

UN CONVENTION AND SOCIAL POLICY FOR PERSONS WITH DISABILITIES IN SRI LANKA – IN SEARCH FOR A PATHWAY TO JUSTICE

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“I do not want to depend on others; I do not want decisions to be made for me; I do not want to be pitied and treated differently; I only want opportunities to learn and to demonstrate what I can do.” These few verses from an anonymous person with disability succinctly but so movingly narrate everything that persons with disabilities want to communicate to us. They demand quality of life equal to that of all others; freedom to make decisions for themselves; education so they can learn to become independent, productive and happy in life. They ask to be accepted for what they can do. In essence, they ask to be treated like everyone else and be included in all aspects of life - home, school, community, workplace etc. This requires a change in attitude and expectations of our society today; changes in educational practices; an open-door policy to include persons with disabilities in every aspect of community life. We already have “fancy” policies but, nevertheless, the anecdotal evidence shows that the facts about the lives of persons with disabilities in the country are still “ugly”. We have even recently formally ratified the United Nations Convention on the Rights of Persons with Disabilities (UNCRDP) and declared our full commitment to implement all what it recommends. There seems to be some work happening but very much “isolated activities” with only some “isolated impacts”. Therefore, it is felt that we still require a concerted holistic effort to establish policies and systems to ensure social justice for persons with disabilities as equal citizens in the country. With this fact in mind, with a social work perspective, this paper examines the existing policy in Sri Lanka against the recommendations set out in the UNCRDP. How the National Disability Policy (NDP), as the primary policy instrument in the country, facilitates implementation of the UNCRDP recommendations presented in the convention under 50 different articles was examined. The desk-research method was employed to collect information from the available materials including NDP and UNCRDP. In the analysis, rationale social policy analysis technique was applied, and mainly, four key areas of concern, rights recognition, access and opportunities, service monitoring, and prejudiced social attitudes, were subjected to comparative scrutiny. The paper discusses and concludes that even though some considerable work has happened, the current pieces of legislation are significantly fragmented and scattered. Therefore, the most important requirement is to have one powerful piece of legislation in terms of a national Act, incorporating again all the pieces of legislation that we currently have. It should have a careful and systematic response to the UNCRPD recommendations one-by-one and authorize and facilitate implementation and monitoring mechanisms at all national, provincial and local levels. We still have a long way to go.

Keywords: UN convention, Persons with disability, Social justice, National disability policy