

Emergency and disaster: an Human rights approach for person with disabilities

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Disabled Peoples' International-DPI

- **142 National Assemblies member (28 in Europe)**
- **5 Regional Organization (Africa, Asia-Pacific, Europe, North-America & Caraibe, South America)**
- **Consultative Status to all international Bodies (UN, WHO, ILO, Council of Europe, UE, etc.)**

www.dpi.org

Disabled Peoples International - DPI

- Cross-disability organization
- Support and defend the Human rights of PwD
- Protagonism of PwD



Disabled Peoples International - DPI

- Influence and lobbying international, regional and national institutions and governments Empower DPOs and PwD
- Develop awareness on PwD condition
- Collect and spread information and documentation



**New York UN 13.12.2006
GA approve Convention on the
right of PwD: higher recognition of
the rights of pwd**



Condition of PwD in the world

650 millions of
persons with
disabilities



Very speed process of recognition of the rights

- First document UN (1971)
- World year of handicapped persons (1981)
- World Action Programme (1982-1992)
- Standard Rules (1993)
- Convention on the rights of persons with disabilities (2006)



Deep Transformation

International Convention on the Rights of PwD

Article 3 - General principles

- **(a) Respect for inherent dignity, individual autonomy including the freedom to make one's own choices, and independence of persons;**
- **(b) Non-discrimination;**
- **(c) Full and effective participation and inclusion in society;**
- **(d) Respect for difference and acceptance of persons with disabilities as part of human diversity and humanity;**
- **(e) Equality of opportunity;**
- **(f) Accessibility;**
- **(g) Equality between men and women;**
- **(h) Respect for the evolving capacities of children with disabilities and respect for the right of children with disabilities to preserve their identities.**

Condition of PwD in the world

82% live in
developping
countries
(about 530
millions)



Condition of PwD in the world

Only 2% receive services or support



International Convention on the Rights of PwD

Article 1 - Purpose

- 1. The purpose of the present Convention is **promote, protect and ensure the full and equal enjoyment of all human rights and fundamental freedoms** by all persons with disabilities, and **to promote respect for their inherent dignity.**



The condition of persons with
disabilities is a question of
Human Rights

Discrimination is the different treatment without justification



International Convention on the Rights of PwD

Article 5 - Equality and non- discrimination

- 1. States Parties recognize that **all persons are equal before and under the law** and are entitled **without any discrimination** to the equal protection and equal benefit of the law.
- 2. States Parties **shall prohibit all discrimination on the basis of disability** and guarantee to persons with disabilities **equal and effective legal protection against discrimination on all grounds.**
- 3. In order to promote equality and eliminate discrimination, States Parties shall take all appropriate steps to ensure that **reasonable accommodation is provided.**
- 4. Specific measures which are necessary to accelerate or achieve de facto equality of persons with disabilities shall not be considered discrimination under the terms of the present Convention.

The Condition of PwD

The disability condition is
both cause and effect of
poverty



Poverty and PwD

- **Poverty for economic and social condition** lack of economic resources , degraded conditions (health, food, igienic, social, etc.)
- **POVERTY OF RESOURCES**

Poverty and PwD

Poverty for social impoverishment:
obstacles and barriers for access to rights, unequal and discriminated treatment, more cost to enjoy goods and services, etc.

- **POVERTY OF RIGHTS**

Poverty and PwD

Economic poverty and social condition +

Poverty for social impoverishment =

- **POVERTY OF SOCIAL RECOGNITION**

- **Social Exclusion**

Poverty and PwD

Poverty of knowledge of society on PwD
Incompetence of professionals in all sector to
manage disability issues

POVERTY OF COMPETENCES

The Condition of PwD

Societies' low regard for the abilities of persons with disabilities has resulted in discrimination and stigma attached to disability which pose great barriers in their participation in economic, cultural, political and social life



The Condition of PwD



- **PwD are discriminated citizen and live conditions of lack of equal opportunity**
- **PwD meet obstacles and barriers to social participation**
- **PwD are Invisible citizen**

