15 February 2023

Submission from Deaf Aotearoa regarding the proposed general comment to article 11 of the United Nations Convention on the Rights of Persons with Disabilities

**Introduction**

Deaf Aotearoa is the primary non-government organisation representing the voice of Deaf people, and we are the national service provider for Deaf people in New Zealand. We are the Disabled People’s Organisation (DPO) for Deaf people and we are part of New Zealand’s DPO Coalition. Our aim is to act in every way within New Zealand, and internationally as appropriate, for the best interests, wellbeing and aspirations of Deaf people and to work towards the goal of equality and full participation in society by Deaf individuals.

Deaf Aotearoa welcomes the Office of the High Commissioner for Human Rights (OHCHR) proposal to prepare a general comment on persons with disabilities in situations of risk and humanitarian disasters. We note that the aim of the general comment will be to clarify the State party’s obligations pursuant to article 11 of the Convention and provide recommendations to the State parties to the Convention on measures they should adopt to ensure full compliance with their obligations to respect, protect and fulfil the human rights of persons with disabilities.

**Our recommendations**

Situations of risk and humanitarian disasters often highlight and expose the difficulties Deaf people have in accessing life-saving information and emergency services on an equal basis with their hearing counterparts. Climate change is increasing the frequency and severity of risk situations, which means it is more important than ever for Deaf people to be treated equally.

Deaf Aotearoa therefore affirms that full accessibility is a key concept for article 11, and submits that the proposed general comment must clearly affirm the rights of Deaf people to **equal treatment** in situations of risk and humanitarian disasters.

In particular, Deaf Aotearoa would like the general comment to specify that State parties of the Convention must adopt policies that mandate:

* the right to receive accessible and timely emergency-related information in sign language on an equal basis with others (including an expectation that speakers and press teams must ensure the interpreter is clearly visible at all times and not cut out of the frame)
* the right to access healthcare and medical services on an equal basis with others (and not, for example, be placed at the bottom of waiting lists as result of any communication barrier/s)
* the right to access emergency egress systems and services on an equal basis with others, including the right to be included in evacuation procedures (and not, for example, be left behind as a result of any communication barrier/s).

Access to sign language interpreters in emergency situations can be challenging because of their limited numbers. Deaf Aotearoa would also like to see a commitment from State parties to improving the availability and quality of professional sign language interpreters to continuously grow the number of competent interpreters that can be called upon in emergency situations.

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