

Draft General Comment

on Article 11

**Situations of risk and humanitarian emergencies**

Comments by the Higher Council for the Rights of Persons with Disabilities in Jordan

The Government of Jordan, represented by the Higher Council for the Rights of Persons with Disabilities (HCD) presents its compliments to the United Nations Committee on the Rights of Persons with Disabilities (the Committee) and has the honor to refer to the Committee's invitation to submit written statements on situations of risk and humanitarian emergencies (art. 11) (draft general comment). Jordan thanks the Committee for the opportunity to submit a written letter.

Jordan ratified the Convention on the Rights of Persons with Disabilities (CRPD) declaring its commitment to implement its provisions by publishing the CRPD in the Official Gazette in 2008 to become part of national legislation and hence enforceable, in order to achieve its goal and objective in upholding and protecting the rights of persons with disabilities and ensuring the full enjoyment of human rights and fundamental freedoms in all areas.

The promulgation of the Law on the Rights of Persons with Disabilities Number 20 for the Year 2017, which is a qualitative shift and a major development in the field of the rights of persons with disabilities, as the first national and regional legislation based on the principle of non-discrimination, equal opportunities and protection against discrimination in all fields.

The protection and promotion of rights for all persons with disabilities forms a fundamental part of the Jordan's human rights agenda, ensuring that rights and liberties protected nationally at the same time as fulfilling our international obligations. The following are examples of some initiatives to that end:

* The Jordanian National Plan 2028-2021 was launched to activate Security Council Resolution 1325 Women's Security and Peace in Jordan responding to the security and military challenges reflecting Jordan’s commitment and Respect for human rights and promotion of the concepts of justice, equality and participation which Jordan has sought to implement through several national frameworks such as the Jordanian Women's National Strategy (2013-2017), the National Human Rights Comprehensive Plan ( 2018-2025) with the aim of integrating and promoting a gender perspective and women's participation in conflict prevention operations, building and promoting sustainable security, peace and stability.The plan specifically responds to the recommendations of Security Council Resolution No. 2242 (2015) focusing on cooperation with civil society and women as key partners in countering extremism and violence and promoting women's participation in the prevention of armed conflict.
* In coordination between HCD and the Department of Statistics, a plan was set to determine the number of persons with disabilities through the next census 2025, using the long set of questions of the Washington Group on Disability Statistics which will help in determining the specific and actual needs of persons with disabilities.

International humanitarian law and international human rights law are complementary bodies of international law, they share some goals to protect the lives, health and dignity of individuals to prohibit discrimination. The international humanitarian law’s “**responsibility to protect**” is a principle that seeks to ensure that states have an obligation to protect their citizens from four specific crimes - genocide, war crimes, ethnic cleansing and crimes against humanity-and if states fail, then it is the international community’s responsibility for taking joint action to protect civilians.

Persons with disabilities, more often than not, and certainly compared to others without disabilities face obstacles, due to institutional, behavioral, environmental barriers, or even in terms of getting the needed medical help and assistance, with risk factors during crises or situations of conflict being exacerbated, and their rights significantly impacted such as right to life and protection without discrimination.

As for the principle of **special protection** for women, children, and persons with disabilities and the need to confirm the existence of guarantees for their safety States Parties need to ensure full access by implementing the following:

* Monitoring mechanisms for the needs, and number of accessible shelters for persons with disabilities, with provision of safe humanitarian corridors for transit when needed
* Mainstreaming the requirements of persons with disabilities (including older persons and refugees) in the national safe evacuation, early-warning plans strategies, community protection plans and follow-up plans.
* The inclusion of the requirements of persons with disabilities in post-traumatic therapeutic interventions, taking into account their free and informed consent
* Training of staff from all fields on how to deal with persons with disabilities (women, children, older persons and refugees) and their families before and after any risk with continued follow-up in partnership with organizations representing persons with disabilities.
* Comprehensive protection programmes for persons with disabilities and access to basic services, among neighboring States.
* Taking into consideration the needs of intellectual and psychosocial disabilities and the need for specific procedures to understand and explain article (11) vis-a-vis other articles of the convention to safeguard the safety and protection of persons with disabilities in all circumstances without discrimination on the grounds of disability or being a woman or child with a disability so as to take all available measures within the State's capabilities and to always be prepared in case of any emergency, while protecting them from torture or cruel, inhuman or degrading treatment or punishment, and from exploitation, violence and abuse
* The importance of applying the principle of accessibility and the provision of reasonable accommodations at all levels and the assistance they may need.

In conclusion, Jordan understands the importance of implementing this article, and is aware that efforts in this area require harder and focused work, as the aim is mainstream persons with disabilities in all national plans related to Situations of risk and humanitarian emergencies and their needs. HCD aiming to implement the above points and recognizes the importance of a comprehensive and specialized national strategy related to situations of risk and humanitarian emergencies for persons with disabilities in Jordan

**Good practices:** As there are several good practices regardless article, the HCD notes that it would be useful to collect and share more of these practices with other states on the regional and global level.