

UPSC Syllabus Topic : GS paper2- governance- mechanisms, laws, institutions and bodies constituted for the protection and betterment of these vulnerable sections.

Structured negotiation as a boost for disability rights

Structured negotiation stands as a collaborative dispute resolution method, especially effective in advocating disability rights. This process involves direct negotiation between parties to resolve issues while striving to comply with social welfare and accessibility laws, bypassing court involvement. It has notably led to substantial improvements in accessibility, such as making ATMs, point-of-sale devices, and prescription bottles accessible to blind or low vision customers.

The advantages of structured negotiation are manifold:

1. **Avoidance of Litigation:** It bypasses the high costs and negative publicity associated with court cases, resulting in mutually beneficial outcomes for service providers and disabled individuals.
2. **Institutional Reforms:** It has driven institutional reforms by fostering strategies for creating more accessible voting machines and websites.
3. **Corporate Adoption:** Companies like Walmart, CVS, and Caremark have embraced this method, particularly evident in making prescription bottles more accessible.
4. **Inclusive Development:** It contributes to fostering a more inclusive society by prioritising the needs and rights of disabled persons.

The impact of structured negotiation in India manifests in various ways:

1. **Mitigation of Legal Delays:** It addresses the backlog in Indian courts by offering a more efficient dispute resolution process.
2. **Support for National Disability Law:** It aids in enforcing the Rights of Persons with Disabilities Act, 2016, using authorities like the Chief Commissioner for Persons with Disabilities to oversee compliance.

However, its efficacy can be varied, as shown in instances like the PayTM incident. Efforts to enhance app accessibility for disabled users inadvertently led to decreased accessibility. This underscores the significance of consistent and quality execution to genuinely benefit disabled individuals.

To enhance structured negotiation in India:

1. **Enhance Monitoring:** Establish continuous monitoring mechanisms and integrate user feedback for effective solutions.
2. **Legal Advocacy:** Strengthen the collection of disabled-friendly legal precedents to bolster structured negotiation.
3. **Increase Awareness:** Educate businesses and legal entities about the advantages of structured negotiation to encourage its adoption.
4. **Utilise Authorities:** Harness the role of the Chief Commissioner for Persons with Disabilities to ensure compliance.
5. **Learn from Examples:** Reflect on successful implementations in the U.S. to adapt strategies suitable for India's context.