Change of framework

**From Medical
Model of Disability**



**To Social Model of
Disability based on Human
rights approach**

Medical Model

**PWD are ill,
invalid**

**Treatment is
recovery and
protection**

**The PWD need
to be segregated**

**Competences
for PWD are**

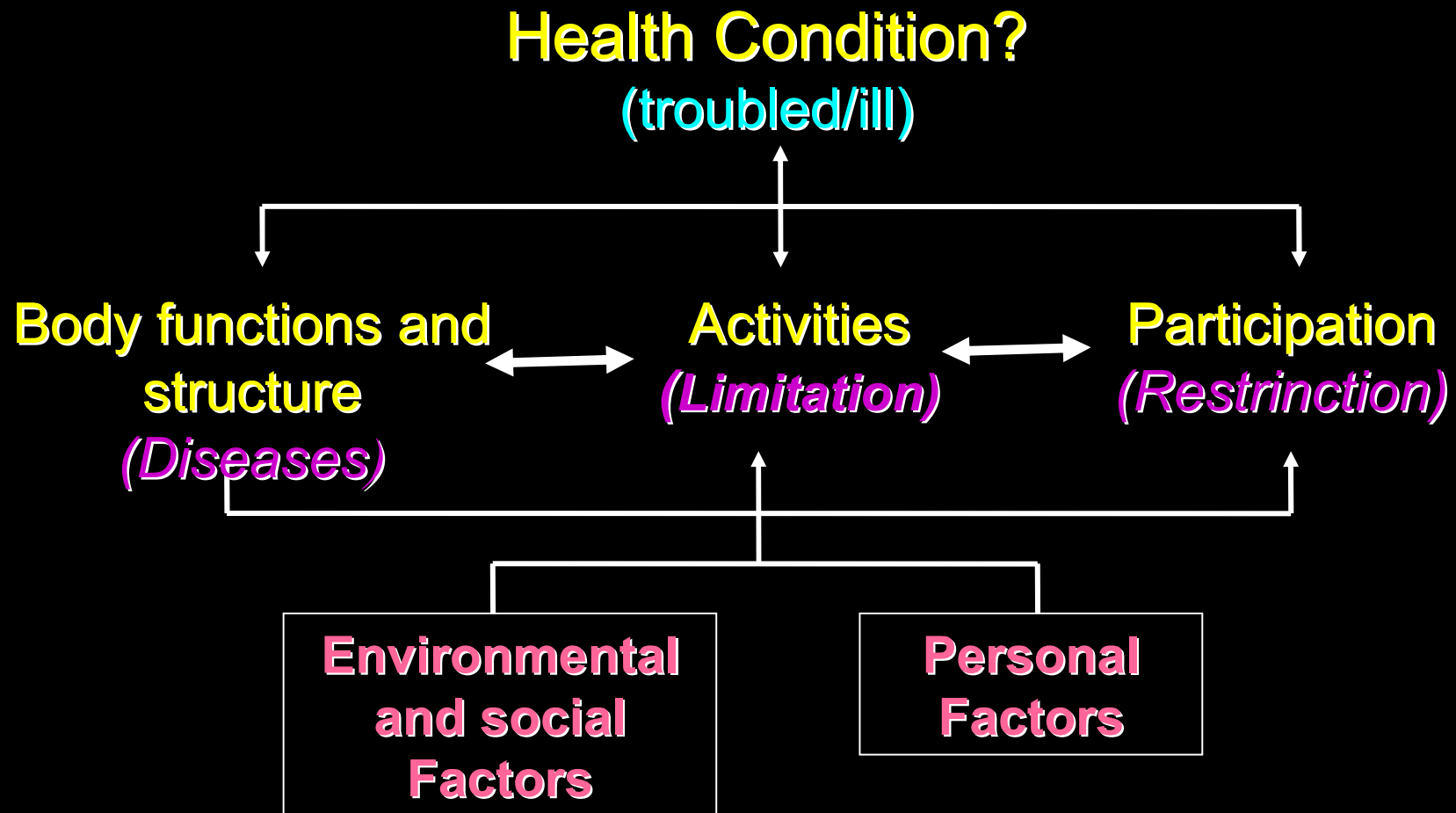
Social Model on HR

**PWD are citizen
with different
abilities**

**PWD live
discrimination &
lack of equal
opportunity**

**Treatment is
social inclusion**

International Classification of Functioning Disability and Health ICF – WHO 2001



International Classification of Functioning Disability and Health - ICF

- The condition of persons with specific characteristics depend from social and individual factors
- Disability isn't an health condition, but a social relationship
- Disability is an ordinary condition of all human being

Introduction of ICF to the Health

Policy at the Time of Disasters:

"Limited Independence" as an important Risk Factor for Decline of *Functioning after a Heavy Snow*

The subjects were 2,586 older people aged 65 years and more living in six districts of Nanto City, Toyama Prefecture

There was decline of gait in 22.9%. The risk for the decline was almost 2.5 times greater in people who had been in the state of "Limited independence" of outdoor gait one year before as compared with those in "Universal independence". The recovery of declined gait was also worse in the former group than the latter, that in "Limited independence" being almost same as in "Partial limitation".

European Communities Amsterdam Treaty – Art. 13

Without prejudice to the other provisions of this treaty and within the limits of powers conferred by it upon the Community, the Council acting unanimously on a proposal from the Commission and after consulting the European Parliament may take appropriate action to combat discrimination based on sex, racial or ethnic origin, religious belief, disability, age or sexual orientation

European Communities

European Chart of fundamental rights

Art. 21 Non discrimination

1. Is forbidden any discrimination based , in particular, on sex, racial, skin color or ethnic and social origin, genetic characteristic, language, religious belief or individual, political opinion, national minority, disability, age or sexual orientation.

