of individuals with disability, be it in terms of dealing with the process of diagnosing their condition, providing rehabilitation, special education, counselling, or any other social services. The argument this paper makes is, that individuals with disability themselves could be good guidance in further improvising the targets with respect to contextual needs of the society, and the nation per se. Nonetheless, 2030-agenda for sustainable development has kept along its participatory and inclusive approach, engaging with itself significant amount of person with disabilities, both as agents and beneficiaries. SDGs stands out as an important opportunity to promote economic and social progress and human rights towards a more peaceful and prosperous world for all. It is the high point: one requires addressing the barriers causing the exclusion of persons with disabilities, any form of discriminatory laws, policies, societal attitudes, stigma, discrimination, and deprivation. The efforts that one need to put in the community would be recognized when the unheard voices are allowed and encouraged to speak and their words, needs, and perspectives are considered while planning 'for them'. With all forms of actions undertaken in SDGs, it could be strengthened by means of well-planned and well-managed implementation, monitoring and efficient evaluation. Many of the barriers faced by people, which do not find mention in SDGs, are to an extent avoidable and resolved by the will of people. We need to pool our interests and help translating these recommendations into actions, making the actions visible, involving not alone international and national governments, but also stakeholders, NGOs, civil societies, academics, private sectors, organizations of people with disability and most importantly the local community, and family itself.

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- L. Under the seventh schedule of the constitution.
- II. In 1985-86, Ministry of Welfare bifurcated into Department of Women and Child Development and Department of Welfare, and merged with SC Developmental Division, Tribal Developmental Division and Minorities and Backward Classes Welfare Division
- Now called as Department of Empowerment of Persons with Disabilities (*Divyangjan*)
- It is a concept illustrating the inter-connected network required to achieve a goal; it states that no entity, can achieve the goal of equality, especially for PwDs, on its own, be it UN Agencies, government ministry, or any Non-Government organization.
- V. Such as child marriage, early marriages, forces marriages, genetic mutilation, trafficking, sexual exploitation etc.
- VI. This was agreed in accordance to the Programme of Action of the International Conference on Population and Development and the Beijing Platform for Action
- VII. Example, ownerships, land controls, inheritance, financial services, forms of property, etc.

- VIII. Publication titled "UN Flagship Report on Disability and Development 2018: Realization of the Sustainable Development Goals By, For, and With Persons with Disabilities"
- IX. A research study carried out by Shishu Sarothi in Partnership with Voluntary Service Overseas (VSO), tracked three of SDGs, they were 5 (gender equality), 6 (clean water and sanitation) and 8 (decent work and economic growth), across two districts of BTAD: Chirang and Kokrajhar