**Report on Consultation for Recommendations for Article 11 of CRPD from DPOs & CSOs for the General Meeting of the Committee on Article 11 of CRPD**

Organized by

NCPEDP, BAPU TRUST, SMRC, IFRA and SWADHIKAAR

I. The [online consultation](https://us02web.zoom.us/rec/play/gfJtCRujg2xaB2sbs3A2z7KaBe8R4R5aPwdugrzOf1ZlaNb6g096yXwYLRjHN6NIObJKYyUU3jZw6vA7.JyCSXQaHT8C6dAkA?startTime=1676020878000&_x_zm_rtaid=k70U2WZ9SdmEtlJzxdsifQ.1676422917114.877f86a4618a5101b6fcc1bc61ad0992&_x_zm_rhtaid=749) took place on 10th February 2023 from 3PM to 4PM IST. The consultation had the sign language interpretation and English to Hindi translation to make it inclusive for all in this consultation process.

SMRC, NCPEDP, Bapu Trust, Team IFRA and Swadhikaar organized a Zoom Conference on [Article 11 of the UNCRPD](https://www.un.org/development/desa/disabilities/convention-on-the-rights-of-persons-with-disabilities/article-11-situations-of-risk-and-humanitarian-emergencies.html) per the general discussion of the CRPD Committee and to give recommendations, in the light of advancing climate crisis and its impact in India. While recognizing the fact that the present climate crisis is ripping apart economies of the world and accelerating social inequalities, accordingly the Government of India, Disabled Peoples' Organizations, and civil society organizations as well as industry and business establishments are coming forward to work with governments and all other stakeholders to arrive at a plausible climate resilient community action in accordance with Sustainable Development Goals (SDGs) and other human rights law obligations of the UN.

In this context, it is recognized that there is a need to expand the scope of Article 11 of the CRPD to amend and include climate crisis, which is the cause and impacting all life on our blue planet adversely, especially the historically vulnerable ecosystems and communities including persons with disabilities. As a result, our species/biodiversity, sources of our life and of nature are depleting and it is posing a threat to our economies and social stability, to the extent of threatening the very existence of all species, including human beings.

In that respect, the online consultation was organized so we as persons with disabilities can respond to this opportunity to give our thoughts and recommendations to address the issues of climate crisis driven disasters to contribute to our national policies, laws, and legal institutions and contribute to the global community climate action strategies with intersectional/inter-generational approaches based on the principle of ‘Leave No One Behind’ and ‘Nothing About Us Without Us.’

The [UNCRPD](https://www.un.org/development/desa/disabilities/convention-on-the-rights-of-persons-with-disabilities.html) was adopted in 2006. As the times have changed, the CRPD needs to evolve with it. It is wonderful but not enough to have committee reports and interpretations of the article for they are not sufficiently known nor distributed worldwide. Thus, what is needed is to amend Article 11 as there is no mention of climate change induced disasters that have cascading and compounding impact on persons with disabilities. There is need to monitor and report the outcomes and mitigations resulting from the application and of this article. Disaggregated data collection pertaining to disability is another challenge as there is huge pressure to move to the next disaster hit.

Prof. Asha Hans, from SMRC, Ms. Bhargavi of Bapu Trust and Mr. Armaan Ali from NCPEDP made their respective presentations and Mr. Pavan Muntha moderated the discussions. The aim of this Zoom Conference was to draw the attention of the national, regional, and international organizations to create such pathways for disability inclusive community climate action as are imperative and necessary. The presentations were followed by a Question-and-Answer session.

In the consultation session, Mr. Pavan Muntha set the context for the discussion detailing the Article 11 of the United Nations Convention on the Rights of Persons with Disabilities (UNCRPD) which talks about ‘Situations of risk and humanitarian emergencies’ and how climate change impacts different persons with disabilities differently with respect to their health, livelihood, etc.

I. The major Recommendations coming out from this Consultation were as follows:

1. Ensure special attention to women with disabilities as they are further marginalized by both climate change and disability

2. Develop and adopt better implementation measures of CRPD and other relevant international conventions and domestic legislations

3. Take into account new risk factors like Gram-positive bacteria

4. Prioritize individual and community-based approach to disability-inclusive climate justice

5. Wider interpretation of Article 11 as part of amendment.

6. Highlight and address mental health and social impacts of climate change on persons with disabilities

7. Incorporate lived experiences of persons with disabilities with respect to climate change

8. Ensure the inclusion of persons with disabilities in climate action planning and implementation

9. Decentralize planning and implementation of climate action

10. Develop improved systems to track how climate change impacts our lives.

11. Address the issue of climate change-induced migration and its impact on marginalized communities like urban poor

12. Develop a model of disability-inclusive Climate Resilience based on ‘Build Forward Better’ to realize the principle of ‘Leave No One Behind’

13. Collect data collection on various aspects related to the intersectionality between climate change and disability

14. Take cognizance of climate change-induced loss and damage concerns of the persons with disabilities while developing interventions

15. Undertake risk profiling of vulnerable communities and ecosystems

16. Collect intersectional and inter-generational disaggregated data

17. Re-visit and revise the existing Disability-inclusive Disaster Risk Reduction (DiDRR)

18. Expand programming to look beyond just pre- and post-disasters including issues like livelihood, food, energy, infrastructure, etc.

19. Respond to inter-generational concerns of persons with disabilities with respect to climate change

20. Address the challenge of climate change-induced poor working conditions resulting in disability

21. Monitor and report the outcomes and mitigations resulting from the application and of this article

Article 11 states, Parties shall take, in accordance with their obligations under international law, including international humanitarian law and international human rights law, all necessary measures to ensure the protection and safety of persons with disabilities in situations of risk, including situations of armed conflict, humanitarian emergencies and *the occurrence of natural disaster*

The words in Italics are to be changed to the following -

and *the occurrence of* *human and naturally caused disasters including climate change*

II. Earlier, recommendations were also submitted to the draft [National Policy on Persons with Disabilities, 2022](https://disabilityaffairs.gov.in/upload/uploadfiles/files/Draft%20Copy%20New%20National%20Policy%20May%202022%20.pdf) in the context of climate change crisis and climate justice for persons with disabilities. The recommendations in that context (intersectionality between climate change and disability) pertained to (1) Principles, Vision, Mission; (2) Prevention, Early Identification and Intervention; (3) Education; (4) Health; (5) Skill Development and Employment; (6) Sports, Culture, and Recreation; (7) Accessibility; (8) Disaster Management; (9) Social Security; (10) Social Security; (11) Strengthening of Institutional Mechanism and Capacity Development; (12) Protection of rights of PwDs; and (13) Other Policy Measures.

These recommendations were to impart climate justice to persons with disabilities under the aegis of the National Policy envisaged by the Ministry of Social Justice and Empowerment, Government of India. These recommendations were drawn from a series of consultations with stakeholders ranging from persons with disabilities, caretakers, and their representational organizations for climate change adaptation to mitigate the challenges that impact all human rights of persons with disabilities.

It was strongly recommended that there must be a separate chapter exclusively on climate change mitigation strategies in the National Policy taking into consideration inter-generational needs of persons with disabilities with respect to the intersectional/equity approach that protects persons with disabilities and their caretakers from climate change crisis impact. In the event of a separate chapter not being possible, these recommendations could be inserted under each chapter, chapter-wise in order to create a climate just world for persons with disabilities in particular and life on earth and in this country in general.