Art. 26 Inclusion of disabled people

The Union recognise and respect the right of disabled people to benefit from measures designed to ensure their independence, social integration and employment and participation in the life of the community.

Four pillars of European Strategy

Non-discrimination Legislation

Positive Actions (mainstreaming policies,
European programmes, etc.)

Removing obstacles and barriers

**Involvement of PwD – European
disability forum**

Ratification process

119 countries have signed Convention, 21 countries from EC

(Austria, Belgium, Cyprus, Czech Republic, Finland, France, Germany, Ireland, Italy, Holland, Hungary, Latvia, Luxembourg, Malta, Portugal, Poland, Slovak republic, Slovenia, Spain, Sweden, United Kingdom)

7 countries has ratify Convention, 1 country from EC

(Hungary)

European communities want ratify Convention (art. 44 – RIO)

Next year entry in force of Convention

International Convention on the Rights of PwD Preamble

- *Reaffirming* the **universality, indivisibility, interdependence and interrelatedness of all human rights and fundamental freedoms** and the need for persons with disabilities **to be guaranteed their full enjoyment without discrimination,**
(preamble)

International Convention on the Rights of PwD Preamble

(u) *Bearing in mind* that conditions of peace and security based on full respect for the purposes and principles contained in the Charter of the United Nations and observance of applicable human rights instruments are indispensable for the full protection of persons with disabilities, in particular during armed conflicts and foreign occupation,

International Convention on the Rights of PwD

Article 11- Situations of risk and humanitarian emergencies

- 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 disasters.

*European Parliament resolution on this
summer's natural disasters
(4 September 2007, P6-TA(2007)0362)*

19. Stresses the need to take special care in cases of natural disasters of the specific needs of people with disabilities in all actions undertaken using the Civil Protection Mechanisms;

Situation of risk

- Culture of actors is based on humanitarian approach
- Disability is forgotten
- Actors concern not have a good knowledge of disability issues

Humanitarian approach →

→ Human rights approach

Humanitarian approach:

- Speed intervention has produced competence of military bodies or charitable organisation (Army, Red cross, etc.)
- Military culture – limitation of losses
- Charitable vision – beneficiary are not able

Humanitarian approach:

- Two time approach
 - First aids (food, health and housing)
 - Second action for other needs

Humanitarian approach:

- Not accessible camps
- Dietary needs ignored
- Absence of attention of particular higienic or healthy needs...

Human rights approach

- Respect of dignity of person
- Attention on rights and opportunities
- Self-determination
- Focus on empowerment of person and community

Respect of dignity of person

Equal treatment and non
discrimination

Including disability in first
intervention

Attention on rights and opportunities

Include PwD in all programs, take in account the disomogenous nature of disability

Overcome prejudices, obstacles and barriers

Building actions on base of the greatest self-determination

Focus on empowerment of person and community

- Support empowerment of pwd and NGOs of pwd
- Involve community on all actions
- Use appropriate modes and materials

Including disability in intervention on situation of risk

- Plan of prevention
- First intervention
- Empowerment of PwD and communities

Competence to develop in situation of risk

- Universal design
- Competence in specific disability issues
- Attention on discrimination and multidiscrimination

Possible actions to promote HR in situation of risk

- Introduce disability in all international rules and manuals
- Building European and national regulations
- Training Red Cross, civil and army agencies
- Lobbying Agencies
- Working with companies that produce tools related to emergency
- Building projects: some examples

Charter of Verona

First step to transformation

Main goal of Human Rights strategy

**SOCIAL
INCLUSION**

Insertion, Integration, Inclusion...

Inclusion is a complex process to transform rules, aptitudes, behavior

Inclusion needs instruments of participation and support of training and rules

Social Inclusion

- Inclusion is a right based on full participation of PwD in all fields of life on equal base by the others, without discriminations, respecting dignity and valorising human diversity, through appropriate interventions, removing barriers and prejudices and support based on mainstreaming to live in local communities



Inclusion is effective only
with direct participation of
excluded and discriminated Persons

Nothing about us

We are really **without us**
experts
on our own life

Hamburg declaration

**“enable people and
communities to
take control of
their destiny and
society”**



International Convention on the Rights of PwD

Article 4 – General obligations

In the development and implementation of legislation and policies to implement the present Convention, and in other decision-making processes concerning issues relating to persons with disabilities, States Parties shall closely consult with and actively involve persons with disabilities, including children with disabilities, through their representative organizations.

Support the Value

of human diversity

Old Greece

*Kalòs = healthy man and
beauty*

Kai = is also

Agathòs = good





Inclusive Societies

Right to be different

Difference to be right

