# Day of General Discussion art. 11 - Europe and Americas: speaking points – statement to be delivered by Pat Clarke on behalf of EDF

The barriers that persons with disabilities face in everyday life are exacerbated when society breaks down as a result of conflict or natural event. We have seen this in Europe over recent years with (for example) the COVID pandemic, sudden flooding events and the ongoing Ukraine war.

Article 11 of the CRPD obliges States to ensure the safety and protection of persons with disabilities in such situations. In this presentation, although there are numerous issues we would like to raise, we will address those which we consider to be the most pressing issues to consider in this General Comment. For more details, please see the EDF written submission.

**On strengthening the disability movement**

Organisations of persons with disabilities must be supported to increase their influence in humanitarian action, including linkages with DRR and climate action. In line with CRPD article 4.3 and 33.3, humanitarian organisations and agencies such as EU and UN, must meaningfully engage and partner with organisations of persons with disabilities at all stages of the humanitarian program cycle. This means from the earliest possible stage of planning and preparing, through implementation, to monitoring and evaluation. Such equitable partnership will require dedicated funding. This should be seen as an investment, not a cost. State Parties and donors must therefore follow processes to ensure organisations of persons with disabilities have equal access to funds and disability-specific budget by making application procedures transparent, accessible and accountable.

**On linkages with the humanitarian principles**

The General Comment should address the importance of humanitarian principles, including the principle of Impartiality in relation to discrimination against persons with disabilities, which is reinforced by CRPD Article 5 and General Comment No. 6.

**On linkages with disaster risk reduction (DRR)**

The component of ‘risk’ in Article 11 should be expanded using all aspects of disability inclusive disaster risk reduction (DRR). In particular, the explicit mentions of disability inclusion in the Sendai Framework for DRR should be referenced. These include reference to participation1, disability-inclusive policies2, data disaggregation by disability 3, empowerment and leadership (including of women with disabilities) 4, general inclusiveness5, universal design6 and accessibility of information7. Additionally, Sendai focal persons and governmental agencies responsible for disaster risk management must be seen as key interlocutors towards achieving disability inclusive DRR in line with the CRPD.

**On linkages with climate action (CA)**

Climate change is one of the main drivers of the increasing frequency of natural events which lead to humanitarian disasters. The States Parties to the Convention should ensure that the policies, tools and processes I have already mentioned from the field of disaster risk reduction are employed to adapt to climate change. This means embedding the principles of accessibility and universal design in the development of new infrastructure, mass transport and climate-smart agriculture, while ensuring that persons with disabilities have equal access to all initiatives under the 'just transition', such as retraining and employment. The potentially negative effect on persons with disabilities of inappropriate climate action must also be considered; this includes but is not limited to, the disproportionate impact of increased energy costs.

**Basic principles (adapted from the Humanitarian Disability Charter8) - should be the following**

* **Non-Discrimination**: ensuring equal access to humanitarian aid and removing barriers related to intersecting factors. Particular attention must be given to the situation of women and girls with disabilities. They should be adequately included in disability related policies, but also gender specific responses to disasters and humanitarian emergencies.
* **Inclusive policy**:all policy and planning towards humanitarian action must be based on relevant and current guidelines and standards regarding disability inclusion (i.e., the IASC guidelines on inclusion of persons with disabilities in humanitarian action9 ). The OECD DAC Disability Policy Marker10 should be used to track finance in support of disability inclusion within mainstream humanitarian programmes. Humanitarian policy must support deinstitutionalisation, in line with the CRPD committee guide on deinstitutionalisation.
* **Inclusive response and services**: all barriers to accessing humanitarian aid (including physical, communication, environmental, attitudinal, institutional) should be identified and removed. This applies to all basic services (including but not limited to shelter, food, health) as well as specific requirements (including but not limited to assistive technology and support networks). All communication regarding emergencies must be provided in accessible formats overall channels used, including provision of information in clear and easy to understand language.
* **Cooperation and coordination**: all humanitarian actors, including organisations of persons with disabilities, must maximise sharing of knowledge in line with the concept of localisation. This should include training on disability inclusion for staff at all levels; this training should be embedded as part of organisations ongoing training cycles; and it should be led by representative organisations of persons with disabilities. Such capacity building can also be two-way, meaning shared leadership, delivery and learning by both the disability and humanitarian communities.